

America is living through a drug nightmare. Drug-related murders and violent assaults are skyrocketing. Drugs are ever more potent and deadly. Drug gangs are spreading their power to every city and town. Police are being corrupted, courts are overcrowded, and prisons are bursting at the seams. The lure of big drug profits is turning children into pushers and cops into crooks.

Every month the War on Drugs escalates. More money is spent, more drugs are seized, and penalties for drug use become more severe. Yet illegal drugs are more plentiful and cheaper than ever.

There is a simple reason why America is not winning the War on Drugs. We have been fighting the wrong enemy. We have been told that the cause of our drug nightmare is drug sellers and users. The real cause is *drug criminalization*.

PROHIBITION REVISITED

This is not the first time government has tried to save Americans from themselves. In 1919, the 18th Amendment prohibited the manufacture, sale or transportation of alcoholic beverages.

Suddenly there were fortunes to be made for those willing to break the law. Honest, responsible Americans who just wanted a drink, were turned into criminals. Respectable bars became underground speak-easys, and legitimate liquor manufacturers were replaced by criminal bootleggers.

Gang shootouts became commonplace. There was massive bribery and intimidation of police and judges. Criminals who made illegal booze paid little attention to quality control, and as a result many consumers went blind or died from tainted products.

Eventually, politicians were forced to admit the futility of trying to legislate morality. Certainly liquor was harmful—but liquor *prohibition* was even worse. In 1933, Prohibition was repealed.

DRUGS & VIOLENCE

Today, liquor is legal and there are no longer any shootouts over kegs of beer or barrels of gin. But today the disastrous consequences of Prohibition are being repeated with drugs.

Before President Reagan's all-out War on Drugs, America's crime rate had been declining, but with the advent of the new wave of drug laws, violent crimes have increased sharply—32% between 1976 and 1985. Now our cities have become battlefields.

The more the government suppresses drug use,

the more drug violence increases. Drug criminalization results in huge black market profits and the domination of the drug trade by criminal gangs. As gangs battle each other and the police over turf, violence is the inevitable outcome. In addition, the high price of drugs often forces addicts to steal to maintain their habits. For example, the street price of heroin has risen as high as 5,000 times hospital costs. Finally, the stigmatizing and arresting of social drug users, forces them out of legitimate employment and into a life of crime. Eighty percent of violent street crimes are now drug-related.

No matter how many Americans are arrested for drug use, no matter how many pushers are put in jail, the War on Drugs cannot succeed. Look at any major American prison with its human cages, iron gates, armed guards, and continual surveillance. Drugs are still readily available in *prison*. If brutal repression cannot keep drugs out of our prisons, then turning the entire country into a prison will not keep drugs off of our streets.

THE DANGER OF DRUGS

The violence associated with illegal drugs is certainly real, but how great is the medical danger of the drugs themselves? In 1988 over 48,000 Americans died from alcohol abuse. Over 400,000 died from cigarette-related illnesses. Less than 2,000 died from illegal drugs. Compared to tobacco and alcohol, marijuana, the most commonly used illegal drug, is not addicting and there has never been a case recorded of anyone dying from an overdose. Illegal drugs are *not* good or safe, but they cause far less medical harm than do alcohol and nicotine.

Intoxicants have been used throughout recorded history. It seems that the desire to “get high” is as fundamental as the sex drive. Given human nature, the most humane policy would seem to be to educate people about the risks of intoxicants, encourage moderation, and make sure that intoxicants are as safe as possible. But such rational policies are made impossible by drug criminalization and the “holy crusade” mentality of prohibitionists.

Criminalization is also the cause of the vast majority of “drug overdose” deaths. Because drugs are illegal, there is no quality control or any way to sue sellers of adulterated drugs.

Needles and other drug paraphernalia are also illegal, so hard-core addicts share “works”, which is a major cause of the spread of AIDS epidemic in the U.S.

Some 4 million Americans now use illegal drugs occasionally—particularly marijuana. Most who use illegal drugs do so responsibly and in moderation. The small percentage of drug users who are addicts deserve our compassion and help, not persecution and punishment.

THE INHUMANITY OF THE WAR ON DRUGS

Poor, largely black, inner-city communities are particularly sad victims of the War on Drugs. Few poor teenagers will take entry-level jobs at \$4 or \$5 an hour when they can make thousands a week dealing drugs. Failing to acquire job skills early in life, they may end up on welfare their entire lives—if they are not killed in drug shoot-outs. This irresistible attraction of a profitable life of crime can only be ended by taking the profit out of drugs—by making them legal.

Other victims of the War on Drugs are middle class Americans fired from their jobs for casual drug use; children treated as criminals in schools by being subjected to searches of their lockers and even their bodies for drugs; glaucoma and cancer victims denied medicinal use of marijuana; and fisherman who have had their boats confiscated because tiny amounts of marijuana were found on board.

THE WAR ON DRUGS AND CIVIL LIBERTIES

Our proudest heritage as Americans is our freedom to live our own lives as we see fit. That birthright is being destroyed in the name of winning the War on Drugs.

- Under “Zero Tolerance,” which targets casual drug users, the government has seized thousands of cars, boats, and other vehicles—if even a few grains of marijuana or cocaine are found. These seizures take place without search warrants, without probable cause, and without due process. Most vehicles seized under Zero Tolerance are sold at public auction, with the proceeds freq-

uently used to hire more drug police and buy more weapons.

- Under D.C. Mayor Marion Barry's "Operation Clean Sweep", police "jumpout" squads pull up in front of stores and restaurants in drug corridors and force everyone to lie on the ground while they are searched. The few who protest or resist, are beaten or shot.
- In New York City, homeless shelters are being converted into jails. Drug Czar William Bennett has proposed building prison barges on the Potomac, in the shadow of the Washington Monument.
- In California, under the state's Campaign Against Marijuana Planting, SWAT teams search backyards by helicopter. If even a single uncultivated marijuana plant is found, a house is subject to immediate confiscation. The owner then has 20 days to sue the government to get his property back.

WOULD LEGALIZATION INCREASE DRUG USE?

There is no evidence that drug legalization would cause a dramatic increase in use. Today, anyone who wants drugs can get them. With the huge profits created by criminalization gone, most drug pushers would go out of business, and the incentive to sell drugs to minors would be largely eliminated.

Drug legalization would also end the "forbidden fruit" appeal of illegal drugs. In 1975, Alaska legalized private use of marijuana. A 1982 study by the University of Alaska showed that 4% of Alaskan students used marijuana every day, compared to 6.3% of all American high school seniors. Students use marijuana less when its legal than when its illegal.

ENDING OUR DRUG NIGHTMARE

For decades the government has been waging a futile war on drugs. With every new crackdown, drug violence and brutality increase—and our freedom declines. If drugs are legalized, drug use would become just another vice, like smoking or drinking.

Legalization would end most drug violence, brutalization of drug users, corruption of police, clogging of courts and prisons, and most deaths from drug overdoses. Legalization

would free social resources for efficient drug education and compassionate treatment for addicts.

Drugs should be legalized not because drugs are good or beneficial, but because drugs do less harm to our lives, our property, and our humanity, than drug laws.

Drug use without repression is a tolerable evil. An endless and futile War on Drugs is an intolerable assault upon the very essence of America. The War on Drugs is the cause of our drug nightmare, not the solution to it. America will be safe only when we are once more free and drugs are legal.

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FOR FURTHER READING we recommend *The Great Drug War* by Arnold S. Trebach, and *Dealing With Drugs* edited by Ronald Hamovy. Both are available from Laissez Faire Books, 942 Howard Street, San Francisco, CA 94103 (800) 326-0996.

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A Humane Solution That Will
Make Our Streets Safe



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