

An Open Letter to Bill Bennett

By Milton Friedman

Milton Friedman was Senior Research Fellow at the Hoover Institution at Stanford University and Professor Emeritus of Economics at the University of Chicago. He was awarded the Nobel Prize in economics in 1976.

Dear Bill:

In Oliver Cromwell's eloquent words, "I beseech you, in the bowels of Christ, think it possible you may be mistaken" about the course you and President Bush urge us to adopt to fight drugs. The path you propose of more police, more jails, use of the military in foreign countries, harsh penalties for drug users, and a whole panoply of repressive measures can only make a bad situation worse. The drug war cannot be won by those tactics without undermining the human liberty and individual freedom that you and I cherish.

You are not mistaken in believing that drugs are a scourge that is devastating our society. You are not mistaken in believing that drugs are tearing asunder our social fabric, ruining the lives of many young people, and imposing heavy costs on some of the most disadvantaged among us. You are not mistaken in believing that the majority of the public share your concerns. In short, you are not mistaken in the end you seek to achieve.

Your mistake is failing to recognize that the very measures you favor are a major source of the evils you deplore. Of course the problem is demand, but it is not only demand, it is demand that must operate through repressed and illegal channels. Illegality creates obscene profits that finance the murderous tactics of the drug lords; illegality leads to the corruption of law enforcement officials; illegality monopolizes the efforts of honest law forces so that they are starved for resources to fight the simpler crimes of robbery, theft and assault.

Drugs are a tragedy for addicts. But criminalizing their use converts that tragedy into a disaster for society, for users and non-users alike. Our experience with the prohibition of drugs is a replay of our experience with the prohibition of alcoholic beverages.

I append excerpts from a column that I wrote in 1972 on "Prohibition and Drugs." The major problem then was heroin from Marseilles: today it is cocaine from Latin America. Today, also, the problem is far more serious than it was 17 years ago: more addicts, more innocent victims; more drug pushers, more law enforcement officials; more money spent to enforce prohibition, more money spent to circumvent prohibition.

Had drugs been decriminalized 17 years ago, "crack" would never have been invented (it was invented because the high cost of illegal drugs made it profitable to provide a cheaper version) and there would today be far fewer addicts. The lives of thousands, perhaps hundreds of thousands of innocent victims would have been saved, and not only in the U.S.

The ghettos of our major cities would not be drug-and-crime-infested no-man's lands. Fewer people would be in jails, and fewer jails would have been built.

Colombia, Bolivia and Peru would not be suffering from narco-terror, and we would not be distorting our foreign policy because of narco-terror. Hell would not, in the words with which Billy Sunday welcomed Prohibition, "be forever for rent," but it would be a lot emptier.

Decriminalizing drugs is even more urgent now than in 1972, but we must recognize that the harm done in the interim cannot be wiped out, certainly not immediately. Postponing decriminalization will only make matters worse, and make the problem appear even more intractable.

Alcohol and tobacco cause many deaths in users than do drugs. Decriminalizing them would not prevent us from treating drugs as we now treat alcohol and tobacco: prohibiting sales of drugs to minors, outlawing the advertising of drugs and similar measures. Such measures could be enforced, while outright prohibition cannot be. Moreover, if even a small fraction of the money we now spend on trying to enforce drug prohibition were devoted to treatment and rehabilitation, in an atmosphere of compassion not punishment, the reduction in drug usage and in the harm done to the users could be dramatic.

This plea comes from the bottom of my heart. Every friend of freedom, and I know you are one, must be as revolted as I am by the prospect of turning the United States into an armed camp, by the vision of jails filled with casual drug users and of an army of enforcers empowered to invade the liberty of citizens on slight evidence. A country in which shooting down unidentified planes "on suspicion" can be seriously considered as a drug-war tactic is not the kind of United States that either you or I want to hand on to future generations.

Milton Friedman
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Flashback

This is a truncated version of a column by Mr. Friedman in Newsweek's May 1, 1972, issue, as President Nixon was undertaking an earlier "drug war."

"The reign of tears is over. The slums will soon be only a memory. We will turn our prisons into factories and our jails into storehouses and corncribs. Men will walk upright now, women will smile, and the children will laugh. Hell will be forever for rent."

That is how Billy Sunday, the noted evangelist and leading crusader against Demon Rum, greeted the onset of Prohibition in early 1920.

We know now how tragically his hopes were doomed.

Prohibition is an attempted cure that makes matters worse—for both the addict and the rest of us.

Consider first the addict. Legalizing drugs might increase the number of addicts, but it is not clear that it would. Forbidden fruit is attractive, particularly to the young. More important, many drug addicts are deliberately made by pushers, who give likely prospects that first few doses free. It pays the pusher to do so because, once hooked, the addict is a captive customer. If drugs were legally available, any possible profit from such inhumane activity would disappear, since the addict could buy from the cheapest source.

Whatever happens to the number of addicts, the individual addict would clearly be far better off if drugs were legal. Addicts are driven to associate with criminals to get the drugs, become criminals themselves to finance the habit, and risk constant danger of death and disease.

Consider next the rest of us. The harm to us from the addiction of others arises almost wholly from the fact that drugs are illegal. It is estimated that addicts commit one third to one half of all street crime in the U.S.

Legalize drugs, and Street crime would drop dramatically.

Moreover, addicts and pushers are not the only ones corrupted. Immense sums are at stake. It is inevitable that some relatively low-paid police and other government officials—and some high-paid ones as well—will succumb to the temptation to pick up easy money.

Legalizing drugs would simultaneously reduce the amount of crime and raise the quality of law enforcement. Can you conceive of any other measure that would accomplish so much to promote law and order?

In drugs, as in other areas, persuasion and example are likely to be far more effective than the use of force to shape others in our image.

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A Response to Milton Friedman

By William J. Bennett

*William J. Bennett was Research Fellow at the American Enterprise Institute.
He has served as Director of the Office of National Drug Control Policy and as U.S. Secretary of
Education.*

Dear Milton:

There was little, if anything, new in your open letter to me calling for the legalization of drugs (*The Wall Street Journal*, Sept. 7). As the excerpt from your 1972 article made clear, the legalization argument is an old and familiar one, which has recently been revived by a small number of journalists and academics who insist that the only solution to the drug problem is no solution at all. What surprises me is that you would continue to advocate so unrealistic a proposal without pausing to consider seriously its consequences.

If the argument for drug legalization has one virtue it is its sheer simplicity. Eliminate laws against drugs, and street crime will disappear. Take the profit out of the black market through decriminalization and regulation, and poor neighborhoods will no longer be victimized by drug dealers. Cut back on drug enforcement, and use the money to wage a public health campaign against drugs, as we do with tobacco and alcohol

Counting Costs

The basic premise of all these propositions is that using our nation's laws to fight drugs is too costly. To be sure, our attempts to reduce drug use do carry with them enormous costs. But the question that must be asked—and which is totally ignored by the legalization advocates—is what are the costs of not enforcing laws against drugs?

In my judgment, and in the judgment of virtually every serious scholar in this field, the potential costs of legalizing drugs would be so large as to make it a public policy disaster.

Of course, no one, including you, can say with certainty what would happen in the U.S. if drugs were suddenly to become a readily purchased product. We do know, however, that wherever drugs have been cheaper and more easily obtained, drug use—and addiction—has skyrocketed. In opium and cocaine-producing countries, addiction is rampant among the peasants involved in drug production.

Professor James Q. Wilson tells us that during the years in which heroin could be legally prescribed by doctors in Britain, the number of addicts increased forty-fold. And after the repeal of Prohibition—an analogy favored but misunderstood by legalization advocates—consumption of alcohol soared by 350%.

Could we afford such dramatic increases in drug use? I doubt it. Already the toll of drug use on American society—measured in lost productivity, in rising health insurance costs, in hospitals flooded with drug overdose emergencies, in drug-caused accidents, and in premature death—is surely more than we would like to bear.

You seem to believe that by spending just a little more money on treatment and rehabilitation, the costs of increased addiction can be avoided. That hope betrays a basic misunderstanding of the problems facing drug treatment. Most addicts don't suddenly decide to get help. They remain addicts either because treatment isn't available or because they don't seek it out. The National Drug Control Strategy announced by President Bush on Sept. 5 goes a long way in making sure that more treatment slots are available. But the simple

fact remains that many drug users won't enter treatment until they are forced to— often by the very criminal justice system you think is the source of the problem.

As for the connection between drugs and crime, your unswerving commitment to a legalization solution prevents you from appreciating the complexity of the drug market. Contrary to your claim, most addicts do not turn to crime to support their habit. Research shows that many of them were involved in criminal activity before they turned to drugs. Many former addicts who have received treatment continue to commit crimes during their recovery. And even if drugs were legal. What evidence do you have that the habitual drug user wouldn't continue to rob and steal to get money for clothes, food or shelter? Drug addicts always want more drugs than they can afford, and no legalization scheme has yet come up with a way of satisfying that appetite.

The National Drug Control Strategy emphasizes the importance of reclaiming the streets and neighborhoods where drugs have wrought havoc because, I admit, the price of having drug laws is having criminals who will try to subvert them. Your proposal might conceivably reduce the amount of gang- and dealer-related crime, but it is fanciful to suggest that it would make crime vanish. Unless you are willing to distribute drugs freely and widely, there will always be a black market to undercut the regulated one. And as for the potential addicts, for the school children and for the pregnant mothers, all of whom would find drugs more accessible and legally condoned, your proposal would offer nothing at all.

So I advocate a larger criminal justice system to take drug users off the streets and deter new users from becoming more deeply involved in so hazardous an activity. You suggest that such policies would turn the country 'into an armed camp.' Try telling that to the public housing tenants who enthusiastically support plans to enhance security in their buildings, or to the residents who applaud police when a local crack house is razed. They recognize that drug use is a threat to the individual liberty and domestic tranquility guaranteed by the Constitution.

I remain an ardent defender our nation's laws against illegal drug use and our attempts to enforce them because I believe drug use is wrong. A true friend of freedom understands that government has a responsibility to craft and uphold laws that help educate citizens about right and wrong. That, at any rate, was the Founders' view of our system of government.

Liberal Ridicule

Today this view is much ridiculed by liberal elites and entirely neglected by you. So while I cannot doubt the sincerity of your opinion legalization, I find it difficult to respect. The moral cost of legalizing drugs is great, but it is a cost that apparently lies outside the narrow scope of libertarian policy prescriptions.

I do not have a simple solution to the drug problem. I doubt that one exists. But I am committed to fighting the problem on several fronts through imaginative policies and hard work over a long period of time. As in the past, some of these efforts will work and some won't. Your response, however, is to surrender and see what happened. To my mind that is irresponsible and reckless public policy. At a time when national intolerance for drug use is

rapidly increasing, the legalization argument is a political anachronism. Its recent resurgence is, I trust, only a temporary distraction from the genuine debate on national drug policy.

William J. Bennett

Director

Office of National Drug Control Policy

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Sources: *The Wall Street Journal*, September 7, 1989, p. A14, and September 19, 1989, p. A30.