

# WHY "DRUGS" SHOULD BE LEGALISED



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Recently, I was one of many people asked by *The Observer* magazine to send in my opinions about legalising "drugs". (I use inverted commas because by "drugs" I mean recreational drugs that are now illegal, such as marijuana and cocaine. Alcohol is a "drug", as is Aspirin. But from now on I'll assume you know which ones I'm talking about.) Would legalising "drugs" improve things? Would it make them safer, and of more predictable dosage? Would legalisation make drugs less popular because less glamorous? Any other comments? Sunday papers are big things these days and maybe I missed it, but I don't think I got my name in lights this time. But, the thing having been written, it made sense to work on it some more and turn it into an LA pamphlet.

This isn't the first LA piece that was originally written for someone else, nor will it be the last. The LA is, among many other things, a back-up publisher. We not only publish libertarian writing ourselves; by simply existing we also cause other libertarian writing to be created, submitted, and hence also often published, elsewhere, by authors who want to be sure that we at least will be interested in what they've written even if the first choice publication target isn't.

## PLEASURE

So. Drugs. What are my opinions of them? Well, much as you would expect them to be, given that I am (see below) the Editorial Director of the Libertarian Alliance.

I start with the simple fact of *pleasure*. Never forget how important in this argument is the fear that others might actually be *enjoying* themselves. If drugs were totally decriminalised, a non-aggressive pleasure would become possible without breaking the law. Legalised drugs would be less appealing to lawbreaking rebels, but more appealing to regular people, who are surely more numerous. There'd be more pleasure being had, how much depending on how heavily drugs are taxed. Not that severely is my hope, but not my prediction.

## SAFETY

Yes, a legalised drugs industry, like the legalised alcohol industry, would supply a far less lethal product, of predictable strength, branded and labelled, and sold in accordance with current contract laws, sale of goods acts, and so on. Drugs would be like cigarettes now, that is, their longer term dangers would be a matter of fierce controversy, but they wouldn't kill you immediately the way Pro-

hibition booze sometimes did, and the way cigarettes will do if they ever become illegal, as the anti-smoking fanatics now intend.

The argument for legalisation doesn't depend on drugs being totally safe. Personally I'd advise against marijuana, if my recollections of contemporaries who used it a lot is anything to go by. It is now being said that marijuana causes cancer. Well, all who think this should be entirely free to say it. But insofar as marijuana is harmful, then using it will be its own punishment. Why punish people more who are already punishing themselves? And then again, if marijuana is harmless, what's all the fuss about?

## POLICING

Existing drugs laws turn the police into the Gestapo. Drugs "crimes" are simply *deals*, with no *immediate* victims, of the kind who straight away ring for the police. So, the police have to find out about drugs in the manner of an occupying army keeping tabs on a conquered population. Abolish the current drugs laws, and the police could go back to investigating only those events in which some at least of the citizens involved are on their side.

## DENYING INCOME TO CRIMINALS

Probably the most important result of all from the total, worldwide legalisation of drugs — trading as well as mere possession — is that this would *massively* reduce organised crime, by denying to it its current drugs income. (Radio quote from a visiting American policeman: "These guys don't count their money; they weigh it.") The drug-related murder rate would plummet, because turf battles would be settled by law instead of by gunfights. Corruption by drug dealers of judges, government officials, policemen, etc., would diminish greatly. Public life everywhere would work better.

## FOREIGN POLICY

The insane War on Drugs now waged against the mainly poorer producer countries would end, and a major derangement of Western foreign policy would cease, with huge economic savings and foreign policy gains.

## THE NEED FOR PATIENCE

Freeing up any market doesn't improve things *straight away*. Politicians will need to be patient, even ruthless. At first, fools and

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conmen would plunge into the new market, and customers would be ignorant and confused. But after a while the incompetents would lose their money, and a legal drug consumption specialist press would emerge, at which point the cowboys would either clean up their act or depart. From then on things would steadily improve. People would get better at enjoying drugs, and cleverer at avoiding drug related grief. But not, as I say, straight away.

### THE “DRUG PROBLEM” WON’T END

The problem with the drugs debate is the belief that the law is the way to suppress *all* vices, rather than merely to suppress the particular vice of aggressing against the rights of others. Legalisation won’t end the “drug problem”, but the problem will be different. True, drug abuse is only a “victimless crime” in the same sense that other acts of self-destruction are. But spouses, children, etc. now suffer from all kinds of completely legal activities indulged in by their loved ones, such as drinking, gambling, skiing, excessive or foolish shopping or hang-gliding or Wagner-listening. In this sense we are — most of us — interdependent. But if drugs are to be illegal because others may suffer besides the drug abuser, then what of shopping, skiing, Wagner etc.? Following legalisation some will go on using “drugs” to destroy themselves, and maybe quite a few more than do now. (Consider the self-destruction now administered by alcoholic means.) Such foolishness never ends.

### MAYHEM MAY BE REDUCED

However, “drugs” seem likely to do less harm than alcohol does now, in the form of car crashes, brawls etc., so the mayhem level probably won’t get much worse, and, if many drunks switch from alcohol to “drugs”, it might get better.

### MAKE UP YOUR MIND!

Partial decimalisation, of possession but not of trading, makes little sense. If it’s okay to own it, then it should be okay to sell it, whatever it is. If it’s not okay to sell it, then that means you want to stop people owning it. If you want to have intelligent opinions about drugs, get off this particular fence at once.

### HOW TO DECRIMINALISE GRADUALLY

Partial decriminalisation would also be a policing nightmare. The way to decriminalise drugs gradually, given that everything in politics has to happen gradually, is to legalise the whole of a local drugs scene, from crops to customers, and keep that legal scene separated from the illegal crops-to-customers scenes elsewhere. Allowing drug possession in a country without allowing *anyone* legally to grow and supply the stuff would be insane. It would increase criminal incomes rather than reduce them.

### THE MAFIA WON’T LIKE DRUG LEGALISATION!

I’m pessimistic that drugs will in fact soon be legalised, even if there is, as always, room for hope. There’s a tidal wave of money being made under the existing arrangements, and businessmen don’t like *change*. Change means new competitors, new ways of working, the collapse of existing operators, bad news generally. Illegal drugs dealers will use — are now using — their existing (massive) political clout to keep drugs laws as they are. If you were the Mafia, would you want drugs legalised? Legalisation won’t mean the existing “evil drug pushers” having the run of the planet. They will be replaced by quite different people.

### ... AND NOR WILL THE SPIES

The ancient problem of the spy is to obtain funds without discussing with anybody how they are to be used. Given that the drug trade is “illegal”, it is perfect for spies. They can practise it, while using the law to close down any rival drug dealers of whom they disapprove. While the Cold War lasted I was a gung-ho Cold Warrior, on the side of civilisation and against the evil communists, and I favoured whatever dubious practices were necessary to defeat the Evil Empire, such as drug dealing by the spies on my side to finance their other more righteous projects. But semi-monopolised, “illegal” drug dealing by governments and their agents, and by

criminals generally, now seems to me a superfluous blot upon humanity and its affairs. But will the spies now favour the abolition of the laws which have put them in this convenient position? I fear not, and by the nature of things, spies have a great influence upon the media and upon politicians.

### THE SEARCH FOR A NEW ENEMY

A further reason to be pessimistic about whether it will be decided to legalise drugs is that the war on drugs is a fine substitute for earning a living as a civilian for lots of soldiers, of all ranks, especially American. With the collapse of the old USSR, the search is on for the New Enemy. I now think that civilisation’s greatest New Enemy is: state officials seeking new enemies.

### THE RIGHTS OF CITIZENS GENERALLY

Drugs legalisation may also be delayed because the pursuit of petty drug dealers is such a great excuse for ignoring the rights of citizens generally. Consider the freezing of the assets of those even *suspected* of drug dealing. In America, anyone carrying a largish pile of cash is fair game to predatory — and often themselves criminal — state officials. Once such principles as the presumption of innocence are conceded in one circumstance, the contagion then spreads. How long before people *suspected* of robbery, or of fraud, or of selling cheese that defies European Union directives, also have all their assets frozen and their guilt presumed?

### WISE STATE OFFICIALS

The good news is that some state officials are now among the most eloquent opponents of the world’s current drugs laws. They know better than anybody what an evil farce the present arrangements are. They know that the War on Drugs can’t be won. They know what this “war” is doing to the administration of justice. Not all policemen, to put it mildly, *want* to be in the Gestapo. Not all soldiers live to kill others. The good news is that, having spent decades shovelling out absurd propaganda about drugs, the world’s governments may now already have decided that their ridiculous war on drugs is doomed and that they’ll have to legalise the stuff, and that in the meantime there must be an interlude of propaganda for legalisation to correct all the nonsense put around earlier, and to soften up the public for this policy *volte face*. As I say, there’s always hope that sanity may eventually — even soon — prevail.

### LEGALISING DRUGS DOESN’T MEAN ENCOURAGING MORE OF THE EXISTING MESS

The general public fears drugs legalisation. It looks at the existing drugs scene, and says: we don’t want this mess to spread. I agree that the existing drugs scene is a squalid disaster, but believe that legalising drugs is part of how to deal with this disaster. It’s not that we libertarians and the public disagree about whether squalour is nice and whether self-destruction should be encouraged. Squalour is indeed squalid. Self-destruction is self-destructive. We even largely agree that pleasure is pleasurable, and that only pain is painful. The disagreement between us concerns what the law should do — or not do — to enforce such agreed ideas.

### FIGHT THE DRUGS PROBLEM BY CUTTING WELFARE

Instead of legal terrors against drugs, a better way to attack the drugs problem would be to look at welfare policy. Cutting welfare would greatly reduce the self-destructive hedonism and neglect of the future which is the underlying reason why drugs of all kinds are now such a problem, instead of just a harmless pleasure. If people are paid to do nothing, but are taxed severely as soon as they embark upon more promising but meanwhile more arduous lives, many will persist in seeking instant pleasure, and those others who criticise them — such as their parents — will not do so persuasively. But in a world in which the rewards go only to those who in one way or another make a contribution to the lives of those around them, self-destruction through drugs would be a career choice with much quicker and harsher penalties. Persuading such persons as one’s own children not to wreck their lives with drugs would be far easier.