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Mike Riggs | August 29, 2011

Shortly after the May GOP debate in South Carolina, former Bush official Michael Gerson wrote an oped in the Washington Post attacking Rep. Ron Paul and other drug-legalization advocates for "mocking" addicts and declaring decriminalization in D.C. (where drugs are actually still totally illegal) a failure. I blogged Gerson's column when it was published, but David Boaz has written a response in the forthcoming issue of *The Freeman* that's probably more convincing to the dwindling number of people who believe as Gerson does:

[Gerson's] May 27 column quoted this very passage and concluded, "[I]t is absurd and outrageous to treat [prisoners] like animals while hoping they return to us as responsible citizens."

Gerson contrasted the "arrogance" of Paul's libertarian approach to the approach of "a Republican presidential candidate [who] visited a rural drug treatment center outside Des Moines. Moved by the stories of recovering young addicts, Texas Gov. George W. Bush talked of his own struggles with alcohol. 'I'm on a walk. And it's a never-ending walk as far as I'm concerned.... I want you to know that your life's walk is shared by a lot of other people, even some who wear suits.""

Gerson seems to have missed the point of his anecdote. Neither Bush nor the teenagers in a Christian rehab center were sent to jail. They overcame their substance problems through faith and personal responsibility. But Gerson and Bush support the drug laws under which more than 1.5 million people a year are arrested and some 500,000 people are currently in

Our last three presidents have all acknowledged they used illegal drugs in their youth. Yet they don't seem to think - nor does Gerson suggest - that their lives would have been made better by arrest, conviction, and incarceration. If libertarianism is a second-rate value, where does hypocrisy rank?

What Gerson correctly observes is communities wracked by crime, corruption, social breakdown, and widespread drug use. But that is a result of the failure of prohibition, not decriminalization. This is an old story. The murder rate rose with the start of alcohol Prohibition, remained high during Prohibition, and then declined for 11 consecutive years when Prohibition ended. And corruption of law enforcement became notorious.

Drug prohibition itself creates high levels of crime. Addicts commit crimes to pay for a habit that would be easily affordable if it were legal. Police sources have estimated that as much as half the property crime in some major cities is committed by drug users. More dramatically, because drugs are illegal, participants in the drug trade cannot go to court to settle disputes, whether between buyer and seller or between rival sellers. When black-market contracts are breached, the result is often some form of violent sanction.

When Gerson writes that "responsible, self-governing citizens ... are cultivated in institutions



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- families, religious communities and decent, orderly neighborhoods," he should reflect on what happens to poor communities under prohibition. Drug prohibition has created a criminal subculture in our inner cities. The immense profits to be had from a black-market business make drug dealing the most lucrative endeavor for many people, especially those who care least about getting on the wrong side of the law. Drug dealers become the most visibly successful people in inner-city communities, the ones with money and clothes and cars. Social order is turned upside down when the most successful people in a community are criminals. The drug war makes peace and prosperity virtually impossible in inner cities.

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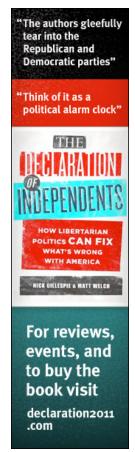
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