

Khat: a dangerous drug or harmless ritual?

Law is a sore point within the Canadian Somali community

The shop was empty. The shelves behind the glass display counter were bare, no one was playing at the pool table. But the storekeeper, a woman in traditional Somali dress, was remarkably busy for someone who looked to have nothing for sale. One after another, customers entered her tiny corner store and left carrying small plastic bags containing foot-long plant stems sprouting dark green leaves.

Another shipment of "khat" had arrived.

Khat is a shrub that grows only in East Africa and the Arabian Peninsula, and it has suddenly joined the ranks of Canada's most problematic illicit drugs.

Seventeen tonnes were seized last year in crackdowns in Newfoundland, Quebec, Ontario and Alberta. Police now seize more khat than cocaine, heroin, opium, crack, meth and Ecstasy combined. That's partly because it's a bulky drug. Still, there were almost 900 seizures in 2006.

A National Post investigation has found that, despite a crackdown at the border and police probes of the major smuggling rings, shipments are still arriving regularly at Canadian distribution points such as restaurants and coffee shops, where it is sold from backroom counters. The Post found khat being openly bought, sold and consumed in Toronto.

Khat is also the topic of an emerging debate in Canada, one that touches on thorny issues, from the rights of immigrants to the limits of multiculturalism and the influence of Islamist extremists.

"It'll never be stopped," said a young Somali shopping for khat at an Etobicoke strip mall, who gave his name as Mohamed but like the others did not want to give his full name for fear of arrest. "People are coming up with new ideas to bring it in every day. It's going to be the same as prohibition times." "It's the best business to get into."

The reason it is such a good business is that there is a steady market in Canada, mostly in Somali neighbourhoods like the Dixon Road area of Etobicoke.

In Somalia, chewing khat is a daily ritual that dates back hundreds of years. Men gather in the baking afternoons to sit, chew and talk. Khat sessions can last all night.

"It makes you relaxed and more hyperactive but you don't lose your head like alcohol," one chewer said, in the alley outside a restaurant that sells khat at a backroom counter. "It's like having three coffees so you are awake all day."

When civil war erupted in the late 1980s, and Somali refugees scattered around the world, khat followed them. Canada responded by banning the plant, formally known as *catha edulis*, under the Controlled Drugs and Substance Act.

"It is an offence to possess, to traffic, to import," said Inspector Lise Crouch, Officer in Charge of the RCMP's Drugs and Organized Crime Awareness Service. "It's an illegal drug."

But Canada's khat law is a sore point within the Canadian Somali community, which numbers about 150,000, one of the largest in the world. Khat users complain it has criminalized part of their culture and that it was a result of lobbying by Saudi-educated imams who want to impose their austere codes of conduct on the entire community.

"Khat is part of Somali life," said Mohamed Doli. "It is entrenched in the Somali communities. It is the way people come together and express themselves, just like you calling a friend and saying, 'can you join me for a drink today?'"

Mr. Doli's law office on Lawrence Ave. W. is only a few blocks from the strip mall where khat is sold at three secret counters. An ethnic Somali, he represents clients who have been charged with khat smuggling and possession.

The anti-khat law has not stopped Somalis from chewing, only pushed the industry underground, he said. The price also jumped when it was outlawed, from \$15 to \$20 a bundle to \$60 to \$80. "It is coming in at the same rate as it used to, it's only that it's more expensive. So in terms of preventing khat from reaching Canada, we are not successful. But we are successful to enrich those who bring it in the black market."

Moreover, Mr. Doli said he believes the law is unconstitutional.

"Every community in Canada has something that is special to their culture," he said. "Khat is specific to the Somali and Yemeni communities. So when khat is criminalized, in essence you have criminalized the culture of these communities."

"Any law that affects specifically a group of people to the exclusion of other Canadians is a direct violation of the charter," he said.

The law was only enacted because of pressure by radical Muslim clerics, he said, echoing a view held by many Somali-Canadians. "What's most painful is, the whole thing is born from a very myopic-thinking people who just see the

whole world in a very narrow slant."

Mr. Doli is not the only one who thinks the law violates the Charter of Rights. **Ed Morgan**, who teaches law at the University of Toronto, thinks it should be struck down.

"In Somalia, khat is not like drugs in Western culture," said **Mr. Morgan**, former president of the Canadian Jewish Congress. "It's a very open part of the culture."

Mr. Morgan has already filed a constitutional challenge on behalf of one of Mr. Doli's clients, but it died when the Crown stayed the charges. The basis of the challenge: the law unfairly targets Somalis and is unjustified, since there is insufficient proof khat is harmful.

As many Canadian chewers are quick to point out, khat is not illegal in Britain. As a result, a bundle of khat that costs \$80 in Toronto sells for about \$5 in London. Some Canadian Somalis travel to London to bring back khat, or simply for khat holidays. "People fly to U.K. now to chew and come back," one Toronto khat dealer said. "It's cheaper that way."

Khat must be consumed fresh, so it usually arrives in Canada aboard commercial airlines. Smugglers bundle it in moistened newspapers or banana leaves and stuff it in suitcases and parcels.

Most of the khat that reaches Canada comes via the United Kingdom, but it also arrives from the Netherlands and elsewhere. As customs officers have cracked down, the smugglers have adapted. Importers will now send non-Somalis on free holidays to London, the catch being they must bring back a suitcase full of khat. One load of khat was found hidden in a shipment of fresh cut flowers. "We have a lot of experience with black market," one chewer said. "We come from Africa. Everything is black market."

Few issues divide Somali-Canadians like khat. Depending on whom you ask, it is either a harmless pastime comparable to drinking coffee or eating peanuts, or a menace that makes those who chew it lazy and broke.

At the Country Style coffee shop on Dixon Road, in the heart of Toronto's Little Mogadishu, heated arguments broke out when a reporter asked about khat.

Hussein Duale, 70, said he had chewed khat all his life without consequence. "It makes you awake and happy," he said. "I never had a problem chewing the khat."

As for the Canadian law banning khat, "That is totally wrong. The only time you have problems chewing khat is if you over chew, like everything else."

But Gaal Yacqub said it causes economic and family hardships. "If you drink alcohol, you can work tomorrow. If you chew khat, you can't work. You can drive today but you can't work."

Mohamud Abdi said husbands and wives are always fighting over khat, mostly because of the cost to families that can ill afford to spend \$80 three times a week.

"Most people in the Somali community, they don't like khat," he said. It causes "health problems, financial problems and the person, he can't work. He like to sleep 24 hours."

Some Muslim clerics have declared khat haraam, or forbidden by Islamic law. Aden Esse, a Somali community leader who helped found the Khalid mosque in Etobicoke, said khat is not specifically mentioned in the Koran, but it is prohibited because of the damage it causes families, health and wealth. "There are a number of ways that it is haraam," he said.

At a strip mall near Lawrence Ave. West and Weston Road, there was anticipation. It had been days since the last shipment of khat and the men were getting anxious.

They cruised the parking lot in their cars, looking for the dealers. In an alley behind a restaurant, men sat at tables playing cards. Dried twigs littered the ground - the refuse of the last shipment. Those too desperate to wait resorted to chewing graba, dried khat leaves that are considered a poor substitute for the fresh stuff, but that will do in a pinch.

A few days later, a shipment arrived via the Netherlands. It was a variety of khat known as mira, named after the region in Kenya where it grows. (Ethiopian khat is called herere.)

An elderly man took his bag behind the restaurant, sat down and began to chew. He said khat helps his diabetes. "It makes me feel happy and I have pressure before I chew but now the pressure is going down. I feel relief."

An SUV pulled up and someone said the men inside were dealers but they denied it. The driver said he was already facing criminal charges after police searched his car last winter and found khat. He said he was released on the condition that he not use a cell phone or be around khat. But when the Post talked to him he had a cell phone in his hand and a bundle of khat in his front seat. Like many Somalis, he wants the Canadian government to stop what he considers the futile fight to ban khat. "It should be legalized," he said. "Why not?"

A man emerged from the back door of a coffee shop and opened his plastic bag,

showing the half-bundle of khat he had just purchased for \$40. Asked how much he had earned at work that day, he looked embarrassed.

"Seventy-two dollars," he said.

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