

Why It's High Time To Legalize Drugs

Our country's 'war on drugs' is a waste of lives and money, a High Point lawyer contends, and serves only to increase drug abuse and its attendant larcenies and violence. Here he presents what he calls 'the only rational solution' — one that could destroy the drug industry once and for all.

By R.R. "Dusty" Schoch

Ask yourself: "Why don't I take cocaine this morning?" Listen to your answer, "Because I know better." The operative word here is "know." The solution to our country's drug problem is knowledge, the source of which is education.

So why then are we paying our policemen rather than our teachers to help end the drug problem?

Well, mainly because we started paying the police, courts, DEA, FBI, etc., from the outset. It's called inertia. And how are our paid statesmen, legislatures, etc., spending our money to combat drugs? Why, with guns, international extradition, intrigue, one-third of our judicial system and about 15 percent of our tax dollars.

With what rate of success? The charitable estimate is that our collective police-judicial suppressions net about 5 percent of the drugs filtering through our borders. The border is about 12,000 miles of linear distance, and that's not counting the 5 million square miles of air-droppable space.

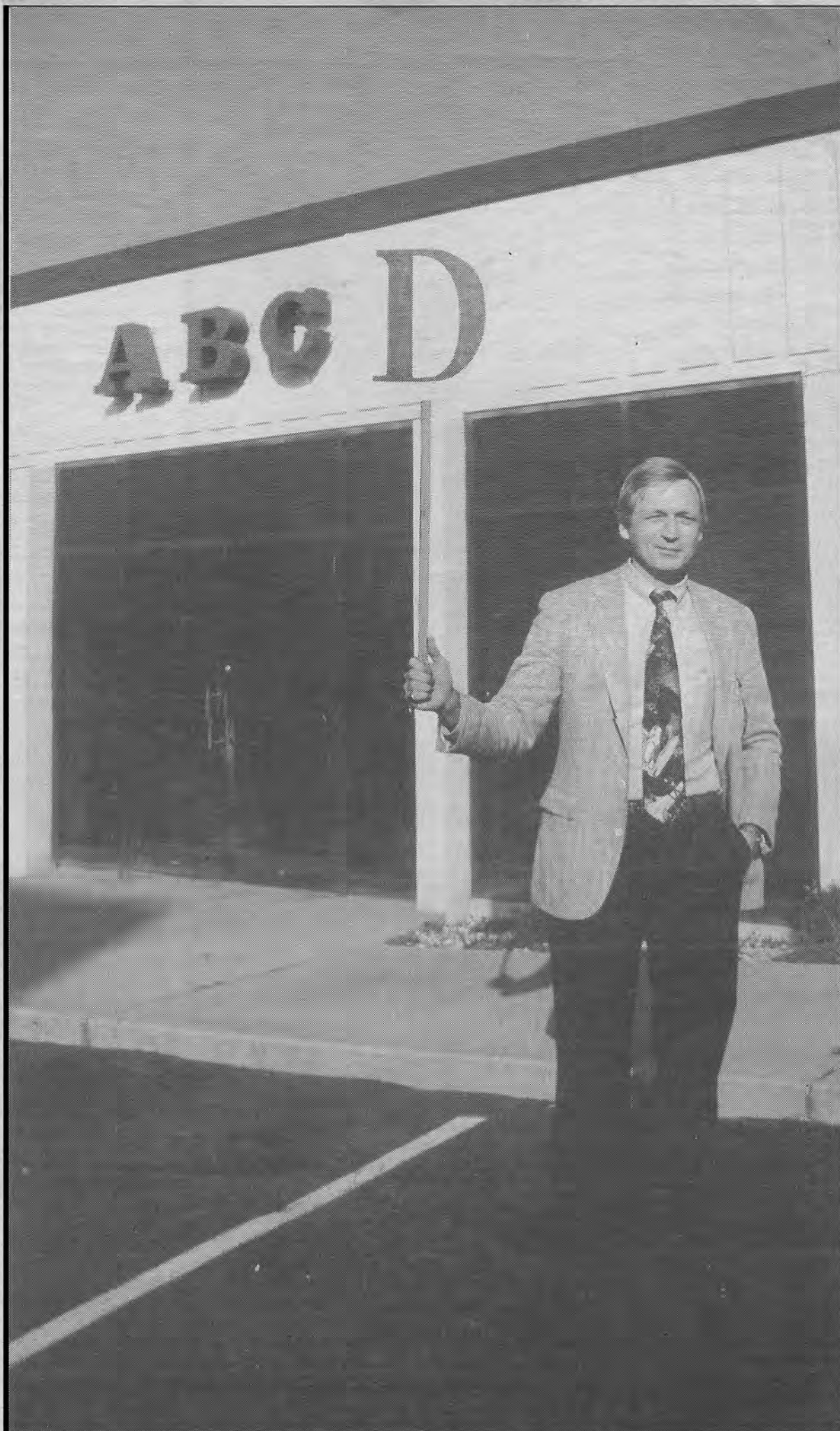
So why didn't you have your crack today? Because you, thinker and newspaper reader, know better. Eureka! Knowledge — not cops and courts — stops drugs.

'War' Is Futile

The stupidity and futility of fighting drugs with laws of crime and punishment is obvious. The solution isn't. As with many problems, the solution is not a mere five or 10 degrees at variance with the current policy such that we might spy it in our peripheral vision. It's 180 degrees off — totally in our blind spot. To punish — that is, to criminalize — drug use and abuse is not just stupid and futile. It's counterproductive. To prohibit and punish drug abuse is to create it.

When I think of drug use and its support systems, the Medellin cartel, the Mafia and our criminal drug-enforcement complex, I can't help but think of Brer Rabbit and the tarbaby. The wily rabbit saves his life by getting his oppressor to administer just the right punishment. He was born and bred in the briar patch! As William Blake poetically noted, "Prisons are built with stones of law, brothels with bricks of religion." Without Prohibition, there would never have been a John Dillinger or an Al Capone. Likewise, the Medellin cartel was born and bred by our federal and state drug laws and enforcers.

There is an axiom well-known in physics and zoology, that to oppose a natural force is to tempt its increase. Weightlifters get big muscles when they choose to oppose more and more gravity than they can handle. The force in drug use is man's perennial and inexorable desire to alter his mood and ameliorate his



discomforts with chemical escapes. There will always be marijuana, caffeine, alcohol, nicotine, heroin and the rest. We'll never get rid of them, but we can contain them. If, however, we continue to oppose drug use with sledgehammers, we will temper its strength in direct proportion to the persistence of our vain hammering.

What I am suggesting is not new: Legalize drugs! It's the only rational solution.

Kurt Schmoke, the brave mayor of Baltimore, recently propounded this solution, and I watched his TV symposium in dismay as his seedling idea was sterilized by premature and inept planting in the barren intellects of symposium invitees. Mayor Schmoke had the right idea and the right reasons for it (outlined below). What he didn't have was a well-thought-out plan of implementation, and that lack left him vulnerable to criticism.

**Dusty Schoch
proposes
expanding
ABC stores to
include a "D"
— for drugs.**

Why to Legalize

1. People who are going to buy drugs are going to buy them whether they are legal or not. The fact that drugs are illegal serves only to make them expensive, which guarantees that their sale will be managed by criminals at a price to the user and society that is a hundredfold the fair market value.

2. Criminal drug interdiction has never worked and never will. Look at the math: We spend more than \$15 billion a year in the restricted areas of drug prosecutions and enforcement, and manage to stop 5 percent of the traffic.

3. The preceding is just the tip of the iceberg. Americans consume over \$10 billion in drugs annually, and a good portion of the procurement costs comes from crimes against our property. Those who don't sell drugs and only consume them normally pay for their habit through prostitution (what do you think the AIDS budget is this year?) or larceny (have you checked your insurance costs recently?). Because of shoplifting to support drug habits, the retail cost of goods at self-serve discount stores is 7 to 15 percent higher than it would be otherwise.

4. There are pushers on the street only because there are junkies, and there are junkies only because there are laws against drug use. The junkie supports his own habit by getting others hooked on drugs. The junkie is on the street hitting on your kid today. To support his habit (for example, \$200 worth of cocaine a week), he will get his distributor/supplier to front him a "six-dollar piece" (\$600), persuade eight others to buy the rest, and he breaks even. His habit is maintained and, just as in any other form of multilevel marketing, the number of addicts expands exponentially.

5. The prisons are revolving doors. We spend \$5,000 to \$10,000 putting a drug felon behind bars, \$25,000 a year to keep him there, with a 65 percent assurance that when he gets out, he is going to return to drugs and crime again, but this time more carefully.

If the threat of punishment discouraged drug traffic, it would not be on the increase. The tougher we get, the cagier the pushers get. The truth is that the kingpins of the drug industry are smarter and more resourceful than the gendarmes who pursue them.

After all, an arrest to the narc means a regular paycheck and an occasional commendation; to the pusher, it's up to life imprisonment and millions in profits. Now, who's going to play harder?

In the game of narcs and pushers, the pushers have a distinct edge — they don't play by the rules. They are always a step ahead because they have fear and amorality on their side. While the DEA, with its \$10,000 trained border-dog drug-sniffers and eye-in-the-sky radar, etc., is trying to prove that it's smarter than the wise guys in the Medellín cartel, it is disproving that fact constantly, and at our expense. Even if we extradite all 300 of the Colombian cocaine cartel, how quickly will they be replaced? It is not a matter of if, but when.

6. Legalizing drugs will positively, instantly and completely destroy the drug mob. The mob exists only because we have criminalized drug use and sales, and driven the price up in direct proportion to the marketing risk. The manufacturer's cost of one dose of morphine sulfate, heroin or cocaine is pennies, not dollars, and certainly not scores of dollars. Legalizing the wholesale dispensation of drugs would completely destroy the cash flow and infarct the heart of the drug cartel.

7. New drug users would decrease. Peer pressure among teen-agers is only one factor in the rise in drug dependency. The big factor is pusher pressure. They are often one and the same. The junkie pusher in the peer group hooks our youngsters because he has to sell in order to get money and drugs. If he could get his drugs free, he would not be motivated to addict others.

A Feasible Plan

Let's try it in a single test state, and if it works in the sample, we replicate it nationally. Why not North Carolina?

Giving away drugs or selling them at production cost would end the Mafia's monopoly and kill the cartels. Without the contraband cash flow, the mob would be investing in real estate within 90 days.

The plan that Mayor Schmoke proposed had everyone envisioning a crack candy store on every corner where our 6-year-olds could wander in and lick LSD peppermint sticks, three for a quarter. Drug use would not increase by legalization if done properly.

Consider this plan:

1. Sell drugs at government procurement cost prices. We put the Mafia out of business in a price war it can't win. If the government dispenses the users' drugs of choice for \$20 per week, is the user going to further associate with a mob that charges him \$200 per day? Is he going to be robbing our homes and stores, or peddling (junkie-style) product to our kids to pay for his habit? Drop the price, and in one day the addicts and pushers are off the streets, and the Mafia retires to its ancestral home in Crete or summer condo in Vegas. A modest 20 percent tax is added to the cost to fund government-sponsored drug education programs. Drugs pay their way to extinction (viz., optimum non-use).

2. Make ABC stores or methadone clinics into ABCD (for drug) stores. Let's corral our poisons to keep a better eye on them. Everything would be behind the shelf (no self-service please). The addict would have been sent to a screening clinic where his exact requirements are verified, and his ID card would entitle him to buy or otherwise acquire only the exact amount he needs. Ration cards and computer verifications would be used, discouraging any tendency to share one's allotment with non-drug users. And the drug user certainly would not be able to sell at a great profit that which is essentially free. While we have him, we do our best to persuade him (teach him) to gradually detoxify himself.

3. All users and addicts would be registered. So the main price the addict would pay is his anonymity. We would know who he is and where he lives, what he uses and how much. When he gets drugs at the ABCD, picture ID is required. The user couldn't double-dose; distribution centers would be computer linked. Everybody would have to register in 30 days or continue to buy from the mob. No out-of-state buyers allowed. This would discourage new users, who would be further discouraged through our new \$1 billion (it's cheaper than \$20 billion) education program. Treatment and rehabilitation for addicts would be required; just as in our current methadone clinics, you would get the junk only with the sermon: Narcotics addicts three nights a week, marijuana users at least weekly.

4. Anybody caught sharing drugs with previous non-users would be cut off from his supply for two weeks (cold turkey is a very strong negative incentive for rule compliance).

5. The billions of dollars we would save through suspension of drug enforcement would be partially channeled to the schools, where, starting in the fifth grade, students would take the equivalent of a two-hour course, taught by a trained instructor (preferably a former addict). Don't simply school them to "just say no," show them why. Adults would be educated by public service TV programming funded by the 20 percent drug tax.

6. Where and when: Try it in one state. Watch the statistics. Sure, some of our addicts are going to retire and some succumb to terminal drug use much like in the opium dens in the Orient, which, by the way, have not caused an increase in drug use in the land of the poppies in 5,000 years.

The Obstacles

Why have I wasted my time drafting this plea for drug law sanity? Because I want to share my frustrations with the obstacles in the path of the only plan that could contain drug use and abuse. I have listed them hereafter. Test yourself by covering the last paragraphs with your hand and try to guess the identity of the foes of sanity.

The first obstacle: political fear and inertia. It's going to be very difficult to find politicians wise and brave enough to face their constituencies with a proposal as revolutionary as legalizing drugs. They'll be hailed as "lunatics" and suffer the same ignominious trials and ridicule all revolutionaries and saviors share. It will be an unpopular position until the mass of ignorance surrounding drugs and the drug problem is slowly reduced by education.

The second major obstacle is the self-perpetuating and self-serving conservatism of law enforcement. Remember, we have hired not only a "drug czar" to wage our ridiculous war, but tens of thousands of enforcement officers who will be out of jobs if there is no criminal drug law to enforce. This is not to mention the fringe benefits that are going to SBI and

DEA "undercover vice-squad officers" who get to ride around in fancy Porsches and other drug toys seized as contraband in the cops-and-robbers games currently played. Under the new federal law, one marijuana roach in the captain's cache is sufficient to warrant the DEA's confiscation of the entire \$6 million yacht! For the DEA guys, bless their only human hearts, it must be right much fun.

The obstacles? Political fear and inertia, and the conservatism of law enforcement.

We could also expect the mob to fight legalization. Ever since it was disclosed that John Kennedy failed, through Mafia channels, to work a hit on Castro, we have conjectured about the existence and/or potency of a Mafia fifth column or lobby in Washington. The mob would not take drug legalization lying down. It will scream, rant and rave to be tossed into the briar patch again. This time, though, we simply leave

the rabbit tarred to the stake and saunter on by whistling 'zippidy-do-da, zippidy-a, my-oh-my, what a wonderful (relatively) drugless day."

The Liquor Lesson

A sideline debate: If legalization of drugs will reduce drug abuse, then why didn't the end of Prohibition reduce alcohol abuse? The answer is that, with alcohol, the government just switched places with the mob. State and federal taxes on booze are not used (as is suggested in the drug legalization plan) to educate Americans about alcoholism. Alcoholics are neither identified nor edified by their ABC government providers; they are merely patronized. In the proposed legalization program, funds are used to discourage new users (our kids) from starting. Rather, the federal and state governments are simply taking the tax profits from the sale of liquor, and squandering them on \$3 billion Stealth Bombers, Star Wars and other such life-enhancing projects. With booze and cigarettes too, our federal and state governments are purely and simply the pushers.

With drugs, we keep the tax to 20 percent over wholesale drug costs (the mob would spit at a 20 percent profit margin), and allocate the net revenues to educational programs directed at lowering the demand for and use of drugs. The recent and primarily privately funded war over cigarette smoking has proved that information and education can in fact have a substantial impact on drug consumption. Tobacco sales in the United States have been so adversely affected that distributors of that particular drug have had to seek their growth factor in Third World nations. An intense, well-fueled and funded educational program at the primary and secondary school levels in the United States could effectively discourage new use of alcohol, tobacco and the less lethal drugs such as cocaine and heroin.

Let's think about it, argue about it, do something about it.

Style welcomes responses to this article and opposing points of view. If you can present a reasoned counterargument, we'll print it.