

FOREWORD

It would be difficult to find a better example of a failed government program than the war on drugs. Not only has the drug war failed to stem the use of illicit drugs in American society; it has also allowed the federal government to gain vast power over the American people, at the expense of individual liberty. Moreover, in an era in which out-of-control federal spending and debt are of paramount concern to American taxpayers, U.S. officials continue to spend more than \$40 billion a year to wage the drug war.

Just as the prohibition of alcohol during the 1920s led to the illegal production of booze and widespread violence at the hands of illegal alcohol producers, so it has been with the prohibition of drugs, which has led to drug cartels, gang warfare, murders, robberies, muggings, and official corruption. The entire 40-year history of the war on drugs is a testament to Santayana's famous dictum, "Those who cannot remember the past are condemned to repeat it."

In the pages of this book, Laurence Vance sets forth a persuasive case for ending the drug war on practical grounds. As most everyone acknowledges, this federal program just hasn't worked, and it's extremely destructive. Vance doesn't mince words:

The federal war on drugs is undefendable. Not only has it failed to curtail drug use, it has eroded civil liberties, destroyed financial privacy, corrupted law enforcement, crowded prisons with non-violent offenders, ruined countless lives, and wasted hundreds of billions of taxpayer dollars.

The utilitarian case that Vance sets forth for ending the drug war, however, is not what sets this book apart. The power of this book is the moral case that Vance makes for totally legalizing drugs—all drugs.

Under what moral authority does government punish people for ingesting substances that the authorities consider harmful? How can such a power—the power to fine, incarcerate, and imprison a person for ingesting a harmful substance—be reconciled with the fundamental principles of individual liberty?

Freedom entails the right to engage in any behavior whatsoever, so long as it is peaceful. As long as a person isn't trespassing on the rights of others through violence or fraud, the principles of freedom entitle him to make whatever choices he wants in life, no matter how irresponsible, dangerous, or unhealthy they might be.

A society in which the government punishes people for actions considered self-destructive, irresponsible, or unhealthy cannot truly be considered a free society. It's not a coincidence that laws criminalizing the possession, use, or distribution of drugs are an integral part of such totalitarian regimes as those in Cuba, North Korea, China, and Myanmar.

Here is how Vance compares societies that are free with those that are not:

In a free society the individual makes his own decisions about his health and lifestyle; in an authoritarian society the state thinks it knows best how to make those decisions. In a free society the individual is free to make bad decisions; in an authoritarian society the state thinks it knows best what decisions people should make....

Philosophically, it is not the purpose of government to be a nanny state that monitors the behavior of its citizens. It is simply not the purpose of government to protect people from bad habits or harmful substances or punish people for risky behavior or vice. Drug prohibition is impossible to reconcile with a limited government.

One of the most fascinating parts of this book is chapter 16: “Should Christians Support the War on Drugs?” Because illicit drugs are considered bad, all too many Christians automatically conclude that the prohibition of such drugs should be rendered unto Caesar. Not so, argues Vance. There are some sins—specifically the ones entailing non-violent behavior—that do not legitimately fall within the realm of government control. Adultery, blasphemy, and covetousness come to mind. In fact, that the drug war has proven to be such a fiasco is persuasive evidence that God has created a consistent universe, one in which evil means beget bad consequences.

Vance also reminds us of the hypocrisy of drug prohibition. Alcohol and tobacco are much more destructive than, say, marijuana. Yet liquor and cigarettes are legal while marijuana is not. Why the difference?

Unlike many other opponents of the drug war, however, Vance doesn’t limit his case to calling for the legalization of marijuana. He makes the principled case for the legalization of all drugs, arguing that the illegality of any drug not only produces destructive consequences but, more important, constitutes a grave violation of people’s freedom to live their lives the way they choose.

What about the Constitution? Does it play a role here? Vance reminds us that the Constitution established a federal government of limited, enumerated powers. Is the power to punish people for ingesting harmful substances among those enumerated powers? It is not, which is why Americans had to seek a constitutional amendment to criminalize the possession and distribution of alcohol, an amendment that was later repealed owing to the horrible consequences of Prohibition.

Many of the articles in this book were originally published by The Future of Freedom Foundation, where I serve as president. Ever since our founding in 1989, we have taken a firm, uncompromising stance against the war on drugs. We have always held that the drug war has brought nothing but death, destruction, robberies, muggings, assassinations, corruption, drug gangs, domestic warfare, overcrowded prisons, wasted

money, and ruined lives. More important, it has been one of the greatest governmental assaults on liberty and privacy in our nation's history.

We were pleased to have published Laurence Vance's powerful essays on the drug war when he originally submitted them to us, and we are just as pleased that they now form part of this powerful book, a book that should be read by every American who is concerned about the principles of morality, freedom, free markets, the Constitution, and limited government.

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