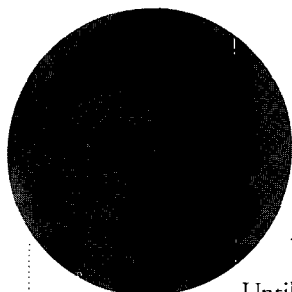


JOHN J. DI IULIO BLAMES POOR LEADERSHIP. ED KOCH SAYS DON'T GIVE UP—TRY WHAT WORKS IN OTHER COUNTRIES.



John J. DiIulio, Jr.

Why Is Drug Use Rising Again?



Ed Koch

Until 1992, drug use in the U.S. was moving in the right direction: down. The proportion of high school seniors using any illicit drug within the previous year declined from 54 percent in 1979 to 27 percent in 1992. Casual drug use by other Americans dropped similarly. A mixture of stepped-up international drug interdiction, tougher street-level law enforcement, and national and local "Just Say No!" campaigns deserve some credit for those improvements.

But then came President Clinton, who winked and smirked that he "didn't inhale." Between 1992 and 1994, the fraction of high school seniors who used drugs within the previous month rose by 52 percent, and many other indicators of drug abuse went the same way: up. The Clinton transition team for the Department of Justice included a Who's Who of anti-incarceration advocates. Sure enough, within days of taking office, Clinton slashed the personnel of the Office of National Drug Control Policy by 80 percent. During his first two years in office, Clinton permitted Janet Reno, the most reflexively liberal Attorney General of the United States since Ramsey Clark, to bad-mouth anti-drug law enforcement, and denounce federal mandatory minimum terms for drug dealers. Clinton also gave us Joycelyn Elders, a Surgeon General who trivialized the individual and public health risks of drug use.

But President Clinton doesn't deserve all the blame. For two years, Republicans whined but did nothing. Worse, after Clinton reined in Reno, fired Elders, and began to get serious about the nation's drug-and-crime problem, congressional Republicans played politics. In 1995, they cut Clinton's Drug Enforcement Agency budget by \$5 million, reduced his FBI budget by \$112 million, and slashed his inter-agency drug task force request by \$19 million.

Proponents of drug legalization assert that fighting drugs is ultimately futile. In any population, they say, there is some irreducible demand for "altered states" of extreme physical and emotional stimulation. Intellectuals get their highs from buying books, reading, and reflecting. Kids get theirs from riding roller coasters. Die-hard football fans (I speak as an unrecovered Philadelphia Eagles addict) suffer freezing weather, bumper-to-bumper traffic, and undercooked \$5 hot dogs for the opportunity to scream, boo, and "go nuts" with 65,000 other people. And come hell, high water, or heavy law enforcement, say drug legalizers, some fraction of the population will find their thrill by using narcotics. So far, so

When I told the audience at the 1984 Democratic National Convention that drugs were the "scourge of America," some people laughed and some people booed. It's hard to believe anyone would boo now.

A September 1995 Gallup Poll reported that 94 percent of those surveyed viewed drug abuse as a crisis for the United States, and a more serious problem than health care, welfare, or the federal budget deficit. Yet some national leaders call for the legalization of drugs, claiming that such an act would end crime.

Legalization wouldn't end crime. It would simply increase the use of hard drugs. Columbia University's Center on Addiction and Substance Abuse reports that a study of 130 drug-related homicides revealed only 20 percent were related to drug trafficking, while three percent were committed to get money to support a drug habit. A whopping 60 percent of the murders resulted from the psychopharmacological effects of the drug.

These kinds of tragedies would only increase with easier drug availability.

FEDERAL LAW NOW

AUTHORIZES THE DEATH

PENALTY FOR MAJOR

DRUG TRAFFICKERS.

WHY DOES JANET

RENO FAIL TO USE IT?

Daniel Patrick Moynihan's on-target description of the tendency of modern society, when faced with stubborn anti-social behavior, to redefine deviancy as normal is apropos on the drug legalization question. Does declaring unethical behavior legal somehow make it okay?

Efforts to legalize drugs may result in the increased

use of drugs. If people in respected positions of authority state that they believe drug use should not be punished, we can expect some young people and others to conclude that society has no right to inhibit their behavior. These legalization advocates should ask the families of drug users, particularly the parents of pregnant women who abuse drugs and the grandparents of abused children who are the victims of violence in homes where drugs are used, what they think about legalization.

Many observers are now concluding that children of a drug-addicted mother should be removed from the household.

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true. Also, legalizers are right to argue against incarcerating truly small-time drug criminals who need treatment, and to remind us that our drug prohibition regime has its human and financial costs, whatever its real or perceived benefits. Moreover there is a growing body of scientific evidence that supports needle exchange programs as a means to check the spread of HIV.

What legalizers overlook, however, is that rates of drug use fluctuate widely across groups, that rates have been driven up and down by different public policies, and that getting high as a book-loving, roller-coaster-riding, or football-drooling American is incomparably better, socially and morally, than getting high as a drug abuser. Drug abuse acts as a multiplier of crime and a great many other social disorders.

The drug legalization movement and its anti-incarceration allies have also promoted the utterly false view that the "war on

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drugs" is rabidly racist and horribly expensive. Rebutting the "expensive" part is easy. It is a wholesale myth that the drug war is breaking the taxpayer's bank; law enforcement of *all* sorts makes up only a small part of public budgets.

The argument that fighting drugs is racist is also false. As I explain in the current issue of *City Journal*, the fact that one-third of black males in their twenties are under some form of correctional supervision (two-thirds on probation or parole, the rest in prison or jail), has almost nothing to do with racism. Blacks com-

mit violent crimes and weapons offenses at five or six times the rate of whites. Most imprisoned "drug offenders," black and white, have committed many property and violent crimes in addition to their drug-dealing. (Almost no one goes to prison these days for mere possession.) Even if every single black "drug offender" were released from custody tomorrow, the ratio of blacks to whites behind bars would still be far higher than the ratio of blacks to whites in the general population.

But in the absence of effective public leadership against drug abuse, the racist myth, the big-bucks myth, and the "it's totally futile" myth have flourished. And the ridiculous idea that keeping drugs illegal discourages no one from using them is gaining ground. This is dumb and self-defeating. Unfortunately, among a small but growing number of policy elites, dumb defeatism is in.

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New York Mayor Rudy Giuliani has proposed legislation that would begin legal proceedings against any mother whose baby tested positive for drugs at birth. Connecticut is considering a law mandating that mothers who use drugs during pregnancies would automatically lose custody of their children.

A 1993 study by New York City found that more than three-quarters of all children killed by abuse lived in households with drug problems. If we legalized drugs, would the government be an accomplice in the abuse and murder of innocent children who grow up in drug-addicted households? If we legalized cocaine, crack, and heroin, would we be able to continue to criminalize the use of LSD and other even more mind-bending hallucinogens? Assuming that government would provide maintenance doses to addicts under legalization, what if the addicts demand increasingly larger dosages for their daily high, instead of just maintaining their habits? If the government doesn't provide it, undoubtedly a new black market will spring up.

Some drug laws need to be reformed. We should reduce prison sentences for low-level offenders and increase sentences for more serious drug crimes. For minor offenders convicted under state law, why not add flogging to the available punishments? Flogging might do more to deter some criminals than jail time. I was strapped by my father occasionally; I don't think it injured me, physically or emotionally.

Let's test the will of Americans to take appropriate measures to fight drugs. House Speaker Newt Gingrich has suggested—and I agree—that the death penalty might effectively deter drug smugglers, as is done in Malaysia and Singapore. Federal law now authorizes the death penalty for major drug traffickers. Why does Attorney General Janet Reno fail to use it?

Remember the two Australians who were to be executed in Malaysia for drug smuggling? Many Westerners were outraged, but the Malaysians responded: "We execute Malaysians who violate our drug laws, and we will apply the same law to Australians." And they did. I doubt many Australians have since visited Malaysia and conducted similar drug-related activities.

We won't become a totalitarian society if we adopt the measures used by Singapore and Malaysia to interdict and end drug trafficking. Nor would using U.S. troops to defend our borders against drug smugglers turn us into a totalitarian society. These measures will allow decent, hard-working citizens to lead their daily lives without fear.

President Nixon briefly ended marijuana smuggling into California by having vehicles arriving from Mexico searched. Regrettably, he later abandoned the effort. Today, Mexican law enforcement agencies themselves are believed to be smuggling drugs into the U.S., yet President Clinton declines to apply sanctions because he doesn't want to face the wrath of American companies if trade with Mexico is impeded.

If we as a society were doing all we could to deter drug use and trafficking and failed, we could discuss legalization. But regrettably we are not doing all we should do.

Ed Koch was mayor of New York City from 1978 to 1989.

The War Between



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