

# Crime and Drug-Related Issues in Jamaica

Barry Chevannes

The two “drugs” that are Jamaica’s main crime problem are ganja and crack-cocaine. For reasons that are obvious, I treat them separately. Ganja—but not cocaine—is a part of the cultural practices and belief system of the folk, in very much the same way as the coca plant and its leaves (from which cocaine is derived) are to the native peoples of the Andes.

## Ganja

Ganja was brought to Jamaica by Indian indentured workers in the decades after Emancipation in 1838, following the refusal of the Africans to work for the wages offered by the sugar plantation owners. Its use as a folk remedy quickly spread among the African population, where it is regarded as a panacea. It is good for colds and flu and can cure asthma and glaucoma. Families brew it for tea, along with other herbs such as mint and serasi

(*Mormordia charantia*), and in some parts of the country babies are spooned a little of the brew as a prophylactic against malignant spirits. Farmers cultivating in the bush cook and eat it. It has, when smoked, the reputation of making them work harder. Up until the 1950s, ganja was sold in the markets by those higglers specializing in bush medicines, teas, and roots.

Ganja lore has it that first-time use was sometimes accompanied by seeing a little green woman or green man dancing. The folk believe that ganja is a substance that should not be smoked by everyone, that there are some persons who, because their head is “light” or “shallow,” could get a negative reaction. It is also known that smoking it on an empty stomach can be harmful. The folk have therefore developed their own regime of use and abuse.

By the turn of the past century, ganja was being shipped to Colon for the Jamaican

canal workers. Recreational use of it was confined mainly to male Indians on the estates and in the urban yards, where it was consumed along with alcohol. The method of use was the chillum held in the clutch between the thumb and index finger and sucked through a rag called a *saapi*. The cutting board was the *pirai*. Up until the 1950s, when the Dreadlocks trend among Rastafari began to emerge, the water pipe, or *huka*, was used only by Indian females, and for smoking tobacco, not ganja. Prior to that, Rastafari leaders prohibited the possession or use of ganja in their assemblies to deny the police any pretext for harassment and imprisonment. The Dreadlocks, however, changed all that. They adopted the Indian recreational practices in the yard, adapted the *huka*, ritualized and sacralized ganja, and developed their own theological justification for its use. They claimed that it first appeared on the grave of the sacred King Solomon, as a gift from God for man's healing. It became integral to their circle of reasoning, in which after praying over it they pass the *huka*, now dubbed a chalice or cup, in simulation of Christian communion worship, until each has partaken. In effect, they made ganja a sacramental rite.

According to the medical anthropologists Vera Rubin and Lambros Comitas, the first official mention of ganja was in 1872, when a murder on one of the estates was attributed to the smoking of it.<sup>1</sup> For reasons that have never been clear, in ratifying the International Convention on Opium in 1913, the colonial government added ganja, but a decade later it was outlawed.

Until the passage of the Marihuana Tax Act in the United States in 1937, no arrests were made for the possession or use of ganja. This began to change in the postwar period, coinciding, as I have said, with the rise of the aggressive and confrontational Dreadlocks. The Dreadlocks trend won out in popularity

against the Combsomes, so that by the end of the 1960s, Rastafari became identified with Dreadlocks. It has been so ever since. The Dangerous Drugs Act outlawed possession, trafficking, and use of ganja in all forms, and outlawed the chillum and the *huka* as well. It sanctioned the full weight of the justice system in suppressing ganja, even removing from the magistrates any discretion and imposing mandatory sentences. The possession of even a seed, let alone the smoking of a spliff, fetched an eighteen-month jail sentence, and the mandatory sentence for ganja cultivation was three years' hard labor. (Mandatory sentencing was removed in the 1970s.)

As early as the 1970s, it was clear that ganja could not be suppressed through the force of the law. This was the argument advanced by the late Aubrey Fraser, the jurist head of the Norman Manley Law School, and he based it on the entrenched nature of the substance.<sup>2</sup> If anything, the use of ganja spread during the 1960s and 1970s among urban and rural youths, through the influence of the Rastafari movement. The external demand for it turned many yam and ground provision small farmers into ganja farmers. Ganja became their principal export crop and brought a degree of upward economic mobility and affluence to areas of the countryside long since blighted by crushing poverty. This, coupled with the folk traditions, served to strengthen beliefs in the beneficial effects of ganja, and made it impermeable to the propaganda war. Even the discovery of "ganja psychosis" by University of the West Indies scholars was countered by the "light head" argument of the folk.

As the principal commodity in the informal sector, ganja rescued the economy in the lean years of the 1970s and 1980s, until U.S. pressure and intervention wiped out the cultivation and export. In some areas, this was

done through the use of lethal chemicals banned in the United States, intelligence gathering, threats of reprisals, impounding of aircraft, and other by no means subtle measures. Interestingly, the decline of the Jamaican trade coincided with the rise of production in the United States itself.

The end result has been to decriminalize ganja offenders in the eyes of the Jamaican people and to paint them not as morally bereft but as the victims of arbitrary laws. Armed with Rastafari-influenced ideology, many reject the classification of ganja as a drug and question the rationality of outlawing a plant, the product of nature, many of whose properties are known and certified to be beneficial. Smoking, the main form of ganja use, is so widespread that were the police to arrest every spliff smoker they routinely come across, there would be no place to detain the hundreds of thousands who violate this law. Not only that, the effect would be severely disruptive of economic life, particularly in the farming and construction sectors. Mostly male youths, between twenty and thirty-five years of age, roll spliffs routinely as part of their morning ritual and smoke it publicly at outdoor recreational and cultural activities such as football matches and reggae concerts.

More people, the majority of them young, are being arrested today for ganja than in the past, as upwardly mobile police officers seek promotion through the numbers of arrests and convictions they claim. Between March 1964 and August 1972, of the almost 3,000 people who were given mandatory sentences for breaches of the Dangerous Drugs law, 21 percent were between seventeen and twenty-one years old, and 51 percent were twenty-two to thirty-five years old. Among the ninety-four convicts over fifty-five were three men who were seventy-eight years of age or older.

The repeal of the mandatory aspects of ganja suppression has meant that prison sen-

tencing need not become the only sanction. And some magistrates, out of realization of the deeply entrenched nature of the substance, impose nominal fines, which, even though affordable, nevertheless cut into the meager resources of "low budget people"—the rural small farmer who grows and trades it, the unemployed youth who smokes it, and the householder who buys it to brew tea for the asthmatic grandchild or arthritic mother.

But arrests and convictions for ganja have been growing. Between January and September 2000, there were 5,302 arrests for ganja, compared to 4,288 arrests for the same period in 1999. (For the full year 1999, the figure reached 5,812.) These increases in arrests could be a result of Jamaica's attempt to show how well we are fulfilling our obligations under several international conventions, such as the 1961 Single Convention on Narcotics Drugs or the 1988 Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances.

The fact is, though, that tens of thousands of otherwise innocent and decent youths are turned into criminals for using a natural substance. This criminalization poses great concern for the good of the society. It damages the life chances of the youths, for it remains an indelible blot on their record, effectively blocking their ability to obtain legally valid visas to travel, and it excludes them from employment in the civil service and even some private firms.

The criminal status of such a culturally entrenched substance generates other crimes. In the late 1980s, a group of farmers in a deep rural community hacked to death a police party that had come to seize their ganja crop ready for export. Many growers find it necessary to defend their crops against larceny through the illegal possession of firearms, a risk that would not be necessary were they able to work and reap their fields in public.

The widespread resentment of police, especially among youths, is in part due to the excesses that often accompany arrests, especially the use of force to suppress a substance that the suppressors themselves use.

Of more far-reaching consequences is the believed socialization of ganja offenders by persons detained or imprisoned for more serious offenses, such as breaking-and-entry, wounding, and even murder. Many who would like to see ganja decriminalized, or even legalized, base one of their arguments on this association. By bringing the ganja offender to share the same space and conditions with hardened criminals, the justice system exposes otherwise law-abiding youths to their influence, giving them the opportunity to develop common bonds of victimization. In time, so it is argued, a ganja offender be-

comes the perpetrator of a more reprehensible crime. The "stepping-stone" or "gateway drug" theory applies here, but not in terms of the alleged transition from using ganja to using hard drugs.

### **Cocaine**

The known presence of cocaine in Jamaica dates to the mid-1960s, but the traffic and use of it began to proliferate only in the late 1970s, when due to the collapse of state patronage urban youths turned to it as a substitute.

At the time, inner-city youths had a close connection to the political parties, on whose behalf they fought at elections. Arming youths in the service of politics began in West Kingston in the mid-1960s but spread to adjacent constituencies and others further afield



*Street Scene*

PHOTO BY CHESTER HIGGINS

as the two-party system of democracy pitted one party against the other in a winner-take-all, devil-take-the-hindmost outcome every five years. The victorious party was then able to dispense scarce benefits in the form of government contracts while the foot soldiers of the vanquished party "sucked salt," as Jamaicans say.

Thus, elections since 1967 were fought less and less through the organization and persuasion of the party's group or branch structure and increasingly through the party's paramilitary machinery. Not all constituencies were thus contested, but the crucial ones that guaranteed the parties' electoral support were. The late Carl Stone termed these "garrison constituencies," or "garrison communities"—armed enclaves ready to repel any incursion of the enemy or to invade and incorporate other communities and constituencies. Co-opting the youths this way, the political parties brought them under the party hierarchy and control, ensuring, for example, that outside of election time, the guns were centrally stored and accounted for by the area leaders, but occasionally loaned out to carry out an uptown robbery.

The point is that the presence of guns and the rise of gun violence predates the rise of Jamaica's cocaine drug problem and can be placed squarely on the conscience of the political parties. The collapse of the state as universal guarantor of all things good, starting with the oil crisis of the 1970s and escalating with the decline of Jamaica's commodities and of bauxite (at the time Jamaica's principal export), weakened but did not sever the political parties' links with the urban paramilitary gangs. Jamaica's geographic position in the Caribbean between North and South America made it a potentially excellent transshipment point for cocaine leaving Colombia for the United States. From a sociological

point of view, the country was also fertile ground for strife, possessing ready-made middle entrepreneurs who were schooled in urban guerilla warfare, socialized in risk taking, and literally hungry. The rest, as they say, is history.

But it is not a proud history. Cocaine has played its part in transforming the structure and character of many inner-city communities. The area leader becomes the area don becomes the drug lord, presiding over an extensive market of crack-cocaine stretching all the way to the United States and protected by an army of notoriously aggressive soldiers recruited from the communities. Laurie Gunst's *Born fi' Dead* and Geoff Small's *Ruthless: The Global Rise of the Yardies* portray aspects of the history of the Jamaican posses in the United States and Britain, especially their ruthlessness and daring.<sup>3</sup> But in Jamaica itself, the street commerce in crack-cocaine has corrupted many communities, just as the international trade has corrupted people in very high places. In many inner-city communities, crack-cocaine is sold, but the main clientele are the uptown professionals and moneyed classes. In the inner city, the people have developed a sort of cultural defense against cocaine addiction by the designation "coke head." A coke head is scum, sometimes stoned, always despised and shunned, one who people say would sell his own mother to get a fix. But that is the limit of their defense, as we have encountered, for instance, young mothers who will sell coke to raise urgently needed cash for school fees and then return to normal economic activity. Thus, cocaine is alright to sell but not alright to use.

Arrests for cocaine represent approximately 10 percent of the numbers arrested for ganja. For the period January–September 2000, the police arrested 466 persons, 93 of them females, and seized over 687 kilograms and over 3,000 pieces of crack.

## Discussion

The fact that a national commission could be set up to consider and recommend whether the government should decriminalize ganja for personal use is underpinned by an implicit assumption that there is a cultural basis for its widespread use, whereas there is none for cocaine. Indeed, I am told that the attitude of the police toward cocaine is that the problem it poses for the country lies not so much in the local traffic in and use of it, but in its transshipment, which involves corruption and breaches of security. We have to be concerned when people arrested and hospitalized under guard can disappear into thin air and persons posing as part of the justice system can enter a police station and disappear with a prisoner awaiting extradition. The Colombia-North America connection has carried cocaine trafficking to new levels that threaten the security of the state.

Leaving aside questions of the cost-effectiveness of criminalizing all recreational drugs, one would have to argue that the only basis for decriminalizing ganja for personal, private use, while leaving cocaine as it is, is the cultural argument. Not only can ganja not be suppressed in Jamaica, but its place in folk life is too infused with cultural meaning to attempt suppressing it without suppression of the people. And there is a growing defiance among the people. The commission met a young man in one of the rural townships who testified that he had already been brought before the court for possession ten times, including three times in the month of January 2001. For each conviction he paid \$750. He told the magistrate that he would not desist from smoking ganja, even if it meant going to prison for it. And, of course, the use of ganja at reggae and dance hall sessions and concerts is so much a part of the event that the police have adopted the expedient and

sensible approach—let it be, a riot would be worse.

Prompted by the 1988 convention, Jamaica has passed a number of important laws: the Money Laundering Act, the Drug Offences (Forfeiture of Proceeds) Act, the Mutual Assistance (Criminal Matters) Act, the Sharing of Forfeited Property Act, and the Drug Court (Treatment and Rehabilitation of Offenders) Act. The government has thus tried to comply with its international obligations. The drug court, required by the convention, provides an alternative to conviction or punishment. But it is going to run into serious problems with ganja, and undermine its own rationale, if it is to treat drug use as a health problem.

A word about guns. The cocaine trade did not introduce gun running, but it has certainly consolidated it as an easily acquired extension of masculine power. A gun is the first thing a youth thinks of acquiring, and certainly the first thing he runs for in a quarrel. In some communities, only the known possession of a gun, buttressed by a reputation for aggression, can qualify a youth to court a girl. Otherwise innocent youths feel they must have their "tool." Recently, researchers in a working-class community came across boys who wanted holiday jobs, and when asked what they would do with the money the boys told them the first thing they would do is buy their own gun, and, second, they would give some to their mother. Introduced on a large scale by politics and on a larger scale by drugs, the gun is developing its own independent character as a part of the power relations among young people.

In conclusion, the spirit behind this conference is that we are teetering on an edge but that it is possible to pull ourselves back. I think we can, but it is going to take some clear thinking, courage, and Anansi guile,<sup>4</sup> for what faces us is not simply what lies within our island but also what lies beyond and outside our direct control.

## Notes

1. Vera D. Rubin and Lambros Comitas, *Ganja in Jamaica: A Medical Anthropological Study of Chronic Marihuana Use* (Paris and The Hague: Mouton, 1975).

2. H. Aubrey Fraser, "The Law and Cannabis in the West Indies," *Social and Economic Studies*, Vol. 23, no. 3 (1974), pp. 361-385.

3. Laurie Gunst, *Born fi' Dead: A Journey Through the Jamaican Posse Underworld* (New York: Holt, 1995); Geoff Small, *Ruthless: The Global Rise of the Yardies* (London: Warner, 1995).

4. Anansi is a familiar folk character in the Caribbean who originated in the spider tales of West Africa; his exploits and cunning are symbolic of the survival tactics used by enslaved Africans in the Americas.