

Deregulating Drug Use

An Anarchist Perspective

BAD Broadside #1

The debate about drug use in this country is usually framed in terms of continued criminalization vs legalization. The positions in this debate mean continued harassment, including arrests, imprisonment, theft of property, and possibly, in the near future, execution of drug dealers and users, vs legal regulation of drug use and sales, similar to that of alcohol and cigarettes, including heavy taxation and restraints on where, when and to whom drugs can be sold. Both of these positions are based on the same assumption: government has the right to tell individuals what they can and cannot do. While legalization would surely be preferable to continued criminalization, there is a third, and better, alternative: decriminalization and deregulation. Decriminalization and deregulation of drugs would mean no laws against drugs, no government regulation of drugs sales and use, no arrests, no prisons, no taxes. Eliminating drug laws, instead of simply replacing them with different laws, would produce a free market in drugs where people would be free to sell, ingest, or inject whatever they wished, without government interference.

Drug use is a voluntary, non-violent activity, and should be an individual decision, the business of no one but the user. Government has taken it upon itself to regulate drug use, just as it regulates alcohol use, restricts abortion, and registers and drafts people, in order to better control people. Criminalization of drugs has produced, just as prohibition of alcohol did, an enormous amount of violent crime. Most of this crime is motivated by the need to obtain money to pay the artificially inflated price of illegal drugs. This drug-associated crime is then used as an excuse for police to indiscriminately harass young black men, stopping and searching, and frequently arresting them on the street, for no reason other than that they live in a "high crime" area. Doing away with drug laws would dramatically lower the cost of drugs and thereby eliminate most street crime, as well as remove the excuse police use to terrorize black people.

Decriminalization and deregulation and the resultant competitive market in drugs would produce purer and safer drugs, eliminating much of the death and illness associated with drug use, most of which is caused by contamination of drugs or needles, and unreliable drug strength, not by the nature of the drug itself. Heroin is no more dangerous than aspirin if it is carefully prepared without dangerous additives and injected with a sterile needle. And aspirin overdose can kill as easily as heroin overdose, it just takes longer and feels worse. Decriminalizing needle use would virtually eliminate the transmission of AIDS among IV drug users, as has been the experience in the 39 American states which do not restrict sale of sterile needles. Needle exchange programs are not enough; there need to be more needles available to eliminate needle sharing.

Besides abolishing laws against recreational drugs, eliminating government regulation of "therapeutic" drugs would also benefit people. The FDA prevents many drugs from reaching the market, including treatments for AIDS, cancer and other serious illnesses. And those that do eventually become available are delayed for years by FDA rules, while thousands die. Even after studies had proven the efficacy of aerosolized pentamidine for prevention of *Pneumocystis carinii* pneumonia, a frequent cause of death in people who have AIDS, FDA rules delayed its approval for this use for many months. Just as drug laws lead to deaths associated with street drugs and keep people from obtaining sterile needles to prevent transmission of AIDS, drug laws are killing people with AIDS by denying them effective treatment. Drug laws in this country are also preventing marketing of newly developed abortifacients, drugs which induce abortion early in pregnancy, freeing women from their current reliance on the medical establishment for abortion services. These drugs would put the decision about abortion where it belongs: with the individual.

Eliminating drug laws would greatly increase people's options in the areas of pleasure and health. It would also reduce crime, reduce death and illness associated with illegal drug use, and reduce deaths from AIDS and other serious illnesses. Individuals should be free to make their own decisions about drug use, and all other aspects of their lives, without the interference of government or "the community."

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