

INTRODUCTION

This is not a book about the benefits of drugs; this is a book about the benefits of freedom. I neither use illegal drugs nor recommend their use to anyone else. I am even skeptical about the health benefits of most legal drugs.

So why this book? Because I believe in freedom. I believe in individual liberty, private property, personal responsibility, a free market, a free society, and a government as absolutely limited as possible. I also believe that my perspective on this subject is unique.

The nineteen essays in this book were all written between October 2009 and July 2012. One was published in the journal *Freedom Daily*, another in the magazine *The New American*, one appeared online as a *Mises Daily* article, another was a column at LewRockwell.com, and the rest were first written as *Future of Freedom Foundation Commentaries*. Each essay is reprinted verbatim. The source and date of each essay is indicated below its title. Because the essays are arranged only in chronological order, each one can be read independently of the others. All the essays that originally appeared online had links to document my quotations and sources. These can easily be accessed online should the reader be interested. I would like to again thank the editors of the various publications who first published these essays.

The book's first essay, "The Drugs of John Gray" (the allusion to the title of the novel *The Picture of Dorian Gray* is intentional), although acknowledging that the philosopher John Gray makes a strong case for drug legalization, argues that his "unanswerable" argument is weak because it is not based on the

freedom to take drugs for freedom's sake.

In "The Moral Case for Drug Freedom," I argue that it is neither the job of government nor the business of any individual to prohibit, regulate, restrict, or otherwise control what a man desires to eat, drink, smoke, inject, absorb, snort, sniff, inhale, swallow, or otherwise ingest into his body. And that there is no ethical precept in any religion or moral code that should lead anyone to believe that it is the job of government to do these things. I do not argue for the benefits of drugs, only for the benefits of freedom. A version of "The Moral Case for Drug Freedom" was first presented at the 2010 Austrian Scholars Conference at the Mises Institute in Auburn, Alabama.

"The Case against Medical Marijuana" is actually the case against demonizing a plant and for the legalization of all drugs on an equal basis. It was originally written after Proposition 19, the Regulate, Control & Tax Cannabis Act, was rejected by California voters in November of 2010.

The book's fourth essay asks the question: "Why Don't Conservatives Oppose the War on Drugs?" Here I point out that the reason conservatives should oppose the war on drugs is a simple one that has nothing to do with the failures and evils of the drug war. Drug prohibition by the federal government is simply unconstitutional. In fact, nowhere does the Constitution authorize the federal government to ban any substance. Conservatives who claim to revere the Constitution should be ardently opposed to the drug war on the federal level just as much as libertarians.

In "Drug-Warrior Hypocrisy," I maintain that the paternalism of statist is at its worse when it comes to the war on drugs. Drug warriors are hypocrites because every bad thing that could be said regarding drug abuse could also be said of alcohol abuse—and even more so. Yet, in spite of the negative effects of alcohol on morals and health, few Americans would like to return to the days of Prohibition.

In "The Drug War Is Expanding," I tackle the issue of the use of bath salts as a hallucinogen. It is no more the job of government to address this recent phenomenon than it is for the

government to have anything to do with pot smoking or cocaine snorting. Once government is elevated to such a level that it is allowed to determine what people can and can't ingest, or regulate the circumstances under which something can be lawfully ingested, there is no stopping its reach.

"Baseball, Steroids, and a Free Society" was written after Barry Bonds was found guilty of obstructing justice in an April 2011 trial for his 2007 indictment. Here I argue that in a free society Major League Baseball would make its own drug policy and the government would not be involved in any way.

In "U.S. Attorneys Crack Down on the Tenth Amendment," I explain how the federal government, in cracking down on providers and users of medical marijuana in the states where it has been legalized, is actually cracking down on the Tenth Amendment. The crackdown on marijuana by U.S. attorneys is an attack on the Constitution, the Founding Fathers, the principle of federalism, and the very nature of our republic. Congress has been granted no power to ban, regulate, or otherwise interfere with the production, sale, distribution, possession, or use of marijuana for the simple reason that it has no authority over any drug.

In "Why Is the U.S. Fighting Mexico's Drug War?," I examine Mexico's war on drugs and how the United States is intimately involved in it. I conclude that the United States should not only stop funding and participating in the Mexican drug war, but likewise end the futile and destructive war on drugs in America.

"The 40-Year War on Freedom" is the account of how President Nixon declared a war on drugs in 1971. I also argue in this essay that the war on drugs is incompatible with a free society because once the government claims control over what a man smokes, snorts, sniffs, inhales, or otherwise ingests into his body, there is no limit to its power.

In "The War on Drugs Is Senseless," I discuss the new cigarette warning labels and conclude that *if* the government is going to make a harmful substance illegal, then it seems logical that that substance should be tobacco. The number of annual

deaths caused by all drugs—legal and illegal—pales in comparison with deaths caused by tobacco.

In “The Other Unconstitutional War,” I focus on the unconstitutionality of the drug war, but also point out many of its evils. The war on drugs has increased the size and scope of government. The war on drugs has served as a pretext for a war on individual liberty and private property. The war on drugs entails Soviet-style central planning by the federal government. No American who has any respect for the Constitution, federalism, and the limited government established by the Founders should endorse, support, or defend the federal war on drugs, regardless of his political persuasion, religion, or moral code.

“Drug Testing for Welfare Benefits” explores the absurdity of the whole idea. In a libertarian, that is, a free society based on voluntary cooperation and contracts instead of government coercion and regulations, both drug-prohibition laws and welfare benefits would be illegitimate.

In “Drug-Sentencing Disparities,” I explain how sentencing for drug crimes is extremely arbitrary in nature. The solution to the madness that is drug sentencing laws is not to reduce some sentences and increase others in order to eliminate disparity and racism, but to eliminate any sentences for possessing or selling a substance the government doesn’t approve of. It is a national disgrace that the United States leads the world in the incarceration rate and in the total prison population.

In “Three Views on the Drug War,” I contrast the libertarian and prohibitionist views on the drug war, and the confusing mass of inconsistency, hypocrisy, and nonsense that lies between them. Individual liberty and personal freedom are the farthest things from the minds of partial prohibitionists who want the drug war to be altered in some way but not eliminated.

In “Should Christians Support the War on Drugs?,” I ask and then answer the question in the negative. Christians shouldn’t support the government’s war on drugs any more than they should support the government’s wars on poverty, obesity, dietary fat, cholesterol, cancer, and tobacco. Christians are making a grave mistake by looking to the state to legislate

morality. Although drug abuse is a great evil, the war on drugs is an even greater evil. It is simply not biblical to promote legislation or crusades to punish sin that does not aggress against person or property.

In “The Drug War: Cui Bono?,” I point out that some groups of people support the drug war because they have something to gain from it. I discuss how the drug war benefits drug dealers, alcohol distributors, the prison industry, law enforcement, and the federal Drug Enforcement Administration. I also mention physicians and the pharmaceutical industry, state and federal prosecutors, judges and lawyers, the CIA and the FBI, the drug-testing and addiction-recovery industries, and any group receiving federal funds for anti-drug campaigns.

In “Twelve Victims of the Drug War,” I delineate twelve victims of the Drug War that are rarely considered: the Constitution, the English language, the American taxpayer, common sense, people who conduct business with cash, people with allergies, crime, law-abiding Americans, law enforcement, people who suffer with genuine pain, doctors who prescribe pain medicine, and individual liberty.

The last essay in the book, “Why the War on Drugs Should Be Ended,” is a no-holds-barred defense of absolute drug freedom. There are many reasons for ending the drug war, and I even list twenty-six of them, but the drug war should not be ended simply for logical, pragmatic, and utilitarian reasons. I conclude that the war on drugs should be ended because it is a war on the free market, a free society, and freedom itself.

As long as there is a war on drugs, the essays in this book will remain timely. Yes, there is some repetition throughout the book. But this is because the evils of the drug war never change and because the hypocrisy of drug warriors is unrelenting. And in the end, it always comes down to the issue of property and freedom versus badges and guns

For further reading, I recommend the following books, but not necessarily everything in them that doesn't relate to the war on freedom known as the war on drugs:

- Block, Walter. *Defending the Undefendable*. San Francisco: Fox & Wilkes, 1991.
- Duke, Steven B., and Albert C. Gross. *America's Longest War: Rethinking Our Tragic Crusade Against Drugs*. New York: Jeremy P. Tarcher/Putnam, 1993.
- Fish, Jefferson M., ed. *How to Legalize Drugs*. Northvale: Jason Aronson, 1998.
- Fox, Steve, Paul Armentano, and Mason Tvert. *Marijuana is Safer: So Why Are We Driving People to Drink?* White River Junction: Chelsea Green Publishing Co., 2009.
- Harsanyi, David. *Nanny State: How Food Fascists, Teetotaling Do-Gooders, Priggish Moralists, and Other Boneheaded Bureaucrats Are Turning America into a Nation of Children*. New York: Broadway Books, 2007.
- Healy, Gene, ed. *Go Directly to Jail: The Criminalization of Almost Everything*. Washington DC: Cato Institute, 2004.
- Huebert, Jacob H. *Libertarianism Today*. Santa Barbara: Praeger, 2010.
- McWilliams, Peter. *Ain't Nobody's Business If You Do: The Absurdity of Consensual Crimes in a Free Society*. Los Angeles: Prelude Press, 1993.
- Miller, Joel. *Bad Trip: How the War on Drugs is Destroying America*. Nashville: WND Books, 2004.
- Napolitano, Andrew P. *It Is Dangerous to Be Right When the Government Is Wrong: The Case for Personal Freedom*. Nashville: Thomas Nelson, 2011.
- Okrent, Daniel. *Last Call: The Rise and Fall of Prohibition*. New York: Scribner, 2010.
- Silverglate, Harvey A. *Three Felonies a Day: How the Feds Target the Innocent*. New York: Encounter Books, 2009.
- Stossel, John. *No, They Can't: Why Government Fails—But Individuals Succeed*. New York: Threshold Editions, 2012.
- Szasz, Thomas. *Our Right to Drugs: The Case for a Free Market*. Westport: Prager Publishers, 1992.
- Thornton, Mark. *The Economics of Prohibition*. Salt Lake City: University of Utah Press, 1991.