

# Slowly Learning the Hard Way: U.S. America's War on Drugs And Implications for Mexico

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## ABSTRACT

U.S. America's aggressive drug enforcement policy, costing over US\$1 trillion and putting millions of people in prison for casual drug use, is an abject failure. By regulating drug use rather than criminalizing it, per capita recreational drug use in the United States would be the same or even lower than it currently is, safer for consumers, and far less costly to society in terms of socioeconomic harm. This failed policy has not only affected U.S. society in such a harmful way that it almost cannot be overstated, but it has also resulted in quite needless drug cartel violence in Mexico and other countries. Included here is a pragmatic suggestion for reform of U.S. drug policy.

**Key words:** war on drugs, prohibition, drug use in the United States, drug liberalization, drug decriminalization, drug use studies, U.S. drug policy.

## RESUMEN

La agresiva política de Estados Unidos contra las drogas, con un costo de más de un billón de dólares y millones de personas enviadas a prisión por consumo casual de drogas ha resultado un fracaso absoluto. Regularizar el consumo de drogas en lugar de criminalizarlo daría como resultado un consumo per cápita de drogas recreativas igual o incluso menor al que existe actualmente, más seguro para los usuarios y con daños mucho menos costosos en términos socioeconómicos. Esta fallida política no sólo ha afectado a la sociedad estadounidense de una manera tan dañina que ni siquiera podría exagerarse, sino que ha generado una violencia completamente innecesaria entre los cárteles de la droga en México y otros países. Se ofrece en este artículo una sugerencia pragmática para reformar las políticas estadounidenses en la materia.

**Palabras clave:** guerra contra las drogas, prohibición, consumo de drogas en Estados Unidos, liberalización de las drogas, despenalización de las drogas, estudios sobre el consumo de drogas, políticas públicas contra las drogas de Estados Unidos.

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In the grand scheme, [the War on Drugs] has not been successful;  
40 years later, the concern about drugs and the drug problem is,  
if anything, magnified, intensified.  
Gil Kerlikowske, U.S. Drug Czar (AP, 2010)

## INTRODUCTION

By way of background, some time ago I published an academic paper focusing on the legal uncertainties regarding conflicts between state and federal laws with regard to California's decriminalization of medical marihuana (Olives, 2012: 55). The research for the article necessarily required a great deal of reading about U.S. drug policy and encompassed such diverse disciplines as science, medicine, the social sciences, law, politics, and religion. As I said then, the research proved to be an object lesson for both scholars and students on the importance of interdisciplinary studies. But due to the specialized legal focus of that paper (state and federal conflict of laws as discussed in recent U.S. Supreme Court cases), much of my research was not used; it is, however, interesting and surprising in its own right, and I think it bears sharing.

Illegal and legal drug use is hardly ever ignored by the news cycle. Most recently, Uruguay legalized marihuana, and U.S. state of Colorado legalized the recreational use of marihuana, joining 22 other states that have either legalized or decriminalized it for various uses (Governing Outlook, 2014).<sup>1</sup> Television and print media have been overrun with both proponents and opponents debating drug policy liberalization in the United States. Unfortunately –and expectedly–, these debates tend to be heavy on personal opinion and light on hard empirical evidence. Nonetheless, we are currently undergoing a sea change in public opinion about illegal drug use, and there is a trend in the United States for not only decriminalizing some classes of drugs such as marihuana, but also legalizing them.

Almost all of us are psychoactive drug users.<sup>2</sup> Whether you enjoy a beer (the active ingredient, alcohol, is a central nervous system depressant), or a cup of coffee (the active ingredient, caffeine, is a central nervous system stimulant), or a pain pill for your bad back (usually an opioid derivative), we ingest drugs every day. And

<sup>1</sup> For the sake of clarity and simplicity, throughout this paper I use the term drug liberalization, which encompasses drug legalization, re-legalization, or decriminalization, whether for medical, recreational, or other uses.

<sup>2</sup> A psychoactive drug (psycho-pharmaceutical or psychotropic) is a chemical substance that crosses the blood-brain barrier and acts primarily on the central nervous system where it affects brain function, resulting in alterations in perception, mood, consciousness, cognition, and behavior. See, for example, "Alcohol and Other Drugs" (Northern Territory Government, 2008).

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