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**America's Longest War
The Failures of Drug Prohibition**

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AMERICA'S LONGEST WAR: THE FAILURES OF DRUG PROHIBITION

On a clear sunlit afternoon in April 2001, two Baptist missionaries, Roni and Jim Bowers, along with their seven-month old daughter, Charity, and six-year old son, Cory, were aboard a Cessna 185 float plane flying over northwestern Peru, bound for the airport in Iquitos. Suddenly, machine-gun bullets from a Peruvian jet ripped through the planes fuselage. Roni and Charity were killed instantly. The pilot, Kevin Donaldson, managed a crash landing in the nearby Amazon River, which he survived, as did Jim and Cory Bowers.

The Bowers were casualties of a controversial cooperative effort between the United States and Peruvian governments to stem the outflow of cocoa leaf from Peru to cocaine-processing labs in Columbia.

U.S. surveillance planes provided information to the Peruvian Air Force on planes that were suspected of carrying drug shipments. The Peruvians would send up fighter planes to intercept a suspicious aircraft and order the pilot to land at a designated airport. If a plane attempted to take evasive action - - or even if the pilot merely failed to respond - - the Peruvian policy was to shoot the plane down. (Carpenter, p.2)

When a surveillance plane operated by the CIA identified the Bowers plane as a suspect aircraft, the Peruvian Air Force sent up an attack plane to intercept. Peruvian authorities insisted that the Bowers plane failed to respond to radio calls. The pilot testified that he had heard nothing from the attack plane. (Carpenter, p.3)

On October 2, 1992, at eight-thirty in the morning, Los Angeles County drug detective Gary Spencer burst into the home of a half-blind, sixty-one year old millionaire named Donald Scott, convinced that Scott was growing marijuana on his two-hundred acre Malibu Trails Inn Ranch.

Roused from sleep by shouting and the sound of his door being battered, Scott walked into the hallway with a pistol in his hand. He had been up late drinking and was still drunk. He didn't drop his gun quickly enough and, according to Spencer, while lowering it, pointed it in Spencer's direction. Spencer fired his 9mm Beretta twice, killing Scott. (Baum, pp.320-321)

Spencer had acted on a tip about Scott's ranch, despite discouragement from other agencies. A National Park Service ranger had walked the property and found no marijuana. One week earlier, the Border Patrol agents had conducted a warrant-less search of the grounds, ostensibly looking for illegal immigrants, in spite of the fact the ranch was one-hundred and sixty miles from the border; they found no marijuana. A DEA agent flew over the property and reported seeing fifty marijuana plants - - from a height of one-thousand feet, without binoculars - - but he failed to take any pictures. Spencer's search warrant request falsely stated that he had verified the location of the fifty plants from the ground and that the DEA agent had noticed the plants on a routine

reconnaissance flight; he also failed to mention that previous inspections had turned up nothing.

Spencer and other government agencies may have been motivated by the value of the ranch - - estimated at ten thousand dollars per acre - - and its location - - adjacent to a national recreation area and coveted by the United States Park Service. "Under State and Federal forfeiture laws, property can be seized and retained by the government if it can be shown that such property may have been involved in the commission of a crime (especially drug trafficking)." (Carpenter, p.4)

Needless to say, after the shooting, "a search team went over every inch of the ranch and found no marijuana plants and no evidence that any had ever been there." (Baum, p.321)

In the closing pages of his episodic account of the war on drugs, Smoke and Mirrors, author Dan Baum reports on a visit to a Cook County, Illinois, courtroom. A young black man, Darius Wilson, twenty-five years old, is charged with possession of three bags - - 0.3 of a gram - - of cocaine. He pleads guilty, waving his right to contest the evidence against him and his right to a jury trial. The judge and his public defender haggle over Wilson's sentence, eventually settling on fifteen months with likelihood that he will be out of jail in seven months for good behavior.

Pat Mullane, one of Cook County's public defenders, pulls Baum aside. He is the only white face Baum has seen other than the judge's. Says Mullane:

"That didn't take long for you to figure out. What we do here is process young black men for prison. A kid gets picked up in a sweep. After a few hours in jail, he goes before a judge and gets a choice: plead guilty and walk tonight with probation, or ask for a trial and sit in jail for three months waiting for it. A kid may not have done anything illegal, but he wants to be on the street, especially if he's got a drug problem. So he takes the probation and walks. Now he's got a record...the next time he's picked up, they don't even have to try him, probation violation, straight to prison. He's gone through the system without ever having a trial, maybe without having done anything wrong...We may do four-hundred a night, five nights a week...Day judges would throw out the bullshit little cases we handle, but at night in the special court, two grams is a big deal. (Baum, p.332)

African-Americans constitute thirteen percent of the nation's monthly drug users. However, they represent thirty-five percent of those arrested for drug possession, fifty-five percent of drug possession convictions, and seventy-four percent of those sentenced to prison for drug possession. More on this later.

Roni Bowers, Donald Scott, Darius Wilson...three casualties - - and there are thousands more - - of America's longest war: a war characterized by many observers as wasteful, ineffectual, delusional, and destructive; a war whose cost has grown to fifty billion dollars annually, twenty billion dollars at the federal level, thirty billion dollars at the state and local levels; a war which since its launching in 1971 by President Richard

Nixon with great fanfare and moral certitude has produced mostly dubious results and unintended consequences - - the War on Drugs.

In their book Drug War Politics, Eva Bertram and others use these sobering words to describe the nature of this war:

Suppose we approached the proverbial "average American" to ask for a reaction to a new government plan. For eight billion dollars {now twenty billion dollars} the federal government would fund a system in which millions of ill and suffering Americans would receive little care, but instead would be forced underground into criminal activity because of their health problems. These Americans would help finance a violent black market network extending from their neighborhoods all the way to the third world. Every effort of the government to bring this criminal activity under control would help guarantee a persistence and in some cases expansion of the black market, spreading crime to new areas. Before long, this system would crowd our courts and prisons with those who suffered from health problems and those who preyed off them. (Bertram, p.55)

Let that indictment serve as an introduction to this paper in which I hope to add substance and detail to the claim that our government has conducted a costly and harmful war over the past forty years. ✓

For this purposes of this discussion, those drugs which are the target of this war shall be defined as marijuana, cocaine, and heroin.

The most common form of marijuana is the chopped flowers, leaves, or stems of the cannabis plant, which are rolled into cigarette paper or smoked through a water pipe, or bong. Marijuana was used as an intoxicating drug in ancient China and India, by the Romans, in the twelfth century Arab world, and by nineteenth century English and French writers. It was prohibited by the federal government in 1937. Sensationalist propaganda limited its use in the United States until the 1960's, when it became our most widely used illicit drug. One of every three Americans twelve or older has used it - - three times as many as have tried cocaine - - and unlike cocaine, usage has increased through the 1990's. (Eldredge, p.231)

With varying degrees of intensity, almost all marijuana users experience an alteration of mood or consciousness, which they find pleasant and relaxing. (Duke, pp. 48-49) Evidence does not support the conclusion that marijuana causes productive, energetic people to become slothful and unmotivated. Marijuana has no positive correlation with violence. (Duke, p.53) It is not addictive, nor has it been clinically proven to be a gateway to other drugs. "There is nothing in the pharmacology of marijuana that would make a user more or less likely to indulge in another substance." (Eldredge, p.25) "Despite massive numbers of long-term users, no reliable evidence has appeared that such use has any adverse affects on their physical health." On the other hand, the medicinal properties of marijuana are well documented; it has been found to relieve pain

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for terminal cancer and AIDS sufferers, glaucoma, epilepsy, and nausea for chemotherapy patients. Eleven states have passed laws allowing cannabis possession and consumption for medicinal purposes, bringing them into conflict with federal statutes.

For thousands of years, South American indigenous people have chewed the cocoa leaf - for energy and stimulation, as an appetite suppressant, as a household remedy for a wide range of physical complaints, and as part of religious rituals. The main ingredient in cocoa leaves, the alkaloid cocaine, was isolated in 1865 and subsequently popularized by such users as Sigmund Freud, who praised its "exhilaration and lasting euphoria," and Sherlock Holmes, who found it "transcendentally stimulating and clarifying to the mind." (Duke, p.67) It once enjoyed considerable use as a local anesthetic, for treating depression and morphine addiction, and as an ingredient in tonic, soft drinks, and coca leaf cigarettes. After the addictive properties of cocaine became evident by the turn of the century, cocaine abuse captured the public's attention as part of a racial, social, and moral panic that swept the country. In the midst of such eerily contemporary claims of an epidemic of cocaine use by southern blacks, the drug was outlawed by the Harrison Narcotics Act of 1914.

Cocaine use - - snorting or sniffing the powder - - all but disappeared with the discovery of amphetamines in the 1930's. Health and psychological problems associated with the latter generated a cocaine revival in the 1960's with usage leveling off in the early 1980's, until a technological breakthrough made the drug much more accessible, especially to low income users. An amateur chemist discovered that he could convert powder cocaine - - cocaine hydrochloride - - into smokeable rock form by heating it in baking soda and water. That mixture hardens into a rock-like cake that is then broken into small pebbles and can be sold for as little as five dollars. Intranasally administered cocaine reaches the brain in three to five minutes. But when inhaled through smoking, cocaine vapor "hits the vast surface of the lungs in eight seconds, in a more concentrated form, and delivers an instantaneous sledgehammer high" - - a high produced by a very small quantity of cocaine.

The discovery of crack reduced the cost of a single cocaine high from thirty dollars to three or four dollars, thus placing a crack high within the financial grasp of virtually anyone. Cocaine, which had been by far the most costly drug - - about four times expensive as heroin - - became democratized. (Duke, p.69)

Almost 5.6 million Americans reported using cocaine in 2005, down from a high of 10.4 million in 1982. For high schools (12th graders) use of cocaine has remained constant since 1999, at about 8%. Some observers speculate that cocaine has been replaced in many cases by methamphetamines, which are cheaper and provide a longer-lasting high.

Cocaine users commonly experience euphoria - - including an enhanced sense of self-worth and energy, without any loss in mental acuity or motor skills. Cocaine does not create a physical need the way heroin does; it is however powerfully reinforcing: a cocaine high makes the user want more. Smoking the drug is much more reinforcing than snorting it and since, at least initially, repeated doses are affordable, dependence is

more frequently found among smokers. About one in six users is seriously dependent on the drug. Cocaine abuse clearly has detrimental affects on physical health and personal hygiene, can strain the cardiovascular system, and produces adverse physiological effects. Casual cocaine users do not consistently experience any negative consequences - - as evidenced by their performance in the workplace and in athletic competition.

A third illegal drug, heroin, was first synthesized from morphine - - a naturally occurring substance extracted from the opium poppy plant - - in 1874 by a British chemist, C.R. Wright. Bayer Pharmaceuticals trademarked the name around the turn of the century and marketed heroin as a cough medicine for children and a cure for morphine addiction - - until it embarrassingly discovered that heroin is converted to morphine in the liver. Because heroin is two and a half times more potent than morphine on a per weight basis, it is more suitable for smuggling and illegal distribution. The Harrison Narcotics Act of 1914 controlled the sale and distribution of heroin - - allowing it to be prescribed and sold for medical purposes - - but the sale, importation, or manufacture of the drug was banned entirely in 1924.

Heroin users report an initial rush - - a feeling of euphoria or release of tension - - followed by a high - - a warm, drowsy, tranquil state involving great relaxation. With regular use, tolerance develops, so that users require more heroin to achieve the same intensity of affect. As higher doses are used over time, physical dependence and addiction develop. If use is stopped, withdrawal symptoms appear - - drug craving, restlessness, pain, insomnia, vomiting, among others. Death from overdoses of heroin - - while they do occur - - have been greatly exaggerated in the public consciousness; heroin addicts are much more likely to die from poor health, disease, or homicide.

Heroin use increased during the 1990's, but during recent years has remained fairly stable, with a reported 314,000 Americans using the drug in 2003. Today, Afghanistan is the world's largest producer of heroin, accounting for 87%, with much of the trafficking profits funding Al-Qaeda and the Taliban.

“In 1900, opium and its derivatives, morphine and heroin, cocaine, and cannabis (marijuana) were all legal substances, available to all who wanted to acquire them.” (Bertram, p.61) By 1914, pressure from four interest groups compelled Congress to pass the Harrison Narcotics Act of 1914, our first national drug control law. Physicians and pharmacists, concerned about the problems of addiction, argued that medical officials should regulate - - but not prohibit - - the supply and use of cocaine and opium derivatives. Pragmatic reformers in the progressive movement called for regulation of patent medicines to protect a gullible public from glib salesmen and greedy corporations. Anti-vice crusaders linked drugs to other societal evils - - drinking, gambling, and prostitution - - and “demanded that public control be exercised to foster moral and upright behavior.” (Bertram, p.63) Not surprisingly, those most guilty of drug abuse turned out to be cocaine-crazed southern blacks - - whom the drug drove to attack white women - - and opium smoking Chinese immigrants who were spreading the deathly habit to thousands of American boys and girls. (Bertram, p.63) Finally, American missionaries in China, appalled at the moral and social degeneration resulting from the

British opium trade, urged the U.S. government to lead an international effort to control or eliminate drug trafficking.

The Harrison Narcotics Act of 1914 required those who produced or distributed drugs to register with the federal government, and keep a record of their transactions. Regulation was ceded to physicians; drug users could purchase drugs only with a prescription from a physician who “prescribed it in good faith” and “in the pursuit of his professional practice only.” (Bertram, p.68) Interpretation - - and enforcement - - of the law was left to the Treasury Department and its revenue agents, to whom giving dope to an addict was not “professional practice.” “It was simply feeding a bad habit - - not only immoral, but illegal.” (Gray, p.51)

Emboldened by the rhetoric of anti-vice crusaders like Richard P. Hobson - - who claimed that “drug addiction was a more communicable and less curable than leprosy and...upon its control depended the perpetuation of civilization, the destiny of the world, and the future of the human race” (Bertram, p.70) - - the agency arrested a hack named Dr. Webb for selling prescriptions by the thousands for fifty cents apiece. The case made its way to the Supreme Court, which ruled in favor of the agency. Treasury prosecutors had framed the case in such a way that they could now state that any doctor who prescribed narcotics to an addict was in violation of the Harrison Act and exposed to a jail term. Understandably, the medical profession soon abdicated its drug regulating responsibilities.

Enforcement of the Harrison Act was delegated to the Narcotics Division of the Prohibition Unit of the Treasury Department, but revelations of corruption and scandal in those agencies spurred Congress in 1930 to establish a separate arm of the Treasury Department, the Federal Bureau of Narcotics. Its first commissioner - - and our first drug czar - - was Harry Anslinger, an honest and incorruptible crusader who brought to the job “a puritanical conviction that alcohol prohibition failed, not because it was a bad idea, but because law enforcement had not been tough enough.” (Gray, p.74)

Marijuana had not been outlawed by the Harrison Act and Anslinger initially had little interest in controlling it until he saw a growing anti-marijuana hysteria as an opportunity to expand his budget and power. He soon joined the battle for federal legislation prohibiting marijuana. As the movement’s principal witness during Congressional hearings he regaled his audience with stories from his “Gore File,” a “collection of police blotter type narratives of heinous crimes, most with flimsy substantiation, linking graphically depicted offenses with marijuana use.” (Wikipedia) The case of a twenty-one year old boy from Florida who slaughtered his whole family with an ax horrified him the most.

“The evidence showed that he had smoked marijuana,” said Anslinger. He failed to mention that the boy had been diagnosed as mentally unstable long before he took that hit of marijuana. (Gray, p.70)

Prohibitionists made further gains in the post-war period when Anslinger shrewdly linked narcotics and communism, accusing Communist China of trying to destroy western society and of securing hard cash through heroin sales to drug pushers. In 1951, led by Hale Boggs, Congress passed a law imposing mandatory minimum two-year sentences for first-time drug sellers, five to ten for the second offense, and ten to twenty for three-time offenders. Five years later, after the Daniel Committee concluded that "subversion by drug addiction is an established aim of Communist China," Congress passed the Narcotics Control Act of 1956, which doubled mandatory minimum penalties and permitted the death penalty for heroin sales to minors. (Bertram, p.84)

In the mid-sixties, an expanding Federal health bureaucracy created a new base of knowledge and understanding about drug use and addiction, focusing attention on treatment and rehabilitation. The federal budget for treatment and prevention increased dramatically from 1966 to 1976 and treatment centers sprang up throughout the country. A movement to decriminalize marijuana gained traction in the 1970's but ultimately failed - - sabotaged by well-organized moralistic groups and the law enforcement bureaucracy.

Any hope for drug prohibitionist reform and a muting of the punitive paradigm died in 1971 when President Nixon declared drug abuse "public enemy number one." As the "law and order" candidate - - and president - - Nixon placed crime at the top of his domestic policy agenda, identified drugs as a major source of crime, and used the bully pulpit to arouse public anxiety about this "serious threat to the personal health and safety of millions of Americans." He succeeded in making not only drug dealing but also drug addiction a symbol of crime.

Major initiatives in Nixon's war on drugs included a Comprehensive Drug Abuse Prevention and Control Act which legalized no knock warrants permitting drug searches without notice of the searcher's authority or purpose; a campaign abroad designed to attack the supply side of the drug problem - - the cultivation, production, and transportation of drugs beyond our borders - - and the consolidation of a number of drug control agencies into one super agency, the Drug Enforcement Administration (DEA). Spending increased from forty million dollars in 1970 to three-hundred-and-twenty million dollars in 1975.

President Jimmy Carter sought to de-emphasize the punitive approach to drugs and even proposed the decriminalization of marijuana and replacing criminal possession with civil fines. His good intentions came to naught however when his drug czar, Dr. Peter Borne, wrote a prescription for Quaaludes - - a known sex-enhancer - - for a female member of his staff and when he attended a Christmas party where marijuana and cocaine were used openly.

With a domestic agenda articulated by a moral majority espousing traditional family values, conservative Christian morality, and patriotism, the Reagan Administration dramatically escalated the war on drugs. In June 1982, the President announced to an assembly of government officials in the Rose Garden: "We're taking down the surrender

flag that has been flown over so many drug efforts. We're running up the battle flag." Spending on drug law enforcement surged from \$850,000,000 in 1981 to 7.8 billion in 1983. The Omnibus Crime Bill of 1984 increased prison terms, enabled prosecutors to confiscate any property or assets tainted with drugs or drug money - - without notice - - and permitted seized assets to be shared among law enforcement agencies, which were soon setting budgeted target amounts for seizure.

The Anti-Drug Abuse Act of 1986 further increased federal drug penalties and instituted mandatory minimum sentences for simple possession of drugs. The Act made it a federal offense to distribute drugs within 1000 feet of a school and authorized the President to de-certify foreign countries that were not cooperating as anti-drug allies. Decertified countries were to lose foreign aid, suffer possible trade sanctions, and face U.S. opposition to international loans. (Gray, p.23)

The media helped fuel the Reagan effort, propelled by the death of basketball star Len Bias - - who died of heart failure from cocaine poisoning - - and the emergence of crack cocaine. In 1988, Congress passed a law making the penalty for possession of five grams of crack (\$50 worth) equivalent to that for possession of five-hundred grams of cocaine (worth \$50,000) - - a one hundred to one ratio. Since crack is primarily a low-income, African-American substance, the result was a drastic disproportionate incarceration of blacks. The same act made it a federal offense to distribute drugs within 100 feet of playgrounds, parks, youth centers, and swimming pools.

George Bush I further intensified the War on Drugs. In his first televised address to the nation he declared that "the gravest domestic threat facing our nation today is drugs" and called for "an assault on every front" - - including drafting the U.S. military into his anti-drug efforts. The Pentagon had for years resisted involvement in a war on drugs, but with the end of the Cold War - - and the prospect of losses in personnel, weapon systems, prestige, and power - - it began to see the drug war as an alternative mission. In 1986 a national security directive declared drug trafficking a threat to national security, and by 1989, Secretary of Defense Dick Cheney had made drugs a high priority mission of the Department of Defense. United States troops invaded Panama and ousted dictator and putative drug lord Manuel Noriega. The United States allocated millions of dollars to purchase weapons and military equipment to support anti-trafficking campaigns in Peru, Bolivia, and Columbia, and sent special forces and military advisors to the region to train law enforcement and military personnel.

President Bill Clinton, his drug czar Lee Brown, and Attorney General Janet Reno, initially adopted a more moderate and reformist approach to the drug issue. Brown articulated a strategy based on consumption reduction rather than total abstinence and which targeted the 20% hard drug user population. Reno expressed concern that non-violent offenders were serving mandatory ten or fifteen year sentences. But the death knell for Clinton's reformist agenda was sounded as early as December 1993 when the Surgeon General Jocelyn Elder suggested that in the search for solutions to drug-related crime, legalization should be studied. After eighty-seven House Republicans and the

National Association of Police Chiefs called for her resignation and former drug czar, William Bennett, called her "nutty, just plain nutty," Clinton fired her in December 1994.

Congress's response was to "get tougher on drugs." The Crime Bill of 1994 provided for capital punishment for some types of drug selling and established "criminal enterprise" statutes that called for mandatory sentences of from twenty years to life. The 1998 Higher Education Act disqualified young people who had ever been convicted of marijuana possession from receiving federal aid for college - - even though no such disqualification applies to convictions for robbery, rape, or manslaughter. (Gray, p.21)

During George W. Bush's administration, federal spending on drug control has continued to increase, in spite of billions spent on terrorism and the war in Iraq. The latter two have certainly overshadowed the war on drugs and the rhetoric flowing from the White House, Congress, and the media. Obviously drugs as the supreme threat to our civilization and society has been replaced by terrorism. The war on drugs, however, continues unabated - - as does the flow and consumption of illegal drugs in this country.

Not only have ninety years of prohibition and forty years of war failed to stem the tide, they have yielded consequences - - some predictable, some not - - which to many observers have been more deleterious than the drugs they were intended to control. Which raises the question, why, with the billions of dollars that have been expended in this effort, has so little progress been made in our War on Drugs?

The answer lies in the flawed strategy that defines the War on Drugs - - a strategy that makes war on both suppliers and users. The war on supply is intended to restrict that supply - - "to make it more dangerous and costly for growers, refiners, smugglers and dealers to produce and sell drugs - - thus driving down production and availability, driving up prices, and discouraging consumers from buying and using drugs." (Bertram, p.11) Success in this arena has been elusive and self-defeating, generating a profit paradox, flaw number one. "Prohibition has kept consumer prices far higher than the legal market price would be - - thus deterring some use - - but it has not been able to raise prices high enough to keep drugs out of reach. And artificially inflated prices have generated tremendous profits, thus providing steady incentives for drug suppliers to remain in the trade and new suppliers to enter." (Bertram, p.12) In the words of Steven Wisotsky:

If the cocaine industry commissioned a consultant to design a mechanism to insure its profitability, it could not have done better than the War on Drugs: just enough pressure to inflate prices from \$2.00 to \$100.00 per gram, but not enough to keep its product from the market.

In a highly simplified version of what happens in the illicit drug market, the production costs of a kilogram of cocaine is roughly \$500. A United States importer might pay \$15,000 to a trafficker, who earns \$14,500 per kilo. The importer breaks his kilogram into one-quarter gram doses, 12,500 per kilo, which he sells for \$10 each, a total of \$125,000, yielding a profit of \$110,000. Frequently there are several links in the chain

between smuggler and user, each of whom requires compensation for the risk he is taking. That kilo of cocaine could conceivably end up with a street value as high as \$960,000, if through six levels of distribution, its price is doubled at each transaction. (Eldredge, p.40)

An average dose of heroin is much smaller than a dose of cocaine and consequently its per unit value is much higher. A kilogram of heroin at the source is worth \$5,000, has a wholesale value of \$250,000 and can bring on the street \$1,000,000. (Eldredge, p.41)

Marijuana, 50% of which is produced domestically, has fewer links in its chain of distribution than either cocaine or heroin and is extremely profitable. A stand of 300 mature plants can produce \$1,000,000 at wholesale. Marijuana sells for anywhere between \$100 to \$600 per ounce, depending on the locality; compare that to the deadly ounce of tobacco in a cigarette, which retails for about \$2 - - and is heavily taxed. (Eldredge, p.43)

The second flaw inherent in the War on Drugs is the self-reproduction of the trade, or the hydra effect: "Attempts to stamp out production and dealing often spread the problem and make gains short-lived." (Bertram, p.13) ②

Like the mythical sea serpent that Hercules battled, the drug trade is an elusive enemy: Cut off one head of the hydra and two more grow back in its place. Often attempts to suppress the trade in one locale simply encourage new recruits or veteran suppliers to set up operations elsewhere to meet the demand for their product. (Bertram p.13)

These two flaws - - the profit paradox and the hydra effect - - undermine U.S. efforts to restrict supply on three fronts where war is being fought - - at the source, where anti-drug agencies pressure foreign governments to eliminate coca, poppy and marijuana and attack refining facilities; at our borders, where agencies use planes, boats, border patrols and customs officers to interdict shipments; and at the destination, in U.S. cities, where drug enforcement agencies and local police try to locate, arrest, and prosecute drug dealers and seize drug supplies. (Bertram, p.11)

The most aggressive crop eradication efforts have been directed at Columbia, Peru and Bolivia - - with problematic results. The simple fact that drug production is a significant portion of these countries economies - - estimated as high as 20% - - is one obstacle. In Peru and Bolivia, in the 1990's, the coca industry provided hundreds of thousands of jobs and was their largest source of foreign exchange revenue. X

On a microeconomic level, from the perspective of an Andean peasant, coca production will net four times what he could earn from cultivating oranges or avocados. Coca is easy to grow in poor soil, easy to process, and the market is virtually assured: traffickers fly anywhere and pay farmers up front. (Bertram p.16) Eradication efforts - - uprooting, burning, and spraying crops - - have led peasants to organize in protest and to develop sophisticated strategies for circumvention, such as scaling down acreage, hiding crops,

and moving into new and more remote areas. From 1989 to 2001 the aggregate total amount of land under coca cultivation declined only 5%. (Carpenter, p.101)

U.S. efforts to curb marijuana and poppy cultivation have similarly fallen prey to the hydra. Drug control campaigns against Turkish heroin production in the early 1970's shifted that business to Mexico. A vigorous offensive against marijuana production in Mexico in the 1970's resulted in an expansion into Columbia and the United States. Pressure on United States growers has driven them indoors, into subterranean bunkers, and encouraged technological advancements which have yielded a more potent product. (Bertram, p.19)

In summary, in the words of Paul Stares: The core problem with the drug wars supply side strategy is that "drugs can be produced too easily in too many places for source country suppression efforts to have any significant or sustained affect on the worldwide supply of drugs, certainly while the demand exists."
(Carpenter, p.120)

Interdiction - - stopping the flow of illegal drugs at U.S. borders - - has similarly fallen victim to the profit paradox and the hydra effect.

Intercepting drugs is a daunting task, even with authorities using radar-equipped Navy war ships, Air Force fighter planes, and AWACS radar aircraft. More than 5,000 large ships are in the eastern Pacific with an additional 1,000 in the Caribbean on a given day. Smuggler planes can fly at very low altitudes, or up to 10,000 feet, which creates a transit zone of fifteen billion cubic miles. (Carpenter, p.94) Of the 5,000 trucks entering the United States daily from Mexico, the most favored source for the direct entry of drugs into this country, only about 200 are inspected. (Carpenter, p.95) Couple these facts with Senator Charles Schumer's sobering assessment that "a single twenty square mile of opium poppies would produce sufficient heroin for U.S. demand and that a year's supply of cocaine for the U.S. could be carried on four 747 cargo planes." (Eldredge, p.146)

The profits in trafficking far outweigh the risks of interception. The kilogram of cocaine that cost \$500 at its cultivation source, will sell for \$2,500 in the Andes. Once it arrives in the U.S., it will bring \$15,000 at the wholesale level - - 1.5 million dollars for a 100 kilogram shipment. At these profit levels, traffickers can afford to pay enormous sums to those who transport drugs. For transporters, losing a bag or two, or even an entire load to interdiction is inconsequential. X

The mean estimate of the proportion of incoming drugs actually stopped at our borders is 10%. (Eldredge, p.147) But even a dramatic increase in that number would have little impact on our government's goal - - raising the street price of illegal drugs - - because smuggling costs account for less than 5% of the retail price.

When interdiction efforts are successful, the hydra effect generates new smuggling routes. When intense cocaine interdiction efforts in south Florida in the 1980's checked the flow of drugs, traffickers switched to transporting the product through northern Mexico. When successful efforts slowed the international marijuana trade, domestic producers filled the void - - and many marijuana smugglers switched to cocaine. Smugglers have also become increasingly innovative in order to prevent detection - - using containerized cargo shipping and concealing cocaine in such imported items as batteries, mannequins, shoes, and live animals.

War on a third front - - at home, on U.S. city streets - - also faces overwhelming challenges. Despite regularly reported drug busts, the arrest and interrogation of thousands of suspected dealers, the seizure of homes, automobiles and other assets, stiff mandatory sentencing laws, the supply continues unabated. X

Once again, a kilogram of cocaine which wholesales for \$75,000 will be divided and diluted through several stages of distribution - - with profits earned at every stage - - ultimately attaining a value of \$750,000. Not only are gross profits high, but the cost of entering the business and operating are very low - - a small loan, a cell phone or beeper, maybe a gun, and a car. (Bertram, pp.23-28)

The hydra effect guarantees that as soon as one supplier is picked up, others emerge to take his place, or as soon as one neighborhood is swept clear of drug dealers or organized gangs, dealers and gangs simply move on to other areas - - or return to their old neighborhoods once law enforcement is gone. In some areas drug dealing may continue in new and less detectable locations - - like moving underground or into the suburbs. "It's like throwing sand against the tide," commented a retired Chief of Police from San Jose, California, Joseph McNamara. (Bertram, p.25)

The second thrust of the War on Drugs strategy is to make war on the user - - to arrest, prosecute, convict, and incarcerate drug users and dealers. The logic underlying this strategy is that fear of punishment will act as a deterrent by raising the risk of drug use and will reduce use and abuse. Laws against drug possession have targeted casual users as well as dealers and punitive measures against users have steadily escalated since 1914. Amounts in possession subject to penalty have decreased or penalties have increased. In the late 1980's "zero tolerance" became the favored policy - - which translated into strict punishments for those who used drugs, the expansion of mandatory drug testing, stringent laws against drug use by pregnant women, and a wide range of sanctions against drug users - - including suspension of certain federal benefits, suspension of drivers licenses, and confiscation of automobiles.

The flaw in this strategy becomes apparent when one considers whether the threat of punishment deters a person from using drugs and whether the infliction of punishment deters future use. Evidence suggests that the deterrent effect of punishment on drug users is dubious.

From a practical standpoint, the limits to enforcement are severe. Twenty-five million Americans using illicit drugs six times a year equates to one-hundred fifty million usages a year; 750,000 arrests a year yields an arrest rate of 0.5% - - very long odds to say the least. X

Another problem of the punish-to-deter strategy is the fact that the demand for drugs in our society is a permanent phenomenon. According to psychopharmacologist Ronald Segal, the urge of intoxication in human beings is innate and as basic as other primal urges. Some find intoxication from sports, extreme sports, sex, gambling, music or religious experience, "but socially approved ways of intoxication are unavailable or don't work for many... The lure of a chemically-assisted high is powerful in America, where many consistently and with society's approval get intoxicated on alcohol or get hourly fixes from cigarettes." (Duke, pp.218-219) The permanence of demand also means that the unavailability of a drug or a sharp increase in its price will lead a user to seek substitutes that can produce the same effects - - morphine and fentanyl for heroin, methamphetamines for cocaine, inhalants for both. These substitutes can turn out to be far riskier to one's health than the drugs they replace.

Incarceration of drug addicts does not seem to have its desired affect. According to various reports, "Two-thirds or more of arrested heroin abusers revert to heroin or cocaine use within three months after release from prison... the probability of re-arrest increased with the length of the sentence," and many persons who enter prison as non-drug users end up using drugs by the time they leave. Many hard core users suffer from other serious problems - - like a diagnosable mental disorder - - or lead such high risk lives on the street that prison is not an overriding concern or threat for them. X

Research reveals that the threat of punishment for heroin and cocaine is far down on the list of reasons why users have quit their habit. "Drug-related health problems, financial difficulties, problems at work, and pressure from a spouse were more commonly cited." (Bertram, p.30)

A second flaw inherent in the war on users is the fact that drug consumption, in a purely non-moral sense, is a consensual and victimless crime. In a moral sense, it can be argued that drug sellers and users "harm society"; but in a strictly descriptive sense, drug laws attempt to prohibit conduct that is victimless, that is, in which there is no victim to confess to the police and to testify at trial. Consequently, policing such crime becomes problematic.

First, in order to detect crimes, police must adopt techniques which present myriad opportunities for abuse, corruption, and the infringement of civil liberties: obtrusive systematic surveillance, using undercover operatives who infiltrate drug organizations and set up entrapment exercises, and employing informants who for substantial salaries, bonuses for information and convictions, and the abrogation of their own jail time, may say or do anything to protect their income and stay out of jail. 1st

Secondly, without victims pressing for prosecution, law enforcement officials have the discretion to go forward with prosecution or not, a prosecution in which they are the potential witnesses - - situations which create lucrative opportunities for corruption. Police can overlook a criminal act in exchange for bribes and extortion. They can fabricate cases to punish someone they do not like or to coerce them into becoming an informant. (Shaler, p.165)

Thus, the second fatal flaw in the War on Drug users - - fighting victimless crimes - - not only makes the efforts of law enforcement extremely difficult, it also breeds corruption at every level and engenders a weakening of civil liberties, only two of a host of harmful consequences of our 90-year War on Drugs, which I intend to identify and explicate in the remainder of this paper.

At the heart of the drug war is the notion of drug-related crime and the consequent implication that drug use causes crime. Some users of cocaine may be moved to violence by the effects of the drug - - effects that are less common than the violence triggered by alcohol. Neither marijuana nor heroin have been shown to induce the user towards violence or aggressive behavior. Most of what is called drug-related crime is actually the result not of taking drugs but of the conditions under which people buy and sell drugs - - conditions which are the product of drug policies. Thus I would argue that one harmful consequence of drug prohibition is the crime it causes.

First and foremost, drug prohibition has made criminals out of the 3% of American drug users prosecuted each year for their drug use. Drug prohibition has also resulted in the creation of numerous other crimes - - money laundering, failure to make currency reports, possession and distribution of precursor chemicals - - violations of which number in the millions.

The fact that the vast majority of drug and drug-related violations go undetected and unpunished only undermines the moral message of the law. By defining as a serious crime an activity engaged in by a large portion of the public without punitive consequences, society's condemnatory message about other criminal behavior is weakened; if drug users go unpunished, maybe other crimes aren't so bad. All too often drug criminals are quickly back on the street, which only furthers disrespect for those who enforce the laws.

Some observers believe that making criminals out of drug users has a distractive, insidious, and perverse effect on other types of crime. Drug law enforcement consumes large amounts of physical and human resources. It is especially labor intensive, often requiring police officers to witness the crime, arrest the perpetrator, and assist in the prosecution.

Every dollar spent on the investigation, prosecution and incarceration of drug users and drug dealers is a dollar that can not be spent on investigation, prosecution and incarceration of other criminals...time and other resources expended on drug crimes are unavailable for cases of rape, murders and burglar.

...The same thing happens when it comes to plea bargaining...Courts are so crowded with drug cases that other defendants, including rapists and murderers, can get away with "soft" plea bargains because prosecutors lack the time and resources to prosecute them more fully...In Los Angeles, 97% of the 40,000 felony cases filed each year end in non-trial settlements. (Gray, p.69)

In addition to making criminals out of drug users, drug policies which drive up the price of illegal drugs cause addiction-based crime: the burglary, robbery, and drug dealing committed by heavy users or addicts to obtain money to support their habits. The average heroin addict uses \$10,000 worth of heroin a year, is unemployed, and has no other way to pay for his drugs. Three hundred and fifty heroin users in Miami admitted committing an average of 33 crimes per person in a single year; another study found 570 users responsible for 375 crimes per year, only 2.8% of which were violent crimes. In a survey of 500 callers to a cocaine hot line, 45% reported they had stolen to buy cocaine. In several studies of drug use by persons in prison, 65% to 80% of those convicted of serious property crimes admitted to regular or lifetime illicit drug use. (Duke, p.109) In a survey of prison inmates conducted by the Bureau of Justice Statistics, nearly one in three robbers and burglars said they had committed their crimes to obtain money for drugs. (Duke, p.110)

Drug policies encourage sellers to turn to a third type of drug-related crime - - trade-based crime. When legitimate enterprises engage in competition, it is within the constraints of the law. Drug dealers, however, compete underground, where they settle conflicts and defend their market position against other traffickers - - and law enforcers - - by intimidation and violence.

Rival drug gangs regularly engage in war over drug selling turf and are responsible for a substantial portion of the killings in many urban areas - - up to 50%. Many of the victims in drug-related shootings are innocent bystanders and potential witnesses being silenced by prospective defendants.

Tough law enforcement may have a perverse affect on criminal organizations. According to James Q. Wilson, it may break up drug enterprises, "but it may also make those enterprises more skilled, more ruthless, and more dangerous." (Bertram, p.34) "Our system has arrested, imprisoned, and eliminated from the market the stupid, unorganized and less violent drug traffickers and smugglers, thus leaving the market open to offenders who are smarter, better organized, and more violent." (Gray, p.31)

Individuals who are engaged in trade-based drug crimes need weapons for their protection and enforcement: their drug money provides the funds with which to purchase them - - and at an ever-escalating spiral. At every level, offensive and defensive power must be counteracted; and so handguns lead to rifles, automatic weapons, bazookas, grenades, and so forth

The fourth type of crime fostered by drug prohibition is the corruption of the criminal justice system. Corruption can take many forms. Law enforcement agents can trade their

enforcement power for some of the extraordinary profits created by the black market drug trade. Los Angeles Narcotics Officer Robert Sobo made \$140,000 when he followed the advice of a fellow officer: Look the other way, and I can make you a rich man. More directly, officers may give dealers information on informants and surveillance operations, sell favorable testimony at a hearing or trial, rob drug dealer's profits, or resell seized drugs or assets.

Sobo was part of Operation Big Spender, which resulted in the conviction of twenty-nine deputies in the Los Angeles County Sheriffs Department for stealing drug money in the mid-1980's - - skimming millions of dollars from various drug busts, planting evidence, filing false reports, abusing suspects, and perjuring themselves. One officer admitted to helping steal \$800,000 in a single raid; another said he pocketed \$300,000 in a three-year period.

Corruption is not limited to the police. Defense lawyers have been known to participate in bribery. Other highly placed officials from all segments of society have been implicated - - including judges, police commissioners, and chiefs of police, mayors, FBI agents, military personnel, airline employees, prosecutors, immigration inspectors and border guards. In one five-year conspiracy allegedly responsible for moving \$78,000,000 worth of cocaine through the Calexico border, an INS border guard and custom service inspector were charged with accepting \$30,000 to \$50,000 per load to pass shipments through the border. (Eldredge, p.54)

A fifth type of drug-related crime is money laundering - - converting drug proceeds into legitimately spendable cash or useable assets. "If money laundering could be prevented, the drug business would be wrecked. Unfortunately, money laundering is as inevitable and unstoppable as drug smuggling itself." (Duke, p.208)

Professional money launderers use couriers to exchange cash for bank money orders or similar instruments which can be deposited into shell accounts and ultimately wired abroad, into the hands of a foreign smuggler or to be repatriated into this country. Some drug dealers, rather than using professionals, acquire control of their own banks, deal with a corrupt bank, or set up a cash generating business as a front.

The profitability of money laundering has enticed otherwise honest organizations who would not go near an actual drug transaction. In 1994 two employees of American Express Bank International were found guilty of helping an alleged Mexican drug dealer who laundered \$30,000,000 through a Beverly Hills branch. A major banking disaster which brought down the BCCI involved the laundering of drug money. The head of the DEA has openly charged Mexican banks with laundering tens of millions of dollars for Columbian drug cartels. Even CitiBank is suspected of turning a "blind eye" to millions of dollars passing through its system.

A second harmful consequence of drug prohibition is what I would describe as a social cost, specifically, two costs to our social order - - the growth of a prison industrial complex and the breeding of racial mistrust and hostility.

It is fortunate in one respect that drug policies result in the conviction of only a small number of illegal drug users. Our jails and prisons are already filled beyond capacity with numbers unimaginable twenty years ago - - and much of that increase has been fueled by the War on Drugs.

From 1980 to 1990 the number of State and Federal prisoners nearly doubled from about 600,000 to 1,150,000. By the end of 2004 that number had reached 2,270,000. The United States has the world's highest rate of incarceration - - 724 prisoners per 100,000 population, topping Russia for this dubious honor by about 150 inmates. By comparison, England's incarceration rate is 145, Canada's 116, China's 115, and Japan's 60. The United States, with less than 5% of the world's population has 25% of the world's prisoners. More people are behind bars for drug offenses in the United States - - about 400,000 - - than are incarcerated in England, France, Germany and Japan for all crimes committed. ✓

The federal prison system leads the growth in incarceration, rising 90% in the last decade. This expansion has come about primarily as a result of an increase in non-violent offenders. Fifty-five percent of federal prisoners are serving time for a drug offense; only 11% for a violent offense. The number of federal drug convictions has steadily increased over the past five years.

The average prison term for drug offenders in state prisons increased 22% from 1986 to 1998 - - driven by sentencing practices which include three strikes, mandatory sentencing, and truth-in-sentencing. This explains why, during a period when crime rates have fallen to their lowest levels in forty years, one out of every 138 U.S. residents is incarcerated, a high percentage of whom were convicted for drug problems. (Gray, p.35) And to these must be added those were imprisoned not for drug crimes but for drug-related crimes - - crimes to get drug money and murders and assaults arising out of the drug business. ✓

Female drug offenders are being increasingly incarcerated. The female prison population grew 53% from 1995 to 2004, compared to 32% for males. About 75% of these women were imprisoned for non-violent offenses, mostly for drug possession or drug-related crimes.

As the result of increased drug prosecutions and convictions, many jails and prisons are severely overcrowded. Some states have tried to alleviate this problem by sending prisoners to other states - - for a fee. Many jails have become large mental hospitals - - housing mentally disabled persons brought into the criminal justice system through their use of illegal drugs to self-medicate. Prison overcrowding has routinely forced wardens to grant early release to violent offenders to make room for non-violent drug offenders compelled by federal law to serve their full terms.

Large-scale incarceration of drug offenders is a moral tragedy and an economic disaster. It is also reflective of the racial nature of the War on Drugs.

Blacks make up 12.6% of the United States population, yet they comprise 41% of U.S. state and federal prisoners. The incarceration rate in prisons and jails for black Americans is 2,600 per 100,000, compared to the incarceration rate of 370 per 100,000 for white Americans. One in every eight black male between the ages of 25 and 29 is incarcerated every day. On any given day, 42% of all black males in Washington, D.C. between 18 and 35 are in prison, on probation or parole, out on bond, or sought by the police.

According to a federal household study, 9.9 million whites, two million blacks, and 1.4 million Hispanics were illicit drug users in 1998. Yet blacks constitute 36.8% of those arrested for drug violations, 42% of those in federal prisons for drug violations, and 57% of those in state prisons for drug felonies. Among persons convicted of drug felonies in state courts, whites were less likely than blacks to be sent to prison, and black drug defendants received larger average prison terms than whites who commit comparable crimes. The racial bias of the disproportionate severity of crack and cocaine penalties - - in which five grams of crack mandates the same five-year sentence as 500 grams of cocaine - - becomes readily apparent with the revelation that almost 90% of those charged in federal court with crack offenses are black.

As previously noted, the link between racism and drug policy - - associating drug use with ethnic minorities - - is nothing new. Orientals have historically been targeted and demonized for their use of opium, Mexicans for their use of marijuana, and blacks for their use of cocaine - - and in each case, according to the current propaganda, the drug use led to crime, violence, and rape. Thus, throughout its 100-year history in America, prohibitory drug laws have often been the product of inflated endemic prejudices. Today those same prejudices link drugs and disease, drugs and crime, drugs and sex, and drugs and black people - - both of which are seen as dangerous and subversive. (Streatfeild, p.148)

Such perceptions, however false, are easily reinforced by a society that isolates blacks in racially homogenous neighborhoods and concentrates poverty within them, by a drug policy that creates huge incentives for drug dealers in these neighborhoods, and by law enforcement bureaucracy desperate for victories in its war on drugs.

Urban black ghettos characterized by substandard housing, pervasive poverty, poor health, and limited job opportunities, and populated by broken families, fatherless children, school dropouts, homeless people, and individuals whose futures appear bleak and hopeless are fertile grounds for any substance which offers a means of escape.

Drug dealing is tolerated more in lower-class than upper-class neighborhoods. Non-dealing residents may despise the trade but are reluctant to turn on their own family members. Even if dealers are not providing direct support to non-dealing residents, some drug money trickles down to others in the community. And many residents fear for their lives - - or their children's - - if they inform on drug dealers.

Law enforcement, capable of only scratching the surface of drug activity, targets the most visible areas, thus making racial discrimination the effect of its policies even when it is not the intent. In the words of Lee Brown:

Conspicuous drug use is generally in your low-income neighborhoods that turn out to be your minority neighborhoods...It's easier for police to make an arrest when you have people selling drugs on street corners rather than suburbs or office buildings. The end result is that more blacks are arrested than whites because of the relative ease in making those arrests. (Bertram, p.41)

The impact of a racial discriminatory drug policy extends beyond inner-cities: its result has been to engender fear, anger and intolerance on both sides of the racial divide.

Many blacks say skin color alone makes them automatic suspects for the police, whether they are guilty or not...“The psychological toll of the drug war for African-American men is that we constantly have to be on guard. We always fit the description,” says Norvell Courent of the Twin Cities Coalition for Police Accountability.

This is not paranoia: it's real. In Florida blacks were 75 times more likely than whites to be stopped and searched for drugs while driving.

Blacks have spoken out in anger against the discriminatory drug war. Charged A.J. Krame, Chief of the Federal Public Defenders Office, “It's almost legal genocide...We're locking up an entire generation of young black Americans.” (Bertram, p.43)

For white Americans, the drug war fuels a fear and distrust of minority groups, particularly those in white inner-city communities.

White Americans read the statistics splashed across the newspapers and erroneously conclude that drugs and drug-related crime are primarily the problem and responsibility of blacks and Hispanics.

An often overlooked effect of the War on Drugs - - and its discriminatory practices - - is felony disenfranchisement. ✓

Until recently, every state but two barred felons from voting...Because of the explosion of incarceration driven by drug prohibition, more than five million people are barred from voting. The United States is the only industrial country to do this. Felony disenfranchisement laws originated in the post-Reconstruction period as part of a system to ban blacks from exercising equal rights. (Glasser, The Nation, p.25)

To understand the implications, consider that in Florida in 2000, 200,000 black citizens were barred from voting because of prior felonies in an election that was determined by 537 disputed votes. If a third of those had voted in the usual proportions that blacks vote

Democratic, Al Gore would have won by 42,000 votes. Of course, disenfranchised citizens are still counted for the purposes of determining how many Congressional seats and electoral votes each state has. In this respect, to quote Ira Glasser:

Drug prohibition has become a successor to Jim Crow laws in targeting blacks, removing them from civil society, and then denying them the right to vote. (Glasser, *The Nation*, p.25)

The third harmful consequence of the War on Drugs is the erosion of our Bill of Rights protections.

On July 1, 1985, Justice William Rehnquist wrote the opinion reversing a Federal Appeals Panel in the case of Rosa Montoya de Hernandez, a Columbian citizen entering the United States. Suspected of smuggling cocaine, Ms. Montoya de Hernandez was held by customs agents for twenty-four hours in a locked room, denied permission to call an attorney, strip-searched, taken in handcuffs to a hospital, and put through a forcible rectal exam that revealed a cocaine-filled balloon. Over the next four days, she excreted 88 more balloons and was charged with smuggling drugs. The Federal Appeals Panel overturned her conviction, questioning the humanity of such treatment. A study revealed that for every woman apprehended this way, five innocent ones were put through this experience. (Baum, p.215)

In his opinion, Justice Rehnquist stated that the freedom to control one's bodily functions is a justifiable sacrifice to the "national crisis caused by the smuggling of illegal narcotics." To strengthen his point, he listed some of the other freedoms that had likewise been diminished by the courts.

First-class mail may be opened without a warrant on less than probable cause...Automobile travelers may be stopped near the border without individualized suspicion even if the stop is based largely on ethnicity...and boats on inland waters with ready access to the sea may be hailed and boarded with no suspicion whatever. (Baum, p.216)

Law enforcement officers face an impossible task - - locating and then seizing hundreds of thousands of traffickers, dealers, and their drug supplies - - not to mention users. The problematic nature of this task creates a rationale for speed, security and surprise - - unannounced raids on drug suspects or frequent surprise sweeps. Such enforcement tactics are made much more difficult by the need to obtain search warrants, to show probable cause, or to protect other legal rights. (Bertram, p.47) "Thus the burden placed on law enforcement to enforce drug laws leads them to engage in wholesale violations of constitutional provisions against unreasonable searches and seizures." (Schaler, p.167)

As expressed by Justice Rehnquist, the courts have been similarly influenced and pressured to support law enforcement violations.

Since the early 1970's, almost all searches and seizures have been upheld by the Supreme Court. Police can get search warrants on the word of an anonymous informant - - provided they can demonstrate his reliability. The court has held that a search made on an invalid warrant does not require any remedy as long as the police acted in "good faith." People may be stopped in their cars, in airports, towns or buses, and submitted to questioning and dog sniffs of their persons and possessions. Police may search an open field without warrant or cause, even if it has "no trespassing" signs. They may conduct close helicopter surveillance of homes and backyards. If they have good reasonable suspicion, "they may search our persons and possessions." Certain types of mobile homes - - which may not have the appearance of permanent residences - - may be searched without a warrant. (Duke, p.124) Wiretapping and eavesdropping applications are granted as a matter of routine, rendering worthless a federal statute requiring that such applications establish probable cause. The ostensible object of a police search does not limit what they can confiscate and use. If police conduct a lawful search, they can take and use any evidence they see - - however unrelated it may be to what got them into the home or body in the first place.

In drug cases, appeal is hardly an option. In many courts, criminal convictions and long prison sentences are routinely upheld without hearing argument of the appeal and without the writing any appellate opinion. Even Thurgood Marshall, a lifelong defender of the Bill of Rights, told Life Magazine in 1987: "If it's a dope case, I don't even read the petition. I ain't giving no break to no dope dealers." (Duke, p.134)

Another damage to civil liberties comes in the form of mandatory minimum sentences, which affect a judge's discretion in sentencing convicted drug criminals. These sentences have had little impact on the drug trade while seemingly producing gross injustices. Lawrence Cepollone is serving fifteen years to life in a New York prison for selling 2.34 ounces of cocaine to an undercover police officer, a sentence that would have been three years if he had possessed 0.35 ounces less of cocaine. In America's prisons today, there are more than twenty people serving life sentences for the crime of growing marijuana.

Another large and invasive challenge to the Bill of Rights is civil asset forfeiture - - which permits governments to bring suits to recover the instrumentalities, proceeds, and the substituted proceeds of crime. Under these laws, "If it is shown by a preponderance of evidence...that illicit drugs were transported in a particular vehicle, or that identifiable money was received from the sale of illicit drugs, or that drugs were stored in a particular house, or particular jewelry was purchased with drug money, any of these assets - - the automobile, cash, house, or jewelry - - can be forfeited to the government." (Gray, p.118)

Not only can property be forfeited without a criminal conviction, it is estimated that 80% of the people whose property is taken are not even charged with a criminal offense. Further, these laws require that the person from whom the property is seized - - in order to recover his property - - has the burden to prove it was not used to facilitate the sale of

drugs or purchased with drug money. If the owner recovers his property, the government is not required to pay interest, nor is it responsible for any damage. (Gray, p.118)

Property has been impounded from and forfeited by those who are never even suspected of involvement in illicit drugs - - innocent owners whose property was used or intended to be used illegally. Other victims include people who have had their homes or other property seized because of activities by their children or houseguests. Three Virginia fraternity houses were forfeited in 1991 when it was alleged that they were the site of drug dealing. Owners can defeat forfeiture but must prove that the offending activity occurred without their knowledge, and that they did all they "reasonably could be expected to prevent the prescribed use of the property." (Duke, p.140)

With so much at stake, asset forfeiture programs are ripe for abuse. Many law enforcement agencies have come to depend on the cash flow from assets seized, which gives them an added incentive to go after potentially forfeitable property. (Gray, p.179)

The fourth harmful consequence of drug prohibition is its effect on users - - their public image and their health and safety.

To state it bluntly, in our society today, those who take illegal drugs are stereotyped, stigmatized, prosecuted, and jailed. "Most people do not distinguish between drug use and drug abuse or between the different drugs themselves. If a drug is illegal, the people taking it must be trash, or crazed addicts, or any number of other stereotypes...they must be treated as demons and we must contrast drug cultures on the one hand with decent people on the other." (Gray, pp.123-125)

Drug abuse problems are defined not as medical or psychological problems, nor as symptoms of social problems, but as moral failings. The addict is portrayed as someone who has chosen to do wrong - - not as someone in need of help or care. Zero tolerance, threats of punishment, and incarceration are seen as solutions - - rather than treatment and prevention. (Bertram, p.165)

The implications of this approach for individual and public health are profound and far-reaching.

First, it makes the recreational use of drugs far more dangerous than it would be if the drugs were not contraband. Prohibition eliminates any possibility of regulating the safety, potency or purity of drugs. It makes it impossible to require distributors to warn customers of potential dangers or reactions. Government intervention actually made marijuana imported from Mexico more dangerous when it persuaded that country to spray plantations with the herbicide Paraquat, which has been shown to damage lungs. The unregulated drug market makes overdoses far more probable than they would be in a legal market. Prohibition prevents many drugs users from preparing and using injectable drugs under hygienic conditions; for example, heroin users frequently inject the drug into muscles instead of veins, causing abscesses which require hospitalization.

The illegality of recreational drugs creates incentives for increasing the potency of the product: greater purity keeps weight - - thus discovery and prosecution - - down, yet will yield a higher retail price per unit. Some observers have attributed the existence of a cheaper though more dangerous form of a drug to its illegality; cocaine is expensive because it is illegal and crack was developed to make the drug more affordable. It is conceivable, indeed probable, that drug users would turn to less potent and dangerous forms if prohibition were repealed - - similar to what occurred after alcohol prohibition repeal, when users turned from hard liquor to beer and wine.

One of the most disturbing examples of the effects of drug prohibition on personal health is that of drug-dependant pregnant women. The high cost of their drug habit prevents them from caring properly for themselves and their fetuses and their fear of punishment means that many forego even the prenatal care that is available to them. Some states criminalize women who use drugs during pregnancy. Some permit newborns who test positively for drugs to be taken from their mothers and placed in state custody. Thus it is not surprising that many mothers may choose not to seek drug treatment or the prenatal care that could benefit their children.

Fear of law enforcement also discourages many drug users from seeking medical help in emergency situations. When basketball player Len Bias, trying cocaine for the first time, had an allergic reaction and subsequently died, he was actually in his third convulsion before his friends sought medical attention; they were so afraid of being arrested that they did not take him to a hospital.

Drug prohibition and its underlying paradigm that punishment is the appropriate and effective solution to drug use thwart drug treatment programs that might help the drug dependant. For example, opponents of methadone programs, which can alleviate the suffering of heroin addicts, subscribe to the belief that any drug use is wrong and must be eliminated.

Another health consequence of the punitive paradigm is its interference with efforts to stem the spread of drug-related disease - - specifically AIDS - - through needle-sharing programs. Over one-third of AIDS cases diagnosed since 1988 are the direct result of either needle sharing or sexual contact with injection drug users. About 3,500 AIDS patients in America who die annually acquired their disease from contaminated needles.

To inhibit the spread of AIDS through dirty needles, some part of Europe and the United States have implemented needle-exchange programs, in which addicts are encouraged to turn in their used needles for free sterile ones. Many of these programs counsel addicts to seek health and social services, including drug treatments. Studies show that these programs can reduce the rate of HIV infection by as much as a third and help addicts manage or break their drug dependence.

Nevertheless, needle-exchange programs have faced fierce opposition from many fronts, on the grounds that they represent a weakening of the War on Drugs and encourage drug use. A drug official in the first Bush administration argued that distributing needles

“undercut the credibility of society’s message that drug use is illegal and morally wrong... We cannot allow our concern for AIDS to undermine our determination to win the War on Drugs.” (Bertram, p.171) As a result of such rhetoric, Congress has prohibited federal funding for needle-exchange programs.

Drug prohibition harms users in another more subtle way. Not only do we confine small-time non-violent drug dealers and users to prisons, where they come into contact with more violent offenders - - who may indoctrinate them into their criminal lifestyles - - we subject them to the brutal, indecent conditions often found in these prisons. Chief Judge Donald Lay of the 8th Circuit Court of Appeals addresses the issue in describing the case of a nineteen-year old farm boy sentenced to one year for possession of marijuana; put in a small cellblock with four beds and eleven other prisoners, he was sexually assaulted for forty-eight hours and later sent to a psychological evaluation unit.

The final cost of drug prohibition to users is that it limits or forbids access to therapeutic substances. Marijuana has been shown to alleviate the nausea of chemotherapy, to reduce the intraocular pressures of glaucoma, to relieve surgical, migraine, and menstrual pain, to control multiple sclerosis spasms and some epileptic seizures, and to combat depression and insomnia. The opiates are one of the most effective substances known to man for the relief of severe pain but victims of trauma and terminally ill patients are often denied access to the opiates - - heroin, because it is illegal in the United States and morphine, because physicians fear the wrath of the DEA, which can impose severe penalties for questionable prescriptions.

Our federal government continues to ignore medical evidence and refuses to legalize marijuana for medicinal purposes.

As previously noted, a crucial strategy in our War on Drugs is to strangle the supply at the source - - which means carrying this war beyond U.S. borders. The harmful consequence of this strategy has been the political, economic and social damage inflicted upon those countries which have been the object of this war for over thirty years.

Simply stated, drug money from the United States has substantially corrupted the entire governments of Columbia, Peru and Bolivia and come dangerously close in Mexico, and it has sustained criminal elements which have eroded the social fabric of these countries.

In November 1985, when the Columbian Supreme Court threatened to extradite drug lord Pablo Escobar, members of his Medellin Cartel occupied the Palace of Justice, took 300 hostages, and killed 95 people. They later assassinated a presidential candidate; retaliation against the Cartel by the standing president ignited a savage war during which supermarkets, hotels, movie theaters, and schools were bombed, nine banks were dynamited in a single day, and the wives of police and army officers were gunned down in the street. Escobar made a deal with the Columbian government, accepted detention, although at a luxurious ranch, from which he later escaped, and after eighteen months of terrorizing the country was eventually tracked down and killed.

Escobar's successor, the Cali Cartel, was less violent. The incorruptible judges, politicians and army officials having already been eliminated, those remaining were all too willing to take drug money for leniency and plea bargaining when Cartel leaders were arrested. By the late 1990's, narco-dollars had distorted property values, drug barons had taken one-third of the country's fertile land out of production for their own use, and respect for the law had disappeared. From 1993 to 2003, 35,000 civilians died, 2,000,000 fled their homes, and 1,000,000 left the country.

By the year 2000, the Columbian government was involved in a complex political situation, pitted against two radical leftist insurgent movements - - which themselves were opposed by a right-wing paramilitary organization - - all three designated terrorist groups by the United States government. The drug trade was controlled by 300 loosely connected families which allied themselves at times to the various political factions and paid them taxes on drug crops and raw cocaine. Left-wing insurgents derived as much as one billion a year income from narco-traffickers.

In 2000, the United States was further drawn into this quagmire when it committed 1.3 billion dollars in foreign aid to Columbia, 500 military personnel to train local forces, and 300 civilians to assist in coca eradication, under Plan Columbia. The assistance was initially intended for counter-narcotics measures, but the alliances between insurgents/paramilitaries and drug traffickers blurred the division between counter-narcotics and counter-insurgency. Plan Columbia came under severe criticism from many fronts for its harsh eradication efforts; for financing and abetting a government war against leftist guerillas supported by the rural classes in Columbia; for providing support to government and paramilitary organizations which were guilty of human rights abuses and massacres; and for embroiling the United States military in an intractable, complex, foreign civil war - - all in the name of preventing the flow of illegal drugs to this country.

Mexico has long been involved in drug trafficking. The marijuana trade has expanded or contracted over time depending on U.S. pressure. In the early 1970's, the Nixon administration's crackdown on Turkish poppy production created an opportunity for Mexican poppy farmers, who spread production to remote, less detectable areas. In the 1990's, when U.S. efforts made it more difficult for Columbian traffickers to transport their cocaine via the Caribbean, new routes sprang up through Mexico. In the early 1990's, when the U.S. went after the Columbian cartel's financial resources, Mexican traffickers began taking payment in drugs rather than cash - - giving them a substantial stake in the lucrative U.S. and retail markets and spurring them to create their own syndicates.

In a country with a long history of income inequality, bribery has been accepted as a way of life. But with the arrival of narco-dollars, drug-related corruption in Mexico exploded. In the words of DEA administrator Jack Lawn: "It goes very high up - - to governors, ministers, to the office of the Attorney General of Mexico." (Carpenter, p.166)

Those comments were made in 1985. During the ensuing fifteen years, corruption was rampant.

- In 1997, Mexico's highest anti-drug official was jailed for accepting bribes from the head of the Juarez drug cartel.
- In 1997, American intelligence sources concluded that two Mexican state governors and Raul Salinas, the brother of Mexico President Carlos Salinas, had collaborated with various drug kingpins. Raul Salinas was later found to be in possession of a Swiss bank account in the amount of \$120,000,000.
- In 2001, the Attorney General fired 1,400 out of 3,500 federal police officers for drug related corruption.
- Slush funds supporting the campaign fund of Carlos Salinas's successor as President, Ernesto Zedillo, were estimated to have cleared \$750,000,000. The Cali Cartel alone donated \$40,000,000.

In addition to promoting corruption throughout the Mexican government, the illicit drug trade has been associated with numerous episodes of violence.

- On May 23, 1993, Juan Cardinal Posades Ocampo, Archbishop of Guadalajara, was gunned down at the airport, along with his driver and five bystanders. Either he was deliberately targeted by narco-traffickers for his outspoken condemnation of the drug trade, or he was mistaken for the head of the Sinaloa Cartel and shot by a rival Tijuana gang. No one knows to this day.
- During one deadly period in 1996 in Tijuana, a former police commander, the Chief of the Judicial Police, a federal police commander, and two prosecutors were murdered.
- In September 1998 in Ensenada, eighty miles south of San Diego, a turf battle between rival drug gangs led to an invasion of three country houses and the execution of ten adults and eight children, as a warning against protection.
- In 1994, the assassinations of presidential candidate Donald Luis Coloso and a senior P.R. official, Francesco Ruiz Massieu, both widely respected reformers, were certainly at the hands of drug lords.

Tactics employed by the United States in waging its War on Drugs in Latin America have harmed relationships with those countries in other ways.

The President or Congress has the power to decertify or impose sanctions on countries who do not cooperate sufficiently in the eradication and interdiction efforts. These sanctions include suspension of 50% of U.S. aid, except humanitarian and drug control aid; requiring U.S. officials to vote against loans by multilateral banks; denial of sugar quotas; and denial of normal tariff treaties. In 1996 and 1997, the United States decertified Columbia, in an apparent vendetta against then President Samper, whom Clinton administration officials believed had financial links to drug traffickers. Attempts to have Samper removed from office engendered tremendous bitterness in Columbia.

The United States has used a repertoire of other bullying tactics - - pressuring Latin American governments to dismiss officials who are deemed corrupt or insufficiently enthusiastic about prosecuting the War on Drugs; exerting pressure on nations to extradite drug traffickers, implying a vote of no confidence in their criminal justice

system; conducting money laundering sting operations on foreign territory without the host government's consent; and planting DEA operatives on the ground in Latin American countries who plan, execute and lead drug raids. Such imperialistic-like actions foster resentment among governments and populations.

In rural areas, peasant growers are angered by fumigation and eradication efforts that threaten their livelihood and contaminate their fields and rivers. National governments are portrayed as lackeys willing to implement U.S. policies regardless of their effects on Latin Americans, while the United States is hated for its politics, arrogance, helicopters, and defoliants sprayed on villages and crops.

One other harmful consequence of drug prohibition remains to be discussed - - briefly - - and it is a tenuous, philosophical one. It is the infringement by prohibitionists of an individual's right to own property and his right to make harmful choices.

Since the 17th century, in the English-speaking world, freedom has meant the inalienable right to life, liberty, and property. Thomas Szasz argues that our bodies and our drugs are types of property and, consequently, "Producing, trading in, and using drugs are property rights and drug prohibition constitutes a deprivation of basic constitutional rights." (Shaler, p.182) According to Szasz, the framers of the Constitution viewed self-ownership (ownership of the body) as a right so elementary it did not need to be named or safeguarded. And it was articulated by John Locke when he wrote: "Though the earth and all inferior creatures be common to all men, yet every man has a property in his own person. This no body has any right to but himself." (Schaler, p.182)

Szasz argues that the American political system accords no legal protection to drugs as property - - and that the state can, without due process, call a drug dangerous and remove it from the market, and there is nothing anyone can do about it.

The second philosophical argument espoused by anti-prohibitionists is that drug prohibition is, in the words of John Stewart Mill, "A gross usurpation upon the liberty of private life." In On Liberty, Mill wrote:

The only purpose of which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others. His own good, either physical or moral, is not sufficient warrant. ✓

Mill's principle has been moderated by the modern welfare state, in which society has accepted responsibility for the basic needs of those unable to care for themselves and assumed a right to interfere or prohibit self-harming conduct that may make self-harmers wards of the state. However, the right to prohibit, argue those opposed, must be tempered by two factors. ✓

Even if one accepts that drug use is harmful to the user, one must determine whether prohibition produces a net reduction in harm to users themselves, and whether alternative

policies would more effectively reduce harm to users. (Anti-prohibitionist would argue “no” to the first question, “yes” to the second.)

Secondly, any activity prohibited must represent a relatively trivial deprivation and the resultant protection must be significant. Requiring drivers to wear seat belts is a trivial imposition, compared to the large number of lives saved; the number of lives saved by drug prohibition is problematic (in fact, it may even cause more deaths) while the benefits of drug use are considerable to consumers who are willing to spend thousands of dollars and risk criminal prosecution to pursue that activity. Furthermore, even if one measures protection in terms of the number of users who are saved from abuse, addiction, and its attendant evils, those numbers are small. Only 10% of illicit drug users become addicts; Mill’s principle would lead one to reject prohibition of an activity safely practiced by many merely to protect the few who indulge excessively. (Duke, pp.150-151)

Prohibitionists will counter Mill’s principle by arguing that “It can be morally legitimate to prohibit conduct that it is inherently immoral, even though it causes neither harm nor offense to the actor or to others.” (Huggins, p.45) But this position fallaciously equates drug use with inherently evil acts such as homicide, rape and armed robbery, acts in which the offender intentionally causes harm to others.

Thus the key question for the justification of drug laws is whether drug use causes wrongful harms to others. Anti-prohibitionists claim that it does not, on several grounds. First, they argue that most of the harms drug use poses to others are not wrongful or criminal, because they do not violate others’ moral rights or involve setbacks to another’s interests; according to D.M. Husack, it is no one’s moral right that another person not use drugs. Second, not every incident of drug use harms others; indeed, it is likely that many, if not most, drug users never do wrongful harm to others as a result of their using careers. Finally, even if drugs do harm non-users, prohibitionist policies may cost society more than the harms it mitigates. Prohibiting drugs is costly - - in direct expenditures, in foregone benefits, in the opportunity costs of diverting resources and attention from other government activities - - and may itself cause harm to others. (Huggins, pp.39-41)

Once anti-prohibitionists have rejected contemporary society’s right to interfere in the right of individuals to use drugs, rejected the claim that drug use in and of itself is immoral, and rejected the contention that drug use harms others, they are able to set forth their own moral objections to drug prohibition. These include: (1) the right to choose how to live one’s life includes the right to choose which drugs are to be ingested; (2) the judgment of individuals about the value of drug taking is for more reliable than the judgment of the state - - with the possible exception, conceded by Mills, of children. The use of psychoactive drugs may even contribute to a person’s creativity, self-awareness, and motivation for achievement.

On May 1, 1972, in Newsweek Magazine, Milton Friedman wrote:

On ethical grounds, do we have the right to use the machinery of government to prevent an individual from becoming an alcoholic or drug addict? For children...yes. But for responsible adults, I would argue no. Reason with the potential addict. Tell him the consequences. Pray for and with him. But I believe we have no right to use force, indirectly or directly, to prevent a fellow-man from committing suicide, let alone from drinking alcohol or taking drugs.

Mr. Friedman quoted from that column in another column he wrote for the New York Times in 1998. I will let an excerpt from that column serve as a summary of the points I have tried to make in this paper.

That basic ethical flaw {sited above} has inevitably generated specific evils during the past quarter century, just as it did during our earlier attempts at alcohol prohibition: the use of informers...filling the prisons...disproportionate imprisonment of blacks...destruction of inner-cities...compounding the harm to users...harming foreign countries.

Can any policy, however high-minded, be moral if it leads to widespread corruption, imprisons so many, has so racist an effect, destroys our inner-cities, wreaks havoc on misguided and vulnerable individuals, and brings death and destruction to foreign countries? (Schaler, pp.209-211)

Bibliography

Books

Baum, Dan. Smoke and Mirrors: The War on Drugs and the Politics of Failure. Boston: Little, Brown and Company, 1996

Bertram, Eva and Morris Blackman, Kenneth Sharpe, and Peter Andrews. Drug War Politics: The Price of Denial. Berkeley: University of California Press, 1996.

Carpenter, Ted Galen. Bad Neighbor Policy: Washington's Futile War on Drugs in Latin America. New York: Palgrave MacMillan, 2003.

Duke, Stephen B. and Albert C. Gross. America's Longest War: Rethinking Our Tragic Crusade Against Drugs. New York: G.P. Putnam's Sons, 1993.

Eldredge, Dirk Chase. Ending the War on Drugs: A Solution for America. Bridgehampton, New York: Bridge Works Publishing Company, 1998.

Gray, James P. Why Our Drug Laws Have Failed and What We Can Do About It. Philadelphia: Temple University Press, 2001.

Gray, Mike. Drug Crazy: How We Got Into This Mess and How We Can Get Out. New York: Routledge, 2000.

Huggins, Laura, ed. Drug War Deadlock: The Policy Battle Continues. Stanford, California: Hoover Institution Press, 2005.

Schaler, Jeffrey, ed. Drugs: Should We Legalize, Decriminalize, or Deregulate. Amherst, New York: Prometheus Books, 1998.

Streatfeild, Dominic. Cocaine: An Unauthorized Biography. London: Virgin Publishers, Ltd., 2001.

AMERICA'S LONGEST WAR:
THE FAILURES OF DRUG PROHIBITION

ADDRESS TO THE SPHEX CLUB
NOVEMBER 9, 2006
MARC SCHEWEL

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Marc Schewel is a native of Lynchburg, VA. He graduated from E.C. Glass High School in 1965 and from Washington and Lee University in Lexington, VA in 1969.

Except for a brief teaching tenure at Appomattox High School, Mr. Schewel has worked all his adult life at Schewel Furniture Company, where he is currently ^{President} President. Schewel Furniture Company is a retail furniture chain with 50 stores in Virginia, North Carolina, and West Virginia. Mr. Schewel and his brother and sister are the fourth generation to own and operate this family business which celebrated its 100th Anniversary in 1997.

Mr. Schewel is involved in numerous community service activities. He is currently Chairman of the Lynchburg Jewish Community Council. He is past Chairman of the New Vistas School Board of Trustees, past President of the YMCA, past President of the Southern Home Furnishings Association, and past Chairman of the National Conference of Community and Justice. He currently serves on the Boards of Randolph-Macon Woman's College, The Salvation Army, CentraHealth, and The Alliance For Families and Children.

Mr. Schewel is a recipient of the John Willis Award of Merit, the NCCJ Humanitarian Award, and the Mayor's Award of Excellence.

Mr. Schewel is married to Margaret Hiller Strain, formerly of Wilmington, DE. He is the father of three children, David 30, Sara 28, and Matthew 24, and of two stepdaughters, Kali Strain 23 and Adrienne Strain 21. In his spare time Mr. Schewel enjoys running and reading.

By the year 2002, Mr. Schewel says he had ^{accomplished} ~~attained~~ all his goals in life except two: (1) having someone in his family come into his business and (2) being invited to join the Spirex Club. Once he becomes a member of the Spirex Club, that left only one and he is hopeful that at least one of his 5 children or 5 nieces and nephews will be ^{able} ~~able~~ to find any better ~~emp~~ employment than Schewel Furniture Company before Mr. Schewel retires at age 75.

10 miles