

THE UNIVERSITY OF HULL

**DRUGS AND DRUG POLICIES IN OMAN WITH SPECIAL REFERENCE TO THE
DEATH PENALTY**

**Being a Thesis submitted for the Degree of Doctor of Philosophy
in the University of Hull**

By

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ABSTRACT

The problem of drugs in Oman has assumed serious proportions in recent years. It leads to creation of an underground economy and is associated with loss of skilled manpower. However, the problem has several dimensions. It has direct and indirect adverse effects.

In response to increases in both worldwide drug production and drug demand in Oman, law makers in Oman instituted legal measures designed to protect the health, welfare and finance of people from the effects of drug use. In addition, law makers in Oman have recognized that trade in illicit drugs is a global activity and that drug-related activities are associated with other criminal behaviour; therefore they have tried to honour the spirit of international conventions related to drug control. Thus, the Drug Act No.17 was passed in March 1999 and came into force on 6th April 1999, to regulate the procedures regarding the trafficking and trade of drugs in Oman. The most striking feature of the new law is a 'death penalty'. The death penalty would be applied to those charged with drug trafficking and smuggling, as laid down in article No 43.

Therefore, the question is can the death penalty deter criminals from committing trafficking and smuggling in drugs? No research has been done to examine the effect of the new drug law in Oman. This thesis aims to fill that gap and investigate the impact of the new drugs law in Oman.

Data collection for the study was carried out using three methods: questionnaire, semi-structured interview and documentary data from police files before and after the introduction of the death penalty for the period from 1st April 1996 to 31st March 2002.

The total period covered was 72 months. Statistical reports and other research papers carried out in Oman and other countries were also reviewed.

The results of testing a number of hypotheses indicated that since the introduction of the death penalty for drug offences, the numbers of drug arrests and the incidence of violence related to drug offences have increased. In addition, the smuggling of drugs by sea has increased. Moreover, heroin trafficking has increased since the introduction of the death penalty.

The study found that there is a lack of knowledge about drugs (the types of drugs, punishment, addictions treatment and belief about drug effects) among both groups of participants, drug offenders and non-drug offenders.

Finally, the findings of this study indicate that the introduction of the death penalty in Oman does not deter drug offenders from involvement in drug related offences in general and drug trafficking offences in particular.

Dedication

I want to express my gratitude to my father and my sister in law (Khawlah) who died during the course of this study. I dedicate this thesis to their memories.

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INTRODUCTION

The problem of drug abuse (to refer broadly to a whole complex of problems) has assumed serious proportions in recent years. The problem has several dimensions. It has direct and indirect adverse effects. Drug-related offences are at the root of some of the gravest social problems of the modern world. It leads to the creation of an underground economy and is associated with loss of skilled manpower. Moreover, a huge economic burden is imposed on society by providing the requirements for prevention, treatment, and rehabilitation services. In terms of its indirect adverse impact on society and the economy, drug abuse breeds other social and economic problems. It is associated with money-laundering, and finances, in many cases, arms trade and militant activities. The illegal drug trade is claimed to have developed faster than legal international trade, ranking in value second only to the arms trade (United Nations, 1998a).

Before we consider the issue of drug use and abuse in more depth it is necessary to consider some definitional question. For the purposes of this study we need to consider carefully the different elements that are contained in common usage.

Drug problem: defined here as the imports, purchase, manufacture, possession of drugs and the regular use of those substances prohibited to human consumption by the law. The Arabic phrase (*Esteemal Al-Mukadarat*) is used by Omani officials to refer to all aspects of the lifestyle in which the likelihood and frequency of involvement in illegal activity are increased because drug users may not participate in the legitimate economy and are exposed to situations that encourage crimes. This phrase has been translated as drug abuse this thesis. For example, a life orientation with an emphasis on short-term goals supported by illegal activities; opportunities to offend resulting from contacts with offenders illicit and illegal markets; criminal skills learned from other

offenders (Salim 1989). So in Arabic the term "drug abuser" refers to illicit drug users, drug dealers and drug traffickers.

Drugs: defined in Oxford Dictionary "a substance used in medicine or as a stimulate or narcotic" (Coventry and Nixon, 1999:154). In this thesis it means those substances taken for pleasure which are banned by the law of the country concerned as illegal drugs. Arabic Language has no general word for drugs so that treatment drugs are called "*Dawa*" and illicit drugs are called "*Mukadarat*", whereas, in English the word drugs can mean either the medicinal use or illicit use.

Soft drugs: in Oman 'soft' drugs are considered officially to be those drugs such as cannabis, Marijuana, khat, etc.

Hard drugs: in Oman 'hard' drugs are considered officially to be those drugs such as cocaine, heroin, LSD, amphetamines, etc.

Illicit drugs: means those drugs the enjoyment of which, while not being specifically banned under the relevant law, is nevertheless not socially approved, and may fall under some non-specific prohibition of the law. Whereas **Illegal Drugs:** means those drugs which are specifically banned under the relevant law. They also, are nevertheless not socially approved, and prohibited under the local law.

Drugs-related offences: in Oman the word "Grimat Al-mukadarat" refers to all elements of criminal activity that can be related to the use of illegal drugs, including.

Drug crime: in Oman the word "Garimat Al-mukadarat" means those crimes committed in breach of the law that relates specifically, and only, to the supply and use of illegal drugs.

Drug trafficking: refers to the criminal activities of moving illegal drugs to the point of sale, both internationally and internally in any one country. Drug trafficking also, means buying and selling drugs illegally (Collin, 1995).

Misuse or abuse of drugs: means the consumption of illegal or illicit drugs. It may often be related to addiction.

Drug policy: means those aspects of policy which are aimed at reducing or controlling the level of misuse of illegal (or illicit) drugs. It can be divided into three kinds of drug: supply policy, drug demand policy and drug harm policy.

It is worth mentioning here also, that throughout the thesis all prices are given in US\$ (one Omani Riyal = US\$ 2.5).

Historically, the use of drugs has been a feature of every society since time immemorial, although terms like "drugs" or "drug misuse" and "drug trafficking" are of relatively recent origin. History reveals that people have consumed the juice of opium poppies, chewed coca leaves, dried peyote cactus, smoked hemp and eaten certain vegetable matters for medical, religious and recreational purposes for centuries (Hess, 1980). The earliest forms of drug use were, however, probably for magic-medicinal purposes rather than for recreation. The opium poppy is believed to have been first used for its sedative effects by the Sumerian people of Asia Minor, as early as 5000BC; their primitive writings refer to a "joy plant" (Hess, 1980; O'Brien, Cohen and Fine, 1992: ix). In America, the use of alcoholic beverages and other psychoactive substances, which were deemed so problematic as to lead to an Amendment to the Constitution at one time, is now an accepted and important form of recreation. On the other hand, opium, which was widely used and accepted among the literati and in "high life and fashionable circles" in 18th and 19th century Europe is now a highly proscribed substance (Glatt, 1977; Hess, 1980).

In response to increases both in worldwide drug production and drug demand in Oman, law makers there instituted legal measures designed to protect the health, welfare and finance of people from the deleterious effects of illegal drug use. Law makers in Oman have recognized that trade in illicit drugs is a global activity and that activities

related to the illicit misuse of drugs are associated with other criminal behaviour; therefore they have tried to honour the spirit of international conventions related to drug control.

The first criminal law to overcome various drug problems in Oman was promulgated in February 1974. However, this law was not exclusively for drug matters. Only a few articles were related to drugs, namely, Articles Nos. 102, 229, 230, and 231. The first two articles dealt with drug trafficking and related offences, while the last two dealt with the personal use of drugs, especially drug addiction. The Drug Act No.17 was passed on 6th March 1999 and came into force on 6th April 1999, to regulate the procedures regarding the trafficking and trade of drugs in Oman. This law was the latest in a series to combat drug-related problem in Oman and the latest law in the region as far as drug laws are concerned. Specifically, this law deals with the production, manufacturing and transportation of illegal drugs. In the old law, these aspects were not covered.

The aim of the new drug law was to deter people from becoming involved in drug-related offences in general, and from being involved in the trafficking of drugs, in particular.

Research Problem

The penalties imposed on drug offenders under the new law are stiffer than under the old law. They encompass the death penalty, life imprisonment, imprisonment (5-15 years), imprisonment (up to 5 years), fines, hospital orders, community home, probation (Work – Stay—Travel), and deportation (for foreigners).

The most striking feature of the new law is a ‘death penalty’. The death penalty would be applied to those charged with drug trafficking and smuggling, as laid down in article No 43. The death penalty is also one of the possible punishments for recidivism in drug production, manufacturing, and transportation of illegal drugs. These penalties apply to

those drugs mentioned in Tables No 1, 2, 3 and 4 from Group One and Table No 1 from Group Two Psychotropic Substances (see appendix 2). For the first-time, also, dealers who are found in possession of a small quantity of drugs to sell will be imprisoned.

There are many Arab countries that have tough approaches to drug crime. Egypt, for instance, issued a resolution in 1984 which stated that all people who smuggle grow, or market drugs will be hanged. Many other countries have also introduced tough measures against drug related crime; examples include Malaysia, Singapore, Thailand, Indonesia, Sri Lanka, Iran, Iraq and China (Al-Bar, 1988). In the United Arab Emirates, which is the neighbour of the Sultanate of Oman, the death penalty was introduced against drug related crime in 1995 (Al-Mukafaha, 1997).

Since the new law came into force in Oman on 6 April 1999, it is evident that the maximum sentences provided by the new law have been imposed. The first death penalty sentence was issued in 30 January 2001, barely two years after the new drug law came into force (Oman Daily Newspaper, 2001a), and on 18th July 2001, three executions were carried out in Oman under the new drug law (Al-Watan Daily Newspaper, 2001b).

The implementation of the death penalty to some extent depends on the type of offence, and the seriousness of the case, such as drug trafficking with violence. Based on the nature of the crime, and its relation to drugs, the judge will consider the kind of punishment, although sometimes, for instance, if the crime is not a first offence, it deserves the death sentence.

However, there is a gap between theory and practice in the field of the prevention of drug in Oman. Royal Oman Police Reports, (in Table 0.1) show that since the issue of the new drug law, the number of officially recorded drugs-related offences has increased rapidly.

Table 0.1 Number of Drug-related Offences and Number of Accused From 1991 to 2001.

Years	Offences	offenders	Omani	Others
1991	13	81	70	11
1992	27	65	44	21
1993	37	87	77	10
1994	44	99	81	18
1995	72	182	152	30
1996	83	199	172	27
1997	107	229	186	43
1998	134	288	213	75
1999	212	443	330	113
2000	253	513	396	117
2001	318	561	503	58

Source: Criminal Statistics Drug Combating Department, Various years.

It is important to mention here that in Oman the number of drug offences and offenders are presented in general: there is no categorisation according to the type of offences, and so from the Table we can only estimate the effort of the drug-connected offences in each year. Moreover, the increase in the number of drug offences and offenders may be because of the increase in the drug- detecting officers' equipment year on year, which may not indicate the actual effect of the present legislation in terms of the occurrence of problems in the supply and demand of drugs in Oman.

In addition, perhaps further support for the belief that the misuse of drugs is increasing can be found in the statistics of the Ministry of Health shows that the latest number published for drug addicts with AIDS up to 31/12/2001 is 700 (Oman Daily, 2002). Moreover, according to the Royal Oman Police, the number of deaths caused by overdoses of drugs is increasing rapidly, from 4 deaths in 1995 to 10 in 1999, and in 2002 the numbers rose to 14 (Royal Oman Police, 2003). Illegal drug use is now a serious problem in the Sultanate of Oman. According to the official statistics the number of registered addicts jumped from 253 in 1999 to 415 in 2000 and the number of those seeking treatment has increased gradually (Ministry of Health, 2001). For example, in 2000 they sent 40 drug addicts outside Oman for treatment in other Gulf Countries especially Saudi Arabia and the United Arab Emirates because there are no treatment facilities for drug addicts in Oman.

Moreover, the officials believe that the drug use is increasing and the "drug problem" is getting worse. As one criminal justice official said:

"the drug problem is growing day by day and has got beyond control. So we can say we have a drug problem, and it needs great efforts to reach a perfect solution".

Therefore, the question now is: can capital punishment deter criminals from committing trafficking and smuggling in drugs? However, no research has been done to examine the effect of the new drug law in Oman. This study aims to fill that gap and investigate the impact of the new drugs law in Oman.

The Aim of the Study

This study aims to evaluate the effectiveness of the New Drug Act No.17/99 in the Sultanate of Oman, and to examine changes in occurrence of the drug –related offences in Oman before and after introduction of the death penalty. In brief, the present study this study has three aims:

- To outline the current Omani drug policy.
- To evaluate the effectiveness of the death penalty. As a means of reducing drug-related offences.
- To explore the experiences, knowledge and believes of drug offenders. In order to reform recommendation for a change to current policy.

Significance of the Study

Many studies have attempted to explain the link between the death penalty and the deterrent effect in homicide offences. Unfortunately, most of these studies have been conducted in European and United States settings. Such developed countries are culturally, economically and politically different from developing countries like Oman, where the present study has been conducted. However, on the light of the lack of studies on the effect of the death penalty in drug-related offences throughout the world, the researcher is aware of a few studies conducted in the Gulf States by Al-Harthy (1999)

and in Saudi Arabia by Al-Khayyat (1988), Al-Gofaly (1990) and Al-Turki (2000). Therefore, this study will shed light for the first time on the effect of the death penalty for drug related offences in Oman and the problems that its agencies face.

In addition, this research is also important in the field of improving the penal system in Oman in general, and in the field of drugs related offences in particular. Education, rehabilitation, treatment and after care in the field of drugs related offences are very important in order to provide a useful penal system. Thus, this research is considered important to:

The Omani government, especially the Royal Oman Police, in the field of drug prevention and penal policies;

The academic community, through publishing the main findings of this research.

Sources of Data

In order to obtain the required data for testing the research hypotheses, both quantitative and qualitative methods were used. A questionnaire was employed as the main method of data collection. The researcher, however, felt that a questionnaire alone would not fulfil the purpose of this study, so a decision was made to supplement the questionnaire by (a) interviews with criminal justice officials who deal with drug problems (b) documentary data (police files). In this way the researcher can have more confidence concerning his conclusions than he would have if he employed a single method (Whyte and Alberti, 1983).

The researcher conducted the questionnaire himself with the drug offenders (prisoners) in the main prison in Oman and non-drug offenders (public). The researcher also, conducted face-to-face interviews with the criminal justice officials. In addition, the documentary data were collected from Royal Oman Police case files (for more details see in Appendix Research Methodology).

Additional data were collected from secondary sources, such as the United Nations (UN), International Drug Reports (IDR), The International Police Reports of INTERPOL, Amnesty International (AI), The Ministry of Economy in Oman (MOE), The Royal Oman Police (ROP), The Department of Drugs Prevention in Oman, and The Ministry of Information in Oman (MOI).

It is worth noting that information was also obtained from a review of previous literature, from some theses, periodicals and books, and from government publications and international statistics related to the subject. The researcher used these data to make comparisons between the current study and other studies in the same field.

Data Analysis

The data collected in the current study were qualitative (interview data) and quantitative (questionnaire data and documentary data).

I- Quantitative Data Analysis

The Statistical Package for Social Science (SPSS) was used to analyse the data collected. It is a comprehensive tool for managing, analysing and displaying data. The SPSS programme is considered a very important tool for researchers because it plays a vital role in analysing data.

The researcher employed non-parametric test particularly the Chi square (χ^2) test, and frequency distribution, because these tests are suitable for presenting and analysing the collected data, especially the data collected by questionnaire, because these data were categorical in nature. In addition, these tests were suitable for achieving the aims of this study.

II- Qualitative Data Analysis

Qualitative data are based on meanings expressed through words. Yin (1994) identified two strategies related to analysing qualitative data. These strategies are: using

a theoretical or descriptive framework; and exploring qualitative data without a predetermined theoretical or descriptive framework.

Qualitative analysis was used in order to analyse the data collected by interviews. A summary was presented of the main points and ideas related to the research objectives by using a descriptive framework (for more details see in Appendix Research Methodology).

Limitations of the Study

The following limitations of the study must be noted

1. All those in this study are male.
2. The present study is restricted to drugs offenders (male) under the sentences, non-drug offenders (male), and Criminal Justice Officials (male)
3. This study is concerned with drugs offenders (male) convicted offenders prison sentences. and does not include pre-sentences prisoners.
4. The present study is concerned with the deterrent effect of the new drugs law and restricted to drugs offenders (male) sentenced under the new law.
5. The research reflects the situation in Oman during the period 2001-2002.

The Organisation of the Study

The material in this thesis is organised into three main parts, containing Seven Chapters in all:

Part One: contains a review of the literature and considers the effectiveness of the effect of current drug policy (supply reduction policy) in Oman. Chapter one presents the historical development of Oman. This chapter affords the reader a wide understanding of the historical and cultural background of Oman. In addition, it briefly describes the country and its people, its economic and social patterns and geographical considerations, and the emergence of problems related to use of illegal drugs. Chapter two contains a literature review of the nature of problems related to the misuse of illegal drugs world-wide, and in the Muslim/Gulf countries, including Oman. Chapter three

presents Oman's current drug policy. The latest development in this respect is the introduction of the death penalty.

Part Two: Chapter four, therefore, presents the history of the death penalty and the moral case for its use, and because there are few studies on the deterrent effect of the death penalty on drugs-related offences, the researcher reviews studies of the deterrent effect of the death penalty for serious offences in general, and drug supply offences in particular.

The purpose of the literature review was to determine the importance of the level of deterrence of the death penalty in the countries which have applied this kind of punishment against offences in general and drugs-related offences in particular, and what the death penalty has to do with drugs trafficking and dealing. This was intended to achieve the first objective of this research. Therefore, in Chapter five the data obtained from the questionnaires carried out with both drug offenders, and non-drug offenders, documentary data gathered from the Royal Oman police (case files) and semi-structured interviews carried out with 18 criminal justice officials in Oman are analysed. The main aim of this chapter is to evaluate and analyse the effectiveness of the effect of drug supply reduction policy in Oman with special reference to the death penalty. This includes the testing of the research hypotheses numbers one, two and three.

Part Three: In this part of the study demand reduction policy is considered. In this part also, the researcher will deal with data dealing with drug use. In Chapter six the data obtained from the both questionnaire and interviews were carried out with criminal justice officials in Oman are analysed. This Chapter presents a detailed analysis of the characteristics of the problem of using drugs in Oman. Moreover, in this part of the study (Chapter seven) deals with major conclusions, considers alternative drug policies and makes recommendations.

Finally, the Appendices provide more details about: the methodological framework of the study, some quantities of drug consignments that have come to Oman, the drug group schedules, status of capital punishment, questionnaires used for the collection of data, interviews schedules, the reliability of the questionnaire, and a selection of cuttings from newspapers.

The thesis ends with a detailed bibliography of work consulted and referred to in the thesis.

PART ONE

Setting the Scene: Putting the development of Omani drug policies in context.

Part one of the thesis aims to provide the context of the current study by examining the emergence of Oman as a modern Gulf state; exploring the development of the international drugs problem, how this relates to Oman, and finally considering the development Oman's current drug policy. It is divided into the following three chapters:

- Chapter One: The Emergence of the Drug Problem in Modern Omani Society
- Chapter Two: From Antiquity to Modernity: International and National Trends in the Emergence of the Drug Problem
- Chapter Three: The Current Drug Policy in Oman

CHAPTER ONE

THE EMERGENCE OF DRUG PROBLEMS IN MODERN OMANI SOCIETY

Introduction

The study of any social phenomenon in a society should be concerned both with the structure of the society and the nature of the people who are living in it. Social problems arise from the interaction between the people and the society. Some people are able to react to social, political and economic changes in society positively, whereas others do not. Durkheim (1951) states that social organisation in society is a control system for the behaviour of people, and when the system does not work, the individuals will lose the ability to satisfy their desires in legitimate ways.

Environmental conditions such as poor housing, social conflict, economic and social strife, emigration and other social upheavals together contribute to the creation of social problems. Among social problems that have arisen as a result of this reaction are various drug-related offences, particularly drug use and drug trafficking. Thus, before examining the effect of the new drug law in Oman, it is first necessary to examine the society itself, particularly its geographical, economic and topographical aspects, and the effects of social change on social behaviour and social cohesion.

Geographical Location

The Sultanate of Oman is located at the south eastern part of the Arabian Peninsula. Oman, with its 309,500 square kilometres of very varied, striking terrain, has two million inhabitants, and is the second largest state in the Arabian Peninsula after Saudi Arabia (for more details see Table 1.1). Its geographical location on the map lies between latitudes 16° 14' and 26° 20' north and longitudes 51° 50' and 59° 40' east. As we can see from Figure 1.1, Oman is bounded to the southwest by the Republic of Yemen, to the west by Saudi Arabia and the United Arab Emirates; to the north by the Strait of Hormuz; and to the east and south by the Gulf of Oman and the Arabian Sea.

Figure.1.1. Sultanate of Oman (General Location).

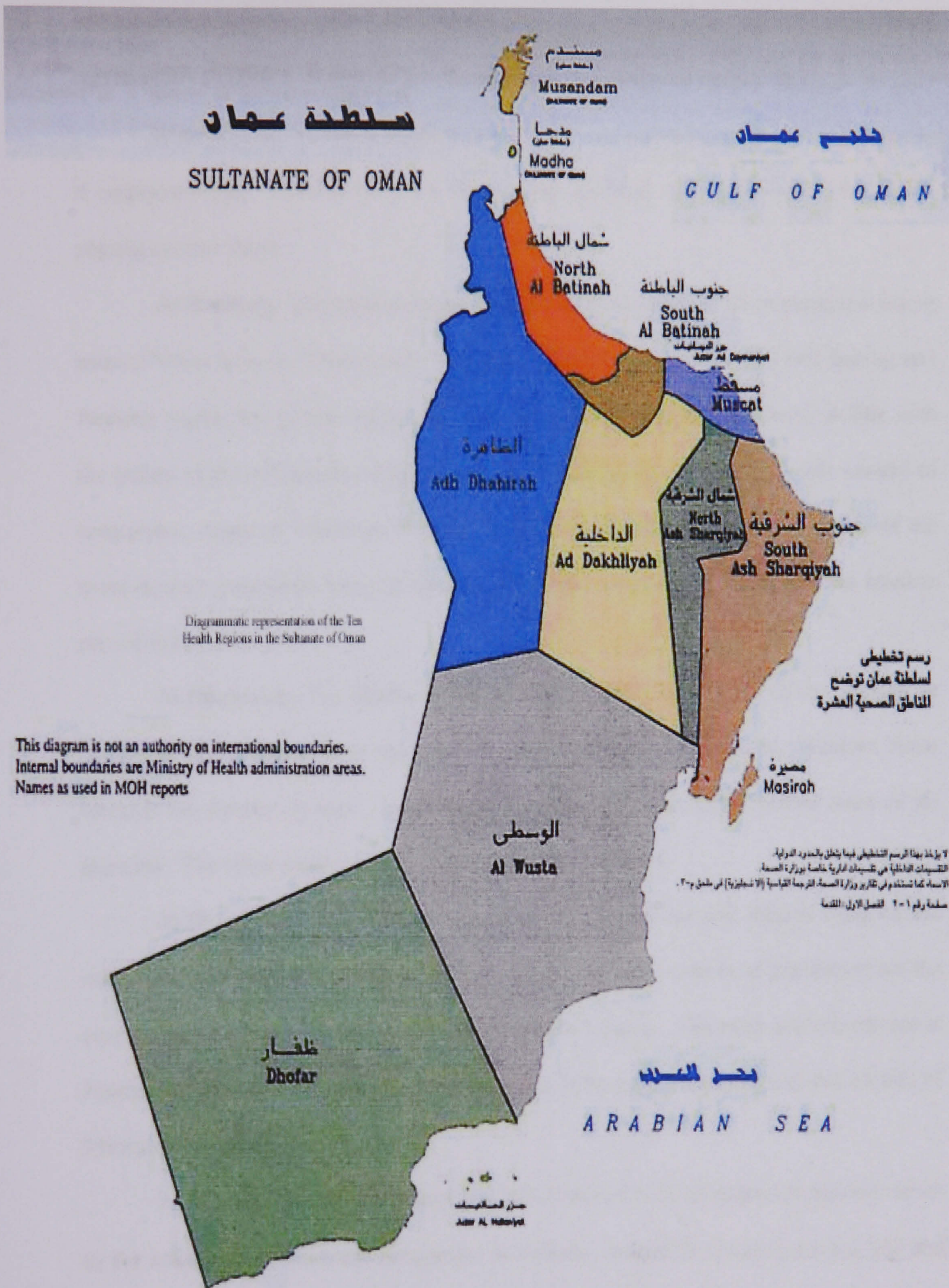


Source: <http://encarta.msn.com/encnet/features/MapCenter/Map.aspx?name=Oman> 28-7-2003

The coast stretches a distance of 1,700 kilometres, from Rasmusandam, on the Strait of Hormuz, to the Batinah plain which inclines southeast towards Muscat through the A'Shrquiyah region to the near-tropical Salalah region in the south near the Republic of Yemen. Oman's coast is washed by the Arabian Gulf, the Arabian Sea, and the Gulf of Oman (Ministry of Information, 2002).

With its subtropical location, Oman's rainfall is relatively low and irregular with the exception of the southern region, where heavy rains occur during the monsoon season (June- September). The climate varies across the regions. In the coastal areas it is hot and humid in summer (May- April). In the interior, it is hot and dry during summer, although it is temperate all year around in some higher locations such as the Jabal Al-Akdar plateaus, which are 3,075 metres above sea level.

Figure.1.2. Sultanate of Oman (Regions and Governorates).



Source: Ministry of Information (2002).

Geographically, the country is divided into five administrative divisions called regions named Al-Batinah, A'Dakhliya, A'Dahira, Al-Sharqiah and Al-Wusta and three

other divisions called *Mohafadat* (governorates) named Muscat, Dhofar and Musandam (see Figure 1.2). Each of the regions and governorates is divided into smaller administrative divisions called *Walayat* (towns). Each is administered by a Government representative called a *Wali* (Governor) (Ministry of Development, 1993: 28).

Muscat is the central administrative area of the Sultanate of Oman and although it comprises only 1.2% of the total area in the country, more than one fifth of the population live there.

Al-Batinah: The Batinah is the area between the sea and the mountains running some 270 km from the border with the UAE to Muscat. Traditionally it was fishing and farming region, but is now becoming more commercial and industrialised, in line with the policy of diversification of the economy, with projects embracing a wide variety of enterprises, many of which are located in designated industrial areas. It is one of the most densely populated areas of Oman. The main town in the Batinah is the historic city of Sohar.

Al-Dhahirah: The Dhahirah, meaning the ‘back’ as opposed to the Batinah or ‘belly’ of the mountain is a semi-desert plain sloping down from the Western Hajar towards the Empty Quarter. In the north it meets the UAE at the border town of al-Buraimi. The other main towns are Ibri, Dhank and Yanqul.

Al-Sharqiya: The Sharqiya is an area of sandy plains and valleys lying on the inland side of the Eastern Hajar mountain range. The main centres of population are the cities of Ibra and Sur. To the south lies the Wahiba Sands. The main settlements are at Haima and al-Duqm and along the coast small fishing communities and the islands of Masirah and Mahawt.

Al-Wusta: The central region is a gravel desert with escarpments running down to the coast, where the main occupation is fishing. Inland lie Oman’s oil and gas and mineral deposits. The Jiddat al Harasis, where the Arabian Oryx has been introduced,

was listed in 1994 by United Nations Educational, Scientific and Cultural Organization, (UNESCO) on its World Natural and Cultural Heritage Register (Ministry of Information, 2002).

Al-Dakiliya: this region links Muscat and the coastal plain with the Omani interior. The towns are Nizwa and Bahla.

Dhofar: Dhofar occupies the southern part of Oman. The main town is Salalah which lies on the fertile coastal plain and the principal occupations of the inhabitants are fishing and agriculture. Raysut, to the West of Salalah, embraces Oman's second port and is also the location for a new industrial area. The Dhofar mountain range with its unique climate provides valuable pasture for cattle, camels and goats. Offshore, the Halaniyat Islands support a small fishing community.

Musandam: Separated from Oman by part of the United Arab Emirates, Musandam is a spectacular feature with mountains rising up to 1,800 m and falling precipitately into the sea. It is linked with the rest of Oman by a modern road network. The main centres are Khasab and Bukha and the major commercial activity is fishing (Ministry of Information, 2000a).

The Population

According to law 101/1996 Islam is the official religion of the Sultanate of Oman and its tenets are enshrined as the main resource of law and Arabic is the official language. The first general census of population, housing, and establishments was carried out in December 1993. According to this census at the end of 1993 the total population was 2,176,779. The population structure indicates that 52% of the population belong to the age group 15 years or under, while those over the age of 64 comprise only 3% of the population. This indicates a high birth rate of around 3.5%, per annum as well as a marked improvement in health standards. Since the 1970s, far fewer miscarriages

and infant mortalities were registered. Non-Omani constitute around a third of the population in Oman (see Table 1.1) (Ministry of Development, 1993).

Table 1. 1 The distribution of area and population in the Sultanate of Oman

Governorates/Regions	Area(km)	% of Area	Omani Population	Expatriates
Muscat	3,900	1.2	333,650	*
Al_Batinah	12,500	4.0	518,903	*
Musandam	1,800	0.6	24,728	*
Ad-Dhahriah	4,400	14.2	149,272	*
Ad-Dakhiliyah	31,900	10.3	219,560	*
Ash-Sharqiyah	36,400	11.8	241,584	*
Al-Wusta	79,700	25.8	15,046	*
Dhofar	99,300	32.1	139,188	*
Total	309,500	100%	1,641,931	534,848

Source: Ministry of National Economy, Statistical Year book, 1997, pp4-53.

*: not known.

According to the Ministry of National Economy (2000), the population in Oman was 2,401,256, with 750,000 non-Omanis, the majority being Asians (97%), Arabs (2%) and Europeans (1%). An analysis by sex of the total Population for 2000 shows that 999,667 (41.6%) are Female and 1,401,589 (58.4%) are Male.

The main sector of the economy is oil, which was first exported in late 1960. Today, the Omani economy is considered as an oil-based economy, as 70% of the national income is derived from oil based industries (Ministry of Information, 2002).

Social Change

To find some explanation for the increase in drug-related offences in Oman, this study will review the social change in Oman since Sultan Qaboos bin Said became the Sultan of Oman in 1970. This is because to evaluate any phenomenon such as drug-related offences, the social context should be examined.

The Omani state is headed by Sultan Qaboos bin Said of the Al-Bu Said Dynasty, founded in 1744 by Imam Ahmad bin Said, which is now the longest ruling family in the Arabian Peninsula (Ministry of Information, 2002). Prior to 1970, the Sultanate of Oman was virtually untouched by modernity, besides being an almost

unknown country to the wider world. For instance, before 1970 Oman had no diplomatic representation anywhere in the world (Ministry of Information, 2002).

However, the situation changed radically and a new era began when Sultan Qaboos made the first efforts to involve the Omani people in the establishment of a modern Oman taking its place in the world arena. In his first speech to the Omani people in 1970, he pledged to make Oman a modern state: ‘I promise you that a new dawn will rise on Oman, a new dawn which will give its people a new life and New Hope for the future. With God’s help and blessings we will fulfil this promise together’ (Ministry of Information, 2000a: 58).

The main change was noted in the social sector, where during the 1940s and 1950s, the Sultanate of Oman had less than 250,000 inhabitants, of whom more than 90% lived in rural areas. The dominant agricultural base and small industrial base of the economy explain the population distribution during this period. In addition, there was minimum infrastructure, housing problems, unreliable public services, and very few employment opportunities. At that time life was very simple and the government provided only few services. Most of the population was illiterate and government revenues were very low. There was no major incentive to encourage people to migrate from rural to urban centres such as Muscat.

When Sultan Qaboos came to power in 1970, he put the development of the Omani people as one of his main objectives. This has been achieved through the government’s spending of oil revenues and through an ‘open door’ economic policy.

Consequently, the economy improved significantly and the standard of living increased. In the early 1970s development focused on infrastructure and basic public services: roads, water, electricity, hospitals, and schools. The 1976 plan started the country’s growth and development projects. Under it, power plants were built, as well as many roads, schools, and other projects begun. These benefits were directed at and

indeed reached the poorest Omanis. Health care and education were provided without charge, so that they became accessible to most Omani families. For example, in 1970, when Sultan Qaboos acceded to the throne, there were only 3 schools with 909 students, situated in Muscat and Salalah. Education was limited to urban areas and was available only in houses and mosques, where the curriculum was limited to the teaching of Arabic and religion. However, from 1970, education was planned to spread all over Oman.

By 1984/5 the number of boys and girls in primary, intermediate and secondary government schools had reached 192,855 and it increased to 469,844 in 1994/5. The number of government schools grew from three in 1969/70 to 176 in 1974/5 and to 926 in 1994/5 (Ministry of Development, 1995: 571). By 2002, the number of schools had increased to 1010, the number of students had been risen to 567997, and the number of teachers reached 31066 (Ministry of Education, 2002: 229).

The Omani government, as a prime tool for rapidly developing human resources and implementing its 'Omanisation' policy, envisaged education in Oman as a right for every citizen. As a result, the government is heavily involved in education, exercising strict control over the supply of education services through direct provision at all levels and maintaining a strict regulatory framework for private education. The government promotes education through an incentive system that includes free services and grants for transport, textbooks, meals, etc, at all levels, and through scholarships to higher education abroad. The number of foreign scholarships amounted to 5135 in 1996/97 (Ministry of National Economy, 1997).

Illiteracy among Oman's older generation decreased to 41%. Although this rate is high by international standards, it is due to the high level of illiteracy among those over 30, who had few educational opportunities prior to 1970.

Similar developments can be found in infrastructure and social services achievements, such as road building, electricity and water supplies, and health services,

all of which are important for the people of Oman. Sultan Qaboos bin Said on 18 November, 1998 stated that:

The human being is the main instrument in the creation of progress, and he is the beneficiary of this progress. As far this progress can provide an honourable life for the individual and for society, all involved in it can take pride in its good and fruitful results. This what we believe in, and is what we have always worked to achieve (Ministry of Information, 1999: 65).

We can see that after 1970, society changed dramatically in different ways. This change affected the lifestyle of everyone. Life became more luxurious for many. The type of family changed from the extended to the nuclear family, the authority of the father declined, and women gained social rights such as the right to education and to work alongside men. The system of marriage changed. The cost of marriage escalated, and many men went abroad to India and Egypt to find a wife. This situation has affected society as most of the married men were much older than their wives. Sometimes the men had more than one wife; this type of marital behaviour had an effect on the behaviour of children. According to the Ministry of Social Affairs and Labour (1997) older men who father children do not have the ability to educate them properly, leaving this responsibility to the mothers who came from different countries with different traditions and customs. In some cases the mother comes from a country where drugs are widely used, such as India and Pakistan.

Western styles of nightlife appeared in Oman, and people started going to bars, nightclubs, dancing places and social clubs. Moreover, because the incomes of Omani citizens increased, people began in the summer to take holidays away from Oman, in Europe, the United States of America, Bombay, Morocco, Cairo, and Far East cities such as Thailand and Philippines, where they could find pleasures and activities that are not normally available in their own country. Most of them went to countries where drugs were easily purchased.

This open living and communication with other peoples has had positive and negative effects. Whilst it has the potential to enhance development and enrich culture, it could also destroy society if this open living is associated with vices such as drug taking and trafficking, prostitution, and violence. According to the Ministry of Social Affairs and Labour (1997) because some people have failed to accommodate to the development of the society to improve their lives by taking the opportunities offered by of the new Omani society, such as improving their education, and thereby their economic situation, they have conducted illegal behaviour to make money, such as drug trafficking and drug dealing.

A recent example of the relationship between the spread of drug problem and social change is in Eastern Europe. By the mid-1990s, the situation in Eastern European states presented particular circumstances. For example, in the early 1990s, Bulgaria experienced its first real epidemic of heroin use. In 1998, it was estimated that 70 per cent of regular heroin users were injecting the drug (National Centre for Addictions, 1999). Limited experience with drug abuse and the associated problems; predominance of interdiction approaches; societies in transition with accompanying social problems, and rapid dissemination of injecting drug use, high-risk behaviour and potential for HIV transmission: all these meant the development of new, in some cases controversial, approaches, and work towards their legitimization. As a first step, measures aimed at the avoidance of HIV transmission were assigned priority. Progressively, the need to diversify services for drug users and offer a wider range of approaches was recognized. The need to develop comprehensive drug demand reduction programmes, a component of which is prevention of the health and social consequences of drug abuse, in particular HIV infection, was understood. The rapid spread of HIV among injecting drug users has been documented for some countries of the former Soviet Union since 1995. Although the absolute number of cases is still small in many countries, the risk of

further spread of HIV within the group of injecting drug users and into other parts of the population is considered to be high (UNAIDS, 2000).

As a result of these changes, the influence of the tribe in Omani society has substantially weakened, and no longer affects social life in most of Oman. Instead, the oil income has created a new group of people with substantial wealth, and a large group with increased but limited wealth. The wealthy group consists of members of some of the ruling families, the owners of real estate, traders, brokers, etc. They exert a major influence on society in general by virtue of their control of the key aspects of society, in particular economic, cultural and social activities, occupying or determining key positions in information and cultural departments, in Omani newspapers, sport clubs, women's associations, etc. They have used these positions in order to gain more influence, and to attain their ambitions. Some traders have used 'unusual' methods, such as illegal drug dealing. This wealthy group has an effect on people who are less well off. Wealth has become so desirable that illegitimate methods of gaining wealth, despite their risks and penalties, are becoming more commonplace, such as the trade in acquiring visas for the expatriate work force and the illegal drug trade.

A new social grouping has appeared: employees. This group can be divided into two. One subgroup is that of high-ranking employees and those who command the highest salaries. Most members of this group are not educated, but achieve their position by using their influence socially, and because of their proximity to the ruling families. The other subgroup is that of lower-ranking employees who tend to be educated and experienced, but cannot progress to higher positions because they are without social influence. There is also competition between local employees, local workers and expatriates, especially in private sector functions. Arab expatriates occupy positions in most government departments and services, such as education, health services, legal

consultancies, etc. Asian expatriates work in investment, banking, trade, and personal services, etc.

Until 1970 there were hardly any foreign workers in Oman. However, in the 1970s, when the Omani government started development efforts to modernise the economy and the living standards of the Omani people to accomplish the goals of the development plans, a greater numbers of professional workers were employed. Most of these workers came from countries known to produce illegal drugs and where these were readily available (Royal Oman Police, 2001). These countries included Pakistan, India, Egypt, Bangladesh, and Philippines. According to Al-Harthy, this intermixing of cultures had a negative impact on the Sultanate of Oman society, bringing new problems, among which was the problem of drug abuse (Al-Harthy, 1999).

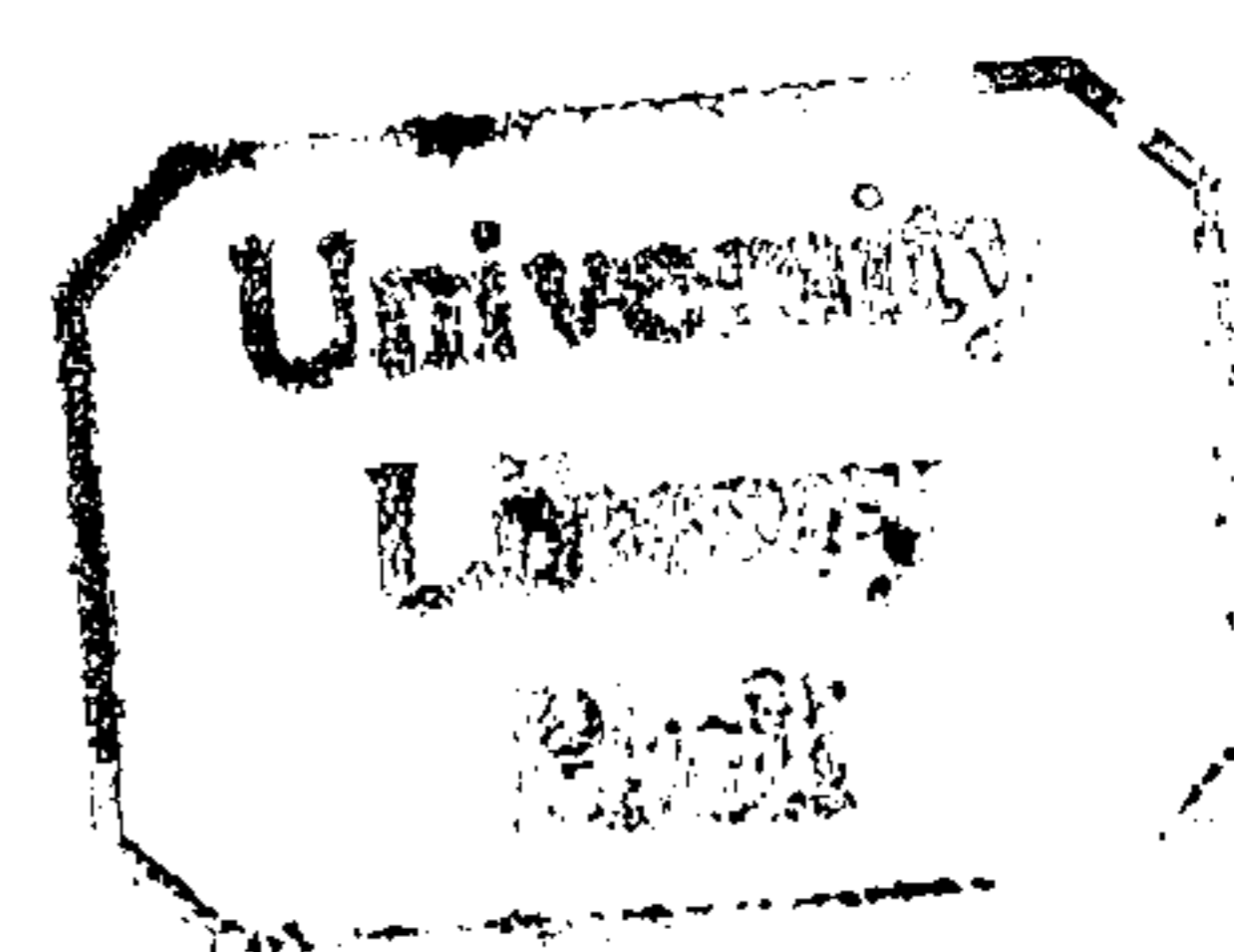
According to a report by the Ministry of Development, (Table 1.2) the total labour force grew by 50 per cent from 1975 to 1980, and by 70 per cent from 1980 to 1985. As result of the declining oil revenues, it grew only by about 5 per cent between 1985 and 1990 (Ministry of Development, 1991:146).

Table 1. 2 Estimate of Omani and Expatriate labour force (1975-1990)

Years	Omani Labour Force		Expatriate Labour Force		Total Labour Force	
	No. (1000s)	% of Total	No. (1000s)	% of Total	No. (1000s)	% of Total
1975	135	64.6	74	35.4	209	100
1980	152	49.7	154	50.3	306	100
1985	192	38.0	313	62.0	505	100
1990	207	39.1	322	60.9	529	100

Source: Ministry of Development, the fourth five-year Plan (1991-1995), January 1991, 146.

In general, since such social changes have taken place with great speed, it was inevitable that the Omani people should mix with people of many other cultures. This resulted in different norms and types of life and habits being acquired. Changes in society are considered to be one of the main reasons behind the introduction of illegal



drugs into the Sultanate of Oman. The number of drug offences increased from 13 in 1990 to 318 in 2001 (Royal Oman Police, 2002).

Finally, one effect of modernization in Islamic societies is that women are emerging as drug users. For example, the Government of the Islamic Republic of Iran Rapid Situation Assessment found that 6% of the 800,000 to 1,200,000 drug users were women (UNODC, 1999). However, Oman statistics indicate that the number of women involved in drug offences is very small compared to the number of men involved in these offences.

Table 1:3 Number of drug-related offences in Oman From 1997 -2001 by gender

Years	Gender		Total
	Female	Male	
1997	0	229	229
1998	5	283	288
1999	1	442	443
2000	3	510	513
2001	4	556	561

Source: Criminal Statistics Drug Combating Department, Various years.

Table 1:3 shows for example in year 2001 the percentage of women involved in drug offences is 1.4% compared to the 98.6% of men. Therefore, the researcher excluded women from the field questionnaire because of the very small number of females involved in drug-related offences in Oman.

Conclusion:

In order to examine the effect of the new drug law No. 17/99 in Oman, it was important to give some information about Omani society. This is because the drug problem is a social problem arising from the interaction between the individuals and the social, economic, political, and cultural aspects of a society.

Since 1971, life has changed more or less rapidly in Oman. This change, which jolted many people from isolation into an era of openness to foreign influences, negatively affected the behaviour of some people, especially those unable to adapt effectively to changing times.

The open door policy, economic development in Oman and the country's geographical situation offer a fertile environment for abuses such as illegal immigration, drugs trafficking, and economic crime such as fraud. Rapid social change in Oman has reduced the influence of some social control mechanisms such as the effects of the family, customs and traditions. The support role of the family in the new society has changed, and has been replaced by an expatriate work force.

In this context, Omani society finds itself confronted with social problems which are different in nature or scale from those which were encountered before the last two or three decades, among them, drug-related offences such as use drugs and trafficking. Oman's experience, however, is not unique and can be seen in the context of a worldwide trend in drug use which can be traced to antiquity, although it has been manifested in new ways and is increasingly destructive in the modern era, as the next chapter will demonstrate.

CHAPTER TWO

FROM ANTIQUITY TO MODERNITY: INTERNATIONAL AND NATIONAL TRENDS IN THE EMERGENCE OF THE DRUG PROBLEM

Introduction

This chapter is devoted to investigating the historical background of drug taking since ancient times. A literature review reveals that the use of drugs has been known since time immemorial. Some of these substances are produced by legal laboratories and under international control and used for medical and research purposes (United Nations, 1990). On the other hand, huge quantities of drugs are produced illegally by clandestine laboratories, and are used for recreational purposes. The profits to be generated from the sale of illegal drugs are huge, making the illicit drugs industry very 'profitable' and as such it has become widespread world-wide. Due to cross-border drug trade, sophisticated networking and now advancement in the mode of communications, the enforcement of laws relating to drugs is increasingly complex (United Nations, 2001).

In this chapter, also, the researcher will shed light on the history of drug use in some of the different countries of the world with special reference to the United States of America as it is the world's largest market for drugs, in addition to the United Kingdom which has been considered as one of the leading countries in the field of drug prevention policy (United Nations, 2001), and of course, Oman.

Historical Development of Drug Offences World-Wide

Using drugs is an ancient activity. Since early in mankind's history, many types of plants have been used in religious ceremonies and for medicinal purposes (Nafi, 1989). History reveals that people have consumed the juice of opium poppies, chewed coca leaves, or dried peyote cactus, smoked hemp and eaten certain vegetable matters for medical, religious and recreational purposes for centuries (Hess, 1980; O'Brien,

Cohen, Evan and Fine, 1992). Sumerian writings describe the collection of opium. In the early morning girls, boys and women would scrape the poppy heads and collect the juice in earthenware pots. The same process is used today in the poppy fields of Asia (Whitaker, 1987).

The Egyptians, more than three and a half thousand years ago, consumed opium. They used opium as a medicine and to calm crying babies. The chronicler Nafi mentions that a medicinal cream containing an opium substance was discovered in the tomb of one of the Pharaohs of the eighteenth dynasty (1361-1352 B.C). Egyptian archaeologists, during their work in the Valley of Kings, discovered two earrings shaped like the poppy plant. Poppy flowers were discovered around the mummified remains of one of the Pharaohs (Nafi, 1989).

According to Nafi (1989), the Egyptians used opium, known as 'chassincit', as a treatment for eye diseases as well as a painkiller. Hippocrates and Aristotle also used it as a treatment for high fever, headache and colic. They also recommended poppy juice for their patients as a medicine to resist poison and venomous bites, and to cure deafness and epilepsy (Nafi, 1989). Thus, it can be concluded that drugs have been used since early history of mankind for medical and religious purposes.

In China, opium was available from 100 A.D. The Chinese claimed that Arabs brought opium into China during their travels in search of trade (Whitaker, 1987). Illegal drug use increased slowly until the 1960s, and then more rapidly (Stevenson, 1994).

Over the past two decades, the use of illegal drugs has spread at an unprecedented rate throughout most parts of the world. No nation has been immune to the devastating problems caused by drug misuse. However, the degree of prevalence of drug misuse differs from one country to another (United Nations, 2002).

In recent years the most pronounced increase in drug misuse has been for synthetic drugs. This includes the misuse of the amphetamine-type of stimulants (ATS). Some 30 million people, i.e. 0.5 per cent of the world's population consume ATS worldwide, more than heroin and probably more than cocaine. Towards the second half of the 1980s, misuse of synthetic stimulants reached an all-time high: approximately nine times the quantity of these drugs was seized in 1993 than in 1978, the equivalent to an average annual increase of 16 per cent worldwide (United Nations, 1999).

The availability of drugs in some countries has contributed to their spread and use. The United States is considered the biggest market for illegal drugs in the world. According to the International Narcotic Control Board (INCB) report (1997), the illegal manufacture of drugs and increasing indoor cannabis cultivation in the United States are contributing to the spread and increase of drug misuse (United Nations, 1997). Moreover, according to the United Nations Office on Drugs and Crime (UNODC) report, drug taking is always increasing in most world countries; however, the most significant rate of increase is in the United States of America. For example, the number of those taking heroin is estimated to be around 15 million. In the United States, drugs are mainly smuggled into the country through out the neighbors (out of Canada, Mexico) and countries in other regions (UNODC, 2003).

According to the INCB, cocaine is the second most frequently used illegal drug in South America after cannabis, owing to the large-scale cultivation of the coca bush there, particularly in Panama, Columbia, and Bolivia. This report also disclosed that the smuggling of hard (dangerous drugs) especially heroin and cocaine in large quantities into Europe was commonplace. Increasing illegal drug misuse is also seen in the case of synthetic drugs; such drugs are widely manufactured in laboratories in Europe. Thus, the number of people who use illegal drugs in Europe is on the increase (United Nations, 1998a).

Since the Second World War, in England, there were only a small number of drug users who were, in many cases, patients who had become dependent on opiates as the result of some medical treatment. By 1953, according to Home Office figures, there were only just over 300 known users in Britain, 90 of whom were from the medical or allied professions, and who therefore had immediate access to the drug. However, throughout the 1950s there was an increase in the recreational use of drugs, not only of opiates and cocaine, but also of cannabis and this led to further updates of the Dangerous Drugs Act in 1950, 1951, 1960 and 1965. In each case, the revised Act was to cover a new drug or a different form of an old one (Plant, 1987). This growth corresponded to the rise in youth culture in the post-war years as young people had more spare time and money to spend. This increased freedom which allowed young people to move away from what they may have perceived as the confines of their parents' generation (McDermott, 1994a). A further sign of this rise in youth culture was the increase of Jazz Clubs and cafes that were opening at the time. An example of the drug use in this scene at the time was when, in 1950, the police raided Club 11 in Carnaby Street, in London. It was reported that the floor of the club was littered with packets of hemp (Cannabis) and cocaine, as well as morphine ampoules and a piece of opium. Ten arrests were made for possession of hemp and two more for cocaine (McDermott, 1994b). According to Stimson and Oppenheimer (1982), this was the emergence of the 'drug subculture'. This subculture was similar in style, if not scale, to the one in the United States at the same time. This may have been due to the influences of those Americans who were coming to Britain to take advantage of the more relaxed drug laws.

In 1971, the Misuse of Drugs Act was brought in to deal with those who misused non-opiate drugs such as amphetamine, cannabis and LSD (McDermott, 1994b). The 1980s saw further changes to drug policy, as there was a compounding of

different problems throughout that decade. Reaction to events in the late 1970s saw a rapid rise in drug legislation.

The discovery of HIV in United States in 1981, gave rise to a shift away from the abstinence policy of the 1970s and early 1980s, towards a policy directed by the concept of Harm Minimisation, because the two main methods of HIV transmission are sexual intercourse (both heterosexual and homosexual) and drug misuse, specifically the use of contaminated needles, syringes, and other equipment for injecting. As drug misuse is an illicit activity and drug misusers can be hard to make contact with, persuading them to change their behaviour was therefore very difficult (Department of Health and Social Security, 1989a).

The British government introduced three measures in 1987 aimed specifically at combating the spread of the virus through injected drug misuse, as part of a strategy to tackle AIDS problems and the spread of the HIV virus. It also established 15 pilot schemes where injecting drug misusers could exchange used needles and syringes for clean equipment (Department of Health and Social Security, 1989b).

The late 1980s also saw the arrival of new drugs, such as “crack”, which is made from a cocaine base and is usually smoked in pipes constructed of glass bowls using fine mesh screens to hold the drug. Crack gave rise to public concern over the possibility of an increase in drug-related violence (Hammersley, et al, 1989). In addition, Violence associated with crack cocaine has turned many inner-city neighbourhoods into war zones. Crack users commit crimes for money to buy the highly addictive drug and crack can induce violent behaviour in users. For example In the United States, heroin, cocaine and crack use have been associated with murder and violent predatory crime (Klaus, et al, 1994). However, there is no evidence that crack is fundamentally more (or less) addictive than any other drug with misuse potential. It is

also important to recognise that most illicit drug users will substitute one drug for another, depending upon availability (Hammersley et al, 1989).

During the present time there are many scare stories in the media relating to drugs. Most stories concern young people and their experiments to try and take risks with new drugs (McDermott, 1994b).

According to Macleod (1997), British Home Office statistics showed that the number of drug addicts notified to the Home Office increased by 13% between 1992 and 1993, making the total about 28,000 drug addicts. In addition, Macleod noted that the use of illegal drugs in Britain was escalating, i.e., 1 in 4 people aged 16 to 29 had used illegal drugs (Macleod, 1997). A national survey published in 1996 of a representative sample of people aged 16-59 in England and Wales showed that 152,000 were regular users of LSD and that 1,334,000 had tried it. Another surprising fact emerging from this survey was that nearly two million people had tried “magic mushrooms” (Saunders, 1996). According to the British Crime Survey, around 4 million people use illicit drugs each year, and around 3% of the drug-using population could be defined as problematic users (Home Office, 1997). Illicit drug possession, manufacture, supply and drug trafficking in the United Kingdom are legislated against by the Misuse of Drugs Act 1971 (MDA), the Customs and Excise Management Act 1979 (CEMA) and the Drug Trafficking Act 1994. According to this legislation, the main drug offences are possession which means having a small amount for one’s own use, and possession with intent to supply which means having a drug which it is intended to sell to others. The maximum possible penalties are set according to class: for that class A - 7 years and a fine, for class B - 5 years and a fine, and for class C - 2 years and a fine. For supply, which means supplying a drug to someone else, the maximum possible penalties are class A - life and fine, class B - 14 years and fine, class C - 5 years and fine. For drug trafficking, according to the Drug Trafficking Act 1994, default on a confiscation

order is treated the same as an unpaid fine in so far as an additional term of imprisonment is imposed in relation to the unpaid amount. This works on a sliding scale ranging from an extra month being imposed for unpaid amounts between \$640 (£400) and \$1600 (£1000), an extra 3 months for between \$3200 (£2000) and \$8000 (£5000), an extra year for between \$16000 (£10000) and \$32000 (£20000), an extra five years for between \$400000 (£1/4) million and \$1600000 (£1million), and an extra ten years imprisonment for unpaid amounts of over \$1600000 (£1million) (Macleod, 1997).

However, the scale of drug misuse in United Kingdom is escalating but does this mean that existing laws are ineffective? Current legislation is very strict, especially the Drug Trafficking Act which is referred to as a "draconian Act"(Bennett, 2000). Also, the sentencing policy for convicted drug offenders, particularly those who deal in drugs, is becoming increasingly severe. But all these measures do not seem to stem the rising tide of drug misuse, although, perhaps, they are preventing the situation from becoming far worse. Many of those prosecuted for drug offences already have long histories of drug misuse. The answer to this worsening situation may possibly be found in the allocation of more resources to drug education and crime prevention (Bennett, 2000).

In addition, the latest variation in Britain's drug law is reclassifying the cannabis from class B to class C by January 2004. David Blunkett, the Home Secretary, announced that police would lose the power of arrest for simple possession except where there were aggravating factors and he asked them to concentrate instead on heroin, cocaine and crack cocaine (Travis, 2003).

The International Trends to Control Illegal Drugs

The international efforts to control illegal drugs started with the Opium Commission held in Shanghai, from 5 to 26 February 1909, setting afoot the development of the international control of narcotics. The initiative for organizing the Commission came from US President Theodore Roosevelt's government, and the

representatives of the following countries took part: the United States of America, Austria-Hungary, China, France, Germany, the United Kingdom, Italy, Japan, Netherlands, Persia, Portugal, Russia and Siam (United Nations, 2002).

The second international effort to control illegal drugs was in 1912, when the International Narcotics Convention was held at The Hague with the aim of controlling narcotic drugs through international law. The convention recommended that the production and distribution of raw opium were to be controlled by law; the sale and use of manufactured narcotic drugs (morphine, other opiates, and cocaine) were to be limited by law to medical needs; besides keeping records of the narcotic drugs manufactured and traded (Bucknell and Ghodse, 1991).

In 1925, the Geneva Convention was held targeting the control of narcotic drugs. It was considered a major step forward in the control of narcotic drugs. The participant governments were required to present annual statistics about the production of opium and coca leaves, the manufacture, consumption, and stocks of narcotic drugs, and quarterly reports on the import and export of such drugs in their countries (United Nations, 1972). In this Convention, it was recommended that a Permanent Central Board (PCB) be set up in order to supervise the statistics of the products of narcotic drugs. The PCB had eight independent experts serving in their personal capacities and not as representatives of their governments (United Nations, 1972). Also, in this convention, coca leaves were designated as an illegal drug which should be subjected to the rules of external trade (Al-Hadeqa, 1991).

In 1931, a United Nations Convention was held, aimed at limiting the worldwide manufacture of drugs to the world's medical and scientific purposes by introducing compulsory quotas (United Nations, 1987). This convention had provisions to restrict the quantities of narcotic drugs available in each country. Additionally, countries were obliged to commit themselves not to exceed in their manufacture and imports a certain

agreed maximum based on estimates of their narcotic drugs requirements (United Nations, 1972). Finally, a Drug Supervisory Body was set up to monitor the needs of each country for these drugs in terms of medical and scientific purposes (Al-Hadeqa, 1991).

The Convention of 1936, which suppressed the illicit traffic of dangerous drugs, called for the severe punishment of illicit traffickers (United Nations, 1987). This convention recommended that convictions for drug-related offences necessitated the handing over of criminals between the countries involved in the agreement. This convention also stressed the urgent and immediate need for a means of exchanging relevant information about drugs amongst countries signatory to the convention, free from the routine diplomatic work that this process used to involve. Thus, the member states were obliged to set up a central commission for the control of drug-related offences in each country. Additionally, these central commissions for the control of drug-related offences were required to be in constant contact with each other (Al-Assaf, 1996).

The 1961 The Single Convention on Narcotics Drugs was considered "the major achievement in the history of international efforts to control narcotic drugs" (United Nations, 1987: 66). One of its objectives was to deal specifically with the medical treatment and rehabilitation of addicts. The convention obliged ratifying states to limit the production of narcotic drugs to "medical and scientific purposes" (United Nations, 1972: 15). This convention was amended in 1972 to reinforce the necessity for increasing efforts to prevent illegal production of, traffic in, and use of narcotic drugs. This convention is considered the first serious effort to provide treatment and rehabilitation programmes for drug users, and develop measures to prevent drug misuse through educational programmes (United Nations, 1987).

The Convention on Psychotropic Substances took place in 1971. This convention regarded psychotropic substances, such as amphetamine-type stimulants, sedatives, hypnotic agents, and hallucinogens, in addition to other manufactured drugs, as harmful. Outstanding among the recommendations of this convention was the placement of narcotic drugs under the control of international law. Additionally, special provisions to be made for misuse of these substances were identified so as "to ensure early identification, treatment, education, rehabilitation and social reintegration of persons who have become addicted to any of the controlled substances" (United Nations, 1987: 70). Such drugs were also the centre of focus in the 1988 convention that added 22 illicit substances to the 111 substances mentioned in the 1971 convention and the 116 narcotic drugs listed in the 1961 convention (United Nations, 1997). In 1987 Oman became a member of the Single Convention on Narcotics Drugs 1961 by the law decree number 58/87 issued in 25/06/1987 (The Omani Legislation Newsletter, 1987).

The 1988 United Nations Convention against Illegal Traffic in Narcotic Drugs and Psychotropic Substances targeted effective international counter-narcotics drugs co-operation (United Nations, 1996). 119 states had signed this convention by November 1995. Saudi Arabia was one of the countries signatory to it (Al-Assaf, 1996).

In 1991 Oman became a member of the United Nations Convention against Illegal Traffic in Narcotic Drugs and Psychotropic Substances 1988 by the law decree number 29/91 issued in 26/02/1991 (The Omani Legislation Newsletter, 1991).

As far as the Arab countries are concerned, in 1950 the Permanent Office of Narcotic Drugs was established with the aim of achieving collaboration amongst the Arab countries in the fight against drugs (Eid, 2001). As a result of such collaboration, the Arab Home Affairs Ministers, meeting in Casablanca (Morocco) in 1986, issued the Narcotic Drugs Unified Arab Law, which has been considered a comprehensive law dealing with standardisation of drug nomenclature, control of exports and imports of

narcotic drugs amongst Arab countries in addition to drug cultivation and the punishment, treatment, and rehabilitation of addicts (Al-Oulian, 1996).

In summary, this section has sketched the conclusions within the United Nations of the results of the “War on Drugs”. International Narcotics Control Strategy Report 1997 also, describes some positive trends such as the price increase of cocaine in US cities and a slight reduction or stabilization of drug use in some regions. However these are outweighed by the other negative aspects. Even if these efforts were doubled, the result would be a marginal reduction of supply and demand but not a drug-free society. In Africa, for example, cannabis is widely available. Cultivation is extensive in Morocco. Trafficking in heroin shifts from country to country, while trafficking in cocaine is increasing. The same is true for psychotropic substances, such as barbiturates, amphetamine and methaqualone, which are diverted from legal channels.

Historical Background of Drugs-related offences in Muslim/Arab societies and Oman

To understand the drugs problems in Oman the researcher will examine the availability of drugs in Muslim /Arab societies since the early history of Islam in the seventh century until the present time, because Oman is one part of the Islamic /Arab world.

In early Islam, drinking alcohol was a widespread activity among the people of Mecca and Medina. They considered drinking alcohol to be part of their lifestyle and a mark of their social status (Salim, 1989). From its inception, Islam attempted to stamp out alcohol drinking because of its corrupting and degrading effect on society. Islam permits those activities which are good for the health, and forbids those that are not. Step by step, the *Quran* (The Holy Book) and *Sunna* (The Prophet’s teachings and traditions) forbade the practice of drinking alcohol.

The Holy Quran says:

O you who believe, strong drink and games of chance and idols and dividing arrows are an infamy of Satan's handiwork. Leave them aside in order that you may succeed. Satan seeks only to cast among you enmity and hatred by means of strong drink and games of chance, and turn you from remembering God and from prayer. Will you not then desist? (*Sorat Al-Maidah, Aih 90 and 91* in Yusuf, 1946: 2701).

Islamic law, "Sharia", was used to build a society founded on morals and justice. It was used to protect people and to help individuals to be good members of society. Preserving human health is a goal of Islam, because human beings need their abilities to distinguish between good and evil. Accordingly, from the time of the Prophet Muhammad onwards, Islam forbade the use of any substances, including alcohol, which could adversely affect performance of religious duties or health in general. In the Holy Quran, God says:

O you who believe! Eat of the good things that we have provided for you and be grateful to God, if it is him ye worship. He hath only forbidden you death meat and blood and of the swine, and that on which any other name hath been invoked besides that of god. But if one is forced by necessity, without wilful disobedience, nor transgressing due limits, then is he guiltless. For god is oft forgiving and most merciful (*Sorat Al-Bakarah, Aih 172* Yusuf, 1946: 67).

As drinking alcohol was widespread among people in the inception of Islam, alcohol-related problems were rife, as were alcohol-aggravated crimes, especially violence and murder (Salim, 1989). Many types of alcoholic drink were brewed during the time of the prophet Muhammad. For example, in Yemen, two alcoholic drinks were produced: tabiq, honey wine; and al-mazir, made from raisins, wheat and dates. These were all termed, *al-Khamur*, which means alcohol and any related drugs.

Regarding drugs, the holy Quran does not mention any of the types of drug that are available today, such as hashish, opium, coca or Khat (the leaves of the *Catha edulis* shrub, which are consumed primarily in East Africa and the Arabian peninsula, where the plant is cultivated). Neither did the Prophet Muhammad mention any of these in the Hadith (the Prophet's sayings). Hence, it is useful to investigate why such drugs were not mentioned in the Holy Quran and in the Hadith. Some reasonable suggestions for

this can be offered: plants from which drugs such hashish, opium, and Khat are derived were not known, and their derivatives were unavailable in Mecca and Medina, and therefore the only available intoxicating substances was alcohol, which went under a variety of names.

Another possibility is that plants from which drugs such as hashish, opium and Khat are derived were available at that time, but there was no desire to derive intoxicating drugs from them. Alternatively, Hashish, opium and Khat may have been available, either locally produced or obtained from trade, but combined with alcoholic drinks, al-Khamur, because the only method of using intoxicating substances was drinking, so any plants or other substances were made into wine or some other drink. The Islamic Jurist Ibn-Abbas, the Prophet's companion (619-687 A.D) cited by Khan (1985) said:

The prophet Muhammad prohibited alcoholic drinks before it was called al-Badhaq (by saying) any drink that intoxicates is unlawful. I said, what about good lawful drinks? He said, apart from what is lawful and good, all other things are unlawful and not good (Khan, 1985: 350).

The Prophet Muhammad is reported by Abbas (1989) to have said "all intoxicants are alcohol (al-Khamur), and all intoxicants are forbidden" (Abbas, 1989:188). The Prophet Muhammad did not discriminate between types of drugs. Neither did he make differences between eating, smoking or drinking drugs, but he did prohibit all alcohol-related activities.

In his Hadith, quoted by Abdullah Ibn Omar, he said:

God has cursed al-Khamur (alcohol) and cursed the one who brews it and the one for whom it is brewed, the one who carries it and the one for whom it is carried, the one who buys and the one who eats the profits from its sale (Badri, 1976: 5).

As there is no clear indication in the Holy Quran on opium, there may simply have been no misuse of the opium poppy in the region. However, in 1986, Syrian archaeologists discovered traces of opium in a Cypriot vase from the late Bronze Age.

The vase was shaped like a poppy head. This implies that opium could have been available in Syria at that time, but perhaps under a different name (Whitaker, 1987).

There is no evidence to confirm or refute whether these or other drugs were available after the period of the Prophet and at the beginning of the period of the four Caliphs, from 632 to 661 AD. There are in fact many references to drugs in Islam, but some authors fail to support their opinions with historical evidence.

In general the Islamic law (*shariah*) emphasises the protection of the human body and mind. Thus, Islam prohibits the use of alcoholic drinks, since they adversely affect the minds and bodies of their users. Moreover, anything that has a similar effect is also prohibited (Salum, 1994). On this basis, illegal drug use has been included as Islamic scholars and jurists have considered the effect of drugs to be similar to that of alcoholic drinks.

As Islam became widespread and reached many countries in the world, people in Mecca and Medina communicated with people in other countries of Asia and Asia Minor where drugs were available. However, because early Muslims were forbidden to use any type of drugs, they were interested in knowing about any type of drug, hashish or opium included. In the eighth century AD, as stated by Abbas (1989), the earliest physician in Islam, Jabir Ibn-Hayyan, used hashish as a narcotic for treatment. He mentioned the word *banj* (which means anaesthetic) as a synonym for hashish in his book, *al-Samum* (Poisons). This could be the first that Muslims knew of the effects of hashish and its use as a treatment.

An other kind of drug known by Arab people is Khat an evergreen tree, which grows at high altitudes extending from East to Southern Africa, as well as in Yemen (Kennedy, 1987). In Yemen, it has long been available, but it is not classified as an intoxicating substance. Even today it is used as refreshment. In 1982, the Islamic World Conference for Combating Drugs and Intoxicants (held in Medina, and attended by

seventeen Islamic countries) recommended that Khat should be made an illegal drug, and its use strongly prohibited. This recommendation was made after papers on the psychological, moral, sociological, economic, and physiological effects of Khat were presented in the Conference (Abdulaziz, 1992)

In the ninth century AD, an Islamic sect living in Persia and Syria became addicted to hashish and opium that were available in these areas (Juwaidi, 1978). The word *hashashin* in Arabic means the people who use hashish, and is related to the name used to describe the Ismaili sect, which occupied the Syrian mountains during the Crusades in the eleventh century AD. They are also named *hashashiyya*, particularly the followers of the Nizari branch of the Ismaili sect, and this name was carried from the Middle East to Europe by the Crusaders (Al-Bar, 1988). At first, some Muslim physicians tried to use these drugs as a medicine, having discovered their effects on human health. Avicenna, the Muslim physician who died in 1037 AD, used opium for treatment purposes, mainly as a painkiller. Some European authors have said that Avicenna also used drugs for recreational purposes, and that he died as a result of an overdose of opium (Whitaker, 1987). At the beginning of 1230 A.D. drugs were widespread in Iraq. Some authors have argued that the people of Iraq were unaware of drug misuse until the ruler of Hurmuz (Saifaddin Abu Nadir) came to them and showed the people how to use drugs for recreational purposes (Rosenthal, 1971). This statement might be true, as Hurmuz at that time was a trade centre for Persian Opium, and it was the communication hub between India, Persia, the Middle East, Africa and Europe.

Until the end of the First World War (1919) the only two types of drugs widely used in the Muslim /Arab world were opium and hashish in Egypt and Lebanon. The Arabs of the southern part of the Arabian Peninsula later knew Khat. After the First World War new types of drug appeared in Arab countries, notably cocaine, which appeared in Egypt in 1919, and heroin, which initially appeared in Palestine among the

Arab soldiers who used to work for British Army forces, and then transferred it to other Arab countries (Nafi, 1989). However, there is no adequate information and no up-to-date study about illegal drug use in the Arab world. Most Arab countries have not yet committed themselves in any way to the regular publishing of statistics concerning drug use and misuse. For instance, the World Health Organisation (WHO) reported in 1985 that for many years Iraq and Somalia had not presented to it any information about the illegal use of drugs in those countries (Al-Oliani, 1996). The most likely reason for these countries not presenting any information about illegal drugs to the WHO is that, in principle, they denied the existence of illegal drug use in their territories.

However, the information that is available indicates that illegal drug use in the Arab countries is increasing. This is partly because hashish is grown in Lebanon, Syria, Egypt, Sudan, and Morocco. The Lebanese, Sudanese, and Moroccan production of hashish is considered the main source of this illegal drug, which is illegitimately traded throughout the world (Al-Maiman, 1990).

In Egypt, according to the Encyclopaedia of Islam, there is a widespread belief, particularly among the uneducated classes, that the use of hashish heightens sexual pleasure. This belief is also common in other parts of the Arab world, particularly in north-western Africa, from Tripoli to Morocco (Encyclopaedia of Islam, 1971).

Table 2.1 shows the amounts of some drugs seized in the Arab countries in 1996, based on data presented at the Conference of Arab Home Affairs Ministers held in Jeddah, Saudi Arabia in 1997, where the researcher was one of the participants from Oman. However, Bahrain, Djibouti, Somalia, and Mauritania did not present any information about any kind of illegal drugs sized by the authorities. Surprisingly, Lebanon, which is said to be one of the main sources of opium cultivation in the Arab world, registered the lowest amount of opium seized in its territory (3 kg).

Table 2.1 Amounts of some drugs seized in the Arab World in 1996
(in Kilograms)

Country	Heroin	Opium	Hashish
Jordan	67.387	43.35	1349.460
U.A.E	22.634	16.268	1377.590
Bahrain	n.a	n.a	n.a
Tunisia	4.575	n.a	0.066
Algeria	0.222	n.a	9.000
Saudi Arabia	483.415	23.376	353.1.22
Sudan	n.a	n.a	120.2.81
Syria	9.783	1.802	156.9.29
Iraq	n.a	1.000	5.300
Oman	8.046	12.362	1469.290
Palestine	0.027	n.a	6.647
Qatar	0.348	0.340	220.889
Kuwait	48.329	21.521	154.823
Lebanon	50.771	3.000	4908.750
Libya	2.466	n.a	592.487
Egypt	48.256	16.272	2018.240
Morocco	0.360	n.a	13990.700
Yemen	2.374	n.a	10.751

Source: The Documents of the 11th Arab Conference on Drugs, 1997.

Note: n.a = not available

In Oman, the time of the first availability of drugs is not known with any certainty. Even studies of drug-related offences do not mention any information about the availability of drugs before oil began to be exported from Oman. Officials tend to attribute the availability of drugs to the appearance of the foreign workforce associated with oil exploitation in the 1960s. Before that, they claim, drugs were generally unknown in Oman. This is the official version of the history of the availability of drugs in Oman (Al-Harthy, 1999).

However, this statement may not tell the whole story of the drug situation in Oman. There is clear historical evidence, as will be discussed later, that drugs have been available in Oman since ancient times, even as far back as when trade first began between Asia and Europe. Because of the lack of information and research related to drug use in Oman before the 1970s, in most official statements drug use in Oman is

regarded as a new phenomenon that appeared about the same time as the discovery of oil in Oman.

Before the 16th century, the Arabian Gulf (Persian Gulf) was, as now, the link connecting trade between East and West. For more than two thousand years, drugs, especially opium, were the principal commodity in the trade plied by dhows in the Indian Ocean and Arabian Gulf (Martin & Martin, 1978). Arab traders controlled the trade activities in the Indian Ocean, their dhows sailing from Africa and Asia to the port of Basra in Iraq. From there, they transferred their cargo by pack animals as far as the Mediterranean, at which point the goods would be loaded back onto a ship and taken to one or more European countries. Arab traders also traded with China. They would bring opium from Persia and sell it to Chinese merchants in Sri Lanka, an island that was considered the meeting point for the Arabian Gulf traders and the Chinese (Muttawali, 1977). Chinese ships arrived in the Arabian Gulf at the end of the tenth century; the focus of their trade, which included opium, was Seraf, a port in Persia, to which place many goods were carried from Oman and Iraq. Many other Gulf ports were important opium trading ports, including al-Aylah, Basra and Awal, on the Arabian coast, and Mahroban, Seraf, Qais and Hurmuz on the Persian coast. All of these ports have dwindled into history, except Basra in Iraq.

In the 16th century, after European traders arrived in the Indian Ocean, the first to deal in the drug trade through the Arabian Gulf were the Portuguese. They established many trading centres in the Indian Ocean, such as Kilwa, Mombasa, Muscat, Hurmuz and Goa. They dominated the opium trade and exported opium between their colonies of Dman and Goa in India, and China (Aune, 1989). Controlling the opium trade in the Indian Ocean was no easy task, and the Portuguese faced major problems. This highly lucrative trade had been under the control of Arab traders who were, unsurprisingly, reluctant to relinquish their livelihood (Aune, 1989). The

Portuguese attempted to prohibit the opium trade by Arab dhow traders, a regulation that the Arab traders ignored. The Portuguese were permitted by their government to use their power to control the opium trade.

In the eighteenth century, Britain, through the East Indian Company, controlled the opium trade in the Indian Ocean through the Arabian Gulf ports. Iran was the main source of opium for Arab dhow traders. Opium was being produced in significant quantities and transported to a variety of Iranian ports, such as Bushire and Bander Abbas. The Arab dhow traders were exporting opium through the Arabian Gulf to the West Coast of India (Al-Bar, 1988).

In the nineteenth century, the Middle East was an important area of opium commerce. In this period, opium was produced in Iran in huge quantities. Transported overland to the ports of Bushire and Bandar Abbas, opium was then distributed by dhows within the Persian Gulf and exported to the west coast of India in the 1850s. Hurmuz was the main centre for the opium trade (see figure 2. 1) by ship to the Gulf, and by Indian and European traders to other countries (Al-Shamsi, 1989).

From the middle of the nineteenth century, opium was traded between Iran and Muscat in Oman, and Muscat became a major trading centre for the regional drug trade. In 1850, more than 800 kg of opium was exported from Iran to Muscat and then transported to Kenya, Zanzibar and other countries by dhow (Martin & Martin, 1978).

In 1930, the dealers of opium and hashish in Muscat were mostly resident expatriates from Pakistan, Iran and India, although a few local citizens were involved in the use of drugs, especially wealthy people such as merchants. It was reported that the British Indian Company carried out trade activities with many ports on the Arabian coast of the Gulf (Muttawali, 1977), including Basra, Muhamara, Kuwait, Bahrain, Doha, and Dubai in UAE, and on the Iranian coast with ports such as Bushire, Linjah and Bander Abbas. The most important exports from Iran to the Arab coast ports were

opium, gums, carpets, cereal and wool. Moving the other way were dates, dried fish and leather goods. Most Arab ports were used for trans-shipment to other countries such as India, Pakistan, Britain, Germany and France (Muttawali, 1977). Because of the distance between the cocaine producing countries (in Latin America) and Oman, cocaine is rare on Oman's illicit market. It appeared in Oman during the 1980s, being used personally, rather than for trade, by travellers to North America. The same situation applies to amphetamines and LSD (Lysergic Acid Diethylamide) (Al-Harthy, 1999).

In 1980, the Royal Oman Police established a Drug Prevention Department in Muscat, the capital of Oman. The Criminal Investigation Department (CID) controlled this department. The aim was to reduce the availability of illegal drugs in society and the number of drug traffickers and misusers. It also collaborated with other government and non-government organisations in drug prevention activities. With the increase of the various drug problems, this department now has branches in most Oman regions.

Oman is regarded by many drug-traffickers as an ideal place to operate from. This is due to its proximity to the rest of the Arabian Gulf Countries (GCC) with their lucrative wealth and young population on the one hand, and its closeness to the producer countries such as Iran and Pakistan on the other. According to International Narcotics Control Board (2001) Oman is not a drug producing country; Oman is a trans-shipment point for traffickers moving illegal drugs westward from the major drug-producing countries, including Afghanistan, Pakistan, and India. Besides the country's general laissez faire attitude toward trade, there are several other factors that make Oman vulnerable to drugs trafficking. These include its proximity to major drug cultivation regions in South Asia, and a long coastline (1700 kilometres). Also, because of the action taken to deter drug trafficking in the traditional route countries and with recent increases in travel trade, drug trafficking groups are keen to use an alternative route to

the traditional routes of trafficking drugs to Europe, the United States and countries in Africa. They therefore, use Oman as a transit area (United Nations, 2001). According to a report of the International Narcotics Control Board for 2000:

Increasing quantities of opiates are being smuggled through West Asia, as evidenced by increasing seizures in transit countries. Despite those seizures, the availability of opiates, in particular heroin has remained unaffected. Most countries in West Asia are used by traffickers as transit points for opiates originating in Afghanistan that are transported mainly to Europe but also to other regions (United Nations, 2001:54).

In September 1988, the Interpol General Secretariat published a report under the title 'The Gulf Route'. Through that report it sought to alert the Gulf countries to the seriousness of the drug situation among them and the implication of criminals using the Gulf State as transit countries for international drug shipments. The report attributed the increase of drug misuse in Gulf States to their geographical proximity, as well as their historical, political, cultural and trade ties with such countries as Pakistan, India, Afghanistan and Iran. The report argued that these factors had brought the Gulf States into direct contact with the source area of heroin in southwest Asia.

This information is supported by the International Narcotics Control Board report of year 2000 that:

The amount of opiates seized has increased in Pakistan since the second half of 1999. It is assumed that the traditional route used for smuggling opiates, through Pakistan and the Islamic Republic of Iran and Turkey into Europe, or a slightly varied route through Turkmenistan, the Islamic Republic of Iran and Turkey, continue to be the primary routes used; however, other routes lead to the south from Pakistan through the Persian Gulf area to Africa and Europe (United Nations, 2001:58).

This, it stated, had further resulted in the Gulf countries becoming increasingly used as traffic routes or transit countries for southwest Asian heroin destined for Europe and Africa.

Figure 2.1 The Drugs Trafficking Route from Iran, Pakistan, India and Afghanistan to Oman



Source: Royal Oman Police, 2001.

The trafficking of Iranian, Pakistani and Afghanistan hashish is by sea in speedboats from Pakistan and Iran to Oman and United Arab Emirates, or directly to the main consumers, as we can see from Figure 2.1.

According to Aune (1989):

Hashish headed for Middle Eastern destinations also go directly on commercial vessels or on local craft traversing the Arabian Sea. For final destinations within the Persian Gulf the peripheral sheikhdoms and states of the Arabian Peninsula including Oman, Khatar and the U.A.E. along with Bahrain frequently serve as transit states (Aune, 1989:176).

This is confirmed by Ramachandra, a drug expert at the Interpol conference against drugs held in Doha, Khatar, in 1996 who stated that:

The geographical proximity with historical and cultural ties with countries such as Pakistan, Iran and Afghanistan has linked the Gulf States to heroin sources and transit region. This link has been further strengthened with rapid development in new international airports completely modernised to cater for expanding passenger traffic and airfreight. In this developing trend, drug trafficking groups originating from the South West Asian Countries have been transiting through the Gulf airports including Dubai, Abu Dhabi...and Muscat Oman(Interpol, 1996).

Published statistics on drugs seizures and other indicators as mentioned in (pp.4-5) reveal a growing drug-related offences among Omanis. According to the published statistics of Royal Oman Police (1991- 2002), the percentages of drug-related offences and people accused of them have increased in the last ten years. As we saw from Table 0.1 the number of drug-related offences from the beginning of the 1990s rose steeply and drugs-related offences appeared as a problem in Oman. In addition, there was a gradual increase in the number of drug offenders. However, the table also showed that the majority of those accused of drug-related offences were Omani. According to the Royal Oman Police report, other large percentages of drug offenders are those who came from Asian countries (such as India, Pakistan, Iran, Bangladesh, and Afghanistan). This is because Asian workers in Oman number more than 500,000, which is a quarter of the total population of Oman (Royal Oman Police, 2002). For example, in 2000, 23% of all drug offenders apprehended for drug offences were foreign nationals. In addition, several large seizures during 1991 to 2001 indicate that Oman is a regional trans-shipment point for illegal drugs.

2:2 Quantities of Drugs seized in Oman by Kilogram 1991-2001

Years	Cannabis	Heroin	Opium
1991	0.4	0.8	0.1
1992	5.9	0.5	0.0
1993	4.6	0.4	0.3
1994	810.0	0.9	0.2
1995	305.9	7.2	0.8
1996	1499.9	8.4	12.0
1997	1979.0	0.7	0.6
1998	10510.0	70.8	0.7
1999	14335.0	54.1	1.6
2000	7000.0	3.8	1.3
2001	2382.0	8.5	.3
	36271.8	156.1	16.9

Source: Criminal Statistics Drug Combating Department, Various years

Table 2.2 shows that from 1991 to 2001 especially in 1998 and 1999, large quantities of drugs came to Oman. In all instances, the cannabis had originated in Afghanistan and transited Iran or Pakistan before arriving in Oman for distribution

elsewhere. Hashish, heroin, and opium shipments originate in Pakistan and Afghanistan, and are smuggled in cargo containers, via small vessels and speedboats. The Omani authorities also recognize that the number of human carriers of illicit drugs transiting the local airport is on the rise. Based on statistics obtained from the Drug Combating Department in Oman, the total amount of cannabis seized while being smuggled into Oman from 1991 to 2001 was 36,271 kilograms.

Since Oman is a trans-shipment point for illegal drugs from the drug-cultivating regions of South and Southwest Asian, route to other countries in the world, the majority of arrests for illegal trafficking occur in northern Oman. The Drug Combating Department Statistics for 1999 show that the Muscat region has larger numbers of drug-related offences and of accused persons than any other region in Oman, while the second largest number of people accused in drug-related offences is found in the Al-Batinah Region, as shown in Table 2.3.

Table 2.3 Number of cases and people accused according to the region in Oman in 1999

Governorates/ Regions/	Cases of drug related offences	No. of accused
Muscat	138	298
Al Batinah	45	93
Musandam	5	12
Ad-Dhahriah	10	12
Ad-Dakhiliyah	2	2
Ash-Sharqiyah	10	18
Al-Wusta	0	0
Dhofar	2	8
Total	212	443

Source: Drug Combating Department (1999)

The General Department of Operations report for 2001 indicates that the numbers of illegal entrants into the country increased sharply from 1997 to 1999; 2084 in 1997, 3138 in 1998 and 6885 in 1999, though there was a small drop to 5642 in 2000. In addition, the majority of the infiltrators came from Pakistan, Afghanistan and Iran. For example in 1999, 30% of the infiltrators came from Pakistan, 18% came from

Afghanistan and 15% came from Iran (Royal Oman Police, 2001a). Moreover, because of the infiltrators came from the drug production countries, as the Drug Combating Department reported they brought drugs with them. The largest number of infiltrators in 1999 was found in Al-Batinah (53%): this is probably because the Al-Batinah Region is the nearest to these countries (Royal Oman Police, 2001b).

Finally, the drug-related death statistics in Oman shows that there has been an increasing death trend since 1995, not downward as one would expect if the policy was successful.

In Oman according to Senior Consultant at Ibn Sina Hospital:

Till 1994, there were no HIV positive cases amongst drug addicts. Some addicts picked up infection from India and they infected some other intravenous drug abusers with whom they had shared syringes.

As mentioned previously (p.5) the numbers of death-related drugs in Oman increased rapidly. Table 2.4 shows that the number of deaths caused by overdoses of drugs is increasing from 4 deaths in 1995 to 10 in 1999, and in 2002 the numbers raised to 14. In addition, in 2001 acute drug-related deaths, mostly involving young people (Royal Oman Police, 2003).

Table 2.43 the number of death-related drugs in Oman

Years	No. of Death-Related Drugs
1995	4
1999	10
2002	14

Source: Royal Oman Police (2003)

Regardless of the methodological limitation of these statistics, the policy makers in Oman believed them to be true and indicate a growing problem.

Conclusion

This chapter has attempted to examine the historical background of drug misuse and how it has become widespread world-wide. It has also provided information about

the main drug trafficking routes and how drug use has become a widespread problem in Oman.

The literature shows that plants such as hemp and the opium poppy, from which drugs can be derived, have been available throughout history, and were used for medical, recreational and religious purposes, but later came under international control.

International trends to control illegal drugs were reviewed, from the first international conference held in Shanghai 1909 including the Arab Home Affairs Ministers, efforts.

The Middle East, including Oman, has not been immune from the growing problem of illicit drug use, although Islamic law takes a strong stand against any behaviour that harms individuals or society. A problem faced by these countries in tackling drug misuse has been a lack of data, perhaps due to unwillingness to admit that a problem exists. In recent years, however, mounting concern about drugs misuse has been expressed, and the states of the region, including Oman, have taken measures to combat drug-related offences, according to international conventions on drugs, and implementing drug policies in their national laws. In the next chapter, therefore, the development of Oman's drug policy will be outlined.

CHAPTER THREE THE CURRENT DRUGS POLICY IN OMAN

Introduction

Before 1970 in Oman nobody knew about recreational drugs and their effects, except in Muscat; the leaves of cannabis were used as a local medicine, especially for children. People in Oman only knew about smoking cigarettes, which was prohibited by religion at that time (Al-Harthy, 1999). Before 1970 the use of drugs in their illicit forms was largely unknown. Use of natural and untreated drugs such as cannabis was not regarded as an offence as people and policy makers were unaware of any harmful effects at the time. Moreover a large number of people in Oman were accustomed to make medicine, especially for children, by crushing and grinding the flowers and leaves of narcotic plants brought from India, Pakistan and Iran and mixing the resultant powder with other food materials such as milk and sugar (Al-Harthy, 1999).

In the 1970s when his majesty Sultan Qaboos Bin Said became Sultan of Oman, the situation in Oman was changed. The Sultan started to build Oman as a modern country, and many new laws were issued. The earliest mention of drugs in a criminal code in Oman is from 1974, in the Omani Criminal Law No. 4/1974. This was the first time that using drugs or importing and exporting them was prohibited.

This chapter reviews the current policies enacted to combat drug-related offences in Oman, focusing on three elements: first, the measures enacted to control the use, trade, manufacture and trafficking of designated harmful drugs and psychotropic substances; second, the punishments applicable for drug offences, and third, drug prevention policies.

Drug Control

Discussing drug policy allows us to apply much of what we have learned so far. Conservative drug policies emphasize being tough with drug offenders through more arrests and tougher punishments, whereas liberal policies prefer prevention, education, and treatment (Currie, 1992).

In response to increases both in worldwide drug production and drug demand in Oman, law makers in Oman instituted legal measures designed to protect the health, welfare and finance of people from the effects of drug use. Law-makers in Oman have recognized that illicit drug trade is a global activity and that it is associated with other criminal behaviour; therefore they have tried to respect the spirit of international conventions related to drug control.

Before 1974 there were no criminal laws in Oman, the first criminal law to tackle the drug problem in Oman was promulgated on February 1974. However, this law was not exclusively for drug matters. Only four articles were related to drugs, namely, Articles Nos. 102, 229, 230, and 231. The first two articles dealt with drug trafficking and related offences, while the last two dealt with the personal use of drugs, especially drug addiction.

For instance, article 230 stated: ‘The penalty of imprisonment for three months to two years and a fine from \$125 to \$1250 shall be applied to any personal use (The Omani Legislation Newsletter, 1974).

Article 231 stated that: ‘The penalties provided for the preceding two articles shall not apply to any person who possesses or buys drug for personal use by virtue of an authorisation from the competent authorities for medical purposes or uses such substances by virtue of a written prescription issued by a licensed doctor’

Only two penalties were provided: imprisonment for a maximum of ten years, or a fine not exceeding \$1250.

It is important to mention that the crimes and punishments described here are not related to Islamic law (Shari'ah Law) because Shari'ah Law is not applied in cases of illicit drug-related activities in Oman.

Realising the threat to the country's security and social values posed by illicit drugs, the policy makers decided that stiffer punishments for drug-related crime in Oman were necessary. This is because the existing law was regarded as too lenient for the seriousness of the crime involved. Indeed, the Omani drug law was regarded as the most lenient in the Gulf region. With the alarming numbers of drug-related offences in Oman, the government was concerned about the rates of drug trafficking and its adverse effects among the youth. This led to the issuing of a new law (The Control of Drugs Act No 17/99), in March 1999 which came into force on 6th April 1999. Specifically, it deals with the production, manufacturing and transportation of illegal drugs. In the old law, these aspects were not covered. Also, by the new law, the classification of drugs is covered extensively. The drugs were classified into three groups: Group one - Narcotic drugs; Group two - Psychotropic substances; and Group three - Selected volatile substances that can be misused (see Appendix 2).

The Drug Act No.17/1999 regulated the procedures regarding dealing with drugs in Oman. It forbade the import of drugs into and exports of drugs from Oman without a permit issued by the Ministry of Health. The purpose is to maintain control over all people and organizations involved in drug trade, and to restrict the quantities of drugs available in Oman to the real needs of the community whether for treatment or research, and to ban the infiltration of drugs to the illicit drugs market. The act also confined the granting of permits

to government authorities and licensed academic institutes, licensed private hospitals and clinics, laboratories licensed for chemical analysis or for academic, medical and industrial research purposes, licensed drug stores and pharmacies and factories involved in the production of and/or sale of medical supplies. The Act stipulates that such bodies must have a licensed pharmacist to deal with drugs, and that middlemen and agents of licensed factories producing medical supplies themselves must also have a licence. These firms or individual businessmen must also employ a licensed pharmacist to deal with the drugs they handle. Permits are issued only by the Ministry of Health and the director of the firm or institute.

Punishments for Drug Offences

The current punishment for drug offences in Oman is harsh; in 1999, the law stipulated capital punishment as the penalty for drug trafficking. In 2001, the death sentence was imposed on three drug offenders, (one Omani and two Pakistani citizens) for possession with intent to distribute drugs, and the first executions were carried out on 18 July 2001. The minimum sentence for individuals convicted of using illegal drugs in Oman is from six months to two years. The sentence is extended to ten years if a possession charge is added, as is often the case.

I - Import and Export Restrictions on Drugs

The Control of Drugs Act no 17/1999 defines the importation of drugs as bringing drugs into the territories of the state; drugs must not be transported beyond the custom line on land or water borders without the appropriate permission and licence, and this must be in accordance with the regulations laid down by International Law (Al-Shazli, 1984).

The owner of an imported drug can be prosecuted for an importation crime regardless of whether he was the person who personally brought the drug into the country without conforming to the above legislation or the drugs were brought in by someone else. The legislation distinguishes between the importations of drugs into Oman without permission on the one hand for the personal use of the person bringing the drugs into the state, and on the other hand for the purpose of distribution. The Control of Drugs Act discriminates in the punishment of those who import or export drugs for their own use and those who import drugs for financial gain.

Article 44 (1) prescribes that an importer convicted of illegally importing drugs must be punished by a term of imprisonment not more than 10 years and not less than 5 years, with fines of not less than \$7500 and not exceeding \$37,500. Penalties may be either or both of the above, in the case of drugs being imported for the personal use of the importer. However, where drugs are imported for personal use, the punishment is decreased to a term of imprisonment not more than 7 years, and a fine not more than \$12500.

II - Using drugs

The penalty for using drugs in Oman is set out in Article 64 of the Control of Drugs Act No 17/1999 which stipulates that “A penalty of not more than one year and not more than \$1250 Fine will be imposed on anyone who takes any of the drugs listed in the third group attached with this law.

The penalty stated in the previous clause will be imposed on anyone acting in violation of the regulation of this law or any of its executive decisions. The Violator will be stopped from practising his career for a period equivalent to the period of the penalty if acted in violation of article 32 of this law”.

The Act does not discriminate between the uses of drugs according to their effects on humans but it does discriminate between the uses of drugs according to their purposes. On the one hand, it can be argued that non-discrimination between types of drugs used is useful in that users have no plea to avoid penalties on the grounds of the slight effect of any given drug. On the other hand, it can also be argued that, were fines or imprisonment for the use of 'soft' drugs such as Khat and Hashish correspondingly lighter, some people might be discouraged from using heavier drugs, preferring to use lighter drugs. Under the present arrangements, given that the punishments are the same, there is little incentive for someone wanting to try drugs to avoid the harder drugs in favour of 'soft' drugs.

This apparent lack of concern in the legislation for the physiological severity of the drug is illustrated by the fact that legislators in Oman, on the one hand, allow permitted persons who are non-Muslims to drink alcohol, which can cause serious physiological damage and is addictive, and on the other forbid the use of drugs such as Khat, which many would argue causes less damage to the human body than alcohol (Lemessa, 2001).

The Control of Drugs Act forbids the use of any drug not listed in the schedules attached to the Act but which can produce intoxication or a narcotic state. By this means the court is able to prosecute any person who uses dangerous drugs such as solvents which are not listed in the schedule of the Control of Drugs Act. Persons found guilty of using such drugs are punished by imprisonment of not less than 6 months and not exceeding 3 years.

According to Article 47 of the Control of Drugs Act, "Any person who imports, purchases, produces, manufactures, or possesses drugs listed in schedule No. (1,2,3) of the first category and schedule No. 1 of the second

category or who plants, or possesses, or purchases a plant of a type stated in schedule No. 5 of the first category of this law, or any part thereof at any stage of growth, or seeds for the purpose of personal illegal use, will be imprisoned for not less than one year and fined not less than \$1250 and not more than \$7500 .The penalty will be not more than seven years imprisonment and a fine of not more than \$ 12500 if possession was not for the purpose of business or personal use in illegal cases”.

The court may, instead of imposing the penalty stated in the first clause of this article, order the transfer of the addicted person to any of the reformatories especially established for this purpose or treatment at a clinic specialized in Social and psychological treatment. However, a person who has already been referred twice before in the last five years may not be sent to a reformatory.

Article (54) of The Control of Drugs Act, states that if a person licensed to transact in drugs or mind altering substances as listed in the schedules (1, 2, 3, 4) of the first category and schedule No. (1) of the second category, or in the plants and seeds specified in schedule No. (5) of the first group, does not act in accordance with applied disciplinehe/she will be imprisoned for not less than one year, and subject to a fine of not less than \$750 but not exceeding \$1250.

III - Trade and Trafficking of drugs

According to article 43 of the Control of Drugs Act, Article No. 17/1999, certain drug-related offences may now be punishable by death. These include: smuggling, participation in smuggling, importation, receiving, repeated distribution, cultivation, and recidivism. This punishment is relatively new; it was implemented by Sultan order No. 17/99 dated 14 March 1999.

Article 43 states that:

The death penalty or life imprisonment with a fine not less than \$26500 shall be imposed on whomever:

1-Imports or exports or produces drugs included in schedules (1,2,3,4) of Group One and Schedule number (1) of Group Two [see Appendix 1] without legal authorization or whoever smuggles it for trafficking purposes.

2-Plants or exports or imports any of the plants included in Schedule (5) of Group Two annexed to this law, or any part of the plant at any stage of its growth or its seeds without legal authorization, or smuggles it in any stage of its growth or smuggles its seeds for trafficking purposes.

3-Finances or induces another person to finance any of the activities indicated in section (1&2).

The death penalty shall be imposed in the following cases:

1-Recommitting any of the crimes indicated in this article.

2-If the crime is committed by any of public service staff who are employed to fight the drugs and psychotropic drugs crimes or any one of the control and inspection staff who are responsible for the handing and possession.

3-Employing a minor to commit or facilitate any of the crimes indicated in this article.

4-Collaborating or cooperating with any international criminal group to smuggle drugs or psychotropic drugs.

5-Misuse of legal power or immunization to commit or facilitate any of the crimes indicted in this article

Therefore, the trafficking of drugs is one of the offences punishable by death. It is worth mentioning here that the term 'repeated offender' means one

who has received a sentence for a first crime from among those listed in Article 43, and repeats the same crime or another of the scheduled crimes.

Drug Prevention Policies

Reuter (1999) classifies policy advocates into three groups: Hawks, Doves, and Owls.

Hawks emphasize law enforcement to eradicate drug misuse, believing that we simply need to be tougher than we have been. Enforcement strategies include both supply reduction, designed to reduce the availability of drugs, and demand reduction, designed to decrease peoples' desire to use drugs. American drug policy is dominated by the Hawk approach, with most of the emphasis on supply reduction.

Owls prefer prevention and treatment of drug misuse, which are essentially demand reduction strategies. Current drug policy includes prevention and treatment, but they have always received less emphasis than supply reduction-oriented law enforcement approaches.

Doves, meanwhile, believe that we should completely rethink our national drug policy. In general, they would prefer to define drug misuse as a public health problem. The National Council on Crime and Delinquency (NCCD) asserts that "it should be defined primarily as a health-related problem that should reside in the public health domain" (Rosenbaum, 1989: 7). The radical Dove approach is to legalize drugs. We discuss legalization later in this chapter. A more moderate approach is generally referred to as harm reduction, which generally means keeping the criminal penalties for drugs on the books, but not enforcing them as intensively. Harm reduction essentially represents the drug policies of many European countries, particularly the Netherlands (Leuw, 1991).

The Drug Department in Oman continues to advance its national drug strategy aimed at reducing the supply of illegal drugs. To achieve these aims, the Drug Department has continued to pursue the following initiatives:

- The improvement, through training, of the country's counter-drugs units and the formation of special units for maritime counter-drugs operations;
- The passage of laws requiring better monitoring of precursor chemicals;
- Increased cooperation with neighbouring countries on information exchange and drug seizures; and
- Enhanced cooperation with the United Nations Drug Control Program (UNDCP), the Nayif Academy for Security Science in Saudi Arabia, and other countries with expertise in counter-drugs efforts.

In addition, the Omani Government is a party to the 1988 United Nations Drug Convention, the 1961 United Nations Single Convention, as amended by the 1972 Protocol, and the 1971 United Nations Convention on Psychotropic Substances.

As a result of escalating drug-related offences in society, especially among local citizens, the authorities have put effort into combating drug problems. Most of these activities are performed by the Royal Oman Police, Ministry of Justice and Ministry of Health, and concentrate on combating the illegal drug market and providing some medication for some drug addicts. However, the efforts made by the authorities mentioned above had not had any palpable effects on the increasing drug abuse in Oman. Studies on drugs are nearly non-existent. Non-governmental organizations in Oman have no tangible role in combating drug abuse. This is due to the fact that the government refuses to give non-governmental organizations even the scantiest role in the drug-combating field, including awareness, financial help for treatment or any other

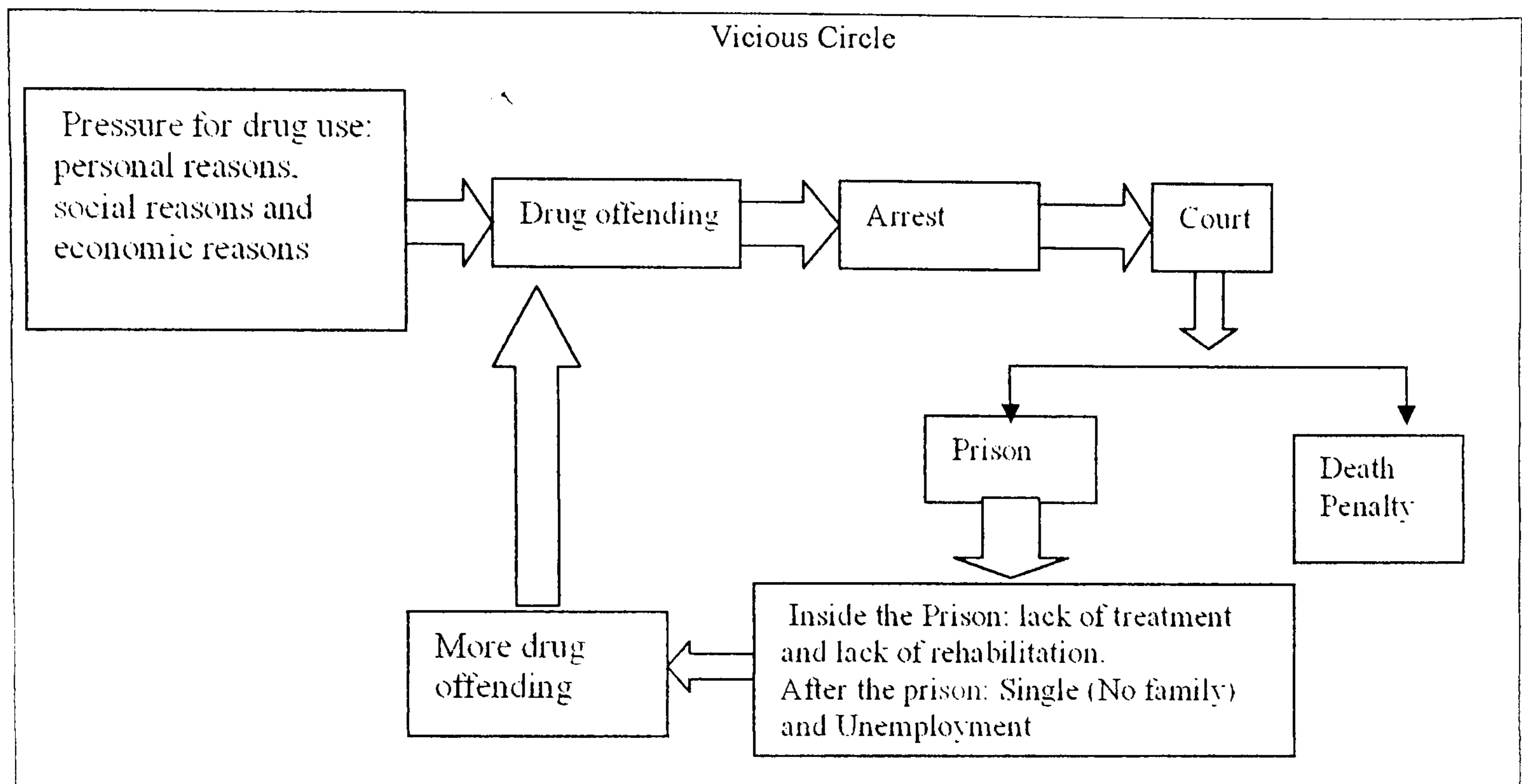
tangible role. The Omani government considers that drug abuse is a highly sensitive internal issue and therefore non-governmental organizations should play no role in dealing with it. External governmental organizations are, likewise, refused any role in combating drug-related offences in Oman, even if these organizations officially request involvement.

At the present time, the Omani government is concentrating its effort in the fight against drug-related offences on the supply reduction side, with very little attention being given to demand reduction. As a consequence, demand reduction programmes in Oman are still in their early stage of development.

The present supply reduction strategy concentrates on arresting drug users and low-level retail dealers. This policy has no hope of diminishing the drug supply, or of raising street prices, because low-level dealers who are arrested are immediately replaced by others (Fuqua, 1989). The law enforcement strategy does not concentrate on aiming at seizure of larger quantities (which can be defined as quantities for using in dealing with drugs not only for personal use purpose) of drugs and increasing the risks of importing and distributing drugs by arresting and punishing high-level dealers, as well as low-level dealers, carriers and users, and confiscating revenue and assets from illicit drug-related activities (Dorn and Murji, 1992).

Moreover, the approach adopted with those arrested focuses on punishment. Basically, as we can see in Figure, 3:1 there are only two methods of disposal available to the court: a prison sentence or (for trafficking) the death penalty which was introduced in 1999 and has been invoked one time (for three traffickers) since then.

Figure 3.1 The current policies (Vicious Circle) in Oman



In addition, according to Al-Harthy, (1999) there are low level of knowledge about drugs among Omani population which can be related to the lack of drug preventive programmes aimed at dissuading young people from their positive beliefs about drug use.

In Oman, the potential of the mass media has not been effectively utilised in drug use prevention campaigns. People need to recognise that drug use problems are social problems, which need the efforts and collaboration of governmental and non-governmental agencies, as well as the efforts of individuals. However, the government does not utilise the mass media to enlighten and guide people about the dangers of drug use for individuals, family and society. There is a lack of programmes involving television, radio, articles and interviews with experts (Al-Harthy, 1999).

The new drug law mentions that treatment, rehabilitation and aftercare are rights for all drug prisoners (articles 50 and 51). Moreover, article 69 grants immunity to any person

voluntarily referring themselves for treatment. In short, in the new law, drug users can be regarded as patients who need treatment. In addition according to senior Consultant at Ibn Sina Hospital the drug policy with with drug addicts in Ibn Sina Hospital:

Assessment, counselling and psychotherapy are instituted to motivate the patient to get admitted with the intention of ridding himself of the addiction. These measures are in keeping with the social, religious, cultural and family context of the addict. The current policy is to try to treat the motivated addicted patients as in-patients and quickly get them into a drug free state. Detoxification is coupled with psychotropics (usually haloperidol or other major tranquilizers and antidepressants). If there is a risk of convulsions or if the addict has also been regularly abusing benzodiazepines, other sedatives or alcohol, and the condition of the patient warrants it, then they are given Carbamazepine. Vitamins are also administered if there is evidence of poor dietary intake or of vitamin deficiency, If an addict had been abusing high doses of drugs or is experiencing severe withdrawal effects then a few doses of Methadone in a modified regimen are given to reduce the severity of the withdrawal effects. Rehabilitative measures are also advised and the family is also involved in the supportive and rehabilitative process. The patient is usually discharged when stabilized. Out-patient follow-up is done and the patient is maintained on psychotherapy. If there is significant or residual depression then antidepressants are continued.

However, as seen in figure 3.1 the practice is different. One problem in Oman is the lack of the medical treatment for drug addicts. Medical treatment is only available in Ibn Sina Mental Hospital, but according to the manager of the hospital, there are limited places for the treatment of drug users (three beds). Moreover, the staff dealing with drug addicts have no specialist training and there is no plan by the Ministry of Health to provide annual training courses for staff in the addiction clinic. These training courses should include the designing of medication treatment systems; modern methods of addiction medication, and the evaluation and development of treatment systems (Heather, 1995).

In this respect, perhaps we need to make a further distinction between users and addicts. The addict is already “enslaved” and needs a programme of rehabilitation and treatment (Hanreich, 1984).

Regarding drug users, measures aimed at reducing demand for drugs range from proposals for drug education programmes to suggestions for the provision of leisure time activities as an alternative to drug use (Cohen, 1964:2094). Unfortunately, in Oman there are no clear differences between drugs users and drug addicts.

In Oman there are no clear programmes to change the environment of individuals and to prevent the development of offenders' drug-related problems. Moreover, there are no programmes aiming to prevent experimental and regular users from experiencing physical and psychological problems, and dissuade them from involvement in crime. Moreover, there are no clear-cut programmes regarding increasing awareness to help drug offenders to change the environment in which they live and help them to find suitable conditions that can move them away from the environment of drugs. There are also no future plans to help those already indicted and sentenced for drug offences to help them to live normal and decent lives within their communities by providing them with suitable employment and housing, as well as training and qualifying them to enable them to find suitable employment, that would enable them to build families and join the community as normal and responsible members, and give them a new lease of decent life.

Finally, as yet, there are no rehabilitation activities for drug offenders, whether users, dealers or traffickers. Prisoners, after release, find themselves in the street without any job, and they have not received any kind of training in the prison. In addition, there are no aftercare programmes.

There are no rehabilitation programmes for drug prisoners in Oman, nor are there any aftercare programmes for drug offenders leaving prison, to help them to live in the outside environment. Also, there is no co-operation between the drug prevention authorities and the offender's family, and the drug

offenders often find that they are socially outcast. According to the International Narcotics Control Board report for year 2001:

The Board continues to be concerned about the lack of adequate treatment centres in the countries in West Asia most affected by drug misuse, which in some instances has led to the exploitation of drug misusers by private institutions following questionable treatment practices. The Board encourages the countries in question to provide proper guidance and urges the Governments concerned and the international community to provide additional resources for such purposes (United Nations, 2001:56).

Conclusion

Since the establishment of the modern Omani regime in 1970, new laws and policies have been enacted to address the issues facing a rapidly developing society. Drug policy was initially restricted to a few provisions in the general criminal law.

Subsequently, provisions have been introduced to control trade in drugs, their manufacture and use. Penalties take the form of fines and lengthy prison terms. Although the most recent law, the Control of Drug Act 17/1999 introduced a new concept of the drug user as a patient in need of treatment, in practice these provisions for rehabilitation are little used. The focus continues to be on punishment (drug supply reduction policy). In particular, the new law provides harsh punishments for drug trafficking and smuggling including the death penalty or life imprisonment.

Thus, the current drug policy in Oman concentrates on supply reduction, with the death penalty as the deterrent. The Omani government, despite its rhetoric, is taking only the easy and cheap solution, that is, to apply the punishment provisions in the law rather than provide for treatment, rehabilitation and after-care. Moreover, the approach adopted with those arrested focuses on punishment. Therefore, the question now is can the supply

side reduction policy deter criminals from committing trafficking and smuggling in drugs? This is what the following two chapters will consider.

PART TWO

Supply Side Reduction

This part will review the history of the death penalty worldwide and the empirical evidence as to whether the death penalty is an effective deterrent. In addition, the researcher will review studies of the deterrent effect of the death penalty for serious offences in general and drug-related offences in particular.

We will then go on to examine effect that the introduction of the death penalty for drug-related offences in Oman has had on reducing supply. Part two consists of:

- Chapter Four: the Death Penalty and Deterrence – a review of the literature
- Chapter Five: Evaluation of the Effectiveness of the Drug Supply Reduction Policy in Oman

CHAPTER FOUR THE DEATH PENALTY AND DETERRENCE

Introduction

Some philosophers have confused the objectives of punishment with its nature, or defined punishment at least partially in terms of its supposed aims. This can be misleading; by including in its definition those aims of which one approves, one can refuse to allow behaviour that has some other aim to be called punishment, even though such behaviour is quite generally considered to be a form of punishment. Therefore, it is better to consider the aims of punishment separately from its nature (Hood, 1996).

To establish the framework for the empirical investigation of the death penalty, this chapter will review the use of the death penalty worldwide, the moral arguments for and against it, and the evidence of previous investigations as to whether the death penalty is an effective deterrent. In addition, the researcher will use figures for deterrence of homicide offences because there are a few studies on drugs deterrence argument (Hood, 2002). Therefore, in this chapter the researcher reviews studies of the deterrent effect of the death penalty for serious offences in general, and drug-related offences in particular. That the history of the death penalty will be reviewed, with an emphasis on developments in Western countries but including other countries world-wide, including Oman. The justification of punishment and moral philosophical arguments for and against the death penalty will also be examined, including the concept of deterrence.

The History of the Death Penalty

Before starting to trace the concept of the death penalty, there is a need to

understand the meaning of the death penalty. According to the International Encyclopaedia of Social Sciences “death penalty” means “the officially authorised execution of the death penalty on persons determined by appropriate legal procedures to have committed a criminal offence” (IESS, 1968: 290). The death penalty is one of the oldest punishments in the penal system, and the debate over the justice and efficacy of the death penalty is almost as old as the death penalty itself.

According to Bedau, one cannot accurately point out when the crusade against the death penalty started, although most historians agree that the logical starting point may be the year 1763 when Cesare Beccaria, a tireless antagonist of the death penalty wrote an essay, “On Crime and Punishment” (Bedau, 1997).

In the latter part of the 18th century more offences had been made punishable by the death penalty in England, yet Beccaria maintained that since man was not his own creator, he did not have the right to destroy human life, either individually or collectively. Through two British parliamentarians, Bentham and Romily, Beccaria's ideas gradually influenced English thought, as evident in the latter part of the 18th century when Bentham began to proffer arguments against the death penalty, similar to those of Beccaria. Bentham, however, agreed that the death penalty produces a greater impression on the public mind, than any other mode of punishment (Bedau, 1997). Pressure to restrict the death penalty to only the gravest crimes began to increase in Britain, America, and several European states. Pennsylvania (in 1794) was the first American state to abolish the death penalty for all crimes except first degree murder and by 1861 in England it had for all practical purposes been restricted to murder (Hood, 2002).

By the end of the first quarter of the twentieth century several European countries – Portugal, San Marino, the Netherlands, Norway, Sweden, as well as Italy, Romania, Austria, and Switzerland – had got rid of the death penalty for crimes committed in peacetime (Bedau, 1997). However, according to Hood, the abolition in these countries was not always permanent. The death penalty was reinstated by various authoritarian regimes during the twentieth century in Europe. It was reintroduced in Italy in 1927 and in Germany was expanded beyond all recognition by the Nazis, so that under the Third Reich, some 16,500 death sentences were passed (Hood, 2002).

By 1965, there were only 25 abolitionist countries. Eleven had completely abolished it and a further 14 countries had abolished it for ordinary crimes in peacetime, plus the Australian state of New South Wales (Pojman and Reiman, 1998).

In 1971, the United Nations General Assembly passed Resolution 2857(XXVI) which stated that:

In order to guarantee fully the right of life, provided for in Article 3 of the Universal Declaration of Human Rights, the main objective to be pursued is that of progressively restricting the number of offences for which death penalty may be imposed, with a view to the desirability of abolishing this punishment in all countries (United Nations, 1986:39).

Like many other United Nations resolutions, this resolution is not acceptable to all nations:

Some members of the United Nations have shown a sustained interest in abolishing the death penalty; others will not abide by the Resolution and consequently, they have not abolished the death penalty, and some other members wish to retain and use the death penalty only for very serious crimes (United Nations, 1986:40).

Since 1971, the United Nations has had published periodical reports about the countries that use or do not use the death penalty. Accordingly, the United Nations has

classified countries into two major groups: Retentionist and Abolitionist. The first group, Retentionist, refers to countries that retain and use the death penalty for ordinary crimes such as murder, rape, robbery, drug trafficking, or embezzlement of very large amounts of money. Certainly the list of capital crimes in some countries is short; while in others long (Hood, 2002).

The second group, Abolitionist, can be classified into three categories:

1. Abolitionist for all crimes, which means the countries whose law does not provide for the death penalty for any kind of crimes, such as the UK.
2. Abolitionist for ordinary crimes only, which means countries whose laws provide for the death penalty only for exceptional crimes such as crimes committed under military law, or crimes committed in exceptional circumstances, such as wartime.
3. Abolitionist *de facto*, which means countries which retain the death penalty for ordinary crimes, but have not executed anyone during the last 10 years or more (Hood, 2002).

Over the last thirty-nine years (up to December 2002) the number of abolitionist countries has grown from 25 in 1965 to 111 countries. Since 1965, 86 countries, have changed their status from Retentionist to Abolitionist: 76 of them absolutely for all crimes and 15 of them for ordinary crime. 20 of these countries had been, at the time they abolished the death, abolitionist *de facto* (for more details see Table 4.1).

Amnesty International (AI), the Nobel Prize-winning human rights organisation, keeps information on the death penalty around the world. According to its latest report, the numbers of abolitionist and retentionist countries as of the end of December, 2002 were:

- Abolitionist for all crimes: 76 countries

- Abolitionist for ordinary crimes only: 15 countries
- Abolitionist de facto: 20 countries
- Retentionist Countries: 84 countries

In summary, out of 195 countries reviewed over half (111) either by decree or by practice do not use the death penalty (for more details see Appendix 3).

Table 4.1 shows the comparative numbers of abolitionist and retentionist countries in December 1988, December 1995, December 2001 and December 2002. Roughly, half the countries in the world still retain and use the death penalty to a greater or lesser extent. The death penalty is most common in the Far East and Middle East, and is used in some African countries. Under Sharia law, as practised in most Moslem countries death is the penalty for murder, drug trafficking, adultery, rape and apostasy. In addition, the death penalty is implemented in 38 states of America, particularly Texas, which executed forty people in 2000 (Hood, 2002).

Table 4.1: Number of Abolitionist and Retentionist Countries

Year	Abolitionist for all crimes	Abolitionist for ordinary offences	Total Retentionist	Abolitionist <i>de facto</i>
1988	35	17	128	27
1995	60	13	119	29
2001	75	14	105	34
2002	76	15	84	20

Source: Amnesty International Report (2002)

In the rest of the world the death penalty is normal only in cases of murder and drug trafficking (except in China where it is used for some 60 crimes including economic offences). Less than half of all recorded executions in 1999 were for murder, and around 13% were for drug offences. By December 2002, 106 countries including almost all European countries had abolished the death penalty as have Canada, Australia and most South American countries (Amnesty International, 2002).

Table 4.2 shows the countries worldwide which have the death penalty for drug offences. Some of them, such as Qatar, implement the death penalty optionally but most of them implement it mandatorily. It is also worth mentioning here that some countries have had a death penalty law for years but have never implemented it, such as Bahrain, whereas others use it extensively, such as Iran and Saudi Arabia (Amnesty International, 2002).

Table 4.2: Countries that apply the death penalty for drug-related offences.

Country	Year of introduction	Comments
Iran	1959	Optional and Mandatory
Iraq	1965	Mandatory
Egypt	1966	Optional and Mandatory
Bangladesh	1975	Optional
Malaysia	1975	Mandatory
Indonesia	1976	Optional and Mandatory
Thailand	1979	Mandatory
Singapore	1982	Mandatory
China	1982	Mandatory
Brunei Darussalam	1982	Mandatory
Kuwait	1983	Mandatory
Bahrain	1984	Optional
U.A.E	1986	Optional and Mandatory
Qatar	1987	Optional
Saudi Arabia	1987	Mandatory
Sudan	Date not known	Mandatory
India	1985	
Jordan	Date not known	
Libya	1996	
Myanmar	Date not known	
Pakistan	Date not known	
South Korea	Date not known	
Sri Lanka	Date not known	
Syria	Date not known	
Taiwan	Date not known	
Tajikistan	Date not known	
Philippines	Date not known	
Uzbekistan	Date not known	
Vietnam	1992	Mandatory
Philippines	1994	Mandatory
Oman	1999	Optional and Mandatory
United States of America *	Date not known	

Sources: Amnesty International Report, 1996, Al-Harthy, 1999, Hood, 2002 and national laws of some of the above countries.

Note: * Under federal law. However, Florida and Arizona both provide the death sentence for unlawful killing arising from unlawful distribution of drugs (Hood, 2002).

According to Amnesty International China is the most aggressive of all in the implementation of the death penalty. It introduced the death penalty for drug-related

offences in April 1982. China does not have a separate law for drug-related crimes. Instead they are included within the criminal code of the country.

In addition, China is one of the countries where the death penalty is widely used against drug offenders. Anyone trafficking, smuggling or planting drugs is subject to death irrespective of the circumstances surrounding these offences (Amnesty International, 2002).

According to Amnesty International, the numbers of executions in China increased sharply from 20 in 1985 to 2468 in 2001. Amnesty International stated, in its report on the effect of the death penalty, that China is characterised by a disregard for the international norms for a fair trial. Those who suffer most as a result are the poor and less educated, who are often unaware of their rights and of legislation, which leads to their execution (Amnesty International, 2002).

There is a question here. Has this strong-handed policy against drug offences and the widespread use of the death penalty contributed to reducing the supply of and demand for drugs in China? The answer is clear; neither to China, nor anywhere else, has the death penalty made a positive difference in terms of seizures of drug-related offences (Amnesty International, 2002). In fact, the figures seem to show that the demand for illegal drugs is growing. In Malaysia, where the death penalty has been in force since 1975, government statistics recorded an increase in registered drug addicts from 79,000 in 1979 to 128,741 in 1988. In 1985 the Acting Inspector-General of Malaysia Police was reported as saying that the death penalty did not seem to deter traffickers (Malaysian Home Ministry, 1994). The death penalty in Malaysia is now mandatory for the trafficking in, offering to traffic, and doing or offering to do any act preparatory to or for the purpose of trafficking in dangerous drugs. Nevertheless, the official statistics published by the Home Ministry in Malaysia

indicate that the number of addicts in the country rose to 145,685 in 1994 (Home Ministry, 1994). These figures illustrate the extent of the drug problem in Malaysia, and call into question the efficacy of the death penalty.

Iran has had the death penalty for drug-related offences longer than any other country in the Gulf region. It was first introduced in 1959. This punishment was applied during the regime of the Shah of Iran and hundreds of people were executed for the offence in the hope that it would reduce narcotic use. But things have turned out very differently. For example on 14th July 1974, the Government of Iran announced that 239 drug smugglers and peddlers (possession, traders, and traffickers) had been put to death (Al-Harthy, 1999). In addition, according to Iranian law, anyone carrying more than 30 grams of heroin or five kilograms of opium would face the death penalty. In Iran the total number of executions carried out for drug-related offences in 2001 was 139 (Amnesty International, 2002).

Amnesty International has accused Iran of violating international Human Rights standards. However, the Iranian Government, believing that it is the duty of the government to maintain the state's security and the health of the population totally disagrees with Amnesty International's view that the death penalty violates human rights. In recent time, there have been thousands of executions for drug-related offences in Iran. The question asked is whether Iran has fewer drug addicts than before and whether fewer drugs are available than before. The fact is that Iran, according to the International Control Board, still remains a route for transporting heroin from Afghanistan and Pakistan to Europe and North America (United Nations, 2001). In addition, according to the Royal Oman Police Drug Report 1999, most of the drugs transported to Oman by sea came through Iran (Royal Oman Police, 1999b).

The History of the Death Penalty in the United Kingdom

The history of the death penalty in the United Kingdom has passed through several stages. Therefore, in this section the researcher will divide the discussion into three stages; the death penalty before 1900, the death penalty after 1900 and the abolition stage.

Before 1900, the Bloody Code imposed the death penalty for a huge number of offences, ranging from murder to pick pocketing. For example in 1603, there were 50 crimes that carried the death penalty. By 1752, attitudes towards the Bloody Code began to change. The Murder Act instructed judges to include dissection after death as part of the punishment. By the late 1830s, hanging had been abolished for all offences except murder and treason (Emsley, 1987). By 1861 the number of capital offences was reduced to four: murder, treason, arson in the royal dockyards and piracy with violence. Another important step was taken in 1868, when hanging in public was ended (Rule, 1992).

The second stage started with 1900 when the attitude towards the death penalty continued to change. In 1908, the minimum age for execution was raised from 15 to 16 years; it was raised again, to 18 years, in 1933. In 1957, the Homicide Act abolished hanging for most murders. This Act divided murders into two categories: capital offences and non-capital offences. Capital offences included killing while carrying out a theft or avoiding arrest, killing a police or prison officer, killing by using a gun or explosives, and any second murder. All other killings (including those committed while the offender was suffering from 'diminished responsibility) were classified as non-capital offences.

The third stage started in 1965 with the Murder (Abolition of the Death Penalty) Act. This removed the death penalty for all crimes, except treason in time of war, arson in the royal dockyards, and violent piracy. The Act was introduced as a five-year experiment.

Then, in 1969, Parliament voted to make the abolition 'permanent'. This was extended to Northern Ireland in 1973 (O'Donnell, 1992). Although members of the Houses of Parliament have tried many times to reintroduce the death penalty, the British Parliament has overwhelmingly defeated the measures. As Hood has shown, in June 1988, the eighteenth attempt in the British Parliament to introduce death penalty for some classes of murder was defeated by 341 votes to 281 (Hood, 1989).

Since the death penalty was abolished in law, the number of homicides has risen, the recorded homicides being 60 per cent higher in the twenty years 1966 to 1985 than in the twenty years 1946 to 1965. But the increase has been far less than in serious violent offences, which over the same period rose by 160 per cent (Hood, 1998). Furthermore, while the number of recorded homicides was lower in 1993 than in 1986, the number of recorded serious wounding was over 60 per cent higher (Home Office, 1995).

The Crime and Disorder Act 1998 abolished the death penalty for the remaining civilian offences of treason and piracy. The death penalty for military offences in peace and wartime was removed by the Human Rights Act of 1998. These changes opened the way for the United Kingdom to sign Protocol No. 6 to the ECHR, which came into force in the country on 1 June 1999 (Freeman, 1999).

In 1999, the government also ratified an international treaty banning the death penalty. Britain is now one of 69 countries which have totally abolished the death penalty.

Since the abolition of the death penalty in 1965, the most serious murderers (e.g. of children, police or prison officers, or murders committed by terrorists) tend to serve at least 20 years. The punishment for murder has been life imprisonment - with a minimum sentence specified by the judge, and nearly always agreed by the Home Secretary. At the

present time, there are over 2,000 'lifers' in Britain's prisons. Most will serve between 10 and 20 years; a few will never be released (Todd, 2002).

The History of the Death Penalty in Oman

In pre-Islamic Oman (666 AD) there was no divine law and no codified rules to follow except the custom and the tradition of the society. Hence, in pre-Islamic Oman, as in many other primitive societies, judgements were compatible with natural laws and human instinct.

With the advent of Islam 666AD, the old system was subject to change, at least in principle and ideology (Hitti, 1970). As a religion, Islam appeared first in Mecca, and remained there for 13 years, yet its legal system was not shaped until after the Prophet Muhammad's migration to Medina. As a religious and political leader, the Prophet had to determine his position toward the established system of law and order and the death penalty came under the Islamic system as a framework (Al-Harthy, 1999). In Islamic Law a distinction should be made between two kinds of death penalty. One is that sanctioned by texts in the Quran, whereas the second group is that for which there are no texts clearly commanding it in the Quran, therefore, it is issued by *Taazir*, which means to prevent, to respect, and to reform (Awdah, 1993).

The first group includes *Hudud* and *Qasas*. *Hudud* punishment means that a specified punishment is imposed on a person because there is a violation of God's right. Such punishment is reserved for divinely ordained crimes and is the severest of all punishment. In this kind of crime the punishment is specific and fixed because it is prescribed by God. There is no minimum or maximum penalty. Not all *Hudud* crimes carry the death penalty; for example, robbery is punished by amputation of the hand. Examples

of Hudud crimes, which carry the death penalty, are adultery and apostasy (the crime for a Muslim of turning against Islam). *Qasas* means retribution, and refers to crimes seen as an infringement of a person's right. These crimes and their punishments are clearly specified in the Quran and the Hadith (texts attributed to the prophet Mohammed) but they differ from *hudud* crimes, which are also specified in the Quran. An example of a *Qasas* crime that may be punishable by death is murder (although the death sentence is not mandatory; as an alternative the offender may be required to pay compensation "blood money" to the victim's family). One main difference between *hudud* crimes and *Qasas* crimes, is that in *hudud* crimes the punishment must be carried out by the Imam, or state alone, while for *Qasas* crimes, whether punishment is exacted or not is decided by the victim himself, if still alive, or by the next of kin in the case of the victim's death. Another difference between the two types of crime is that in *hudud* crimes pardon is not allowed, while in *Qasas* crimes, pardon is highly recommended (Awdah, 1993).

The second group of crimes that are punishable by death are called *Taazir* crimes. Crimes of this type are those which are not specified by earlier legal instruments, owing to the fact that such acts were not prevalent in the time of the Prophet, or their occurrence at that time did not constitute a crime. In other words, they are the types of offences, which are not included in the divinely ordained *Hudud* and *Qasas* categories. These types of crime are punished because they constitute a threat to the Islamic State and its society and because they may outrage standards of public taste, decency, and morality. The punishments prescribed for crimes of this kind are aimed at strengthening the cohesion of society. It is important to note that dealing with these types of crimes comes under the category known in Islamic jurisprudence as *Sharia*, equivalent to legal policy in positive

law (Iban Taimyah, 1968). This policy is flexible in the sense that there is no restriction on the side of the Islamic State against adding to the list of acts which constitute crimes. Such flexibility is essential to enable response to acts which may affect the stability of Islamic society. *Taazir* crimes that are punishable by death are sorcery, sodomy (homosexuality), spying and drugs-related offences (Iban Taimyah, 1968).

From the above mentioned, therefore, we can explain the willing acceptance in Oman of the death penalty for the offence of murder or homicide, as in all Islamic Countries today without any exception. This feeling is strongly reinforced by the imported but dominant religious tenets of Islam. In 1974 the death penalty was brought in against homicides and crimes relating to the security of state (The Omani Legislation Newsletter, 1974).

The death penalty for drug related-related offences in Oman was introduced on 6th March 1999 by decree No. 17/99, when drug-related offences was seen by many as becoming a threat to the social stability of a conservative Oman society. It was the last country in the Gulf State to implement the death penalty for drug-related offences. However, according to the *Oman Daily*, only one execution for drug-related trafficking has been carried out under the new Omani drug law, that in 30 of January 2001 (Oman Daily Newspaper, 2001a). In Oman, the method of execution is usually shooting by firing squad and is attended by government officials (The Omani Legislation Newsletter, 1999b).

The Justification of Punishment

Throughout the history of mankind, punishment has always existed as a sanction for wrongdoing. The Bible and the Quran are replete with instances of the imposition of punishment for wrongdoing by the Almighty himself (Hyman, 1979). Traditionally,

society's punishment has always existed in various forms as sanction for breaches of accepted rules of conduct. Any argument today as to whether society has a right to impose punishment on one of its members would be unrewarding. A relevant question is why is punishment inflicted at all (Cavadino and Dignan, 1997).

According to Bottomley (1973), the major purposes of punishment historically are retribution, expiation, deterrence, reformation, and defence of society. Thus, the aims of punishment have traditionally fallen into the following categories:

1. The protection of society from the depredations of those considered as dangerous persons.
2. The reform of the offender.
3. Deterring the offender from future violations.
4. Vengeance, retribution, or righting the scales of justice.
5. Deterring persons other than the offender.

Walker (1972) says that there are four theories of justification of punishment: retribution theory, deterrence theory, reform theory and incapacitation theory. The main difference between the four theories is that in the retribution theory, the goal of punishment is to give people who have committed a crime what they deserve, because people deserve punishment, since they have committed a crime against society or, more precisely, against some set of moral principles held by society. This is a necessary and sufficient condition for punishment. With regard to the retribution theory, the punishment should fit the crime in the sense of being in proportion to the moral culpability shown by the offender in committing the crime. The Old Testament (an eye for an eye, a life for a life, etc.) is one example of such a tariff, but only one: a retributive tariff could be considerably more

lenient than this, as long as the proportionate relationship between crimes and punishments was retained (Von Hirsch, 1976).

In the deterrence theory the goal of punishment is to prevent certain types of conduct. However, there are two types of deterrence; general deterrence (social) is usually seen as more fundamental than specific (individual). The concern is more with the welfare of society than with the welfare of the individual. So theories are usually consequential or utilitarian, and so relativist. There are strong debates over whether the deterrence effect is limited to reducing offences in general or to reducing re-offending. There are several reasons for this. First, most people most of the time obey the law out of moral considerations rather than for selfish instrumental reasons (Tyler, 1990). Secondly, people are more likely to be deterred by the likely moral reactions of those close to them than by the threat of formal punishment. Again, potential offenders may well be ignorant of the likely penalty, or believe they will never get caught, or commit the crime while in a thoughtless, angry or drunken state (Bennett and Wright, 1984).

Reformist or rehabilitative punishment rests on the idea that the incidence of crime can be reduced by taking a form which will improve the individual offender's character or behaviour and make him or her less likely to re-offend in future (Bean, 1981). Reform as the central aim of the penal system was a highly popular notion in the 1950s and 1960s: penological thought was dominated by 'the rehabilitative ideal'. Many proponents of reform have favoured a particularly strong version of this ideal called the "treatment model". This viewed criminal behaviour not as freely willed action but (either metaphorically or literally) as a symptom of some kind of mental illness which should not be punished but 'treated' like an illness (McGuire, 1995). Thus, in the reform theory, the goal of punishment is to cure

people of their criminal tendencies.

Finally, incapacitation theory justifies taking away a person's freedom so that he or she cannot commit another crime. The typical form of incapacitation is incarceration (in a jail, prison, etc.) (Cavadino and Dignan, 1997). In the incapacitation theory, the goal of punishment is to incapacitate people who have criminal tendencies to stop them from exercising those tendencies. Punishment may be collective, whereby those who commit the same offence receive the same punishment, or selective, where sentences are individualized by prediction of future behaviour. Prison resources are targeted to high-rate offenders (Hyman, 1979). It is certainly a plausible claim that incapacitation could be a justification (or partial justification) for certain kinds of punishments – disqualificatory sentences and attendance centre orders are possible examples. Sometimes it is claimed are made for the incapacitatory effectiveness of ordinary prison sentences, and it is argued that if prison sentences were longer this could produce a substantial reduction in crime by means of incapacitation. The American writer James Wilson (1975) once pointed out that a 20 per cent reduction in street robbery could be achieved simply by locking offenders up for longer.

The Mission of the death penalty

It is a plausible historical interpretation, as Scott (1977) has suggested, that the death penalty first began as a retaliatory measure of the state on behalf of its citizens, and came to be accepted as a deterrent. As civilizations developed, so did the notion that the death penalty was not justifiable if it was used for revenge: its justification, if there was one, was in its deterrent effect.

According to Scott:

Penological reform started with the repeal of torture as an additional punishment, and continued with the repeal of capital punishment for petty crimes, eventually leaving murder as the most outstanding of the few crimes involving the death penalty. Murder, it is contended, ranks as the crime for which society must demand the judgment of death; this demand, it is held, is in accord with justice; with necessity, as envisaged in the safety of the public; and with the policy of atonement (Scott, 1977:7).

As mentioned earlier, a pioneer in the reformist movement was Cesare Beccaria, who in 1763 produced a treatise that became the seminal work on classical criminology and deterrence. Reforms proposed in the treatise were readily acceptable to a citizenry with a growing awareness of human rights and a growing dissatisfaction with their capricious, arbitrary, and abusive legal system. Ideas expressed in Beccaria's work were those of other Enlightenment thinkers (Bedau, 1997).

Beccaria argues that the death penalty, i.e. the state's right to execute its citizens, could not be part of a social contract, because no citizen would surrender to society the right and freedom to take his or her life. In addition, Beccaria goes on to say that "there are only two possible motives for believing that the death of a citizen is necessary" (Masur, 1989:109). The first of these two motives is national security. Beccaria, then, indicates that in a democratic state and peaceful conditions, there is no need for the death penalty in order to maintain national security; the only remaining justification becomes general deterrence (Masur, 1989).

Aside from other objections to the death penalty, there has always been a question of whether capital punishment is fulfilling its mission as a deterrent and sometimes of whether its mission is deterrence. Different perceptions in this respect have been associated with differences in the conditions under which executions are carried out, in particular,

whether they are performed in public or in private. This is the subject of discussion in the next section.

Privacy of Executions

All one time, executions were carried out in public to reinforce the message of deterrence, to allow opportunity for the condemned to repent and to provide a popular form of entertainment.

The condemned long ago were housed in locations away from the execution site, to which they would often be ceremoniously driven on the execution date, with the cart making various stops along the way at church for prayers and at pubs for drinks, which would often be shared with friends, who were also allowed to run alongside the cart and converse. The public were witnesses (with different social strata commanding different observation sites), and the executioner, the clergy, and the condemned prisoner played active, public roles in the ritual, interacting with the other principals and with the audience. The condemned were allowed to make statements and to interact vocally with the crowd and the clergy, and would usually express remorse and make strongly penitent statements. The execution, then, was not held in sterile conditions away from sounds, smells, and sights, but outside, at times when crowds could most conveniently attend. The event was treated as a national holiday (Lofland, 1977).

In general, today's condemned inmate awaits death in semi-solitude; does not have a great deal of interaction with others prior to his death; is confined in the institution away from other inmates. He or she is housed as near as possible to the death chamber, to which he or she will be quickly, quietly, and officially escorted immediately before an execution at the hands of an anonymous, concealed executioner- an event that will be witnessed by

official witnesses carefully selected for the occasion. In Oman for example, the execution rite is solemn and as antiseptic as possible. It takes place indoors, usually in a room devoid of outside windows, with removal of as many sounds as possible. The execution is held at an hour that is somewhat remote, sometimes in an effort to cause as little disturbance as possible among the institution's other inmates, and sometimes to comply with some statute of obscure origin. Moreover, the executions are held at 4 a.m. on working days in the main prison.*

The motivation to make executions less public was in part crowd control and in part penal reform (to allow the inmate some dignity). Some thought at the time that private executions were one step along the way to abolition of the death penalty (Masur, 1989).

While executions were moved from the public square to within institution walls, not all spectators were excluded. Executions became occasions to which privileged classes and politically favoured individuals received invitations and at which they often sat in specially constructed spectator areas.

According to Masur,

In principle, private executions were supposed to protect the sensibilities of all citizens, eliminate a scene of public chaos and confusion, and permit the prisoner to die quietly penitent; in practice they became a theatrical event for an assembly of elite men who attended the execution by invitation while the community at large was excluded (Masur, 1989:111).

Furthermore, the public would continue to gather outside institutions on execution days, jockeying for vantage points, from which hangings could still sometimes be witnessed. This was always an oversight; there were those institutions that constructed their gallows in such a way as to allow public view (Masur, 1989). In time, executions assumed the level of

*The researcher obtained this information from his experience during his job as Prosecution officer.

privacy we know today, with exclusion of the general public and inclusion of official witnesses who meet the criteria of the executing jurisdiction.

In Oman the information received by the public is limited. Newspapers give only minimal details about the crime, sentence and the date of execution (for an example see appendix 8).

Moral Argument for and Against the Death Penalty

Over the years, in many jurisdictions, there have been debates as to the desirability of the death penalty. The outcome of these debates in the various jurisdictions has influenced legislation on the matter. As we see above, in many countries in Europe the death penalty has been abolished completely. In the United States, the death penalty exists only in a few states.

The moral and philosophical argument for and against the death penalty could be traced back to ancient regimes. Capital punishment is still a highly controversial topic that has caught many people's attention for years now and still continues to be debated. Although the arguments continue, the answers do not appear to be near. Is it or is it not right to kill someone who has killed another human being? Does this type of punishment act as a deterrent to other would-be killers? Or are we telling this to ourselves to justify the revenge we get out of teaching these killers a lesson?

Retentionist is the name given to those who support capital punishment. This group consists mostly of law enforcement officials, judges, and attorneys. Abolitionist is the name given to those who oppose capital punishment. This group consists mostly of humanitarian organizations, clergymen and social scientists (Hood, 2002).

Both sides make valid points and have strong arguments in opposition to their

opponents' views, and both continue to argue their point and try to make the courts hear their voices. This section attempts to outline these arguments from a neutral standpoint. The researcher will start the discussion by introducing the argument for the death penalty. After that, the arguments against the death penalty will be presented.

I-Argument in favour of the Death Penalty

There are a number of arguments put forward in support of the death penalty. These are divided into five categories:

1. Some people refer to the Old Testament principle of "an eye for an eye". They say that a crime is an act of aggression which is to be met with counter-aggression or punishment of some type. They argue that if someone kills someone else, he should be killed in return. This argument is based on the belief that society must protect itself against those who disregard the life of others (Lunden, 1967).

The principle of "an eye for an eye" leads to the practice of killing the killer, regardless of the circumstance that led to the offence. This principle was formerly applied in its strictest sense and most literal form. Killing the offender was a common penalty in the system of private vengeance, and was the most important means of exacting vengeance to the group in cases of a serious violation of taboos when an act was considered impious (Randa, 1997). The death penalty was imposed not only for the crime of murder, but also for a number of other crimes against the person, and for many other offences against private and public property, ruler or religion (Hood, 2002). Among moral justifications is the argument that it is not only the right but also the duty of the state to punish homicide offenders by death, following the biblical dictum of "an eye for an eye". Execution is thus considered

retribution for an evil deed. Equally, executing the offender is thought to demonstrate society's condemnation of the offender's crime. These arguments are matters of belief, and are not amenable to empirical verification (Sellin, 1959).

2. Retentionists argue that as some murderers leave prison on parole they may kill again; even if they are imprisoned for life, they may kill in prison. Thus, it is argued, the death penalty is the only way to ensure that a murderer will not kill again.
3. Currently, the major argument in favour of the death penalty is the utilitarian argument, that the death penalty has a deterrent effect, based on the belief that fear of death will keep people from committing serious crimes (Sellin, 1959). A common definition of deterrence is “the preventive effect which actual or threatened punishment of offenders has upon potential offenders” (Fattah, 1976:9). Fattah expands the definition to include the prevention mechanism. Pointing out that the concept is concerned with human behaviour, and based upon behavioural theories that postulate the possibility of altering or regulating human conduct by taking measures designed to check, change or eliminate certain behaviours, he defines deterrent punishment as “any measure designed actively to impede, discourage, or restrain the way in which another might think or act” (Fattah, 1976: 9). Zimring (1971) gives an operational definition: the deterrent effect of a particular threat is the total number of threatened behaviours it prevents. However, Zimring’s definition would make the quantitative assessment of the deterrent effect of any punishment quite impossible, since it can never be known how many persons actually refrain from committing a certain offence because of the threat of

punishment (Fattah, 1976).

4. Retentionists argue that one of the serious dangers of abolishing the death penalty is that it could well lead to retaliatory attacks by frustrated relatives and friends of the victim. They say that this seeking of revenge and retaliation could further lead to faction fights and gang warfare, which would result in murder and mayhem on a far greater scale. This in turn, could result in the total breakdown of law and order (Hood, 2002).

They continue to argue that if the family of the deceased have some kind of assurance that the offender (against one of their beloved) will be dealt with within the confines of proper justice, it would not lead to the unnecessary loss of other life.

Thus they say that proper and appropriate justice in the instance of murder and other serious offences would mean retribution by capital punishment, and not a prison sentence, which could be commuted at a later date to a lesser term in prison, as is the current judicial trend. This argument is countered by those who argue that there is no justice in capital punishment; it does not single out the worst offenders. Rather, it selects an arbitrary group based on such irrational factors as the quality of the defence counsel, the country in which the crime was committed, or the race of the defendant or victim (Bedau, 1997).

- 5- Finally, Retentionists believe that in those countries where the death penalty is still in operation the crime rate, especially murder, is distinctively low, in comparison to countries where death penalty has been discarded. For instance, Ehrlich claims that the states in the United States that employ the death penalty generally have lower murder rates than states that do not (Ehrlich, 1975).

II- Arguments against the Death Penalty

1. The Abolitionists hold the view that every human life has dignity and worth. Hence, abolitionists argue, the death penalty is morally unacceptable in today's world. Many religious opponents of the death penalty focus on the morality. They argue that although different religions feel differently about the issue, most tend to agree that the taking of a human life, even that of a person who has taken the life of another, is not justifiable and punishment can be made without the use of death. However, opponents of that view claim that when someone takes a life, the balance of justice is disturbed. Unless that balance is restored, society succumbs to a rule of violence. Only the taking of the murderer's life restores the balance and allows society to show convincingly that murder is an intolerable crime which will be punished in kind.
2. Abolitionists believe that the death penalty is irreversible and the errors of justice cannot be rectified. Thus, they say on the practice of death penalty that, at least at present, it is virtually impossible to apply death sentences fairly. In practice, the death penalty is attended by the tragic fact that innocent people are sometimes executed. The main point in this argument is that eliminating the death penalty will not only prevent the wrongful execution of innocent people, but also give them more time to clear their names and return to society (Olen & Barry, 1996). Miscarriage of justice is irreversible if it leads to the execution of an innocent person. One of the most important cases leading to the abolition of the death penalty was that of Timothy Evans, who was executed in 1950 for a crime he did not commit, that of the murder of his daughter. After years of campaigning, the courts

agreed in 1966 to cancel the guilty verdict and grant a posthumous (after-death) pardon. This was because of unreliable evidence, some of which had been given by Evans' landlord, Reginald Christie. It was later discovered that Christie had killed at least four women at the same address. By then, of course, it was too late to help Evans (Todd, 2002).

The recent case of the "Guildford Four" in England is illustrative. Three Irishmen and an English woman were convicted of murder, in 1975 and sentenced to life imprisonment for bombings in a Guildford pub in which seven people died and over 80 people were injured. Their appeals against conviction failed. However, persistent public protests induced the British Government to review their case. Eventually, it was discovered that they were innocent. If the death penalty had not been abolished, these innocent people would have been killed (Oliver, 2002).

The counter-argument is that death sentences have generally been fair: if such unfair sentences have occurred, they are very rare. On the other hand, imprisoning innocent people is also wrong, but no one can empty the prisons due to that minimal risk (Olen & Barry, 1996)

- 3- The greatest argument against the death penalty is that it has no more deterrent effect than imprisonment. Whenever a murder is committed, it is evidence that the death penalty has failed as a deterrent. Most murders are crimes of passion or some strong emotion and the criminal does not weigh the consequences of the crime. The abolition of the death penalty in some countries has not led to an increase in homicide in those countries. This is seen by comparing statistics of homicide in abolitionist and in non-abolitionist countries over the same period as we will see in

the Canadian studies, or by comparing the number of murders in the same country in pre- and post- abolition years (Royal Commission on Capital Punishment, 1953). According to Hood, (1998) scientific studies have consistently failed to find convincing evidence that the death penalty deters crime more effectively than other punishments. The most recent survey of research findings on the relation between the death penalty and homicide rates, conducted for the United Nations in 1988 and updated in 1996, concluded that research has failed to provide scientific proof that executions have a greater deterrent effect than life imprisonment and such proof is unlikely to be forthcoming. Abolitionists therefore argue that the evidence as a whole still gives no positive support to the deterrent hypothesis.

- 4- Abolitionists believe that the death penalty is wrong because it deprives offenders of their chances of reformation. From this perspective, the only way to destroy a criminal is by reforming him, not by destroying his bodily life, which is nothing but a stupid blunder. Proponents of this argument argue that our duty to society is fulfilled by isolating dangerous people for so long as they continue to be dangerous. As for deterrent action, this should be accomplished not by fear, but by reformatory and protective measures in our social policy. However discretion must be always an essential part of any system of justice. No one expects the prosecutor to pursue every possible offence or punishment, nor for the same sentence to be imposed just because two crimes appear similar. Each crime is different; both because the circumstances of each victim are different and because each defendant is different. Hence, prosecutors and juries should be given some discretion (Bedau, 1997).
- 5- Abolitionists argue that the death penalty can, in some cases, lead to more murders,

since a murderer may kill his victims and witnesses rather than risk getting being caught and executed (Hood, 2002). Moreover, persons who commit murder and other crimes of personal violence either may or may not premeditate their crimes. When crime is planned, the criminal ordinarily concentrates on escaping detection, arrest, and conviction. The threat of even the severest punishment will not discourage those who expect to escape detection and arrest. It is impossible to imagine how the threat of any punishment could prevent a crime that is not premeditated.

Most capital crimes are committed in the heat of the moment. They are committed during moments of great emotional stress or under the influence of drugs or alcohol, when logical thinking has been suspended. In such cases, violence is inflicted by persons heedless of the consequences to themselves as well as to others. Furthermore, the death penalty is an unsuccessful threat for political terrorists because they usually act in the name of an ideology that honours its martyrs (Bailey & Peterson, 1997).

- 6- The vast preponderance of the evidence shows that the death penalty is no more effective than imprisonment in deterring murder and that it may even be an encouragement to criminal violence. According to Bedau the death penalty is a useless weapon in the so-called “war on drugs”. The attempt to reduce murders in the drug trade by threat of severe punishment ignores the fact that anyone trafficking in illegal drugs is already risking his life in violent competition with other dealers. It is irrational to think that the death penalty – a remote threat at best –

will avert murders committed in drug turf wars or by street-level dealers (Bedau, 1997). Finally Bedau concludes that if severe punishment can deter crime, then long-term imprisonment is severe enough to deter any rational person from committing a violent crime.

- 7- One final aspect of the death penalty debate is the discriminatory aspect. Many abolitionists feel that the death penalty is “imposed with class and racial bias” (Olen & Barry, 1996: 272). They claim that the poor, the underprivileged, and members of minority groups, are more likely to be executed than rich, white criminals. They further believe that the death penalty is more likely to be imposed when the victims are white than when they are members of a minority. Dovidio, Smith, Donnell, & Gaertner (1997) conducted a study to investigate this issue. They studied the relationship between overt and subtle forms of racism, expressed in black and white Jurors' recommendations for the death penalty on both black and white offenders convicted of murder. As predicted, among high prejudice-scoring participants, black defendants received stronger recommendations for the death penalty than did white defendants. Among low prejudice-scoring white participants, black offenders received stronger recommendations for the death penalty only when a black juror advocated the death penalty. Consistent with this study, Mello (1995) found that there is ample evidence that the death penalty is applied with a discriminatory impact based on the race of the victim, but a constitutional challenge requires intentional discrimination. The article discusses how the Civil Rights Act of 1964 Title VI is now being used to pressure states to correct this discrimination because it allows for the withdrawal of all federal funds from any programme that

discriminates. This threat, they hope, will be enough to encourage change among both public and private agents. It is also noted that poorer counties tend to prosecute a smaller proportion of their capital cases, while counties with more resources and criminal investigators prosecute more and receive more encouragement from the community to do so (Bienen, 1996). This coincides with the abolitionist idea that murder victims in more prosperous communities are valued more than in poorer communities, and the death penalty is an area in which discrimination occurs. In his essay "On Crime and Punishment", Beccaria notes that the purpose of punishment is neither to torment nor inflict pain on a sensitive being, nor to undo a crime already committed. The purpose can only be to prevent the criminal from inflicting new injuries on its citizens and to deter others from similar acts (Bedau, 1997).

In weighing the arguments for and against the death penalty, it can be seen that each side has answers to counter the arguments of the other side. For example the abolitionist argument that the death penalty has no deterrent value because it has not reduced the rate of murder (or other capital offences) is answered by saying that while every murder may be counted as an indication of the failure of the death penalty deterrent, it is impossible to count its successes. No one will ever know the number of persons who would have committed murder or other capital offences, but for the death penalty.

It is quite difficult to accept any sweeping statement that the death penalty has no deterrent effect. Punishment of any kind, if it causes fear, pain or severe discomfort, has some deterrent effect. When we chastise our children, when a school teacher chastises his pupil, it is not for revenge. It is to deter them and others from the kind of wrongdoing which has earned that chastisement. In addition, if a punishment less than death has a

deterrent effect then *a fortiori*, the more severe the punishment the greater the deterrent effect. It would of course be wrong on this premise to say that it would be possible to stamp out crime by prescribing the penalty of death. The experience of history is to the contrary. However, so far, severe deterrent punishment is a practical tool to check the upsurge in crime. The real issue should be whether any deterrent effect which the death penalty may have is not outweighed by its disadvantages.

Death Penalty and Deterrence (Previous Studies)

The studies on the deterrent effect of the death penalty depend on a rational examination of the available facts. The analysis of general crime trends is based on the premise that if the death penalty in fact deters, its abolition for a particular offence should result in an increase, and its imposition for a previously non-capital offence should result in a decrease, of the offences concerned. The available evidence does not, however, support this contention.

Social scientists and legal scholars have been troubled for decades by whether the death penalty deters crime or not. Although researchers from several disciplines have used widely varying methodologies to test different aspects of the deterrence issue, a clear consensus on whether and how death penalty deters has yet to be identified.

The hypothesis that the threat of death penalty must deter more than any other punishment has been based on what appears to be the self-evident intuition that people would find the prospect of death more painful than that of life imprisonment. Therefore, any study of deterrence should seek to test this specific hypothesis, because the threat of death is not made to the generality of potential criminals.

Empirical testing of the deterrent effect of the death penalty requires

demonstration that a relationship exists between punishment and the incidence of capital crimes. The argument is that if the death penalty exercises a deterrent effect, it should prevent people from committing homicide. The multitude of studies that have been conducted can be divided into a number of groups, depending on the manner in which this relationship has been operationalized and the statistical techniques that have been utilized. One set of studies explores the effect that an actual execution has on the incidence of homicide. These studies have their basis in the contention that what matters is not so much the threat of punishment, but the extent to which the threat is actualized. This has been a criticism raised against various investigations of the deterrent effect of the death penalty, which focus on rates of capital offences in jurisdictions with differing statutory provisions for the death penalty rather than differing rates in its actual use (Gibbs, 1968). In some of the studies falling into this category, the occurrence of capital crimes has been compared before and after actual executions have taken place. The argument here is that the deterrent effect of the death penalty is greatest immediately following an execution, when persons are most acutely aware of the threatened punishment. Executions were reported in the press, and it was assumed that these reports gave the executions wide publicity.

In the present argument the researcher will use figures for deterrence of homicide offences because there are a few studies on drugs-related offences deterrence argument. According to Hood (1998) there are three standard methods by which the deterrent effect of the death penalty may be tested. Firstly, the commission of a capital crime such as murder may be measured in a given jurisdiction before and after the abolition or reintroduction of death penalty. Secondly, the rate of crime of two or more jurisdictions similar – except that at least one has abolished the death penalty – may be compared. Thirdly, the commission of

a crime such as murder within a single jurisdiction may be measured before and after widely publicised executions of murderers. In recent times, two main methods have been used in order to test the deterrent effect of execution upon homicides. The first one is time-series, by analysing the fluctuations over time in the rates of execution and homicides or other capital crimes. The second is a cross-sectional method, which analyses the variation in homicide rates between states with and without executions and homicide rates over various time periods (Hood, 2002). In addition, most studies of the deterrent effect of the death penalty have been carried out in United States and most of them have examined the effect of the death penalty on homicide, because the death penalty has not been applied to drug offences in the United States and other Western countries (Hood, 2002).

Therefore, in this section of the study, the researcher will review first the studies that examine the effect of actual execution. In the second section the researcher will review the studies that compare similar states except that at least one has abolished the death penalty. In the third section the researcher will review the studies that examined the effect of the death penalty before and after the abolition or reintroduction of the death penalty; finally studies that examine the effect of the death penalty in drug-related offences will be reviewed.

I-Effect of Actual Execution

Savitz (1958) studied the incidence of homicide during an eight-week period preceding the pronouncement of the death penalty, and the eight weeks following its imposition, in five murder cases. There were twenty-three capital and twenty possibly capital crimes committed during the eight week period before the pronouncement of the death penalty, and twenty-eight capital and thirteen possibly capital crimes committed

during the eight weeks following the pronouncement of sentence. Graves (1964) studied the effect of executions in California, all of which were scheduled for Fridays. He compared homicides on days preceding and following execution Fridays. Execution weeks had significantly more homicides on Thursdays and Fridays and significantly fewer on Saturdays and Sundays.

In other studies, homicide rates were related to the frequency of executions, the hypothesis being that the less frequently the death penalty is inflicted, the more likely it is to be considered an empty threat and the less likely is it to have any influence on homicide rates. The relationship was studied in the United States by Ehrlich, (1975) who constructed a model whereby to study the relationship between homicide rates for the United States as a whole and rates at which convicted murderers were executed, using multivariate regression analysis. Ehrlich, in his study, focused on the relationship between the homicide rate and the risk of execution, and the proportion of persons convicted for murder who were subsequently executed. He compared the differences in homicide rate and execution risk-increases. Increases in execution risks were associated with increases in the homicide rate. Bearing in mind that simple correlation analysis does not take into account the influence of other variables on the homicide rate, a multiple regression analysis was carried out, whereby the relationship became negative (Ehrlich, 1975).

In his study, Ehrlich estimated that the elasticity of the homicide rate with respect to the execution rate was approximately .06 that is; a 06 % decrease in the homicide rate was associated with a 1 % increase in the execution risk. This finding was the basis for his estimate that on the average, the trade-off between the execution of an offender and the lives of potential victims it might have saved was of the order of magnitude of 1 for 8 for

the period 1933-1967 in the United States. He presented a “tentative and rough calculation that decline in execution risk might have accounted for about 25% of the increase in the murder rate between 1960 and 1967” (Ehrlich, 1975: 397). The analysis of Ehrlich included the following variables: the arrest rate in murder cases; the conviction rate of arrested murder suspects; the rate of labour force participation; the unemployment rate; the fraction of population in the age group of 14 to 24 years old; and per capita income.

However, studies re-examining his data claim that Ehrlich fails to demonstrate reliable evidence of a deterrent effect of the death penalty (Bowers & Pierce, 1976; Passell & Taylor, 1976). These studies argue that Ehrlich's research was deficient, and that his data was inadequate for the purposes of his analysis (Bowers & Pierce, 1976; Passell & Taylor, 1976). For the measure of variables at the core of his theoretical analysis, Ehrlich relies on the Federal Bureau of Investigation (FBI) Uniform Crime Reporting System (UCRS). According to the report of the National Commission on the Causes and Prevention of Violence, the FBI national homicide statistics collected in the early years of the UCRS are unreliable (Bowers & Pierce, 1976; Hann, 1976). It was further argued that the statistical techniques used by Ehrlich were misapplied (Passell & Taylor, 1976; Bowers & Pierce, 1976; Hann, 1976). Studies applying Ehrlich's regression technique to other comparable data demonstrate that his evidence of deterrence emerges only under restrictive assumptions about the types of relationships among the variables, excluding consideration of any relationship that could conceivably reverse his finding. In addition, these studies also demonstrate that findings are extremely sensitive to the time period analysed. All studies attempting to replicate Ehrlich's findings, using data from different time periods, failed to reproduce his results (Bowers & Pierce, 1976; Hann, 1976).

In summary, re-examination indicates that Ehrlich's work is not a reliable basis for inferring the deterrent effects of death penalty on criminal homicide, and contributes little to the death penalty deterrence issue (Bowers & Pierce, 1976: Passell & Taylor, 1976).

Research reported by Thomson at California State University indicates that executions may actually increase the number of murders, rather than deter them. Thompson's study examined criminal homicides in Los Angeles before and after California's execution of Robert Harris in 1992, the state's first execution after a 25-year moratorium. The study found slight increases in homicides during the eight months following the execution (Thomson, 1999).

II-Comparison between Similar States except that at Least one has Abolished the Death Penalty

Sellin (1959) in his study, "The Death Penalty", compared the homicide rates of five groups of three contiguous states over the period from 1940 to 1955. He carried out comparison between the states which apply the death penalty, and those which do not, in the United States. He did not find any significant relationship between the incidence of homicide and the executing position of the states. Therefore, he concluded that the death penalty is not a better deterrent of homicides than imprisonment.

Other comparisons of situations in contiguous retentionist and abolitionist jurisdictions have been made. Reckless (1969) compared rates for murder, aggravated assault, and combined major crimes of violence in nine contiguous abolitionist and retentionist states, using data from the 1967 Uniform Crime Reports. As contiguity cannot apply to Alaska, it was linked with Nevada which, like Alaska, is a large state with a small population. Conceding that the comparisons were not completely justified, he nevertheless

concluded that the data does not support the deterrent hypothesis, as rates of capital offences were lower for abolitionist states in five of his contiguous pairs, higher in two, and relatively similar in the remaining two.

Another study of contiguous abolitionist and retentionist states was conducted by Bailey (1976) using data from forty two states, for convictions for first and second degree murder and commissions to state penal institutions in 1961 and 1968. The abolitionist and retentionist states compared were similar on a number of socio-economic and demographic factors, thus meeting the objection that contiguity did not make the compared states sufficiently similar. He found the rates of offending in the retentionist states (with one exception) to be higher than those in contiguous abolitionist states.

III-Before and After the Abolition or Reintroduction of the Death Penalty

“Before and after” comparison methods have also been made for homicide rates in jurisdictions that have abolished the death penalty more recently. Samuelson (1969), in his attempt to determine why Delaware reinstated the death penalty in 1961, after abolishing it in 1958, made such a comparison and found that the homicide rates were not affected by the abolition. In Canada, however, increases in murder rates were reported immediately following the suspension of the death penalty in 1962. The statistics analysed to determine whether there was an increase in the incidence of murder following the non-use of the death penalty showed an increase, but that increase could not be interpreted as an effect of the suspension. McDonald (1971) attributed the increase in the murder rate to an increase in cases of homicide being dealt with as murder, which would have been dealt with as manslaughter prior to the suspension. She pointed out that during the period from 1955 to 1960, when there was an increase in the murder rate, there was no discernible increase in

the manslaughter rate; when murder and manslaughter rates were combined, the increase was in convictions not for murder but for the lesser offence of manslaughter. This suggests that the police included in the category of murder a large number of manslaughter cases. She also found that when murder rates were computed using conviction rates, there was no increase in the murder rate.

An econometric model was used in Canada in the study carried out by Avio (1979). Avio examined a variety of model formalisations using homicide data from 1926 to 1960. He concluded that the variable relating to the conditional probability of execution was not statistically significant in any of his regressions. However, in 1983 Avio in his study "Death penalty again" repeated his examination for the period 1962-1960 and he found that conviction rate coefficients generally gave more support for the deterrence hypothesis (Avio, 1984). Avios' study was replicated by Lyson (1983) in his study "Homicide and deterrence: another view of Canadian time-series evidence". Lyson examined Avio's data and extended it to 1977 (1926-1977). The study provided no evidence of a deterrent effect. Lyson attributes the difference in the results to the truncated sample used by Avio. He found evidence that in Canada, the homicide rate fell after abolition of death penalty. The abolition of the death penalty in Canada in 1976 has not led to increased homicide rates. Statistics in Canada report that the number of homicides in Canada in 2001 (554) was 23% lower than the number of homicides in 1975 (721), the year before the death penalty was abolished (Lyson, 1983). In addition, homicide rates in Canada are generally three times lower than homicide rates in much of the U.S., which uses the death penalty. For example, according to the U.S. Bureau of Justice Statistics, the homicide rate in the U.S. in 1999 was 5.7 per 100,000 populations and the rate in Canada was only 1.8. Canada currently

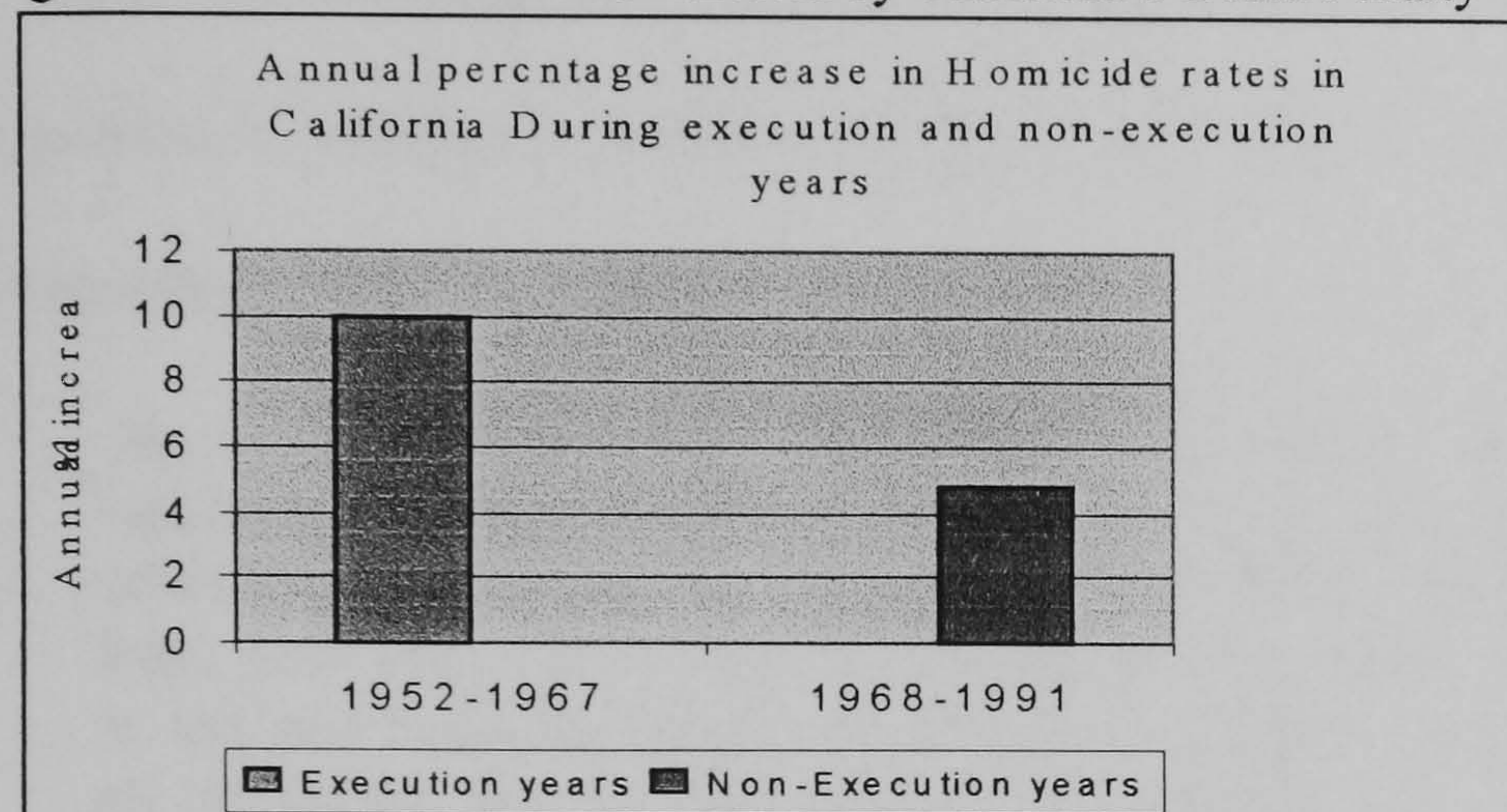
sentences those convicted of murder to life sentences with eligibility for parole. In the United Kingdom, where the homicide rate rose by 60% in the 20 years 1965-1985 since the abolition of the death penalty, over the same period the rate of serious violent offences rose by 160% (Hood, 2002).

What these kinds of results go to show is that fluctuations in crime rates depend on a wide range of other factors, such as poverty, unemployment, urbanisation etc, beyond simply whether or not the punishment is death (United Nations, 1988b). For this reason, a number of studies have been conducted, for the most part in America, which try to control these independent variables in order to try and isolate the effect of the death penalty. In most of these studies the comparison was between life imprisonment and death as punishment for murder. In the study carried out by Wolpin (1978), "Death penalty and homicide in England: A summary of results", Wolpin analysed homicide data for England and Wales over the period 1929 to 1968. The study concludes that the execution of one additional convicted murderer would deter four murders. This effect is half of that found in Ehrlich's study in the United States. As mentioned before, in his study Ehrlich found that the ratio of execution of an offender to the lives of potential victims it might have saved was of the order of magnitude of 1 for 8 for the period 1933-1967 in the United States (Wolpin, 1978).

Freeman (1999) in his study, "The deterrent effect of death penalty on crimes of homicide in England and Wales" analysed homicide over the same period as Wolpin and updated the sample period to the 1990s. He extended the period post-1965 from 1965 to 1991. The study concludes that there is limited evidence that the death penalty had an effect on murders and manslaughter in England and Wales.

A study carried out by the Centre on Juvenile and Criminal Justice in California, 1995 compared the homicide rates during 1952-1967, when executions occurred on an average of every two months, with the homicide rates between 1968-1991, a period during which no executions occurred (see Figure 4.1).

Figure 4.1: Homicide Rates as Affected by California's Death Penalty



Source: Centre on Juvenile and Criminal Justice 1995

The study found that the average annual increase in homicides was twice as high during years in which the death penalty was carried out than in years during which no one was executed (Centre on Juvenile and Criminal Justice, 1995).

Finally, a study that examined the effect of the death penalty on armed robbery was carried out in Nigeria, where the death penalty against armed robbery was enacted in 1971 (Adeyemi, 1987). It was found that no consistent pattern could be established between the number of executions and armed robbery and murder rates. Increases in executions did not necessarily result in a decrease of these crimes. Furthermore, the average rate of armed robbery actually increased by 12.5% in the 14 years period 1971-1985 after the introduction of the death penalty for the offence (Adeyemi, 1987).

In summary, none of the three different types of studies reviewed have shown strong support for the deterrence effect of the death penalty deterrence. Indeed, most

studies found there was a negative relationship between the introduction of the death penalty and the total homicide rate.

IV-The Death Penalty in Drug-Related Offences

The researcher has already reviewed evidence that the death penalty for the offence of homicide has no superior deterrent effect over other kinds of punishment. The question is whether it is likely to prove any more successful in the case of drug trafficking.

According to Hood (2002):

No empirical studies have investigated the impact of the death penalty or execution on the incidence of drugs, economic crimes, politically motivated violence, or any of the other offences to which the threat of capital punishment has recently been extended. Nor have there been any such studies on the effect of the death penalty as an exemplary punishment in law and order campaigns, such as have occurred in China and Iran. The only exception is an interesting, but inevitably, given the available data, rather rudimentary, study of armed robbery carried out in Nigeria several years ago (Hood, 2002: 210).

. However, in this section the researcher will review studies in some countries which have applied the death penalty as a punishment for drug-related offences; Saudi Arabia and Oman compared with Lebanon which does not have the death penalty for drug-related offences.

In Saudi Arabia, Al-Khayyat (1988) in his study, "The Addict, Myself: A Tour in the World of Drug Addiction and Traffickers" examined the drug-related offences data for the years 1987 and 1988 (one year after issue of the death penalty for drug related offences). The study found that the severity of this punishment led to a considerable reduction (46%) in the number of drug-related offences in the two years following the new legislation. However, drug-related offences started to increase after that period.

Another study was carried out in Saudi Arabia by Al-Gofaly (1990). Al-Gofaly compares the rate of drug offences before and after the introduction of the death penalty.

The study found that the death penalty had a strong deterrent effect on drug-related offences in first two years after implementation of the death penalty.

Finally, Al-Turki (2000), in his thesis, “Death penalty for Drug Offences in Islam and its Application in the Kingdom of Saudi Arabia”, used a descriptive method to study the texts and rulings of Islamic law, principles and legal opinion. According to Al-Turki, the problem of drugs was perceived very early in the law of 1934 but the danger of the drugs increased and the problem grew, the problem became aggravated during the 1980s when drug offences took various complicated aspects and large amounts of illicit drugs entered the country. In addition, Reports of the United Nations explored drug trafficking world-wide, informed of the expanding problems and the economy, raising the problem of money laundering. These, according to Al-Turki, made the Kingdom aware of these dangerous developments. Therefore, the law-makers established the death penalty for drugs-related offences. In his study Al-Turki focuses on two issues. First he examines the texts of the Islamic Shari'ah and its General Principles pertaining to the problem of drugs and its various aspects, in terms of criminality and punishment. Then secondly, he discusses the issue and its application in the Kingdom of Saudi Arabia. The study found that in Kingdom of Saudi Arabia the decision to apply the death penalty for some drug offences received a wide degree of acceptance and satisfaction. Also, the application of death penalty for some drug offences was considered to have been successful.

It is important to mention that all the studies of Al-Kaiyat (1988), Al-Gofaly (1990) and Al-Turki (2000) obtained their results from statistics of drug offences before and after the introduction of the death penalty.

After reviewing the studies that discussed the extent of the impact of implementing

the death penalty for drug-related offences in the kingdom of Saudi Arabia, we notice that these studies covered very short periods of time. They relied on the findings of the official Saudi authorities after a short period of one year only after applying the death penalty. Later, it was discovered that drug-related offences rose again. This matter will be discussed in detail in Chapter 8. However, the criminal statistics do not necessarily portray the whole picture, as recording methods may affect them, as will police bias (Bottomley and Pease, 1986, Coleman and Norris, 2000). On the other hand, Al-Harthy (1999) after 14 years found a different result: that the death penalty in Saudi Arabia has no deterrent effect, since after the introduction of the death penalty, the number of drug traffickers arrested increased and the users displaced the use of cannabis by the use of heroin.

In Oman there are no studies of the drug problem, due primarily to the difficulty of accessing information about the various drug problems from the government authorities as well as from society itself. This is because drug-related offences are regarded as a sensitive issue, so the Omani authorities hesitate to give any information about drugs to any researcher. Furthermore, drug addiction in Oman, as in all countries, carries a social stigma. Thus far, no study has been conducted to investigate the effect of the death penalty in Oman as far as drug problems are concerned, except for one conducted in 1999 by Dr Abdullah Al-Harthy, about 'Drug Abuse in the Gulf States/Oman: An Evaluation of the Death Penalty as a Deterrent'. This study was concerned with the effect of the death penalty provided by Criminal Law No. 4/74, which was replaced by Drug Law 17/99, which came into force on April 1999. This study was about the old law, as at that time the death penalty had not yet been introduced for drug offences. In his study, Al-Harthy used official statistics for the years from 1995 to 1999, and interviews with policy makers in

several Arab countries. Al-Harthy found in his study that there is no evidence found to support the deterrence theory with regard to drug-related offences in the Gulf states (not including Oman which did not have the death penalty at that time). He concluded:

The deterrent effect of the death penalty for drug-related offences has proved to be ineffective as those working in the drug law enforcement agencies and even drug-traffickers agreed. There is no evidence found to support the deterrent theory with regard to drug-related offences. Despite the application of the death penalty for more than ten years, the illegal drug trade in the Gulf States is growing faster than any other economy in the world (Al-Harthy, 1999: 274).

Al-Harthy made valuable recommendations for overcoming drug problems in Oman, for example through drug legislation. He urged the Omani authorities to upgrade the present law and make it suitable for the present drug situation. This would include increasing punishment for drug smuggling, trafficking, money laundering and the illegal use of chemicals used in drug production. Finally, Al-Harthy's study opened the door for further studies on various aspects of the drug problem in Oman, for the future welfare of Omani people. He himself noted:

Although this study provides the basis for the evaluation of the death penalty as a deterrent for drug-related offences as well as for the evaluation and assessment of the drug abuse situation in Oman, there is an urgent need for further studies in the field of drug abuse in the Gulf States in general and in Oman in particular (Al-Harthy, 1999: 281).

In contrast to Saudi Arabia and Oman, Lebanon does not have the death penalty for drug-related offences, despite the fact that it produces both opium and cannabis. During the civil war, Lebanon's drug situation became very serious. Most of the region was affected by the increasing production of heroin and cannabis. Drug dealers and users considered Lebanese cannabis as the best in terms of quality. However, with the help of the United Nations, Lebanon managed to achieve success in drug eradication, without the use of the death penalty. The Lebanese authorities always opposed the use of the death penalty as a

means of social control, at least in relation to drug-related offences. Despite the pressure from neighbouring countries to introduce the death penalty, its position remained firm on this issue and there is still no death penalty for drug-related offences.

According to the Arab Office of the Minister of the Interior, 1995, the drug problem in Lebanon has decreased, while in other countries it has increased. At the same time, Lebanon has many problems economically, and many of those who depended on drug cultivation for a living have complained of the lack of financial support. Lebanese officials in many conferences have threatened that unless the international community supports Lebanon in its efforts to eliminate drug cultivation, the drug situation which existed before the 1980s will return.

Table 4.3 shows a summary of the above studies in relation to the current study. The current study attempts to measure the degree of the effect of the death penalty on drug offences

Table 4.3 Summary of the Main Topics Covered by Previous Studies

Study	Methods	Results
Al-Khayyat, O. (1988), 'The Addict, Myself: A Tour in the World of Drug Addiction and Traffickers in the K.S.A'	Examined drug-related offences data for the years 1987 and 1988.	The severity of this punishment led to a considerable reduction (46%) in the number of drug-related offences in the two years following the new legislation. However, drug-related offences started to increase after that period.
Al-Gofaly(1990) 'The Implementation of the Death Penalty for Drugs Traffickers and it Future in Saudi Arabia'.	Compared the rate of drug offences one year before and after the introducing the death penalty.	The death penalty had a strong deterrent effect on drug-related offences in first two years after the implementation of the death penalty.
Al-Harthy, A. (1999). <i>Drug Abuse in The Gulfs/Oman: Drug Abuse in the Gulf State/Oman: An Evaluation of the Death Penalty as a Deterrent</i>	Official Statistics for the years from 1995 to 1999, and interviews with policy makers in several Arab Countries.	There is no evidence to support the deterrence theory with regard to drug-related offences in the Gulf States (not including Oman which did not have the death penalty at that time)
Al-Turki, A. (2000) 'Death penalty for Drug Offences in Islam and its Application in the Kingdom of Saudi Arabia'	Descriptive method, studying texts and rulings of Islamic law, principles and legal opinion.	The application of the death penalty against some drug offences can be seen to have been successful and, on the whole, accepted

The Current Study in Oman in the year of 2003.	This study will examine the relationship between the death penalty and drug-related offences in particular drug trafficking by: 1- 128 prisoners convicted of drug offences and 128 non drug offenders. 2- Interviews of 18 policy makers in Oman. 3-documentary data before and after introducing the death penalty (1996-2002).	The current study is trying to find out whether the death penalty deters drug traffickers from involvement in drug related offences or not, and why?
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. In addition, it explores some of the reasons for the continuing increase in drug offences.

This study also will present evidence on the deterrence hypothesis.

Conclusion

Retentionists state agree that comparable crimes should bring the same punishment. They are quoted as saying “whether the death penalty is justified for the worst of crimes, is one issue. Whether it’s currently implemented in a justifiable way, is another” (Olen & Barry, 1996: 272).

Criminologists, however, find it very difficult to find any conclusive evidence on the effectiveness of the general deterrence effects of the death penalty on the crime of homicide. There are many studies which have explored the relationship between the death penalty and deterrence, and they found opposing conclusions. Most of these studies were carried out in the United States of America. In studies done to answer the question of whether or not deterrence is a result of the death penalty, several different methods have been utilised. Comparative studies have examined the effect of the death penalty by comparing homicide rates in closely contiguous abolitionist and retentionist regions which have similar social and demographic characteristics. This has been criticised as a rather crude methodology and so other studies have employed more sophisticated types of analysis. These include longitudinal or times-series studies in one or more jurisdictions,

which utilise a number of control variables to analyse the fluctuation over a period of time of execution and homicide rates. Another method is the cross-sectional study which uses control variables to analyse murder and execution rates in different time periods. Both these methods attempt to explain whether variations in homicide rates are attributable to different patterns of execution or to other factors.

The moral arguments for and against the death penalty have been reviewed. As presented above, the arguments both for and against death penalty are very strong. Each side has several valid points that must be considered by states when deciding to enforce the death penalty. However, while some justifications for the death penalty are dearly a matter of belief and not amenable to empirical proof, the issue of deterrence is an empirical matter and this thesis is an aim to contribute to the debate.

The effect of the death penalty on drug-related offences in recent time has been explored in some countries, although little empirical work has investigated the impact of the death penalty or executions on the incidence of drug-related offences. Only four studies were found: Al-Khayyat (1988), 'The Addict, Myself: A Tour in the World of Drug Addiction and Traffickers' (in Arabic), Jeddah, Saudi Arabia; Al-Gofaly (1990) 'The Implementation of the Death Penalty for Drugs Traffickers and its Future in Saudi Arabia' (in Arabic); Al-Harthy (1999) 'Drug Abuse in The Gulf/Oman, dealing with the death penalty for drug-related offences before the issue of this punishment in Oman', and Al-Turki (2000) 'Death penalty for Drug Offences in Islam and its Application in the Kingdom of Saudi Arabia', which dealt with the death penalty in the Kingdom of Saudi Arabia. The findings of these studies are also conflicting. Al-Khayyat (1988), Al-Gofaly (1990) and Turki (2000) found that the death penalty has a deterrent effect but Al-Harthy (1999)

found that it does not act as a deterrent for drug-related offences.

This review suggests that the introduction of the death penalty for those involved in the supply of illegal drugs in Oman is unlikely to be a success. However, as this is official policy it is necessary to evaluate what its impact has actually been. Maybe the Omani case will prove the exception to the rule.

CHAPTER FIVE

EVALUATION OF THE EFFECTIVENESS OF THE DRUG SUPPLY REDUCTION POLICY IN OMAN

Introduction

From previous chapters it has been concluded that the death penalty is an ineffective deterrent in general, and in drug-related offences in particular as a measure to reduce the drug-related offences in some countries that have used it, in particular Saudi Arabia. However, in this chapter the effect of the death penalty for drug-related offences in Oman as a policy to reduce the supply of drugs will be tested. Therefore, the aim of this chapter is to evaluate the effectiveness of the drug supply policies in Oman with special reference to the death penalty, including testing three key hypotheses.

This chapter presents the results from questionnaires (with drug offenders and with non-drug offenders). Documentary data and interviews findings also be will used, including testing of the research hypotheses. The researcher divided the documentary data into two periods: 36 months prior to the introduction of the death penalty (from April 1996 to the end of March 1999), and 36 months after the introduction of the death penalty (from April 1999 to the end of March 2002); in other words, three years before the issue of the present legislation and three years after the introduction of this law, in order to make a balanced comparison. Comments from interviews with Criminal Justice Officials are also reported. The Statistical Package for Social Science (SPSS) was used to analyse the data collected. The research hypotheses are tested by the chi-square test (χ^2) (for more details please see the Appendix on related methodology).

To evaluate the effectiveness of the drug supply policies in Oman, the researcher will examine the following three factors that give indications to the policy makers whether the policy works or not: (i) ways of drug trafficking, (ii) rate of violence, and (iii) the rate of drug-related trafficking before and after introduction of the death penalty.

Research Hypotheses

The supporters of the death penalty in Oman think that it is justifiable and desirable in principle, because it possesses a moral fitness and they believe that the state's right to take life should be justified, because the protection of society is the supreme duty of the state. Finally, the supporters of the death penalty are concerned about the incidence of drug abuse and its adverse effects on young people.

however, Al-Harthy (1999) in his study of the Gulf region concludes that :

That the application of the death penalty for drug-related offences proved to be inadequate when it was applied alone. (...) There is no evidence to suggest that the application of the death penalty for drug-related offences manages to contain the influx of illegal drugs into the region for it only deals with one person in a highly complex commercial network (Al-Harthy, 1999: 274).

Moreover, a number of researchers have suggested the existence of a relationship between the modus operandi of trafficking and the introduction of the death penalty against drug trafficking. However, the findings have been inconsistent.

Aune (1989) and Al-Maiman (1990) found that trafficking by sea was at a low level in the earlier period (up to 1970), partly as a result of the increased role of aircraft for drug carriage, and also because of the shift in emphasis on drugs consumed. Martin & Martin (1978), Al-Bar (1988), Al-Shamsi (1989) Sarhan (1995) and Al-Harthy (1999) found that for a long time, most drugs were brought to the Gulf States by sea.

As Al-Harthy argued:

While the rest of the Gulf States have taken a tough line in the fight against drugs, which includes the extreme introduction of the death penalty and imposing a curfew on their coastline during the night, Oman remains aware of the current situation. Its strategic location is being fully utilized by drug organizations and Oman has become the warehouse for storing drugs to be shipped to other destinations. Oman is an ideal place for drug-traffickers, due to its proximity to the rest of the Arabian Gulf countries with their lucrative wealth and young population on the one hand, and its closeness to the producer countries such as Pakistan, India and Iran on the other (Al-Harthy, 1999:195).

Oman has the longest coast in the region, stretching a distance of 1,700 kilometres, from Rasmusandam, on the Southern side of the Strait of Hormuz in the north, to the Batinah plain, which inclines southeast towards Muscat through the A'Shrquiyah region to the near-tropical Salalah region in the south near the Republic of Yemen. It is washed by the Arabian Gulf, the Arabian Sea, and the Gulf of Oman. The aim of the Border and Coast Guards is to secure protection on the borders and coasts of Oman. They also aim to combat illegal infiltration and the smuggling of narcotics, to ensure that ships and people enter only through official outlets, to protect fishing grounds and aquatics, oil installations, seaports, bays and islands, and to discover and fight sea pollution (Royal Oman Police, 1999a).

One of the main functions of Customs is to prevent the illegal entry of drugs into the country through seaports and airports and across road borders. Many people, however, perceive their main function as collecting customs tax and encouraging commerce by providing facilities and flexibility of entry to goods and people rather than preventing the entry of illegal drugs.

These inconsistencies and contradictions may be related to differences in cultural setting, or to a combined effect of the laws of the states.

The New Drugs Act of 1999 does not separate the punishment of a drug offender from that of a murderer; and so creates opportunities for violence. The drugs trafficker, for example, who knows that the punishment is death whether he kills anyone during the trafficking or not, may as well decide to eliminate anyone who tries to stop him, and eliminate any possible witnesses. Therefore, the consequence of the new law may be to increase the level of violence used by drug traffickers, as they no longer have anything to lose.

According to Al-Harthy, it may be expected that introducing the death penalty would lead to drug traffickers and dealers becoming more violent, because they know

that they face the death penalty and if they can avoid execution by escaping from the police, they will use any means to do so. Traffickers facing the possibility of execution would be ready to go to any lengths to avoid arrest (Al-Harthy, 1999).

This chapter for the study will therefore, examines three key hypotheses in relation to the death penalty and deterrence:

Hypothesis one: *the introduction of the death penalty against drug trafficking in Oman will increase drug trafficking by sea.*

Hypothesis two: *the introduction of the death penalty against drug trafficking in Oman will increase violence among drug traffickers.*

Hypothesis three: *the death penalty has deterred drug traffickers from being involved in drug trafficking.*

Ways of drug trafficking (Hypothesis one)

Hypothesis one: *the introduction of the death penalty against drugs trafficking in Oman will increase drug trafficking by sea.*

In Oman the drug law No 17/99 treats all trafficking offences equally. It does not differentiate in penalties between those who smuggle large quantities of drugs (in Oman this is defined officially as the quantities which can be used for trade in drugs) and those who smuggle only a small amount of drugs (officially the quantities for personal use). The law does not differentiate in penalties between that for those who smuggle hard drugs, which in Oman are considered officially to be for cocaine or heroin (which can cause severe physical and mental damage to the user) and that for soft drugs, which in Oman is officially cannabis (which only produces slight effects on humans). According to Iversen (2001) cannabis is an inherently "safe drug" which does not lead to cancer, infertility, brain damage or mental illness. He argued that legalisation of the drug for medical conditions should be considered. In addition, cannabis was far less toxic than other drugs and had "an impressive record" compared with heroin, cocaine or

tobacco and alcohol. For example cannabis itself did not appear to cause cancer. Compared with alcohol and cigarettes, which led to more than 100,000 deaths a year, cannabis had a far better record (Iversen, 2001).

Drug smugglers would therefore try to smuggle the largest quantities possible of drugs at one time because they know that the penalty, if caught, would be the same as for smuggling smaller quantities. Drug smugglers use the sea routes because they know that air or road routes are easier to control by police. Also, the sea routes to Oman, by which it is easier to transport large quantities, are popular ways of trafficking drugs from drug-producing neighbouring countries such as Afghanistan, Pakistan, and Iran.

As we saw in Chapter Two, drug-related offences in Oman are related to the geographical proximity of, and historical, political, cultural and trade ties with such countries as Pakistan, India, Afghanistan and Iran. These factors have brought Oman into direct contact with sources of cannabis and heroin in particular. Therefore, Oman is increasingly used as a traffic route or transit country for southwest Asian cannabis and heroin destined for Europe and Africa (Al-Harthy, 1999).

In this section of the chapter, the researcher will examine the ways of drug trafficking to Oman. For this purpose, the researcher divided the ways of trafficking into three groups: by land, sea, and air.

Table 5.1 shows the methods of drug trafficking before and after introducing the death penalty. According to the table, before the introduction of the death penalty, the trafficking of drugs was mostly by air and land (83%) followed by sea (17%), whereas in the period after the introduction of the death penalty in Oman the percentage of trafficking by sea has increased sharply to 55% with only 45% of drug trafficking by air and land.

Table 5.1: A Chi-square (χ^2) test of number of trafficking according to way of smuggling

Period	Way of trafficking		Total	χ^2	P
	Sea	Air and Land			
Before	12 (17 %)	59 (83 %)	71		
After	49 (55 %)	40 (45 %)	89	26.151	0.000
Total	61	99	160		

Source: Documentary of Police Fails (October 1996 to May 2002).

From Table 5.1, it can be clearly seen that the smuggling of drugs by sea has increased since the introduction of the death penalty. This finding supports the theory that the main sources of drugs are the neighbouring countries which have sea borders to link them with Oman, such as Pakistan and Iran, as mentioned previously in chapters two and three.

On the other hand, smuggling of drugs via air has decreased because since the introduction of the death penalty the government also introduced modern drug detecting equipment, therefore, the traffickers hesitate to transport a large quantity of drugs by air, especially as the same sentence can be applied, regardless of the amount of drugs smuggled (Royal Oman Police, 2001a). For example, in the United States because of the international cooperation the seizures of cocaine increased as it has become more difficult to smuggle drugs into United States by air, therefore, South American traffickers ship more cocaine and heroin by sea (United Nations, 2001).

The Chi-square (χ^2) test of number of trafficking cases according to way of smuggling shows very strong statistically significant differences at the <0.001 level in favour of smuggling by sea (p. value = 0.000). This means that the drug traffickers after introduction of the death penalty prefer to traffic drugs by the sea than in other ways, as shown in Table 5.1.

The main reasons behind the increase of drug trafficking to Oman by sea, as indicated by most of the Criminal Justice Officials interviewed, are geographical. As one of the Criminal Justice Officials said,

Unfortunately Oman has a close geographical position to the producing countries; Oman is situated between the drug-producing East and the drug-consuming areas in the west. Also, Oman has open borders and coasts with these countries. For this reason Oman is a convenient route to smuggle drugs from East to West.

Geographical factors, such as the mountainous areas along the East coast, especially from Mosandam and Dofer and the border between Oman and the Emirate of Rass Al-Khaimah. Some of these mountains are very close to the shore (only 50 metres away in some areas in Mosandam), which means traffickers can hide quickly from the coastguards once they have landed.

Another Criminal Justice Official, also thought that the geographical location of Oman play a major part in the extent of the drug-related offences in Oman:

Oman is located very close to the major opium producing and abusing countries like India and Pakistan. There are traditional as well as historical ties and frequent exposure, during visits, to those countries. The drug trade passes very close to Oman. Dubai appears to have become a sort of conduit for drugs through the dhows that ply between Dubai and India /Pakistan. Dubai has road links with Oman on which there are heavy trucks, buses and cars. It is very difficult to enforce detection and drug control measures on the road and overland links so drugs can always enter the country and Omani would get exposure to drugs during their trips to India, Pakistan.

Trafficking of drugs via sea was in the earlier period at a low level partly as a result of the increased role of aircraft for drug carriage and also, because of the shift in emphasis on drugs consumed (Aune, 1989).

Finally, as we mentioned above, one of the disadvantages of present legislation is that it treats all offences equally, irrespective of the quantity of drugs involved. Thus, whether an offender is trafficking 10 grams of heroin or 10 kg, he will receive the same punishment and because of the low unitized value of cannabis, traffickers need to transport large amounts in order to cover the risk, expenses and realization of profit. Therefore, the sea routes to Oman, by which it is easier to transport large quantities, are popular ways of trafficking Afghani, Pakistani, and Iranian drugs (see appendix 4).

In Oman, moreover, the Drug Act No. 17/1999 does not discriminate between the traffickers of drugs according to the kinds of drugs. The Act stipulates that the punishment for someone found guilty of smuggling cocaine or heroin (which are considered as hard drugs) and that for cannabis (which is considered as a soft drug) is the same. Article 43 states that:

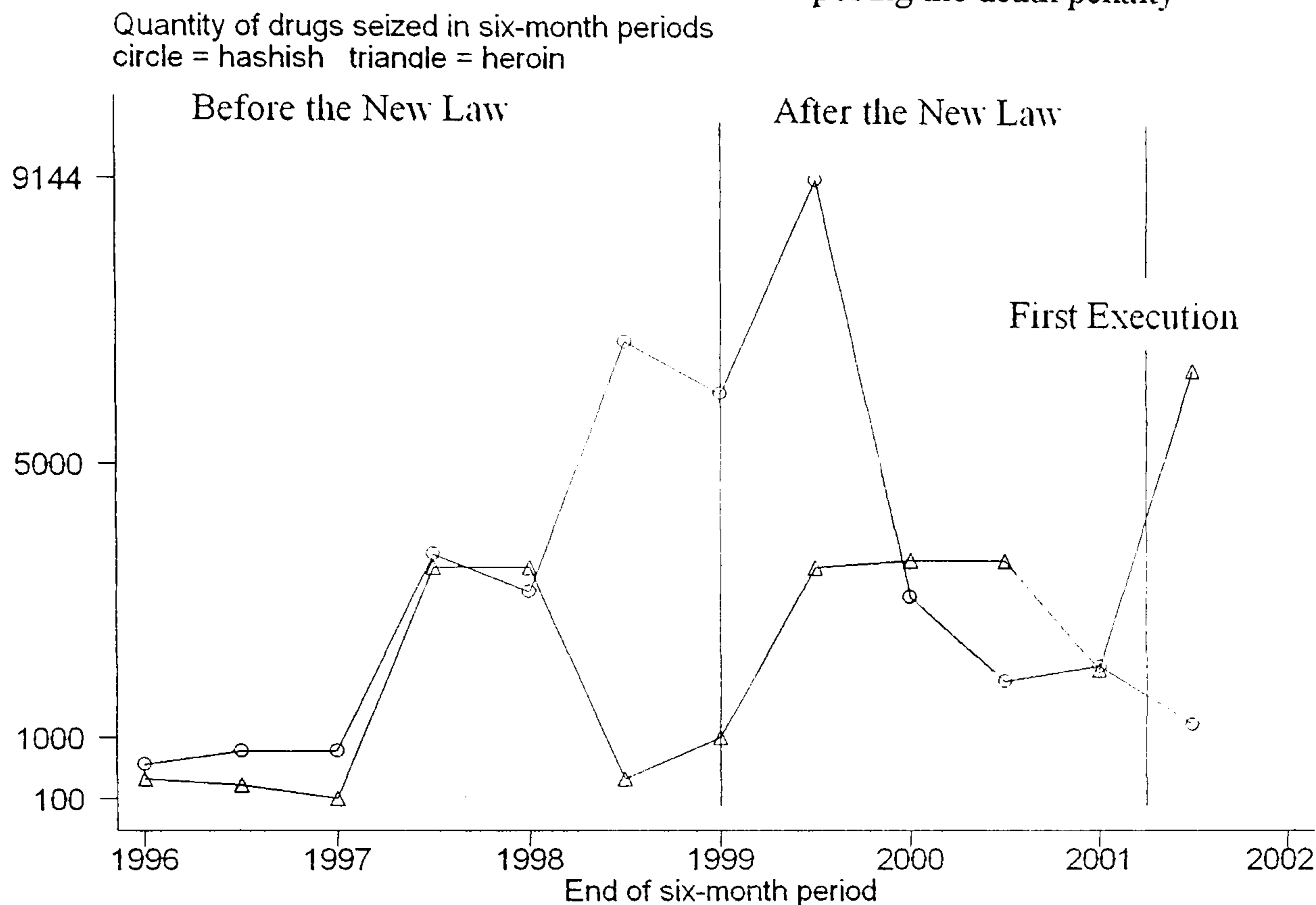
The death penalty, life imprisonment and a fine not less than \$62500 shall be imposed on whomever: imports or exports or produces, manufactures drugs or psychotropic drugs of those included in tables(1,2,3,4) of the first category and table number (1) of the second category without legal authorization or whoever smuggles them for trafficking purposes.

On the one hand, it can be argued that non-discrimination between types of drugs is useful in that traffickers have no plea to avoid penalties on the grounds of the slight effect of any given drug. On the other hand, with this apparent lack of concern in the legislation it can also be argued that, since the punishment against smuggling of drugs is the same for the smuggling of 'soft' drugs such as cannabis or 'hard' drugs such as heroin, traffickers may prefer to smuggle the more lucrative hard drugs, since the risk is the same. Therefore, the traffickers have not stopped trafficking, but have focused on sea routes, which make it easier to evade the police and facilitate the carrying of the maximum quantities of drugs. Moreover, traffickers prefer to transport heroin rather than other types of drug, because heroin is the most profitable (Royal Oman Police, 2002).

The present result is consistent with the situation in neighbouring countries, such as United Arab Emirates, Saudi Arabia, and Iran. In Saudi Arabia and the United Arab Emirates, the introduction of the death penalty created more problems than it solved, by causing smugglers and illegal drug-traffickers to move from smuggling cannabis, which is a less harmful drug, to smuggling heroin which is by far more dangerous than any other drugs but easier to smuggle (Al-Harthy, 1999).

Due to the scarcity of reports and sources for reliable knowledge of the increase or decrease of drug smuggling activity into Oman before and after the issuance of the new law, we will resort to the official statistics issued in this respect.

Figure 5.1 Hashish and heroin seizures before and after imposing the death penalty



Source: Police Files (April 1996 to May 2002).

Notes : 1. The first line that when the present legislation issued.
2. The second line when the first execution carryout.

Figure 5.1 shows that the issuance of the new law has had no positive effect in controlling (hard) drug smuggling, but on the contrary, we notice that the quantities heroin, discovered by drug combating forces are on the increase compared to the previous period before the law. In addition to that, large quantities of heroin were discovered after the first capital punishment in Oman in 18 June 2001 (Royal Oman Police, 2001).

By analysing the Omani formal drug statistics, one can draw the conclusion that after introducing the death penalty, trafficking of both hashish and especially heroin continues. However, according to figure 5.1 after six months, the trafficking of hashish had started decreasing from 2000. So that, it can be argued that some success in controlling hashish coming into Oman was achieved after implementation of the death penalty (see figure 5.1). But, the situation was different with heroin. After introduction

of the death penalty, heroin quantities continued to increase compared with hashish because the decline in hashish seizure was at the expense of growth in heroin seizures. Not only is the price of heroin much higher than hashish, but also, the shift to heroin represents a response to the introduction of the death penalty as a more secure method of avoiding detection. On the other hand, after the first execution on 18 July 2001, there was a slight decrease in quantities of hashish to Oman during the following six months. However, heroin trafficking continues increase after that (see Figure 5.1). Therefore, after imposing the death penalty, heroin was the most favoured type of drug trafficked to Oman.

According to the Royal Oman Police (2001a), seizures of cannabis being trafficked to Oman via sea in the year 2000 totaled 7000 Kg. This quantity of drugs compared with the size of the Omani population as estimated by the Ministry of National Economy in year 2001 (2,401,256, with 750,000 non-Oman) is very high, because from Oman drugs are passed onto customers in the western countries, including America, by various means of transport, for example through the Arabian Sea, which leads to the Mediterranean Sea via the Suez Canal. Therefore, all Arabian Sea ports, including Omani ports, conveniently situated along its coast, serve as transit points (see Tables 2.3 and Figure 2.1). However, in Oman overall, cannabis remained the principal drug transported by sea, followed by heroin (Royal Oman Police, 2001a).

As we saw in Chapter Two, Figure 2.1, all Omani regions which receive consignments of cannabis are located along the Arabian Sea, opposite those countries where the drug is produced, such as Pakistan and Iran.

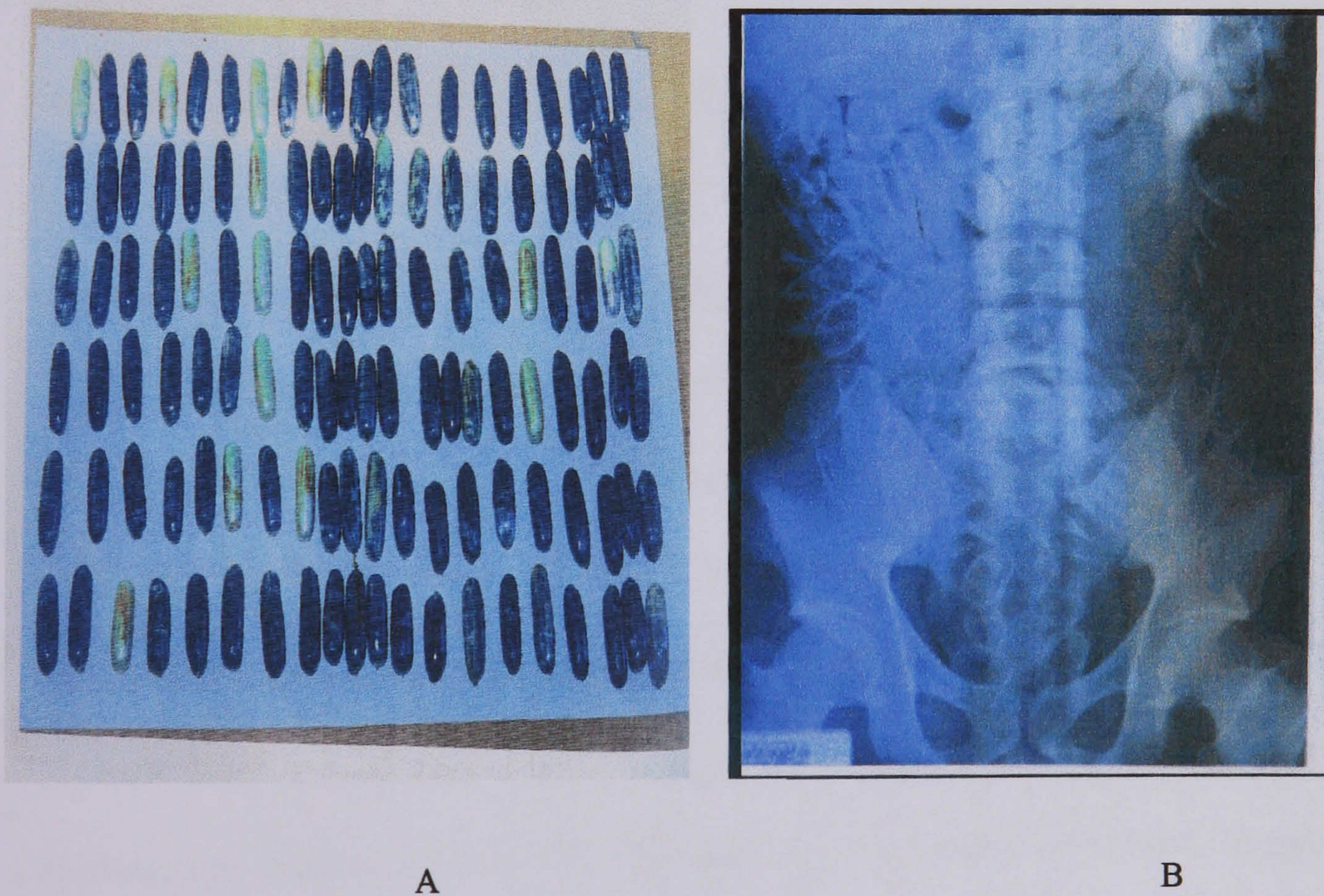
According to Aune (1989) cannabis headed for Middle Eastern destinations also goes directly on commercial vessels or on local craft traversing the Arabian Sea. For final destinations within the Persian Gulf, the peripheral sheikhdoms and states of the

Arabian Peninsula including Oman, Qatar and the U.A.E., along with Bahrain, frequently serve as transit states.

According to a Royal Oman Police Report (2001b), the drug traffickers employ couriers to travel to and from source countries with the drugs either carried internally or concealed on their person or within their luggage.

One of the favoured forms of concealment is with the heroin broken down into small amounts, wrapped in rubber capsules or balloons and then swallowed. Many differing forms of wrapping have been encountered in Oman; some are very professionally wrapped whilst others are so bad that many of the packages have ruptured prior to passing out of the system and have caused sickness or death.

Figure 5.2 The Methods of Drug Concealments on a Person's Body



Note: A- 122 capsules of heroin found in the large intestine of two Kenyan traffickers coming from Iran.

B- The X-ray of an arrestee's large intestine shows the drug capsules in his body.

Other methods of concealment about the person that have been encountered in the past include body belts (Figure 5.2), hollowed out shoes, artificial limbs, and the lining of various articles of clothing. With regard to the carrying of drugs in luggage, this can involve concealments within the suitcase, handbag or other items of hand

luggage, or concealment within the endless number of different articles carried amongst the smuggler's clothing. Examples of these have been false-bottomed cooler boxes, false bottoms in cosmetic items, and the use of food items. It is worth mentioning here that the cargo and mail smuggling methods are not usually used in Oman (Royal Oman Police, 2001a).

Factors that may affect the way drugs are carried are the types and volume of drugs being smuggled. These, in turn, can be influenced by the different ways countries apply the death penalty. Some countries limit the penalty to trafficking in poppy-based narcotics: others extend it to cocaine, while some include cannabis as well, despite the trend in some other countries to decriminalise the latter. In some countries the death penalty is mandatory, while others make a distinction between first offences, where the death penalty is optional or not applicable, and second offences where it is mandatory. Moreover, some countries distinguish between different drugs so that, in Taiwan for instance, the death penalty is mandatory for cocaine or narcotics trafficking but optional in the case of cannabis (United Arab Emirates Newsletter, 1986).

The death penalty is in almost all cases limited to trafficking in some form or other, but it is not applicable to drug use. However some countries have defined trafficking to include the possession of certain specified amounts which in some cases are so small that a confirmed addict is likely to have such amounts in his possession, for his own use. In such cases, trafficking is "presumed" until the contrary is proved, thus shifting the burden of proof to the defendant. In other countries, supplying drugs, whether or not for pecuniary gain is included within the definition of trafficking. A few other countries (Kuwait, Jordan and Oman) have provided especially for instances of drug related killings, such as the killing of drug enforcement officers by drug dealers. Such offences would, however, attract the same penalty under other existing laws in

these countries and so are not in the same category as those reviewed above (Government of Malaysia, 1952).

In summary, the introduction of the death penalty and non-discrimination between types or quantity of drugs smuggling under the Drug Act No. 17/1999, serve as a motivation for traffickers to smuggle drugs by sea rather than by air or land. In addition, the geographical proximity to drug producing countries, combined with lack of customs/immigration control along the Omani sea borders with drug producing countries, and also lack modern drug detecting equipment, make it difficult to prevent infiltration of drugs across the borders and along the coast of the country. Therefore, the researcher will accept the hypothesis that the introduction of the death penalty against drugs trafficking in Oman increased drug trafficking by sea.

Drug-Related Offences and Violence (Hypothesis two)

Hypothesis two: *the introduction of the death penalty against drugs trafficking in Oman will increase violence among drug traffickers.*

To test this hypothesis, documentary data was obtained from the case files of the Royal Oman Police, which contain sections about the offences of which prisoners were found guilty. As mentioned above, the researcher divided the police statistics of drug trafficking offences into two periods, three years before the issue of present legislation and three years after the introduction of this law, in order to make a balanced comparison. In addition the researcher distinguished between trafficking offences, regarding whether the offenders committed violence against the drug officers, such as using weapons (for more details please see Appendix related methodology).

Before and after comparisons have also been made for violence related drug trafficking rates in Oman after introduction of the death penalty. The study found that the violence rates were affected by the introduction of the death penalty. Increases in violence related drug trafficking rates were reported immediately following the

suspension of the death penalty in 1999. The statistics were analysed to determine whether there was an increase in the violence related drug offences following the introduction of the death penalty and showed a sharp increase. Before introduction of the death penalty there was only one reported case of use of violence related to drug trafficking, whereas the number was 16 after the introduction of the death penalty. The tendency toward grater violence in association with drug trafficking is reflected in the number of weapons found in the possession of arrested traffickers. For example, in 2001, the Royal Oman Police in one drugs operation caught three Pakistani traffickers armed with two Kalashnikov rifles and two handguns with 6 Kg of Hashish. In another drug operation in 2002, they caught four Iranian traffickers 450 Kg of Hashish; the traffickers were armed with five handguns and two Kalashnikov (see Figure 5.3).

Figure 5.3 Weapons used by Drug Traffickers after Introduction of the Death Penalty



Note: Weapons seized in some drugs operations.

Figure 5.3 shows the kinds of weapons, used by drug traffickers to protect themselves against police officers and to help them to escape.

Table 5.2 shows the number of trafficking cases in which offenders committed violence in attempting to evade arrest. From the table we can see that only one case (1%) involved violence before the introduction of the death penalty, whereas there were

16 cases (18%) after introducing the death penalty. This suggests that violence has been increased since the death penalty was introduced, because offenders try to use any way to save themselves from the death penalty.

Table 5. 2 Chi-square test of violence levels and trafficking with violence during Arresting Offenders in both periods.

Period	Whether drug traffickers commit violence		Total	χ^2	P
	With violence	Without violence			
Before	01 (01%)	70 (99%)	71	11.418	0.000
After	16 (18%)	73 (82%)	89		
Total	17	143	160		

Source: Police Files (April 1996 to May 2002).

The chi-square test was undertaken to determine if there is any significant differences in the incidence of violence, as the dependent variable, in relation to the time as the independent variable. The results are shown in Table 5 .2.

From Table 5 .2, it can be seen that there is a statistically significant difference between the two periods (before and after introducing the death penalty) in the number of violent incidents. It can be inferred that the issue of the drugs law has affected the violence factor negatively, since the number of cases involving violence increased sharply, after the introduction of the death penalty. Therefore, the above-mentioned hypothesis is accepted.

This finding is supported by the opinions of most of the policy-makers who were interviewed. Most of these interviewees argued that introducing the death penalty would lead to increased violence on the part of drug offenders in general and drug dealers and traffickers in particular. One of them stated that he thought

That the death penalty was not the solution to the drug problem because of the many other factors involved in connection with drugs, and he added that one of the negative effects of introducing death penalty is the increase of violence among drug traffickers and dealers, to escape death.

Another also agreed with those who think that introducing the death penalty will lead to the increase of violence among drug traffickers and dealers, as he said

Because offenders know that they face execution, if they can avoid death by escaping from the police, they will use any means to do so.

One reason for the lack of deterrent effect of the death penalty on drug traffickers is the amount of violence in the world of organised crime (Al-Turki, 2000). For example, in China the criminal organization become more organized in the activities of drug trafficking. According to report of the International Narcotics Control Board for year, 2000:

Drug trafficking groups in countries in South Asia have expanded their network of cooperation to include cross-border cooperation and connections with international drug trafficking groups. The illicit activities of organized criminal groups have become more varied, involving the cross-border smuggling of drugs, counterfeit money and arms, ammunition and explosives. Traffickers are exploiting weaknesses of law enforcement systems caused by corruption, lack of concern over drug-related matters and lack of human and technical resources (United Nations, 2001: 50).

By this, the researcher means the violence among members of the criminal underworld, and not violence inflicted on the general public by drug users. We are familiar with tales of assassination among rival drug dealers, which occur when couriers attempt to dupe the barons. In such a situation, the remote risk of death posed by the legal system is not likely to mean very much for those who already accept the risk of violent death posed by the very business they are engaged in. The introduction of the death penalty is in fact likely to escalate that violence beyond the confines of the criminal underworld. Traffickers facing the possibility of the death penalty would be ready to go to any lengths to avoid arrest, even to the extent of killing possible arrestors. The end result might therefore be increased danger to law enforcement officials (Al-Harthy, 1999).

War and political instability in neighbouring countries known for the production of drugs negatively affected the economic situation there. People began to resort to different ways of earning a livelihood even if these ways are illegal such as drug smuggling. After the downfall of the Taleban regime in Afghanistan a large number of

combatants were unemployed and without means of livelihood. This led them to resort to drug smuggling activities. As the researcher mentioned in Chapter Two, the problem of drug trafficking in Oman lies with expatriates, predominately Pakistanis and Iranians. The economic situation in these countries is so poor that they feel it justifies the risk of carrying drugs to Oman, despite the severity of punishment. On the other hand, even execution of more and more traffickers will not solve the problem, since those who carry drugs are no more than drug mules receiving some money for each trip, and if one is killed, there are many others willing to take the risk. There are various other reasons for the lack of deterrent value of the death penalty which are perhaps atypical to drug offences, and for the purposes of the following discussion the researcher will distinguish between drug traffickers and drug users (United Nations, 2001).

The second reason is that the economic situation in the neighbouring countries such as Pakistan, Afghanistan and Iran justifies the risk of carrying drugs to Gulf Countries, to get the economic benefit of successfully smuggling drugs that it was hard to find a job in those states as mentioned in the United Nations Office on Drug and Crime (2003). According to the United Nations Office on Drug and Crime, in the long term, the cultivation and trade of illicit drugs led to an increase in violent crime, scared off foreign investors, and prevented long-term economic growth (United Nations Office on Drug and Crime, 2003).

The third reason is that the use of violence is a result of the trend in drug-related wealth. It is evident that drug traffickers all over the world, including Oman, are governed only by their greed and lust for wealth. Their only ideology, if it can be called one, is the pursuit of profit. They operate in well organised groups (Mafia). They are powerful, meticulous and mercilessly violent. Although they cannot be correctly described as political terrorists or insurgents, the fact is that the use of planned, sophisticated, high-threat violence to achieve the goals and interests, even in the

absence of a political agenda, is terrorism and has been so labelled in Peru, Columbia, and Mexico. Moreover, there is increasing use of violence against drug law enforcement agents, regardless of the source. There are reported cases of dealing in drugs for arms and the financing of terrorist and other political insurgencies through illicit narcotic activities. All these pose severe threats to the national security of the producer nations and to the prospects for successful narcotic control (Al-Harthy, 1999).

Finally, as one Criminal Justice Official argued, the cause of the drug problem has socio-economic causes: the unfair distribution of wealth; the depressed economic condition of the country, unemployment, the structural adjustment programme and so on. In addition, the illicit drug cultivation is important as a source of income. For example, in India members of local population refuse to abandon opium poppy cultivation or trafficking because they have no other source of income and they smuggle drugs because of their poverty (United Nations, 2001). Until these adverse circumstances are ameliorated, the extreme penalty should not be imposed.

Drug trafficking and smuggling rings and organisations control sufficient wealth and power to threaten the very security of some states. Indeed, the sheer financial power of these trafficking organisations has threatened the political status quo, with traffickers using their millions of dollars to influence political decisions even to elect representatives of trafficker interests to national congress, to buy newspapers and radio stations, and to launch high powered public relations initiatives. Todd notes that:

Most smuggling is done by organised criminal gangs that operate at an international level. They are very difficult to control, as their enormous wealth allows them to bribe officials in many countries. These gangs frighten people and can even order murders (Todd, 2002: 136).

The Deterrence Hypothesis (Hypothesis three)

This section of the chapter deals with the testing of the main research hypothesis (hypothesis three), which stated that: *The death penalty has deterred drug traffickers from being involved in drug trafficking.*

The moral and legal questions related to the death penalty are extremely important, but as we explained in Chapter Four, this thesis focuses on its deterrence value with reference to issues of drug trafficking.

In relation to the effect of the death penalty, as mentioned in Chapter Four, most studies carried out have focused on the effect of the death penalty in homicide crime, whereas there are few studies regarding the relationship between drug-related offences and the death penalty. As we have seen from the literature, the effect of the death penalty in most countries which applied this punishment against drug-related offences has been limited. Moreover, the effect has been to increase the problem in some countries. For example, in China, which has the largest number of executions of drug traffickers, the death penalty has made no great difference in terms of seizures or number of addicts. In fact, the demand for illegal drugs is growing (Amnesty International, 1997). In this section, the researcher will examine evidence as to the impact of the death penalty for the offence of drug trafficking in Oman. Moreover, the researcher will also review if there has been any success in the deterrence of drug trafficking in other countries.

In the present study, in order to examine whether the death penalty has deterred drug traffickers from being involved in drug trafficking to Oman or not, the researcher used two factors:

- The deterrence level was tested by asking a direct question to the Criminal Justice Officials and the questionnaire respondents (drug offenders and non-drug offenders).

- The second factor was to compare the incidence of trafficking cases before and after the introduction of the death penalty.

Firstly, the deterrence level was tested by asking a direct question to the Criminal Justice Officials and the questionnaire respondents (drug offenders and non-drug offenders) "Do you think that the death penalty acts as a deterrent from getting involved in drug-related offences? (For more details please see Appendix related methodology).

Regarding the Criminal Justice Officials thinking, the researcher found that there were three opinions:

The first group (30%) said that it is an appropriate solution compatible with Islamic Law. As one said, "The killer must be killed. This is when someone kills another, what if someone kills more than one? Drugs kill a lot of people.

From this point of view, drug criminals, traffickers, producer, manufacturer and smuggler have to be executed if they are found guilty. Therefore, the intention to enforce the death penalty is valid and necessary to keep social security and safety.

The second group (20%) agreed that the death penalty is a right sanction for drug, trafficking and smuggling crimes. They, also, thought that the death penalty for dealing in drugs would be more fruitful, if could be applied to "the big heads" who plot everything; executing them would definitely have good results. As one Criminal Justice Officials has argued, with imprisonment as the ultimate sanction for drug trafficking it may be difficult for couriers ever to disclose the barons. The barons will usually assure them of protection and even help them to escape from prison; in such a new situation there is therefore every reason for the arrested courier never to disclose the identity of the baron. If the death penalty were enforced, many arrested couriers, at least at the point of execution, may be minded to disclose the identity of the person who pushed them into death, in order at least to save others who may fall into the same situation.

The third group (50%) did not think that the death penalty is a useful solution for drug problems in Oman. They referred to the experience of Saudi Arabia, where despite application of the death penalty, the rate of drug-related offences is increasing continuously. They thought that the death penalty only is not a solution for drug problems in Oman, because there are many factors affecting drug problems, such as education, treatment, rehabilitation and after care.

This finding of the study differs from that of Al-Harthy (1999) who found that most Criminal Justice Officials in Oman believed that the death penalty had a deterrent effect. However, in the present study, after three years of implementation of the death penalty, there seems to have been a change in the opinion of Criminal Justice Officials as half of them believed that this kind of punishment is useless. This change may be because at that time there was no death penalty for drug offences in Oman, whereas in the present time the Criminal Justice Officials have three years experience with the death penalty and they have not found any deterrent effect for it. Therefore, they have started to change their views regarding its deterrent effect.

In both questionnaires, to prisoners and the public, the researcher asked the respondents whether they thought the death penalty deterred people from being involved in drug trafficking. The researcher collected data to make a comparison between drug offenders and non-drug offenders regarding the issue of the death penalty against drug trafficking. Table 5.3 shows that 60% of drug offender respondents thought the death penalty does not have a deterrent effect, while the majority of non-drug offenders (62%) said it has a deterrent effect.

Table 5.3 A Chi-square (χ^2) test of thinking of respondents about effect of the death penalty.

Respondents	think that the death penalty acts a deterrent from getting involved in drug-related offences			Total	χ^2	P
	Yes	Don't Know	No			
Drug offenders	51 (40%)	0 (0%)	77 (60%)	128	96.628	0.000
Non-drug offenders	79 (62%)	39 (30%)	10 (8%)	128		
Total	130	87	39	256		

The Chi-square test (χ^2) was used to investigate whether there was any differences between drug offenders and non-drug offenders in their perceptions of whether the death penalty deters others from committing drug trafficking, Table 5.3 shows that there is a statistically significant differences between respondents of different groups, in perceptions of deterrence. This means that the impact of the death penalty differs between drug offenders and non-drug offenders.

Respondents were asked about the reasons why the penalty does not deter. The answer was because the majority of people do not know that the death penalty is a punishment for drug trafficking offences in Oman. In addition, other respondents, especially non-Omani drug offenders, thought that the death penalty does not deter because of the economic situation in producing countries. As one non-Omani respondent said:

The economic situation in some countries is so poor that some drug traffickers feel it justifies the risk of carrying drugs to Gulf States despite the severity of punishment. The economic benefit of successfully smuggling drugs into these states is so great that it outweighs the risks involved. That apart, it must be borne in mind that a drug courier will probably not be aware of the risk she or he is taking, as she or he will have been recruited from a rural village and will probably be illiterate

When respondents who thought that the death penalty does deter were asked why, the majority of them said it was because of the fear of hanging.

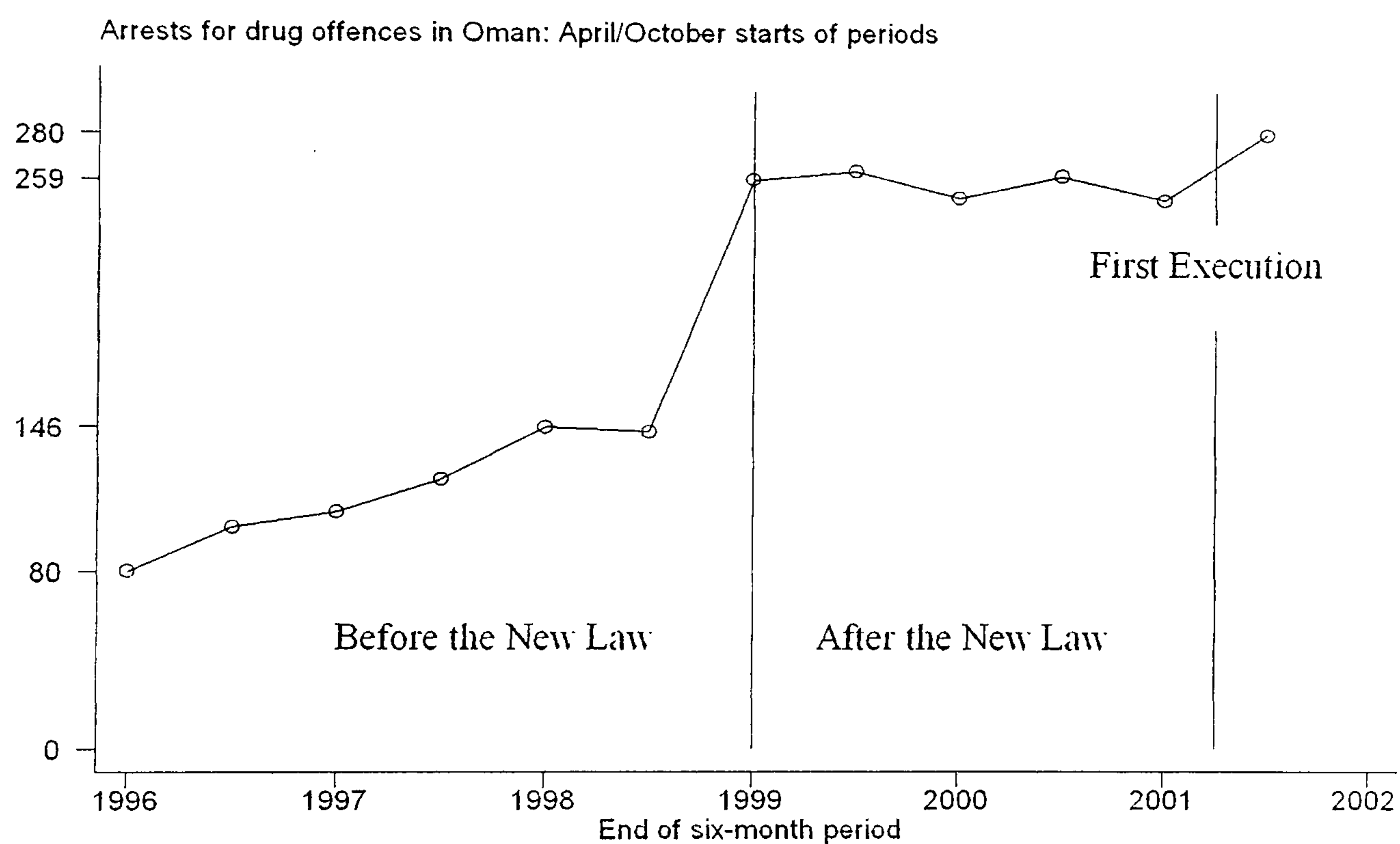
The second factor in measuring the deterrent effect of the death penalty was to examine documentary data, by comparing the incidence of trafficking offences in two periods of equal duration, before and after introducing the death penalty. As researcher pointed out in previous chapters, because of the lack of the literature about drug-related offences in Oman the researcher will use the official documents to measure the deterrent effect of the death penalty in Oman. However, the official documents do not always reflect the right face of the truth (Coleman and Moynihan, 1996).

Regarding the incidence of drug trafficking offences, the present study compared the number of offences during 1996-1999, when there was no death penalty for drug trafficking offences, with the number between 1999-2002, a period during which the death penalty against drug trafficking offences existed.

As Table 5.2 shows that in the first period, there were 71 drug trafficking cases, whereas in the second period, the number of drug trafficking incidents increased to 89, an increase of 39% for the same period of time.

In addition, Figure 5.4 shows that the number of people accused of drug related offences has more than doubled since the introduction of the death penalty as a punishment for drug trafficking. According to the official statistics, a similar increase is noted in all drug offences since imposition of the death penalty in Oman.

Figure 5.4 Drug trafficking arrests before and after Introducing the Death Penalty



Source: Police Files (April 1996 to May 2002).

Notes: 1. The first vertical line is when the present legislation was issued.

2. The second line is when the first execution carryout.

As mentioned in previous chapters, the increase in drug-related arrests or offences may be because of increases in police forces or increase in police or customs activity. Also, they were more enthusiastic because a new law (the death penalty) had been introduced and perhaps there was pressure from the government.

Following introduction of the death penalty, there was a slight decrease in drug-related offences (in general) in the first six months (a short-term effect). However, after that drug offences started increasing. The increase in drug offences was continuous even after the execution of three drug traffickers on 18 July 2001. Here it must be pointed out that the term 'drug-related offences' includes all and every type. It is impossible to separate offences from the official statistics produced.

One of the reasons for this increase in trafficking is that the increase of illegal immigration to Oman led to an increase in both the number of drug arrests and the quantities of drugs; as most of the infiltrators brought drugs with them, in particular, those who came from Pakistan, Afghanistan and Iran. For example, trafficking over the sea increased after the promulgation of the new law because there is a lack of customs/immigration control along the Omani sea borders with drug-producing countries, such as Iran and Pakistan (the proximity of the Oman coast to Iran and Pakistan means that boats take only two or three hours to travel from the Iranian coast to Oman), and some illegal immigrants and traffickers receive help from Asians already living in Oman. Some crews of illegal boats procure identity cards in the names of other people legitimately living in Oman, in order to enable them to enter the country.

The usual method for most traffickers, as for illegal immigrants trying to enter Oman, is by speedboat. The unsettled political situations in some drug producing countries such as Pakistan and Afghanistan encourage some people to immigrate to other countries. In Oman in 2000, 186 boats were apprehended by the coastguard, of which 83 were seized while trying to enter illegally, 40 boats were found on the shore after being left by traffickers who had managed to enter the country illegally, and 63 boats escaped after landing their complement of illegal immigrants and drug traffickers (Royal Oman Police, 2000b). One of the Criminal Justice Officials said:

Some illegal immigrants and traffickers receive help from Asians already living in Oman. Also some Asians, especially those who work as fishermen

or who are living along the coast, assist illegal immigrants by hiding them in their houses or in their boats and farms.

According to the Royal Oman Police, the incidence of drug-related trafficking offences in year 2001 has increased by 25%. This indicates that introducing the death penalty has not prevented drug-related trafficking offences. Therefore, the present legislation statistically has had a negative effect in that the rate of drug-related offences has increased (Royal Oman Police, 2001a).

Therefore, this finding does not support the effectiveness of tough sentencing policies for persons convicted of drug offences as a major strategy of the war on drugs. The death penalty represents the strategies of incapacitation and deterrence that we studied in Chapters Three and Four. There is no need to cover that material again here. Our conclusion was that in the case of drugs, incapacitation is undermined by the replacement effect. Someone else who is willing to take the risk replaces persons who are imprisoned or executed for drug offences. As figure 5.4 shows, after the first execution of three drug traffickers, the rate of drug-related offences increased. This means there was no deterrent effect for execution against drug trafficking offences.

The results obtained from the previous discussion can be summarized in three main points. Firstly, over three quarters (77%) of the drug offenders sample thought that the death penalty did not deter them from being involved in drug offences. Secondly, the Criminal Justice Officials, three years from the introduction of the death penalty are coming to believe that it was not a good solution for drug trafficking offences in Oman. Finally, the analysis of police drug offences files revealed that there have been increases in both the rate of drug-related offences and the rate of violence against the police force since the introduction of the death penalty.

Therefore, this study will reject the hypothesis of a deterrent effect of the death penalty for drug related trafficking in Oman and the null hypothesis will be accepted.

Conclusion

This chapter has examined the hypotheses one, two and three of the study. According to the evidence in this chapter, the numbers of drug-related offences arrests after introducing the death penalty increased, as did the violence related to drug offences. In addition, the smuggling of drugs by sea has increased since 1999. Moreover, heroin trafficking has increased since the introduction of the death penalty.

The chi-square test (χ^2) was applied to compare the level of respondents' knowledge about the types of drugs, punishment and drug addictions treatment and belief about drug effects. The result indicated that there was no statistically significant differences between respondents in degree of knowledge about punishment and treatment. However, there was a statistically significant difference between respondents in degree of knowledge about the types and effects of drugs in favor of drug offenders. Therefore, the null hypothesis was accepted in relation to punishment and treatment and rejected in relation to types and effects of drug.

The interviews with Criminal Justice Officials and questionnaire respondents (drug offenders and non-drug offenders) in Oman show that they had varying opinions about drug problems and the death penalty. However, the majority of the drug offenders did not think that it was a good solution for the drug problem in Oman because nobody knows about it.

The findings of this study indicate that the introduction of the death penalty in Oman has not deterred the drug offender from involvement in drug-related offences in general and drug trafficking offences in particular. In other words, the present research has failed to provide scientific proof that the death penalty has a greater deterrent effect than other sentences. The evidence as a whole still gives no positive support to the

deterrence hypothesis. Indeed, the death penalty appears to have had negative consequences, such as the increase in violence.

In addition, from this chapter and previous chapters it is concluded that in Oman the drug-related offences increased year by year and the supply reduction policy does not deter criminals from committing trafficking and smuggling in drugs. Therefore, it can be concluded that the death penalty is an ineffective deterrent as a measure to reduce the supply of drugs in Oman. Therefore, in the light of these findings, a demand reduction policy needs to be considered, and some possible alternatives are proposed in the next chapters.

PART THREE

Toward A Demand Reduction Policy

In part two we have seen that supply side policies have failed. In part three we need to consider the possibility of an alternative policy based on demand reduction. Since demand reduction is focused on the users of illicit drugs it is necessary to explore what is known about drug users in Oman. Chapter six therefore, outlines the findings of this study in relation to the characteristics, knowledge, and experience of drug users. The results of this analysis will be used to inform the recommended policy changes set out in the final chapter. Part three consists of:

- Chapter Six: The Characteristics of Drugs Use in Oman
- Chapter seven: Towards a New Drug Policy for Oman

CHAPTER SIX

THE CHARACTERISTICS OF DRUGS USE IN OMAN

Introduction

As we found from previous chapters, in Oman the drug supply side reduction policy does not deter criminals from committing trafficking and smuggling in drugs. Therefore, demand reduction policy needs to be considered. However, before considering any possible alternatives we will describe the demographic characteristics of the drug use phenomenon in Oman and the respondents' attitudes and drug knowledge in this chapter and the possible demand reduction policy will be considered in the next chapter.

In this chapter, we present the results from questionnaire of prisoners convicted of drug-related offences held in Al-Romais prison, the main prison in Oman. The findings presented below were based on the data collected from a survey of 128 drug prisoners, which represents 25% of the 513 drug prisoner population convicted and serving jail sentences, in the central prison in Muscat and interviews were carried out with Criminal Justice Officials in Oman. This chapter aims to describe the drug problem in general in Oman, whereas the next chapter will examine the demand reduction drug policy in Oman (for more details please see Appendix related methodology).

Where there is little reliable data available on Oman, the researcher has used evidence from other countries to suggest possible patterns that may be relevant to this research. The researcher has first looked at evidence from other countries, before pointing out the differences shown by data from Oman.

The researcher will start by profiling the nature of the offender population compared with study of Ministry of Social Affairs and Labour (1997) and al-Harthy (1999) study with comment on how this is related to findings in other countries.

It is important to mention that as can be seen in Table 6.10 the majority of respondents (109, 85%) had used drugs before the last arrest. The nineteen respondents

(15%) who had not used drugs before were found guilty of dealing with drugs or trafficking, rather than using. Therefore, most of the current study respondents had used drugs before last being arrested. Moreover, among drug traffickers and dealers, the percentage who used drugs was more than 50% in each case. This may be interpreted as indicating that using drugs was a significant reason for becoming involved in dealing and trafficking. In addition, the current researcher chose the factors of nationality, age, monthly income, ...etc because the previous literature on other countries has done so.

Demographic Characteristics

According to Grassly and Garnett (2003) rational policy should be developed from a clear and comprehensive proof base rather than innate belief. This is because the use of mathematical models provides an explicit frame into which behavioural, natural and demographic data and assumptions can be included, analysed and communicated. Therefore, the researcher in the next sections will review the factors related to the demographic characteristics of drug use in Oman in more details.

Nationality

To support our debate about drug-related offences and drug demand policy in Oman, we need to establish some basic information about drug users and their characteristics. The extent of illegal drug use in Oman is the first question to be examined.

In the present study the researcher divided the sample according to the classification of drugs offenders in the new drug law. The sample included three groups, those convicted of use, of trafficking and of dealing with drugs. Therefore, Table 6.1 shows the number of respondents in each group and their percentage of the total. The table also shows that 62.5% of the samples were Omani whereas 37.5% were non-Omani and the majority of them (49%) were users.

Table: 6.1 Sample convicted drug Offence in Oman by nationality

Respondents	Nationality		Total
	Omani	Non-Omani	
Users	50	13	63
Traffickers	19	14	33
Dealing with drugs	11	21	32
Total	80 (62.5%)	48(37.5%)	128 (100%)

According to the Ministry of National Economy (2001), expatriates represent 26.5% of the Omani population. In addition the Royal Oman Statistic Annual shows that the expatriate drug offenders represented 10% of all offenders and 95% of them were from Asian countries (Royal Oman Police, 2002). However, in the present study the non-Omani drug prisoners presented 37.5% and most of them were involved in trafficking and dealing with drugs, as we can see from Table 6.1. The results obtained in this study are consistent with the findings of the Ministry of Social Affairs and Labour (1997), who found that 75% of expatriate drug offenders were trafficking or dealing with drugs. However, the present study finding supports Al-Harthy (1999), who found that the majority of drug prisoners are Omani (90%) and the majority of offences committed by Omanis are for possession and drug abuse.

According to Al-Harthy (1999) the explanation for the involvement of non-Omanis in trafficking and dealing with drugs more than using drugs might be because they cannot afford drugs, because their pay is low and drug prices are high.

Age

Previous research in other countries has found involvement in drug use to be highly related to age. For instance, in the United States of America, the National Data Survey found that young people began using alcohol as early as 11 years old, and marijuana and other illicit drugs at 12 years old (Harmon, 1993). According to the United Kingdom Statistical Bulletin (1998) in the United Kingdom, the age groups of drug users presented to agencies between 1 April and 30 September 1997 were as follows: 54% were in their twenties, 13% were under 20 years of age, and 33% were

thirty years of age and over. However, according to the 2001/2002 British Crime Survey (12%) of all 16- to 59-year-old, had taken an illicit drug and 3% had used a Class A drug in the last year. This equates to around four million users of any illicit drug and around one million users of Class A drugs (Aust, et al., 2002). Furthermore, in England according to the national survey of secondary school children aged 11-15, the proportion of students who had used drugs increased between 1999 and 2000 (National Centre for Social Research, 2001).

In Latin American countries, the highest concentration of drug abuse is around the age of 25 to 44 (United Nations, 1997). According to the United Nations World Drugs Report, for year of 2000 in Pakistan, the drug abuse problem is said to be concentrated in the age group 26-30 and very few users are above 50 years of age (United Nations, 2001).

In Bahrain, according to official statistical reports, 44% of drug abusers are aged between 20 to 30, whereas 39% were 31 to 40 year olds and only 2% were above 50 years of age and only 1% below 20 years of age (The Demand Reduction Conference held in United Arab Emirates, 1996).

According to the Ministry of National Economy (2000) in Oman, 63.3% of the population are less than 25 years of age. With an annual population growth of 4%, this affects the growth of crime in general and drug abuse in particular, as most crimes committed in Oman are linked to those under the age of 30 (Royal Oman Police, 1995, 1996, 1997, 1998, 1999, 2000 and 2001).

Table 6.2: Distribution of drug offenders by age group according to police statistics

Age of prisoner	No.	%
Less than 20	13	2
From 21 to 30	314	56
From 31 to 40	174	31
From 41 to 50	44	8
Over 50	16	3
Total	561	100

Source: Royal Oman Police (2001)

For example, the report by the Royal Oman Police (2001) shows that 56% of the total numbers of drug prisoners in Oman are between 21 to 30 years old (see Table 6.2).

In the present study, the researcher investigated the age distribution of drug user in Oman. As Table 6.3 shows the age distribution of the sample was classified into seven groups. The results indicated that almost one third of drug prisoners (31%) were aged between 19-25 years old, just over a quarter (27%) were aged between 26-30 years old and a further quarter (27%) aged between 31-35 years old. Therefore, the majority of respondents (87%) were aged between 19 – 35 years old. A minority (13%) of respondents were aged over 36 years old (see Table 6.3).

Table 6.3: The Age Distribution of Sample of convicted drug offenders in Oman.

Age of prisoner	Drug users	Drug Traffickers	Dealing with drug	Total	%
Less than 19	0	1	1	2	2
From 19 to 25	23	12	5	40	31
From 26 to 30	16	12	7	35	27
From 31 to 35	15	5	14	34	27
From 36 to 40	5	1	4	10	8
From 41 to 45	2	1	0	3	2
Over 45	2	1	1	4	3
Total	63	33	32	128	100

According to the 2001/2002 British Crime Survey, people aged between 16 and 24 years are significantly more likely to have used drugs in the last year and last month than older people (Aust, et al., 2002). In the present study, very few respondents were aged 41 and above. The findings of the study in this respect are consistent with official reports that 58% of all drugs prisoners are aged 30 years and under, as shown in Table 6. 2. However, the drug trafficking offences were concentrated in the groups aged from 19 to 35, whereas drug dealing was concentrated in the age group from 36 to 40.

This result differs from that of a study conducted in Oman by the Ministry of Social Affairs and Labour in 1997, with 79 of drug abusers in the main prison in Muscat, which found that 51% of the drug abusers were in the age group between 30 to 40. The

differences between the current study finding and that study conducted by the Ministry of Social Affairs and Labour (1997), can be explained by the period between both studies, that in the present time according to the Royal Oman Police, the drugs-related offences increased sharply since 1998 (Royal Oman Police, 2002). However, this result supports the finding of Al-Harthy (1999), who found that most drug-users in Oman are Omani nationals of all ages, but the majority of those imprisoned are in the age group 20 to 40 years; they accounted for 91% of his sample.

The Education Level of Respondents

We can consider education as an advantage in the matter of employment, in that the lack of education may create problems of unemployment, non-sociability, and withdrawal from social life, and this may lead to use of drugs and involvement in crimes related to them, such as smuggling, promotion, and trading (Ingold, 1989).

Contrary to this expectation, Mohan (1985) in India found that the highest ratio of drug users was among highly educated youth. However, Mohan's finding differs from those of Sarhan (1995) in the United Arab Emirates, who found that most of his sample respondents (52.6%) only had an elementary level of education, 22.4% had secondary level, whereas the respondents with higher education were only 8.3%.

According to the Royal Oman Police official statistics, 83% of drug offenders in Oman are of low education, and only 11% of all drug offenders were educated to secondary school level and above (Royal Oman Police, 2001).

In the present study, as in the Omani population as a whole, there was a high proportion of non-Omanis, who tend to be economic migrants from developing countries and, as can be seen from Table 6.4 their education level was particularly low. However, it is important to mention here that in Oman before 1970, only Quranic Schools existed. These schools only taught students how to read the Holy Quran, and write. The relative recency of formal education in Oman and its non-compulsory status

are reflected in low levels of education among the population, despite intensive efforts to expand the education system. For example, according to the 1993 General Census of the population, 29% of the male population aged 15 years and over were illiterate (Ministry of Development, 1993).

In the present study, as Table 6.4, shows, more than a quarter of respondents (27%) had no formal education and the majority of respondents had a low educational level (78%). Most of them those had only received primary school education and only 2% had reached higher education.

Table 6.4: Distribution of education level of respondents in sample of convicted drug offenders

Education Level	Omani	Non-Omani	Total %
No formal education	5	30	35 (27%)
Dropped out	8	0	8 (06%)
Primary school	50	8	58 (45%)
Secondary school	16	9	25 (20%)
University	1	1	2 (02%)
Total / %	80	48	128(100%)

The results obtained in this study are consistent with the findings of the Ministry of Social Affairs and Labour (1997), who found that 75% of the sample was educated to primary school level or less. Moreover, the present study findings are also consistent with the findings of Al-Harthy (1999) who found that the majority of drug users are of low education, particularly primary education. This suggests that drug involvement is mostly a problem among people of low education. Unfortunately, the proportion of traffickers to 'mere' users cannot be discovered from the statistics available in any of the sources.

Merton's (1959) theory that deviant behaviour is a response to inability to achieve social goals by legitimate is applicable here, with regard to the issue of differentials in social influence and tribal status. People who are members of particular tribes, and have more social influence, have a greater chance of achieving their goals

legitimately. However, Merton also suggested that people who are members of lower socio-economic groups are more likely to be involved in anti-social behaviour, because the opportunities to satisfy their needs are fewer. This may be the case for those with lower levels of education. As a result, drug abuse may arise when such a person attempts to reach his goals but finds the way to those goals is blocked, and cannot use illegitimate means to get his goals because he has inhibitions against them. This also could be applicable to the expatriate workers, especially Asians who are living in the Sultanate of Oman. Most of them are uneducated and unskilled, and opportunities to attain their goals are fewer than those open to Sultanate of Oman nationals. Therefore, they may turn to illegitimate means, such as illicit drug-related activities, trafficking in particular (Ministry of National Economics, 2000).

Illiteracy has been a serious problem in Oman. This is attributable to the fact that in the 1970s, there were only three schools throughout the country, with only 909 students (Ministry of Information, 2000). It is unsurprising, then, that at the "dawn of the Omani revival" on 23 July 1970, about 95 percent of the total population were illiterate (in the researcher's estimate). In the 1970s a national campaign for literacy was launched by the new regime. However, it is evidence of the limited success of the literacy campaign, that it was found in 1980 that 70 percent of males 35-60 years old, and 90 percent of females 35-60 years old were illiterate (Ministry of Planning and Development, 1982).

The problem of illiteracy or low level of education among respondents can be directly associated with conditions under Sa'id bin Taymur who ruled the country from 1933 to 1970 (Alabdulkarim, 1997). As mentioned previously, this period was one of darkness for all Omanis in different fields. In this period there were no education, health and social systems in Oman. Therefore, this study found that most of the Omani

respondents were illiterate or had a low level of education and that might refer to their age. In other words, their opportunity for education had passed as we see in Table 6.4.

The lack of education among non-Omani respondents might be due to non-existence of educational opportunities in their home countries, or to economic pressures. Some of them mentioned that even if there were educational opportunities, their families preferred them to work in planting, or fishing, or to look for a chance of work in neighbouring countries, instead of continuing their education. Thus, the lack of education would make it difficult for respondents to satisfy their financial needs through legal means, as they would not be qualified for anything other than manual jobs, and this might increase the temptation to turn to drug involvement.

Marital Status

According to the Control Theory, (Hirschi, 1969) the elements of the social bond are attachment, commitment, involvement, and belief; the social bond has become the subject of considerable attention by criminologists. In Hirschi's model, the family, (which includes marital status) the school and peers are the most important factors. Commitment, for example, has come to be associated with peer relationships. Therefore, the importance of collecting data about the marital status of respondents is to determine the effect of marital status on the issue of drugs activities. In other words, the researcher wanted to know the difference between married and single respondents regarding perceptions of the drug abuse issue. The data presented in Table 6.5 below, indicate that with regard to marital status, more than half of the respondents (57%) were single and less than half of the respondents (43%) were married.

Table 6.5: Marital status of sample of convicted drug offenders in Oman

Status	Respondents
Single	73(57%)
Married	55(43%)
Total	128(100%)

According to the Ministry of National Economy (2000), in Omani society people normally enter into marriage in their early twenties. Any person who is well past twenty-five and remains single is something of a social oddity. This means that by twenty-five years of age, an average person should be on the verge of marriage, as marriage is the only accepted relationship between a man and a woman under the Islamic law operative in Oman. Thus, bearing in mind the age range of respondents, a disproportionately high proportion of them were single.

These findings also correspond with the statistics provided by the Royal Oman Police (2001), which show that single people are more involved in drug-related offences than married ones.

The high percentage of single people involved in drug related offences, according to one of the respondent's interview comments, may be related to the fact that drug users or traffickers do not want to commit themselves to family life, because such a commitment would curb their activities and would prevent their travelling abroad and spending their time in the way they like. Moreover, as illegal drug use in Omani society is considered shameful, it is hard to find anybody who would accept a person known to be a drug user as a husband for his daughter. This is probably another factor which tends to increase the proportion of single people among those who get involved with drugs, especially dealing and trafficking.

The findings are also consistent with the findings of a study conducted in Bahrain by Musaiqer (1985), who found that more than two thirds (73%) of the study sample were single. In another study in the United Arab Emirates, Sarhan, (1995) found that one third (35%) of his sample were married, as compared to two thirds (65%) who were single.

In Oman, the results achieved in this study are supported by the findings of the Ministry of Social Affairs and Labour (1997) that the highest percentage (64%) of drug

abusers is were single, whereas 31% were married, 3% divorced and 2% widows. However, Al-Harthy (1999) found a different result, that more than half of the respondents (52.6%) in his sample were married, whereas 44.9% were single and 2.6% divorced. The different in findings between the present study and that by Al-Harthy, shows that as the age of drug offenders decreases, the rate of those who are married is also reduced. In the present study 60% of the sample waged less than 30 years whereas, in Al-Harthy's study the figure was 39% .

Employment Status

In other studies, occupation may be an important factor regarding the issue of drug activities. For instance in the British Crime Survey for year of 2000 the use of any drug, heroin and Class A drugs by 16 to 29 year olds was higher among the unemployed (Home Office, 2000).

In the present study, Table 6.6 shows the distribution of respondents in our sample by occupation. The results show that 41% of respondents were unemployed.

Table 6.6: Type of occupation of convicted drug offenders in Oman.

Occupation	Respondents	%
Government employee	20	16
Private sector employee	52	41
Student	3	2
Retired	1	1
Unemployed	52	41
Total	128	100

According to the Ministry of National Economics (2000), the problem of increasing numbers of unemployed among the national work force is not specific to Oman, as many Gulf States face the same challenge. This is the result of the increasing inflow of non-Omani workers during the 1970s and 1980s, when the high prices of oil increased the spending of governments on many infrastructure projects. However, owing to the decline in oil prices from 1985 to the present, the problem of unemployment has increased to become more of a structural problem (Ministry of

National Economics, 2000). Because there are not enough jobs in the public sector, which was for a long time the main area absorbing the national work force, the increase in the number of Omani job seekers has become a challenge to the Omani planners in both private and public sectors.

The high percentage of drug related offenders who are unemployed or in the private sector, may be explained in terms of the system of employment in Oman which denies work in the public sector and some parts of the private sector (such as banks) to those convicted of drug related offences as part of the punishment imposed by Omani law. In contrast, in most Gulf countries, such as U.A.E, the government guarantees every citizen a job, even if they have a criminal record, such as a conviction for drug related offences (Sarhan, 1995). In addition, drugs are widely spread among poor population groups in big cities. These areas may, as Winick (1968) and Burgess (2001) have argued, marginalize poor people who have been unable to find work chances in society, and so they use drugs to get pleasure and escape from the reality of life.

In Oman, the results of this study are supported by the findings of the Ministry of Social Affairs and Labour (1997) and Al-Harthy (1999). Both of these studies found that there is little relationship between unemployment and the drug problem in Oman. The Ministry of Social Affairs and Labour study found that more than three quarters of the study sample (86%) were employees and only 10% were unemployed. In addition, Al-Harthy's (1999) study found that only 13% of his samples were unemployed and 78% were employees in private and government sectors. The difference between the present research result in unemployment rate and the results of previous studies in Oman can be ascribed to the following reasons:

1. The data obtained by the researcher was recent (2001/2002) while the Ministry of Social Affairs and Labour data was obtained in 1997 and Al-Harthy's data was obtained in 1999.

2. According to the Educational Statistics Yearbook (2001/2002) the annual average growth in public secondary school output from 1997 to 2002 was 12.25%, which shows that there was a sharp increase in the high school output and this number increased every year, exceeding the labour market capacity. For example in the academic year 1997/1998, there were 21,000 public secondary school leavers. However, the government and local market could absorb only 5000, thus, 16000 were over the labour market capacity (Ministry of Social Affairs and Labour, 1998), leading to an increase in the unemployment rate in Oman, as shown in the present study.

In summary, we conclude that unemployment is not considered as a main reason for drug offences in Oman. However, it can be argued that over time, levels of employment can be a factor, since the result of this study compared to previous studies in Oman shows increase over time.

Monthly Income

The researcher collected data about the respondents' income because respondents who have low income may have a motive to deal with drugs (buying and selling) to make money, while respondents who have a high income may be motivated to use drugs as a form of recreation.

Merton (1959) suggested that the complexity of social structure is reflected in many types of anti-social behaviour such as alcoholism, juvenile delinquency, mental disorder, and crime. He also said that anti-social behaviour appears not only because of unlimited and unregulated goals of the individuals but because of a clash between an individual's goals and legitimate means to achieve them. Differentials in racial and ethnic status and particularly social class may mean that modern societies fail to provide adequate means for all individuals to attain their goals legitimately, while they

emphasise such status goals of competitive success as material gain and higher education.

In his explanation, Merton tried to establish why the frequency of anti-social behaviour varies between different socio-economic classes in society, and why people of lower socio-economic classes are more likely to be involved in such behaviour. If we apply Merton's explanations of behaviour to drug abuse, we can conclude that a drug abuser is a person who fails to achieve his goals by using legitimate or illegitimate means, and turns to drugs in order to retreat from competition in society.

As indicated in Table 6.7, 38% of all respondents had no monthly income or had an income of less than \$250. The majority of respondents (42%) had between \$250 and \$500. Out of 128 respondents, only 20% (26 respondents) had a monthly income of more than \$500. Considering the cost of living in Oman, this is very low; the results of a survey of expenses and income of Omani families (relation between household size and their monthly income) show that the average monthly household income in Oman amounted to \$1515 including the rental value of owned houses and \$1410, without rental value (Al-Markazi, 2002).

Table 6.7: Monthly Income of convicted drug offenders in Oman.

Level	Respondents	%
Nothing	35	28
Less than \$250	13	10
Between \$251 and \$500	54	42
Between 501 and \$750	13	10
Between 751 and \$1000	10	8
Over \$1000	3	2
Total	128	100

Note: One Omani Riyal = \$2.5.

Chein et al. (1964), in a study to examine narcotics use among juveniles in New York City, specified the characteristics of environments in which drug abuse takes place. They associated drug abuse with living in situations which are poor, overcrowded, and suffer declining education and family disorganisation. This picture may coincide with living conditions in the Sultanate of Oman in some areas such as in

the capital of Oman (Muscat and Matrah). This is because circumstances such as poverty and overcrowding are likely to exist in Muscat and Matrah, where the population have poor educational attainment and are characterised by family disorganisation (Al-Harthy, 1999).

The low incomes among the current sample reflect the fact that a large proportion of respondents were jobless, and suggest that the drug problem is a problem of lower income groups. With regard to monthly incomes, it should be emphasized that there is no basic unemployment benefit in Oman. Consequently, drug users who do not have a permanent income (those who are unemployed or engaged in casual labour) fund their habit either by committing crimes such as theft, or by dealing with drugs.

Also, it is worth mentioning here that welfare payment in Oman depends on the person's age, social circumstance (married or divorced for females only, number of children) and health status. The claimant must be at least 60 years old and not have any kind of business (for a male) or any sons working. The welfare system is derived from Islamic law which obligates a working son, if he is still single or his family is still small (less than a specified number), or if he has a high income from his business or job, to support his parents; it is not the government's role to support these people.

The findings of this study are different from the findings of the study conducted by Al-Harthy in 1999, which found that more than half of drug abusers (59%) had income of more than \$500 and only 13% had no income. Moreover, in his study, Al-Harthy (1999) found that very few of his sample earned more than \$1250 per month. This group represented 7.5% of Al-Harthy's sample, whereas only 12.6% of his sample earned less than \$500. The largest group (30%) of his sample earned between \$500 to \$1000 per month. However, in this study the majority of respondents (42%) had between \$251 and \$500.

The results of the present study can be explained by the fact that poverty or low incomes are concentrated in families who are illiterate or of low educational level. Therefore, the opportunities to increase their monthly income are very limited. In contrast, people with high levels of education have better opportunities to get a good job, and consequently their income will be moderate or high. Furthermore, as socio-economic development programmes have not equally affected the population throughout the country, being concentrated in Muscat (the capital), most Omani families have low income (Ministry of National Economy, 2001: 14).

From the above discussion, we can conclude that the financial circumstances of the respondents can be deduced in relation to three variables: education level, occupation and monthly income. Thus, it can be said that the sample came from a low income group. This suggests that low income, with other factors, may play a role in deviant behaviour. Similar results are found in many studies, such as Al-Harthy (1999); and Ministry of National Economy (2001).

Residence

Drugs have emerged as a key issue in community decline in a wealth of research. The experience of drug services, backed by research, has identified that the poorest communities are often the main places where drug use occurs (Burgess, 2001). The results from the 2000 British Crime survey are consistent with this. They suggest that cocaine use is relatively widespread across the general population while heroin tends to be associated with less affluent groups. The proportion in Britain that used heroin in the last year was found to be highest in the poorest households for the age groups 16 to 19, 20 to 24 and 25 to 29 (Home Office, 2000).

In Oman according to the Royal Oman Police (2001) statistics on the distribution of drug offences, 80% of the total drug offences were registered in Muscat,

which is the biggest city in Oman, whereas the lowest number of drug offences (5%) was recorded in Al-Wusta (as we can see from Table 6.8).

Table 6.8: The Distribution of drug offences according to the regional police head quarters.

Police Directorate	No. of Offences	%
Muscat Police	255	80
Al-Batinah Police	33	10
Musandam Police	9	3
Al-Sharqiyah Police	6	2
Al-Dhahira Police	8	2.5
Dofar Police	6	2
Al-Wusta Police	1	0.5
Total	318	100

Source: Royal Oman Police (2001)

The present study found that the highest percentage (95%) of respondents lived in cities, compared with only 5% who lived in villages, as shown in Table 6.9.

Table 6.9: Residence Location of convicted drug offenders in Oman.

Residence	Respondents	%
City	121	95
Village	7	5
Total	128	100

This implies that most drug related problems are located in the cities as compared with small towns or villages. The less serious drug problem in small towns or villages may be partly due to close family relations, as extended families reside in a particular locality and know each other very well. In contrast, the people who reside in big cities are more inclined to mix in a non-homogeneous society, with the result that there is less social pressure and they adopt more individualist values. That means drug prevention activities are likely to be concentrated in such locations (Ministry of National Economy, 2000).

This finding is similar to that of Al-Harthy (1999) that drug abuse in Oman is predominantly concentrated in the capital area. The majority of his sample (77%) lived in Muscat, whereas 16% lived in other regions and about 7% were non-Omani.

However, most drug users live in poor zones (such as the old Muscat and Matrah zones). Therefore, it can be concluded that drug use tends to be lower in small rural areas than in cities and that one of the reasons for this is that drugs are less available in the former.

Experience in Drug Use

This part of the chapter explores the nature and extent of drug use in Oman, to assess the present state of drug misuse in Oman and the effect of social circumstances on the pattern of drug-taking.

Table 6.10 Experience in Drug Use of convicted drug offenders in Oman.

Experience in Drug Use	Respondents	%
Yes	109	85%
No	19	15%
Total	128	100%

Table 6.10 shows that the majority 109, (85%) had used drugs before the last arrest. The nineteen respondents (15%) who had not used drugs before were found guilty of dealing with drugs or trafficking, rather than using. Therefore, most of the current study respondents had used drugs before last being arrested. Moreover, among drug traffickers and dealers, the percentage who used drugs was more than 50% in each case. This may be interpreted as indicating that using drugs was a significant reason for becoming involved in dealing and trafficking.

The ages when respondents first used drugs are shown in Table 6.11. It can be seen that the majority of respondents (90%) first used drugs at less than 25 years old.

Table 6.11: Age of first use of drugs of convicted drug offenders in Oman.

Age at first use	Respondents	%
Under 19	33	30
From 19 to 25	65	60
From 26 to 30	8	7
From 31 to 35	2	2
From 41 to 45	1	1
Total	109	100

The table also shows that the majority of respondents (60%) first used drugs while in the age group 19 to 25 years. Indeed, this finding reflects the actual age of drug offenders in Oman, 75% of whom are aged between 19 and 35 years old (Royal Oman Police, 2000). The results of this study are supported by the findings of the Ministry of Social Affairs and Labour (1997) and Al-Harthy (1999). Both of these studies found that three quarters of the study sample (77%) had first used drugs between 19 and 30 years old.

Travel Abroad and Association with Drug Experience

As mentioned in Chapter Two, after 1970, Omani society changed dramatically in various ways. This change affected the lifestyle of everyone. Life became more luxurious for many, because the incomes of Omani citizens have increased. As a result, during the hot summer weather, many people take a holiday away from Oman, in Europe, U. S. A, Bombay, Morocco, Cairo, and Far East countries such as Thailand and Philippines, where they can find pleasure and activities that are not normally available in their own country. The most popular destinations are countries where drugs are easily purchased because police control in drugs is very weak, and drug distributors can put drugs on the market easily (United Nations, 2001). According to INCB report for year 2000 "in Afghanistan, ...it appears that opiates are sold freely through the country" (United Nations, 2001: 57).

The researcher collected data about travelling abroad, because travel abroad may facilitate access to drugs, because of lower prices and ready availability of the drug. Drug prices in Oman are high in comparison with those in Pakistan, Iran, India, Thailand and Afghanistan. In these drug-producing countries, drugs are easily available, and can be obtained in large amounts and at a low price (United Nations, 2000). In addition, drug users prefer to travel to those countries, especially to Thailand, due to other attractions, in particular, prostitution. Some respondents said they liked to spend

their summer holidays in India and Pakistan because of family connections and at the same time to get drugs there. The price of drugs in these countries is attractive. Table 6.12 shows that 87.5% of the respondents had travelled abroad, while only 12.5% of the respondents had not done so.

Table 6.12: Travel abroad of convicted drug offenders in Oman

Response	Respondents	%
Yes	112	87.5
No	16	12.5
Total	128	100

According to the Royal Oman Police (2000), it is young people who mostly travel for tourism and the main destinations are Pakistan, Iran, India, and Thailand.

Table 6.13 shows the country where respondents first used drugs. It shows that three-quarters (75%) of respondents had used drugs for the first time outside Oman, whereas only 25% had used drugs for the first time in Oman.

In particular, as we can see from Table 6.13, India, Pakistan and Afghanistan were the main countries in which Omani respondents first tried drugs. 42% of the Omani drug users sample had first used drugs in these countries.

Table 6.13: Place of first drug use by countries of convicted drug offenders in Oman.

Countries	Omani		Non-Omani		Total
	No.	%	No.	%	
Oman	27	38	0	0	27
Gulf countries	3	4	0	0	3
India, Pakistan and Afghanistan	30	42	29	76	59
Laos, Burma and Thailand	6	9	6	16	12
Lebanon, Syria, Morocco and Egypt	5	7	2	5	7
Other	0	0	1	3	2
Total / %	71	100	38	100	109

This is in line with the finding discussed above, that respondents' travel abroad is positively associated with their drug-taking habits. As one Criminal Justice official said:

I think the reasons for using drugs especially with young people, are unjustifiable sums of spending money and travel abroad, without money

young people can't travel. One more thing, young people who are leading a luxurious life have cars, money, mobile phones, pagers and everything, so they turn to drugs.

Introduction to Drug Use

Generally, friends and relatives are responsible for first making drugs available to the user. According to Bennett (1986) the first drug transactions more often than not involve no money at all: they are either gifts or what is shared among friends. Similarly, Glassner and Loughlin (1987) concluded that the first experience of drug use usually does not cost the new users any money or time looking for drugs or dealers. The first use may happen by sharing with friends in a drug-using session. Furthermore, the behaviour of friends has more effect than that of parents, because young people expect to have a good time with friends (Boys, et al., 1999b).

The respondents' involvement in drugs was mainly through friends. Table 6.14 shows that more than 91% of respondents used drugs through the influence of friends who were drug users, especially friends returning from abroad, while the influence of relatives and strangers was less.

Table 6. 14: Source of first drug of convicted drug offenders in Oman

Source	Respondents	%
Relative	4	4
Friend	100	91
Stranger	5	5
Total	109	100

The current study concluded that friends are one of the main factors behind inducing others to take drugs, as 91% of respondents were offered their first drug by friends, and this result is not unique to the Omani situation.

Boys, et al., (1999b) described how some individuals become drug abusers. He concluded that friends and peers are important in providing opportunities for drug use and supporting this behaviour. It is through the peer group that drug users need to learn from experienced users how to obtain drugs safely, and how to use these drugs because

the individual often starts using drugs and learns where to get them, what types to use and how to use them.

Goodstadt (1986) tried to explain the effects of peer pressure on drug initiation and drug abuse continuation. He found that peer pressure encourages the individual to experiment with drug use but does not affect the continuation of drug abuse. The continuation of drug abuse is associated with the desire to obtain psychological effects such as calming down or feeling good, more than peer pressure.

The findings of this study are consistent with the study conducted by the Omani Ministry of Social Affairs and Labour in (1997), which found that 54% of drug abusers were offered their first drug by friends. In America, Bennett (1986) also found no evidence to support the popular misconception that most addicts are pressured into taking their first drug by a stranger or unknown pusher. Instead, they find that drug use is typically initiated in the company of their peers. It is less common for a parent to offer his or her child the first drug in Western society (Botvin, et al. 1978). Similarly, the present study indicates that it was extremely rare for drug users have obtained drugs from a member of the family.

In summary, the findings have shown that the use of drugs is closely connected with peers and friends. About 91 % of the respondents were offered their first drug by their friends.

Companions in Drug Use

Taking drugs with friends is common among young users or new drug users because they want to try all methods of drug taking available. Some types of drug are taken with the assistance of friends. For example, heroin is difficult for users, especially new users, to inject. Another reason is that new users sometimes want to share their drugs with friends. Therefore, the majority of drugs users in Oman take drugs with friends.

According to White (1991) if the setting for drug use involves friends and shared use, the physical distress experienced by some neophyte users is much less likely to occur.

Table 6.15 shows the respondents' drug-taking habits, either with friends, with work colleagues, with members of the family or alone. The largest proportion of respondents (84.4%) took drugs with friends, while a minority (11.9%) took them alone.

Table 6. 15: Companions in drug taking of convicted drug offenders in Oman

Group	Respondents	%
Friends	92	84
Work colleague	3	3
Alone	13	12
Members of family	1	1
Total	109	100

This leads us to conclude that friends are one of the main factors behind inducing others to take drugs, and this result is similar to that concluded by Friedman (1985), who stated that the behaviour of friends has more effect than that of parents. Moreover, Hoffman (1981) similarly found that the effect of friends on drug users starts with information about where drugs are available, and how to use them. A similar result was obtained by Glassner and Loughlin (1987) regarding the first experience in taking drugs.

The findings regarding who offered the first drugs and those on companions in drug use are supported by the findings of the Ministry of Social Affairs and Labour (1997) and Al-Harthy's (1999) study. In the Ministry of Social Affairs and Labour study, it was found that 59% of respondents took drugs with friends. Al-Harthy has indicated that almost 90% of drugs users in Oman take drugs with friends. It can be concluded that friends are one of the main factors behind inducing others to take drugs.

Drug Suppliers

The importance of collecting data about drug suppliers is that it may help to find the main drug sources and suppliers for drug users in Oman, as this may help to show where prevention and enforcement activities should be focused.

Table 6.16: Drug Suppliers of convicted drug offenders in Oman

Sources	Respondents	%
Free from friends	38	35
Purchased from friends	41	37
Purchased from dealer	29	27
Purchased from pharmacy	1	1
Total	109	100

From Table 6.16., it can be seen that 29 respondents (27%) purchased drugs from a dealer, while 38 (35%) were given drugs by friends. 41 respondents (representing 37%) purchased them from friends. Only one (representing 1%) of the respondents purchased drugs from a pharmacy.

Drug users obtain drugs from outside their circle of friends only after being introduced to a dealer by one of their friends already known to the drug dealer. The reason why respondents depended more on friends is that for security reasons, friends are more trusted than other sources. Even drug users who like to use drugs alone, especially those addicted to hard drugs such as heroin, still prefer to obtain drugs from friends.

A moderate relationship was found between friendship and drug sources, as 72% of the respondents obtained drugs from friends, while 27 percent of the respondents purchased drugs from a dealer, as shown in Table 6.16. As we have seen, friends are a major source of drug supply and drugs use often takes place together with others. However, Glassner and Loughlin found little evidence of pressure from friends among

drug users in America, "Rather than being sources of pressure, peers were far more often described as legitimaters of the activity and suppliers of the substance" (Glassner and Loughlin, 1987:160).

The findings of this study correspond with the results achieved by the study of the Ministry of Social Affairs and Labour (1997) and Al-Harthy's (1999) study. In the Ministry of Social Affairs and Labour study, 52% of respondents reported friends as the main drug suppliers, whereas 32% purchased drugs from dealers. Al-Harthy (1999) in his study found that the illegal drug market in Oman is still undeveloped compared to that in neighbouring countries. A chain of friendship networks mainly dominates the trade.

The Main Drug used by Respondents

The type of drug used depends on several factors, such as availability, how widespread its use among friends and relatives, price, ease of usage, and how far it secures pleasure. According to Boys et al (1999b):

It is recognized that supply reduction is unlikely to be successful in isolation. Indeed, there is evidence from the present study that if a preferred substance is unavailable an individual may choose to use an alternative substance instead (Boys et al., 1999b:384).

However, ease of access to drugs is closely tied to patterns of use, for example of all 16- to 24-year-olds, in England and Wales, cannabis was reported to be the easiest of drugs to obtain (Aust, et al., 2002).

In the present study, as we mentioned previously, friends who represent a main source of the first dose play a major role in directing beginners to use specific kinds of drugs, and often the same type of drug is circulated among such a group.

Table 6. 17: Main Drug Used by Convicted Drug offenders in Oman

Type of Drug	Respondents	%
Cannabis(Hashish)	73	67
Heroin	35	32
Cocaine	1	1
Total	109	100

Table 6.17 shows the type of drug used by respondents, and from this table it can be seen that cannabis comes on top (67%), followed by heroin (32 %) and then cocaine (1%).

Some drug users explained their usage of cannabis by claiming that it is not greatly harmful health and also it is not prohibited absolutely in Islam, since it is similar to cigarettes. In addition, some respondents stated that cannabis is available in great quantities in Omani markets, as well as being cheap, easy to use, and mostly spread among friends.

We can say that beginners prefer to use available drugs which are easy to get. For example, in South America they are likely to take cocaine and coca leaf because they are more widely available than other types of drugs. In contrast, in Asian countries, such as Afghanistan, which are producers of cannabis and heroin, it is hard to find cocaine. Therefore, the extent of cocaine abuse and trafficking in Asia remains insignificant. For example seizures of cocaine were reported for 1999 for the first time in Pakistan (United Nations, 2000). Given Oman's geographical proximity to the Asian countries, it is not strange to find that cannabis and heroin are widespread in Oman and most drug users generally incline to such types of drugs because they are cheap and readily available. In addition according to Senior Consultant at Ibn Sina Hospital:

Until Dec-1995 the commonest drug-related cases reporting to Ibn Sina Hospital were poly-drug abuse cases who, in addition to methadone were abusing some combination of heroin, other oral opiate tablets cannabis (hashish) . benzodiazepines, alcohol, barbiturates, cough syrups, perfumes, and solvents. These drug addicts came regularly every week or two to get their supply of methadone and other medicines. A few cases of chronic alcoholism also came for detoxification and management of Delirium Tremens or other syndromes associated with it . Almost all of this hard-core of methadone addicts have since been weaned off methadone and are now on non-addictive psychotropics or on minimal doses of benzodiazepines. Since 1996, very few cases of heroin or opiate addiction have reported for treatment. All of these cases have been detoxified without starting Methadone Replacement Therapy. Very few of these cases have been given a very short course of a modified methadone regimen for managing acute withdrawal effects. These new addiction cases were encouraged and

counselled to remain drug free. Over the past year, we have attended to some cases of chronic alcoholism and some young people who have abused solvents. Only a few opiate or hashish abuse have reported for treatment during the last year. Most of these cases have shown a very good motivation for leading drug free lives.

Cannabis is the world's most popular drug, according to the United Nation's World Drugs Report for 1997, which states that "the most widely abused drug is cannabis, which is consumed by about 2.5% of world population. This is equal to about 140 million people worldwide" (United Nations, 1997: 31). In addition, according to the United Nations World Drugs Report for 2000:

Illicit crop cultivation and drug trafficking activities in West Asia have had serious repercussions for the extent of drug abuse in the region. Opiate addiction rates in the Islamic Republic of Iran and Pakistan appear to be among the highest in the world. Considerable amounts of the opiates produced in Afghanistan are abused in the region (United Nations, 2001: 54).

The findings of this study are somewhat different from the results achieved by the study of the Omani Ministry of Social Affairs and Labour (1997) which found that the main drug used by respondents was heroin (45% of the total respondents) whereas 40% of the sample were cannabis users and 15% poly-drugs users. The differences in findings between the present study and that by the Ministry of Social Affairs and Labour, because as we have seen in chapter three, according to Royal Oman Police the huge quantity of drugs especially cannabis came to Oman which make the most popular drug used is cannabis, for example in the year 1999 alone about 14335 Kg as seen in Table 2.2 Chapter Two.

Al-Harthy (1999) in his study found in Oman that cannabis was the most popular drug used by the sample studied (30%) and the second most common drug was heroin, used by 27% of his respondents. Three percent of his respondents used opium and only 1% used psychotropic substances. However, 38% of his samples were poly-drugs users.

In the United Arab Emirates, which is a neighbouring state of Oman, similarly, cannabis is the most widely abused drug (Sarhan, 1995). This result also is similar to a number of other studies carried out in various countries. For example, in Greece cannabis was found to be the most widespread drug (Madianou & Madianos, 1987). In Portugal, the main drug used is cannabis, accounting for 33%, followed by opium derivatives.

In the United Kingdom, according to Boys et al. approximately half of all young people aged 16-22 have used illegal drug (Boys et al, 1999b). In addition, according to the British Drugs Seizure and Offender Statistics, cannabis accounts for 73% of all seizures, with around three million 16- to 59-year-olds having used it in the last year (11%). The next most common drug is heroin, 12% of all seizures. These results are consistent with the result of the present study (Home Office, 2002).

A study conducted in a number of European Council countries indicates that in some European countries like France and Italy, cannabis is the main drug used, followed by the other types of drugs like heroin and cocaine (Council of Europe 1987). Another study by Pela and Ebia found that in Nigeria, cannabis is the most used drug (Pela and Ebia, 1982).

According to Boys et al (1999b):

Although close friends were often reported to have similar substance-using patterns to their own, it was not uncommon for friends from different social circles to have very different patterns of use. Some respondents differentiated between circles of friends according to their substance use, referring to non-drug users as their 'straight friends' (Boys et al., 1999b: 383).

Availability of Drugs

It does not cost money or time to discover a new world of drugs (Stanler & Felman 1987). As we have mentioned, generally people are introduced to drugs by their friends and after this step, the new user tries to get drugs to share with his friends. As he is still new in this world, he returns to his friends, asking them to show him

sources of drugs, but they cannot do so without getting money or keeping part of the drug.

According to Boys et al (1999b) Availability of substance in any society is measured as one of the main factors behind its increase among people, so when there are a number of different drugs, this will help users to try more than one type:

...The discovery that their drug of choice was unavailable gave them the incentive to find an alternative means of fuelling that function. On occasions this resulted in the use of an alternative substance that they might not have considered using otherwise (Boys et al., 1999b: 383).

An interviewee who was one of the staff of the customs department claimed that:

lack of technical training and advanced technology plays an important role in the entry of drugs into Oman, for most employees at check points are old, of relatively low education, and cannot distinguish drug materials from others.

Other important factors in the spread of drugs in local society are lack of good informative awareness through the mass media, ignorance of parents about the problem of drugs, and family problems. All these factors mingle together and induce some respondents to start taking drugs. Therefore, the quantities of drugs in the market are increasing accordingly.

As we saw from Table 6.17 the volume of drug seizures in Oman in the year 2000 was very high, which indicates that the availability of drugs in the local market was also high. That view is supported by the finding of the Ministry of Social Affairs and Labour (1997), which indicated that the majority of the study sample (53%) said that drugs are always available in the local market, compared with 30% who said that drugs are sometimes available.

Methods of Using Drugs

Research done in Western countries has shown that intravenous injection is the most efficient and cost-effective method of taking drugs as it achieves the greatest

"high" with the least amount of drugs, especially in the case of heroin, but it also poses the clearest danger (Kandel, 1991; White, 1991).

The researcher collected data about the methods of using drugs to determine how drug users started using drugs, as the first lesson for a drug user is to learn the correct method of taking it, especially as some types of drugs such as heroin necessitate following a particular method (Winick, 1968).

Methods of drug taking differ according to the type of drugs: smoking, injection and sniffing, and for some drugs, more than one method is common. Respondents claimed that they learned the methods of taking drugs from their friends.

Table 6.18. Method of drugs use of Convicted Drug offenders in Oman

Methods	Respondents	%
Smoking	86	79
Injection	21	19
Sniffing	2	2
Total	109	100

As shown in Table 6.18, the most common method of drug taking in Oman is smoking (79%), as the most common drug used is hashish (see Table 6.16). Hashish is a type of drug that is popularly taken by smoking, either individually or in a group. This is followed by injection (19%), especially for heroin. However, heroin can also be taken by smoking or sniffing. The most common method among heroin users in Oman is by injection, in which heroin powder is dissolved in an acid (such as lemon juice) and then the solution is injected into the blood stream. Without learning this method in the company of friends, it is difficult for a new user to use the foil method and therefore the new user cannot use heroin without assistance. This method is usually used when the user wants to share his heroin with his friends. Only 2% of respondents in this study used the sniffing method, which is the method commonly used for cocaine.

This finding is supported by Al-Harthy (1999) who found that the most popular method of using drugs in Oman is by smoking, followed by injecting. Poly-drug-users used both smoking and injection.

Finance of Drug Habit

According to Hammersley and Morrison (1987), “heroin abuse should be considered to be part of contemporary delinquent behaviour, rather than the root” (p.899). The importance of collecting data about this factor is to know how drug users finance their activities related to drugs and to examine the link between drug use with other crime.

Drugs and crime are related, but the relationship is very complex (Nurco, Kinlock and Hanlon, 1990). Crime associated with drugs falls into three categories. First, there are drug-defined crimes: the possession, trafficking and sale of illegal substances. Second, there are drug-related crimes, including violent behaviour caused by the pharmacological effects of a drug or robberies committed to get money to buy drugs. Third, there are crimes associated with drug usage, meaning that an offender was using drugs around the time he or she committed an offence, but that the crime was not caused by drug use (Office of National Drug Control Policy, 1994).

Table 6.19 shows that 44% of respondents obtained money to buy drugs from drug related crime, because of the high cost of financing a drug habit. Selling drugs is common among drug users, because selling drugs is easier and has a better-guaranteed return than committing theft. As the researcher showed in Table 6.17, the main drug used by respondents are cannabis, heroin and cocaine therefore the researcher divided the respondents according to the effect of each drug into two groups: group one is those who used cannabis (soft drugs) and group two those who used heroin and cocaine (hard drugs). The study found that the hard drug users are more likely to obtain money from

illegal ways to feed their habit: the source of finance of 62% hard drug users respondents is illegal ways.

Table 6. 19: Source of finance of drug use of Convicted Drug offenders in Oman

Respondents	Source of Finance	
	Legal Ways	Illegal Ways
Soft Drugs Users	46(66%)	24(34%)
Hard Drugs Users	15(38%)	24(62%)
Total	61(56%)	48(44%)

However, in general the study has shown that a simple correlation between drug use (especially hashish) and crime does not exist, that the relationship between crime and drugs can be dependent on other factors. Factors which can affect the relationship between drugs and crime are poly-drug use (Hammersley and Morrison, 1987), the structure of the illicit supply system and the argument that crime leads to drug use, or to greater drug use (Hammersley et al, 1990).

Figure 6.1 Finance of Drug Habit of Convicted Drug offenders in Oman

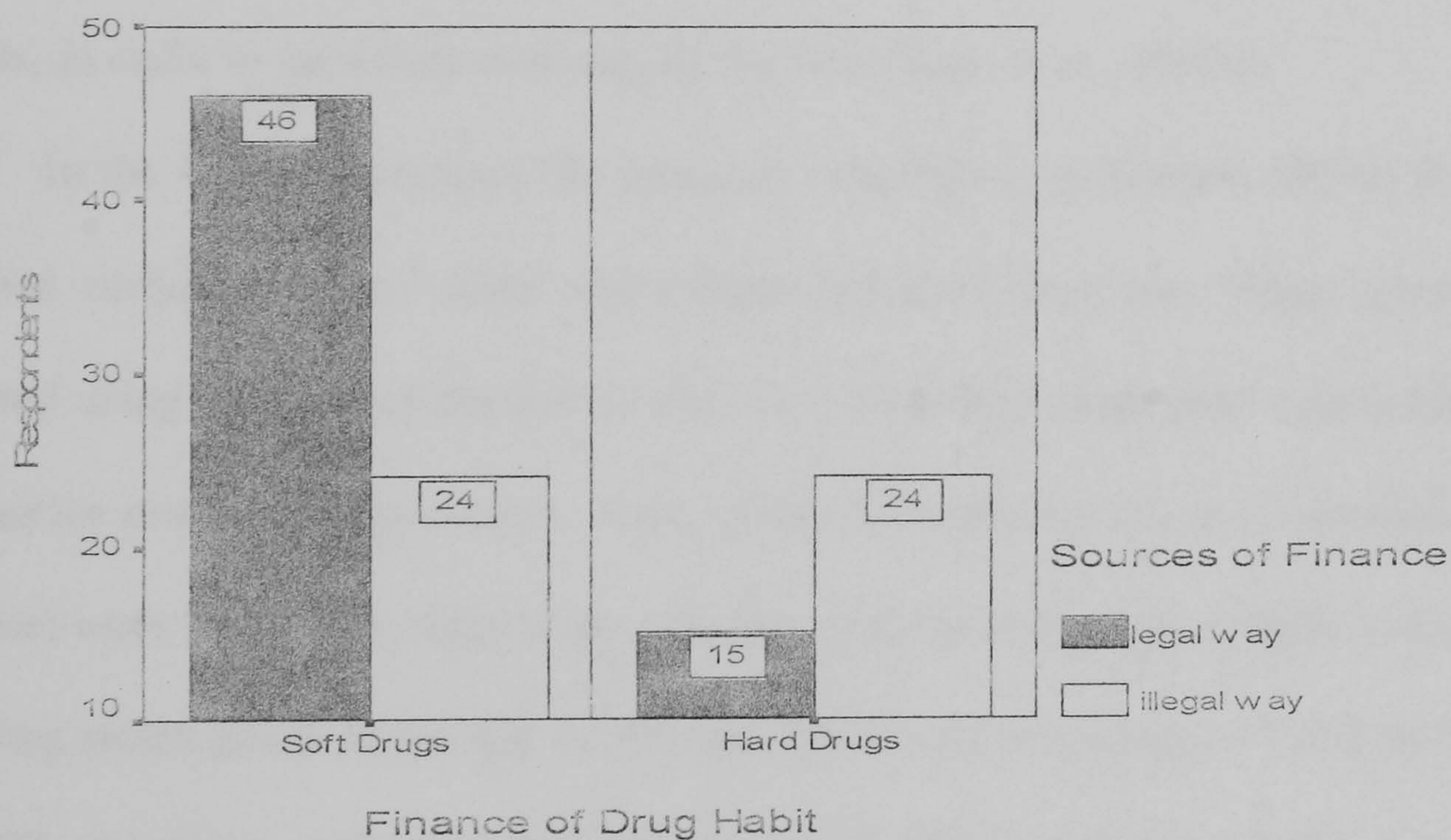


Table 6.20 shows the monthly cost of maintaining a drug habit. The majority of respondents (72%) spent less than \$250 per month on drugs, but some spent considerably more.

Table 6. 20: Cost of drug use of Convicted Drug offenders in Oman

Spending on drugs	Respondents	%
Less than \$250	78	72
From \$251 to \$500	26	24
From \$501 to \$750	3	3
Over than \$750	2	2
Total	109	100

This is a substantial amount of money, as 41% of the respondents were unemployed (see Table 6.6) and 27% of them had no income at all (see Table 6.7). Unfortunately, in Oman there is no information available in the debate of the relationship between drug use and crime, which needs more research. However, in this study as we saw in tables 6.6 and 6.7 the majority of respondents have low income; therefore drug users are the people most expected to engage in crime, especially theft of money, because they are looking for money to secure their drug needs. Moreover, as an alternative, some reported that they sold small quantities of cannabis, for example to friends, in order to earn their own supply for free (Boys et al., 1999a).

In the United Kingdom, the research undertaken by Bennett (2000) found links between certain kinds of crime and certain kinds of drug use. Those arrestees who reported using heroin and cocaine in the last 12 months committed substantially more acquisitive crimes than non-users. Users of heroin (either alone or in combination with cocaine) were more likely than other arrestees interviewed to report theft from a shop or handling stolen goods in the last 12 months. Moreover, according to Todd, in Wakefield in 1997, the police estimated that approximately 70 percent of all theft, burglary and violent crime in their area was drug-related (Todd, 2002).

According to the Royal Oman Police (2001c) the price of drugs is determined by their purity and quantities. For example 100 gm of heroin from Pakistan or Afghanistan which is considered pure, costs \$625, whereas that from Iran which is less pure is cheaper, at \$375. On the other hand, some discounts will be made when buying drugs in

large quantities; for example, the market price for 10 gm of Iranian heroin is \$62.5, whereas the wholesale price is \$37.5. Prices also depend on the money available to the drug user and how far the pusher is in need of such money. Some drug dealers increase prices in accordance with the situation of the purchaser; if a supplier feels that the drug user is craving for a fix, he will raise the price, because at this stage the user will pay any amount to acquire drugs as he has no other way to meet his needs. Also, drug prices vary according to smuggling risk in terms of distance between production and consumption area, and number of smuggling stages. For example the price of heroin coming from Pakistan increases when passing through Iran, and increases again when passing to Oman. Drugs coming directly from Iran to Oman are cheaper than other drugs from the Arabian Gulf countries, because it is a neighbouring country. For example the price of one gram of Iranian heroin in Oman is \$25, whereas the same quantity in Bahrain costs \$50 and in Kuwait it costs more than \$125. This is one of the main factors behind the increase of smuggling crimes, as most drug users depend on going to producing countries to satisfy their needs. One gram of heroin in Bangkok costs \$3.00 and in Bombay the same amount costs \$1.50. When they come back to their own country, users bring a quantity of drugs for their own use and to trade for cash (United Nations, 2001).

The findings of this study suggest a link between using drugs and some illegal behaviour like theft and trading with drugs, especially for those who use hard drugs as the mind of the drug user becomes obsessed with how to get drugs and money to satisfy his needs. Kleinman (1989) considered that the amount of money payable by young people to get drugs is of special importance because their income is limited. This will induce them to commit crimes like theft, and trade in drugs to cover their needs.

Reasons for Spread of Drugs in Oman- Offenders Perspective

According to the United Nations World Report for Drugs for 1997, those who study psychoactive drug use are careful to distinguish between causal and correlative factors that influence consumption and dependence patterns. Evidence is rarely, if ever, presented to substantiate theories that certain factors cause drug abuse; instead, the presence of a wide range of variables pertaining to individuals or certain social groups is a common basis on which certain explanations or ‘models’ have been constructed (United Nations, 1998).

Research done in the Western countries has consistently shown that drug abusers almost always cite curiosity as the main reason for their first drug use (Plant, 1975; Bennett, 1986; Plant and Plant, 1992).

There are a number of factors behind the spread of drugs in Omani society. One reason for the spread of drugs is the non-existence of preventative policies such as education programmes, treatment and rehabilitation centres for drugs offenders, as the current policy seems to be confined only to publicizing severe punishment for drug users. In the view of some of my respondents, the current punitive approach does not serve to control the drug problem.

Other respondents considered that one of the main reasons behind the spread of drugs in Oman is the non-existence of hospitals to treat drug users. Other respondents referred to the non-existence of good medical treatment, beside the fact that society does not accept any person whose name is connected with using, smuggling, or trading in drugs. A list of the main reasons for the drug problem was identified from the drug literature and presented to the subjects of the present study for their response; the results are presented in Table 6.21.

Table 6. 21: Reasons for Spread of Drugs in Oman

Reason	Respondents	%
Unemployment/poverty	56	44
Government doesn't deal strictly with illegal drug activities	37	29
The changing of customs/tradition	2	2
There is a large number of expatriate workers	6	5
Increased wealth	3	3
I don't know	24	19
Total	128	100

The majority of respondents (44%) said that the reasons for the spread of drugs in Oman are unemployment and poverty; whereas 29% of them said that the reason is that the government does not deal strictly enough with illegal drug activities. 19% of respondents did not know the reasons. Only 2% of respondents said that the reason is increased wealth.

In the interviews conducted with Criminal Justice Officials by the researcher in Oman, the majority of interviewees indicated that Oman is an open country and there are more than 150 nationalities. Moreover, Oman has a close geographical position to the producing countries. In addition, Oman has open borders and coasts with these countries, so Oman is a convenient route for smuggling drugs from East to West. In addition, some interviewees said that there is a link between Omani people and other peoples in other countries via travelling for business, relatives, studying or tourism in countries such as Afghanistan, Thailand, India and Pakistan, which are drug-producing countries, so that the people who travel to these countries are particularly affected.

In the view of a minority of respondents, there are young people who have a large amount of money and time, and they have nothing to do except to try using drugs for enjoyment. Also, some people have serious problems, such as affairs of the heart, failing in studying, financial difficulties and unemployment, and they turn to drugs to escape from these problems.

The rapid change from the traditional life to the modern in Oman, and travelling to other countries which means exposure to different cultures, affluence and the great numbers of non-Omanis employed in Oman, were all blamed for the drug problem.

In addition, as one Criminal Justice Official explains the drug problem especially with young people:

There is a sort of contagion among young people, a kind of revolt against the State of things as they are or there is despair. This means that they try to find justification for their bad behaviour, like what is happening to the young people at the secondary schools in Oman or those who take drugs. There is a kind of reaction to a problem of any kind. Love, failing at studies, financial difficulties so they resort to taking drugs to escape reality.

Both the Ministry of Social Affairs and Labour (1997) and Al-Harthy (1999) found that the main reason for drug use in Oman is the availability of drugs on the market. Moreover, Al-Harthy found that the problem of using drugs at an early age may be attributable to their availability in society, non-existence of protective procedures, and possibly also to lack of supervision of the family, failure of educational programmes to prevent youths from taking drugs, and information from friends or promoting the attraction of using drugs. These possibilities will be explored later in relation to the relevant evidence from the survey.

The Respondents' Attitudes and Drug Knowledge

Dorn and Murji suggested that information is an important component in any drug prevention programme and the first step in developing drug prevention programme (1992). The media however can have either limited impact, because drug offenders already have adequate experience, or they could have a negative influence (Boys et al., 1999b).

According to Abdulhamid (1993) drug offenders have more knowledge of drugs than non-drug offenders, because drug offenders are more exposed than non-drug offenders to drug culture or drug-related issues.

The knowledge and awareness of the members of the public with the dangers and harm resulting from the use and dealing with drugs and the consequences of penalties for the violation of rules and regulations in this respect will help the researcher in knowing the extent of the impact of the different mass media as one of demand reduction policy in disseminating knowledge and awareness to the public and the extent of the attention of the drug-related offences combating authorities in Oman to spread knowledge and awareness amongst the members of the public to help them to turn away from and avoid drugs. However, Al-Harthy (1999) who conducted a study in Oman found that there was a low level of knowledge of drugs among drug offenders.

According to Al-Harthy:

Most of the Gulf States in the past have concentrated their effort in the fight against drug abuse on the supply reduction side with very little attention given to demand reduction. As a consequence, demand reduction programmes in most of the Gulf States are still in their early stage of development (Al-Harthy, 1999:251).

Al-Harthy has explained in his study that as a result of the lack of serious studies by the drug abuse combating authorities in the Gulf Countries Co-operation (GCC) countries in addition to the scarcity of available treatment and rehabilitation facilities, public awareness on drug abuse is very scanty among the public in the GCC countries because combating policies focus on reducing supply rather than dampening demand.

Yet, in Oman, nobody has compared the knowledge of drug offenders with that of non-drug offenders. It would therefore be interesting to see whether there is a difference between drug offenders' and non-drug offenders' attitudes and beliefs about drugs. For instance, do those convicted of drug offences have greater knowledge of the likely penalty that will result if they are caught? Similarly, to what extent often convicted drug offender and general public knowledgeable about drug issue. This is

important because the current policy is aimed at deterrence and therefore, requires that those involved or thinking about becoming involved with illegal drugs are knowledgeable about the likely penalty. Therefore, more light could be shed on the possible effect of this factor in the present study, leading to the following hypothesis:

There are no statistically significant differences between drug offenders and non-drug offenders with regard to knowledge and belief about drugs.

It may be that greater knowledge about illegal drug activities helps people to adopt a positive attitude toward being involved in drugs-related offences. In other words, the degree of knowledge about the dangers of illegal drugs and the punishment of drug criminals will help them to refrain from dealing with illegal drugs. This hypothesis aimed to explore whether there is any significant difference between respondent groups (drug offenders and non-drug offenders) with regard to the degree of knowledge about drugs.

To assess the respondents' perceptions of their drug knowledge, in order to test this hypothesis, the data from questions (24-39) in the drug offenders questionnaire and questions (8-23) in the non-drug offenders' questionnaire were divided into three groups: Knowledge about types of drugs; Knowledge about the dangers of dealing with illegal drugs; and Knowledge about punishment for drug crimes and treatment.

Responses to the statements were measured on a Likert scale where the respondents had to choose among 5 categories, which were: "strongly disagree", "disagree", "undecided", "agree", and "strongly agree". The original response categories were coded 1, 2, 3, 4 and 5. For the purpose of analysis, the researcher combined the first two categories into one category (strongly disagree or disagree) and also combined the last two categories into one (agree or strongly agree) to give a new coding (1 = strongly disagree or disagree, 2 = undecided and 3 = agree or strongly agree). High scores in category three (disagree or strongly disagree) indicated that the

respondent had positive opinions toward drug knowledge. High scores in category one (agree or strongly agree), indicated that the respondent had negative opinions toward drug knowledge, whereas category two (undecided) meant the responder was placed between the two categories. It should be noted that in the questionnaire, two of the factors were expressed in negative terms: "The maximum punishment for drug using is ten years imprisonment" and "The maximum punishment for drug trafficking is life imprisonment". Their values were reversed for analysis purposes, i.e. a 1 = strongly agree or agree, 2 = undecided and 3 = disagree or strongly disagree (see De Vaus, 1996). For more details please see the Appendix related methodology.

I- Knowledge about Types of Drugs

Chi-square tests were used to measure whether there were significant differences between drug offenders and non-drug offenders with regard to each individual aspect of knowledge about types of drugs. The objective was to discover which item(s) drug offenders knew more about than non-drug offenders.

In the first statement of the types of drugs group (I can distinguish between several kinds of drugs when I see them) the chi-square test shows statistically significant differences at the level 0.001 level in favour of the drug offenders (P. value = 0.000).

Table 6.22 A Chi-square (χ^2) test of knowledge according to the ability to distinguish between several kinds of drugs

Respondents	I can distinguish between several kinds of drugs when I see them			Total	χ^2	P
	Disagree	undecided	agree			
Drug offenders	19 (15%)	30 (23%)	79 (62 %)	128	71.515	0.000
Non-drug offenders	71 (56%)	40 (31%)	17 (13 %)	128		
Total	90	70	96	256		

Table 6.22 shows that 62% of drug offender respondents thought that they could distinguish between several kinds of drugs when they saw them, and 15% said that they could not distinguish between them, whereas 23% were undecided. However, 56% of

the non-drug offenders could not distinguish between several kinds of drugs when they saw them, and 13% could distinguish, whereas 31% were undecided. This means that the drug offenders had more knowledge about types of drugs than non-drug offenders did. This finding can be interpreted in light of the fact that the knowledge drug offenders obtain is the result of their experience in dealing with drugs.

In the second statement of the 'types of drugs' group (some drugs are used as stimulants) the chi-square test shows statistically significant differences at the < 0.001 level in favour of the drug offenders (P. value = 0.000).

Table 6.23 shows that the knowledge of respondents about stimulants, in the non-drug offenders group, was low. However, 77% of non-drug offenders and 21% of drug offenders were undecided, whereas 24% in non-drug offenders and 56% in drug offenders decided that they agreed with the statement.

Table 6.23 A Chi-square (χ^2) test of knowledge of respondents about drug as stimulants

Respondents	some drugs used as stimulants			Total	χ^2	P
	Disagree	undecided	agree			
Drug offenders	30 (23%)	27 (21%)	71 (56%)	128	416.449	0.000
Non-drug offenders	27 (21%)	77 (60%)	24 (19 %)	128		
Total	57	104	95	256		

Similar results were found for the other statements in the types of drugs group (Glue is considered a drug, Nail varnish is considered as a drug, Benzene is considered as a drug, and some drugs are used to induce drowsiness). However, in relation to knowledge about using drugs as a relaxant, the chi-square test found no statistically significant differences between drug offenders and non- drug offenders, meaning that both groups had the same level of knowledge about this statement. Table 6 .24 shows the findings related to the statement, "Some drugs are used as relaxants". 59% of drug offenders and 57% of non-drugs offenders knew that some drugs are used as relaxants (p. value = .946).

Table 6. 24: A Chi-square (χ^2) test of knowledge of respondents about to the knowledge about relaxants.

Respondents	Some drugs are used as relaxants			Total	χ^2	P
	Disagree	undecided	agree			
Drug offenders	23 (18%)	30 (23 %)	75 (59 %)	128	.110	.946
Non-drug offenders	25 (20%)	30 (23 %)	73 (57 %)	128		
Total	48	60	148	256		

In summary, the chi-square shows there were statically significant difference between drug offenders and non-drug offenders with regard to their knowledge toward types of drugs, except for knowledge about relaxing drugs, where the chi-square test found no statistically significant differences. Further analysis of the results (see Table 6 .25) indicated that there was a lower degree of knowledge about kinds of drugs among non-drug offenders than drug offenders. This is perhaps because most drug offenders sampled have used drugs and the knowledge about types was a result of the experience they had acquired through using drugs, as mentioned previously.

Table 6.25 Total of degree of knowledge about kind of drugs (Tables 6.22+ 6.23 +6.24).

Drug Offenders	Questions	Correct	Incorrect	Total
	Question in Table 6 .1	79	19	98
	Question in Table 6 .2	71	30	101
	Question in Table 6 .3	75	33	98
	Total/%	225(76%)	72(24%)	297
Non-drug Offenders	Question in Table 6 .1	17	71	98
	Question in Table 6 .2	24	27	51
	Question in Table 6 .3	73	25	98
	Total/%	114(46%)	123(54%)	247

Notes: 25 %of drug offenders do not know/ undecided.

38 %of non-drug offenders do not know/ undecided.

In Oman, the media provide little information to audiences about the issue of drugs. There are no special organised programmes regarding illegal drug activities in particular and the issue of drugs generally. Indeed, in Oman, it is not allowed for the media to present any discussion on sensitive problems such as drugs, so limited space is given for discussing the drug issue. Moreover, there is no co-operation among the ministries which deal with drugs in Oman; each says that the drug problem is not its

responsibility, as the researcher noticed in his job as a police officer in the drug department.

II-Belief about Effects of Dealing with Illegal Drugs

This scale was designed to measure the degree of respondents' beliefs about the dangers of drugs. These questions were designed to assess the level of belief about drugs' harmful effects upon health, society, the economy, and characteristics of people who use them.

Table 6.26 shows the chi-square test (χ^2) outcome. The test revealed that there is no statistically significant differences in belief about the dangers of dealing with illegal drugs, between drug offenders and non-drug offenders; both had the same level of knowledge about drugs' effects.

Table 6.26 A Chi-square (χ^2) test of belief of respondents in relation to the suggestion that drugs are harmful to health.

Respondents	All illegal drugs are harmful to health			Total	χ^2	P
	Disagree	undecided	agree			
Drug offenders	20 (16%)	38 (30 %)	70(55%)	128	22.500	0.010
Non-drug offenders	6 (5 %)	36 (28 %)	86(67%)	128		
Total	26	74	156	256		

As we can see from Table 6 .26, responses to the statement that drugs are harmful to health revealed that more than half of the respondents were aware of the harmful effect of drugs; 55% of drug offenders respondents agreed that all drugs are harmful to health and 67% of non-drug offenders agreed with the same statement. However the most significant statements evoking differences between the drug offenders and non-drug offenders concerning the effect and dangers of drugs were:

First, the statement that "people who take one drug will take others", in response to which it was evident that drug offenders showed more agreement than non-drug offenders, as 68% of drug offenders agreed with the statement, compared with only 27% of non-drug offenders (see Table 6 .27).

Table 6.27: A Chi-square (χ^2) test of belief of respondents about Influence of other drugs.

Respondents	people who take one drug will take others			Total	χ^2	P
	Disagree	undecided	agree			
Drug offenders	20 (16%)	20 (16 %)	88 (68%)	128	89.997	0.000
Non-drug offenders	0	93 (73 %)	35 (27%)	128		
Total	20	113	123	256		

As we can see from Table 6. 27, the chi-square of belief of respondents about influence of other drugs shows statistically significant differences at the < 0.001 level in favour of the drug offenders (p. value = 0.000). This means that the drug offenders were more inclined than non-drug offenders to think that people who take one drug will take others. This may be because drug offenders are more exposed than non-drug offenders to drug related issues are, or to the drug culture (Abdlhamid, 1993).

Second, the statement that "taking some drugs is costly"; the Chi-square (χ^2) was used to measure whether there is a statistically significant differences between drug offenders and non-drug offenders with regard to their responses to the cost of drugs. The outcome, presented in Table 6. 28, shows that there are statistically significant differences between drug offenders and non-drug offenders with regard to their belief about the cost of drugs, in favour of drug offenders.

Table 6.28: A Chi-square (χ^2) test of belief of respondents about cost of drug.

Respondents	taking some drugs is costly			Total	χ^2	P
	Disagree	undecided	agree			
Drug offenders	29 (23%)	18 (14 %)	81(63 %)	128	86.079	0.000
Non-drug offenders	5 (5 %)	91 (71 %)	32(25 %)	128		
Total	34	109	113	256		

It can be seen from Table 6.28 that the majority of drug offender respondents agreed that the taking some drugs is costly, whereas the majority of non-offender respondents were undecided (71%).

In general, drug offenders and non-drug offenders had approximately the same level of knowledge in relation to the statements, "all drugs are harmful to health", and "drugs lead to families splitting up". However, drug offenders had more awareness that people who take one drug will take others, and that drugs can be costly. That is because,

as mentioned above, drug offenders are more exposed than non-drug offenders to drug related issues, or to the drug culture.

III- Knowledge about Punishment for Drug Related Offences and Treatment

The third part of the knowledge measurement is concerned with the degree of knowledge about the punishment for drug-related offences and treatment for drug addiction.

The chi-square test (χ^2) was applied to the responses to compare the level of respondents' knowledge about the punishment for drug-related offences in Omani law and the treatment of addiction. The result indicated that there was no statistically significant difference between respondents in degree of knowledge about punishment for drug-related offences. Also, there were no statistically significant differences in knowledge about the method of treatment. The level of knowledge about punishment and treatment, among both groups of respondents, was low.

Table 6.29: A Chi-square (χ^2) test of knowledge of respondents about punishment of drug users.

Respondents	The maximum punishment for drug usage is ten years imprisonment			Total	χ^2	P
	Disagree	undecided	agree			
Drug offenders	53 (41%)	37 (29 %)	38 (30%)	128	29.898	0.000
Non-drug offenders	19 (15 %)	76 (59 %)	33 (26%)	128		
Total	72	113	71	256		

Table 6.29 shows the knowledge of respondents about punishment for drug using. In both drug offenders and non-drug offenders' respondents, the level of knowledge was low. 60% of drug offenders either agreed or were undecided about the suggestion that the maximum sentence for drug using ten years imprisonment. Therefore, both groups of respondents had little knowledge of this matter. However, the drug offenders were more aware, as 41% of the drug offenders disagreed with the statement, not because they were more knowledgeable than non-drug offenders, but because they gained information in prison after their arrest, as one of the prisoners told the researcher.

Table 6.30 : A Chi-square (χ^2) test of knowledge of respondents about punishment of drug trading.

Respondents	The maximum punishment for drug trading is life imprisonment			Total	χ^2	P
	Disagree	undecided	agree			
Drug offenders	23 (18%)	66 (52 %)	39 (30%)	128	1.585	0.453
Non-drug offenders	19 (15 %)	76 (59 %)	33 (26%)	128		
Total	72	113	71	256		

Table 6.30 shows the chi-square test (χ^2) outcome. The test revealed that there are no statistically significant differences in knowledge about punishment for drug trading, between drug offenders and non-drug offenders; both had a low level of knowledge.

Table 6.31 shows that the respondents had a low level of knowledge about the death penalty as a punishment for drug trafficking. Only just over a quarter in both groups, correctly agreed that the death penalty was the maximum punishment for trafficking. Interestingly, those convicted of drug offences knew no more about this than non-drug offenders did.

Table 6.31 A Chi-square (χ^2) test of knowledge of respondents about punishment of drug trafficking.

Respondents	A person who is caught trafficking drugs into Oman may be sentenced to death			Total	χ^2	P
	Disagree	undecided	agree			
Drug offenders	25 (19%)	69 (54 %)	34 (27 %)	128	.988	.610
Non-drug offenders	19 (15 %)	73 (57 %)	36 (28 %)	128		
Total	44	142	70	256		

Moreover, more than half in both groups were undecided whether the death penalty is a punishment for a person caught trafficking drugs into Oman. The chi-square test (χ^2) test shows that there is no statistically significant differences in knowledge about punishment for trafficking of drugs, between drug offenders and non-drug offenders; both had limited knowledge about punishment for the trafficking of drugs to Oman. This means that respondents had little knowledge about the punishment in Omani law. This can perhaps be explained by the fact that most drug offenders were not well educated. Many lived in a district of Muscat called Matrah, which is poor and has

few educational facilities. In addition, as mentioned earlier, the main source of information for the sample was friends, who would be similar to them in education level and thinking. The researcher thinks the main reason for the low level of knowledge about punishment among respondents is that the government has not disseminated the message about the punishment for drug offences effectively. Since the promulgation of the present legislation in Oman in 1999, the mass media have not given any real coverage to the issue. Only a few details were given by the media and this was a long time ago, for example, news of imposition of a sentence or execution was published in a few lines and once only (see Appendix 5). Such announcements might have a positive effect in making people more aware of the punishment for drug-related offences. Therefore, the researcher thinks the messages about this matter need to be understandable and to reach a much wider audience.

The last statement of the knowledge measurement on the questionnaire concerns knowledge about the treatment for drug addictions “An illegal drug user is not considered a criminal if he presents himself for voluntary treatment at a hospital or is taken there by his family”. Table 6.32 shows that 47% of all respondents did not know about voluntary treatment, whereas only 7 % knew. However, 46% of all respondents disagreed that an illegal drug user is considered a volunteer for treatment, even if his/her relative takes him to hospital.

Table 6.32: chi-square test (χ^2) of Knowledge of respondents about Volunteer Treatment.

Respondents	Knowledge about Voluntary Treatment			Total	χ^2	P
	Disagree	Undecided	agree			
Drug offenders	70 (55%)	50 (39 %)	08 (6 %)	128	6.426	0.040
Non-drug offenders	50 (39 %)	69 (54 %)	09 (7 %)	128		
Total	120	119	17	256		

Table 6 .32 also shows the result of the chi-square test (χ^2) of frequencies of responses for knowledge about voluntary treatment. From the table there are no significant differences between drug offenders and non-drug offenders in degree of

knowledge about the possibility of volunteer treatment in Oman. In general, the level of knowledge about volunteer treatment was very low in both groups.

In summary, Table 6.33 shows that both groups of respondents have limited knowledge about punishment and treatment related to drugs. However, the drug offenders had a little more knowledge than non-drug offenders did.

Table 6.33 Total of Degree of knowledge about drug offences punishment and treatment in Oman (Tables 6.30+ 6.31 +6.32).

Drug Offenders	Questions	Correct	Incorrect	Total
	Question in Table 6.8	53	38	91
	Question in Table 6.9	23	39	62
	Question in Table 6.10	34	25	59
	Question in Table 6.11	8	70	78
	Total/%	118 (41%)	172 (59%)	290
Non-drug Offenders	Question in Table 6.8	19	33	52
	Question in Table 6.9	19	33	52
	Question in Table 6.10	36	19	55
	Question in Table 6.11	9	50	54
	Total/%	83 (38%)	135 (62%)	218

Notes: 46% of drug offenders do not know/ undecided.

59% of non-drug offenders do not know/ undecided.

This finding may well be attributed to the lack of messages about the rules governing drug users' treatment, which may well not have been made clear enough to all people in Oman.

Conclusion

This chapter has presented the data collected by the survey method (the questionnaire with drug offenders). It should be stated here that the sample of the present study are all prisoners, its scope including users, traffickers and dealers. In addition, this study is not necessarily representative of all drug abusers in Oman. According to the evidence in this chapter, drug use is concentrated among those who are 19 – 35 years old, whereas the main age of initiation into drugs (first time use) was between 19 and 25 years. In addition, friends, especially close friends, usually offer the first drug free.

Regarding the impact of place, it was found that there was an association between drug abuse and place of origin (geographical regions), with the drug problem concentrated in the Muscat region.

Friends can provide free drugs and information on drug sources, and help experimental users to be involved in drug use.

Cannabis (Hashish) is the most popular drug used in Oman, followed by heroin. Therefore, most users in this study sample used soft drugs. In addition, most drug users use hashish by smoking and use heroin by injection. The use of drugs is more widespread among those with no education or only primary education than among people with a higher level of education. Drug use is more widespread among single than among married people. The findings of this study show that unemployment *per se* is not considered as main reason for drug offences, but that other social factors such as age, education level and income, act together as a reasons for increasing drug-related offences in Oman. Previous studies, similarly, indicate that socio-economic status plays a major role in relation to drug problem. Similar results have been found in many studies such as Glassner and Louhlin (1987), Sarhan (1995), and Al-Harthy (1999).

In the next chapter (chapter 7) the researcher will examine in more depth the effectiveness of the new law, based on the data obtained from questionnaires with drug offenders and non-drug offenders, documentary data and interviews with Criminal Justice Officials.

CHAPTER SEVEN TOWARDS A NEW DRUG POLICY FOR OMAN

Introduction

As we have seen in Chapters Two and Three, since 1970, the revenue from oil production has made great changes and affected many aspects of life in Oman. These changes jolted the Omani people from isolation into the open living of today. The jolt has negatively affected the behaviour of some people, especially those who are unable to adapt effectively to the new situation. One of the negative effects is the appearance of the drug problem.

In the previous two chapters, we described the demographic characteristics and history of the drug-related offences in Oman in general and the effectiveness of the death penalty for drug-related offences in particular. It was found that the death penalty as the punishment for drug trafficking has no deterrent effect.

In this chapter, the researcher will present the general conclusion of the study and possible alternatives for drug policy in Oman will be considered. Finally, a summary of recommendations will be given.

The General Conclusion of the Study

The problem of drugs has international dimensions, and the cooperation of the members of the United Nations in combating drugs expresses a very serious commitment. Some aspects of these efforts have come in the form of adopting various conventions, which have ended so far with the 1988 United Nations Convention against Illicit Trafficking in Narcotic Drugs and Psychotropic Substances. Its main objective is to increase the co-operation among the members of the world community.

I. The Characteristics of the Drug Problem in Oman

The Sultanate of Oman, like many other countries in the world, is suffering from the drug problem. There has been a steady increase in drug-related offences over the last ten years. Several factors have contributed to this. They include the geographical

location of Oman; the change in the social and economic conditions of the country; the opening of the country to a cosmopolitan society (most notably through the waves of foreign workers coming to Oman); and the travels of Omani people (particularly the young) abroad.

The geographical location is a major factor in the availability of drugs in Oman. Drugs seizures by law enforcement agencies indicate that there are large quantities of drugs smuggled into Oman, especially along the Al-Bhatina coastline, across the sea borders between Oman and Pakistan and Iran. The geographical location enables drug traffickers to use Oman as a transit zone to re-export drugs from their sources in Afghanistan, Pakistan, and Iran, to the more lucrative drug markets in other countries in the world.

In Oman, the changes in the social and economic conditions of the country have been associated with increased drug use since 1970. The revenue from oil production and the subsequent policy of opening to other countries have brought great changes and affected many aspects of lifestyle in Oman. These changes jolted the Omani people from isolation into the global society of today. The jolt has negatively affected the behaviour of some people, especially those who are unable to adapt effectively to the new situation. The change and development of economic, political and other physical aspects of Oman has not been accompanied with positive change and development in social, family and individual-related aspects, leaving a vacuum in society. As a result of this vacuum, the rapid social change in Oman has reduced the influence of some of the traditional forces of social control, such as the effect of the family, customs, norms and traditions. This has created a lack of social control on the behaviour of individuals, and precipitated many social problems for Omani society, such as the spread of drug abuse.

Regarding the opening of the country to foreign workers, after 1970, the numbers of foreign workers of different nationalities increased sharply, bringing

different cultures, values, and beliefs. This increase has created difficulties for some Omani nationals, especially youths. It has made some people feel that they are no longer important, that they no longer have a role in society; therefore, they withdraw from social reality to an unreal life, such as the sub-cultural life in which drug abuse is one of its values. These kinds of effects are more obvious in the cities than villages. To overcome them, the socialisation process in Oman needs to concentrate on building and developing the individual's personality.

Regarding the travels of Omani people abroad, the study shows that most drug users first started to take drugs outside Oman, especially in Pakistan, India and Thailand. In addition, friends provided the first drugs and information on drug sources, and helped experimental users to be involved in drug use.

II. Drug Combating Efforts

In Oman before 1990 there were no clear policies on action to combat drug (demand reduction and supply reduction). The huge influx of drugs during the 1990s and awareness of other forms of danger attached to organised drug crime led to a concern that the previous punishment was too lenient. As a result, the death penalty was introduced in Oman in 1999. From that time onwards, Oman has adopted the policy of supply reduction as a strategy to combat the drug problem. The supply reduction strategy was developed through promulgation of new legislation against illegal drug activities and increasing the punishments for dealing in drugs, using them and smuggling them into the country (execution has been identified as the punishment of smugglers).

However, the development in the policy of supply reduction was not accompanied with similar development in the demand reduction strategy. No specialist hospitals have been opened to treat people who use drugs illegally. In addition, no strategies have been taken in the form of educating people against the dangers of drug

abuse, no rehabilitation centres exist and there are no aftercare services in Oman for prisoners in general and drug offenders in particular. A National Committee for Drug Abuse Prevention has been set up, with representatives from several governmental offices and ministries, such as the Ministries of the Interior, Defence, Health, Information, Education, Higher Education, and the Presidency of Youth Welfare. The objectives of this Committee are to plan drug abuse prevention strategies, such as educating people and making them aware of the dangers of illegal drug use through a communication campaign designed to target both non-users and users, and to explain to them the advantages of seeking treatment. However, the present study found that the National Committee for Drug Abuse Prevention in Oman, since its establishment in 2000, has had no effects on the issue of drug problems in Oman. According to the head of this committee, Dr. Ahmad Al-Gasani, "There have been only two meetings of this committee since 2000, and no results for it, because each ministry refuses to take any responsibility for the drug problem". In other words, responsibility for drug prevention is lost between several ministries, as each one leaves it to the others.

Regarding punishment, this research has found that the punishment has not achieved its goals. The death penalty does not deter those involved in drug smuggling, and no progress has been made in the matter of reformation of the drug offender or aftercare programmes. In addition, the implementation of the death penalty has had negative effects; smuggling of heroin has increased, and the traffickers have started to use violence against the drugs authority to escape arrest. Moreover, the lack of demand reduction strategies can be seen as a deficiency of the present legislation, which focuses on the increase of punishment alone, without any real demand reduction strategy. Similar problems have been found in other countries throughout the world that apply the death penalty for various crimes, including drug crimes.

III. Knowledge about Drugs

In this study, in order to assess knowledge about drugs as a step toward a demand reduction policy, questionnaires were used. These were administered to 256 people, of whom 128 were drug offenders based at the Al-Romais Prison in Muscat, and 128 were non-drug offenders, as a control sample, also from Muscat.

The results of the study show that, in general, both drug offenders and non-drug offenders had limited knowledge about drugs. However, there were differences in knowledge about the types and effects of drugs in favour of drug offenders, meaning that the drug offenders were more knowledgeable about types of drugs and the dangers of using illegal drugs than non-drug offenders. In relation to punishment, it was found that all the population of the study had a similar low level of knowledge about the punishments for drug-related offences in Oman, whether possessing, dealing, or smuggling. Most of the respondents did not know that the death penalty is the punishment for drug trafficking. The results were the same in the case of treatment; neither drug offenders nor non-drug offenders knew that the present legislation gives the chance for those who seek for treatment to escape without punishment, whether they come by themselves or are brought by friends or relatives. When the researcher asked the respondents whether they thought the death penalty deterred people from being involved in drug trafficking, the results were mixed. The majority of drug offender respondents thought the death penalty does not act as a deterrent, because people do not know about it, while the majority of non-drug offenders thought it has a deterrent effect because people will fear death.

IV. Drug Trafficking Via Sea

In this study, the researcher also used documentary data (police case files) and analysed the Omani official drug statistics. Because the new drug law treats all offences

equally, irrespective of the quantity of drugs involved, whether an offender is trafficking 10 grams of heroin or 10 kg, he will receive the same punishment. Moreover, because of the low unitized value of cannabis, traffickers need to transport large amounts in order to cover the risk and expenses, and realize a profit. Moreover, the law does not discriminate between the traffickers of drugs according to the kinds of drugs. It stipulates that the punishment for someone found guilty of smuggling cocaine or heroin (which can cause severe physical and mental damage to the user) and that for cannabis (which only produces slight effects on humans) is equal. As a result, it was found that since introduction of the death penalty in Oman in 1999, drug trafficking by sea has increased sharply and because the price of heroin is much higher than that of hashish, there has been a shift to heroin, representing a response to the introduction of the death penalty in finding a more secure method because the quantities are smaller of avoiding detection, and because the reward is greater for the risk incurred.

V. Violence and Drug Trafficking

Moreover, violence related to drug trafficking has increased since the introduction of the death penalty. The traffickers have started using various types of weapons to protect themselves from arrest by the police. In addition, the study found evidence that the drug traffickers have started using weapons not only when trafficking drugs, but also inside Oman, where weapons are carried to secure the drugs before distribution to the dealers (see Chapter Five).

VI. The Death Penalty and Deterrence

As shown in Chapter Five, the death penalty for drug-related offences has proved to be ineffective; on this both those working in the drug law enforcement agencies and even drug-traffickers are agreed. No evidence was found to support the deterrence theory with regard to drug-related offences. Despite the application of the

death penalty for more than four years, the illegal drug trade in Oman is growing faster than before.

Several factors have contributed to this failure. They include the lack of any campaign against illegal drugs, the lack of support for the drug enforcement agencies, absence of clear demand reduction strategies, and the shortage of treatment, rehabilitation and aftercare for drug offenders.

Evaluation of Response

The reduction of the supply of illegal drugs on the drug market is an obvious part of any policy to combat drugs. An equally essential component of a successful policy for combating drugs is to reduce demand, i.e. to persuade those who may be tempted to take drugs not to take them, and help existing abusers to break their 'habit'. Most policies which have concentrated on the reduction of drug supplies alone, have failed (United Nations, 2001). According to the report of the International Narcotics Control Board for 2000:

Although the need for the prevention of drug abuse is clear, the best course of action is not. Because the causes of drug abuse are multiple and interrelated, its prevention is similarly complex. At all levels of prevention, the linchpin of the approach to be taken is to reduce drug availability for non-medical purposes by statutory regulation. At one time, that was the main way, if not the only way, to address drug abuse; however, it has gradually become apparent that, on its own, that approach is never sufficient. Unless total eradication of illicit drug supply is achieved—an impossible ideal—drug abuse will continue; and unless drug abuse ceases—an equally impossible ideal—illicit drug supply will continue. Therefore, reducing the supply of drugs while simultaneously reducing the demand for them enhances the effectiveness of both approaches (United Nations, 2001: iii).

In addition, Boys et al., as this researcher has mentioned in a chapter six argue that the supply reduction is unlikely to be successful in isolation. Moreover, in the study they found that if a preferred drug is unavailable an individual may choose to use an alternative drug instead (Boys et al., 1999b)

From the discussion in the previous chapters, it becomes evident that all attempts to control the increase of drug abuse through punishment action have failed. This conclusion is supported by the growth in both the numbers of drug offences and the number of people abusing drugs, year after year. In addition, the number of drug addicts has increased, which indicates that the present legislation has had no positive effect in reducing drug problems in Oman. Three executions were carried out on 18 July 2001, on two Pakistanis and one Omani convicted of drug smuggling. The question asked is whether Oman now has fewer drugs addicts than before the executions and whether fewer drugs are available than before. The answer to this question is that the drug problem was not reduced. The effect of the executions was not noticeable, since as we have seen there was a slight decrease in the amount of hashish and heroin trafficking after this execution(a short-term effect); however, seizures of heroin increased sharply after 6 months, and the numbers of drug users have increased (Royal Oman Police, 2001a).

It might be suggested that the problem is simply one of inadequate enforcement of the current policies. For example, as we have seen in Chapter Five, most of the drug trafficking comes through the maritime outlets and all sea ports lack security and customs control. Moreover in Oman there is no co-ordinated drug intelligence information between all law enforcement agencies and there is a lack of modern drug detecting equipment in order to increase the effects of enforcement activities, and inform tactics for dealing with drug users, dealer and traffickers.

These factors might help in explaining the lack of any perceptible decrease in the number of offences, and quantities of drugs sized. But they do not explain the change in the pattern of offending: the increased trading in “hard” drugs and the increased incidence of violence committed by drug offenders to evade arrest.

In attempting to evaluate response to the current policies, and specifically the death penalty, it is of interest to compare the findings of this study with others, in the Middle East and elsewhere.

Two studies carried out in Saudi Arabia by Al-Kaiyat (1988) and Al-Gofaly (1990) found different results from this study. Al-Kaiyat and Al-Gofaly's studies found that after implementation of the death penalty, the rate of drug offences and number of drug arrestees decreased sharply and therefore they concluded that the death penalty has a strong deterrent effect in drug-related offences. The main criticism of these studies is that they derived their results from the drug statistics before and after the introduction of the death penalty. However, the criminal statistics do not necessarily portray the full picture, as the recording method may affect them, as well as police bias (Bottomley and Pease, 1986). Bottomley and Coleman also argue that the official statistics alone are not enough for evaluative purposes. They stated that

it should be clear that the use of statistics for evaluative purposes is a difficult enough enterprise, but can be positively hazardous where used without due care and knowledge of the context in which they are produced (Bottomley and Coleman, 1995:59).

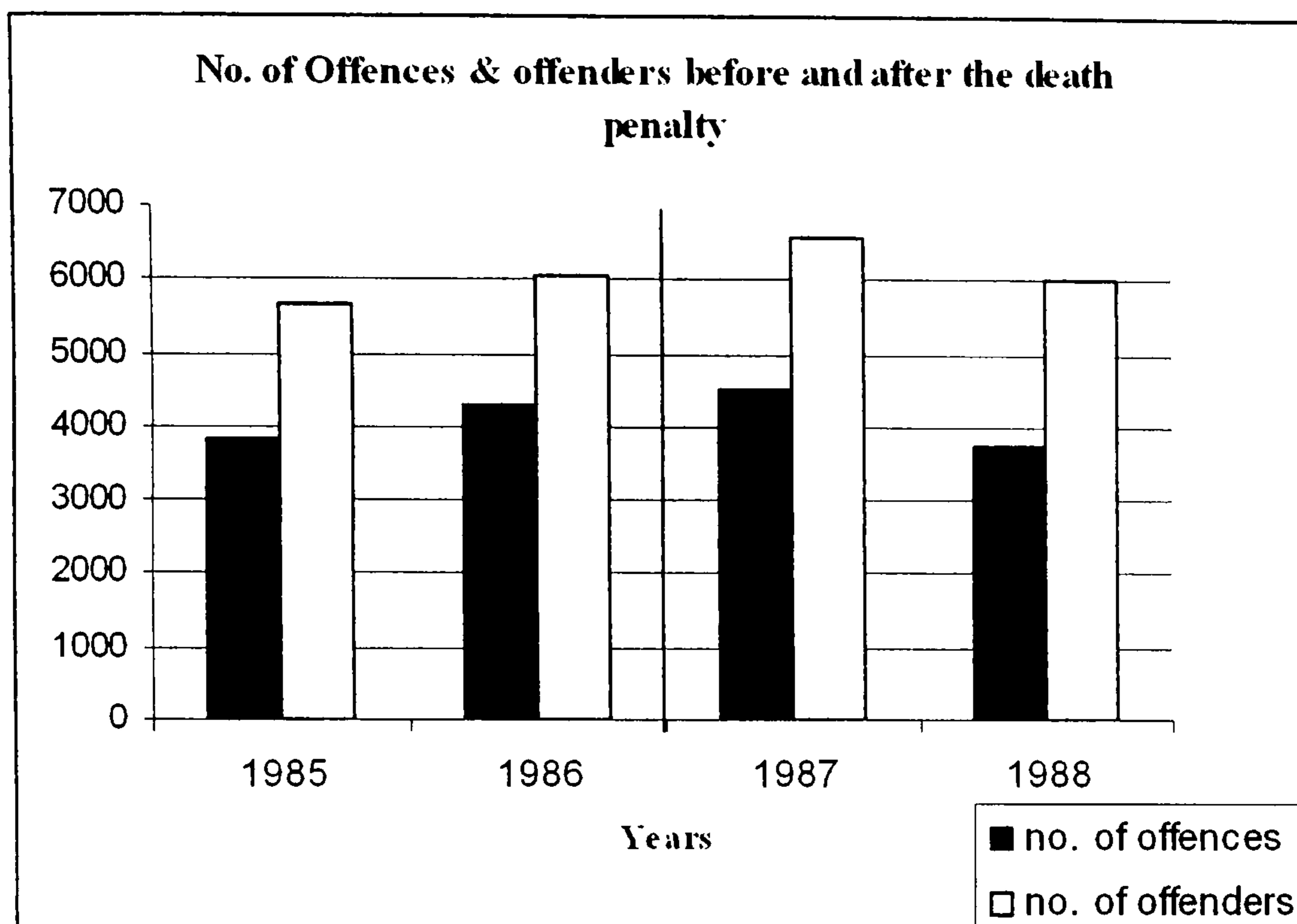
In addition, the crime statistics do not provide reliable measure of the nature and extent of criminality (Coleman and Norris, 2002).

On the other hand, two more recent studies, one in Saudi Arabia and the other in the Gulf States, obtained findings closer to those of the present study, namely, that any deterrent effect of the death penalty for drugs offences was only short term, or highly fluctuating.

It is reported by Al-Harthy (1999) that introduction of the death penalty in Saudi Arabia in 1987, had some effect in the second year after its introduction (a short-term effect), as we can see from Figure 7.1. However, this decrease gradually wore off, so that after 1989, seizures of drug were increased, in relation to heroin, and the number of arrests increased as well. Al-Turki (2000) similarly found an initial decrease in

offending. However, Al-Turki notes, “this decrease in the following years has not always been present. On the contrary, some years have shown an increase in numbers of both persons tried and accused, and sometimes, in the amount of drugs seized” (Al-Turki, 2000:347).

Figure 7.1 The Growth of Heroin Seizures in Saudi Arabia Before and After Introduction of the death Penalty



Source: Al-Harthy (1999:150).

Note: The introduction of the death penalty in the Saudi Arabia was in 1987.

This does not mean that deterrence never works, but that its effects are limited (short term) and easy to overestimate. According to Amnesty International (1996), in Egypt the first execution was on 6th July 1989. However, has the death penalty really helped in reducing the extent of the drug problem in Egypt? According to Eid, in Egypt the available statistics would indicate the opposite: that the number of addicts in the country increased. Although some studies show that drug offences are actually reduced after introduction of the death penalty, however, this decrease did not last for more than two years (short-term effect), then the situation returned to its previous state (Eid, 2001). China is considered as the most aggressive country in the implementation of the death penalty. According to Amnesty International, the use of the death penalty in China is characterized by a disregard for the international norms for a fair trial. Those

who suffer most as a result are the poor and less educated, who are often unaware of their rights and of legislation, which leads to their execution (Amnesty International, 1996). The question again is whether the imposing of the death penalty leads to a reduction in the seizures or number of addicts in China. The answer comes from the International Narcotics Control Board report that while the number of opium abusers is falling in South Asia generally, the abuse of heroin is on the rise. The practice of injecting heroin in increasing is certain parts of China (United Nations, 1997).

The move towards progressive increases in the severity of penalties is based on the simplistic view that the more severe a punishment, the greater its following deterrent effect. This is a view that has never been demonstrated to have any basis in reality. Punishments do deter, but there is a point beyond which increasing severity adds little or nothing to the deterrent effect (Cavadino & Dignan, 1997).

It has been shown repeatedly, world wide, that the death penalty does not act as a better deterrent to drug trafficking than a long prison term. This may to some extent be attributable to specific features of drug crime.

The existence of different levels of traffickers must be taken into account. The petty criminals who act as 'mules' have a high risk of being caught. Their employer, the middleman, also, runs an equally high risk of detention and a similar level of punishment. But the wholesalers at the centre of trafficking 'Mr Big' run a small risk of arrest, though the severest of sanctions.

As the researcher mentioned in Chapter Two, the problem of drug trafficking in Oman lies mainly with expatriates, predominantly Pakistanis and Iranians. The economic situation in these countries is so poor that they feel it justifies the risk of carrying drugs to Oman, despite the severity of punishment. On the other hand, even the execution of more and more traffickers will not solve the problem, since those who carry drugs are no more than drug mules receiving some money for each trip, and if one

is killed, there are many others willing to take the risk. There are various other reasons for the lack of deterrent value of the death penalty which are perhaps peculiar to drug offences, and for the purposes of the following discussion the researcher will distinguish between drug traffickers and drug users.

In the case of the drug trafficker, one must consider the enormous amount of profit to be made. As mentioned in Chapter Six the price of drugs in Oman depends on the source and quality of drugs, because in the main source countries, drugs are cheaper than in transit countries, which in turn are cheaper than in the final destination countries. For example, according to Drug Seizure and Offender statistics, 2002 report, in the United Kingdom, a kilogramme of pure heroin sells at prices ranging from \$104,000 (£65,000) to \$112,000 (£70,000) (Home Office, 2002), whereas the price of same quantity in main source (Pakistan) is \$6250 (Royal Oman Police, 2002).

In the case of the addicted drug user, the situation is somewhat different. The belief that fear of punishment can deter addicts from using drugs rests upon a superficial understanding of the process and nature of drug addiction. Most of the prohibited drugs are either physically or psychologically addictive. Physical addiction or dependence has been described as:

A phenomenon that is directly rooted in the pharmacological effects of the drug... an expression of the intimate biochemical relationship that exists between the drug and the individual's metabolism recognised by the fact that the individual concerned develops withdrawal symptoms or an abstinence syndrome if the drug is withheld (Willis, 1974:18).

Psychological addiction or dependence has been described as:

A phenomenon that needs constant evaluation since it can produce such dramatic effects in an individual...an excessively intense desire for a given substance which can only be met by the substance itself (Willis, 1974:20).

It is very unlikely that the legal process can successfully interfere with such an excessively intense desire. This leads us to the question whether in fact drug use should not be considered more of a social or medical problem rather than a legal one. In

Oman as we have seen, some small steps in this direction have been taken through the provision, albeit on a very limited scale, of treatment in one hospital. At this stage, however, the treatment available is not effective in demand reduction, due to both its limited availability and the context in which it is carried out. The findings of this study reveal that the number of drug-users who seek treatment is relatively low compared with those who do not. 76% of the researcher's sample indicated that they did not go for treatment because they were afraid of doctors telling the police or their parents about their problem. Some were even critical about the treatment they were receiving. One drug addict said that he refused to go to IbnSina Hospital because the hospital was for "crazy people". Also, some of his friends had been admitted there and had, they say, in fact become addicted to the drugs given to them in the hospital.

Another reason associated with the negative attitude towards receiving treatment for drug addiction in Oman is the lack of specialized facilities. For the entire country there is only one place in which drug addiction treatment can be provided and that is the psychiatric hospital. Only three beds are available for drug addicts, in the IbnSina hospital, and this is the only facility available. Many drug users indicated that they would not go for treatment in a psychiatric hospital because people would think that they were mentally disturbed. According to the manager of the drug department of the hospital, in the year 2000 the department helped more than 40 drug addicts to go to other Gulf countries, especially Saudi Arabia, to receive treatment for drug addiction. A leading consultant in the psychiatric hospital said, "Only a few cases of opiate and hashish abuse have reported for treatment during the last year. Most of these cases have shown very good motivation for leading drug-free lives." Fewer people going to hospital while the number of drug-users rises will have repercussions, not only on the well-being of the individual user, but also on his immediate family, working colleagues and law enforcement officers. The avoidance of treatment will mean that the possibility

of discovering whether an individual drug-user has HIV is very slim, while the possibility of transmitting the virus to his family, friends and law enforcement officers increases. However, non-treatment of drug addicts would have adverse effect not only on the addicts themselves, but also on others, especially those with HIV, the virus that causes AIDS. Drug users infected with AIDS will transmit the disease to other drug users who share drug injecting equipment with them.

In summary, Oman's drug combating policies, focusing primarily on punishment, with extremely limited treatment of drug abusers, and no rehabilitation or aftercare, have not stopped drug-related offences from increasing. Since 1990 the number of drug addicts and offenders has increased annually. The question now arises, what are the alternatives? Some suggestions are put forward in the next section.

Some Alternatives Considered

As we found in interviews with Criminal Justice Officials, one group thought that the death penalty is a suitable solution for drug offences. However, others thought that the death penalty is not a suitable solution, but they did not give an alternative solution for the drug problem in Oman.

An acceptable policy needs to find an effective middle ground between these two views. Any such middle ground must make a distinction between drug trafficking and drug use. Another fact, which the middle ground should recognise, is the need to reduce demand as well as control supply. Consequently, as discussed earlier in Chapter Five the findings of the interviews conducted with officials dealing with drug-related offences in Oman show that these officials are divided into supporters and opponents of the death penalty. Those who do not support the death penalty in the case of drug-related offences did not provide clear alternatives for controlling the increase of drug-related offences cases in Oman. There is, therefore, an urgent need to lay down clear policies to combat drug-related offences to be acceptable to the officials responsible for

combating drug related offences in Oman. These policies should lead to reducing demand on drugs and controlling supply of drugs. They should also take into consideration differentiation between the different types of drug-related offences or drug addicts and those brought before the courts on other charges such as drug smuggling or trafficking (re-offending).

Reducing demand, however, does not simply mean punishing drug users, because as we have explained, this just does not work. What is needed is an integrated policy that focuses on prevention of drug use and rehabilitation of drug users, as well as punishment of drug traffickers.

In considering such a approach, a useful framework is the World Health Organisation's tripartite classification of prevention: primary prevention, which aims to prevent the initiation of illicit drug use and focuses on the offence rather than the offender; secondary prevention, which aims to help illicit drug users to break their habit and is concerned with offenders rather than offences; and tertiary prevention, which aims at reducing the adverse consequences of drug abuse, such as the spread of AIDS and focuses on preventing the criminality of already known offenders (Crawford, 1998, United Nations, 1998a and Coleman and Norris, 2000). According to *The United Nations General Assembly Devoted to the Fight Against the Illicit Sale, Production, Sale, Demand, Traffic and Distribution of Narcotics and Psychotropic Substances and Related Activities* held in 1998, the tackling of the drug problem should cover all areas of prevention, from discouraging initial use to reducing the negative health and social consequences of drug abuse. It should embrace information, education, public awareness, early intervention, counselling, treatment, rehabilitation, relapse prevention, aftercare and social reintegration. Early help and access to services should be offered to those in need (United Nations, 1998a).

Along with education, drug treatment represents the prevention and demand reduction approach favoured by most liberals. Treatment raises all of the issues related to rehabilitation. It is a planned intervention designed to change behaviour.

One of the major issues related to drug treatment is the availability of treatment programmes. The present study found that treatment programs in Oman are not adequately funded and that many people who want treatment cannot receive it. There is usually no problem about treatment of the psychotic in a psychiatric hospital. Where there is some resistance is when those not psychotic but deeply involved in their addictive behaviour are to be treated in a psychiatric hospital. The relatives sometimes object on the grounds that the patient is not “mad”.

According to the manager of the psychiatric hospital, Ibn Sina (Avicenna)

Hospital:

the number of people addicted to drugs who could be admitted to the hospital is very low as the hospital has only three beds for those admitted for treatment of drug addiction. Compared to the number of drug addicts who need to be admitted to the hospital for treatment, this is a very low number indeed.

In addition, to be successful, treatment has to be tailored to the needs, culture, and psyche of the target population. A Senior Consultant at Ibn Sina hospital said:

In Oman, from 1980, the Western model of methadone was employed for managing addicts. Because this model was a copy of the Western model, it did not succeed in reducing demand because methadone was supplied to the addicts too readily. All that was needed for an addict to be placed on a long-term methadone replacement programme was to establish that he had been showing withdrawal effects. It was seen that some addicts who abused opiates for a few weeks only were placed on long-term methadone replacement program. They were thus converted into long-term methadone addicts when they could have been made drug-free and maintained in a drug-free state in the long-term. As methadone demand increased, and in the absence of adequate control on the prescriptions of methadone and codeine (DF-118), it was seen that the addicts were freely giving their methadone and DF-118 to people who had never abused drugs. This started resulting in fresh cases of addiction to methadone or DF-118 in people who had never abused heroin or other illicit opiates.

Moreover, as we noticed previously in Chapter Six, most of those involved in drug offences are from the low-income groups. It is therefore not possible for them to seek treatment abroad.

However, the question arises here, does treatment work? The evidence on the effectiveness of treatment programmes in many countries is very mixed. One international review concludes that all the major types of programmes have been shown to be successful (Anglin and Hser, 1990). Another international survey concludes optimistically that research provides convincing evidence for the effectiveness of treatment for drug abuse (Reuter, 1999). According to Walker, evaluations of drug treatment programmes generally show that clients who successfully complete the programmes are less likely to use illegal drugs and to commit crime than before treatment (Walker, 2001).

For example, in the United States research has shown that combining criminal justice sanctions with drug treatment can be effective in decreasing drug use and related crime. Individuals under legal coercion tend to stay in treatment for a longer period of time and do as well as or better than others not under legal pressure. Often, drug abusers come into contact with the criminal justice system earlier than other health or social systems, and intervention by the criminal justice system to engage the individual in treatment may help interrupt and shorten a career of drug use. In addition, offenders with drug disorders may encounter a number of treatment options while incarcerated, including didactic drug education classes, self-help programs. These programs can be quite effective in reducing drug use and recidivism to criminal behaviour. Those in treatment should be segregated from the general prison population, so that the "prison culture" does not overwhelm progress toward recovery. As might be expected, treatment gains can be lost if inmates are returned to the general prison population after treatment. Research shows that relapse to drug use and recidivism to crime are significantly lower

if the drug offender continues treatment after returning to the community (National Institute on drug Abuse, 2002).

Another experience about showing the success of the drug treatment can found in European Countries. According to the European Monitoring Centre for Drugs and Drug Addiction (2003b) the legal developments in European Countries have occurred in the areas of improved treatment and rehabilitation conditions for addicts. Several countries in Europe have introduced legislative changes to facilitate the treatment and rehabilitation of addicts, while at the same time taking however, strong action against breaches of public order and nuisance caused by drugs at street level. For example, in Luxembourg, a national decree established the legal framework for drug substitution treatment at the national level, with a licensing system for doctors. Further, in Italy, the national plan to improve abstinence-focused treatment gave private treatment services the authority to certify drug dependency. However, a number of countries report legal changes to improve monitoring of traffickers and users. In Finland, an amendment to the Police Act extended the rights of the police to acquire telecommunications information in cases of supposed drug-related crime (European Monitoring Centre for Drugs and Drug Addiction, 2003b). In addition, the message about this kind of treatment needs to be clearer and more understandable, and to be able to reach a much wider audience.

Therefore, to have successful prevention programmes, according to Swaif (1996), the government need to consider on whom anti-drugs programmes should be focused. A clear statement of who are the target group, their age, ethnic background, method of use, and other factors are all missing when anti-drugs policies are drawn up. However, any wrong message could have very disadvantageous effects on both the addict and those involved in the programmes. As “Tackling Drugs to Build a Better Britain: the United Kingdom Government's Ten-Year Strategy for Tackling Drugs

Misuse” (1998) emphasised: "Effective Communication. We need to be clear and consistent in the messages we send to young people and to society - in particular, the importance of reinforcing at every opportunity that drug-taking can be harmful" (HM Government, 1998:11).

There are various ways in which wider community enrolment in primary prevention could be achieved. The family is one of the best environments in which to apply preventive programmes. Family drug preventive programmes should include provision of information on: the dangers of drug use in the family; how parents can recognise that one of their children is a drug user; the dangers of the approval of drug use, alcohol and smoking among family members; antisocial behaviour; how to prevent children from educational failure, and how to keep children interested in their education, thereby preventing early exit from schools and early involvement in work (Walker, 2001).

Prevention programmes can be organised in schools through collaboration between school staff and police officers. Such programmes would aim to increase the knowledge of the students concerning antisocial behaviour and try to relate their behaviour to their present and future expectations (Walker, 2001). Drug prevention programmes at schools should aim to strengthen the relationship between the local society, the family and the school. This may happen through encouragement by parents and agencies within the local society, participating in the creation and the application of school preventive programmes and other school activities. Moreover, family-based prevention, despite being frequently mentioned as a key element in national strategies, seems to be developed on a disparate, intuitive and impromptu basis, without any notable experience or evidence base. A frequent feature is the training of parents in parenting skills and/or dissemination of information? As in (Belgium, Denmark,

Germany, France, Italy, Portugal and Norway) with (positive results) (European Monitoring Centre for Drugs and Drug Addiction, 2003b: 45).

The results of this research showed in Chapter Six that many drug users begin using drugs with their friends. It is important, therefore, for any preventive programme to aim at helping young people to resist any peer pressure (HM Government, 1998). Domestic programmes can include general media campaigns against drug abuse. Also, the Omani government should provide people with a good education about the drug issue directed at school-age children and at health care providers, via for example media conferences, seminars and so on. In addition, careful planning is necessary. The objectives of the campaign must be clearly established. The identification of clear objectives for a campaign will ensure that the messages are clear and the audience is more specific. The objectives of any Omani campaign against illegal drugs should be focused on primary prevention, in order to deter illegal drug-users before they start using drugs.

According to the European Monitoring Centre for Drugs and Drug Addiction

School is the preferred setting for universal prevention interventions as this environment guarantees long-term and continuous access to large population....however, purely informative and unstructured approaches have been found to be ineffective and the most useful way to deliver effective prevention in a controlled manner that also allows evaluation of both process (good delivery) and outcome (positive results) (European Monitoring Centre for Drugs and Drug Addiction, 2003b:45).

Increased public awareness of drugs is needed. Campaigns should highlight the religious significance of the issue and the punishments pertaining thereto, and clearly define drug crimes. This campaign should be in Arabic and other languages. According to a report of the International Narcotics Control Board for the year 2000, “the mass media reach a vast audience every day. While the media’s potential contribution to campaign for preventing drug abuse is enormous, their publications and broadcasts can also be damaging and counterproductive” (United Nations, 2001:29). However, that

does not mean that mass media are sometime considered as major influence for using drugs (Boys et al., 1999b)

The researcher now turns to the secondary level of prevention, which is concerned with helping illicit drug users to break their habit. In this respect, as the researcher mention in Chapter Three, perhaps we need to make a further distinction between users and addicts. The addict is already “enslaved” and needs a programme of rehabilitation and treatment. This would have the associated effect of reducing the market of the drug traffickers. In addition, a rival legitimate source of drugs at a low price will have the effect of bringing prices down and thus reducing the profits which can be made in the black market (Hanreich, 1984). According to the report of the International Narcotics Control Board for 2000:

A survey conducted by the Office for Drug Control and Crime Prevention in 1999 showed that illicit drug prices had decreased in the CIS member States and that the availability of opium had decreased, while the availability of heroin had increased, moreover, the patterns of drug abuse in those countries had changed accordingly (United Nations, 2001 : 58).

Regarding drug users, measures aimed at reducing demand for drugs range from proposals for drug education programmes to suggestions for the provision of leisure time activities as an alternative to drug use. The causes of drug use are complex and varied but the bottom line is that, for whatever reason, people take drugs to achieve a change of consciousness, what is known in the common manner of speaking as a “high”. The challenge facing us, in the words of one expert, is to reorient our approach with a view to “developing and implementing non chemical alternatives to the search for meaningful personal relationships, enduring values and inner experience” (Cohen, 1964:2094). For the purposes of treatment a more extreme form of the treatment give to addicts.

Finally, to establish standards and useful treatment systems, it is necessary to establish quality standards, train and monitor staff, develop and evaluate guidelines: these are all examples of measures aiming at assuring a certain standard and quality level of treatment related to illegal drugs (European Monitoring Centre for Drugs and Drug Addiction, 2003b).

Secondary prevention includes providing drug users with educational and counselling services to persuade them to cease experimentation, as well as a range of treatment regimes, followed by rehabilitation programmes. It also provides drug abusers with adequate aftercare services in order to sustain drug-free behaviours, prevent relapses and facilitate social reintegration. Secondary prevention should ideally culminate in the drug addict's return to a drug-free life (United Nations, 1998a).

As mentioned above, there is a lack of adequate treatment centres in Oman, which in some instances has led to the spread of drug abuse. Al-Harthy (1999) in his study argued that the number of drug-users who seek treatment is relatively low compared with those who do not. Among his respondents, almost three quarters (72%) indicated that they were not receiving treatment and had never consulted a doctor for drug problems.

If it were explained to people that if drug users are taken by any of their family members or relatives to hospital, they will be considered as volunteers for treatment, and will consequently receive no punishment, this particular piece of information might encourage families to help any of their members who find themselves in such circumstances. Again, the messages about this kind of knowledge need to be understandable and to be reaching a much wider audience. In this study, it was found that the respondents did not believe that a drug user is considered a volunteer for treatment even if his relatives take him to the police or hospital (see chapter seven). Therefore, they believed that the police would send them to prison any way.

Efforts are also needed to assist the social reintegration of drug users. Social reintegration is the process whereby the benefits gained from treatment and rehabilitation are sustained and the drug offender is assisted to adapt to living within the wider community without recourse to indiscriminate or, if possible, any drug misuse. It may involve: a return to the family; the provision of new housing; the completion of basic education or further education; skills training; unpaid, part-time or full-time employment; an introduction into social and cultural activities and, through this, the development of new friendship networks; an introduction into a self-help group to provide mutual support; residence in a halfway house; or the provision of the names and telephone numbers of people to turn to at times of crisis so that the individual does not feel the need to turn again to drugs to resolve personal problems. Drug offenders often have a poor education, having failed to complete their formal education, and an unsatisfactory work history, with frequent periods of sickness, temporary employment or an extended period of unemployment. When employers can afford to be highly selective in choosing employees, drug offenders are at a considerable disadvantage because they have little evidence to show that they are competent and efficient employees. As one Criminal Justice Official said:

Unless very high degree of anti-trafficking vigilance along with reduction in demand and adequate therapeutic facilities are provided, the problem can very rapidly start getting out of hand. The effort has to be from the population. Health education efforts need to include education on the harmful effects of drugs, particularly in areas with higher risk populations. Constant efforts will be needed to contain this problem as no country in the world can remain immune to this problem given the rapid means of transportation and trafficking.

It is clear that attitudes of drug offenders towards themselves and the attitude of society towards drug offenders must change for the overall well-being of Omani society.

Regarding tertiary prevention, this type of prevention aims at reducing the adverse consequences of drug abuse, such as the spread of AIDS, and it means medical, psychiatric, and psychological intervention at the acute stage of drug addiction (United Nations, 1998a). Moreover, there are other aims for tertiary prevention, for example to make the drug available and cost-free to those registered, which will prevent them from going to the illegal market, thereby reducing demand, which is the ultimate aim of the whole prevention programme. Another purpose of the tertiary intervention is to register all known drug addicts in order to put them on a maintenance dose for the type of drug they use. The methadone programmes carried out in many countries of the world such as the UK as a way of treating heroin addicts are examples of this approach (Al-Harthy, 1999). In addition, tertiary prevention aims to create rehabilitation and drug addict reintegration programmes for drug offenders

Clearly, the objectives of secondary and tertiary prevention will be difficult or even impossible to achieve where the only alternative before the court is to sentence the drug users to prison. Therefore the court should have alternative punishment other than prison for drug users, especially those who commit drug offences for the first time.

The use of prison needs to be reduced to a level where the population consists only of those from whom the public needs to be protected or who have committed serious offences. The community at large needs to be involved in the process of re-socialization of offenders. To reach such a position will clearly be a lengthy process, and will need to be accompanied by a considerable amount of public education. However, it is worth considering some “intermediate punishment” alternatives to prison that have been found useful in many countries such as the United States and most European countries, the United Kingdom in particular (Walker, 2001).

Cautioning could be used to deal with first-time drug-use offenders or possession for personal use offences. The idea of cautioning is to spare the drug

offenders the whole process of the criminal justice system. It is also a way of providing offenders with the opportunity to re-think their lives without getting a criminal record.

Another alternative to custody is punishment in the community. Punishment in the community helps offenders to remain in their natural habitat, that is, community and families, and it also helps them to retain their status of being self-reliant and responsible. The first alternative to the custody of drug users is correctional supervision punishment. Correctional supervision is served in the community and not in a prison. The correctional services authority is responsible for monitoring people sentenced to correctional supervision. Drug offenders could be sentenced to correctional supervision in the following cases:

- as an alternative to imprisonment;
- as a condition to a postponed sentence;
- as a condition to the suspension of a sentence; and
- as a substitute for imprisonment and as an alternative to a fine.

People serving correctional supervision are subject to measures which they are supposed to follow under strict supervision of a correctional supervision official called the probation officer. A probationer may be required to:

- Stay at home during certain hours, that is, subject to house arrest;
- Be subject to personal visits by correctional supervision official at work, home or the place where community service is rendered;
- Follow a treatment programme by specialists in order to prevent using, by drug offenders, and possession for personal use offences.

Prisoners who are serving terms of less than five years or who have less than five years left to serve may upon the recommendation of the Institutional Committee be reconsidered for placement under correctional supervision.

When a probationer fails to do what is expected under the sentence of correctional supervision, he/she can be brought before a court and sent to prison. Correctional supervision is a good development because it makes punishment a community responsibility while at the same time it keeps the offender out of prison. However, for successful correctional supervision, the government should have enough probation officers. Moreover, legal practitioners and attorneys should have sufficient knowledge of correctional supervision.

The second alternative to custody is diversion programmes. Countries which operate diversion programmes usually use them for first-time use of drug offences or possession for personal use offences. In diversion, the accused person and the diversion worker begin by the former accepting responsibility for the alleged action and go on to plan together what should be done in response. In the UK, for example, the National Association for Crime Prevention and Reintegration of Offenders (NACRO) emphasises that diversion can be described as the channelling of prima facie cases from the formal criminal justice on certain conditions to extra-judicial programmes, at the discretion of the prosecution (Muntingh and Shapiro, 1997).

The third alternative to custody is committal to an institution. The court may decide to send offenders to a place or institution for rehabilitation, instead of sentencing them to prison. People sent to such institutions may be kept for an indefinite period, until they respond positively to the treatment. However, committing people to an institution for rehabilitation sometimes becomes a problem because after being released they may again resort to drugs. The social conditions in which these people find themselves may also make rehabilitation impossible, as indicated in Chapter Four.

A reduction in the punishment will not necessarily lead to an increase in major crime. For example, the reduction of the prison population in West Germany in the 1980s did not lead to an increase in crime or imperil the public safety (Cavadino &

Dignan, 1997). However, that does not mean the punishment of drug related offences should be lenient, but it should be as utilitarian as possible.

Prisons protect society only to the extent that they temporarily restrain offenders who are prone to commit acts of violence, but for other purposes, like deterrence, they are at best ineffective and at worst counterproductive, because prisoners are not being fully utilised whilst incarcerated. Where a prison sentence is considered appropriate, programmes should be in line with rehabilitative aims.

Work with drug offenders and their families should be one of the main objectives of the rehabilitation programmes and people encouraged to co-operate with them. It does not make sense to subject people to inhuman conditions or harsh sentences, especially when it is difficult for them to find accommodation and work after release. In addition, aftercare programmes aim to reinsert treated ex-drug users into social networks and employment, helping to maintain psychological stability and abstinence. Moreover, the aftercare forms should be considered as the last link of the treatment chain, though the intensity and structure of programmes varies (European Monitoring Centre for Drugs and Drug Addiction, 2003a). As one Criminal Justice Official in Oman said:

The solution is of course in good education from the beginning and providing good example for the youth within the family and the environment, then seeking protection in Islam, the True Religion.

It was stated at the beginning of this section that anti-drugs policies need to distinguish between drug users and traffickers. The prevention and treatment model described above may be appropriate for drug addiction, but what of traffickers? It has already been shown that the death penalty does not serve as an effective deterrent. The question arises, however, whether it may be justified on any other grounds, such as retribution or incapacitation.

Retribution implies some measure of proportionality between the offence and the crime - an eye for an eye. The trafficking and use of prohibited drugs belongs to the

class of 'victimless' crimes. Both seller and buyer are involved in a consensual transaction in which neither seeks the intervention of the law. The justification of a policy of regulation of drug use is, primarily, based on the perception that drug use leads to anti-social or criminal behaviour on the part of the user and destroys his health. The absolute response of the death penalty hardly seems fair in terms of justice, while to deprive someone of life because of damage to health or criminal activities which are not in themselves fatal seems somewhat disproportionate, to say the least (Cohn, 1987). Finally while it can be argued that from an incapacitation perspective, the death penalty ensures that the accused will not offend again, it can be argued that imposition of the death penalty is an excessive measure to serve this purpose, which would equally be served by imprisonment.

From our examination here, the death penalty cannot be justified on a deterrent, retributive or incapacitative theory of justice, and is increasingly being viewed as a violation of human rights in itself. The death penalty for drug offences is a particularly troublesome concept and we have explained why it is so unwelcome in this type of case.

Amnesty International does not advocate alternative punishments; this is left up to society and the courts. Nevertheless, one alternative is a life sentence without the possibility of parole, which has wide support, including support from many people who are opposed to the death penalty (Amnesty International, 2002). In addition, the death penalty has now been abolished in law or practice in just over half of the countries of the world, with more than two countries abolishing each year since 1976.

As mentioned earlier, the death penalty has not had a deterrent effect, and has resulted in offenders committing increasingly frequent and serious violence to evade arrest. A custodial sentence would serve the same purpose of preventing the offenders from perpetrating further drug related crime, and may also reduce the violence associated with drug crime, since the offender's life will no longer be at stake. It is

important to mention here that all these alternatives are implemented in most developed countries such as the United States and most of the European countries, the United Kingdom in particular.

Therefore, in order for the criminal justice system to work properly, the various components of it should work in co-operation with one another. This co-ordination will help in structuring the various departments and also improve communication channels.

As set out in The United Kingdom's Ten-Year Strategy for Combating Drugs Abuse:

Drug problems do not occur in isolation. They are often tied in with other social problems. The Government is tackling inequalities through the largest-ever programme to get people off benefit and into work and a series of reforms in the welfare state, education, health, criminal justice and the economy. And a new Social Exclusion Unit is looking at many of the problems often associated with drug taking such as school exclusions, truancy, rough sleeping and poor housing. It is important to remember, these connections, and that key results in other areas of activity, such as general take-up rates for further and higher education and employment relate clearly to the development of this strategy (HM Government, 1998:11).

Therefore, the government should target the criminal, not the crime and should provide the instrument whereby the 'vicious circle' of ever increasing levels of crime which is not working, is turned into a 'virtuous circle' (Dunnighan and Norris, 1999), as we can see in Table 7.1 and Figure 7.2.

Table 7.1 The Vicious Circle and The Virtuous Circle

The Vicious Circle	The Virtuous Circle
In the society there are: no organized prevention; personal, social and economic pressures.	Organise prevention, drug education, social programmes aimed at reducing poverty.
The court has no other choice than the death penalty or prison	The court has a variety of non-custodial sentences.
Inside the Prison: lack of treatment and lack of rehabilitation.	Inside the Prison: treatment for drug users and rehabilitation.
After the prison: Single (No family) and Unemployment	Aftercare services-help with services. To reintegrate offenders back into society.
Re-offending	Few people start drug using, these that do have more chance of desisting.

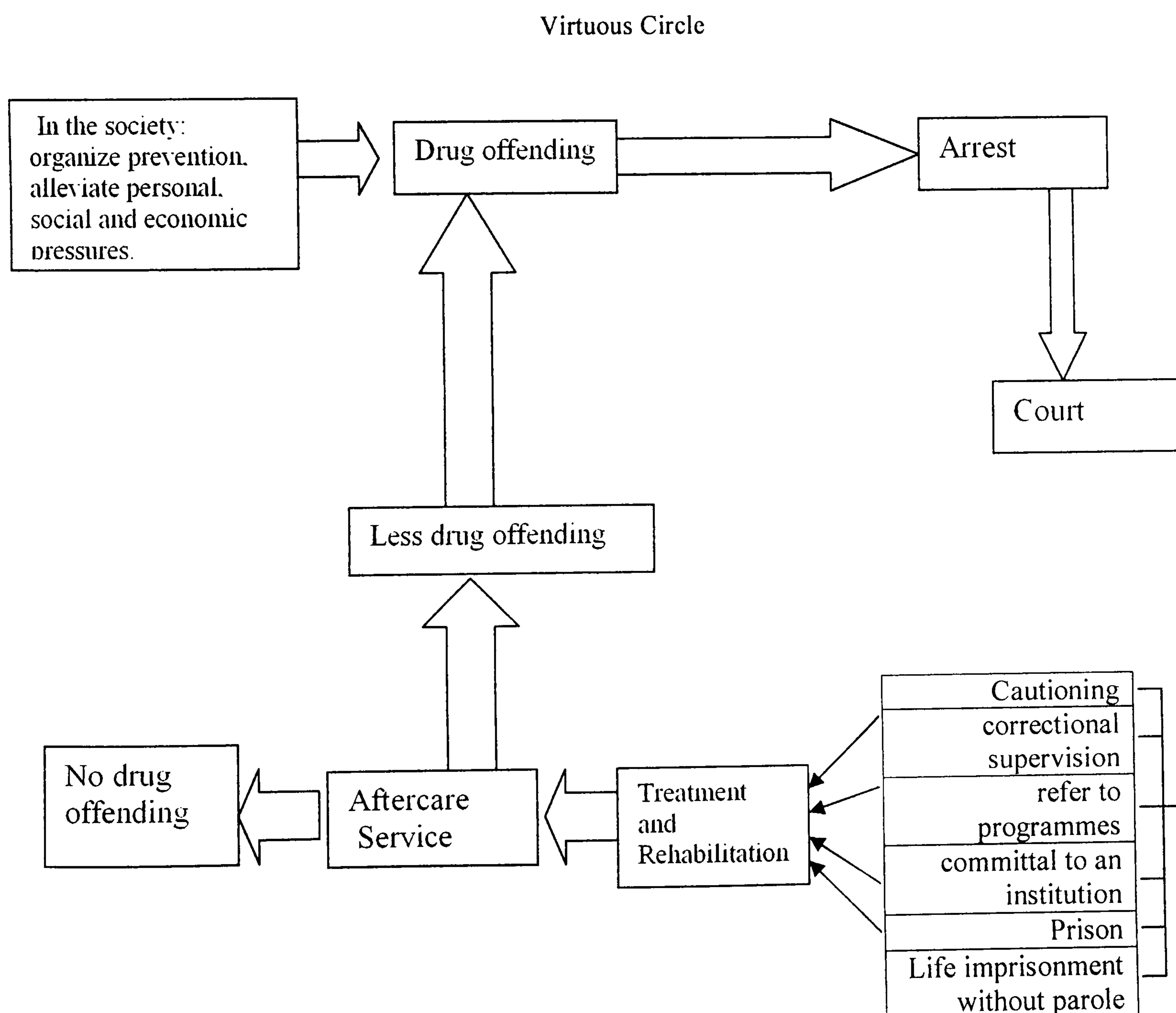
In summary, the aims of the Virtuous Circle are to prevent drug users in the first stage and to increase the chances that those who do use drugs will desist.

As one of the Criminal Justice Officials thinks, the best way of dealing with the rising drug-related offences in the future in Oman are:

The best way to deal with the risk of a rising drug problem in Oman would be to follow:

- 1- the established management policies. . Control on trafficking is obviously a very important component of the effects. In this respect there will be a need to maintain constant vigilance on the high-risk groups, the people who might be part of the illicit trade of drugs (like drug smugglers, mules, dealers, addicts who trade drugs, their drug habit, etc.) and known drug addicts.
- 2- Demand reduction efforts need to be strengthened by mental health education. The media, community workers, health educators, religious teachers, school teachers can all play an important role.
- 3- A specialized In-patient Drug Treatment Unit away from the psychiatric hospital needs to be established.
- 4- Treatment of addiction should be without substitution and maintenance programmes.

Figure 7.2 The Virtuous Circle of alternative policy



Recommendations

The Omani government should do more to find other solutions for drug trafficking than punishment. An approach is needed which emphasises demand reduction as well as supply reduction. It is possible that the use and abuse of illegal drugs will never be eliminated. Nevertheless, these recommendations are intended to help the government of Oman to go some way to controlling and reducing of problem.

In the following, the researcher will suggest some recommendations which might help governmental and non-governmental organisations to create appropriate policies and strategies for the combating of drug related offences in Oman.

I. Law Enforcement

As regards the supply reduction policies, the present legislation has been found not to achieve its objectives and in some respect has created additional problems.

Therefore, the following measures are recommended:

1. The death penalty for drug trafficking should be abolished and replaced with imprisonment, such as life imprisonment with or without parole. The death penalty has not had a deterrent effect, and has resulted in offenders committing increasingly frequent and serious violence to evade arrest (see Chapter Five). A custodial sentence would serve the same purpose as the death penalty, in preventing the offenders from perpetrating further drug offences, and is likely to reduce the violence per offender in the attempt to escape arrest, since the offender's life will no longer be at stake.
2. Punishment should be differentiated according to the quantities of drugs involved. Where the penalty is the same irrespective of quantity, as at present, drug traffickers will have an incentive to maximise the amount of drugs carried,

since they can obtain higher profits without increased risk. This view is supported by findings regarding the recent increases in sizes of drug cargoes seized, and the trend to smuggling by sea which facilitates smuggling larger loads. As in some European countries such as the Czech Republic, Estonia and Latvia, a small quantity of drugs is defined in law and possession of more than this amount is considered a crime. This situation can be applied as well in small-scale selling to finance drug habit. Moreover, in many of European countries the law accommodates specific increases in sentences when a group or a criminal organization is involved in drug trafficking (European Monitoring Centre for Drugs and Drug Addiction, 2003a).

3. Punishment should be differentiated according to the type of drug involved. It has been shown that under the present situation, there is a greater incentive to smuggle hard drugs such as heroin, which are more lucrative. Not only are these drugs more harmful in their immediate effects than, for example, khat or hashish, but they also, because of their method of administration (injection) as study found that major of heroin users used by injection (Table 6.18), bring increased risk of secondary problems such as AIDS and hepatitis. Greater differentiation of penalties would remove the incentive to concentrate on hard drugs.
4. It is necessary that international society cooperates especially between the neighbouring countries in order to mitigate drug trafficking through exchange of expertise and police cooperation, especially as Oman in particular and Gulf countries in general are considered to be a transit area from East Asia countries to other parts of the world. For example, the cooperation between Mexico and the United States involves all levels of government and a broad range of drug control aspects. Such as for example, the customs authorities of both countries

signed an agreement to work more closely together on a variety of issues, including money-laundering and drug trafficking. Intensive joint operations by the law enforcement authorities of those countries, in particular the Mexican Navy and the United States Coast Guard, have led to a significant increase in cocaine seizures. The two countries have continued their cooperation aimed at reducing the illicit supply for drugs. Another example is the co-operation between Canada and United States based on the Cross-Border Crime Forum, established in 1997 (United Nations, 2001).

5. Training programmes are needed for drug-fighting staff to make them well aware of the nature of these substances and how to detect them, and the primary elements that form manufactured drugs, as well as to raise their awareness of the tricks used in drug smuggling. Lack of such training was suggested by respondents in this study to undermine the effectiveness of the police and coastguard in their efforts to combat drug smuggling.

II. Prevention Policies

a. Primary Prevention

Prevention of illegal usage of drugs and mental effects is not limited to combating trafficking, trade, plantation, production, and manufacture, and taking strong actions against people who commit drug-related offences. It should extend to spreading awareness of the menace of drugs and the harm they cause to individuals and society. People need to be protected by good morals and practices, enhanced religious feelings and the creation of a negative social attitude towards the various aspects of this problem. Moreover, addicted people should be treated, rehabilitated and looked after. Since social factors are important to the spread of drug use problems, preventive

programmes should concentrate on these factors, e.g. peer pressure, and such incorrect beliefs about drug use as those that some drugs (hashish and marijuana) have no bad effects on health and that the use of drugs is a sign of maturity (Walker, 2001).

Therefore, in order to achieve effective prevention in the drugs field, various organizations have roles to play as follows:-

1. the Omani Government should establish standards and useful treatment system, by establishing quality standards, training staff and monitoring, developing guidelines.
2. Greater control is needed among families, because in recent years, crimes are being experienced that were unknown in Oman previously. Therefore, the family should play a major role in educating its children from the security and behavioural points of view and making them aware of deviant behaviour such as drug taking, the reasons for it, and the results and methods of addressing such problems. They should be warned about its dangers and negative impact on the individual and the society, and make it clear that criminals and deviant persons such as drugs takers and smugglers will eventually be punished for their behaviour. The family has to assist its children in selecting suitable friends, since the findings indicate that bad company is one of the main factors encouraging people to take drugs, and drugs are often obtained through friends (Walker, 2001). This means that in some cases, the entire family would be in need of care by the whole society, as the family could be involved in drug abuse and therefore the whole family should be cared for by the social organization concerned. In this case, the educational and social organization plays the role of the family in protecting the other members of the family from being involved in drug abuse.

3. After the family, educational institutions have the most direct effect on the 'socialisation' of a person directly after the family. In such institutions, knowledge and behavioural concepts are acquired through the different social milieu on the one hand, and peer group on the other hand. Therefore, the school has a basic and vital role to play in transmitting social norms and equipping young people with the mental and emotional resources to resist drugs. Education plays an important role in protecting society against practices such as illegal usage of drugs and the resulting mental effects (United Nations, 1988a). It would be desirable to make education compulsory up to a certain age, preferably not less than 16 years. It is necessary to provide syllabuses to suit children's and teenagers' psychological and educational needs, taking account of the pressures they face in modern society. Therefore, the legal awareness of the public should be enhanced by explaining drug legislation and applicable punishments. Publication only in the official gazette is insufficient. Lack of knowledge about the punishments makes young people easy victims of drug dealers.
4. Publicity programmes should be prepared, which address individuals and society, and explain the problems related to drug use, and the health, economic and social implications. The government should utilise the mass media to enlighten and guide people about the dangers of drug use for individuals, family and society. Before the preparation of media-oriented drug preventive programmes involving pamphlets, brochures, articles and television interviews with experts, the programme makers should take into consideration the attributes of the target audience, their education level, age, interests, etc., and they should ensure that these programmes will not affect people negatively (Sarhan, 1995). In addition, the public need to be aware of the tricks drugs traders use in order to trap their prey, and given examples of the ways they use as temptation for

gaining new clients and make others fall into crime. For example, those who wish to travel and stay outside Oman, in particular, should be prepared for potential risk through educating them about the cultural life of these countries and its negative sides such as drug taking. Booklets should be distributed to travellers at airports and border points, which explain the punishment for misusing drugs in Oman. Moreover, the programmes should make it clear that drug smugglers are evil and drug users are sick people who need help. Drug taking should be presented in as unfavourable a light as possible, so that young people do not get the impression that it is brave, fashionable or glamorous to use drugs. Such an awareness-raising program should have elements specifically targeted at such opinion-formers as heads of families, religious leaders and teachers to ensure that they are themselves fully aware of the need to educate the young –and others- about drugs, and of how best to do it

5. All religions aim at embedding good values in the human being's mind and spirit. Many studies show that religion is a beneficial force of social control, especially in the Middle East area and a lack of religious awareness was a reason for drugs taking (Salwa, 1988 and Alsaad, 1993). Therefore, religious leaders should speak out against drug taking, dealing and smuggling, making clear that these actions are prohibited in Islam. In order that the family, schools and religious leaders play their role in educating others and protecting them from drug use, they themselves must be adequately aware of the problem. They should set good examples for those people.

b. Secondary and Tertiary Prevention

The study results show that there was a lack of the medication, rehabilitation and vocational systems operating in prison. The absence of rehabilitation and vocational

training caused greatest disappointment because it meant offenders had too much spare time and were always thinking about what they were going to do in the future when they got out of prison. In addition, prisons protect society only to the extent that they temporarily restrain offenders who are prone to commit acts of violence, but for other purposes, like deterrence, they are at best ineffective and at worst counterproductive, because prisoners are not being fully utilised whilst incarcerated. Programmes that are in line with development and skills must be made available to all prisoners in order to upgrade their level of thinking and to promote responsibility.

Work with drug offenders and their families should be one of the main objectives of the rehabilitation programmes and people should be encouraged to cooperate with them. It does not make sense to subject people to inhuman conditions or harsh sentences, especially when it is difficult for them to find accommodation and work after release. The result of imprisonment sometimes makes prisoners reluctant or even unable to follow the rules of a society which has treated them so. Therefore, follow-up is needed for drug takers after treatment, whether addicted or treated in prison, to help them to avoid situations that would bring them back to drug-taking, such as keeping them away from bad friends and assisting them to make new friends. Moreover, it is necessary to change the social concepts about addicted people after treatment and give them full opportunity to return to work or study. Therefore, the government should find jobs for people to solve unemployment, provide treatment for drug addicts, set up a good rehabilitation system, and block the distributors for spreading the problems that drugs bring as a main objective of the drug policy. These measures would reduce the demand for drugs among the members of the community and therefore prevent local traffickers from distributing drugs and spending them in the community, as a result of the decreasing demand.

Recommendations for Further Research

This research has indicated that there is a clear shortage of studies related to drugs in Oman; therefore, it is necessary to pay more attention to social and criminological research, investigating the social and economic factors linked to illicit drug use, in order to assist planners in formulating anti-drug policies. Researches and specialized studies can help in filling in the gap between the actual phenomenon and its random perceptions, whether these perceptions are official estimates, criminal statistics from police records, or the mass media.

Most importantly there is an urgent need to generate a more accurate picture of drug use and abuse in Oman. What is needed is a properly conducted crime survey of the extent and social characteristics of drug use in Oman. If this were conducted at regular intervals it would also enable a more accurate assessment of changes in drug use over time and the effect of policy interventions.

APPENDICES

APPENDIX 1. The Methodological Framework of the Study.

APPENDIX 2. Groups and Schedules of the Control Drug Act 17/99

APPENDIX 3. Lists of:

- A. Territories and countries that were Retentionist
- B. Territories and countries that were Abolitionist de facto
- C. Territories and countries that were Abolitionist for all crimes
- D. Territories and countries Abolitionist for ordinary crimes

APPENDIX 4. Questionnaires

- A. Questionnaire for drug offenders
- B. Questionnaire for non-drug offenders

APPENDIX 5. Interview Schedule

APPENDIX 6. The Reliability of the Questionnaire

APPENDIX 1 DESIGN AND METHODOLOGY OF THE EMPIRICAL STUDY

Introduction

In this appendix a description will be given of the procedures that were followed in the research in order to collect the data related to the issue of the study.

The choice of a design setting for any research project is generally an important concern to the researcher, who seeks to determine the validity of a hypothesis, and how best to discover evidence to either accept or reject it (Miller, 1991: 21). The rationale for the selection of the research method depends on the research questions and the settings of the study area. The main purpose of this study is to assess the effect of the death penalty on drug dealers and traffickers in deterring others from continuing to get involved in drug dealing and trafficking in Oman.

Multi-methods questionnaires were used to carry out the investigation of this study. Questionnaire research has been defined as “specification of procedures for gathering information about a large number of people by collecting information from a few of them” (Black and Champion, 1976: 85). The data gathered in the questionnaire through various data collection techniques enable the researcher to test certain assumptions and hypotheses and to describe several dimensions of group behaviour. Furthermore, questionnaires are very flexible as they permit the use of multi-methods of data collection (Black and Champion, 1976). For example, questionnaire and interview can be used in a questionnaire method to collect information about the target population. Questionnaire methods are more appropriate in cases where quantitative data are required and when the information sought is specific and familiar to respondents (Bulmer and Warwick, 1983).

There are three standard methods by which the deterrent effect of the death penalty may be tested. First, the incidence of capital crimes such as murder may be measured in a given jurisdiction before and after the abolition or reintroduction of the death penalty. Another method is to compare the rate of crime of two or more jurisdictions, which are similar, except that at least one has abolished the death penalty. Finally, the incidence of a crime such as murder within a single jurisdiction may be measured before and after widely publicised executions of murderers (Hagan, 1985). All three methods, however, according to Hood (1998) have failed to show a deterrent effect of the death penalty.

In this study the researcher measured the effect of the death penalty in Oman by three different methods: firstly, a questionnaire of drug offenders and non-drug offenders was undertaken. Secondly, interviews with Criminal Justice Official were conducted. Finally, the incidence of capital crimes such as drug trafficking and dealing was examined, based on examination of official statistics from before and after the introduction of the death penalty in Oman.

As mentioned in Chapter One Table 1.3 the number of women involved in drug-related offences in Oman is negligible compared to men. That is why the researcher excluded females, in addition to the fact that due to the conservatism of Omani society, it was very difficult a woman to meet face to face with a male outside the family circle.

The main questions to be investigated, as part of the study objectives, are as follows:

- 1- Has the death penalty deterred drug traffickers from being involved in drug trafficking?
- 2- What are the differences between drug offenders and non-drug offenders with regard to their knowledge and beliefs about drugs?

- 3- Has the introduction of the death penalty against drugs trafficking in Oman (together with improved airport detection rates) increased drug trafficking by sea?
- 4- Has the introduction of the death penalty against drugs trafficking in Oman increased violence among drug traffickers to avoid detection?

In the terms of the research problem, this research is based on the following specific hypotheses:

Hypothesis one: *there is no statistically significant difference between drug offenders and non-drug offenders with regard to knowledge and belief about drugs.*

Hypothesis two: *the introduction of the death penalty against drugs trafficking in Oman will increase drug trafficking by sea.*

Hypothesis three: *the introduction of the death penalty against drugs trafficking in Oman will increase violence among drug traffickers.*

Hypothesis four: *the death penalty has deterred drug traffickers from being involved in drug trafficking.*

Research Methods

There has been a great deal of debate about the relative merits of the quantitative and qualitative approaches to social research (see, for example, May 1997; Anderson & Arsenault, 1998 and Neuman, 2000). The strengths of quantitative research are seen as lying in its highly structured nature, its reliability and the representativeness of the data it provides, whereas the strengths of qualitative research are seen as lying in its investigative nature, its in-depth focus and the detailed complexity of the data it provides (see, for example, Anderson & Arsenault, 1998). The debates about the relative merits of quantitative and qualitative research methods often

revolve around questionnaire-based research and ethnographic research (see, for example, Bailey, 1998 and Cohen, Manion & Morrison 2000). This is because the questionnaire constitutes the most popular form of quantitative research and ethnographic research constitutes the most ambitious form of qualitative research based on participant observation (see, for example, Anderson & Arsenault, 1998).

While often seen as mutually exclusive ways of carrying out social research in the past, these two approaches are increasingly seen as complementing each other. Indeed, as Borg & Gall (1996) explained, both the quantitative and qualitative approaches help researchers make important discoveries, especially when they are used in combination together in the same study, for example, a combination of questionnaires and semi-structured interviews.

Questionnaire research is a method of collecting data by asking a set of pre-formulated questions in a pre-determined sequence through questionnaire or interview to a sample of individuals drawn to be representative of a defined population (Hutton, 1990).

Descriptive and analytic questionnaires are the most well known forms of quantitative and qualitative research used in the social sciences (Cohen, Manion & Morrison, 2000). Borg & Gall (1996) mentioned that a descriptive and analytic questionnaire, combining quantitative and qualitative research, is employed when the purpose of the study is to obtain a basic and detailed general description and analysis of a social phenomenon, for example, people's opinions about an issue.

Descriptive questionnaires are designed to portray the characteristics of particular individuals, situations, groups and so on (in terms of behaviour, attitudes and dispositions to act) and to determine the frequency with which such behaviour or attitudes occur in the population being sampled, whereas analytical questionnaires are

concerned with testing hypotheses about the relationships between some variables in order to understand and explain a particular social phenomenon (Bulmer, 1990). Descriptive and analytic research is often essential to provide a descriptive and analytic foundation to develop other more specific lines of investigation. This kind of research is considered to be important in social sciences, such as criminology. In the following sections, the three research methods adopted are discussed in more detail.

To benefit from the strength of each approach, the present research made use of a combination of quantitative and qualitative approaches in a complementary way, using the questionnaire method. The quantitative approach was implemented through questionnaires and documentary data from police files. The qualitative approach was applied through personal interviews. The researcher selected the questionnaire method because it was the most suitable approach for achieving the aims of this study, which was concerned with questionnaire attitudes and practices, and because it was hoped to be able, to some extent, to generalise the results.

The research methods are questionnaire, semi structure interview and documentary data, were designed as follows:

I-The Questionnaire

To achieve the general aims of this study, the researcher employed questionnaires as the main research method of data collection. The questionnaire is a very popular tool of operationalisation in which concepts are operationalised in the form of questions, which are then put to the people under study. Babbie defined operationalisation as “the process through which the researcher devises procedures and operations that will result in observations relevant to general concepts he is interested in studying” (Babbie, 1975: 105).

The researcher decided to use a questionnaire because a questionnaire is a scientific method for the collection and measurement of a particular kind of data, such as feelings, motivations, attitudes, accomplishments, opinions and experience of individuals, in a questionnaire research. Most of the data required for the purpose of this study was in the form of opinions and experiences, which suggested that a questionnaire would be an appropriate method. Moreover, a questionnaire is one of the most widely used social research techniques (Borg & Gall, 1996).

There are several advantages in the use of the questionnaire as a research method. These advantages include (see, for example, Clift & Imrie, 1981; Rabdi & Shikh, 1985; Oppenheim, 1996; Borg & Gall, 1996; May, 1997; and Cohen, Manion & Morrison 2000):

- It provides sufficient time to help respondents think about the questions and answer accurately. The lack of personal contact allows the respondent to feel completely at ease when providing information, particularly if responses are to be anonymous.
- Using a questionnaire enables the researcher to gather data from a large number of respondents simultaneously in less time and at less cost than, say, personal interviews.
- The use of questionnaires is a central part of social research, as they provide a relatively inexpensive way of discovering the characteristics and beliefs of the population at large.
- Questionnaires can be delivered to very large samples at one time by post, e-mail, fax or can be administered directly (face to face).
- Data can be collected in a standardised form, which facilitates statistical analysis and aids comparability.

In contrast, there are a number of potential disadvantages attached to the use of the questionnaire. These disadvantages include (see, for example, Knott & Waites, 1995; Oppenheim, 1996; Borg & Gall, 1996 and Cohen, Manion & Morrison 2000):

- If the responses indicate that the wrong questions were asked, or that they were phrased badly, it may be difficult to clarify the information, particularly if the respondents were anonymous. Therefore, the researcher measured the validity of questionnaire, conducted a pilot study and measured the reliability of the questionnaire to make sure that the questionnaire questions were understandable and had a high degree of reliability.
- Postal questionnaires generally have a low response rate. Therefore, the researcher distributed some questionnaires and collected most of them by hand.
- Questionnaires cannot probe deeply into respondents' feelings, but this can be overcome by using other methods, for example interviews. Therefore, the researcher used the interview method in conjunction with the questionnaire method.

There are several methods for carrying out a questionnaire, such as on-line questionnaire (by using e-mail or the Internet), postal questionnaire (sending and collecting questionnaire by mail) and personal questionnaire (delivering and collecting questionnaire by hand). In addition, it is possible to carry out a questionnaire by using facsimile (fax) machines. Each of these methods has advantages and disadvantages (see, for example, Blaxter, Hughes & Tight, 1998 and Zikmund, 2000). Therefore, to avoid the disadvantages of using other methods, the researcher chose to distribute the questionnaires himself.

a. Construction of the Questionnaire

The development of the questionnaires was of paramount importance. Care had to be taken to obtain the necessary information without unduly influencing the respondents, as well as to translate the research objectives into specific questions. This is vital in questionnaire construction, to ensure that answers to such questions will provide the data for hypothesis testing. According to Nachmias and Nachmias “The question must also motivate the respondent to provide the information being sought” (Nachmias and Nachmias 1996: 250). During the questionnaire development, consideration was given to the content, structure, format, and sequence of the questions.

Constructing the questionnaire is a crucial stage in performing a questionnaire-based questionnaire. It is necessary to determine the overall topic areas of investigation, draft the items, sequence the items, and design the questionnaire in proper layout.

The first step in constructing the questionnaires was a review of the related literature to identify clearly the general information needed and the objectives of applying the method; i.e. what the method is supposed to find out. Verma & Mallick (1999) recommend that the first step in constructing the questionnaire is a review to identify clearly the information needed in order to achieve the study objectives, to provide a touchstone against which the first draft of the questionnaire can be tested. In constructing the questionnaire, the following principles were followed (see, for example, Anderson & Arsenault, 1998; Blaxter, Hughes & Tight, 1998 and Zikmund, 2000):

- Questions and statements should be related directly to the objectives of the study. In addition, they should be short, precise, clear and understandable.

- Statements should be responded by ticking one of a few choices, as much as possible. In addition, statements that may be interpreted in more than one way should be avoided.
- A statement should not contain more than one question or double negatives.
- Personal questions should be avoided as much as possible.
- Too many questions, especially open-ended questions should be avoided, because they would take a long time to answer and to analyse.

There is disagreement among researchers about which style of questions is preferable, closed or open-ended. Both types have advantages and disadvantages. The researcher therefore used both closed and open questions. Closed questions were used to give specific information about the topic of interest, and they gave a good opportunity to compare answers. This type of question was selected in accordance with the advice of Oppenheim who suggested these questions are: “easier and quicker to answer; they require no writing, and quantification is straightforward, this often means that more questions can be asked within a given length of time and that more can be accomplished with a given sum of money” Oppenheim (1996: 114). A final open question allowed the possibility of capturing opinions and experiences which were not covered in the main body of the questionnaire.

b. Questionnaire with Drug Offenders

Section A: aimed to collect basic information regarding the respondent’s situation, such as age, nationality, education, types of offence, marital status, domicile, employment, living situation, the level of income and outside travel. This section comprised eight questions.

Section B: aimed to determine the nature of drug abuse in Oman, such as the place and age of the drug user when he began taking drugs, the type of drugs he first

tried, the person who offered him his first drugs, the different types of drugs he had used, methods of obtaining drugs, the places where drugs were taken, the user's relationship with other users and non-using friends, his relationship with his drug-taking companions, frequency of taking drugs, the cost of his habit, the best time for using drugs, methods of taking drugs, his relationship with drug dealers and others offering drugs, the amount of drugs used and sources of money for drug use. This section was divided into fifteen items.

Section C: aimed to measure the degree of respondents' knowledge about three kinds of information, namely:

- a) Knowledge about drugs themselves;
- b) Knowledge about drugs' effects and the dangers of using illegal drugs.
- c) Knowledge about punishment for drug related offences, including punishment of drug dealers, traffickers, and users as stipulated in the law, and knowledge about volunteer treatment. Specifically it was aimed to find out what respondents had heard about drug sentencing in Oman, and regarding the death penalty and deterrence.

This section included nineteen questions.

At the end of the questionnaire, space was left for respondents to make additional comments. The questionnaires were printed in both English and Arabic since some of the respondents were non-Arabic speakers (for more details see appendix 6A).

c. Questionnaire with non-Drug offenders

To measure whether there is any difference between drug offenders and non-drug offenders regarding knowledge about drugs issues, the researcher decided to use a questionnaire with ordinary members of the public. The researcher used almost the

same questions as were in the drug offenders questionnaire, especially the questions in sections A, C and D.

Section A aimed to collect basic information regarding the respondent's situation, such as age, nationality, education, marital status. Section B aimed to measure the public knowledge about drugs. In addition, this section aimed to collect public opinion regarding the death penalty and deterrence. The questionnaires were printed in English and Arabic, since it was anticipated that some of the respondents would be non-Arabic speakers (for more details see appendix 6 B).

d. Questionnaire Sample Selection

The way in which a researcher designs a sample depends on his research objectives. Some researchers select samples in order to provide the maximum theoretical understanding, while others are primarily concerned to obtain a representative sample so that they can make inferences about the whole population (Arber, 1993: 86)

There are two main types of samples: non-probability and probability samples. **Non-probability samples** include those in which cases are selected for their availability. In this type, the probability of each case in a population being selected as part of the potential sample is not known and it is not clear how results can be generalised to a wider population, especially according to statistical inferences. The selection of cases in this type is arbitrary and relies on the personal judgement of the researcher. In contrast, in **probability samples**, the probability of each case in the population being selected as part of the potential sample is known and is usually equal for all cases and it is clear how results can be generalised to a wider population (see, for example, Saunders, Lewis & Thornhill, 2000 and Zikmund, 2000).

In order to select a scientific sample it is necessary first to (see, for example, Rose & Sullivan, 1996; Saunders & Thornhill, 2000 and Kotler, 2001):

- Identify a suitable sampling frame or list of all cases in the population to be sampled based on research questions or objectives;
- Decide on a suitable sample size, taking into consideration the population size. “Large samples give more reliable results than small samples. However samples less than 1 percent of a population can be reliable with a credible sampling procedure” (Kotler, 2001: 69).
- Select the most appropriate sampling method (to obtain a representative sample a probability sample of a population should be drawn) and select the required sample;
- Check that the sample is representative of the population.

Drug Offenders Questionnaire Sample Selection

In this research it was not possible to select the sample from the whole population of drug users:

- 1- There is no accurate information about the number of drug offenders in Oman.
- 2- There is a lack of basic demographic information about drug offenders, such as their ages, nationalities, and the type of drugs they use, and geographical distribution.
- 3- It is difficult to get accurate information from drug offenders who are not in prison but living in society, because of the sensitivity of the illicit drug use issue in societies such as Oman, and for social, family and security reasons. The drug user usually does not like to be identified as a user to other non-users in his social circle. Drug users also see what the public considers anti-social behaviour as positive behaviour.

For the above reasons, the researcher decided to select the sample randomly from drug offenders serving sentences in the central prison in Muscat. However, the decision to take the sample from such an institution also had certain merits.

Firstly, drug offenders who have already been prosecuted and found guilty do not worry about exposure, as this has already occurred. Consequently, they may be more co-operative than offenders living in society. Secondly, there is no problem in locating respondents, as they are all in prison.

Using a sample from among prisoners was not devoid of some defects as the fact that the sample was already in prison no doubt influenced the credibility of responses due to the difficult psychological circumstances of the prisoners. Prison is also considered an important source of information for prisoners due to their contact with each other and exchange of information between themselves especially regarding the different types of drugs, the respective penalties and the judgments passed on them. In this, they are distinguished from those outside the prison and this too many affect the results of the study.

As a sampling frame, a list of prisoners was obtained from the central prison in Muscat. There were 513 drug prisoners, Omani and expatriates, registered in this prison in the year 2000 (Royal Oman Police, 2000).

The size of the sample chosen is important, to make the sample representative of the whole population, so that comparisons can be made between the groups and inferences drawn. Borg & Gall (1996) mentioned that it is important in planning a research project based on the questionnaire method to determine the size of the sample necessary to attain the objectives of the research. In the present study the overall size was 513 drug prisoners.

There are different ways in which probability samples may be selected, such as simple random sampling; systematic sampling, stratified sampling, multistage sampling and cluster sampling (see, for example, Saunders, Lewis & Thornhill, 2000).

The researcher decided to use stratified sampling, because stratified sampling helps avoid the problem of chance (sampling error) (De Vaus, 2001).

The Drugs Law No. 17/99 classified drug offenders into three categories: users, traffickers or smugglers and dealers. The law specified different penalties for each of these categories as mentioned in Chapter Three. That was why before selecting the sample drug offenders were divided into three categories: users, traffickers and dealers as classification also, used in the prison.

Therefore, prior to sample selection, the sampling frames of prisoners were divided into three groups (strata): users, traffickers and dealers (Table 8.1).

Table 8.1 Distribution of the samples according to offence

Respondents	Population		Sample Fraction = 1/4	Sample	
	N	%		N	%
Drug Users	250	49	Pop N / sample fraction	63	49
Drugs Traffickers	133	26		33	26
Drug Dealers	130	25		32	25
Total	513	100		128	100

The second step of the sampling procedure was multistage cluster sampling. For example, the number of traffickers in the target population for this study was 133 ($128 \times 26 = 3328 / 100 = 33$). Therefore, the required number of traffickers in the sample is 33. The traffickers were listed in alphabetical order and divided by the required number (33) to obtain the sampling fraction, after which a systematic random sample of traffickers was drawn. 133 divided by 33 is 4, so taking the start point as 3, every fourth trafficker thereafter was selected. The same procedure was implemented for both users and dealers (see Table 8.2).

Table 8.2 Selection of the Research Sample (systematic random sample)

Steps	Drug Users	Drug Traffickers	Drug Dealers
1	250	133	130
2	List according to the alphabetical order		
3	The target sample is 63	The target sample is 33	The target sample is 32
4	$250/63 = 3.9$	$133/33 = 4$	$130/32 = 4$
5	Taking the start point as 2	Taking the start point as 3	Taking the start point as 3
6	Every fourth user after two was selected	Every fourth trafficker after three was selected	Every fourth dealer after three was selected
7	Total: 63 respondents	Total: 33 respondents	Total: 32 respondents
Total	128 respondents		

As estimated by the Ministry of National Economy, the total population of Oman in the year 2000 was 2,400,000 of which 1,778,000 were Omani and 624,000 were non-Omani (Ministry of National Economy, 2001). Therefore, the non-Omani sample in this study contained 48 respondents, 37% of all respondents.

Non-Drug Offenders Questionnaire Sample Selection

In Oman, there is no generally available list of names of the local population to choose from, such as there are in Britain. Thus, it was decided that the best place where a cross-section of people from all walks of life could be found would be the large leisure places such as shopping centres, malls (Swq), big open places where friends and colleagues meet and spend time having soft drinks, playing some games and chatting. Such shopping centres (Swq) were the ideal places to meet people who could respond to a questionnaire.

To ensure comparability between the two sample groups (Drug offenders and non-drug offenders) the sample of non-drug offenders was 128 males. In addition, the

sample was collected in Muscat, the capital city. To further increase the representatives of the sample, Muscat City was divided into three parts (South, Middle and North). The Matrah district in the south, Rowi and Al-Qurom in the middle and Al-Seep in the north were selected. The district town centres were selected, from each of those districts (see Table 8.3).

Table 8.3 The sample of non-prisoners

Districts	Sample	
	No.	%
Matrah	32	25
Rowi	32	25
Al-Qurom	32	25
Al-Seep	32	25
Total	128	100

II- Documentary Data

The second research method used was selective documentary data. Documents, both historical and contemporary, are a rich source of data for social research (Punch, 1998).

Documentary analysis was used to obtain information about drug trafficking offences in Oman, since some information could not be found other than by using primary and secondary sources. Cheetham, Fuller, McIvor & Petch (1996) mention that existing documents and statistics can provide a useful resource of data about the process and outcomes of social work. According to Siegel & Castellan (1988), primary sources include inadvertent sources such as the records of legislative bodies, government departments and local authorities, working parties, personal files, bulletins, newspaper and so on, or what might be called 'available data'. These can be classified under five main broad themes: public documents and official records, including census data,

private documents, mass media, physical, non-verbal materials and social science data archives (Hall and Hall, 1996: 213).

Bulmer sums up the chief advantages of existing documentary sources:

They provide a means for triangulating data, of supplementing other methods and of trying to counteract the weaknesses of each method singly by multiple perspectives upon a particular problem (Bulmer, 1977: 113).

To find the relationship between the death penalty and drug traffickers' violence (hypothesis number two and three), the researcher used official statistics (secondary data) obtained from Royal Oman Police crime records files for trafficking offences. All drug trafficking cases were reviewed from the drug departments by using crimes files for analysis. These were divided into two periods: the first period (the control period) prior to the introduction of the death penalty (from April 1996 to May 1999) and the second period was after the introduction of the death penalty (from 1st of April 1999 to 31st of March 2002); the total period covered was 72 months.

Analysis of documentary sources and records was carried out to obtain information concerning the methods used by drug traffickers and the levels of violence associated with drug trafficking, since some information could not be obtained other than by using primary and secondary sources. Information obtained in this way included the nature of the crime (type of drug), presence of violence, way of trafficking, and nationality of the smuggler.

This kind of information gave an indication of the impact of the new drug law in Oman as one of three measures of effectiveness utilized in this research study.

III- The Interview

The third research method used was selective interviews conducted with Criminal Justice Official in Oman.

Kerlinger (1981) stated that the interview can supplement other methods, such as questionnaire, and go deeper into the motivations and attitudes of respondents and their reasons for responding as they do in order to collect more detailed data. In other words, the interview can be used in conjunction with other methods in a research undertaking, like a questionnaire, in order to collect more detailed data. The purpose behind that is to validate other methods and to go deeper into the motivations of the sample group.

Therefore, interviews were used in this study to validate the questionnaire findings on the one hand and to go deeper into the motivations and views of the sample group, Criminal Justice Official, to collect other data on the other hand. There are several advantages in the use of the interview as a research method. These advantages include (see, for example, Oppenheim, 1996, and Cohen, Manion & Morrison 2000):

- Many persons are willing and therefore provide data more readily and of greater validity in an interview than by filling in a questionnaire.
- The interviewer can answer questions from the interviewee and can put him or her at ease. This can build up a positive climate for both co-operation and truthfulness.
- The interview provides an opportunity to question thoroughly certain areas under investigation and allows for a greater depth of response.
- The interview is flexible and adaptable to the individual situation.
- The experience has generally been that the response rate of using interviews is good.

In contrast, there are a number of potential disadvantages attached to the use of the interview. These disadvantages include (see, for example, Best & Khan, 1993;

Knott & Waites, 1995; Oppenheim, 1996; Valentine, 1998 and Cohen, Manion & Morrison 2000):

- Researchers need a long period of time to gather data from a large number of respondents simultaneously by means of the interview method. So, the researcher, in the current study, interviewed a small number of respondents (policy maker) and used the questionnaire with a large number of respondents (Prisoners).
- Interview data can easily become biased and misleading if the person being interviewed is aware of the perspective of the interviewer. Therefore, researchers should take care when designing the schedule or dealing with participants to reduce bias as far as possible.
- Some interviewees do not like to be taped, because they may be shy, have cultural objections to having their voice recorded, or they may not want their comments on the record, particularly those in more senior positions. This problem can be overcome, however, by being sensitive to the interviewees' wishes and always carrying a notebook in case taping is refused.

Accordingly, the interview method was used to collect data relating to the research objectives, to supplement the questionnaire, in order to avoid the disadvantages of using a questionnaire alone, and to avoid the disadvantages of using an interview alone.

a. Interview Format

There are several types of interview, such as structured interview, semi-structured interview, unstructured interview, and focus groups. **The structured interview** is the easiest type of interview, which relies upon the use of a questionnaire as the data collection method. In this type, each interviewee is asked the same questions

in the same way so that any differences between answers are then assumed to be real ones and not the result of the interview situation itself (May, 1997).

This type involves a series of closed form questions that either have yes-no answers or can be answered by selecting from among a set of short-answer choices (Borg & Gall, 1996). So, the structured interview relies primarily upon the use of a questionnaire as the data collection method.

Semi-structured interviews are said to allow interviewees to answer more on their own terms than the structured interview permits, but still provide a greater degree of structure than the focused interview and unstructured interview, which aids comparability (May, 1997). Semi-structured interviewing involves asking a series of structured questions and then probing more deeply using open form questions to obtain additional information (Borg & Gall, 1996). Reasons for conducting this type of interview include a concern with the meaning that individual respondents give to concepts, events and so on, and for exploration of issues that are too complex or too sensitive to be investigated by quantitative approaches. Involvement in interviewing is a reminder of the importance and influence of the researcher in the research, and face to face interviewing makes more evident the "power" relationships within the research (Moore, 2002).

However, the type of interview selected will to some extent depend on the nature of the topic and what exactly the researcher wishes to find out and also the contractual conditions. Moreover, Blaxter, Hughes & Tight (1998) mentioned that interviews may take place face to face (for example, at the interviewee on interviewer's home or place of work or on another selected place), or at a distance, such as over the telephone.

The researcher chose to carry out semi-structured interviews, because the people who deal with drug problems in Oman are very busy and would be unlikely to have time for an unstructured interview, at same time, it would allows greater freedom of response than a structured interview. The interview sample was composed of:

- Drug Combating Administration(4 interviewees)
- Coastal Guards (2 interviewees)
- Custom Services. (2 interviewees)
- Ministry of Social Affairs. (2 interviewees)
- Ministry of Justice (The Oman Criminal Court). (4 interviewees)
- Ministry of Health(2 interviewees)
- Ministry of Legal Affairs. (2 interviewees)

Total: 18 interviewees

b. The interview schedule

The interview schedule in this study consisted of six questions. **Question One** aimed to describe the drug problem in Oman. **Question two** aimed to find what respondents thought are the causes of the drug problem. **Question three** aimed to find out their views on whether the death penalty in drug -related offences is effective or not. **Question four** aimed to know to what extent they participated in drug combating policies in Oman. **Question five** aimed to find out whether the death penalty has increased violence by drug traffickers /dealers. **Question six** aimed to trace the opinion of the Criminal Justice Official about the best ways of dealing with drug problems in Oman (for more details see appendix 7).

Validity of the Questionnaire Methods

May (1997) comment that a questionnaire and personal interview are methods for measuring ideas and for testing hypotheses; therefore, the questions must not only

reflect the questionnaire's aims, but also must be understood by respondents in a clear and unambiguous way. Hence, before applying any test, it is necessary to ensure that it is a valid measurement tool. Therefore, there is a need to check its validity.

The term **validity** is one that is frequently used in the world of research and measurement. "Validity tells us whether the question, item or score measures what it is supposed to measure" (Oppenheim, 1996: 144 -145). Neuman (2000) added that the validity of a questionnaire is the degree of fit between a construct a researcher uses to describe, theorise, or analyse the social world and what actually occurs in the social world. It means truthfulness. It aims to make sure that questionnaire items are clear and understandable, and the conceptual and operational definitions mesh with each other.

Chapelle & Jamieson (1991) explain validity by dividing it into two types, internal validity and external validity. Internal validity refers to the accurate attribution of observed results to the factors that were supposed to be responsible for these results. External validity denotes the applicability of research results to instructional and research contexts other than the one in which the research was carried out. Neuman (2000) added that both internal and external validity are primarily used in experimental research. He added, also, that internal validity is used to indicate whether there are possible errors or alternative explanations to account for the results, despite attempts to institute controls, while external validity is used to measure the ability to generalise findings from a specific sample to a wider population.

Although it is not possible to have absolute confidence about measurement of questionnaire validity, some measures are more valid than others. There are many types of validity, such as face validity, content validity, criterion validity, concurrent validity, predictive validity, construct validity; convergent and discriminate validity (Al-Wafi,

1989 and Neuman (2000), and trustees' validity (Obidat, Adass and Abdulhagg, 1989). Each type of validity is tested in a different way. The easiest type to achieve and the most basic kind is **face validity**. This is a judgement by the scientific community that the indicator really measures the intended construct (Neuman, 2000). The researcher selected face validity to measure the validity of the questionnaire methods because it is the most common and the most suitable measure for this study.

To measure the validity of the questionnaire used in this study and confirm the clarity of the items and their relevance to their scales and sections, the following steps were undertaken:

Both questionnaires and interview schedule were scrutinised by specialists in Hull University and the research supervisor, Professor Clive Norris. Copies of both questionnaire and interview schedule were given to colleagues in Sultan Qaboos University. Copies of both questionnaire and interview schedule were also distributed to nine Ph.D. students in Hull University. A letter was given to these assessors, indicating the nature and the aim of the questionnaire and telling them that they were not asked to respond to the items, but to judge whether or not the items met the necessary criteria.

All questionnaires and interview schedules were collected personally. Around half an hour was spent with each person, face to face, to discuss all their notes, comments and their opinions. A number of items of the both questionnaire and the personal interview questions were changed and a few items were removed according to the assessors' recommendations. In addition, most items were rearranged in a new sequence.

Both questionnaires and interview schedule were developed in English-speaking countries, namely, the UK and the USA, but the mother tongue of 62.5% of respondents and 100% of interviewees was Arabic. In view of this fact, it was necessary to translate

the questionnaire methods into Arabic. Both the questionnaires and interview schedule were translated by the researcher. After this, consultation was held with four Arabic-speaking Ph. D researchers. This group was asked to comment on the wording, style and presentation of the questionnaires and interview schedule, and their comments and suggestions were taken into account to produce an amended translation.

Based on the both questionnaires pilot study, a few changes were suggested. The lecturers who scrutinised the questionnaires concentrated particularly on the sentence structure of each section in the questionnaires, so that those sentences would be more meaningful and appropriate to the respondents.

All respondents found that most questions were clear and understandable. Regarding the questionnaire, however, it was suggested that individual items required some clarification. The assessors thought some items were inapplicable in their situations, some irrelevant to the measured scale and some were ambiguous. These comments resulted in the following changes to the questionnaire with drug offenders:

- 1- A new item was added: In which country did you first use drugs? Question 10”
- 2- The item “Have you used any of the following drugs? (Question 13), because it was long and unclear, was clarified by “What is the main drug you used usually?”
- 3- Five questions were reworded because they were considered difficult to understand. In questions 14, 16, 17 and 19 the word “usually” was added and in question 15, “first time”.
- 4- The item “From whom did you mostly get your drugs?” was removed from the questionnaire because it repeated question No 14.

5- With regard to the knowledge measurement, question No 26 was moved to become question 39 because it was considered inappropriate. Following these changes, the methods were ready for piloting in the field.

The Piloting of the questionnaire methods

The importance of pilot testing has been emphasised by many writers such as Avy, Jacobs and Razavieh (1972), Lin (1976), Hayman (1968), Cohen and Manion (1985), and although all the foregoing writers proclaim the importance of the pilot test, it might be valuable to indicate the reasons for this importance.

Borg and Gall (1983: 30-31) reported, "Every questionnaire must be tested and refined under real world conditions. Even after years of experience, no expert can write a perfect questionnaire". The pilot test is very important in a research investigation because it helps the researcher to see how the questionnaires were conducted at the time of the main study and how long it will take to complete them, and to locate any ambiguities. On this basis, researchers can remove any items that do not yield usable data, add items to fill any data gaps and reword unclear questions, in preparation for the main study.

I- Pilot Study for Questionnaire with the drug offenders

After the questionnaire was developed, a pilot study was conducted, to determine whether the method was reliable, and if any changes should be made in order to make it more effective in measuring what it was suppose to measure. Thus, both reliability and validity tests of the research method were implemented. The pilot study was conducted with 6 prisoners at the drug department in Muscat, upon their release from prison.

The researcher preferred not to pilot the study in the main prison because of the following reasons:

- 1- to maintain adequate sample size , in the main study prison ; if some prisoners were excluded from the main study by having participated in the pilot, there might be insufficient left on which to draw;
- 2- to avoid spread of information about the researcher's questionnaire amongst prisoners in the prison which would be used in the main study and so avoid a possible source of response bias;
- 3- to preserve good relations with the administration of the prison selected for the main study , because asking them to participate in the pilot study also might unduly disrupt their work and make them reluctant to co-operate in the main study;

Bearing this in mind, the drug department prison was chosen because it has oversees all the drug prisoners in Oman and almost at the same level, as the main prison which was selected for the main study.

The pilot study sample was 6 prisoners. They were drawn from various prisoners who were just about to be released from the Drug Department prison.

The researcher conducted the questionnaires personally. The researcher arranged meetings with prisoners over two days to see each one individually. The researcher discussed with them the questionnaire questions and statements by one, to ensure that they were understandable, appropriate and relevant to their sections and clear enough. The outcome of the pilot with the prisoners resulted in further changes to the questionnaire, namely:

- 1- The item "of what offence were you found guilty?" (question 4) was removed from the questionnaire because the prisoners wanted to talk at length about the

sentences they received from the court. As a result, the researcher lost time and found it difficult to explain to them and bring them back to the questionnaire. In addition, this kind of information was already available from the prison list.

- 2- A new item was added in question No 21 about frequency of use, namely, “once in my life”, because the pilot study revealed that some prisoners were found guilty of other offences than using drugs.

Timing questionnaire requires timing each question response within a questionnaire. This may lead to detecting potentially difficult questions. For example, questions that take longer to answer than others are quite likely to be too complicated and may need to be re-worded or broken down into separate parts. The average time taken to complete the questionnaires with each prisoner was 40-50 minutes.

II- Pilot study for questionnaire with non-drug offenders

All data gathering methods need to be piloted to ascertain how long it will take the recipients to complete them, to ensure that all questions and instructions are clear and to enable the researcher to delete any items, which do not yield usable data (Bell, 1997).

The researcher piloted the questionnaire on a sample of 5 Omani and 1 non-Omani people in Hull. The Omani sample was selected from the membership list of the Omani Students Society in Hull. This is a club for all Omani people studying at the University of Hull, Humberside University and Hull College. The non-Omani was a Bahraini student whom the researcher met in the Graduate School in the University of Hull.

In the choice of the sample, the author obtained the list of names and addresses of the people registered in the society. The list contained 40 names. The second step was to select systematically every eighth number in the list (8, 16, 24, 32 and 40). The number of people chosen was 5.

The respondents were of different levels of education and academic achievement, and had several different occupations: students and civil employees. During Ramadan (fasting month) all members of the Omani Society sit together every Saturday before breaking their fast (Eftar). Therefore, the researcher found this a good opportunity to pilot the questionnaire.

The pilot study revealed the need to modify the form of response in Part two (Knowledge measurement) as undergraduate students and some graduate students were not familiar with the classification, which originally measured five dimensions (strongly agree, agree, undecided, disagree, strongly disagree). Since this caused some confusion, the researcher decided, after discussion with his supervisor to change to a three-point scale: agree undecided and disagree. In addition, because most Omani people are not familiar with research methods, in part two they chose more than one response. Therefore, the researcher decided after discussion with his supervisor to add a note before part two, requesting the respondent to choose only one answer.

III- Pilot study for interviews

Before the actual interviews are conducted, the researcher undertook a pilot study aimed at testing the 'acceptability and suitability' of the interview. The pilot study involved three Criminal Justice Official (from Police Department and Drug Combating Administration). The pilot test gave indications about how the interview should be conducted, the timing of the main study and how long it would take to complete the interviews. It also helped to avoid any ambiguities.

The results of the pilot work in both questionnaire and interview revealed that the process of data collection should be proceed smoothly. It appeared, also, that almost all questions were understood.

Reliability of questionnaire

Litwin defines reliability as “a statistical measure of how reproducible the questionnaire method's data are” Litwin (1995: 6). In other words, the researcher should expect the same results if he applied the same scale on different occasions or with a different set from an equivalent population.

Neuman (2000: 164) mentioned that “reliability means consistency”. It means that the same results would be obtained when the same measure is repeated or recurs under identical or very similar conditions. Oppenheim (1996: 144) emphasised that “reliability refers to the purity and consistency of a measure, to repeatability, to the probability of obtaining the same result again if the measure were to be duplicated”. Hence, the reliability of a measuring method is the degree of consistency with which it measures whatever it is measuring.

Accordingly, measurement of reliability is a relevant test for measuring the level of similarity in the answers of the sub-sample. There are several types of testing for reliability such as test re-test, alternative forms and internal consistency. The most suitable type for the current study was internal consistency. There are several methods for testing internal consistency, such as the split-half (subdivided test), the Kuder-Richardson method of rational equivalence, Guttman, Hoyt's Analysis of Variance Procedure and Cronbach's Coefficient Alpha. Each method is used with a specific type of data according to the aims of study. The researcher used the Cronbach's Coefficient Alpha because it was the most suitable method for the current study to estimate the internal consistency. It is a common method for a single form of the test and it is much easier to compute than other methods.

Regarding what constitutes an acceptable standard of reliability, Borg states that:

Correlations below 0.35 show only very slight relationship between variables and have limited meaning in exploratory relationship, whereas a correlation

within the range 0.35 and 0.65 shows a strong enough relationship between variables and is statistically significant beyond the one percent level (Borg, 1981: 218 – 219).

Moreover, as Oppenheim explained,

Reliability is never perfect; it is always a matter of degree. It is, in the social and behavioural sciences, rare to find reliability much above 0.90. The square of a correlation coefficient expresses the percentage of shared true variance; thus, a reliability coefficient of 0.90 means that the two measures have 81 per cent in common—they overlap, or share common variance, by just over four-fifths. If the reliability of a scale or other measures drops below 0.80 this means that repeated administrations will cover less than 64 per cent of the same ground, and that the error component is more than one-third; such a measure will come in for serious criticism and might well have to be discarded or rebuilt (Oppenheim, 1996: 159-160).

The above points were taken into consideration, and any item with a correlation of less than 0.35 was omitted from the scales.

The data obtained from administering the questionnaire to 6 prisoners in the Drug Department in Oman, were used to determine whether the questionnaire has this type of reliability. Table 8.4 shows the reliability of the “Respondents’ experience in drugs and Deterrence” scale.

Table 8. 4 Experience in Drugs and deterrence: Item-total Statistics
for Reliability Analysis by Using Alpha for the Pilot Study.

Item	Alpha if Item Deleted
Q9	.61
Q10	.63
Q12	.63
Q13	.60
Q14	.71
Q15	.60
Q17	.63
Q18	.63
Q19	.63
Q20	.55
Q21	.61
Q22	.63
Q23	.41
Q40	.66
Q42	.59

No. of Cases = 6 No. of Items = 16 Alpha = .63

As can be seen from the table, the item total correlations for item # 11 and item # 43 in the subscale were low and therefore the removal of these two items resulted in improving the reliability to .63. This value was acceptable and indicated a statistically reliable scale. Therefore, this scale was used in the main study (for more details see Appendix 8).

For the section on Knowledge measurement, it was found there was a high level of similarity in the answers of the sub-sample that was tested, and the Cronbach's Coefficient Alpha for this part of the questionnaire (No. of Cases = 6 and No. of Items =16) was 0.76, as shown in Table 8.5. This means that the correlation between items is high, and thus this method is reliable (see Appendix 8).

Table 8.5 Degree of drug offenders knowledge items-total statistics for reliability analysis by using alpha for the pilot study

Item	Alpha if Item Deleted
Q24	.80
Q25	.74
Q26	.78
Q27	.80
Q28	.74
Q29	.75
Q30	.75
Q31	.70
Q32	.70
Q33	.70
Q34	.70
Q35	.70
Q36	.75
Q37	.70
Q38	.70
Q39	.79
No. of Cases = 6 No. of Items = 16 Alpha = .76	

Moreover, in the second questionnaire (knowledge measurement section of non-drug offenders) there was a high level of similarity in the answers, and the Cronbach's

Coefficient Alpha for this part of the questionnaire (No. of Cases = 6 and No. of Items =16) was 0.80, as shown in Table 8.6.

Table 8.6 Degree of non-drug offenders knowledge items-total statistics for reliability analysis by using Alpha for the pilot study

Item	Alpha if Item Deleted
Q8	.76
Q9	.76
Q10	.79
Q11	.78
Q12	.81
Q13	.81
Q14	.76
Q15	.76
Q16	.80
Q17	.76
Q18	.76
Q19	.81
Q20	.82
Q21	.80
Q22	.75
Q23	.81

No. of Cases = 6 No. of Items = 16 Alpha = .80

Therefore, the scale used in this study proved to be reliable because the questionnaire questions were clear and direct.

Administration of the questionnaire methods in the main study

After considering all the assessors' comments, making the changes necessary to ensure understand ability, piloting the study, and making sure that the questionnaire methods were are reliable, the Arabic versions of the questionnaire and interview schedule were administered to the sample group of the main study. The researcher travelled to Oman with a letter from the University of Hull in September 2001. This introductory letter included information about the researcher and indicated the purpose of the study and the importance of co-operation for the success of the study.

In Oman, another letter was provided by the Ministry of Higher Education indicating the purpose of the study and the importance of co-operation for the success of

the study. This letter explained that the researcher had been given permission to present his questionnaire and collect the required data. All respondents were very helpful in providing the information needed.

I- Administration of the questionnaires with drug offenders

The researcher was strongly aware of the need to prepare adequately for the administration of the questionnaires. All levels of the organisation were involved in the preparatory steps. Lines of communication were opened between the researcher and the prison administration. The official letter obtained from the Ministry of Higher Education to the directors of the central prison, asking for their co-operation with the researcher and explaining the purpose of the project, was helpful in this respect.

Before conducting the questionnaire, the researcher met the directors of the central prison in Muscat. At these meetings, the researcher explained the aims of study and what kind of help was needed, and informed them of the starting date of the interviews and the time expected to be taken up with them, the number of interviewees, and the approximate length of each interview. They were asked to make available a place for the interviews; to assign a guard to prepare the participant for the interview and accompany them back to their rooms after finishing the interview; and to provide security procedures during the interview in case of any abusive behaviour by the interviewees towards the researcher.

The entire drug users, traffickers and dealers sample was divided into three groups according to duration of sentences. Group A were those inmates having a less than 6 month sentence; Group B were inmates serving a 6 to 12 month sentence and Group C were those sentenced for more than 12 months, including those under sentence of death. A month was spent interviewing each group, so the total time needed to interview all groups was three months. During the interviews the sample of each group

were gathered together in one place or more and the researcher introduced himself to them as a researcher doing a project on drug problems in Oman. He explained to them the aims of the study and its importance to Omani society, and to their future. Assurance was given that any information they provided would be treated as confidential. It was made clear that their participation was entirely voluntary and they had the opportunity to refuse to participate. Prisoners were thanked for agreeing to take part in the questionnaire.

All social research involves ethical issues. This is because the research involves collecting data from people and about people. According to Punch:

Ethical issues can arise in both approaches, but they are more likely and more acute in some qualitative approaches. This is because, while all social research intrudes to some extent into people's lives, qualitative research often intrudes more. Some qualitative research deals with the most sensitive, intimate and innermost matters in people's lives, and ethical issues inevitably accompany the collection of such information (Punch, 1998: 281).

When the interviewee entered the interview room, the researcher stood up and invited him to sit on to the chair facing him. The researcher asked the person who brought in the prisoner to leave the room and close the door. He introduced himself again as a researcher and told the respondent his name, nationality and the name of the university at which he is studying (if the interviewee understood English, the researcher showed him the University ID card). Then the researcher asked him if he had any questions relating to the interview. If the interviewee was literate, the researcher gave him a copy of the questionnaire, let him have a look at its content and asked him if he had any query. If he was not literate, then the researcher explained the contents of the questionnaire orally and wrote down the answers given by the respondent. Once the interview was finished, he went over the questionnaire to recheck the interviewee's answers.

II- Administration of the questionnaires with non-drug offenders

As the researcher lives in Muscat, he was familiar with the places chosen. The next step was to make regular visits to each of the places selected, until the author had gained replies from thirty-two respondents, from each place in each location. To match the prisoners' sample, 128 respondents were needed. An attempt was made to match the non-prisoners sample with the prisoners sample, in terms of Omani or non-Omani nationality. All respondents stated that they were not drug users.

In each place the researcher approached people and asked them if they would be willing to take part in a short questionnaire about the drug problem in Oman. The researcher asked those who showed interest in the research and agreed to participate, to complete the questionnaire.

III- Administration of the interviews

Before conducting the interview, the researcher explained the aims of the study and what kind of information was required. He informed participants of the starting date for the interviews and the time expected to be taken up with them. He asked permission for the interviews were recorded on tape, making clear that the information collected would be used only for this research and not for public dissemination.

While conducting an interview the researcher kept a clear focus of inquiry in his mind, while he tactfully asked and actively listened to respondents. The interviewer asked questions pertinent to the study as each opportunity arose, then listened closely to responses for clues as to what question to ask next (Maykut and Morehouse, 1994).

Each interview lasted around 50 minutes. Tape-recording was not used for any of the interviews, because most interviewees were unwilling to have the discussion recorded. The researcher therefore, first recorded the questions immediately by writing

each answer carefully as the respondent answered it. If the answer was not clear, he asked the interviewee for an explanation.

Data Analysis

I- Quantitative Data Analysis

As mentioned in chapter of introduction, the Statistical Package for Social Science (SPSS) was used to analyse the data collected. The analysis involved both descriptive statistics and inferential statistics (Punch, 1998).

One of the unsolved issues in quantitative data analysis is the question of when parametric rather than non-parametric tests should be used.

According to Bryman & Cramer “The term Parameter refers to a measurement that describes the distribution of the population, such as the mean and variance” (Bryman & Cramer, 2001: 115). In addition, Prodhan stated that “**Parametric tests** are tests which assume that the underlying distributions of the data being examined are known” (Prodhan, 1986: 183). They are a branch of statistical tests, which makes assumptions about the underlying mathematical distribution form of observed variables; the most familiar distribution is the normal distribution (Rose & Sullivan, 1996).

Bryman & Cramer, mentioned that “**non-parametric tests** are so named because they do not depend on assumptions about the precise form of the distribution of the sampled population” Bryman & Cramer, (2001: 115). These tests are called distribution free tests (see, also for example, Siegel & Castellan, 1988; Rose & Sullivan, 1996 and Zikmund, 2000). Therefore, these tests attempt to avoid reliance on any particular assumptions regarding the form of the underlying distribution or parameters.

Non-parametric procedures often test different hypotheses about the population than do parametric procedures. Moreover, non-parametric statistical tests typically are much easier to learn and to apply than are parametric tests. In addition, their

interpretation often is more direct than the interpretation of parametric tests. Therefore, the hypotheses tested by these types of tests may be more appropriate for the research investigation (Siegel & Castellan, 1988).

Some statisticians believe that parametric tests are inappropriate to the social sciences, since they rest on assumptions that are violated by much social science data and prefer instead to rely on non-parametric tests (Rose & Sullivan, 1996:244).

It is worth mentioning that with interval or ratio data it is more appropriate to use a parametric test, whereas for nominal and ordinal data it is more appropriate to use a non-parametric test.

a. Parametric test

The t-test is calculated by comparing the difference between the two means with the standard error of the difference in the means of the different groups (Bryman and Cramer, 1997). If the difference in the means of the two groups is close to zero, it is more likely that this difference is due to chance. To reject a null hypothesis, it is important to calculate the degree of freedom (df.) which is the number of subjects or respondents (N-1). If the calculated value of t is larger than or equal to a critical value (in the t-distribution table) at the chosen significance level (the significance levels commonly used in statistical research are the 0.05, 0.01 and 0.001 levels, though the usage of the 0.05 level is the most common) then the null hypothesis can be rejected at that particular significance level and degree of freedom (Hubert and Blalock, 1979).

b. Non-parametric test

The chi-square (χ^2) test is probably the most frequently used test of hypotheses. The chi-square (χ^2) test is a suitable test to use only when subjects are assigned to one or more categories. It is, also, appropriate for measuring how many different subjects fall into each category (Greene & D' Oliveira, 1999). Borg & Gall (1996) mentioned

that the chi-square (χ^2) test is used to determine whether two frequency distributions differ significantly from each other.

This test is a test of statistical significance, meaning that it allows the researcher to ascertain the probability that the observed relationship between two variables may have arisen by chance (Bryman & Cramer, 2001). It is worth noting that the most common use of chi-square is to test for the independence of two variables (Ali, 1981).

The popularity of the chi-square test may be due to the relative ease of conducting this test. In addition, it is more useful in a wider variety of research situations than other tests.

Frequency distributions are used as a statistical tool for describing the data for a single variable (Rose, & Sullivan, 1996). Fielding & Gilbert (2000) mentioned that this tool allows the researcher to ascertain how many and what percentage of the sample fall into a particular category. It therefore allows information to be compared between groups of individuals. This is considered a popular method for describing variables.

II- Qualitative Data Analysis

The analysis of data from interviews needs organisation of verbal material and may need to be clarified and interpreted (Neuman, 1994)

Neuman (1994, p 405) notes that:

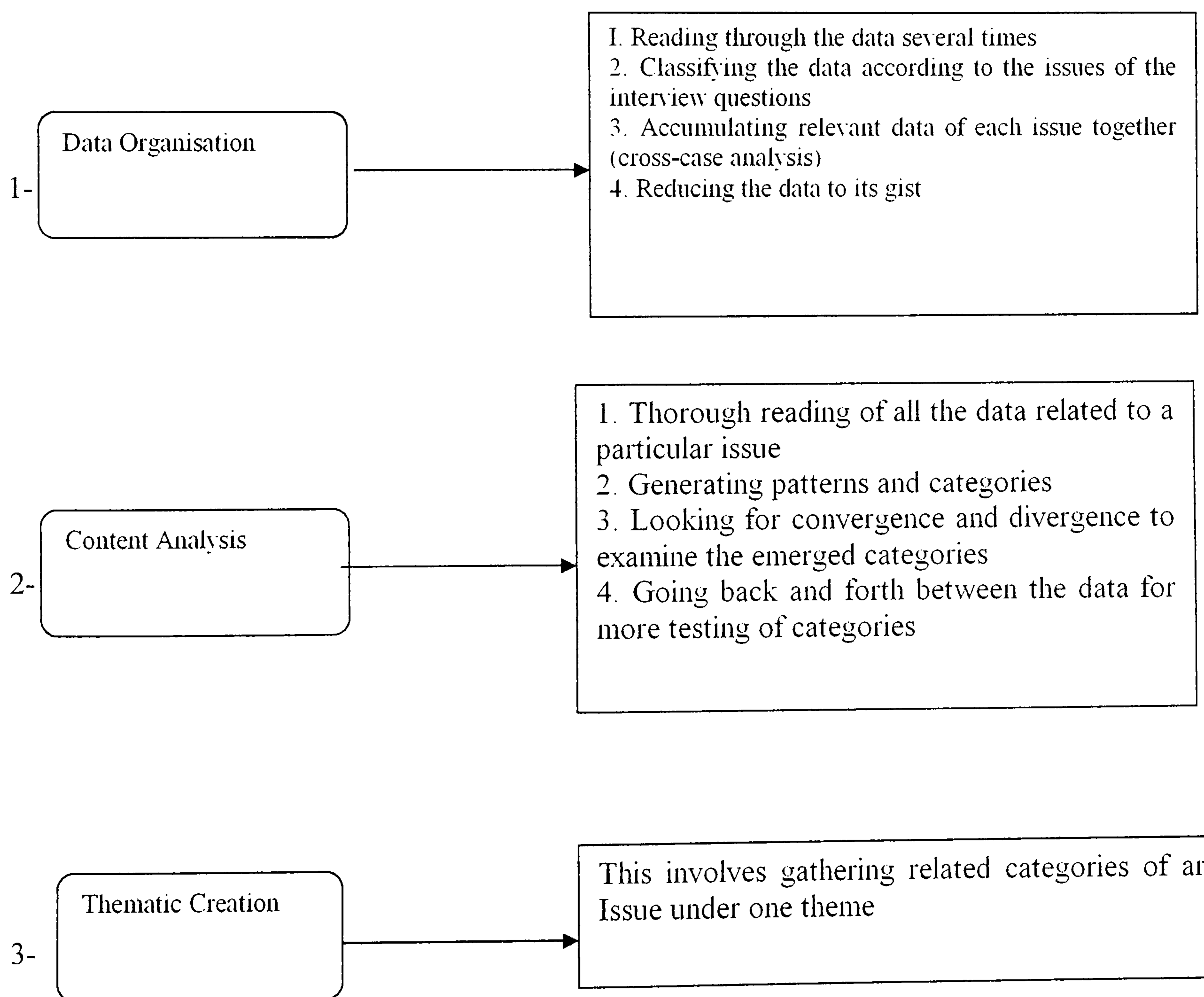
Qualitative analysis is less abstract than statistical analysis and closer to raw data. Qualitative analysis does not draw on a large, well-established body of formal knowledge from mathematics and statistics. The data are in the form of words, which are relatively imprecise, diffuse, and context-based, and can have more than one meaning.

On completion of the interviews, the researcher read through the transcripts, and highlighted answers relevant to each of the research questions. A list was then drawn up of comments made by each category of the sample, against the research questions and hypotheses. Some comments were quoted verbatim to illustrate more clearly the

opinions and perceptions involved, and the source of each comment (in terms of sample category) was noted.

The final step in the qualitative analysis was to create a thematic issue, which is collecting categories of related issue under one theme which would be tackled during the construction of the thesis and is related to the research aims (Marshall and Rossman, 1995). The researcher admitted that categorisation and thematic creation is the most challenging part of data analysis. The following is a framework for the analysis of the qualitative interviews:

Figure 8. 1 Framework for the analysis of the qualitative interviews



Conclusion

This Appendix has explained the research methodology for the present study. It began by explaining the research objective and its importance. Then the research approach, quantitative and qualitative, was explained. The research methods and the study sample (sampling frame, sample size and sampling technique) were described. The first method used was a questionnaire with 128 male drug offenders in the main prison in Oman and 128 male non-drug offenders in Muscat city. Its development, construction, validation, and the procedures for the pilot study were described. From the pilot study, both questionnaires were found to be valid and have a high alpha reliability. The administration of the method for the main study was also described in the chapter. The second method used for the study was a semi-structured interview. The interview sample, construction of the interview schedule, its validation, the procedures for the pilot study, and the procedure for conducting the interview for the main study were all described in the chapter. The third source of information used for the study was documentary data obtained from Royal Oman Police crime records and police files for the period from April 1996 to March 2002. The total period covered was 72 months. Finally, this appendix explained the data analysis tools used.

**Appendix 2: The Control Drug Act 17/99
(Groups and Schedules of Drugs)**

Groups	Schedules	Name
Group One	Schedule 1	Narcotic drugs International non proprietary
	Schedule 2	Narcotic drugs International non proprietary
	Schedule 3	Preparations Containing low percentage of Narcotic Substances
	Schedule 4	Narcotic drugs
	Schedule 5	Plants which are not permitted to be Cultivated or Imported include Cannabis and Khat
	Schedule 6	Parts of Plants which are Excluded From This Law
Group Two	Schedule 1	Hallucinogenic Compounds
	Schedule 2	Stimulants
	Schedule 3	Sedative Hypnotics
	Schedule 4	Anxiolytic Substances
Group Three		Selected volatile Substances which can be abused

Appendix 3 .A: Table 1

List of Abolitionist and Retentionist Countries

Status of capital punishment in December 2002,' countries and Territories that were Retentionist (total 84)

Afghanistan	Iraq	Singapore
Algeria	Jamaica	Somalia
Antigua and Barbuda	Japan	Sudan
Armenia	Jordan	Swaziland
Bahamas	Kazakhstan	Syrian Arab Republic
Bahrain	Kenya	Taiwan Province of China
Bangladesh	Korea (North)	Tajikistan
Barbados	Korea (South)	Tanzania
Belarus	Kuwait	Thailand
Belize	Kyrgyzstan	Trinidad and Tobago
Benin	Laos	Tunisia
Botswana	Lebanon	Uganda
Burundi	Lesotho	United Arab Emirates
Cameroon	Liberia	United States of America (38 states and federal and military law)
Chad	Libyan Arab Jamahiriya	Uzbekistan
China	Malawi	Vietnam
Comoros	Malaysia	Yemen
Congo	Mauritania	Zambia
Cuba	Mongolia	Zimbabwe
Dominica	Morocco	
Egypt	Myanmar	
Equatorial Guinea	Nigeria	
Eritrea	Oman	
Ethiopia	Pakistan	
Gabon	Palestine	
Ghana	Philippines	
Guatemala	Qatar	
Guinea	Rwanda	
Guinea	Saint Kitts and Nevis	
Guyana	Saint Lucia	
India	Saint Vincent and the Grenadines	
Indonesia	Saudi Arabia	
Iran (Islamic Republic)	Sierra Leone	

Note: The above-mentioned countries and territories retain the death penalty for ordinary crimes. Most of them are known to have carried out executions during the ten years before 2001. In some cases, however, it is difficult to ascertain whether or not executions have in fact been carried out.

Appendix 3.B: Table 2
Status of capital punishment in December 2001: countries and territories that are retentionist but can be considered abolitionist de facto (Total 20)

Country or territory	Date of last execution	Country or territory	Date of last execution
Bhutan	1964	Nauru	1968
Brunei Darussalam	1957	Niger	1976
Burkina Faso	1989	Papua New Guinea	1950
Central African Republic	n.a.	Russian Federation	n.a.
Congo	1982	Samoa	1962
Gambia	1981	Senegal	1967
Grenada	1978	Sri Lanka	1976
Madagascar	1958	Suriname	1982
Maldives	1952	Togo	1979
Mali	1980	Tonga	1982

Note: n.a. = information not available.

Appendix 3.C: Table 3
Status of capital punishment in December 2001: countries and territories
that are completely abolitionist (Total 76)

Country or territory	Date of abolition for all crimes	Country or territory	Date of abolition for all crimes
Andorra	1990	Macedonia (former Yugoslav Republic of)	1991
Angola	1992	Malta	2000
Australia	1985	Marshall Islands	1986
Austria	1968	Mauritius	1995
Azerbaijan	1998	Micronesia (Federated	1886
Belgium	1996	Monaco	1962
Bolivia	1997	Mozambique	1990
Bulgaria	1998	Namibia	1990
Cambodia	1989	Nepal	1997
Canada	1998	Netherlands	1982
Cape Verde	1981	New Zealand	1989
Colombia	1910	Nicaragua	1979
Costa Rica	1877	Nicaragua	1979
Cote d'Ivoire	2000	Palau	1994
Croatia	1990	Panama	1922
Cyprus	2002	Paraguay	1992
Czech Republic	1990	Poland	1997
Denmark	1978	Portugal	1976
Djibouti	1995	Republic of Moldova	1995
Dominican Republic	1966	Romania	1989
East Timor	1999	San Marino	1865
Ecuador	1906	Sao Tome and Principe	1990
Estonia	1998	Seychelles	1993
Finland	1972	Slovakia	1990
France	1981	Slovenia	1989
Georgia	1997	Solomon Islands	1978
Germany	1949/1987*	South Africa	1997
Guinea Bissau	1993	Spain	1995
Haiti	1987	Sweden	1972
Honduras	1956	Switzerland	1992
Hungary	1990	Turkmenistan	1999
Iceland	1928	Tuvalu	1978
Ireland	1990	Ukraine	1999
Italy	1994	United Kingdom of Great Britain and Northern Ireland	1998
Kiribati	1979	Northern Ireland	1998
Liechtenstein	1987	Uruguay	1907
Lithuania	1998	Vanuatu	1980
Luxembourg	1979	Vatican City State	1969
		Venezuela	1863

Note;

* The death penalty was abolished in the Federal Republic of Germany (FRG) in 1949 and in the German Democratic Republic (GDR) in 1987. The last execution in the FRG was in 1949; the last execution in the GDR was 1981(Hood,2002).

Appendix 3.D: Table 4
**Status of capital punishment in December 2001: countries that are abolitionist
for ordinary crimes only (total 15)**

Country	Date of abolition for ordinary crimes	Date of last execution
Albania 2000 1995	2000	1995
Argentina	1984	1916
Bolivia	2002	n.a
Bosnia- Hercegovina	1997	n.a
Brazil	1979	1855
Chile	2001	1985
Cook Islands	2002	n.a
El Salvador	1983	1973
Fiji	1979	1964
Greece	1994	1972
Israel	1954	1962
Latvia	1999	1996
Mexico	n.a	1930
Peru	1979	1979
Turey	2002	n.a

Note: n.a. = information not available.

Note: The researcher obtained the tables information above about countries and territories from different sources included (Amnesty International, Death Penalty Information Centre in the United States of America and Hood(2002).

Appendix 4: Questionnaires

Appendix 4 .A: Questionnaire with Drug Offenders

A- Background details

1-Age

Code	Ages	Selection
1	Under 19	
2	From 19 to less than 25	
3	From 26 to less than 30	
4	From 31 to less than 35	
5	From 36 to less than 40	
6	From 41 to less than 45	
7	over 45	

2-Nationality

Code	Nationality	Selection
1	Omani	
2	Asian	
3	African	
4	European	
5	American	
6	Other	

3-Highest level of educational qualification obtained?

Code	Educational Level	Selection
1	No formal education	
2	Dropped out	
3	Primary school	
4	High school	
5	College/ University	

4-Marital status

Code	Marital	Selection
1	Single	
2	Married	
3	Divorced / Widowed	

5 - What sort of area did you live in?

Code	Area	Selection
1	City/ Town	
2	Village	

6 -What was your job?

Code	Occupation	Selection
1	employee	
2	Self employed (freelance)	
3	Unemployed	

7-How much was your monthly income?

Code	Monthly Income	Selection
1	Nothing	
2	Less than 100 R. O	
3	Between 101 and 200 R. O	
4	Between 201 and 300 R. O	
5	Between 301 and 400 R. O	
6	Over 400 R. O	

8 - Have you travelled outside of your country?

Code	Travelled	Selection
1	Yes	
2	No	

B- Drug Use Experience

9 - Have you ever-used drugs?

Code	Use drugs	Selection
1	Yes	
2	No(skip to Q27)	

10-In which country did you first use drugs?

Code	Get Drugs	Selection
1	Oman	
2	Lebanon, Syria, Morocco and Egypt	
3	Indian, Pakistan and Afghanistan	
4	Laos, Burma and Thailand	
5	Latin America and the United States	
6	Iran and Turkey	
7	Netherlands and Spain	
8	Gulf countries	
9	Other (specify)	

11 -How old were you when you first used drugs?

Code	Ages	Selection
1	Under 19	
2	From 19 to 25	
3	From 26 to 30	
4	From 31 to 35	
5	From 36 to 40	
6	From 41 to 45	
7	over 45	

12-Who offered you the first drug?

Code	Offered drug	Selection
1	Father	
2	Mother	
3	Relative	
4	Friend	
5	Stranger (specify)	
6	Other (specify)	

13 -What is the main drug you used?

Code	Kind of drug used	Selection
1	Opium	
2	Hashish	
3	Marijuana	
4	Heroin	
5	Morphine	
6	Cocaine	
7	Crack	
8	LSD	
9	Amphetamines (specify)	
10	Barbiturates (specify)	
11	Tranquillisers (specify)	
12	Solvent (specify)	
13	Other (specify)	

14 -How did you get your drugs usually ?

Code	Drug supply (Choose all those which apply to you)	Selection
1	Free from friends	
2	Purchased from friends	
3	Purchased from dealers	
4	Purchased from pharmacy	
5	Purchased from private doctors	
6	Other (specify)	

15 --Where did you use drugs for the first time?

Code	Drugs Resources	Selection
1	In Oman	
2	Outside Oman (specify)	

16 -Where do you take drugs usually ?

Code	Places for using drugs	Selection
1	In the street	
2	In a car	
3	In your parents' house	
4	At school	
5	At work	
6	In your own house	
7	In public places (hotel, gardens, beaches, etc.)	
8	Unfrequented areas	
9	At parties or social activities	
10	At a farm	
11	Other (specify)	

17 -How do you take your drugs usually?

Code	Methods of use	Selection
1	Smoking	
2	Injection	
3	Orally	
4	Sniffing	
5	By Smoking, Injection, Orally and Sniffing	
6	Any other(specify)	

18 - With whom do you take drugs?

Code	Groups	Selection
1	Friends	
2	Work colleague	
3	strangers	
4	Alone	
5	Members of your family(specify)	
6	Any other(specify)	

19 -How many of your friends are using drugs usually?

Code	Friends using Drugs	Selection
1	None	
2	Some	
3	Most of theme	
4	All	

20 -When do you use drugs usually?

Code	Time of Use	Selection
1	When you get up	
2	In the morning	
3	In the afternoon	
4	In the evening	
5	At night	

21 -How often do you use drugs?

Code	Frequency of Use	Selection
1	Only once in my life	
2	Every day	
3	Several times a week	
4	Several times a month	
5	Occasionally	

22- How much does taking drugs cost you in a month usually?

Code	Cost of Drugs	Selection
1	Less than 100 O. R	
2	From 101 to 200 R. O	
3	From 201 to 300 R. O	
4	More than 300 R. O	

23- Where do you get the money for your drugs?

Code	Supplement of drugs	Yes	No
1	From salary/ wages		
2	Loans from bank		
3	From parents/ family/ relatives		
4	From selling possessions		
5	From selling drugs		
6	From theft		
7	Others(specify)		

C- The knowledge measurement

Knowledge about types of drugs

Pleas choose only one

	items	agree	Undecided	disagree
24	I can distinguish between several kinds of drugs when I see them			
25	Some drugs are used as stimulants			
26	Glue is considered a drug			
27	Nail varnish is considered as a drug			
28	Benzene is considered as a drug			
29	Some drugs are used as relaxants			
30	Some drugs are used to induce drowsiness			

Knowledge about effect of using illegal drugs

Pleas choose only one

	items	agree	Undecided	disagree
31	All illegal drugs are harmful to health			
32	People who take one drug will take others			
33	Drugs lead to families splitting up			
34	Taking some drugs is costly			

Knowledge about punishment against drugs-related offences

Pleas choose only one

	items	agree	Undecided	disagree
35	The maximum punishment for drug using is ten years imprisonment.			
36	An illegal drug user who is caught by police will have a criminal record.			
37	The maximum punishment for drug trafficking is life imprisonment.			
38	A person who is caught smuggling drugs into Oman may be sentenced to death.			
39	An illegal drug user is not considered a criminal if he presents himself for voluntary treatment at a hospital or is taken there by his family.			

40- Have you heard about anyone receiving a sentence for drug trafficking in the last year?

Code	Drug trafficking	Selection
1	Yes	
2	No skip to Q 43	

41- If yes:

Code	Type of sentences	Selection
1	Fine	
2	Prison	
3	Death penalty	

42- Do you think that the death penalty acts a deterrent from getting involved in drug-related offences?

Code	Think about deterrent	Selection
1	Yes	
2	No	
3	I don't know	

If yes, why?.....

If no, why no

43- Is there anything else you want to tell me about your life, drugs, punishment, etc?

.....

.....

.....

.....

Thanks for your help

Appendix 4 . B: Questionnaire with non- Drug Offenders

A- Background details

1-Age

Code	Ages	Selection
1	Under 19	
2	From 19 to less than 25	
3	From 26 to less than 30	
4	From 31 to less than 35	
5	From 36 to less than 40	
6	From 41 to less than 45	
7	over 45	

2-Nationality

Code	Nationality	Selection
1	Omani	
2	Asian	
3	African	
4	European	
5	American	
6	Other	

3-Highest level of educational qualification obtained?

Code	Educational Level	Selection
1	No formal education	
2	Dropped out	
3	Primary school	
4	High school	
5	College/ University	

4-Marital status

Code	Marital	Selection
1	Single	
2	Married	
3	Divorced / Widowed	

5 - What sort of area did you live in?

Code	Area	Selection
1	City/ Town	
2	Village	

6 -What was your job?

Code	Occupation	Selection
1	employee	
2	Self employed (freelance)	
3	Unemployed	

7 - Have you travelled outside of your country?

Code	Travelled	Selection
1	Yes	
2	No	

C- The knowledge measurement

Knowledge about types of drugs

Please choose only one

	items	agree	Undecided	disagree
8	I can distinguish between several kinds of drugs when I see them			
9	Some drugs are used as stimulants			
10	Glue is considered a drug			
11	Nail varnish is considered as a drug			
12	Benzene is considered as a drug			
13	Some drugs are used as relaxants			
14	Some drugs are used to induce drowsiness			

Knowledge about effect of using illegal drugs

Pleas choose only one

	items	agree	Undecided	disagree
15	All illegal drugs are harmful to health			
16	People who take one drug will take others			
17	Drugs lead to families splitting up			
18	Taking some drugs is costly			

Knowledge about punishment against drugs-related offences

Pleas choose only one

	items	agree	Undecided	disagree
19	The maximum punishment for drug using is ten years imprisonment.			
20	An illegal drug user who is caught by police will have a criminal record.			
21	The maximum punishment for drug trafficking is life imprisonment.			
22	A person who is caught smuggling drugs into Oman may be sentenced to death.			
23	An illegal drug user is not considered a criminal if he presents himself for voluntary treatment at a hospital or is taken there by his family.			

24- Have you heard about anyone receiving a sentence for drug trafficking in the last year?

Code	Drug trafficking	Selection
1	Yes	
2	No skip to Q 43	

25- If yes:

Code	Type of sentences	Selection
1	Fine	
2	Prison	
3	Death penalty	

26- Do you think that the death penalty acts a deterrent from getting involved in drug-related offences?

Code	Think about deterrent	Selection
1	Yes	
2	No	
3	I don't know	

If yes, why?.....

If no, why no

27- Is there anything else you want to tell me about your life, drugs, punishment, etc?

.....
.....
.....
.....

Thanks for your help

Appendix 5 Interview Schedule

Q1- How you would officials describes the drug problem in Oman?

Q2- What do you think are the causes?

Q3- Do you think that the death penalty in drug related – offence is effecting?

Q4- To what extent do you participate in drug combating policies?

Q5- Does death penalty increase violence by drug traffickers /dealers to escape detection?

Q6- What do you think are the best ways of dealing with drug problems in Oman?

Appendix 6.A: Reliability for drug offendersRELIABILITY ANALYSIS - SCALE
(ALPHA)

Item-total Statistics

	Scale Mean	Scale Variance	Corrected Item- Total Correlation	if Deleted
Alpha				
Item	if Item Deleted	if Item Deleted		if Deleted
DISTINGU .8087	33.5000	43.9000	-.2610	
STIMULAT .7454	33.5000	36.7000	.4605	
GLUE .7829	34.1667	40.9667	-.0187	
NAILVARN .8011	33.3333	43.8667	-.2835	
BENZENE .8019	33.6667	43.4667	-.2374	
RELAXING .7481	34.1667	36.5667	.4151	
INDUCDRO .7571	33.5000	36.7000	.3190	
HARMFUL .7550	33.3333	37.4667	.3335	
WILLTKOT .7039	33.1667	32.1667	.9062	
SPLITTUP .7039	33.1667	32.1667	.9062	
COSTLY .7039	33.1667	32.1667	.9062	
USEPUNIS .7039	33.1667	32.1667	.9062	
CRIMRECO .7516	33.1667	36.9667	.3735	
TRAFPUNI .7039	33.1667	32.1667	.9062	
SMUGPUNI .7039	33.1667	32.1667	.9062	
TRETMENT .7969	33.6667	42.6667	-.1712	
Reliability Coefficients				
N of Cases =	6.0			N of Items = 16
Alpha =	.7648			

Appendix 6.B: Reliability for non drug offenders

***** Method 1 (space saver) will be used for this analysis
 ***** RELIABILITY ANALYSIS - SCALE
 E (ALPHA)

Item-total Statistics

	Scale Mean	Scale Variance	Corrected Item-	
Alpha	if Item	if Item	Total	if
Item	Deleted	Deleted	Correlation	
Deleted				
DISTINGU .7683	27.8333	36.1667	.6709	
STIMULAT .7683	27.8333	36.1667	.6709	
GLUE .7912	27.3333	40.2667	.3989	
NAILVARN .7887	27.5000	40.3000	.4394	
BENZENE .8119	27.5000	43.9000	.0601	
RELAXING .8103	27.6667	42.6667	.1369	
INDUCDRO .7683	27.8333	36.1667	.6709	
HARMFUL .7638	28.1667	36.5667	.7709	
WILLTKOT .8046	28.1667	42.1667	.2025	
SPLITTUP .7638	28.1667	36.5667	.7709	
COSTLY .7683	27.8333	36.1667	.6709	
USEPUNIS .8111	27.8333	43.7667	.0736	
CRIMRECO .8297	27.6667	47.8667	-.3657	
TRAFPUNI .8027	27.6667	43.0667	.1927	
SMUGPUNI .7638	28.1667	36.5667	.7709	
TRETMENT .8111	27.8333	43.7667	.0736	

Reliability Coefficients

N of Cases = 6.0

N of Items = 16

Alpha = .8016

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