

The Alleged Portuguese Drug Paradise Examined

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‘What about Portugal?’ has become the standard attack line of the drug legalisers as the effect of the feeble ‘What about Alcohol?’ line has worn off. See my blog on ‘Stupid Arguments for Drug Legalisation, here <http://dailym.ai/2lCj6N4>

In 2001 Portugal more or less decriminalised possession of certain illegal drugs. From the propaganda of ‘libertarian’ bodies such as the far from dispassionate Cato Institute, you might think that the Garden of Eden had been recreated on the banks of the Tagus. This is disputed by others, especially opponents of drug legalisation in Portugal itself. http://www.huffingtonpost.co.uk/2012/12/10/portugal-decriminalisation-drugs-britain_n_2270789.html

AS far as I can discover, the law in Portugal before this time was not especially stringently enforced. Reliable figures for the period before are, to put it mildly, elusive. The change in the law merely codified an informal relaxation already well under way.

My opponent in a recent drug legalisation debate, herself Portuguese, made the mistake of recalling her childhood before the change, when she had often observed heroin abusers in the streets of Lisbon. Well, exactly, I said. Like the equally-touted Uruguay, and Colorado for that matter, formal evisceration of laws followed a long period of enfeebled enforcement.

This difference between paper laws, which appear draconian, and actual enforcement is probably the single most vital thing to understand in any debate about the effectiveness of criminal laws against drug possession.

The website FullFact rightly points out ...here <https://fullfact.org/news/what-effect-has-decriminalising-drugs-had-portugal/>

...that much of the debate about the drug law changes in Portugal depends on which statistics matter to you. This is interesting in the same vein

<http://www.npr.org/2011/01/20/133086356/Mixed-Results-For-Portugals-Great-Drug-Experiment>

Both sides are right – drug deaths have fallen, but homicides (not necessarily drug-related) have risen, as have petty opportunistic thefts. I believe that improvements in Portuguese health

services took place at around the same time, and may also help to explain these improvements. I'd be grateful for any information in this.

I have gleaned from various corners of the web the following facts or claims about Portugal. None of them really addresses the very hard-to-measure problem of what has happened to actual levels of drug abuse, or of the possible mental health implications of decriminalisation, which will only be recorded if there is an active desire to do so.

I think anyone who reads them can see that it is mistaken to play Portugal as a trump card in the drug argument (though I have seen it used in this way (and irrelevantly to the subject actually under discussion) by two not-very-well-informed TV presenters in recent months, as I tried to argue the case against weakening drug laws). If these people are not well-informed, how is it that this argument is so commonly deployed?

It seems to me that you only ***need*** to be well-informed on the subject under discussion if you are on the unfashionable side.

Here are some of these facts and claims. I will be grateful for any corrections, amendments or additions that anyone can supply:

HIV cases among drug users have decreased to 13.4 cases per million in 2009 - but that is still high above the European average of 2.85 cases per million.

From July 2001 to 2007 there is said to have been increased uptake of 'treatment', a reduction in new HIV diagnoses amongst drug users by 17% and a general drop of 90% in drug-related HIV infection. A reduction in drug related deaths, although this reduction has decreased in later years.

However, the number of drug related deaths is now almost on the same level as before the 'Drug Strategy' was implemented. Reported lifetime use of "all illicit drugs" increased from 7.8% to 12%, lifetime use of cannabis increased from 7.6% to 11.7%, cocaine use more than doubled, from 0.9% to 1.9%, ecstasy nearly doubled from 0.7% to 1.3%, and heroin increased from 0.7% to 1.1

During the same period, the use of heroin and cannabis also increased in Spain and Italy, where possession of drugs for 'personal use' was decriminalised many years earlier than in Portugal

These developments may not all be because of the law change in 2001. For instance, in Portugal, needle exchange began in 1993

'Treatment' for 'addicts' began in 1987

Substitution of prescribed drugs for heroin began in 1977

An analysis published last year in Law and Social Inquiry,

https://www.law.berkeley.edu/files/Laqueur_%282014%29_-_Uses_and_Abuses_of_Drug_Decriminalization_in_Portugal_-_LSI.pdf

the journal of the American Bar Foundation, found no evidence that Portugal actually changed its enforcement approach after the “radical decriminalization,” as the Cato Institute put it, of 2001.

Looking at the eight years before decriminalization, the Bar Foundation’s journal reported that the average number of people in Portuguese prisons for simple drug possession was about 21. Not **21%**, but **21 people out of 10 million**. That is: **0.00021%**

Homicides (not necessarily drug related) increased by 40% in five years after the change. I’m not saying they were caused by the change. But I bet you that if they had ‘fallen’ by 40% in the same period, the drug legalisers would have claimed it as a benefit of the policy.

Opportunistic thefts and robberies had also risen on 2001 figures when measured in 2004. The legalisers also offer various rather unconvincing reasons to pay not attention to this. The likelihood of a connection here is quite strong given the fact that drugs are not given away free, even in the Portuguese Drug Paradise, and people do steal to pay for them. But above all, the main danger from mind-altering drugs is not death (though it is a danger, see Professor Neil McKeganey today(16th August 2017) in the Scottish Daily Mail, where he says ‘Scotland is facing a national health disaster evident in the latest drug death figures - 867 deaths in 2016 - 23 per cent higher than in the preceding year.

‘Even for those who are well-used to presenting the dismal news of Scotland's rising drug deaths to the Scottish public, those figures are deeply shocking.

‘We have pursued a policy of harm reduction for at least the last two decades. That policy is based on the myth that you can reduce the harm of drug abuse without actually reducing the overall number of people using illegal drugs.

‘If ever there was an ironic testament to the failure of that policy it must surely be the fact that 41 per cent of the drug deaths now occurring in Scotland are linked to methadone.

The proportion of addict deaths linked to methadone is even higher in Glasgow where the drug is running virtually neck and-neck with heroin in the number of deaths it is causing.’)

The anger lies in the increasingly persuasive correlation between the use of marijuana (Steve Rolles of the drug liberalizing lobby group Transform does not like this term, so I shall use it all the more) and mental illness, a problem made worse by the widespread and mistaken belief that marijuana is ‘soft’, safe to use and barely a drug at all. This is not the route to paradise, I think.