The relationship between research and drug policy in the United States

Drug Policy in the United States

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Abstract

Based on a one-month field work, this paper gives a broad overview of the social science research on drugs carried out in the United States. It attempts to present a review of the problems raised by drugs in the United States by examining current issues and their historical sources. While acknowledging that the United States is both the largest producer of drug research in the world and the world’s only “drug-control superpower”, this paper suggests, however, that the simultaneous leadership in social science and world agenda-setting is not the result of a symbiotic relationship between American research and policy-making. The paper is divided into two main sections, the first on domestic issues related to drug-abuse and trafficking, and the second on the main international problems currently considered by American social science research on drugs.

In the interpretation of all social life, there is a persistent and never-ending competition between what is right and what is merely acceptable. In this competition, while a strategic advantage lies with what exists, all tactical advantage is with the acceptable. Audiences of all kinds most applaud what they like best.

John K. Galbraith

Introduction

Research, Policy and Conventional Wisdom[2]

Readers may find it paradoxical to see a quote from Galbraith’s famous chapter “The Concept of Conventional Wisdom” at the beginning of a paper on drug trafficking and policy research in the United States. Indeed, conventional wisdom, or “the structure of ideas that is based on acceptability”, has little to do with research, which is supposed to produce scientifically valid facts that are more than just “acceptable”. In turn, these are widely recognised as “knowledge” or “truth”, and most people will assume, or at least hope, that scientific knowledge inspires public policy. But if Galbraith, a sharp critical observer of U.S. economic policy, has written several books showing that this assumption/hope is overly optimistic, it is probable that he would have written even more extensively if he had studied drug policy.

According to many studies and to American researchers interviewed during the field study, it would seem that public policy on drugs has been largely immune from the influence of research. Instead, conventional wisdom appears to have been a major shaping force[4]. Judging from what a large number of American social scientists say about it, the paradoxical impact of conventional wisdom seems to be a structural feature of U.S. drug control policy. To a large extent, this paper reflects the efforts – so far largely fruitless – of American social scientists to counter-arrest the influence of conventional wisdom on policy.

Because of the impact on policy of conventional wisdom and ideology, and sometimes of political convenience and racial or ethnic prejudice, leading American researchers have long viewed drug policies and what drives them as an important, even crucial, part of their country’s “drug problem”. Thus, books and articles about drug policy are far more numerous in the United States than are studies of the actual workings of the illegal drug trade. This is reflected in the bibliography provided with this paper, in which “Drug Control Policy and Criminal Justice Issues” is the largest section, while much of the literature listed in the other sections also discusses policy explicitly or implicitly, and/or hopes to have an impact on it.

Regardless of the often ideologically-charged debate taking place in the United States itself, the field study has made it clear that, for a range of factors and in a variety of ways, U.S. drug policy and politics are a very strong – perhaps the strongest – determinant of what kind of research is done in America. An important reason for this is that U.S. drug policy – or at least some aspects thereof – has been widely perceived by numerous researchers to be seriously flawed for a long time.

But, of course, the main reason for the centrality of policy in research on drug trafficking anywhere in the world is that policy is based on prohibition and the more or less aggressive enforcement thereof (which varies across time and space) that make drugs illegal, and transform the drug trade into “trafficking” or “smuggling”. The formal illegality of the drug trade established by policy creates an environment characterised by secrecy and danger, and it is the most important factor determining the forms in which drugs are produced, transported, sold and consumed. It is also an extremely significant factor in drug price formation and support[5]. Danger and secrecy also present significant methodological difficulties for would-be students of drug trafficking, and this may explain why most research has been focused on policy.
The American Leadership

For more than 100 years, “narcotics”, as Americans often refer to banned substances whether or not they induce sleep or stupor, have been a policy concern and have attracted the interest of scholars. As a result, the United States today is probably the largest producer of social science research on illegal drugs in the world. This leadership can be explained by “physical” factors: the United States is one of the richest and largest countries in the world, it has many universities, and many independent and government research centres and foundations. Moreover, because drugs are a major domestic and foreign policy concern, and a subject of ideological and political debates, funding has been comparatively more forthcoming than in other countries, although many of the social scientists encountered during the field study said that money was not all that easy to find.

Other factors, which explain both the abundance of research and its overwhelming focus on policy, derive from the characteristics of American democracy. Indeed, although national security and raison d’État have ensured that American drug control is not totally devoid of “dark areas”, policy is more amenable to research because it is public and generates a large quantity of official literature on which studies can be based. Public scrutiny and the public’s right of access to official documents is taken much more seriously in the United States than perhaps in any other country in the world. Public accountability is a central feature of American democracy and citizens — meaning the taxpayers who bankroll the government - have a right to know what is done with their money. The Freedom of Information Act (FOIA) provides a safeguard against excessive government secrecy. Thus, the government produces a great deal of literature in order to explain and justify what it does, and care is taken to make this easily accessible to anyone. Much of it, for example, is available on the Internet.

Money is also another crucial element explaining why so much research has focused on policy. Indeed, on average the federal government has spent well above $10 billion a year on drug control for at least the last ten years. There are presently 52 federal agencies with a stake in drug control, and each must justify its budget. The sharing of the national drug control “cake” — that is, the annual allocation of funds by Congress — generates a bureaucratic and public debate where arguments are used to support requests for funds. The arguments thus put forth by the large American drug control bureaucracy in order to obtain funding, and therefore reproduce itself, this bureaucratic mechanics itself, and its impact on both the nature of policy and its implementation have given rise to much research.

This is in keeping with a tradition that dates back to the very origins of the United States. The need to prevent the establishment of oppressive (European) forms of government was the main concern that inspired the fathers of the Constitution of the United States, which seeks to guarantee individual Liberty by establishing checks and balances and the separation of government powers. Furthermore, the writings of John Stuart Mill have had a strong influence on American thinking. Mill was extremely wary of bureaucracy, which he thought tended to transform its activities – service to the people – into an end unto itself (self-reproduction)\[6\]. As a result, suspicion of government activity, and of bureaucracy in general, is widespread in the American research community and in society at large, as is the perceived need to keep them under control. It can be argued that research into drug policy, often through the guise of searching for rationality, provides perhaps the best current illustration of such suspicion.

The United States and the MOST-Drugs Network

The drug “research/policy nexus” — that is, the links between research, policy and politics in the United States — is also an important issue for the MOST-Drugs Program of UNESCO (hereinafter referred to as “MOST”). Indeed, one of the specific objectives of MOST is to “make comparative analysis [...] between the countries [studied within the MOST framework] and those geographical areas that already have experience in this issue, principally the United States and Andean countries[7]. Additionally, the “essential idea” behind the establishment by MOST of an international network of researchers is that “increased use of social science knowledge leads to improved social policy formulation[8].

Two conclusions that can be drawn from the above provide the rationale for this paper. First, the research produced by MOST is destined to be compared with research done in the United States, because the latter is viewed as “experienced” in the field of drug trafficking research. This paper provides a brief overview of what makes up the U.S. experience, its origins and subsequent development. It hopes thereby to contribute to the comparative analysis of MOST’s output based on new, updated, written material. Indeed, at present (to this writer’s knowledge), no specific literature exists on which such a comparison could be based. Second, the central objective of MOST is to improve social policy through the provision of original research material. This implies that what social policy there is has been unsatisfactory until now and that research is needed to improve it. Therefore, it would seem important to examine the multi-faceted and rather controversial relationship between social science research and policy-making about drugs in the United States, all the more so because the U.S. is of special concern for MOST. Equally important, the United States is currently the world’s only (and most powerful) “anti-drug superpower”, and what it does or does not do, both at home and abroad, has significant repercussions on the global drug trafficking and drug policy-making scenes. It is no exaggeration to say that as far as the modern drug phenomenon is concerned, the United States is where it all started in the late 19th century and early 20th century. Indeed, the present legislation of the majority of countries is modelled on, or in agreement with, international legislation, which is itself inspired to a large extent on the American drug control model.

The huge concern generated by drugs in American society since the 1980s, together with the scale, punitiveness and impact of drug control policies in the same period, have led many American scholars to look back to the origins of drug control in order to understand the historical roots of current issues. This “re-examination” of history in the light of present events provides the backbone of this paper. Indeed, following French sociologist Pierre Bourdieu, it is thought that history is, or at least should be, central to a study of a phenomenon such as drugs.

What are thought to be the central issues of American domestic drug problems are reviewed at some length in chapter 1. Because the research literature on domestic problems far outnumbers that on foreign issues, this paper has placed more emphasis on it. Finally, foreign policy problems reflect to a very large extent the structure of the internal debate. Hence American research on foreign issues is briefly summarised in the first section of Chapter 2, while the second section is dedicated to a brief review of two important forthcoming American books that contain contributions by a member of MOST.

This paper is an effort to provide the MOST network with an overview of the social science research on drugs carried out in the United States as it was perceived by a French observer during a one-month field study[9]. Obviously, one month is far too short a time to fully grasp all that is done in such a vast, diverse and active country. Even in a year, it would be impossible to identify, obtain, read and comment all the books and articles that American researchers have written about drugs. Therefore, choices had to be made, the spotlight was thrown on some areas while others were left in the dark, and generally it has not been possible to go into very much detail. Although this is bound to disappoint some readers, it is hoped that most readers will find the overview useful.
Domestic Problems

Historical research on the origins of American drug control has shown that many of the current preoccupations of social science with drug policy have their roots in the 19th and early 20th centuries when the industrial revolution hit the United States, deeply transforming its economy and society. A shift in population distribution patterns, the simultaneous growth of large urban middle and working classes fuelled by a new wave of immigration, the emergence of new working conditions and the progress of chemistry and pharmacology gave rise to new problems, new concerns, new scientific concepts designed to address them, new conventional wisdom, and new policies. However, it must be stressed that the bulk of research attention up until the 1960s and 1970s was focused on drug use and its consequences, not on drug trafficking. This remains largely true today, for even if research on trafficking issues took off in the 1970s, the vast majority of the social science literature still treats issues relating to drug use and drug policy and its enforcement.

This chapter presents a broad overview of the central drug policy and research issues in the United States. It examines some of the historical roots of American drug control policy and some concepts that are viewed as central in the current policy and research debates on drugs. The first section looks at the origins and present state of the prohibition/legalisation debate. The second section assesses the “Drugs and Crime” nexus, possibly the largest single source of research, and controversy, in the present U.S. debate about drugs. Indeed, both drug prohibition and the links that American policy makers and general public have long perceived as existing between drugs and crime, provide the basis of present drug control policies in the United States and in much of the rest of the world.

When it all started

According to sociologist Harry Levine, the concept of “addiction” itself, and its definition by medical and moral authorities as a disease or disease-like condition, was initially developed for “habitual drunkenness” in the late 18th century (and did not exist before that date), and then expanded to cover what are now called “illegal drugs”, largely due to the problematic use of opiates (mostly morphine) among veterans of the American Civil War (1861-1865) and middle to upper class (white) women[10]. The socio-historical research of Levine and others suggests that addiction is in fact a moral and social construct, whose creation owes much to the Temperance movement of the 19th century[11]. Medical and moral concern with “addiction” among white Americans led to legislative efforts aimed at controlling the domestic trade and use of drugs starting in the late 19th century. Medical concern with the widespread availability of psychoactive consumer goods (wines and sodas laced with cocaine; heroin-based cough syrups, etc.), together with the outrage – and efficient lobbying – of crusading moral and religious leaders at their widespread use and abuse, led to the adoption of national legislation.

The first federal law was the 1906 Pure Food and Drug Act, which required that psychoactive ingredients be listed on the labels of goods traded in interstate commerce; the second and better-known major statute was the Harrison Act of 1914, a federal law which taxed the trade in opiates and established that these drugs should be supplied to users only if prescribed by medical practitioners. The Treasury Department was in charge of enforcing the narcotic tax law. By 1920, it had set up a special office to do so: the Narcotics Division of the Provision Unit. This is the birth of the American drug enforcement federal bureaucracy, the subsequent expansion of which has been subject to fascinating historical research[12]. In July 1930, the Narcotics Division became the Federal Bureau of Narcotics (FBN), which until 1962 was headed by a commissioner, the well-known Harry J. Anslinger, who thus became one of the longest-serving senior government officials in American history. Anslinger later played a key role in making law enforcement the preferred means of treating the drug problem both at home and abroad (see below).

Back in the 19th century, a conventional wisdom formed around the effects that drugs have on minority groups. Nativist and racist fears of drug use among Chinese (opium) and Mexican (marijuana) immigrants and African-Americans (cocaine)[13] initially led western and southern counties and cities to adopt punitive laws selectively aimed at minorities, while federal legislators soon passed laws limiting the importation of smoking opium into the United States (1883), banning Chinese immigrants from importing the drug (1887) and restricting its domestic manufacture to American citizens (1890). Restrictions on the trade in opium led to an underground market fuelled by smugglers. With the subsequent bans on cocaine and heroin in the 1920s, and marijuana in the late 1930s, drug smuggling increased. But, until the 1960s, drug trafficking did not attract scientific attention and it does not seem that it was viewed as a major social and political problem. A much more powerful and enduring form of organised crime emerged out the (alcohol) Prohibition era of the 1920s and early 1930s (see below).

“Habituals”, as white addicts were called, were viewed as the unfortunate victims of “greedy corporations and corrupt politicians” and of their own gullibility, but real and imagined drug use by minority groups was associated with crime and sexual promiscuity, and was generally perceived as a factor that made minority members forget their “(inferior)” place in society[14]. So while a medical approach was adopted to care for the former, police and courts dealt with drug use by the latter. This differentiated treatment of users according to their racial and ethnic background was already a source of concern back in the 19th century. Bertram et al. report the following statement by an appellate court in Oregon that was assessing the constitutionality of a state ban on opium smoking by Chinese immigrants:

“Smoking opium is not our vice, and therefore, it may be that this legislation proceeds more from a desire to vex and annoy the ‘Heathen Chinese’ in this respect than to protect the people from the habit.”[15]

Several of the issues identified above, as transformed by subsequent developments during the 20th century, have been the focus of social science research in the present-day United States. Some scholarly attention has been focused on prohibition as the defining principle of drug control policy, while the relationship between drugs, crime and minorities has given rise to a wide range of research.

The Prohibition/Legalisation Debate

Addiction as a consequence of drug use gave rise to the prohibitionist policies that were gradually established in the first thirty years of the 20th century for opiates, cocaine and cannabis products. To be more exact, it would seem that laws and policies aimed at the suppression of drugs resulted from both the concept of addiction and the conventional wisdom that drug use leads inevitably to addiction which in turn leads to crime, and therefore is both morally reprehensible and dangerous for society. This piece of conventional wisdom was successfully propagated among political circles and society at large by moral and religious leaders. American social historians say that these “symbolic crusaders” and “moral entrepreneurs” achieved victory in the battle for the meaning ascribed to drugs. Since then, policy-making circles and the vast majority of the U.S. (and world) population have viewed drugs mostly as a dangerous individual and social threat. The same logic led to the adoption of the 18th Amendment to the American Constitution that established the prohibition of alcohol in 1909. Let us recall that the prohibition of alcohol fostered the development of large criminal organisations that set up industrial-scale smuggling infrastructure in and around the United States, which was then used by drug traffickers when Prohibition was repealed in late 1933[16]. But the point here is that prohibition as a basis of drug control policies has been subject to debate in the United States and has given rise to an abundant scholarly literature.

Today, two broad streams can be identified in this respect. First, there are those who reject prohibition itself and advocate legalisation and/or “harm reduction” policies along the lines of those in force in the Netherlands. The majority of these authors stress the failure of current policy to reduce drug abuse and insist on the negative consequences of prohibition, arguing that it creates a “harm-maximising” environment for drug use while leading to the development of a violent underground economy. They conclude that current drug policies have more drawbacks than benefits and should be repealed[17]. Other “legalisationists” make a more ideological, libertarian, case by arguing that in a free society, people should be free to choose whether they want to take drugs or not. It is not possible to list all the numerous literature in this
Based on my field work, it would appear that independent researchers who support prohibition explicitly are much less numerous than their "legalisationist" counterparts, but I may not have found them simply because I did not look in the right places[21]. However, it could also be because prohibition has been the rule for nearly 100 years, and currently enjoys the support of the majority of legislators and citizens. Consequently, anti-prohibitionists must work harder to shift opinion than do those who defend the status quo. In this respect, it is interesting to note that the Drug Enforcement Administration (DEA) has felt the need to produce a document, "Speaking Out Against Drugs Legalization" (DEA previously had made public a similar document titled "How to Hold Your Own in a Drug Legalization Debate"), explicitly designed to provide arguments to those supporting prohibition[22]. DEA also has developed a pamphlet, "Say it Straight: The Medical Myths of Marijuana", specifically aimed at countering the influence of the "medical marijuana movement", whose media campaigning and political lobbying has reportedly succeeded in changing the legislation in California and Arizona to allow marijuana use for AIDS and other patients in 1996[23]. The Lindesmith Center has played a major role in the campaigns by providing arguments and money. The title of this DEA document closely resembles that of a book, "Marijuana Myths/Marijuana Facts", that was published by the Lindesmith Center in 1997[24]. Both publications list "facts" and "scientific evidence" about the effects of marijuana, but obviously for opposite purposes[25]. In addition, the latest "National Drug Control Strategy" issued by the federal government in 1998, contains specific provisions in order to "counter attempts to legalise marijuana"[26].

It is important to note that this debate partially follows the traditional rift separating the conservative and liberal forces of American society. Broadly speaking, and in spite of significant exceptions on both sides, while conservatives are staunch prohibition supporters, liberals would tend to be in favour of vastly reforming the current drug control system. At any rate, "legalisationists" often accuse "prohibitionists" of being "conservative", while "prohibitionists" say "legalisationists" are "liberals".

The present struggle opposing the DEA to the Lindesmith Center also has roots in history, and it could even be viewed as the second round of the "fight" that opposed Harry Anslinger to Alfred Lindesmith, a sociologist of the University of Indiana trained in the interactionist methodology of the University of Chicago, after whom the Lindesmith Center is named. Then as now, the "ring" was American public opinion and policy-making circles, and the fight was about deciding whether drug addicts should be treated as sick people or as criminals[27]. Anslinger eventually won the day, possibly even beyond his own expectations, as is evidenced by present-day U.S. drug policies (see below).

The second stream corresponds to the researchers who have taken the prohibition/legalisation debate itself as an object of study[28]. Among those, a significant number of studies has been produced by the economic modellists of the Drug Policy Research Center (DPRC) of the Rand Corporation who have sought to assess the cost-effectiveness of current policies and proposed alternatives[29]. On this and a wide range of other issues, the DPRC has been one of the most noted, trusted and prestigious sources of research. By and large, the conclusion of DPRC scholars is that policy, whether based on prohibition or legalisation, has a very weak impact on drug use and that solutions to the "drug problem" of the United States, should be looked for elsewhere, for instance in "broader features" of American society such as a comparatively higher "propensity for risk taking"; weaker "informal social controls"; inadequate provision of health care for the poor, unequal income distribution and a high level of criminal violence generally", according to a 1997 article by Peter Reuter[30]. But while Reuter stresses the futility of drug policies for treating the drug problem, he insists that the punitive "harshness" of current U.S. drug policies has had extremely serious consequences on some groups of American society, charging that "one consequence of politicians' treating drug control as a moral crusade has been an absolute uinterest, bordering on gross negligence, in assessing the consequences, good or bad, of the emphasis on punishment"[31]. This latter statement suggests that, unlike politicians, American social scientists have focused much recent attention on the rationale for, and the consequences of punitive drug policies. This type of research is reviewed in the following section.

The Drugs and Crime Nexus

The Role of the Federal Government

At the origins of drug control, specific punitive legislation was developed for minority drug users because it was said that drug use led minority members to commit crimes. In fact, sociologists argue that this conventional wisdom was the vehicle of deep-rooted fears of immigrants and black Americans prevailing in "mainstream" American society at the time. Historians say that Chinese and Mexican immigrants, together with the former slaves of the South were perceived as dangers to the economic security of the white working classes because they represented a cheap competitive workforce. Early legislation treated these minorities differently from white drug users. While the latter were viewed as victims of a "deathsly habit", the former were perceived as criminals and (mostly local) punitive legislation was passed against them. For instance, in 1875, the authorities of San Francisco, California, banned opium smoking, "a practice closely identified with Chinese Americans"[32].

Later, from the 1930s onward, with the advent of FBN Commissioner Harry Anslinger as America’s first (and longest serving) “Drug Czar” and the development of the anti-drug bureaucracy, doctors’ power to prescribe drugs became increasingly restricted, and the drugs and crime nexus was gradually expanded to cover all drug use which came to be viewed as “un-American”. According to historians, this was achieved by a coalition of Treasury Department bureaucrats, a new generation of “anti-vice” activists and newspapers who, playing on racist, ethnic and ideological fears (of communists), lobbied Congress into adopting a ban on marijuana in 1937. It is the debate that preceded the ban on marijuana that entrenched the notion that drugs lead to crime. Historians say that, in effect, Anslinger created and successfully promoted the idea – which has since graduated to the level of conventional wisdom – that drug use leads to crime in order to carve a larger turf, and therefore obtain more autonomy and prerogatives for his newly created Federal Bureau of Narcotics[33].

This is a crucial turning point in the history of drug control in the United States, and even in the world given the “americanisation” of international drug legislation and the Commission’s influence in international drug control instances[34]. Indeed, from then and up to the early 1960s, law enforcement became practically the only means through which the government attempted to control drug use and trafficking. This trend was somewhat reversed with the departure from office of Anslinger and the rise of a “health” bureaucracy in the 1960s, especially under the administration of John F. Kennedy, who temporarily imposed the idea that addicts should be treated first and foremost as medical patients[35]. But this was rapidly mitigated by the major anti-crime legislation that was passed under the Nixon administration in 1969, notably as a result of the youth movement that opposed the war in Vietnam and generally rejected the dominant socio-economic model of the "consumer society". This "counter-culture" of young rebels or would-be rebels was associated with marijuana, and called for its decriminalisation, thereby generating fear in mainstream society which has resulted in a tough reaction by the authorities. President Nixon, who waged America’s first “war on drugs”, led the reaction. Nixon and the media put the drugs and crime issue at the centre of the political stage, identifying drugs as a major cause of crime and declaring America’s "drug problem" a "national threat". One result of the Nixon offensive was to reform and expand the antidrug bureaucracy, notably by establishing DEA in replacement of the Bureau of Narcotics and Dangerous Drugs (BNDD). Then, the Reagan and Bush administrations of the 1980s and early 1990s declared the new and much more famous "war on drugs", which by and large has continued during the Clinton administration since 1992. The pendulum of state and federal policy swung back again toward law enforcement, with a vengeance.

The Prison Problem

The tough federal antidrug legislation passed by Congress under the Bush administration in the 1980s and the Clinton administration in 1995, and similar state laws, have resulted in an astounding growth in the country’s prison population. According to the National Drug Control Strategy published in 1998 by the Office of National Drug Control Policy (ONDCP), a.k.a. the "Drug Czar’s Office", there were 1,725,842 inmates in American federal and state prisons and local jails in June 1997[36].
Between 1985 and 1995 three-quarters of the growth in the federal prison population is accounted for by drug offenders, while "the number of inmates in state prisons for drug-law violations increased by 487 percent over the same period." Although it stresses that "while crime in general continues to decline, arrests for federal drug-law violations are at record highs", the government lists the staggering incarceration figures under the heading "criminal consequences" of "America’s drug problem" and states that "many crimes (…) are committed under the influence of drugs or may be motivated by a need to get money for drugs" (see the research by Goldstein et al. reviewed below). In the period since 1980 the United States has built more prisons and incarcerated more people than at any other time in its history, largely as a result of the "war on drugs". About 60% of federal prisoners are drug offenders. In 1991, the United States was found by researcher Marc Mauer to be the country with the largest incarceration rate in the world, surpassing Russia and then-apartheid South Africa (since, Russia has become the first "incarcerator", the U.S. coming in second). In spite of a massive investment in correctional facilities by state and federal authorities – resulting in the creation of a “prison-industrial complex” according to some journalists and scholars – the growth of the U.S. prison population has clogged up the criminal justice system. As a result, the conditions prevailing in U.S. jails and prisons are inadequate in many instances and have resulted in human rights abuses that have alarmed organisations such as Amnesty International and Human Rights Watch, which have launched campaigns against what they say is widespread police violence and abuse of power.

A distinct human rights problem is arising out of recently-adopted sentencing laws, especially the mandatory minimum sentencing legislation now in force at the federal level and in all 50 states. Such laws require prison terms (as opposed to other forms of sanctions) for certain offences, including most notably drug-law offences, and most stipulate a minimum number of years the offender must serve. In many states, and most notably in New York, which pioneered the use of these laws against drug offenders as early as 1973 (and whose "zero tolerance" policy is currently seen by many in Europe as a model) [42], the required minimum for non-violent drug offences is equivalent to, and in some cases higher than, the sentences usually awarded for violent crimes such as murder, rape and arson. One federal judge has commented, “It is difficult to believe that the possession of an ounce of cocaine or a $20 'street sale' is a more dangerous or serious offense than the rape of a ten-year-old, the burning down of a building occupied by people, or the killing of another human being while intending to cause him serious injury”.

New York courts must give any adult convicted of possessing 4 ounces of cocaine or selling 2 ounces a minimum sentence of 15 years and a maximum of life in prison. [44] These laws deny judges their usual discretionary powers when imposing a sentence, forcing them to hand down the minimum required by law regardless of any extenuating circumstances. Although these laws were intended at first to address the disparity between sentences handed down by judges and the time actually served by those sentenced, and ensure that high-level drug traffickers be removed from the scene, they have resulted in the massive jailing of low-level, non-violent, drug offenders, such as street dealers and mere drug users, for very long prison terms. They have been found a costly and ineffective form of drug control, mostly because other minor street dealers immediately replace those who have been incarcerated. Thus, a Rand Corporation study has concluded that, “mandatory minimum sentences are not justifiable on the basis of cost-effectiveness at reducing cocaine consumption, cocaine expenditures, or drug-related crime”.

A conservative scholar such as John Dilulio, self-defined as "one of the few academics with a kind word for imprisonment", recently wrote an article in the (conservative) National Review concluding “with mandatory minimums, there is no real suppression of the drug trade, only episodic substance-abuse treatment of incarcerated drug-only offenders, and hence only the most tenuous crime-control rationale for imposing prison terms – mandatory or otherwise – on any of them”.

A Human Rights Watch study of the impact of mandatory minimums on low-level drug offenders in New York state has found that they violate “the inherent dignity of persons, the right to be free of cruel and degrading punishment, and the right to liberty”. The 1997 report adds, “such sentences contravene the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment”.

Similarly, the so-called “three strikes and you’re out” laws enacted in many states have been denounced as morally questionable and shown by research to be costly and of disputable effectiveness. Such laws mandate lengthy sentences for repeat felons, prescribing that felons found guilty of a third serious crime be locked up for 25 years to life. The California law, which went into effect in March 1994, is probably the most sweeping of these. Although the first two “strikes” accrue for serious crimes, the crime that triggers the life sentence can be any felony. In many cases, this felony has been a low-level drug offence. Furthermore, the law doubles sentences for a second strike, requires that these extended sentences be served in prison (rather than in jail or on probation), and limits “good time” earned during prison to 20 percent of the sentence given (rather than 50 percent, as under the previous law). A 1994 Rand study on California has found the legislation costly compared to alternatives.

Another problem linked to the boom of the prison population that the 1998 ONDCP drug control strategy fails to mention but that was revealed by research, is what Troy Duster calls “the darkening of U.S. prisons”. This metaphor captures the fact that Hispanic- and even more so, African-Americans have been incarcerated at a much higher rate than their White counterparts. There were an estimated 1,471 Black inmates per 100,000 Black residents in 1993 compared to 207 White inmates per 100,000 White residents in 1993, an incarceration ratio of Blacks to Whites of more than 7 to 1. In 1994, African-Americans made up approximately 12% of the general U.S. population, but constituted 44% of the sentenced inmates in state and federal prisons; Hispanics (10% of the general population) constituted 18% of inmates; while white Americans, who comprised 74% of the total population only represented 39% of state and federal inmates. All told, Black people of Hispanic and other origins combined made up 50% of the U.S. prison population. The disproportionate impact of recent “drug control” policies on Blacks is summed up in the following fact reported by The Sentencing Project, a Washington-based non-governmental organisation: on any given day in 1994, close to 1 in 3 African-American men aged 20 to 29 were under the supervision of the criminal justice system, in prison or jail or on probation or parole, and there were more Black males in prison than attending university. Nationwide average figures hide regional disparities. For instance, Dilulio reports that in 1997, “about 95 percent of all persons in New York prisons whose last and most serious conviction was for a drug offense were black or Hispanic”. New York is one of America’s most populated states. This racial problem is compounded by the fact that half of prison and jail inmates reported an income of less than $10,000 before their arrest. In other words, they were poor. A more recent but related problem has been the female prison population, which grows above the national average, while the group with the highest growth rate are Black women.

**Rationale for Punitive Policies**

Due to its status as the linchpin of present-day drug control, and in view of the above-mentioned impact of recent antidrug legislation, the relationship between drugs and crime has been the focus of abundant research in the United States, especially during the last ten to fifteen years. As mentioned above, here “crime” means unlawful acts other than drug production, trafficking and use. Indeed, the “Hawk ascendant” which has had the upper hand on U.S. drug policy since the mid-1980s, and according to which the best means for the state to fight drugs is to arrest and lock up traffickers and users (for increasingly longer sentences), has been largely supported and legitimised by the assumption that drug users and dealers are despicable criminals who can inflict incredible damages on society, and as such deserve
be dealt with toughly. In simple terms, the theory goes like this: drugs lead users to violently deny others their right to the safe enjoyment of life and private property. Individuals are making a personal choice when they use drugs and therefore they should be held personally responsible for this choice and its consequences on others; imprisoning is an adequate means of dealing with them, especially because it acts (or so the theory goes) as a deterrent against initiating drug use. Those who supply drugs to others, and therefore induce them to crime while making a profit, deserve even tougher punishment because they are viewed as the vectors of the “drug scourge”, and they have a strong incentive (money) to commit this crime; therefore the deterrent against them needs to be stronger. The following passage of a 1969 Supreme Court decision illustrates the point:

“Commercial traffic in deadly mind-soul-and body-destroying drugs is beyond a doubt one of the greatest evils of our time. It cripples intellects, dwarfs bodies, paralyzes the progress of a substantial segment of our society, and frequently makes hopeless and sometimes violent and murderous criminals of persons of all ages who become its victims. Such consequences call for the most vigorous laws to suppress the traffic as well as the most powerful efforts to put these vigorous laws into effect”.[56]

Although this theory has enjoyed bipartisan support in Congress since the mid-1980s and justified the allocation of about 70% of the federal drug control budget to law enforcement, it is more associated with the conservative forces of U.S. society, which traditionally favour a “law and order” approach to problems. On the other side of the political spectrum, liberal Americans lean toward a “social” approach and, as far as the drug issue is concerned, would prefer that drug users not be treated as criminals (see above).

It is not possible for this paper to present a sufficiently general and accurate overview to reflect the extent and diversity of the research done on this issue during the last ten years[57], But an issue that has been subject to much scrutiny can be used to illustrate the point: the effects of drugs on individual criminal behaviour. It is widely assumed that drug users routinely commit crimes in order to fund their habit. Another piece of conventional wisdom is that when people are under the influence of drugs, they lose their inhibitions and commit crimes, especially violent ones. These notions provide the basis of current policies that blame illegal substance abuse and trafficking – instead of other factors such as poverty – for the high crime rates prevailing in the United States. Through the media, senior U.S. officials routinely evoke them in order to rally support for, and justify the implementation of, the tough approach to drug control known as the “War on Drugs”.[58]. A very famous illustration is President George Bush’s keynote televised speech on September 5, 1989. The president, holding a bag of crack he claimed had been seized “in a park across the street from the White House” a few days earlier, declared that crack was “turning our cities into battle zones and murdering our children” and announced his strategy for achieving “victory over drugs”.[59]

But a study carried out with federal funding by Goldstein et al. in New York City – “America’s crack capital” – in 1988, when the “crack epidemic” received its most intense media coverage, has shown that both assumptions are exaggerations of a much more ambiguous reality. Indeed, according to this research on 414 homicides officially classified as “drug related” by the New York Police Department (NYPD), “psychopharmacological crack-related homicides” (homicides caused by the effects of drugs on the body) made up only 7.5% of the sample and most were caused by alcohol, crack being blamed in only 1.2 % of cases; “economic compulsion homicides” (homicides caused by the need to fund a habit) represented 2% of the sample, while the most numerous category of actually drug-related homicides was that of “illicit market system homicides” (homicides caused by the “exigencies of working or doing business in an illicit market”) with 39.1%. One additional striking result of the study was that 47.3% of what NYPD classified as “drug-related homicides” were, in fact, not “drug-related” at all[60]. Needless to say, the results of this study, which was funded by the National Institute of Justice (see below), are used by advocates of legalisation/harm-reduction as evidence that current U.S. drug policies are based on erroneous assumptions regarding the links between drug use and violence, and that, contrary to conventional wisdom, prohibitive policies, not drugs, are to blame for the largest proportion of drug-related violence because they generate a violent underground market.

The National Institute of Justice (NIJ) has been mentioned by several researchers interviewed during the field study as the largest source of funds for research on the relationship between drugs and crime. The NIJ is a research institution that was established within the Department of Justice in 1969 by the legislation voted in reaction to the counter-culture movement (see above). Today, the NIJ manages what it claims (rightly, as far as I know) to be the largest research program on drugs and crime in the world. This program is called the Arrestee Drug Abuse Monitoring Program (ADAM). It was established in 1997, replacing a earlier similar project called “Drug Use Forecasting” (DUF), which was launched in 1987. ADAM is a huge national effort aimed at collecting and analysing data on drug use among people arrested by county police forces throughout the United States[61]. Incidentally, and as an illustration of the influence of U.S. methods worldwide, government institutions in Australia, Chile, England, Scotland and South Africa have initiated programs modelled on ADAM and requested technical assistance from NIJ. The latter has developed an international component, I-ADAM, in order to produce comparative studies[62]. ADAM’s results, like DUF’s before them, show that drug use is far higher among arrestees than the general population, which establishes a strong connection between drugs and crime. In turn, this justifies the treatment of drugs as primarily a crime problem by the authorities. Drugs and crime are inextricably linked, officials have argued following the line of argument developed by Harry Anslinger starting in the 1930s. And indeed, if drug use is higher among offenders, it seems logical to deduct that drug use leads to the commission of crime.

Or is it? While readily admitting that a nation-wide data collection effort such as ADAM is positive, some researchers interviewed during my field work added that ADAM betrays the U.S. federal government ideological anti-drug bias and its willingness to associate drugs and crime for reasons that have nothing to do with scientific evidence. Indeed, independent researchers say that the causal relationship between drugs and crime is merely a hypothesis that has not been proven true. Two scholars from the Earl Warren Legal Institute of the University of California at Berkeley, Franklin Zimring and Gordon Hawkins, who have published a highly regarded study of drug control problems in 1995, even contend that it is untrue[63]. Indeed, they argue that while “it is beyond dispute that drug use and crime overlap and interact in a multiplicity of ways”,[64] the higher rate of drug use among offenders could be explained by factors in their personality, such as a higher propensity for taking risks and “a willingness to ignore the threat of moral condemnation”, that lead them to both commit crimes and take drugs. In this view, both drugs and crime are simultaneous but independent consequences of other variables; in simple terms: it is not drug use that causes crime but rather other factors that lead the vast majority of those who commit crime to also take drugs. Zimring and Hawkins add that if the propensity for taking risks and ignoring condemnation varies from one individual to another, the same goes for their social environment, which is also a source of explanations for higher crime rates and higher rates of drug use, 

“the same sort of covariation can be expected to occur in social settings. Conditions of social disorganization that invite high levels of predatory crime prove to be least resistant to the spread of illicit drugs.”[65]

“Set and Setting”: An Essential Concept in the American Debate

The concept of the social “set and setting” of drug use, or “the characteristics of the conditions of use, the social conditions that shape such situations and impinge upon the users, and the historically and culturally specific meanings and motives used to interpret drug effects”[66] is a product of American research, and it is a crucial notion in the American “drugs and crime” debate. The concept was first developed by Norman Zinberg, Professor of psychiatry at Harvard Medical School, in his 1984 book “Drug, Set, and Setting”[67], but it can be viewed as the latest finding of a tradition in American social science research on drugs inaugurated in the 1940s and 1950s by sociologists Alfred Lindesmith and Howard Becker. Zinberg concluded from a comparative analysis of American and British heroin addicts in the late 1960s that the differences he found between the two groups were “attributable to their different social settings”that is, to the differing social and legal attitudes toward heroin in the two countries[68]. Following in-depth interviews with heroin addicts in the 1940s, Lindesmith argued that there was a cognitive side to heroin addiction: users had first to feel withdrawal symptoms, recognise them as such, and decide to take more heroin to relieve them before they became addicted. Without this discovery, heroin use alone did not always lead to addiction, Lindesmith concluded[69]. Becker, in his famous chapter on “Becoming a Marijuana User” (first published in 1953) followed in the steps of Lindesmith, showing that in order to experience a marijuana “high”, new users had to be taught by experienced smokers how to smoke, how to recognise
initially ambiguous effects, and then how to interpret the latter as pleasurable. Becker concluded that social interaction between users is more important than the chemical interaction of cannabis with the body in order to account for the effects of marijuana on users. These concepts run contrary to an important assumption behind current U.S. (and other countries) drug policy: drugs are addictive in and of themselves regardless of the context in which they are used. Hence the charge by some present-day scholars that policy is “pharmacocentric” or pervaded by “pharmacological determinism”, because it claims that the problem lies with the substances, not the people and their environment.

Although originally the concept of "social setting" was invented to account for differences in the behaviour of two sets of drug abusers, Zimring and Hawkins (see above) and other scholars, have used it to explain higher rates of criminal activity, especially drug dealing, in some communities. This is another extremely important element of the drug and crime nexus (and of the American drug control debate in general), as well as a major cause of disagreement between researchers and policy-makers. Briefly put, social scientists argue that drugs are singled out as a convenient scapegoat on which to blame problems that have other causes. These causes are to be found in the wider social and economic environment of the communities where drug activities are rife. Present policies are misguided because they view drugs as the cause of social problems, when in fact they are a consequence of these problems. This is mostly the argument made by Richard Clayton in his study of commercial marijuana cultivation in Appalachian Kentucky. Clayton argues that the marijuana industry is one of the ways that the inhabitants of the mountainous areas of Kentucky have found to survive in the economic poverty that characterises their region: "chronic and crushing poverty have produced a pervasive sense of hopelessness about the future, an alienation and cynical attitude about the present, and a willingness to do whatever is necessary in order to get by". In another study of 28 mostly Black- and Latino-owned "drug businesses" in two inner-city communities of Milwaukee, Wisconsin, John Hagedorn argues along similar lines, "poor people in Milwaukee have responded to the loss of 'good jobs' by starting thousands of new, mainly off-the-books businesses. The most profitable business in this informal sector of our economy, unfortunately, is the business of drug selling".

According to Clayton and Hagedorn's studies, poverty and marginalisation due to racial, ethnic and/or cultural differences are to blame for the involvement with drugs of residents of rural and urban economically deprived areas of the United States. But probably the best research in this regard, and certainly one that was quoted as much by most of the researchers interviewed during the field study, is Philippe Bourgois's in-depth anthropological study of a group of Puerto Rican crack entrepreneurs in Spanish Harlem, an economically deprived area of New York City. Bourgois's penetrating analysis of "the complex relationship between ideological processes and material reality, and between culture and class" broadly confirms that poverty, racial and ethnic prejudice and the absence of good job opportunities are major factors for the spread of drug use and trafficking in American cities. But, rejecting such "action-reaction" structural types of explanation as those advanced by Clayton and Hagedorn, Bourgois analyses the mechanisms by which some of El Barrio's residents seek to lead a meaningful and fulfilling life by getting involved in the crack business. Bourgois destroys the popular image of a badly socialised and therefore unemployable "underclass" ignorant of the values of mainstream American society, by portraying Spanish Harlem's crack businesspeople as "the ultimate "rugged individualists" who are "frantically pursuing the American dream" through hard work in the "dynamic, (...) multibillion-dollar underground economy". The American anthropologist shows how illegal entrepreneurial provides the "dignity" that the mainstream economy denies them. Indeed, given their social and cultural background, all the formal economy has to offer to inner-city dwellers is what they perceive as "de-meaning exploitation" in low-level, poorly paid jobs, where their gheto ways are mocked and frowned upon. But a successful quest for "respect" in the crack business "requires a systematic and effective use of violence against one's colleagues, one's neighbors, and to a certain extent, oneself". In the drug economy of the inner city, a reputation of ruthlessness is necessary for the smooth and secure running of one's business because it wards off aggressive competitors and thieves and enforces the "contracts" entered into with employees and business partners. In this view, violence is not a mark of their irrationality but rather "judicious public relations, advertising, rapport building, and long-term investment in one's human capital". Their survival and success are dependent upon their capacity for terror. This could explain why "illicit market system homicides" was the most numerous category in the above-mentioned study of crack-related homicides in New York City by Goldstein et al. Bourgois also has developed a concept to account, at least partially, for the spread of crack abuse in inner-city ghettos starting in the mid-1980s an "conjugated oppression". He defines as "an ideological dynamic of ethnic discrimination that interacts explosively with an economic dynamic of class exploitation to produce an overwhelming experience of oppression that is more than the sum of the parts". All told, inner-city residents live in a "culture of terror" akin to that which was developed as "a tool for domination and a principal medium for political practice" by the military dictatorship in 1970s Argentina. The culture of terror affects even the residents who are not involved in criminal activity since it "poisons interpersonal relations throughout much of the community by legitimizing violence and mandating distrust". The tragic irony is that unlike Latin America, the inner-city culture of terror is not imposed by a repressive outside force but self-inflicted as a result of the pursuit of the American dream. Although Bourgois says that this is also a "culture of resistance" (...) defined by its stance against mainstream white, racist, and economically exclusive society, his conclusion is profoundly pessimistic: "the objective, structural desperation of a population without a viable economy and facing the barriers of systematic discrimination and marginalization gets channeled into self-destructive practices".

In his view, present-day American society generates a "self-regulating" class of social outcasts led by the illegal economy who are led to kill one another by their own culture (terror) and ideology ä the American dream.

The interest of Bourgois's work is that it lends another dimension to the American "drugs and crime nexus". It could be argued that what he describes is a very ruthless type of "social uselessness" of the drug trade, in that it subsidises the economy of deprived areas while substance abuse and self-centred violence keep the "dangerous classes" at bay. Indeed, if drugs were not there, would the "underclass" not direct its violence against the mainstream society and economy that reject them? Is the drugs and crime nexus a "modern" type of social management of the unemployed labour force resulting from the large-scale shifts in the American economy since the 1980s? These important questions will not be answered here, but it must be pointed out that for a proportion of the United States population, drugs seem to play the same role as in parts of Africa, Asia, Latin America and Europe – subsidising the economy.

Foreign Issues

Early Narco-Diplomacy

The federal government of the United States pioneered international drug control efforts at the start of the 20th century, and to this day drugs remain an important foreign policy concern, especially toward Latin America and in particular NAFTA partner Mexico. As a consequence, the relationship between U.S. foreign policy and drugs has been the object of much research by American social scientists, giving rise to a lively and diverse tradition that is briefly reviewed in the paragraphs below. The reason historically invoked by U.S. officials to justify their country's "narco-diplomacy" is the perceived need to stop drugs before they enter the United States. "Supply reduction", as this strategy has been termed in policy and research papers since the 1980s, can be viewed as a recent avatar of the much longer standing domestic use of law enforcement as the favoured tool of drug control. Likewise, those who used to advocate the "treatment" of addicts instead of their criminalisation, now talk of the need for "demand reduction" (admittedly, that includes prevention as well as treatment). Therefore, it appears that the concepts supporting the foreign drug policy of the U.S. government are a modernised version (and one that sounds more "scientific") of the old ingredients of the American debate mentioned earlier in this paper. The fact that these terms are now used throughout the international community is one more illustration of the influence the United States carries in the field of drugs.
As the earliest trace of a paper about drug policy published in an American journal that this writer has found is Raymond Buell’s 1925 critical assessment of the intransigence of American diplomats toward foreign counterparts during the conferences on opium at the League of Nations in Geneva in the 1920s[84]. Buell wrote that American representatives at one of the conferences, which aimed at establishing a form of international control on the opium trade, were asking for many important concessions, which their counterparts refused. As a result, the American delegation angrily left the negotiating table. True, Buell’s paper is better described as political commentary than as research, and Foreign Affairs, which published it, is more a forum for debating U.S. foreign policy options than a social science journal (although social scientists often write in it). Nevertheless, in retrospect Buell’s scolding of the attitude of American officials in a diplomatic meeting on the question of opium control can be viewed as an important landmark. One reason is that it is the first occurrence of what would become a permanent feature in U.S. research: criticising a federal government position because it makes things worse, not better.

In this instance, Buell describes American intransigence in Geneva as irrational given the international context at the time because instead of working for a compromise, which would have meant a step toward fulfilling its objectives, the U.S. delegation preferred to take a high moral stand and forfeit the furtherance of its goals. Buell describes this as a setback for international opium control efforts, which the United States itself had initiated some 15 years earlier at the Shanghai conference of 1909. A second and more specific reason why Buell’s article is important here is that it is also the first recorded trace of scholarly commentary on American “narco-diplomacy”, even if it was not yet so named at the time. Again, Buell’s harsh criticism seems in retrospect to be the start of a stream in American social science writing that is still very much vivid today, albeit more diversified.

Present Research: Summary Review

The vast majority of present research focuses on United States-Latin American relations and is mostly concerned with cocaine, while in the 1960s and 1970s it was Asia and heroin that preoccupied researchers and policy-makers. Broadly speaking, present-day scholars working on U.S. foreign policy all agree that it is flawed, but for different reasons. Three categories of research can be identified. The first and largest category is made up of what could be called the self-appointed “advisors” of the federal government. Probably the best-known representative of this category is Bruce Bagley, who is working in the field of International Relations[85]. From a variety of angles, these authors evaluate the policies implemented by Washington and criticise U.S. narco-diplomacy as ill-adapted to fulfil its officially stated objective of reducing the supply of drugs coming from Latin America into the United States. This is because the U.S. strategy itself is flawed and because other, more important, U.S. foreign-policy priorities, such as economic policy, are in contradiction with it[86]. In the late 1970s and early 1980s, most of the attention was focused on Mexico[87], while in the mid-1980s, with Reagan’s and Bush’s war on cocaine and the war against “communist subversion” in Central America, Andean countries came to the foreground[88]. With the advent of NAFTA in 1994, Mexico has attracted much interest in both political and research circles (see below)[89].

A second category of authors is concerned with the negative consequences of U.S. narco-diplomacy in Latin America, mainly its adverse impact on human rights and, with the U.S.-promoted militarisation of the “drug war” in Andean countries and Mexico, on democracy[90]. Perhaps the most consistent examples of such U.S. narco-diplomacy critics are to be found in the Washington Office on Latin America (WOLA)[91], while human rights violations resulting from U.S.-promoted drug enforcement tactics in foreign countries have also attracted negative comments from Human Rights organisations[92].

Finally, the third category is made up of authors who study the links between American federal agencies, especially the Central Intelligence Agency (CIA), and drug trafficking outside the United States[93]. Like their most famous representative, historian Alfred McCoy, these authors contend that recent American drug “epidemics” are due to CIA complicity with foreign drug producers and traffickers, and they denounce the war on drugs as a fraud.

MOST and the United States

One of the MOST network members, Mexican sociologist Luis Astorga, has written chapters in two forthcoming volumes, which, judging from their introductions that the editors kindly have made available, appear as important contributions in contemporary U.S. research on drugs. Astorga’s participation and the originality of the books amply justify that they be briefly commented upon here.

The first volume, “Organized Crime & Democratic Governability in Mexico and the U.S.-Mexican Borderlands", is edited by political scientists John Bailey and Roy Godson[94]. Its importance lies in the fact that, for the first time as far as this writer knows, leading American political scientists critically examine the links between government and organised crime, not only in Mexico but in the United States as well. Although the book restricts its focus to the impact of organised crime in the Mexican border area (as opposed to the United States as a whole), it is significant because it can be seen as reversing a long-standing trend in American discourse on the drugs issue. Indeed, judging from most past press and research reports, casual observers could have thought that the United States was immune from the “threat” of large-scale drug trafficking and money laundering organisations that their politicians and bureaucrats have denounced so vocally in Latin America, especially Mexico[95]. As Bailey and Godson understate in their introduction to the volume: “This is a point of some controversy, in that Mexican critics have long been skeptical that U.S.-based, Anglo-dominated criminal groups would allow such immensely profitable operations to be run by Mexicans”[96]. This is all we will say about this interesting forthcoming collective volume here, since its focus on one part of the world is perhaps too narrow to be of interest to all MOST members.

By contrast, the second collective volume, “Cocaine: Global Histories", edited by Paul Gootenberg, Professor of history at the State University New York (SUNY), has a global scope and raises issues that should attract the attention of all MOST researchers[97]. Alongside essays on the United States, Peru, Japan (and South East Asia), the Netherlands (and Java), Germany, the United Kingdom and Colombia, Astorga has written the chapter on Mexico. It must be noted that all the chapters are based on original archival research as the authors are convinced that “new stories lie hiding in archives around the world, that take us behind and beyond received narratives about cocaine”[98]. Astorga’s socio-historical studies of drug trafficking in Mexico are excellent illustrations of the usefulness of archives for new approaches to drug problems[99]. “Cocaine: Global Histories” studies how cocaine has passed from the status of medical miracle to that of dangerous enemy of most countries and the international community in about 100 years or, as Gootenberg puts it, “just how it is that drugs get redefined as socially menacing”. One of the book’s many interests is Gootenberg’s impressive historiography of scientific research into cocaine since the 1860s. Building from this legacy, but firmly rooted in the present (the “Age of Crack”), the book sets out to inaugurate a “third wave” of research into cocaine, the foundations of which Gootenberg defines in the introduction.

From the outset, the book announces its “skepticism about prohibition as sound drug policy and about the discourse and categories deployed and left by anti-drug crusaders, past and present”, which are thought of as “social-scientifically futile, actively misguided or morally tragic”. Dissatisfaction with U.S. drug policy has been a historical hallmark of drug research in America, as this paper has tried to show. However, Gootenberg stresses that his objective is not political advocacy, but methodological consistency by clearly identifying the object of the book, which is to study a “system – Prohibitions – so as to analyze its origins as a system and its systematic, if often unintended, consequences”. The book thereby takes on board present research concerns in the United States, while its authors rely on concepts that have emerged out of American social science, some of which have been mentioned in this paper. For instance, while explaining the “constructionist” epistemological approach of the book, Gootenberg calls forth the classic concept of “set and setting”, which comes from American sociology and psychiatry (see above), and shows its relevance for history, too: “History and national cultures, in an enlarged sense, are arguably social set and settings of the largest kind”. In this view, drugs are first and foremost social animals, which justifies the book’s constructionist approach since, contrary to claims by American (and most other) policymakers, “drugs are made, not born, and borne largely from cultural and political circumstances”, while “naturalized notions of ‘good’ and ‘bad’ drugs and narcotic ‘control’ (...) might well be about other things and cry out for critical insight”[100].

Finally, possibly the most important contribution of the book, and certainly one that will please MOST members, is the notion that drugs should now be a “central concern of historical research because they are ‘one field where the ongoing contest between structural and post-structural historical thinking might find some creative...”
common ground”. However, Gootenberg appears overly restrictive in limiting the usefulness of drug studies to opening new perspectives in history only. It is hard to see why the increasing relevance of cultural-studies and linguistic methodological approaches he evokes in support of the volume’s own approach should not also be useful in other spheres of social science in order to open much needed new fields of drug research, precisely because drug studies require “an appreciation of both the rational ‘interests’ and irrational ‘passions’ that met in their making, i.e. their realities and their representations, their settings and special powers”. Gootenberg’s well-crafted argumentation reveals the special research status of drugs, their uniqueness as a depository where both passion and reason meet and interact^{101} (“drugs are protein and relational things and cultural magnets for charged meanings”), and that research times are ripe for such subjects. This will be heartening to social scientists specialising in drug studies worldwide, who are too often viewed as “mavericks” by their peers.

Conclusion

This paper has attempted to present an overview of the problems raised by drugs in the United States by reviewing current issues and their historical sources. It has suggested that the United States is the largest producer of drug research in the world, while it is also the world’s only “drug-control superpower”. However, the simultaneous leadership in social science and world agenda-setting is not the result of a symbiotic relationship between American research and policy-making. On the contrary, it was found that historically U.S. policy has been largely immune from the influence of research, even government-funded research, while a vast proportion of American social science research on drugs has been focused primarily on policy, which has been viewed as a crucial element of America’s drug problem. While they have not been able to achieve their official objective of reducing drug abuse, current U.S. drug policy has resulted in the imprisonment of a large proportion of the American population, mostly poor members of ethnic and racial minorities. Researchers have found that the causal relationship between drugs and crime that serves as the basis and “rationale” for present policies has been vastly exaggerated. In addition, the stringent law-and-order approach adopted by the various levels of U.S. government has been found to be too costly in financial terms, while its enforcement has led to what appears to be widespread human rights abuse, and charges of racial and ethnic prejudice that historians say have been a permanent feature of American drug control since its origins in the late 19th century.

Other scholars (most notably those of the Drug Policy Research Center of the Rand Corporation), have argued that the drug phenomenon is not amenable to control by means of legislation. In this view, any drug control policy, whether based on prohibition or legalisation, is a futile effort. However, the same researchers have stressed that American policy-makers have been “negligent” in not properly assessing the consequences of the policies they have implemented.

Some scholars maintain that U.S. drug policy is “pharmaco-centric”, meaning that it wrongly assumes that the problem lies with the substances, not the people and their social, cultural, ideological and economic environment (“set and setting”). Thus, many social scientists say that policy has been geared toward suppressing the symptoms of deeper social problems in U.S. society rather than attacking the root causes, which explains the failure of government action. In their view, drugs have been singled out as a convenient scapegoat on which to blame and explain away some of the more disturbing problems experienced by American society. The mirror-image of this charge could be to say that American drug policy has been “asociological”, or even “anti-sociological” considering the general disregard it has shown for the social and economic conditions of the majority of those who are imprisoned under American drug laws. But yet another school of research suggests that this assertion is flawed by insisting that drug control policy is not aimed at controlling drugs but rather the “dangerous classes” that American mainstream society has historically associated them with. Bourgeois’s research has shed a different kind of light on the relationship between drugs, poverty and racial/ethnic exclusion in present-day America. By convincingly arguing that drugs have given rise to a “culture of terror” that could be viewed as an internalised and self-imposed mechanism of control, Bourgeois joins Peter Reuter and his colleagues in concluding that, even for the purpose of class control, harsh law enforcement is a futile exercise.

Clearly, given the number and diversity of objective and subjective factors at play, there are no easy answers to the drug problem. But if one conclusion can be reached at the end of this report, it is that the drug issue has given rise to a century-long conflict between politics and research. The history of drug control in America seems to prove true Gootenberg’s claim that drugs must be viewed as the locus of passion and reason. The fact that so far reason has failed to bring passion under “control” in the United States suggests that MOST’s objectives will not be easily achieved and highlights the need for more programs like it.

NOTES


[2] Report after a one-month field study the United States, April/May, 1999. Paris, July 1999. I wish to express my gratitude to the taxpayers and the federal government of the United States, in particular Ambassador Felix Rohatyn and the United States Information Agency (USIA) – Caroline Gorse-Combalt, Maureen Cormack and Michèle Plawner of the US Embassy in Paris, and Carol Grabauskas of USIA in Washington – for inviting me to take part in the International Visitor Program. My gratitude also goes to Meridian International Center in Washington, DC, especially Melissa Phillips and Kandel Coorman for the excellent organisation and management of my program, and their hard work beyond the call of duty. Thanks should also be extended to Ahmed Scofo, my escort officer. All the people whom I met during the trip deserve special thanks, but they are too numerous to be mentioned by name. Their patience, kindness and openness with comments and literature made tangible the diversity of the United States and testified to its democratic culture. I hope I have not wasted their time; they can be assured that they have not wasted mine. Last, but not least, I am grateful to the MOST Programme of UNESCO, particularly the project “Economic and Social Transformations connected with the International Drug Problem”, implemented in collaboration with UNDCP.


[4] Conventional wisdom about drugs is extremely pervasive; it may even contaminate scholarly work. For instance, Paul Johnson’s highly regarded *A History of the American People* (HarperPerennial, New York, 1999), a major historical study of more than 1000 pages, mentions “drugs” only once while discussing social mobility in the United States: “And all the time pop music was crowding in to envelop the various styles and traditions in the phantasmagoria of commercial music geared to the taste of countless millions of easily manipulated but increasingly affluent young people. And, from the world of jazz and pop, the drug habit spread to the masses as the
most accelerated form of downward mobility of all" (my emphasis). Although it cannot be denied that pop and jazz have provided, and continue to provide the musical environment for much drug taking in America (and elsewhere), and they may induce drug use by some young Americans, Johnson’s statement is, to say the least, reductive. In a broadly and morally-loaded generalisation of the links between drugs and modern musical forms associated with youth and Black Americans (both of which are widely perceived as “dangerous” groups by the rest of society, according to American sociologists), Johnson, a British historian, reproduces the conventional wisdom that all drug use is habit-forming and inevitably leads down the social scale, despite considerable scientific evidence to the contrary. Neither does Johnson seem to be familiar with the abundant literature on drugs in America produced by British and American historians (see Bibliography).


[6] Mill also opposed the use of law to keep individuals from doing harms to themselves, and it is probable that he would oppose present-day U.S. drug policy. Marc Moore quotes the following passage from Mill’s On Liberty (1859): “The only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others. His own good, either physical or moral, is not a sufficient warrant.”, in Moore, M.: “Drugs, the Criminal Law and the Administration of Justice”, in Bayer, R. & Oppenheimer, G.: Confronting Drug Policy: Illicit Drugs in a Free Society, Cambridge University Press, Cambridge and New York, 1993, p. 226.


[9] This paper is about social science research only; it does not cover the huge American literature from other fields such as pharmacology, chemistry, epidemiology, etc. Therefore, in this paper the word “research” means “social science research on drug trafficking and drug policy”.


[17] Writing in the 1960s, Thomas Schelling framed the legalisation debate in the following way: “the question is whether the goal of somewhat reducing the consumption of narcotics (...) or anything else that is forced by law into the black market, is or is not outweighed by the costs to society of creating a criminal industry”, in Schelling, T.: “Economic Analysis of Organized Crime”, in U.S. President’s Commission on Law Enforcement and the Administration of Justice: Task Force Report: Organized Crime, Government Printing Office, Washington, 1967.

[18] See Bibliography, section on “The Drug Policy Debate”.


[20] MOST network members may be interested to know that the New York library of the Lindesmith Center (a branch of the Open Society Institute of billionaire George Soros) is extremely well-furnished in books and articles on various aspects of drug trafficking and drug policy in the United States and beyond. Those interested in following the legalisation debate in the United States from a “legalisationist’s” viewpoint can check the Lindesmith Center internet Homepage at http://www.lindesmith.org, where several bibliographies are available; see Hallingby, L.: “The Two Lindesmith Center Libraries on Drug Policy Reform: The Traditional Library and the Virtual Library”, in Behavioral and Social Science Librarian, Vol. 17, No.1, 1998.

Reuter, op. cit., p. 263.

Bertram et al.: Drug War Politics, op. cit., p. 64.


Bertram et al., op. cit., pp. 87-93.


Ibid.

Ibid. Of course, here "crime" means unlawful acts – such as robbery, murder, rape, domestic violence, etc. – other than drug production, trafficking and use, which are crimes in and of themselves due to prohibition.


See the campaign launched by Amnesty International against various abuses, including sexual assault, homicide and torture by U.S. police and prison authorities.

The theoretical basis of the so-called ‘zero-tolerance’ policy implemented in New York is the ‘broken windows’ theory developed in the early 1980s by criminologists James Q. Wilson and George F. Kelling. Emphasizing the need for ‘community-oriented’ police work, which is a preventive strategy aimed at maintaining order by acting preemptively on the environment to discourage crimes before they happen (rather than trying to solve criminal cases after crimes have happened).
Wilson and Kelling have argued that if a broken window is left unfixed in an area, this area will soon witness further degradations leading to an atmosphere that will attract crime. The police should concentrate more time on seemingly ‘little things’ such as fixing a broken window, because they go a long way to make neighborhoods unattractive to criminals. See Wilson, J. and Kelling, G.: ‘Broken Windows: the police and neighborhood safety’, in The Atlantic Monthly, March 1982; Wilson, J.: ‘Thinking about crime: the debate over deterrence’ in ibid., September 1983; and Wilson, J. and Kelling, G.: ‘Making Neighborhoods Safe’, in ibid., February 1989.


[44] Ibid., p. 3.


[51] Ibid., p. 13.


[57] However, a volume edited by Michael Tonry and James Wilson, “Drugs and Crime”, must be mentioned here. It seems to be quite an important compilation of research results on the issue since the papers published in it have been quoted as reference in much recent literature: Wilson, J. & Tonry, M. (eds.): Drugs and Crime (Crime and Justice, Vol 13), University of Chicago Press, Evanston, 1991.


[59] Reinarman, C. & Levine, H.: “The Crack Attack: Politics and Media in the Crack Scare”, in Reinarman, C. & Levine, H. (eds.): Crack in America, Demon Drugs and Social Justice, University of California Press, Berkeley, Los Angeles and London, 1997, pp. 22-23. The authors note that the press later discovered that, in fact, the crack bag in President Bush’s hand had not been “seized” but bought for $2,400 from an African-American teenager by undercover DEA agents. Moreover, the agents had work hard at enticing the teenager to carry out the sale in the park mentioned by the president, and they did not arrest him...


[61] ADAM collects data in county jails only, meaning that no data is collected in state, federal and city jurisdictions; see the latest annual report: National Institute of Justice: 1998 Annual Report on Drug Use Among Adult and Juvenile Arrestees, Research Report, Arrestee Drug Abuse Monitoring Program (ADAM), Department of Justice, Washington, April 1999.


John Bailey kindly granted me permission to comment on a draft of his and Roy Godson’s introduction.


All quotations are from a draft of Paul Gootenberg’s introduction to the volume, which he kindly permitted me to comment on in this report.

Astorga, L.: Mitología del “narcotraficante” en México, Plaza y Valdés, Mexico City, 1995; El siglo de las drogas, Espasa Hoy, Mexico City, 1996; Drug Trafficking in Mexico: A First General Assessment, MOST discussion Paper No. 36

For a more detailed discussion of this problem, see “Más allá del bien y del mal”, chapter 1 in Astorga: Mitología, op. cit., pp. 15-22.

Incidentally, Gootenberg touches here on a problem that was raised during the MOST conference in Rio. Network members might recall a debate between Guillem Fabre and the present writer on that occasion: while Guillem argued that drugs should be studied as are any other (legal or illegal) commodities, I argued that drugs were unlike any other substances due to their historical links to religion and war (see Proceedings of the II Annual Conference, p. 6). Gootenberg solves the problem by stating that the interest of drugs is, precisely, that their study requires both the "normalized” economic approach called for by Guillem, and the “special” social approach I favoured.
People who inject drugs are at higher risk of getting the liver infection hepatitis C. Hepatitis C makes it harder to treat HIV. Alcohol abuse and other drugs can cause HIV to multiply more quickly in your body, increasing your viral load. Alcohol also can worsen the side effects that HIV medications already have on your liver. How to Protect Yourself. The first and most important step is to get help for drug or alcohol abuse. Talk to your medical team and ask for a referral to a treatment program. Here are some other things you can do