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The Case for Legalizing Drugs

Richard Lawrence Miller,

New York: Praeger Publishers, 1991, pp. 241

From 'Reefer Madness' to Ronald Reagan's 'War on Drugs', North American political opinion on drug use and abuse has been marked by hysteria, misinformation, and self-righteousness reminiscent of the temperance movements of the Nineteenth and early Twentieth Centuries. So long as the conventional wisdom on drug use remains unchallenged, the current drug law policies will continue to create new social problems, much in the same way that alcohol prohibition led to an increase in organized criminal activity in Canada and the United States during the 1920s.

Richard Miller's book, *The Case for Legalizing Drugs*, is a valuable contribution to the debate, effectively pointing out contradictions, distortions, and ultimate motivations of current rhetoric and social policy. Despite the title of the book Miller does not successfully argue for the legalization of drugs; rather, he makes a case against the criminalization of drugs, a related but nevertheless clearly distinct issue.

While the context of the book is American, many of the arguments he uses are directly applicable to the Canadian forum. For example, he points out that the first anti-drug laws were directed toward Chinese labourers working in the western states during the late Nineteenth Century. Opium was freely available to Chinese workers when their cheap labour was necessary. With the influx of white workers, Chinese labour began to be viewed as an economic threat and the first anti-opiate laws were part of an entire panoply of laws directed against orientals.

The situation in Canada was virtually the same, with the infamous \$500 head tax being imposed on Chinese immigrants at roughly the same time as Canada's first anti-drug laws were passed. While Reagan's 'War on Drugs' has not been paralleled to the same extent in Canada, the 1980s saw Canadian political leaders grandstanding on the evils of drug use.¹ Despite a 1972 federal commission recommendation that possession of marijuana be decriminalized, in 1992 it would likely be viewed as political suicide for any Canadian politician to call for the decriminalization of drug possession.

Two broad themes are intertwined throughout Miller's book. The first is a criticism of the nature of the claims made about the dangers of drug use to users and to society. He points out that the physiological ill effects of illicit drug use are exaggerated and generally quoted out of context. People exhibit many types of self-destructive behaviour, from smoking to over eating to drinking alcohol, but in none of those cases are there serious suggestions that the activities involved be criminalized. The problems underlying those behaviours are psychological, not

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pharmacological. Scientific evidence on drug abuse suggests the same thing: drugs do not cause problems for abusers; rather, abusers have problems, period. Criminalizing activities that are symptoms of underlying problems is not a rational (nor effective) method of dealing with those problems.

The other issue in this theme, which excites both politicians and voters, is the supposed societal problems caused by drugs, such as crime and family break down. Again, Miller convincingly shows that the myth of crazed druggies stealing to finance their insatiable drug habits is just that - a myth. Most illicit drug users are not addicts (there is a lengthy discussion on what addiction means and what it has been interpreted to mean) and most drug users do not ruin their lives or their families. 'Drug-related crimes' could just as easily and more accurately be called 'economically-related crimes'. Middle class substance abusers do not steal to finance their habits because they do not have to. By pointing to drugs as the problem, the real problems such as inequality of economic opportunity are ignored.

The second broad theme of Miller's book concerns the economic, psychological, and mythological motivations for the prevailing anti-drug political stance. The obvious vested interests of law enforcement officials and certain politicians are discussed. Implicit stakeholders in the continued criminalization of drug use are the alcohol and tobacco industries, who are able to sell their mind-altering substances in a tightly regulated environment which suffers no competition from illegal drugs.

Labelling drug use 'illegal' also serves psychological needs of tribalism and commonalty. Drug use is characterized as alien and un-American. Only the 'bad guys' use drugs and if one does not use drugs, one's own values and lifestyle are comfortably justified. This argument is particularly persuasive given the prevalent images of drug abuse: stereotypical black ghetto crack-dens, Colombian drug cartels, and oriental gang wars come to mind.

Most of the vilified drugs of the late Twentieth Century (notably cocaine and various opiates) were openly used by 'respectable' members of the white middle class until the late Nineteenth Century. When drug use became associated with Orientals, African-Americans, and Hispanics it became socially and then legally unacceptable. Miller contends that the assignation of drug abuse to African-Americans is similar to the assignation of money lending to Jews: a veiled validation of white, middle class values, and an excuse for patronizing and self-righteous (racist) policies directed towards the (black) underclass in modern America. In this way, the myth is self-perpetuating.

Miller's arguments are persuasive, but there is inadequate analysis of the potential effects of drug legalization. Some problems, such as the control of much of the drug trade by ruthless and powerful criminal organizations, associated with the current criminalized status could be eradicated or minimized by the legalization of drugs. (Miller risks being accused here of mythologizing himself. Is his perception that much of the drug trade is controlled by 'drug barons' justified, or is it

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another popular myth?)

But what effect would decriminalization have on people's self-destructive attitudes or the economic disadvantages faced by North American underclasses, the real problems identified by Miller? Miller does not provide much in the way of possible answers and this is the book's main weakness. Without persuasive reasons for the benefits of legalization in conjunction with his argument on the intellectual bankruptcy of criminalization, his arguments boil down to the one used by the gun lobby: 'Guns don't kill people, people kill people,' and this is inadequate. One hopes that there will be a Part Two to this useful but only partially satisfying book.

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¹ For example, Brian Mulroney stated in the *Globe and Mail*, September 15, 1986, that drug abuse "threatens our economic and social fabric!"