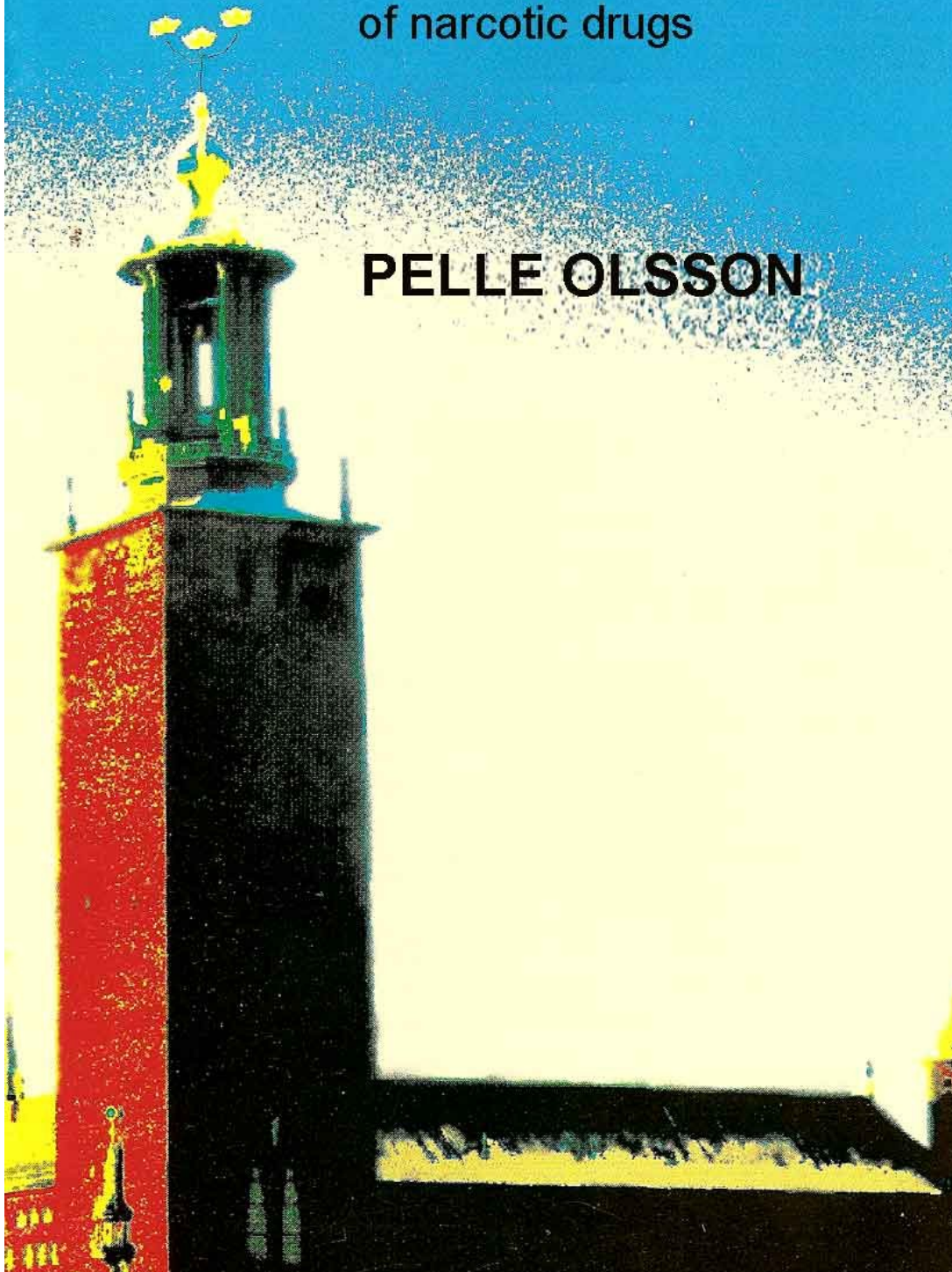


Arguments

against the legalization
of narcotic drugs

PELLE OLSSON



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Foreword

Strident demands for narcotics to be legalized can be heard in a number of European countries. In some places the legalization movement is very well organized and has strong financial resources at its disposal. In Sweden the movement has gained little support, but the odd voice is occasionally to be heard.

In this leaflet, author and journalist Pelle Olsson examines and then replies to the most important arguments in favour of legalization. This leaflet is published jointly by Stockholm's Office for Crime Prevention, European Cities Against Drugs (ECAD) and the National Association for a Drug-free Society (RNS), Stockholm.

Today, the abuse of narcotics already results in extensive social and medical damage. The economic consequences are observable. If the ban on certain narcotic substances is lifted, a dramatic increase in the harmful consequences will follow. We must hit back at the abuse of narcotics and the demand for a narcotics-free society must be kept alive. All attempts to legalize narcotics must be rejected. The legalization movement is a threat to people's welfare and security.

The Office for Crime Prevention is responsible for a number of projects and fields of activity. Given the narcotics situation today it is natural for us to take part in information and opinion-moulding activities by means of publications, method sheets, seminars and study days.

MARIKA LUNDIN *Head of*

Stockholm's Office for Crime Prevention (Brottsförebyggande centrum & Lugna gatan)

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ECAD - Stockholm took the initiative

In 1993 the cities of Stockholm and Paris jointly took the initiative to establish an organisation to coordinate the fight against narcotics. The 21 cities which were present when the organisation was launched in April 1994 all approved the Stockholm Resolution, which can be summarised as follows. It is:

- against the legalisations of narcotics
- in favour of new methods to be used in the fight against narcotics
- in favour of the development of forms of care for addicts
- in favour of active and offensive preventive activities
- in favour of increased international cooperation

At present ECAD has 186 signatory towns and cities throughout Europe.

ECAD works to promote a restrictive narcotics policy and to give preventive measures a high priority.

Addicts must be given the opportunity for rehabilitation.

ECAD does not believe in making the distinction between soft and hard drugs. All narcotics are dangerous and unnecessary. Consequently, the use of hash must be fought with the same vigour as other narcotics.

RNS - to build up public opinion

The National Association for a Drug-free Society (RNS) is a popular movement which was started by a Swedish physician, Nils Bejerot, in 1969. Today we have 12,000 members throughout Sweden.

We have no religious or party-political affiliations.

RNS's primary task is to build up public opinion in support of a restrictive narcotics policy. By this we mean that all abuse of narcotic substances should be opposed. Preventive anti-abuse measures are important, as is early and consistent intervention where abuse does occur. Best of all, of course, is if young people can be persuaded never to start taking narcotics in the first place.

The aim is to unite all democratically-minded people in the struggle for a drug-free society, regardless of their political views on other matters.

Introduction

In most European countries, especially those in the ED, a reappraisal of traditional narcotics policies is taking place. Many highly disparate groups, from drug addicts themselves to leading politicians, are now questioning the old generally accepted view that all non-medical use of narcotics should be banned. There is a sliding scale of views on this issue:

Decriminalization

Certain substances should be sold freely and certain aspects of the narcotics trade, for example consumption, should be permitted.

Legal prescription

Physicians should prescribe narcotics.

Legalization

All, or almost all narcotics should be sold freely, more or less as alcohol is today. The proponents of these three courses of action seem to believe that they have come upon some brilliant new method for curbing society's narcotics problem. Ideas of this kind are, however, nothing new. Time and time again through the ages, those measures which the present legalization movement is arguing for today have been discussed and put into practice. Let us therefore, yet again, examine the arguments in favour of wholly or partly lifting the ban on narcotics.

The claims of the legalization movement

1. The mafia argument

The legalization of narcotics and the state-controlled, taxed sale of drugs would unseat the international drugs mafia.

Answer

Drug dealing is prohibited for good reasons, just like murder, theft and counterfeiting. The logical conclusion from this reasoning is that these problems can also be vanquished if one transforms them into ordinary business activities like any other.

It is, however, important to discuss the mafia argument in greater detail, since it is a view that is so widely held, not just within the legalization movement. Those who live or work in environments where narcotics are widespread, not uncommonly the police and social workers, of ten believe that legalization is the only step which can be taken to reduce the violence, theft and damage which follow in the wake of illegal trafficking.

The argument presupposes that the ban on all narcotic substances is lifted entirely. If cocaine or crack or some new future drug are exempted, the black market will possibly be disrupted but the extent of its activities not reduced. Further, most pharmaceuticals are strictly controlled by means of complicated international and national legislation. How will one be able to control the use of sleeping pills, morphine or antibiotics if heroin and ecstasy are sold freely? How will one be able to prevent medicines which have been deregistered because of their unsuitability reappearing on the market? What does one do with other banned toxic products? Are narcotics to be sold to children? Are they to be sold freely anywhere, or only in special outlets?

Such questions, when put to the proponents of legalization, always lead to the admittal that there has to be some form of regulation. So where do they want to set the limits and how much, ultimately, are the activities of the mafia disrupted?

It is also likely that, in the case of complete legalization, the mafia would either become legal operators in the drugs business or would transfer its activities to other illegal areas. For breaking the law is not an end unto itself for the crime syndicates; their aim is rather to make money.

Whether they achieve this by honourable or dishonourable means is immaterial. International crime cannot be combated by giving it greater freedom of action but rather only by strong democratic state apparatuses limiting its activities.

A weak state apparatus, such as that in southern Italy, is the best breeding ground for the mafia.

2. The criminality of addicts

If narcotics are sold cheaply or given free of charge to those who are dependent on them, then the latter will not have to commit crimes in order to obtain money for drugs.

Answer

This view often reflects the humanitarian view of the drug addict - one which displays solidarity with him - not uncommonly put forward by physicians and other health workers. This was also the view put forward in the Swedish narcotics debate in the 1960s: the drug addict is forced to commit crimes in order to satisfy his habit, over which he has no control.

The argument is thus attractive.

However, an evaluation of the legal prescription of narcotics which took place in Sweden in the 1960s demonstrates that criminally increased among those who received narcotics on prescription, despite the fact that the drugs were free and that many of the recipients' previous crimes - drug dealing and possession of narcotics - automatically disappeared from the statistics.

A new report from the USA points in the same direction: narcotics per se generate criminality. Only 5% of drug abusers' criminality is accounted for by pure narcotics crimes such as possession and dealing. 20% of their crimes are thefts, muggings and the like, committed to get money for drugs, while 75% of offences are accounted for by other types of criminality which would consequently not be affected even if free narcotics were available.

Compare this with another drug, alcohol, to which there is free access. Three-quarters of all violent crime in Sweden is committed by persons under the influence of alcohol.

3. Pure drugs

Deaths and injuries caused by narcotics, for example HIV, are largely caused by dirty needles and syringes or by the substance itself being impure or mixed with other substances, so that the user can never know its strength. Sterile narcotics with a declaration of contents would not cause the same damage.

Answer

I. Drugs-related deaths have very little to do with what the user knows about the strength of the drug. The most common cause of death among drug addicts is acute poisoning, of ten called an overdose, by heroin, which has a strong inhibitive effect on respiration. But in only half or a third of all heroin overdoses is this one drug alone found in the blood of the deceased.

The heroin has of ten been taken in combination with both alcohol and tablets of known content, which have contributed to the poisoning.

When seven drug addicts die d in quick succession in Stockholm in the autumn of 1993, the death s were first believed to have been caused by unusually pure heroin. However, forensic chemical investigations showed that the deceased had low levels of the drug in the body. The unexpectedly serious effect of the drug was rather caused by infections, reduced general state of health and lower

tolerance after a period of abstinence.

Other common causes of death among drug addicts, such as murder, suicide and accidents, are of course not affected by the purity of the drugs but rather their effects.

II. Apart from acute deaths, addiction is the most serious health hazard associated with narcotics, and addiction arises equally from legal and illegal drugs.

III. The argument that certain minor infections - abscesses and boils - can be avoided with pure drugs and clean needles is presumably correct. However, where HIV is concerned, Sweden can demonstrate that it is possible to reduce the spread of infection without providing abusers with pharmaceutically manufactured narcotics or free needles and syringes.

IV. The most common narcotic substance in Sweden and in the world generally, cannabis, is already a pure, natural product. It is rather the consumer who, by mixing the hash or marijuana with tobacco, affects its purity and strength.

4. Harm reduction

The narcotics problem is so great today that it is impossible to combat it anyway. The repressive policy in force since the 1960s has only exacerbated the problem. In a situation such as this, one must be pragmatic and instead set one's sights on limiting the damage caused by the abuse of narcotics as much as possible, by providing the consumer with methadone or other cheap, pure drugs, clean needles and information about how narcotics can be taken with as little risk as possible. This is the prevailing attitude in many European countries and is usually presented as "harm reduction".

Answer

I. It is correct that the narcotics epidemic is continuing to worsen in many countries. It is also correct to describe the policies which still prevail as prohibitive, with the police spearheading the battle. From this one cannot draw the conclusion that restrictiveness worsens the problem.

In contrast to what all proponents of legalization maintain, there is much evidence that it is indeed possible to make headway against narcotics abuse in society.

The example closest to hand is that of Sweden. Here, the number of heavy abusers grew continuously until roughly the mid 1980s. Some researchers claim that the growth stopped earlier than that. Since then, this group has shrunk in size somewhat. The numbers of new recruits have continuously fallen since a peak in the early 1970s, when some 15% of young people in grade 9 at school (15-16-year-olds) said that they had tried narcotics at some time. Since the late 1980s, this proportion has been down at only 3-5%. Most feel that this is linked to increasingly strict legislation, according to which even the consumption of narcotics has been illegal since 1988, with a further sharpening of the law in 1993. At the same time, opportunities for drug addicts to receive treatment have increased very greatly, although there has been a reduction in the number of treatment places since around 1992.

Consequently, it is not correct to call the Swedish attitude repressive, as many Germans and Dutch do. It would be more fitting to call it a *solid* narcotics policy.

Another example in modern times is the USA. Whatever one might think about their "War on drugs" in general, it has resulted in a sharp fall in the numbers of cocaine users and cannabis smokers. History can demonstrate no comparable examples of successful liberal narcotics policies.

II. The argument for harm reduction is also defeated by the inescapable fact that when narcotics are more easily available, more people try them and become addicted. During the period of legal prescription in Sweden 1965-67 and in England in the 1960s, the numbers of intravenous drug abusers multiplied. Legal narcotics, including methadone, make it much more difficult for these clients to become drug-free.

5. The freedom argument

In a free society everyone should be able to do what he likes with his body - sometimes with the proviso: as long as it does no harm to others. The narcotics market, too, should be free, not regulated by the state. Free competition would then lead automatically to the lowest possible prices and the best possible quality.

Answer

I. The individual chooses freely to start using narcotics, but once he has become dependent on them that freedom no longer exists. The consumption of drugs becomes an imperative which outdoes the rules of even the most authoritarian society.

II. The abuser's surroundings, family, colleagues and society are always affected by his abuse.

III. And then it is naturally impossible to say anything about how true it is that the individual has unlimited freedom. This is a political and philosophical position taken from libertarian thinking. In fact, the idea of free drugs receives no support from the father of modern liberalism, John Stuart Mill. In his book *On Liberty* (first edition 1859), Mill calls for society to intervene when drinking has consequences for others than the drinker himself. Regarding the non-medicinal use of poisons (which can reasonably be read as the narcotic substances of today), Mill the liberal proposes the banning of all forms of sale. Preventive measures, both in the form of police intervention and education, should also be allowed.

In a more modern classic, *Why Democracy?* by Alf Ross, the author discusses liberalism versus democracy. According to Ross, these concepts are not essentially inter-connected. Democracy is founded on that which unites us. The essence of liberalism is the individual, i.e. that which separates us. Here we have the eternal problem of liberalism. It contains nothing which can hold a society together. Liberalism has always had to compromise by accommodating itself to commonly held views in order to balance its dilemma. A society must always be held together by social agreements, by a superstructure, otherwise it will stray into the wilderness, or totalitarianism. Democracy, quite simply, means that one cannot do as one likes. The individual must subordinate himself to limitations for the collective good.

IV. The libertarian, free-market argument cannot be applied to narcotics. The price and quality of this type of goods cannot be steered by the usual theories of supply and demand. Free competition would not work, since the purchaser is at such a hopeless disadvantage vis á vis the seller. The addict must have his goods immediately and is prepared to pay whatever price.

6. The damage is exaggerated

Narcotics in a pure form, consumed in the right way, are not really so injurious. It is the ban, not the drugs per se, which constitutes the greatest health risk, since the addict is forced to take impure drugs and to mix in a criminal environment where he is exposed to great risks.

Answer

The most serious injuries, deaths by poisoning and addiction leading to suicide, illness and accidents, are a consequence of the drugs themselves not of their prohibition. See the answer to claim 3, on page 6. To this one can add psychological damage and illness, genetic damage, damage to the immune and reproductive systems, personality changes, damage to internal organs, etc., none of which have anything whatsoever to do with any possible impurities.

All of this is documented in the scientific literature and in medical practice the world over.

7. Legalize cannabis

Hasch and marijuana are soft drugs. They cause a mild intoxication which does not disturb the environment. A hasch smoker never becomes aggressive, as does a drunk, and the injurious effects are insignificant. Cannabis is not addictive and one does not get a hangover.

Answer

I. Hasch and marijuana are narcotics. The concept 'soft' is not recognized either in the field of medicine or in international legislation. Since 1961 cannabis has been included in the UN's Single Convention on Narcotic Drugs, according to which all non-medicinal use of the listed substances is banned. The convention has been ratified by 150 countries. (today 2007 by 184 states) At governmental level it is only Holland and Switzerland which are exerting pressure on the UN to relax its regulations.

II. The mere fact that hasch causes a different type of intoxication than, for example, alcohol, heroin or amphetamines, does not mean that it is less harmful but rather harmful in a different way. Cannabis affects primarily the psyche and not the body. This is particularly devastating for young people. The natural pubertal maturing process is arrested, so that 25-30-year-olds who regularly smoke hasch behave like teenagers when it comes to such things as taking responsibility for their

own future, coping with their studies, punctuality, working or being aparent themselves. However, just as there are precociously mature 14-year-olds, the re are also hasch smokers who appear to function tolerably well in society. There are also alcoholics who go to work every day and chain-smokers who live to a ripe old age. The problem with hasch is nevertheless that the abuser's mental powers are continuously worsening. He or she becomes quite simply more stupid than before. No one is immune to this effect.

III. Smoking hasch also damages, among other things, the heart and lungs, the immune defence system, foetal development and reproductive health.

IV. A dramatic condition which affects a small percentage of smokers is hasch psychosis - a highly distressing total confusion and distortion of reality. A large proportion of those who suffer an acute psychosis of this type never recover.

V. The intoxicating substance in cannabis, THC, is fat soluble rather than water soluble like other drugs and therefore remains in the body much longer. You only have to smoke once every other week always to have traces of this poison in the body.

VI. Like all narcotics, hasch is addictive, and can easily, if not inevitably, lead to other kinds of abuse.

VIII. 7-10% of all those who seek help for narcotics problems in Holland and Germany report problems with cannabis. (today 2007 it is 18 % in Holland) In Germany, over half of all those who seek help for their hasch addiction are also excess consumers of alcohol. Over 60% of them take heroin and 40% cocaine.

PS: Today, 2007, 46 % of all drug addicts seeking for help in USA have cannabis as their main drug, according to Wolrd Drug Report 2007. In Africa 63 % of drug clients are cannabis smokers and in New Zealand 53 %

IX. Hasch smokers can behave very violently both towards themselves and others. A study of 658 narcotics-related deaths in Stockholm 1986-1993 revealed that 52 of the deceased had no other narcotic than hasch in the body. The manner of death was noticeably dramatic in this group: murder, suicide (in several cases by jumping from a height while in a state of confusion), and traffic accidents. It has been proved that several murders have been committed while under the influence of hasch.

8. The alcohol argument

Alcohol is very harmful. In spite of this it is permitted. So it is illogical to ban other drugs. Furthermore, the failed attempt to prohibit alcohol in the USA between 1920 and 1933 shows that it is impossible to criminalize any drug in the long run anyway.

Answer

This reasoning is weak. One can just as easily turn it round and say that since we already have one drug in society which has such harmful effects, namely alcohol, there is no room for more. The lessons learnt from prohibition in the USA cannot be compared with a ban on narcotics, since alcohol is so socially established. In other words, alcohol consumption is an endemic abuse and is about a thousand years too late to stop. The abuse of today's narcotics addicts is of an epidemic nature, i.e. a deviant behaviour which is spread by personal contact.

9. The ban makes drugs more exciting

The essence of the Dutch drugs policy is to de-dramatize the consumption of hasch and marihuana, so that using them is no longer an act of rebellion. By removing the stamp of immorality surrounding narcotics, the users will not stay away when they have problems and will be reached by help and support.

Answer

It is obvious that more people will try something that is permitted than something which is outlawed! If we nevertheless accept the argument that it is attractive to be an outsider, then, like in Holland, even more people would try heroin and cocaine, since hasch no longer represents a revolt. Moreover, it is the innate characteristic of the drug, namely its intoxicating effect, which is the most important reason for trying it, not defying the law. Those who fight narcotics abuse have never had to use moral arguments; measurable facts suffice. The reason why a drug addict does not voluntarily seek help at an early stage is because he does not regard himself as having a problem. It has nothing to do with the fear of reprisals and everything to do with the fact that his dependence, his all-consuming passion for the drug, is so strong.

10. Leave the addicts in peace

Fight the big drug dealers but leave the users in peace. Outlawing narcotics forces addicts into a criminal world. The consumption and possession for own consumption of narcotics should accordingly not be punishable.

Answer

A criminal lifestyle and drug-taking are often pursued in parallel. For many, criminality comes first, followed by the drugs. It is a persistent myth that big-time drugs smugglers and dealers spread narcotics to new consumers. People are in fact seldom persuaded to try drugs by an unknown person. People tend always to be introduced to narcotics by someone they are close to, who wants to recruit a friend or partner. It thus follows that the consumer is the only irreplaceable link in the narcotics chain. Growers, manufacturers, wholesalers and retailers will always be replaced by new ones as long as the DEMAND for the goods is so superbly easy to satisfy. It is the abuser on the street especially at the beginning of his or her drug-taking career, who is the driving force behind the whole enormous enterprise. For this reason, one must not leave a void at the bottom of the narcotics pyramid. Legislation which clearly distances itself from the use of drugs is not only legally effective but also humanitarian, since it facilitates early intervention from the social services, school and parents.

This is why narcotics are banned

We turn the arguments round and summarize why narcotic drugs are banned.

1. Narcotics cause deaths.
2. Narcotics are addictive.
3. Narcotics cause mental and physical damage.
4. Narcotics lead to social passivity.
5. Narcotics generate violence and other types of criminality.
6. Narcotics harm children and young people.
7. Narcotics affect the addict's immediate surroundings.
8. Narcotics pose a serious danger in traffic and in working life.
9. There is a world wide consensus that narcotics should be banned.
10. Narcotics can be fought.

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