



The War on Drugs: Morally and Fiscally Bankrupt

Sep. 9, 2009 | By Austin Raynor, DSJ Staff Reporter

President Barack Obama has called the War on Drugs “an utter failure.” Unfortunately, he has made no concerted effort to reform this federal project, which drains tens of billions of dollars from our economy and imprisons hundreds of thousands of our citizens every year. This problem demands our attention.

The United States incarcerates over one percent of its adult population. That is a heinous number, especially for a country claiming to respect human freedom. We incarcerate more people than any other nation on earth; China, which is often viewed as the “bad guy” in terms of human rights abuses, imprisons far fewer people than we do, despite the population being three times the size of ours.

Americans account for only 5 percent of the world’s population, but U.S. prisoners account for 25 percent of the world’s incarcerated population.

Each year 1.5 million Americans are arrested on drug charges alone and half a million of those are actually sentenced and imprisoned.

Twenty-one percent of state prisoners and 55 percent of federal prisoners are in jail on drug charges, and punitive drugs laws are one of the main causes of the severe overpopulation of prison systems around the country. Many of those incarcerated are merely petty users, with no history of violence or distribution (so yes, it is a felony to possess even a small amount of marijuana).

The federal prison budget in 2007 was \$6.3 billion, while the states’ was \$49 billion. According to a Pew Foundation Study, at least 44 states have gone into debt merely in order to accommodate their burgeoning prison populations.

But prison expenses are not the only effect of anti-drug legislation: our police force is drastically larger than it would otherwise be if not for the drug war; it has been estimated that police numbers could be reduced by as much as a third if the war were ended.

Besides prison expenses, the Drug War itself costs over 50 billion dollars a year (state and federal spending combined). And to what effect? In 1986 the “Drug-Free America Act” was passed, a program which astronomically escalated the War on Drugs. Its explicit goal was to make the United States “drug free in ten years.”

Needless to say, in retrospect, this goal was laughable. Although difficult to accurately estimate illegal drug use, statistics do show that there has actually been an increase in adolescent drug use since 1990; overdose deaths and emergency room mentioning of drugs have both risen consistently since the 1980s and are now at historic highs. According to the Cato Institute, “the War on Drugs has failed completely to halt the influx of cocaine and heroin, both of which are cheaper, purer, and more abundant than ever.”

Racist enforcement policies are also a serious concern. This is not surprising given that, upon the Drug War's inception, Harry Anslinger, the head of the Federal Bureau of Narcotics, announced that "the primary reason to outlaw marijuana is its effect on the degenerate races."

According to Neill Franklin, a former high-ranking drug enforcement officer: "In 1993, at the height of apartheid in South Africa, the incarceration of black males was 870 per 100,000. In 2004 in the U.S., for every 100,000 people we are sending 4,919 black males to prison. And the majority of those are for nonviolent drug offenses. But we'd rather send people to prison than give them information and treatment."

The Drug Policy Alliance points out that "a black youth with a drug case is more than twice as likely to be held in police custody for a drug offense than a white youth." Furthermore, although African-Americans make up only 13 percent of the population, they constitute 40 percent of inmates.

Racism, deficit spending, and outrageous incarceration rates are not the only downsides of the War on Drugs. Imperialism is another consequence; the United States constantly meddles in the affairs of other nations, and provides them with funding in order to battle drug use.

Closer to home, as Franklin points out, "We've got serious constitutional issues involved...improper search and seizure is occurring every day." Skewed forfeiture laws, which allow police departments to profit from unconstitutional seizures, encourage further abuse of liberty.

Drug-related assets become the property of the agencies that seize them, according to legislation passed in 1984. Any property that "facilitates" a drug crime is worthy of seizing, including homes, boats, bars, etc. In these cases (according to *United States v. One 1974 Cadillac Eldorado Sedan*) the defendant is presumed guilty.

The war on drugs is both morally and fiscally bankrupt. Widespread legalization would eliminate the tumor that is the drug war while also propagating value that Americans pay such lip service to, but rarely uphold: freedom. You have a right to decide what to do with your own body, and even puritanical moralizing by a paternalistic government should not be able to interfere with that.

Austin Raynor is a staff columnist for the DSJ. His views do not necessarily represent those of the whole staff.

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