

Rethinking Heavy Penalties and Misdemeanors for Drug Crimes in China—Discussing the Legislative History and Status of Drug Crimes

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Abstract

Felonism in drug crimes has been a long-standing problem in Chinese legislation and judicial practice, with historical and even political factors involved. China's drug legislation has undergone a process from the last century to the present, from scratch to maturity, but it should still be noted that felonism on drug crimes is still a serious and urgent problem today. As a non-violent crime, the current penalties for drug crimes do not match their social harms, and the heavy-handedness of drug crimes can hardly reduce the occurrence of drug crimes. To treat drug crimes, the future can start from restricting, or even abolishing, the death penalty, attaching importance to life imprisonment without commutation or parole, and focusing on the application of property penalties, and treating drug crimes as a comprehensive misdemeanor in order to conform to the principle of matching crime with punishment.

Keywords: criminal law, drug crimes, death penalty, majoritarianism, minor criminalization

1. Presentation of the Problem

Drug crime, including smuggling, trafficking, transportation and manufacturing of drugs, has always been a topic of widespread concern in society. 1997, China established a separate section on drug crime in the Criminal Law, which provides for more detailed provisions on drug crime, and provides for different sentencing ranges for different circumstances, types and quantities of drug crimes, and in extreme cases, the death penalty can be applied. In extreme cases, the death penalty can be applied. The death penalty is undoubtedly the maximum penalty under the current penal system. Looking at the legislation of countries in

comparative law, the majority of countries have abolished the death penalty or do not apply it in judicial practice, and the few countries that retain the death penalty limit it to serious crimes against the person. No penalty is more severe than the death penalty, which can "legally" deprive people of their lives.

The criminal policy orientation of the CPC and the state often has a significant impact on the criminal legislation and judicial field. In criminal justice, since the CPC and the state put forward the criminal policy of "leniency and severity, less killing and cautious killing", the number of cases in which the death penalty is applied in trial practice has declined sharply, which shows

the influence of criminal policy on trial practice. In addition, in the field of criminal legislation, Amendment VIII and Amendment IX of the Criminal Law abolished the death penalty for 18 crimes, and it is easy to see that the abolished crimes are all non-violent crimes with strong economic purposes, such as counterfeiting currency, fund-raising fraud, smuggling of cultural relics, etc. This also echoes the comparative law that most of the few countries in the world that still have the death penalty only limit it to serious crimes of violence against the person. Most of the few countries in the world that have retained the death penalty limit its application to serious crimes of violence against the person. The policy objective of the Chinese Communist Party and the state to crack down on drug crimes has also influenced the legislation and judicial practice of drug crimes, which have been the hardest hit by heavy penalties and the death penalty, and there is a strong heavy-penalism in both legislation and judicial practice, not least because of the deliberate influence of official and mass media opinion. It can be said that the “abhorrence” of drugs and the heavy criminalism of drugs is a kind of “political correctness” in China, and there is little room for discussion.

The heavy-handedness of drug crime legislation and justice has a long history in China, and indeed in the world. In my opinion, there is no crime that is more egregious than intentionally depriving another person of life involuntarily, i.e., violating the right to life, such as intentional homicide, both in terms of the general public’s simple view of justice and in terms of the normative criminal law evaluation system. The question of how non-violent drug crimes with a strong economic purpose have acquired the same level of severity as crimes against the right to life, the death penalty for drug crimes, felonism, and even the justification of the death penalty itself seems to merit reconsideration. The question of the justification of the death penalty itself has been the focus of discussion in criminal law circles since Cesare Beccaria proposed the abolitionist theory in his *On Crime and Punishment*. The question of whether the law (legal order), the state or other subjects are qualified to “legally” deprive the life of others, and the irreversibility of the death penalty have made the question of the justification of the death penalty controversial. In the light of the above, the author believes that it is meaningful

to consider the abolition and decriminalization of drug crimes.

2. The Legislative History and Status of Drug Crimes in China

2.1 Legislative History of Drug Offenses

In the early years of the country, China was guided by national policy or administrative orders to combat drug-related crimes through mass campaigns under the guidance of the “Strictly Fight” policy. In February 1950, the State Council issued the “Decree on the Strict Prohibition of Opium and Tobacco”, a document that mobilized the entire society to participate in the anti-drug effort and provided for the establishment of a special anti-drug committee to carry out a planned campaign to eliminate. The General Order was issued in September of the same year. In April 1952, the Central Committee of the Communist Party of China (CPC) issued a directive on the purging of the drug epidemic, which analyzed the current situation of the proliferation of tobacco and drugs in China and proposed a large-scale mass movement, relying on the power of the masses and concentrating human and material resources on eliminating the historical legacy of the tobacco pandemic legacy. Under the guidance of the Directive, China launched a large-scale anti-smoking mass movement beginning in the second half of 1952, and, in the absence of legal guidance, used three years to virtually sweep away China’s tobacco legacy, solving this historical legacy and achieving a drug-free situation for nearly 30 years, not to say easily. It is also easy to see that in the early years of the country, China’s legal system was not perfect and lacked legislation specifically aimed at drug control. Drug control efforts were guided mainly by administrative orders or policy documents, which played an important role in drug control efforts.

Prior to the promulgation of the Criminal Law of the People’s Republic of China, there had been some sporadic legislation on drug crimes in China, and in 1979, the Criminal Law of the People’s Republic of China provided for drug crime related content in the form of a basic law. Due to the results of the early mass anti-drug campaign, drug crimes in the country were not very serious. Therefore, the 1979 Criminal Law provided only a few simple crimes and relatively mild penalties for drug crimes. However, with the worsening drug problem,

China has become more serious in its fight against drug crimes. The most direct manifestation of this is the shift in China's penal settings for drug crimes; in 1982, the Decision on Severe Punishment of Criminals Who Seriously Damage the Economy provided for the crimes of manufacturing, trafficking, and transportation of drugs. Later, in 1987, the legal penalty for drug smuggling was raised to the death penalty, supplemented by the Customs Law of the People's Republic of China. The leap from light to heavy penalties occurred in just a few years, from the five-year fixed-term imprisonment under the 1979 Criminal Law to the later setting of the death penalty. Compared to the previous period, this period saw great legislative progress and some sporadic legislation emerged, but the lawmaking and application were not standardized.

With the increasing number of drug crimes, this problem has gradually evolved into a more complex social problem. As the social problems caused by the proliferation of drugs have become more serious, legislators have gradually recognized the urgency and importance of special drug crime laws. At the same time, with the development of legislative technology, specialized drug crime legislation has become technically possible. To this end, in December 1990, the Seventeenth Session of the Standing Committee of the Seventh National People's Congress adopted the Decision on Drug Control, China's first single line of legislation addressing drug crimes. This decision first clarified the definition of drugs and provided the legal basis for the characterization of drugs in China, and second, provided for the crimes and penalties associated with drug crimes. This law covers the entire process of drug production to distribution, and provides for penalties under different circumstances. For the crimes of smuggling, trafficking, transportation and manufacturing of drugs, the statutory penalty is still the maximum death penalty. Finally, the law also provides for administrative penalties for drug-related behavior and international cooperation in the fight against drugs. The law provides the legal basis for China's anti-drug efforts and plays an important role.

In 1997, the Criminal Law of the People's Republic of China (PRC) was issued, providing drug crimes in a separate chapter, establishing the legal positioning and ranking of drug crime-related contents, and incorporating

penalties into the scope of criminal law. In contrast, the Criminal Law of the People's Republic of China is a kind of coverage and supplement to the Decision, providing a special chapter for drug crimes, which brings the positioning and ranking of China's drug crime legislation to a higher level and regulates the control of drugs more. It should be noted that the legal penalties for drug crimes in the Criminal Law remain consistent with the relevant provisions of the 1990 Decision, and do not reduce the penalties for drug crimes. As the anti-drug work progresses, the basic matters of anti-drug publicity and education, drug rehabilitation system, and anti-drug institutions become more and more important, so it gradually becomes necessary to formulate a special anti-drug law to regulate the daily anti-drug work.

In December 2007, China issued the Anti-Drug Law of the People's Republic of China, which systematically defines the definition of drugs, the guidelines, institutions, rights and obligations of anti-drug work, and is rich and comprehensive, marking the growing maturity of China's legislation on anti-drug.

2.2 Current Status of Drug Crime Legislation

When it comes to the legislation of drug crimes, it is inevitable that the legislative definition of drug crimes will be involved. In terms of legislation, the concept of drug crime has not been generally defined in China's Criminal Law and other laws, therefore, it can be said that "drug crime" is a doctrinal concept. The academic community usually defines it from the perspective of form and substance. From a formal perspective, drug crimes are crimes that violate China's Criminal Law and other anti-drug laws and regulations. From a substantive perspective, drug crimes endanger the health of the public and are socially harmful, and they are crimes that should be subject to criminal laws and regulations. A single definition cannot meet the needs of interpretation, and defining drug crimes from either the formal or substantive perspective has its limitations, especially the definition from the formal perspective defines drug crimes as purely crimes against the legal order, which in fact reverses the cause and effect. Social harm is the essential attribute of drug crimes, and drug crimes should be subject to criminal law because they are socially harmful, not because they violate the legal order. Therefore, a

comprehensive definition of drug crime should be defined as: drug crime is an act that violates Chinese criminal law and other anti-drug laws and regulations, seriously endangers the public health of society, and should be subject to criminal law and regulations.

The heavy-handedness of Chinese drug crime legislation has traditionally been universally recognized by the academic community, which can be attributed to some extent to certain political and historical factors. In recent history, the proliferation of opium brought heavy damage to the Chinese nation, triggering the public's abhorrence of drug crimes and adding the health, social and ethical disasters caused by drug use to drug crimes, leading to the "demonization". China has responded to this "legal sentiment" at the legislative level out of various needs.

The provisions on drug crimes in China's actual law are mainly concentrated in Chapter 6, Section 7 of the Criminal Law, which provides for 12 drug crimes and related statutory penalties by specific crimes. First, the legislation covers the entire chain of drug production, distribution, sale and consumption. In the manufacturing process, not only the act of manufacturing drugs is regulated, but also the source of drug manufacturing materials, and the illegal cultivation, trading, transportation, carrying, and possession of raw materials and seedlings for drug manufacturing are criminalized. In terms of the circulation and distribution of drugs, the legislation provides for the crimes of smuggling, trafficking, and transportation of drugs. Finally, in terms of the consumption of drugs, the legislation does not include the act of voluntarily taking drugs in the scope of criminal law, but regulates the act of inducing, abetting, deceiving, tolerating, and forcing others to take drugs. Finally, in order to prevent the crime of "missing the net", the legislation provides for the crime of illegal possession of drugs as the bottom clause, thus realizing a "home run" in the actual law of drug crimes in a normative sense.

Second, in terms of the setting of statutory penalties, the maximum statutory penalty for drug crimes is the death penalty. Article 347 of the Criminal Law provides for the crimes of smuggling, transportation, trafficking, and manufacturing of drugs, and sets statutory penalties ranging from a minimum of control and detention to a maximum of 15 years of

fixed-term imprisonment, life imprisonment, or the death penalty. It is easy to see that the penalties for drug crimes span a wide range, and the judiciary has a large discretionary power.

3. Rethinking Felonism in Drug Crimes

3.1 Drug Crimes Are by Nature Non-Violent Crimes

As far as the criminal acts are concerned, in terms of the means of smuggling, trafficking, transporting, and manufacturing drugs, the main means used are peaceful, without any element of violence or threat of violence. In terms of the actual harmful results, drugs can cause harm to the physical health and even life safety of the abuser, but this harm is very indirect and must be predicated on the abuser taking the drugs on his own. As long as the abuser is able to control the amount of drugs he or she consumes, there is at least no imminent risk to his or her own life.

Of course, it should be noted that there are some exceptions to the classification of drug crimes as non-violent crimes. For example, cases of armed cover for drug smuggling or violent resistance to arrest by public security officers occasionally occur in judicial practice. It is important to mention here that, for example, the crime of smuggling, trafficking, transporting, or manufacturing drugs in Article 347 of the Criminal Law resists inspection, detention, or arrest with violence and under serious circumstances.

For the above-mentioned criminal circumstances, although the acts have a certain element of violence, in essence, they are all cover means or follow-up means for smuggling, trafficking, transportation and manufacturing of drugs, and do not belong to the basic constituent elements of the crime. In addition, such episodic acts may well constitute a separate crime, which can be evaluated separately according to the legal interests they infringe. For example, violent resistance to arrest resulting in serious injury or death may be recognized as the crime of intentional injury or intentional homicide. Similarly, the act of armed cover for drug smuggling can be recognized as the crime of armed cover for weapons and ammunition, and can be punished severely. Therefore, even if the death penalty for drug crimes is abolished, it will not lead to a disproportionate crime and punishment situation.

In summary, compared with typical violent crimes such as traditional intentional homicide,

drug crimes do not have the characteristics of violent crimes such as cruelty and anti-ethicality, and therefore drug crimes are non-violent crimes and should not adopt a heavy-handed legislative view and judicial stance.

3.2 Drug Crime Penalties Do Not Match the Social Harm They Cause

The principle of adaptation of crime and punishment requires that the social hazards of a crime be adapted to its penalty. Since the 1982 Decision on Severe Punishment of Criminals who Seriously Damage the Economy and the subsequent Customs Law raised the maximum legal penalty for drug crimes such as transportation, manufacturing, and smuggling to the death penalty, China has developed a penal approach that punishes drug offenders with the death penalty. In contrast, countries such as Germany, Japan, and France consider public health as a legal interest in drug crimes and do not have capital punishment. Internationally, most countries also do not impose the death penalty to punish drug offenders, and in recent years, there has been a growing call for abolition of the death penalty. According to the retributivist view of punishment, only acts against the life of others can impose retribution of life. For abstract dangerous offenders who do not cause actual harm, they should also take a lighter sentence. Because the drug crime is against the public health, not the life of others, the retribution of life for drug offenders is not in line with the retributivist view of punishment. For those whose drug use did not cause actual harm to others, they should not be made to pay the price of their lives as well.

The legal interest violated by drug crimes is public health, which is the health condition of an unspecified or majority population that ultimately depends on the physical health of the specific abuser, not the life of the abuser. The addictive nature of drugs is considered to be a need like hunger and sexual desire, which is a reflection of human nature. Of course, drugs are by their very nature harmful, and thus drug use can cause significant harm, including physical impairment, mental disorders, withdrawal reactions, and self-injurious behavior, as well as consume significant resources and adversely affect families. These harms should be foreseeable to the abuser. China's Criminal Law and Anti-Drug Law provide easy-to-understand definitions of drugs and list common drugs to

show their harmfulness and illegality. The fact that the abuser knows the dangers of drugs but still chooses to take them is a choice the abuser makes between harm and pleasure, and has nothing to do with the perpetrator of the drug offense. Of course, overdose can lead to death, but this is not within the scope of harm in the legal sense. And the upper limit of the statutory penalty for the violation of such health should also be health, combined with the type of statutory penalty set up today, which is liberty, not death. Setting the death penalty is not in line with the requirements of the concept of punishment, that is, not in line with the principle of equivalence of crime and punishment.

3.3 Heavy Penalism (Death Penalty) Does Not Reduce Drug Crime

Under China's criminal law, it is a crime to engage in smuggling, trafficking, transporting or manufacturing of drugs, regardless of the quantity. This demonstrates China's zero-tolerance attitude toward drug crimes, with a very low threshold for incrimination. While this facilitates the public security authorities to combat drug crimes and the judiciary to engage in related judicial activities, it may also lead to unscrupulous individuals being involved in greater amounts of drug transactions. In fact, the Criminal Law provides for a low number of applicable heavy penalties for drug crimes, and the threshold for the application of heavy penalties is very low, making it easy for drug offenders to meet the aforementioned quantitative requirements and thus be sentenced to more than 15 years of imprisonment or even the death penalty. Such provisions may not be conducive to the reduction of drug crimes, but will instead increase the number of drug criminals smuggling, trafficking, transporting, and manufacturing drugs, making the drug crime situation more severe.

As far as the international trend is concerned, in recent years, criminal law has been paying more and more attention to guaranteeing the human rights of offenders, and restricting the application of death penalty has gradually become a trend. In China, restricting the application of death penalty in drug crimes has also been continuously reflected in judicial practice. In response to the drug crime situation in different regions and provinces, many places have made different quantitative regulation adjustments according to the local drug

situation. For example, the quantitative standards for imposing the death penalty are relatively high for regions with serious drug situations, while provinces with more moderate drug situations in central regions have lower quantitative standards for imposing the death penalty. The above practice reflects the essence of the mismatch between the quantitative provisions of the criminal law on drug crimes and the reality. Although the application of different quantitative standards according to the drug situation in the region can limit the application of the death penalty and pursue relative fairness and justice, it leaves the provisions of the criminal law in a hollow state and makes different standards applicable to drug offenders in different regions, resulting in substantial unfairness.

It is clear from the above that, in addition to the inherent crime prevention function of criminal law, it is indisputable that penalties should be set with the purpose of preventing crime. However, penalties should be proportionate, i.e., they should strike a balance between crime prevention and human rights protection. Excessively heavy penalties for drug offenders are not effective in preventing crime, but may be counterproductive. Therefore, when dealing with drug crimes, a variety of factors such as drug supply and demand, penal treatment, and social problems should be taken into account to implement comprehensive treatment, which is the primary task of drug control at present. When formulating penalties for drug crimes, lighter penalties should be adopted, with emphasis on the use of property penalties, and when dealing with drug violations, focus on measures to reduce supply and harm, so as to fundamentally reduce the causative factors of drug crimes and perhaps achieve better results.

4. Misdemeanor Thinking About Drug Crimes

4.1 Restrict or Even Abolish the Application of the Death Penalty for Drug Crimes

Drug crimes are essentially economic crimes, with the pursuit of profit as the primary motivation, although occasionally they involve episodes of armed resistance and violent acts of resistance to law enforcement. However, this does not mean that drug offenses should be characterized as wealth-seeking crimes with violent features. As discussed earlier, the application of the death penalty to drug smuggling, trafficking, transportation, and

manufacturing crimes that do not involve violent circumstances is excessive and unnecessary from a retributive and general prophylactic perspective. The juxtaposition of the application of the death penalty for crimes involving large quantities of drugs and involvement in international organized drug trafficking with violent resistance to apprehension that directly endangers the lives and health of others is clearly a problem of criminal misconduct. Therefore, abolishing the application of the death penalty for non-violent drug crimes is the most urgent task at present.

The legislative pattern of both smuggling, theft and robbery crimes is to consider non-violent general criminal acts as the main elements of the crime and exclude the application of the death penalty. For occasional violent criminal acts, such as armed cover and resistance to arrest, they are regulated as special criminal circumstances, and the death penalty can be applied according to the circumstances and damage results. This dual provision of considering both general and special circumstances not only meets the realistic needs of judicial practice, but also reflects the legislator's respect and protection for human life and legal interests, which is a very wise legislative model. In Chinese judicial practice, this legislative model has been applied for many years, and can be said to be a mature and successful legal model.

Drug crimes can learn from this model, excluding the application of the death penalty in general non-violent crimes, and making special provisions for violent drug crimes that violate the physical health and even the lives of others, which can apply the death penalty, but also provide for the crime of causing serious injury or death to others, such as directly applying the crime of intentional injury or intentional homicide, so as to combine several crimes with the original drug crimes, in order to strengthen the fight against. In order to strengthen the fight against the vicious and violent drug offenders who "seek money and kill". Such a revised drug crime legislative scheme will, on the one hand, help distinguish between general non-violent drug crimes and occasional violent drug crimes, so that more drug offenders will realize that choosing a hidden, non-violent crime is an important means of preserving their lives. On the other hand, it will significantly reduce the proportion of death sentences for non-violent

drug crimes and help fundamentally restrict or even abolish the death penalty.

4.2 Pay Attention to the Application of Non-Reduction, Parole Life Sentence

Sentence enforcement has long been a much-criticized issue in judicial practice. Especially in corruption and bribery crimes, criminals can take advantage of their previous status as state employees to adopt false point counting, false merit and false identification in order to illegally obtain sentence reductions, parole and provisional release from prison. This not only seriously undermines judicial authority and credibility, but also gives the public a sense of judicial injustice caused by power. This “bribery out of prison” phenomenon of judicial corruption has been seen throughout history.

However, the problem of judicial corruption brought about by lack of supervision is not only present in corruption crimes, but can be present in any crime. In drug offenses, especially syndicated drug offenses, offenders have no less financial power than corrupt criminals had before they were incarcerated. They can likewise use enough money to induce judicial corruption to obtain illegal sentence reductions, parole, and provisional release from prison. Moreover, practice has shown that drug crimes are committed at a higher rate than corruption and bribery crimes, so the amount of judicial corruption at the penalty enforcement stage is likely to be more serious. Therefore, we need to adopt the same or even more severe measures for drug crimes, such as life imprisonment, in order to close the regulatory loopholes that exist in the execution of sentences.

In general, both corruption and bribery offenses and drug offenses have similar problems. The positive effects of life imprisonment without commutation or parole in corruption and bribery offenses are also applicable to drug offenses. Theoretically, extending life imprisonment without commutation or parole to drug crimes not only serves as an alternative to the death penalty to a certain extent, but also fills loopholes in the enforcement of criminal law. Such a two-for-one approach would be very beneficial in combating the drug crime problem.

4.3 Attaching Importance to the Application of Property Penalties

In China’s current criminal laws, the provisions of life and liberty sentences are more specific and comprehensive, and the scope of application

is wider, but in contrast, the provisions of fines and confiscated property sentences are narrower in scope, and the criteria for dividing the amounts are unreasonable and unscientific. Therefore, it is difficult to be reasonably applied in the case of great economic disparity around the world, and even if it is applied, it is difficult to achieve the punitive and educational effects on drug offenders. In fact, the application of property penalties is also rare in judicial practice, but the application of property penalties is essential from the consideration of the effect of combating drug crimes, and can achieve the effect that cannot be achieved by other main penalties.

Considering that the main purpose of many drug offenders’ crimes is to obtain considerable financial benefits, property sentences should be applied more vigorously to deprive them of the pecuniary benefits obtained through drug crimes. Although property sentences are different from sentences that restrict personal freedom such as life and liberty sentences, property sentences play an important role in limiting the profitability of drug offenders. Most drug offenders engage in the drug trade because of their greed for the high profits that come with it, and the lure of getting a lot of money in the short term intensifies the criminal’s courage to engage in drug behavior. Even if a restricted liberty sentence or death penalty is applied to drug offenders, the deterrent effect on drug offenders may not be achieved if a property sentence is not applied. Therefore, property sentences should be more fully applied in the penalty settings for drug offenses to achieve a comprehensive deterrent effect on drug offenses.

5. Concluding Remarks

Drug crime is a serious problem both in China and internationally, and the proliferation of drug crime has broken up many families and caused some vicious social incidents. Drug crime is a problem that needs to be addressed in all countries, and systematic treatment of drug crime is necessary. Under China’s official position, drug crimes have been adopted a heavy-handed view of legislation and justice, so it should also be seen that drug crimes also exist in legislation and justice with a mismatch of retribution and irregularities in the application of law.

Throughout China’s legislation and judicial practice, it is easy to see that the

heavy-handedness of drug offenses is a long-standing problem, with historical and even political factors mixed in. China's drug legislation has gone through a process from scratch and maturity over the last century, but it should still be noted that the heavy-handedness of drug crimes is still a serious and urgent problem today. As a non-violent crime, the current penalties for drug crimes do not match their social harms, and the heavy-handedness of drug crimes can hardly reduce the occurrence of drug crimes. To treat drug crimes, the future can start from restricting, or even abolishing, the death penalty, attaching importance to life imprisonment without commutation or parole, and focusing on the application of property penalties, and treating drug crimes as a comprehensive misdemeanor in order to conform to the principle of matching crime with punishment.

References

- Bao Han. (2017). On the evolution and choice of drug policy: the benign interaction between the will of the state and civil society, *Chinese People's Public Security University* (Social Science Edition), 4(4), p. 64.
- Chen Wei. (2017). Reflections on the Application of Penalties for Drug Crimes in China, *Theoretical Exploration*, (2), pp. 104-111.
- Chu Chenge. (2007). A Trial of the Sociology of Knowledge Research Perspective on Drug Crimes, *Journal of Xi'an College of Arts and Sciences*, 2(2), p. 63.
- Dong Xiaosong & Li Shiqing. (2010). The Justification of Heavy Penalties for Drug Crimes, *Journal of Yunnan University* (Law Edition), (23), pp. 39-42.
- Gao Wei. (2007). The Essence of the Crime of Drug Trafficking, *Journal of Yunnan University* (Law Edition), 1(1) p. 62.
- He Rongkong. (2014). Drug Crimes should not be among the most serious crimes in criminal law, *Journal of Liaoning University* (Philosophy and Social Science Edition), (1), p. 111.
- Li Gongsheng & Wu Yulian. (2009). A Brief Discussion of the Legal Interests Infringed by Drug Crimes, *Western Law Review*, (2), 64.
- Yang Bing. (2020). On the Appropriateness of "Heavy Penalties" for Drug Crimes—From the Perspective of Legal Benefits of Drug Crimes, *Journal of the Armed Police*, 9, p. 59.