

# The War On Drugs: Hawks, Doves and Owls

By [Paul Rogov](#)

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*Although full-scale drug use epidemics in the United States can be traced back to the 19<sup>th</sup> century—with morphine abuse so prevalent in the aftermath of the Civil War—it is no stretch of the imagination to conclude that drug abuse has, again, become a major social welfare concern in America. The magnitude of the problem is substantial.*

To put it in perspective “illegal drugs are a \$60-billion-per-year industry patronized by at least 16 million Americans, 7 percent of the U.S. population over the age of 12” (Caulkins et al, 2005). Depending on how one views the epidemic, however, (depending on whether one views it primarily as a health or a legal concern), it cannot be overemphasized how the problem, in recent years, has grown considerably worse. Today, more Americans have become addicted to illicit substances than ever before.

According to a 2011 Report on the Global Commission of Drug Policy, “the United States estimates annual drug consumption, 1998-2008, shows a 34.5% increase in opiate use, 27% increase in cocaine use, and 8.5% increase in the use of marijuana” (Jahangir et al, 2011). These, perhaps, are startling statistics; however, the statistics do not reveal, nor help one understand the stories behind the numbers, that is, the stories of people who lead addicted lives. Whether these people live on the street, in the ghettos, or are incarcerated because of drugs, or are rich kids attempting to get their next fix, the statistics, if anything, illuminate the failure of “The War on Drugs.”

The War on Drugs is a war of control. It is a war waged to control the drug market. It is a war waged against not only drugs as physical entities, but a war waged against the very idea of using drugs as a behavior. Trite as it may be to assert that the War on Drugs can never be won because the enemy as such is abstract and non-human, there is no question that there is a self-prescribed moralism necessary to fight such a war. In many cases, people who enforce, treat, and attempt to prevent drug addiction via educational programs think they are doing good by helping society. Moreover, it might very well be the case that these righteous avengers are, indeed, protecting people from the onslaught of drug addiction and, in turn, helping society become more moral. But as we explore some of the policies associated with the War on Drugs, I argue we get an altogether different picture. The war against drugs is a kind of social engineering that is propelled by hysteria and by unconstitutionality. It is a war against minorities and a war against the human mind.

As the 2011 Global Commission of Drug Policy itself states “drug policies and strategies at all levels too often continue to be driven by ideological perspectives, or political convenience, and pay too little attention to the complexities of the drug market, drug use and drug addiction” (Jahangir et al, 2011).

Richard Nixon was the first president to officially wage a full-scale “war on drugs” in 1972, which subsequently led to the creation of the Drug Enforcement Agency; however, it was the Reagan administration that recommitted to the pressing social welfare issue of drug abuse. Reagan’s “War on Drugs” led to the Narcotics Leadership Act, which was established after the creation of the Office of National Drug Control Policy. So what happened?

According to Blendon (1998),

“extensive public policy efforts have come in response to the perceived seriousness and scope of the nation’s illicit drug problems. The impact of these problems...can be seen in a number of key indicators. Annually, illicit drugs lead to approximately 11,000 related deaths, direct government expenditures of \$27 billion (1991 date [the last year for which both state and federal expenditures are available]), and over half a million drug-related episodes in hospital emergency departments.”

Nancy Reagan’s “Just Say No” campaign is well-known; however, the drug control policy was three-pronged:

enforcement, treatment and prevention. The general idea was that the “war on drugs” should be fought at all levels, on the micro, mezzo, and macro. There was also a military arm to the War on Drugs, missions run and allocated in foreign countries. The primary policies were to source country control, financial, technical, intelligence, and equipment aid to source countries attempting to eradicate drug crops, shut down processing facilities, reduce exports, and bring to justice those involved in the drug trade” (Caulkins et al, 2005).

Back home, however, there needed to be programs in place that addressed addiction for the addict. The underlying belief behind the U.S. drug control policies was that “for most drug users, use is the result of a “human flaw” that leads them to pursue “a hollow, degrading and deceptive pleasure” (Blendon, 1998). The addict, according to that theory, would spare nothing to get their next fix; to alleviate the problem one had to not only erase or reduce the supply of drugs, one had to address the psycho-spiritual core of the addicts themselves.

That said,

“the goals of national drug control strategy have varied to a minor extent, since the first annual strategy volume was issued in 1989. That initial version focused on reducing the overall level of drug use, as well as reducing initiation and use at the every level of intensity from that of casual users to that of addicts” (Caulkins et al, 2005).

There was an increasing likelihood, since the drug control policies went into effect that an addict would somehow become acquainted with a 12-step recovery meetings. They would seek help because of fear of death or incarceration.

According to the policy, if there are less drugs available and more education about drugs, there would be less use overall; however, statistics have proven that the total drug consumption does not always follow the number of users (Blendon, 1998).

Moreover, there were other concerns for drug abuse is both issue in the legal system and in health care. Drugs, for some are not a health issue; they are often associated with crime.

“In recent years, many Americans have chosen a related issue, crime, as the nation’s most important problem. It has ranked among the top 5 public concerns since 1979. Today, a majority (56%) of the public perceives these 2 issues as linked: they believe that illicit drugs are one of the most important causes of crime” (Blendon, 1998).

Subsequently, the shortcomings of U.S. drug control policy demonstrates how people often slip through the cracks and continue to use drugs regardless of what the policy. Perhaps, “if the goal were not so ambitious, the campaign would achieve even less.” As Blendon (1998) points out, “the superficial record of drug problem indicators might understate (or overstate the effectiveness of government policy, depending on trends in individual preferences and the social and cultural context.” “Survey findings show that 82% of the public thinks that illegal drug use is a big problem for society, only 27% see it as such for their own local community.” This means that despite “domestic enforcement, seizure of drugs and other assets within U.S. borders and the arrest, prosecution, and punishment of drug dealers and users,” the elusive nature of the War on Drugs leads many to the conclusion that the war is ultimately futile: that one is fighting abstract enemies within a political theatre that inevitably is run by actors acting in the shadows of an imperialist economy (Cole, 2001).

### **Policy Impact on Community**

Santa Ana, California, a city in Orange County with a predominately Latino community, for example, has been negatively affected by U.S. drug control policy. The privacy of immigrants is often violated when they are under suspicion; homes are searched with a warrant and sometimes without a warrant (Rojo, personal communication, September 18<sup>th</sup>, 2011). These searches are due in part to the fact that much of the narcotics (heroin, cocaine, marijuana) in Southern California are smuggled in from Mexico. The Drug Enforcement Agency (DEA) in tandem with the Federal Bureau of Investigation (FBI) is aware of the all time high murder-rate in Mexico, which was sprung from the interior politics of the cartel system; those politics have subsequently raised some red flags in the United States for the hawks in the War on Drugs. The market of the Mexican-American narco-business has lead some lawmakers to advocate for systematic racial profiling. This is true not only of Santa Ana, but also in other communities in southern California that have a high density of a Latino, or Hispanic population.

The war on drugs, in that regard, is a war against minorities and the poor. It directly affects African-Americans as well. According to Cole (2001),

“studies consistently show that police officers disproportionately stop and search African-Americans and Hispanics. The consistency of this finding across multiple jurisdictions and officers suggests that profiling is not the work of a few rogue racist police officers, but the result of a broadly shared assumption that blacks and Hispanics are more likely to be carrying drugs or other contraband than whites.”

Many of these drug arrests of minorities and the poor lead to prosecution then prison

sentences. One reason for this is in how law enforcement gathers evidence. Although racial profiling is often employed, the Fourth Amendment is often ignored. "Consent searches have become a particularly attractive tool for conducting searches for drugs without probable cause because few people refuse consent when an officer asks for it during a traffic stop" (Cole, 2001).

The War on Drugs is supplanted by the belief in the systematic demonization of drug addicts. Drug addicts, because they want to get high, are considered morally inferior, weak, and therefore expendable to the government. In short, the drug addict is a cog in the drug-war-machine, a mere statistic. Because of this, U.S. prisons are not only the most populated in the world, they are specifically comprised of a majority of prisoners who are serving sentences for drug-related offences. To put it another way, the U.S. prison-industrial complex houses mostly drug addicts. What is often overlooked is that "from 1925 to 1975, the incarceration rate in the United States was virtually flat, at about 100 incarcerated prisoners per 100,000 residents." That being said, "there was more than a 400 percent increase between the 1980s and the 1990s in the chances that a drug arrest would ultimately result in a prison sentence" (Bobo & Thompson, 2006).

### **Policy Question**

According to Reuter (1992), drug policy has, in effect, generated two debates: one has to do with the retention of current prohibitions, that is, for or against the legalization of drugs; the second debate is between supply-side advocates and the demand-side advocates.

This second debate is between those who want to more aggressively pursue drug dealers and cartels and those who, like Vice-President Joe Biden, accept vigorous enforcement, though have resource commitments directly for prevention and treatment. There seems to be little chance of compromise. The hawks in the second debate "note the apparently low success rates of drug treatment programs; many programs show relapse rates of more than 60 percent" (Reuter, 1992). Because of the relapse rates, the hawks have reached the conclusion that in order to fight the War on Drugs effectively, the drugs need to be more difficult to obtain. In short, they want to go after the suppliers and the doves want to deal more with the demand for drugs, that is, with the suffering drug addict, or potential addict as such.

Subsequently, "the doves' message is clearer than that of the hawks. After defending themselves from the charge that they condone the use of drugs by asserting that society should strive to reduce use of all dangerous psychoactive drugs including alcohol and cigarettes, they go on to argue that most of the current evils associated with drugs arise from the prohibitions and enforcement of those prohibitions (Reuter, 1992).

The doves think that that more stringent laws set up the context for more drug-related crime to be committed, therefore leading to more incarcerations, therefore more addicts sitting in prison wasting taxpayer's money. The doves argue that there is a punitive trend in American drug policy. If one does drugs, or is found to be in possession of drugs, that person should go to jail. This, however, does not get to the root of the problem, which centers in the mind of the drug addict.

Alcoholics Anonymous and other Twelve-Step recovery programs have emphasized that addiction is tripartite in nature: it is a physical allergy fueled by a mental obsession, linked up to a spiritual malady (B. Mahoney, personal communication, October 25<sup>th</sup>, 2011).

Prevention is the most cost-effective means by which to thwart a life of addiction; treatment entails treating the mental health of the addict. This recontextualizes the War on Drugs and makes it clear that it is as much of a mental health issue as it is, in its consequences, a legal issue. The micro informs the macro. Twelve-Step recovery programs advocate for developing relationships with sponsors, with others who have achieved abstinence (Durkin, 2002). Twelve-Step recovery programs provide an informal structure or design of living for those with an addiction, which cannot be cured, but can be arrested on daily basis by “working the twelve steps.” This mentor-mentee dynamic is a step in the right direction, but does not encapsulate, the views of the third “bird” in the supply-demand drug debate: that is of the “owls.”

The owls, who seek a realistic approach is that research-oriented, suggest that the focus not be on drugs (which stay illegal), but on reconstructing the perception of the drug addict as a patient rather than as a criminal. This kind of view is huge leap forward from the Harrison Narcotics Act of 1914, which demonized addicts as moral degenerates. It is also a step forward from insisting that “Just Saying No,” pace the Reagan-era, is enough to keep one addiction-free. The owls want to confront the issue with common sense: drug addiction does not simply go away. Even if drug dealers were eradicated there will never be a drug-free society. In fact, “no modern democratic state has been drug-free, and American will not be the first” (Caulkins et al, 2005). That being said, it is clear the owl’s approach, unlike the doves’ and hawks’ approach emphasizes well-thought out research that is conducive to a peace treaty in the War on Drugs, wherein it not merely about drug courts and the treatment of the drug addict and not merely a series of excuses to argue for legalization or further crack-downs.

The owl’s approach makes it clear alternatives are necessary; for, as the 2011 Report on the Global Commission of Drug Policy states, the war on drugs has generated negative consequences, which includes, but is not limited to:

“the rise of a black market, policy displacement (scarce resources to fund law enforcement), geographical displacement (where drug production shifts location), substance displacement (the movement of users to new substances because of the market), and the negative perception of drug users, which are stigmatized and marginalized” (Jahangir et al, 2011).

Consequently, it is no wonder why the debate for legalization has come to the fore more so in than in recent years than ever before: it is a short-cut point of view that allows a person to avoid having to address the glaringly real, strident details of the demand or supply-orientated approach to American drug control policy. In short, the owl’s position is that legalization is actually an example of utopian thinking and what is really important is addressing the drug problem on all fronts with alternative strategies. What must be done, in effect, is for the United States to wake up and address its own mental health problem, which not only includes its addiction to drugs, but an addiction to facilitating a War on Drugs. A better approach would be to begin educating children that a drug addict is not a criminal by default, but someone who is ill; then, and only then, can the problem become a health concern wherein the macro, mezzo, and micro levels are in dialogue with one another.

## **Conclusions**

Karl Marx once wrote that “the dreams of past generations are nightmares in the brains of

living.” If that is true, then yesterday’s war on drugs is a burden to addicts in the present, who know no other way to live than by running away from the system that produces the phenomena of addiction itself. A consumer society inevitably consumes; drugs are not an exception; they are simply components of a large puzzle: a puzzle to the powerless and a puzzle to those in power who have to contend with the powerless. It is my view that The War on Drugs a failing fiasco, an anathema to liberty. It is a legalistic climatology of sorts. When the troops in the War on Drugs come through the drug dealer’s door, they do so with the intent of making arrests. Silent armies—these are the constituents of the War on Drugs: a police apparatus aimed at creating a climate of fear. This is not unrelated to the war on terror. Terror is a cipher, war is a metaphor.

When political rhetoric works well, it convinces most of the masses. The elites care little for the welfare of drug addicts; in fact, they need drug addicts to make their money. These elites, most probably, funnel funds into drug cartels themselves, thereby playing both sides of the field, attempting to ridicule those at the bottom of the socioeconomic hierarchy, who turn to drugs as an escape from some horrible fate, wherein the addict self-consciously punishes himself.

I am of the view that the world as of this very moment in 2011 is in transition. Many political debates need to be re-worked and terms like “war” need to be used sparingly unless they actually refer to a literal war. That is not to say metaphors are the enemy, but in the area of social welfare terms need to be as clear-cut as possible for policies to make sense in practice. Drugs are not the real problem; they are merely physical symptoms of a socio-existential problem: for the desire to use drugs is born from the need to feel relief from the daily grind of cultural and national life, which emphasizes socioeconomic status as the indicator of the worth of an individual.

The war on drugs has failed because it is a war against human behavior; and, that behavior, though certainly not fixed, is subjected via ideological and situation processes: it surrenders to power. This power might be external like a government or a state; yet, that power can also reside in the individual, wherein any proposed alternative to the war on drugs would have include “the right to life, to health, to due process and a fair trial, to be free from torture or cruel, inhuman or degrading treatment, from slavery, and from discrimination” (Jahangir et al, 2011). But those human rights must be the norm for addict or non-addict alike. Only then can a war on drugs or a war against anything considered immoral be considered a false utopian victory and reflection of the actual, horrific wars that have waged in the past.

**Paul Rogov** studied *Comparative Literature at the University of California at Berkeley and Social Work at USC*. His literary work has appeared in *Danse Macabre, Exterminating Angel Press, Social Justice Solutions, Femicatio Magazine, Cultural Weekly and others*.

## Notes

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