

Legalize Drugs

Why draconian penalties are wrong

TODAY'S COLUMNIST

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Published July 24, 2006

An open letter to Sen. Orrin Hatch: stop reefer madness here, as well as in Dubai.

Mr. Hatch, you have demonstrated willingness to act beyond ideology, when a practical approach makes more sense than "conservative" or "liberal" purity.

You did so recently, for an American victim of draconian drug penalties of the United Arab Emirates. This is an appeal for your leadership to stop the equally devastating American "War on Drugs."

Many officials admit behind closed doors that our drug policy needs radical revision. Few will say so publicly. This "third rail" of politics is exacerbated by the collusion of mainstream media, suspending usual rules of journalistic practice, publishing government propaganda without quoting critics of drug-war policy.

Our policies result in tremendous harm creation, about which much has been written, but I'll summarize here:

Denial of liberty. Our drug war constitutes an assault on individual liberty, privacy and choice, from both the left and right. Liberals fight for a woman's right to abortion and conservatives go to the ramparts to defend gun owners, but both agree to throw into prison an adult who smokes dried, leafy vegetation. With impunity, we can drink ourselves stupid and destroy our lungs with tobacco. But using a recreational substance as old as wine will get us jailed.

Waste of treasury. When our resources should be directed at lawful attempts to keep dangerous politicized religious fanatics from entering our country, we spend tens of billions futilely trying to interdict chemicals, most of which, in moderation, are demonstrably no more harmful to the body than alcohol and tobacco.

Government-created violent black market. Alcohol did not create Al Capone. Prohibition created Al Capone, with the mayhem, official corruption and murder that accompanied the 18th Amendment. And cocaine does not create drug cartels. America's War on Drugs creates drug cartels.

Government violence against its own people. With guns blazing, law enforcement agencies not only deny life, liberty and property to those who work in the government stimulated black market; they rack up untold "collateral damage," maiming and killing innocent bystanders, in countless stings gone bad.

Promoting disrespect for the rule of law. With millions of Americans scoffing at the China-like oppressiveness of the War on Drugs, our policies undermine respect for the rule of law and our democratic policy-making institutions. As the drug warriors clog our courts and fill our jails, we disrupt the lives of the poor and the powerless, who can't afford crafty lawyers and have no political connections.

Health harm creation. Perhaps most important, our policy is creating untold health harm to millions, particularly the young. We educate them about the responsible use of two potentially very dangerous, but legal, substances, but we try our best to keep them ignorant of the real effects, and side effects, of other psychoactives. While hundreds of thousands die each year from the short- and long-term health damage of alcohol and tobacco, no one succumbs to marijuana, and remarkably few die from other illegal drugs.

None of that argues for use of psychoactives of any kind, legal or currently illegal, particularly by young people with unformed intellectual and emotional lives. But it makes a powerful case for bringing other substances out of the shadows with decriminalization and legalization, and for spending some of those wasted billions on education, harm reduction, and, when needed, addiction treatment. The obsession of drug warriors with cutting off supplies of softer drugs has pushed thousands to try the bathtub gin of Neo-Prohibitionism, crystal methamphetamine.

So, Mr. Hatch, I am hopeful your efforts to save an American being abused in Dubai will cause you to re-examine the drug-war abuse millions of Americans face here everyday. I understand how difficult it will be to return to drug policy sanity. I had jury duty this summer and was sent out on a panel for a case of marijuana possession with intent to distribute. I wasn't chosen for the jury, but it made me realize how much the Drug War Industrial Complex has to lose if we change our laws. Probably a third of the jobs in that courthouse would disappear. Thousands of lawyers, prosecutors, DEA agents, and prison guards would have to find productive employment. Local law enforcement offices would lose much of their federal funding for high-tech toys.

But America would be a less violent and healthier nation. Billions fewer tax dollars would be disbursed as welfare to the legal industries formed around the drug war. And official corruption, stimulated by the lucrative black market we have created with our policies, would diminish, not just in Colombia, Mexico and Afghanistan, but right here in America.

Senator, it will take courage to lead in the battle to stop this war on America and its founding principles. But you have shown the wisdom to change your mind before.

Several decades ago, my Baby Boom generation laughed at "Reefer Madness." Then we made it public policy. It's time to stop the madness.

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