

foreign policy *in focus*



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U.S. Drug Control Policy

U.S. drug control policy is based on a deceptively simple theory of deterrence: the application of the force of law against the supply of illegal drugs (primarily cocaine, marijuana, and heroine) will curb drug consumption by making drugs scarcer, more expensive, and riskier to buy. Following this logic, law enforcement pressure is applied to every link in the drug trafficking

Key Points

- U.S. drug policy is based on a punitive logic of deterrence that assumes that targeting the drug supply through aggressive law enforcement will deter drug use by making drugs scarcer, more expensive, and riskier to buy.
- Federal drug control spending jumped from \$1.5 billion in 1980 to \$14.6 billion in fiscal year 1996. Since 1981, the U.S. has invested \$65 billion in drug law enforcement at the federal level.
- Despite record levels of drugs destroyed and traffickers and dealers arrested, the U.S. policy has not worked. More drugs are produced in more places than ever before. The price of cocaine and heroin has plummeted, and purity levels have skyrocketed. Hard core drug abuse and addiction persists at high levels. After declining for many years, casual drug use is again on the rise.

chain, from eradicating the production and processing of drugs abroad to interdicting drugs at the border to disrupting domestic distribution networks and sales. Less punitive demand-side measures—treatment, prevention, and education—play a secondary role.

The U.S. has invested considerable resources in this strategy. Federal funding for drug control jumped from \$1.5 billion in 1980 to \$14.6 billion in fiscal year 1996, with roughly 70 percent of the drug budget devoted to law enforcement. Since 1981 the United States has invested more than \$65 billion in drug law enforcement.

The drug strategy's first line of defense has been in the drug-producing and transit countries of Latin America and the Caribbean. As a result, drug control has become a defining feature of U.S. relations with many of its southern neighbors. Foreign aid and diplomatic favor are the "carrots," and

diplomatic arm twisting and the threat of sanctions are the "sticks" used by the United States to secure cooperation abroad in the campaign to eradicate drug crops, destroy processing labs, and arrest traffickers.

The drug strategy's intermediate line of defense is to intercept international shipments of drugs at their points of entry into the United States. This task has traditionally fallen on law enforcement agencies, but in the post-cold war era the military has also taken on

important drug interdiction duties. The strategy's last line of defense against the drug supply is at home. Local law enforcement efforts are designed to disrupt domestic drug distribution and sales by raising the likelihood of arrest, prosecution, and stiff punishment for both dealers and users.

As the antidrug campaign has escalated, record numbers of drugs have been seized and destroyed. Record numbers of traffickers and dealers have been locked up. Yet despite this unprecedented build-up of law enforcement at home and abroad, more drugs are produced and available in more places than ever before. Trafficking operations have expanded geographically and become more sophisticated and difficult to detect. The market is increasingly dominated by harder and purer drugs. The cost of drugs has dropped, while purity levels have increased: cocaine prices have dropped by two-thirds and heroin prices by more than one-half since 1981; heroin purity has skyrocketed from seven percent in 1981 to over 60 percent in many urban areas today. Moreover, recent indicators suggest that the significant decline in casual drug use in the last decade may be reversing.

More importantly, hard core abuse and addiction has not declined—and it is this user group that consumes the bulk of the imported drug supply. According to the 1995 National Drug Control Strategy, the number of heroin addicts has remained around 600,000 for the last two decades, and some indications suggest that it may be on the rise again. In 1993 there were an estimated 2.1 million hard-core users of cocaine or its derivative, crack. Cocaine-related hospital emergencies increased by 22 percent between 1988 and 1993, while heroin-related emergencies increased by 65 percent.

Although there is often heated political debate over the specific policy mix (especially in election years), the underlying punitive approach of U.S. drug control policy has remained remarkably constant and unchallenged. Poor results are blamed on insufficient resources, lack of political will, and deficient moral resolve. By this logic, the problem is that the policy has not been tough enough and/or adequately implemented.

While Washington drug strategists read reports of failure as an indication of inadequate funding and poor implementation of a sound strategy, the reality is that the drug strategy is not under-implemented but rather ill-designed, unable to defy the market logic of the drug trade. This is painfully evident at the source of drug production abroad, at the point of entry along our borders, and at the point of domestic distribution and sales.

At the Source

From peasant producers to traffickers, those involved in the drug trade are driven by one or both of two motives: profit and/or the lack of viable economic alternatives. As long as demand and profits run high, production and trafficking in impoverished nations will persist. Drugs are easy to produce, process, and transport.

The logic for peasants to grow drug crops should not be lost on Washington's "free marketeers." Growing coca, marijuana, or opium poppy generates far more money per acre than any legal export crop. Thus, eradication in one area has simply led peasants to replant elsewhere, often in new and more remote areas previously untouched by drug production. The potential for expansion is enormous. For example, the U.S. Department of Agriculture has estimated that there are 2.5 million square miles in South America alone that are suitable for coca cultivation, of which a mere 1,000 square miles is currently under cultivation.

Efforts to dismantle the operations of trafficking organizations are equally ineffective. Offensives against one group of traffickers have only created opportunities and incentives for new traffickers to enter the trade. Thus, the arrest of individual traffickers has had no lasting impact on levels of drug trafficking. Meanwhile, the drug economy has become so entrenched that it is a vital source of export revenue and employment in many source countries—rendering it all the more difficult for law enforcement measures to work.

At the Border

Those who smuggle drugs into the United States have proven to be as adaptable as those who produce and manufacture the drugs abroad. For example, in the mid-1980s, smugglers responded to heightened interdiction efforts in Southern Florida and the Caribbean by shifting to new shipping routes through northern Mexico. Smugglers have also switched to less detectable forms of transport. For example, in response to greater air interdiction in the 1980s, smugglers turned to containerized cargo shipping and other legitimate commercial transportation channels. In short, smugglers adapt in ways that make their illicit trade increasingly difficult to detect. Thus, despite a dramatic expansion of border interdiction efforts in the last fifteen years, the U.S. still intercepts only a small percentage of the imported drug supply.

At Home

The dealer on the streets of the South Bronx faces the same incentives as the peasant producer in the coca fields of South America: lack of economic alternatives and the potential of high returns from the illicit drug

trade. However, street dealers are the most expendable and easily replaceable parts in the drug trafficking chain—yet it is here where domestic enforcement is most visibly focused. Unfortunately, the removal of large numbers of street dealers through incarceration has only had the effect of creating openings for new recruits while swelling the nation's already overcrowded prisons. Thus, greater arrests do not translate into fewer dealers. At best, disrupting dealing in one neighborhood simply moves it to another—one neighborhood's gain is another's loss, and dealing is spread rather than deterred by current enforcement measures.

Meanwhile, the threat of punishment does not appear to be a significant deterrent to those who abuse drugs. As with foreign countries, the United States deals with drug abusers primarily with sticks rather than carrots. This policy of focusing on enforcement has neglected research on addiction and the best form of treatment, which remains unavailable for a large percentage of the nation's addict population. Additionally, many who need help are wary of seeking treatment out of fear of criminal sanctions.

Unfortunately, the problem with the current drug strategy is not simply that it is fatally flawed, but that it is also causing serious harm in the process. For example, drafting the military and police into the antidrug campaign abroad is threatening fragile democratic institutions and human rights. The U.S. has provided antinarcotics assistance to the Peruvian and Columbian militaries despite their atrocious human rights records.

Pushing foreign militaries to take on drug control tasks undermines civilian control in countries that already have weak democratic institutions. While the U.S. military is forbidden by law from engaging in domestic law enforcement, Washington insists that militaries assume internal drug enforcement missions in drug source countries, which increases the potential for corruption and human rights abuses in those countries.

At home, the criminal justice system is so swamped with drug-related cases that investigations and prosecutions of other serious crimes are undermined. For example, prisons are overflowing with drug-related offenders: the percentage of drug offenders as a percentage of the inmate population in federal prisons has increased from 25 percent in 1980 to 61 percent in 1993. San Francisco Sheriff Michael Hennessey noted, "We desperately need the limited space in our nation's jails and prisons to house violent offenders, not minor league dope addicts and dealers."

Key Problems

- Policy failure is commonly blamed on inadequate resources, lack of will, and insufficient moral resolve. The typical policy response, therefore, is escalation, not re-evaluation.
- Policy failure at home and abroad is a product of the market logic of the drug trade. Attempts to suppress the drug supply will not succeed as long as enough of the U.S. public wants to buy drugs and profits run high. Efforts to wipe out drugs at the source only drive producers elsewhere; border interdiction only leads to more sophisticated smuggling techniques and new supply routes; and arrests of traffickers and dealers only result in their replacement by others.
- The drug control strategy is not only failing, but causing other harms as well, such as the strengthening of abusive militaries at the expense of already weak civilian institutions in source countries, and warping and overwhelming the American criminal justice system.

Our current drug policy is deepening problems abroad while doing little to remedy our drug problems at home. The U.S. needs to redefine both its drug problem and its drug policy.

The challenge is to end the downward spiral of failed and costly attempts to curb the foreign supply, while confronting the very real problems of domestic drug abuse. Drug production abroad is largely the symptom and the consequence—not the source—of our domestic drug problems.

Key Recommendations

- An alternative approach requires redefining drugs and drug policy in terms of public health rather than national security. Such a redefinition would focus our attention on the domestic roots of the problem—consumer demand.
- Reducing the demand for drugs requires greater attention to treatment, education, and prevention. Research suggests that resources invested in treatment are far more cost effective than those invested in law enforcement.
- A domestic-based strategy does not require abandoning all international efforts. For example, greater controls on money laundering, precursor chemicals, and firearms require global cooperation and coordination, and this can be facilitated by working through multilateral institutions and agencies.

Drug policy must be divorced from the realm of national security and placed in the realm of domestic health policy. Labeling drugs as a national security threat has diverted attention and funding from a serious social and health problem to a high-tech militarized campaign on our borders and abroad. A public health approach to drugs would mean that the Surgeon General, rather than the Attorney General or a military general, would lead the nation's antidrug programs.

We must return to the central goal of drug policy—reducing domestic drug abuse—and ask, what works? For example, while treatment is certainly no magic bullet, researchers maintain that it is well worth the investment. For every \$1 spent on treatment, an estimated \$11 is saved in social costs. A 1994 RAND study concluded that \$34 million invested in treatment

reduces cocaine use as much as \$366 million invested in interdiction or \$783 million in source-country programs. Treatment should be available on demand, free of charge to those who cannot pay. Similarly, education programs must be expanded in our schools, communities, and churches to explain and warn against the harmful effects of all drugs—legal and illegal. Active law enforcement is certainly needed in those communities plagued by drug-related violence or dominated by dealers and drug organizations, but enforcement alone cannot continue to serve as a substitute for more meaningful social and economic change.

A domestic-based drug policy does not mean abandoning international efforts. Money-laundering and the transport of processing chemicals, for example, are arguably the weakest links in the drug trade, but attempts to control them require international cooperation and coordination. International strategies require shared intelligence and collective enforcement efforts where necessary. Drug-exporting countries desperately need assistance in strengthening internal judicial institutions weakened and intimidated by the power of drug traffickers. Development assistance should also be provided to help debt-strapped source countries reduce their reliance on drug exports.

International efforts should be channeled through multilateral institutions and agencies that provide a forum for effective action based on the priorities, needs, and abilities of both underdeveloped drug producing nations and developed consumer nations. A truly multilateral framework for drug control obligates the United States to do its part in taking action to end practices that encourage the drug trade. Weak export controls, for example, make the U.S. a significant source of both the chemicals used for processing cocaine and of a large percentage of the firearms used by Latin American drug trafficking groups.

The majority of profits from the drug trade, moreover, are laundered through U.S. financial institutions. As current regulations are an inadequate deterrent to drug-money launderers, those regulations must be changed.

Finally, Washington could boost the credibility of U.S. commitments to drug control by avoiding the past practice of turning a blind eye to the drug-related activities of questionable but convenient allies, such as the Noriega regime in Panama, the contras in Nicaragua, and the mujahedeen rebels in Afghanistan.

These measures obviously do not provide a definitive, quick-fix solution. Drug problems, after all, are rooted in much broader and deeper problems of poverty, underdevelopment, alienation, and despair. We cannot even begin to confront these issues, however, if Washington's primary policy response remains one of punitive escalation rather than re-evaluation.

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World Wide Web

Drug Enforcement Administration

<http://www.usdoj.gov/dea/deahome.htm>

The Lindesmith Center

<http://www.soros.org/lindesmith/tlcwe.html>

North American Syringe Exchange Network

http://www.nasen.org/NASEN_II/index.html

National Organization for the Reform of Marijuana Laws

<http://www.norml.org/>

Rand's Drug Policy Research Center

<http://www.rand.org/centers/dprc>

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