

## The New Rules: Why America's War on Drugs Will Wane

Thomas P.M. Barnett | 09 Nov 2009

For roughly four decades, a clear foreign policy rule set has existed between the United States and Latin America, centering largely on the question of counternarcotics. Starting with Richard Nixon's "war on drugs," an explicit quid pro quo came into existence: U.S. foreign aid (both civilian and military) in exchange for aggressive Latin American efforts to curb both the production and trafficking of illegal narcotics (primarily marijuana and cocaine).



By virtually all accounts, that logistics-focused strategy has proven to be a massive failure. America's focus on interdiction and prohibition has not stemmed domestic drug abuse. Instead, all indications are that preventative education -- on a generational scale -- has proven far more effective, meaning that demand reduction has trumped supply curtailment as a means of reducing overall prevalence.

Meanwhile, across Latin America, there's been widespread movement toward decriminalization. Why? Because the benefits of remaining on America's "good side" on this hot-button issue have been overwhelmed by the negative externalities of overcrowded prisons, rampant drug-related violence, police corruption, and growing organized criminal networks.

In effect, the old deal is off. New rules are on the way, whether we like it or not.

How can this be? Doesn't America's dollar diplomacy trump all in this largely impoverished region?

Not anymore, for four reasons that explain why this broad rule-set shift is occurring:

- First, the rise of a substantial middle class across Latin America is ending the popular mindset of economic dependency on the United States. Yes, the more impoverished and/or "resource-cursed" pockets still feature a raging anti-American populism. But the future of Latin America isn't more Chavezism, but rather more of the confident global leadership exemplified in recent years by Brazil's charismatic president, Luiz Inácio Lula da Silva. Hugo may build ties with fellow rogue regimes, but Lula got the summer Olympics. Guess which path has the brighter future?

- Second, U.S. foreign aid to the region no longer has the monopolistic pull it once did. Frankly, our official developmental aid is minor compared to the remittances that flow from Latino guest workers living in the United States and the foreign direct investment coming from Asia -- especially "rising" China.

- Third, globalization means that Asian and European trade is becoming far more important to Latin America over time. While the United States is still the most important trade partner overall, China has already become Brazil's top trade destination, and the EU's level of trade with the region is breaking records on an annual basis. So it's no surprise that Latin America no longer sees its economic future held hostage to America's good will.

- Fourth, Latin American states have come to the conclusion that sticking with America's "war on drugs" is exactly the wrong path to take regarding the growing transnational threat of terrorism in this age of expanding globalization. The global drug trade comes to roughly one-third of a trillion dollars per year, with Latin American cartels obviously controlling a large portion of that flow. As virtually all transnational terror groups are simultaneously globalizing criminal enterprises, the lure of Latin American drug trafficking money

naturally attracts their networking. In other words, America's "war on drugs" strategy actually encourages an influx of global terror connectivity with Latin America that otherwise would not likely occur.

And so we've seen a wave of decriminalization efforts across Latin America over the past decade, with Argentina and Mexico recently joining Brazil, Colombia, Ecuador, Paraguay and Uruguay in passing laws that make personal (i.e., small-scale) possession and use of illicit narcotics a civil rather than a criminal offense -- meaning that prosecution results in treatment and community service instead of imprisonment. The proximate goal is simple: detach consumption from trafficking in a legal sense so as to encourage the social attractiveness of treatment, as studies show that most addicts resist the court-ordered treatment pathway primarily out of the fear of legal consequences. The ultimate goal? De-fund the drug cartels by limiting demand.

Decriminalization, as such, is not to be confused with complete legalization, which attaches no penalties whatsoever to personal use and possession. Nor should it be conflated with the abandonment of public efforts to police illegal trafficking -- efforts that continue in these states. Mexico, for example, has suffered over 10,000 drug-war-related deaths since 2005 and may come close to matching that total in 2009 alone.

But in opting out of its Nixonian, drug-war bargain with the United States, Latin America is clearly rejecting our prohibitionist model. To the extent that the new moderate rule set proves successful, we'll see growing pressure within our own union to "import" it as a less onerous and cheaper alternative to the roughly 1.5 million criminal drug arrests (and, for a significant portion thereof, the resulting imprisonments) conducted annually by federal, state and local governments.

To no one's surprise, this legislative battle already approaches in our biggest and arguably most globalized state, California -- which, along with New York state, has long served as a leading source of rule-set innovation within *these* United States. Currently, three statewide referendum initiatives for legalization are being circulated for signatures, and one is likely to qualify either next year or in 2011. State lawmakers recently held a hearing on a bill that proposes to legalize, tax and regulate the use of marijuana, with tax officials predicting \$1 billion to \$2 billion in revenue for the financially strapped state budget.

Combine California's persistent zeal for individual liberty with the Obama administration's recent reversal of the Bush-Cheney policy of prosecuting dispensaries of medical marijuana, and we could be looking at a national shift of opinion that's likely to trigger a drawn-out, state-by-state rule-set battle, beginning with pot and later expanding to harder drugs.

Advocates for the war on drugs like to cite Colombia's recent progress in stabilizing its nation in the face of fierce resistance by drug cartels, claiming a clear reduction in that nation's cocaine exports (although critics dispute their figures). But as increasing reports of marijuana growers using U.S. national forests and isolated Native American reservations for "stealth grows" demonstrate, the only thing that rivals drug cartels' 90 percent profit margin -- and thus their ability to bribe -- is their aptitude for innovation. So no matter how much America seeks to crack down on transnational trafficking, the cartels will continue to find new ways to supply Americans' vast appetite for illegal narcotics.

Meanwhile, according to a recent Cato Institute report, the poster boy of the legalization camp, Portugal, enjoyed tremendous success in battling drug abuse within its borders by decriminalizing the personal possession and use of marijuana, cocaine and heroin. The key results? Rates of drug usage have not increased -- and lifetime prevalence rates have decreased; drug-related pathologies (e.g., sexually transmitted diseases, death by overdose) have decreased dramatically; treatment rates have skyrocketed; and trafficking flows -- which remain illegal -- have dropped significantly. Portugal already had one of the lowest drug abuse rates in the EU before the law went into effect. But eight years later, that's still the case. Most telling, after almost a decade of experimentation, Portugal's citizens still overwhelmingly favor keeping the law in place.

Given that the Obama administration still favors a highly militarized U.S. approach to counter-drug efforts throughout Latin America, I don't see it leading any national charge on decriminalization. But I do suspect we're approaching a post-Boomer tipping point in the national debate on the issue. This "war on drugs" began at the height of the Boomer's social explosion as a demographic wave and will logically fade as the Boomers are eased into their retirement years, replaced by succeeding generations of youth that favor technological "addictions" (e.g., texting, gaming, surfing) over pharmacological ones.

But the longer-term reality also favors a decriminalization approach. With the 21st century shaping up to be one of profound advances in biology (meaning far longer lives and thus a far higher proportion of elderly populations), "better living through chemistry" is already becoming a widely accepted social norm. Drug prohibition is largely a 20th-century phenomenon that will not long survive in the coming age of the super-medicated individual.

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*Photo: Medical marijuana dispensary in Los Angeles, California (Photo by flickr user Laurie Avocado, licensed under [Creative Commons Attribution 2.0 License](#)).*