



The Bipartisan Case to End the War on Drugs

Andrew Syrios

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In a time where it seems the country couldn't possibly be further apart politically, there does, at least, seem to be a growing consensus that the War on Drugs has been a failure. Even its proponents generally recognize that it has not gotten us anywhere close to ridding the world of drug abuse. As the U.S. drug czar even admitted, "In the grand scheme, it has not been successful."

Fortunately, there is a growing consensus that the prohibition of drugs is the wrong way to deal with the many problems drug abuse can cause.

This of course is not to say that drug use isn't dangerous or drug abuse isn't a terrible problem. Illicit drugs have most definitely left untold human tragedy in their wake. But the War on Drugs has simply exacerbated the problem all the more. Indeed, I believe this should and actually can be a bipartisan issue and will thereby make the case from the liberal, libertarian and conservative perspectives that drugs should be legalized. And I will assume no side has any malevolent intent as well. We should recognize that the vast majority of people genuinely want what they think is best for the world. They may be wrong, but their intentions are usually good no matter what side of the political spectrum they fall on.

And of course, these arguments overlap with each philosophy. I am not asserting that liberals don't care about individual rights or that conservatives don't care about curing drug addicts. All of these points form a cohesive argument to legalize drugs. However, each philosophy emphasizes certain principles and it is my intent to show that regardless of the philosophy you personally espouse, all roads lead to decriminalizing drugs.

The Liberal Case:

"Call off the global drug war... Penalties against possession of a drug should not be more damaging to an individual than the use of the drug itself." –Jimmy Carter

Liberals advocate tolerance and support for the downtrodden. It should be quite obvious that throwing drug addicts in prison doesn't count as either tolerance or support. Today, the United States has the largest prison population in the world. With only 5 percent of the world's population, 25 percent of the world's prison inmates reside in the United States. Much of this is because of the War on Drugs, with 51 percent of federal prisoners and 16 percent of state prisoners serving time for nothing more than drug-related offenses.

Furthermore, it is minorities who are hit the hardest by this. According to the Sentencing Project, while African-Americans make up only about 12 percent of those who use drugs, they make up 34 percent of those arrested for drugs. Drug addiction is obviously a terrible problem, but it's hard to see how the solution to such a problem is incarceration. Drug abuse is a medical issue and should be dealt with as such. Addicts should be given care and help in conquering their addiction, not have their addiction compounded with incarceration or probation.

Furthermore, as Johann Hari notes, new research makes it appear that drug addiction may not be as simple as we had once thought. He points out that:

“Professor Peter Cohen argues that human beings have a deep need to bond and form connections. It's how we get our satisfaction. If we can't connect with each other, we will connect with anything we can find — the whirr of a roulette wheel or the prick of a syringe. He says we should stop talking about ‘addiction’ altogether, and instead call it ‘bonding.’ A heroin addict has bonded with heroin because she couldn't bond as fully with anything else.”

Cohen came to this conclusion by evaluating old studies with rats, showing they became addicted to cocaine when the rat was offered two bottles of water, one with and one without cocaine in it. But later studies showed that this only happened when the rats were alone. When they lived in a social environment, the rats did not become addicted. In addition, according to a study by the Archives of General Psychiatry, of the soldiers in the Vietnam War who were addicted to heroin, “95 percent... simply stopped” upon returning home. “They shifted from a terrifying cage back to a pleasant one, so [they] didn't want the drug anymore.”

In other words, helping addicts cope with the challenges of life, overcome previous traumas or shame and bond with other human beings is the path to defeating drug addiction; not declaring war on the substances themselves, and often catching the addicts themselves in the crossfire.

The Libertarian Case

“If we are allowed to deal with our eternity and all that we believe in spiritually, and if we're allowed to read any book that we want under freedom of speech, why is it we can't put into our body whatever we want?” —Ron Paul

Libertarians believe in the unassailable sovereignty of the individual. They hold dear the classical liberal dictum that “your right to swing your fist ends where my nose begins.” As Lysander Spooner said, “vices are not crimes.” Indeed, the mere concept of a “victimless crime” comes off as little more than an oxymoron.

We can talk about the more complicated issues regarding whether those who sell drugs to children or mothers who give birth to crack babies are initiating force. But we can only do so after getting the fundamentals straight. Yes, drug users often hurt those around them. But the actual act of using drugs harms only the drug user. If the government can “prevent” us from hurting ourselves with drugs, why not with food? Perhaps the government should put us all on a diet. It should certainly ban cigarettes and alcohol, which kill many magnitudes more than illegal drugs.

Or perhaps the government should ban guns? Yes, such bans haven't worked where tried, but neither has the War on Drugs.

Freedom of the individual is the core value of Western Democracies and that includes the freedom to make mistakes. If an individual wishes to use drugs, that is his or her prerogative. It makes no sense whatsoever, and is quite frankly tyrannical, for the government to punish them for this lack of judgment.

Furthermore, one of the biggest problems with restrictions on “victimless crimes” is that such “crimes” often take place in private with no witnesses (or none that wish to involve the authorities at least). It therefore requires a hugely invasive state apparatus to find and punish such “offenders.” There are an estimated 45,000 SWAT raids every year in the United States. According the ACLU, only 7 percent of these are for hostage and barricade situations and the vast majority are for drugs. Sometimes, the results of this police-militarization are absolutely tragic. A baby in Georgia was put into a coma after a flash bang was dropped in one such raid and another lead to the death of Jason Westcott, who possessed all of \$2 worth of marijuana. Unfortunately, there are many stories like this.

Simply put, limited government and the War on Drugs are incompatible.

The Conservative Case

“What are the relative costs, on the one hand, of medical and psychological treatment for addicts and, on the other, of incarceration for drug offenses? It transpires that treatment is seven times more cost-effective.” – William F. Buckley

Today, conservatives are the most likely to support the Drug War (although plenty of liberals such as Hillary Clinton, are as well). But this kind of thinking is actually relatively new to the conservative approach. For example, as historian William Leuchtenburg notes, alcohol Prohibition was “...a movement that was embraced by progressives,” not by conservatives.

Indeed, for all the praise conservatives rightly give the founders of the United States, they should probably recognize that drugs were legal at that time and remained so throughout most of our nation’s history.

Conservatives have also correctly pointed out the importance of having strong families and how much harm can come to children by growing up fatherless. Of course, parents who abuse their children should be removed. But locking up millions of otherwise law-abiding parents just because they smoke marijuana is not a position that I believe could be called pro-family. Parents, even imperfect parents, are a lot better than broken families and the foster care system.

Indeed, it was none other than the great conservative Russell Kirk who stated that one of the 10 principles of conservatism is “...the principle of imperfectability.” Namely:

“Human nature suffers irremediably from certain grave faults, the conservatives know. Man being imperfect, no perfect social order ever can be created. Because of human restlessness, mankind would grow rebellious under any utopian domination, and would break out once more in violent discontent—or else expire of boredom. To seek for utopia is to end in disaster.”

What could possibly be more utopian than the idea that we can eradicate drug abuse through force?

Instead —just like with Prohibition in the 1920's—outlawing a product that people want just creates black markets and all the crime that comes with them. Alcohol Prohibition created Al Capone and drug prohibition created Pablo Escobar. Is there really much of a difference?

Conservatives point out the unintended consequences of all sorts of government intervention, but there really is no better example than the War of Drugs. A report from the UN found that:

“The first unintended consequence [of the drug control system] is a huge criminal black market that now thrives in order to get prohibited substances from producers to consumers. Whether driven by a ‘supply push’ or a ‘demand pull,’ the financial incentives to enter this market are enormous. There is no shortage of criminals competing to claw out a share of a market in which hundred fold increases in price from production to retail are not uncommon.”

So what has the War on Drugs accomplished? As The National Institute of Drug Abuse noted, “Illicit drug use in America has been increasing.” In 2012, “9.2 percent of the population” had used illicit drugs in the last month “...up from 8.3 percent in 2002.” In other words, over a trillion dollars has been spent, millions have been imprisoned, criminal cartels have profited immensely and our civil liberties have been trampled on and we have absolutely nothing to show for it.

It should finally be noted that drug use may actually go down with legalization as the case of Portugal shows. A report by the Cato Institute highlights that “Since Portugal enacted its decriminalization scheme in 2001, drug usage in many categories has actually decreased when measured in absolute terms.” And Erik Kain notes that ten years after decriminalization, “drug abuse is down by half.”

Conclusion

Whether you are primarily concerned with the rights of the individual, the best way to alleviate drug addiction or simply the best results for society; all paths converge on decriminalization. There are certainly matters of regulation that can be debated, but first and foremost, we should all agree that the War on Drugs has failed and that it is finally time to try a different approach.