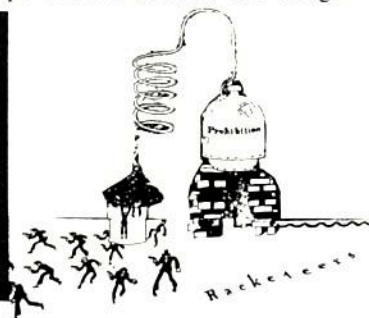


ernments. Negotiations are to be conducted by the State Department.

- Foreign governments will be given economic incentives for controlling production and channeling distribution only through legitimate channels.
- Proceeds of drug sales will be taxed.
- Strict price controls will keep costs low.
- Drugs will be provided on demand to discourage the development of black markets.
- For impoverished addicts, free drugs

UNCLE SAM'S HOME-BREW
from *Outlook and Independent*
The direct link between organized crime and prohibited vices was pointed out as the debate over Prohibition heated up.



will be provided at government clinics. Submission to treatment and reeducation programs will be mandatory.

To deal with the public health issue:

- There will be strict quality control and labelling requirements imposed on all drug products. Compliance will be monitored by the Food and Drug Administration.
- The majority of drug enforcement and interdiction dollars will be redirected to treatment and prevention facilities.
- Massive anti-drug advertising and public education campaigns will be developed by the Ad Council.
- All commercial advertising of drugs will be banned.
- Anti-drug education will be a mandatory part of all school curricula.
- All community centers servicing school drop-outs and impoverished populations will be required to provide anti-drug education.
- Minimum-age requirements will be established to parallel the drinking age.
- Outreach programs will be developed for underage offenders.
- Where drugs induce psychotic violent behavior, users will be treated through the mental health system and subject to involuntary commitments.

Civil controls on drug abuse are needed:

- Civil penalties for workplace drugs use—such as loss of job—will be established.
- Strong corporate anti-drug policies will be promulgated.
- First-line supervisors will be accountable for detection of substance abuse in

the workplace.

- Bona fide job-related criteria will be developed for jobs in which drug use is prohibited on and off duty.
- Where bona fide job-related criteria can be established, noninvasive drug-testing procedures (such as analysis of brain waves to determine which drugs are involved) will be implemented. Drug-testing will be conducted only where reasonable suspicion or probable cause can be established.

Criminal sanctions will still apply in certain areas:

- Driving while drug-impaired.
- Circumventing regulations for legal sales of drugs.
- Price-gouging.
- Selling drugs through unauthorized outlets, including by mail or wire.
- Skimming, tax evasion, and criminally negligent record keeping.
- Enforcement responsibility will be divided among the Bureau of Alcohol, Tobacco and Firearms, the Drug Enforcement Administration, and the FBI.

Under legalization, we will still have a black market, but not anywhere near the magnitude of our present violent drug gangs and organized crime groups. Most black-marketeers will be small-time, street-level dealers who are easy to detect and arrest.

Petty corruption of law enforcement officials will continue. However, the incentives to corrupt public officials will be minimal due to the reduced profits in the drug trade. Systemic corruption and penetration of national governments will be eliminated. Most corruption will be isolated. It will be instigated by small-time black marketeers and will be focused on circumventing quality control and distribution regulations.

Under-age substance abuse will persist, but at reduced levels. Minimum-age requirements will omit the very group with the greatest abuse problem, thereby forcing this group underground. However, shrunken profits will reduce dealer incentives to push drugs in and around schools and on street corners. At the same time, massive public education campaigns will heighten the social disapproval of drugs. Peer pressure will discourage drug use.

Drug addiction will not increase. Unlike the end of Prohibition, when alcohol abuse skyrocketed, the trend toward reduced drug use will continue. This is because, contrary to alcohol in the early part of this century, drug use carries a strong social stigma that will be rein-

forced by massive public education campaigns.

A free society is based on the premise that human beings are rational and can be trusted to make informed choices. Just as it is with cigarettes, caffeine, cholesterol, alcohol, sugar, and all the other substances that we know are harmful to us, but which, nonetheless, remain legal, so it must be with drugs.

Georgette Bennett, the author of Crimewarps: The Future of Crime in America (Doubleday/Anchor, 1987), is a former professor of sociology at the City University of New York who has worked in an advisory capacity with the police department of New York City.

INDIVIDUAL RESPONSIBILITY

by RON PAUL

All drugs should be decriminalized. Drugs could be distributed by any adult to other adults. There should be no controls on production, supply, or purchase (for adults) because we know, through the observation of the market economy, that government intervention most often causes the opposite of the desired effect.

There's no proof that legalization leads to greater use. Certainly, users are more visible when use is legal. A significant point about legalization is that it ends criminal involvement in the profit-making aspect of drug selling and all violence associated with the use of drugs. The only victims of drugs would be people who voluntarily use them, not people who are robbed to support a drug habit. Since much drug violence is initiated between drug buyers and sellers in disagreements over deliveries, purity, or payoffs, decriminalization would give these producers and consumers access to the courts for settling their grievances. Also, there would be no pushers to give away drugs in the hopes of monopolizing the supply to a possible addict.

Social norms regarding drugs are established through the family, not government. The appropriate role of government in general is to protect citizens from aggression from other citizens and from foreign invaders. It is not to protect people from their own folly. The family,

churches, schools (especially private schools), and private organizations are the most effective and even now the most successful dissuaders of drug use.

Rehabilitation of drug addicts should be provided through private organizations like the Delancey Street Foundation in San Francisco, which has an 80 percent success rate and no government funding. This organization could offer even more help to addicts if drug treatment facilities were deregulated. (For example, state law prevents the center from treating minors.)

We can look at the decriminalization of alcohol as an example. Just as there is no violence associated with acquiring alcohol, crime associated with the acquisition and use of now illegal drugs would be practically eliminated.

At worst, some irresponsible individuals will always become addicted to certain drugs (although we cannot be certain that addiction would increase with decriminalization). Private charities such as church groups would be able to offer help to more drug users because addicts would not fear arrest. At best, people would act responsibly and not use drugs for recreation but use them only for medicinal purposes at the advice of a health care provider. No violence would be associated with drugs. Organized crime would be dealt a severe financial blow. Police and courts would catch and punish individuals guilty of aggressive acts, not spend their limited resources catching and punishing peaceful users, buyers, and sellers of drugs. As a philosophical plus, the principle of individual freedom and private property would never be compromised.

Ron Paul, M.D., is the Libertarian Party candidate for president and a former Republican congressman from Texas. He is the only presidential candidate who favors drug legalization.

HELP VICTIMS

by **ETHAN NADELMANN**

Thinking about drug legalization serves two valuable purposes: it provides the best framework for analyzing what is wrong

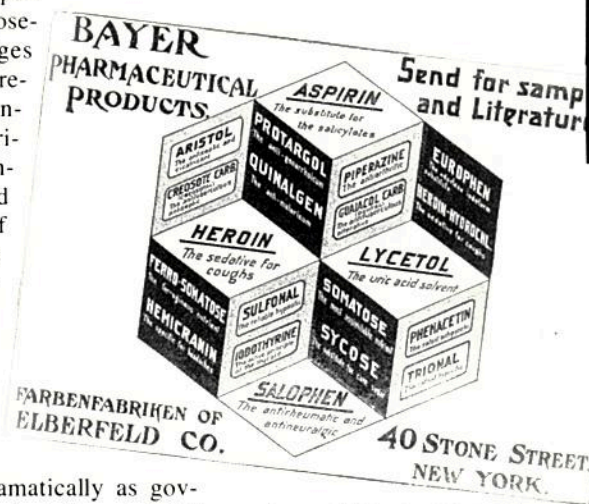
with our current criminal justice-oriented drug policies, and it offers what may well be the optimal approach for dealing with today's drug problem. The drug policy I envision is one in which the criminal sanction and criminal justice resources are redirected to the edges of drug policy, one in which alcohol and tobacco are taxed and regulated much more so than they are today, one in which most psychoactive substances are legally available at moderate cost to adults in government-licensed outlets, and one in which dramatically greater resources are devoted to making drug education and especially treatment widely available. It is also a policy that would result in a net benefit, between reduced criminal justice expenditures and tax revenues from legal substance sales, of tens of billions of dollars each year to public treasuries.

Drug legalization promises incredible benefits. The \$10 billion spent this year by federal, state, and local criminal justice agencies for enforcement of the drug laws would be diverted to more productive purposes. Police, prosecutors, and judges would focus their resources and attentions on more serious crimes. Organized crime would lose about half of its revenues of tens of billions of dollars per year. Fewer criminal justice officials would succumb to corruption. Homicide rates would decline dramatically as government outlets seized the market from violent gun-toting drug dealers. Drug addicts would no longer have to steal the large sums needed to maintain an illicit cocaine or heroin addiction. Children in the ghettos would no longer be tempted into crime and drug abuse by the financial rewards offered by today's illicit drug business. Drug users and addicts would no longer have to fear that their supplies were adulterated with dangerous substances or were far more potent than expected. The result would be fewer overdose deaths, less transmission of AIDS by IV drug users, and generally improved living conditions for drug addicts.

The great risk of drug legalization, of course, is that far more people would

become drug abusers. Many people assume that this would automatically be the case, indeed that this country would become, in Sen. Alfonse D'Amato's (R-N.Y.) words, "a nation of zombies." The evidence, however, suggests that an increased level of drug abuse is by no means a certainty and that Senator D'Amato's vision is entirely unwarranted. There is, for instance, little reason to suspect that the tens of millions of Americans who use neither alcohol nor tobacco will suddenly turn to other substances if they are legally available. There is also good reason to believe that most of the 100 million Americans who use alcohol responsibly will either refrain from using other substances or else use them in relatively responsible ways as well.

Predicting the nature and level of drug use and abuse under a legalization regime is so difficult in good part because simple economic projections do not suffice. It is almost impossible, for instance, to predict how the norms, patterns, and subcul-



An 1899 Bayer Pharmaceutical Company advertisement promoted its trademarked derivative of opium along with other remedies.

tures of drug use would change if the substances were legal.

Consider what happened in Holland after the Dutch, in 1976, decriminalized marijuana virtually to the point of legalizing it. A simple economic model would have predicted a significant increase in marijuana consumption, yet in fact use among youth declined quite dramatically during the following decade. The Dutch government claims, quite rightly, that it set out "to make marijuana boring" and succeeded. Similarly, one would have predicted an increase in marijuana consumption in the dozen U.S. states that decriminalized possession of the substance during the 1970s. In fact, marijuana consumption there has declined at the