

War on Drugs Lecture

1) **China**

We associated opium with dangerous Chinese immigrants in 19th C

Chinese associated opium with barbarian Westerners in 19th C

Chinese story = interesting counterpoint to cocaine & Colombia

E. India Co = Medellin Cartel, with Westerners as drug dealers

British MPs (& Queen Victoria) = Pablo Escobar

Opium trafficking solved British balance of payments problem (how to pay the Chinese in something other than silver for the tea the British were massively importing from China).

BUT China lost 90% silver reserves 1793-1820

(while Colombia gained \$\$\$ from cocaine trade in 80s & 90s)

& opium trade caused huge problems for Chinese state:

(1) addiction – 1% population, but 90% in coastal areas

(2) corruption

(3) Losing practical control of coastal ports

they lost Hong Kong here

(Hence death sentence for teaching Chinese to foreigners)

Opium wars (1840 1st of series) drove home state's weakness in defending its territory

Again, we see how drug trade can compromise integrity of state, its territorial control

& it excites draconian, repressive measures: executions in China

& in US....

2) David **Musto** (**Yale**)

Assigned for historical perspective

We tend to freeze current judgments about licit & illicit drugs

His piece makes clear that opium, cocaine & marijuana have been treated more tolerantly in past

That there's rhythm to American drug laws

That there are intermittent *moral panics* often tied to ethnic fears & fear about borders (cf. McCarthyism)

That Prohibition of alcohol in 20s is not stand-alone story but part of wider story involving opium, cocaine, marijuana

Interestingly, at that time sales of opium & cocaine allowed (albeit restricted), but not alcohol

3) Let's look at regulatory history

19th C marijuana unknown, but cocaine & opium popular

syringe = breakthrough of late 19th C

You heard before about Freud & Conan-Doyle on cocaine

Coleridge (Kubla Khan) used opium

De Quincy (Confessions of an English Opium Eater)

no regulation

1906 Pure Food & Drug Act – mandated labeling of cocaine & opiates

1912 Hague Opium Convention (signed by 12 countries)

1914 Harrison Act (mandated by Hague), limited narcotics to medicine

Musto presents this as beginning of state control of recreational drugs. It was also beginning of state regulation of pharmaceutical industry.

1919 Supreme court rules doctors can't maintain addiction of patients – that's illicit, non-medical use of cocaine & opiates

drawing line between medicine & recreation

Doctors now prosecuted for prescribing to addicts

1920s opium & cocaine use largely die out (coincident with Prohibition)

interesting to ask why

1920s Mexicans bring marijuana to US

marijuana used by humans for at least 5,000 years

also used in 19th C to treat insomnia, pain, coughs, headaches

had been grown for hemp since 18th C – grown by George Washington!

Mexicans introduced psychoactive use

Spread to blacks & avant-garde musicians

Reefer Madness movie as response

William Randolph Hearst campaigned against marijuana

Interest as timber owner in stamping out rival source of paper

1937 Marihuana Tax Act: had to have transfer tax to sell marijuana– never granted

1960s saw resurgence of marijuana & heroin

(partly coming from SE Asia via veterans– connection of drugs & war = interesting topic)

Faced with mass disobedience to law...

1970 Drug Abuse Prevention & Control Act separated marijuana from narcotics & reduced penalties

1972 Presidential Commission on Marihuana recommended legalization

infuriated Nixon

11 states decriminalized marijuana in 70s

1980s tide turned back to punishment & proscription

Reagan had first Drug Czar

1986 Drug Abuse Act: mandatory minimums established

Some other countries kept moving to decriminalization

Netherlands – soft v hard drugs (cf. 1970 legislation)

UK under Blair decriminalized marijuana

Switzerland: “harm reduction”

British Columbia has decriminalized marijuana

Canada set to follow suit, but new conservative prime minister derailing full decriminalization

US approach based on war metaphor and state prosecution

Marijuana as Schedule 1 drug

You read in *Schlosser* about legal penalties – worse than murder or child molestation,

Penalties vary by state (fair??), but trouble if Feds involved

Also: asset forfeiture (without right of appeal)

Lose driving license (even if not driving the car where marijuana found)

Lose college aid

Lose public housing access

Drug tests in workplace & for after school activities

Thermal imaging allowed by courts

Courts generous with warrants

Madatory minimums have transferred power from judges → DAs

Highest penalties for those with least info (therefore least plea bargaining power)

In meantime, growers more sophisticated

80s border controls → more domestic growing

sophisticated breeding techniques to increase THC

indoor hydroponics

remote growing (with nutrients on timers) so not caught

story of technology interesting

Some pushback:

Medical marijuana approved in several states in recent years
(but Supreme Court overruled these initiatives, saying
Federal government has sole control over safety
determinations and medical use determinations for drugs)

Some from right advocate legalization: Milton Friedman,
George Shultz, Gary Johnson