

Mexico closer to decriminalizing drug possession



11:54 AM Tue, May 05, 2009 | [Permalink](#)

Tod Robberson/Editorial Writer



[Bio](#) |



[E-mail](#) |



[Suggest a blog topic](#)

Mexico's congress has approved and sent to President Felipe Calderon a **bill that would decriminalize possession** of small amounts of marijuana and cocaine. The measure also would remove bigger drug-dealing offenses from federal court jurisdiction and would allow Mexican states to prosecute as they deem fit. This is a very important step, although it's not quite clear how Calderon will respond.



I'm really torn on this issue. I hate the idea that American prisons are packed with convicts whose only crime was drug possession. I doubly hate the idea that penalties for possession of crack cocaine have been much tougher than those for powder cocaine, which leads to minorities being punished with prison terms more often than whites. I triply hate the mass bloodshed that the drug cartel wars have brought to Mexico's border region. America's drug war isn't working, and something has to change.

But is decriminalization the answer? A recent **Wall Street Journal column** makes a strong argument for decriminalization. (continue reading ...)

And a **report last month by the libertarian Cato Institute** says that Portugal has not experienced a jump in addiction levels after eight years of full decriminalization of all narcotics and psychotropic substances. In fact, the prevalence of lifetime drug use in Portugal is among the lowest rates of all European Union countries.

Trafficking is still illegal in Portugal, but drug possession is treated as an "administrative offense," not a criminal offense. In other words, it's not quite legal, but possessing or doing drugs won't land you in prison.

Mexico's measure -- and Calderon's approval is nowhere near certain -- won't do much to ease the border-area bloodshed. The big cartels probably couldn't care less what happens to drug users and whether they go to prison or are allowed to get high in their homes without being hassled. What the cartels care about is holding onto their market share, and since the government is nowhere close to legalizing large-scale drug trafficking, the cartels will continue fighting it out for control of the border-area turf leading to U.S. markets.

So Mexico's decriminalization effort won't change much. But it sure will be an interesting case study if it wins Calderon's approval.