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The United States Government Should Not Legalize Drugs

Like the prohibition of torture, the government should not condone drug use; the activity is dangerous and has the potential to lead to increased abuse, mortality and social costs. Although alcohol and tobacco are considered two of the most harmful mind-altering substances, their legality should have no impact on the status of other drugs, especially marijuana, heroin, and cocaine. Alcohol and tobacco use is so engrained in our society and economy that it would be ineffective to create another prohibition movement; instead, anti-abuse advertising has proved effective to allow use for consenting adults while dissuading minors from engaging in tobacco use that could result in addiction.

Heroin and cocaine are extremely addictive mind-altering substances; cigarette smokers do not murder convenience store owners to get a pack of smokes, but it is far too commonplace for serious addicts kill for a fix. It is illegal for minors to purchase alcohol or tobacco because we have deemed these substances too dangerous for them to be left to the discretion of those who might not understand their consequences; addicts are no different- they cannot process the effects of their consumption and the possible costs of their abuse. While marijuana is not considered as addictive, users are more likely to move on to harder drugs and engage in unprotected sex (South Carolina Criminal Justice Academy 1). In addition, there have been very few studies about the long-term effects and the productivity losses caused by consistent marijuana use, so it is unclear exactly what the consequences of legalization might be.

Although legalization would result in the regulation of drugs, and thus an increase in the purity and a decrease in the price, drug-related crimes would not disappear; the types of crimes would simply change. Instead of drug lords fighting for territory and profits, there would be an increase in users driving under the influence and potentially psychopathic activities resulting from consumption of these drugs. Instead of the isolated crimes, use would become widespread due to the availability and police would have to be dispersed and trained even more thoroughly. Also, although purity of these drugs would improve, the potency would decrease due to the eradicated need for cost-effective fixes (Cussen IV)- drug users would not necessarily accept these new weaker drugs in exchange for the hard hits to which they are addicted.

Finally, we have been fighting the war on drugs since the Harrison Narcotic Act in 1914, before Prohibition was enacted in the 18th amendment, and we continued to fight it after Prohibition was repealed with the 21st amendment. It would be impossible to offer reparations to those who we arrested, sentenced, and incarcerated for something that we would now deem arbitrarily legal. We have been fighting this war for nearly a century, and there is no logical reason to give up now.

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As Nadelmann writes in his inquiry about drug legalization, “Drugs are here to stay. The time has come to abandon the concept of a ‘drug-free society.’ We need to focus on learning to live with drugs in such a way that they do the least possible harm,” (Nadelmann 2). Clearly, prohibition is not the most successful method of minimizing

harm; prohibition leads to violent crime, disease, a black market, ineffective use of government funds, and severe infringements on individual liberties. Although there is not yet enough research on an effective and safe method of distribution for addictive narcotics such as heroin and cocaine, programs in other countries, particularly in the Netherlands, have demonstrated that marijuana should immediately be legalized (Nadelmann 2).

Prohibiting the legalization of drugs leads to an enormous black market that in turn leads to violent crime. Most of the drug-related crimes occur as a result of turf wars between dealers seeking extraordinary profits or people seeking money to buy the excessively expensive drugs (Buckley 2). Buckley estimates, "...the pharmaceutical cost of cocaine and heroin is approximately 2 percent of the street price of those drugs," (2). If the market (enforced by the government) were allowed to stabilize the price of these drugs, the price would plummet, enabling users to get their fix without jeopardizing the lives of the dealer, other users, or innocent bystanders. In addition, the reduced profits would no longer entice teenagers to enter the "industry" to earn a living. Mafia violence began in the 1920s as a result of prohibition laws preventing the legal sale of alcohol and significantly decreased after the 21st amendment was enacted; there is the potential for similar results with the legalization of drugs.

Police officers have been one of the most vocal groups promoting the legalization of drugs; former chief of police Joseph McNamara writes that it is impossible for all the law enforcement agents of the world to impede a market with the tax-free profit margin of the drug trade. Violent crimes most often result from illegal competition for profits among dealers, not among crazed users. He explains that the efforts of police forces

would be much better spent working to prevent violent crime and accomplishing the true goals of law enforcement than arresting non-disruptive users and “fighting the war on drugs”. This “war” requires a great deal of undercover work, which is extremely dangerous for both police officers and civilians. Although the cost of treatment for addicts might increase as the drugs become more available, the significant decrease in costs of enforcing arbitrary laws would more than cover the difference; also, Buckley explains that treatment is seven times more cost effective at reducing continued addiction than incarceration (4).

Fighting this war against an invisible enemy has resulted in an enormous social cost; Buckley writes, “...the cost of the drug war is many times more painful, in all its manifestations, than would be the licensing of drugs combined with intensive education,” (Buckley 4). In addition to the decrease in violent crime, the better allocation of government resources, the additional tax revenue generated from a legal market, the utility of lives saved through clean needle programs, and the profits removed from anti-American drug cartels, the increased utility of non-disruptive drug users being allowed to legally engage in an activity that brings them pleasure is a huge social benefit. The majority of drug users are able to engage in this activity without harming themselves or others; the minorities who choose to abuse this privilege deserve to be punished, as are those who abuse alcohol or tobacco.

Alcohol and tobacco abuse result in significantly more deaths per year than drug overdosing, yet clearly prohibition failed and not a politician in the country would consider a tobacco ban. Buckley asserts, “...nobody has ever been found dead from marijuana,” (2). Individuals have an implicit constitutional right to consume whatever

they desire, contingent that it does not harm others. Alcohol and tobacco result in decreased productivity and loss of life, yet individuals have the right to choose whether or not to consume them. It is preposterous for opponents of legalized drugs to try to exclude individuals from this right to other substances. It is not the role of the government to determine what an individual can consume, even if it does alter their state of mind; rather, to punish individuals who act unacceptably, under the influence or not. Government funds and taxpayer dollars should be devoted to this enforcement rather than intruding on the rights of individuals who make rational decisions. Extreme sports are not illegal, even though injury is practically certain, because individuals are entrusted to make their own decision about whether or not to safely participate in the activity.

If drugs were legalized and regulated, educational information and warnings would be readily available with the substances and although use might increase, overdoses as a percentage of overall use would surely decrease as purity of the substances is ensured. In addition, federal funds (collected through revenue earned from taxing these drugs) could go towards research and additional options for medicinal uses and increased safety for users could be explored.

Additionally, although the government does not need to legalize heroin before much additional research, clean needle exchanges need to be implemented in order to prevent HIV transfer between users who share needles due to a lack of availability. Endorsing these programs is not the same as supporting legal heroin, but rather recognizing that sharing needles is a public health threat.

Legalizing marijuana would have clear positive outcomes and thus should happen as soon as possible; the legalization of other narcotics should be postponed until further research can determine the best way of dealing with their presence.

Works Cited

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