

Drug debate continues

By **Jonathan Parent** in **Opinions** / **March 1, 2012** /

Last week Nick D'Angelo responded to my article titled "Why is the legalization of drugs still a controversial issue?" with a well-argued piece of his own in which he asserts, among other things, that legalization would not result in reduced crime or drug use. While I disagree with his position, for reasons I will point out below, I would first like to thank D'Angelo for his article. Whether or not prohibition is the answer, a debate about drug policy in the U.S. is sorely needed and this requires exactly the sort of exchange between opposing positions that the editorial page of the Concordiensis provides.

Specifically, D'Angelo takes issue with my claim that prohibition has not worked in the past by suggesting that during the period between the 18th Amendment, which outlawed alcohol, and its repeal 14 years later, alcohol consumption decreased. There are two problems with this point, the first being that there are few reliable statistics regarding alcohol consumption during this period, so estimates instead often rely on proxies such as cases of liver cirrhosis and arrests for public intoxication. The problem with these types of proxies is that they do not account for possible complicating variables that may be unrelated to the legal status of alcohol. Secondly, even with the statistics we do have, upon closer examination, reveal that while alcohol consumption likely did drop during the first years of prohibition, it then rose steadily until surpassing its pre-1919 level by the early 1930s. Indeed, one study by the Cato Institute, an organization with which I suspect D'Angelo often agrees, demonstrated that the annual per capita consumption of alcohol stood at just under 0.8 gallons in 1919, dropped to just over 0.2 gallons by 1921, but had risen again to 1.3 gallons by 1929.

Regarding the potential tax revenues of drug legalization, D'Angelo quotes Bloomberg Business Week in claiming that the government pays nine times in healthcare costs related to alcohol consumption – \$72 billion – than what it receives in taxes, approximately \$8 billion. While these figures may very well be accurate, they do not account for state and local tax revenues from alcohol, both major sources of funding for these governments. In addition, I would argue that these healthcare costs would exist whether or not alcohol was legal, a proposition supported by the same Cato Institute study cited above.

Regarding the effect that legalization would have on the drug cartels of Mexico, D'Angelo claims that the increased violence of the last decade is a result of territorial disputes and the diversification of organized crime into other areas beyond drug trafficking. This is simply false. As Ted Carpenter points out in the journal *Policy Analysis*, the level of violence in Mexico is directly traceable to President Felipe Calderón's military offensive against the cartels which began in 2006. In the same article, Carpenter wisely argues that "The only lasting, effective strategy is to defund the Mexican drug cartels. Reducing their billions of dollars in revenue requires the United States, as the principal consumer market for illegal drugs, to abandon its failed prohibition policy."

I would nonetheless like to commend D'Angelo on his call for reform of the Rockefeller drug laws. These laws are indeed a failure and ought to be scrapped entirely. They do nothing to reduce drug consumption and disproportionately target minorities and the poor.

Do I believe that all drugs are likely to be legalized overnight? Of course not. But I maintain that this should be the eventual goal. A good start would be the decriminalization of marijuana, something that I believe is politically feasible today. D'Angelo and I also agree that treatment for those addicted to drugs is a better strategy than incarceration, and I believe that we ought to be diverting funds currently used for enforcement towards better supporting chronically underfunded organizations devoted to this approach.

As Professor Wicks pointed out in last week's issue, Portugal offers us an excellent example of what the end of prohibition might look like. Since decriminalization of all drugs in that country in 2001, use has actually declined relative to most other European countries. Indeed, as *Time Magazine* reports, "Between 2001 and 2006 in Portugal, rates of lifetime use of any illegal drug among seventh through ninth graders fell from 14.1 percent to 10.6 percent; drug use in older teens also declined. Lifetime heroin use among 16-to-18-year-olds fell from 2.5 percent to 1.8 percent."

Was my claim that there existed no rational arguments in support of maintaining the status quo of drug prohibition an overstatement? Perhaps. But as examples from other countries – as well as our own experience with prohibition – suggest, treating drug abuse as a criminal justice matter has not, and will never, work. And like alcohol prohibition in the 1920s, I believe that eventually the same logic will be applied to all drugs and that, while perhaps not in the foreseeable future, we will one day look back on the days of drug prohibition and wonder, what were we thinking?