



As Mark Twain's mate and fellow writer Charles Warner observed, 'politics makes for strange bedfellows' – and none stranger than in the world of drug law reform. By Marcus Roberts

As Peter Hitchens and Kathy Gyngell lined up to give evidence to the Home Affairs Select Committee (HASC) inquiry on drug policy on 24 April, the battle-lines seemed to be assuming a customary form. Liberalisation of drug laws is widely assumed to be a progressive left(ish) cause that is opposed by right wingers. So we are accustomed to hearing the arch-social conservative and *Daily Mail* columnist Peter Hitchens expressing the view that, far from being time to end a failed 'war on drugs', it is time to begin one (properly), and it is no surprise when Kathy Gyngell sends out a chilling warning to *Daily Mail* readers that the 'pro-drug lobby never sleeps', expressing her concern that arguments for decriminalisation are even being considered by a parliamentary committee. *The Spectator* – an impeccably rightist magazine – provided a clear statement of this anti-reform position in its editorial on 3 March ('Bad Habits') declaring that 'a policy of partial legalisation has been pursued behind our

backs for many years. It is this that has failed, not prohibition'.

Meanwhile, the 'lobby that never sleeps' would appear to have progressive, left liberal credentials. The HASC inquiry has been heavily influenced by a report from the 'Global Commission for Drugs' (June 2011), which called for an alternative approach to the 'failed war on drugs'. Signatories included some of the world's leading human rights campaigners – for example, Kofi Annan (former UN Secretary General), Asma Jahangir (former UN Special Rapporteur) and Ruth Dreifuss (former President of Switzerland). This report was followed by a pro-reform event in the House of Lords in November 2011. One of the only attendees from the Commons was Caroline Lucas MP (Brighton Pavilion), pictured above, who is the first Green to sit in the British parliament.

In the media, while the *Daily Mail* provides a platform for drug policy conservatives and its own Melanie Phillips, the chief organs of the liberal press are increasingly vocal champions

of drug law reform. For example, *The Observer* has devoted two editorials to the topic in the past six months alone. The most recent, on 8 April, followed an interview with President Santos of Colombia in which he called for a review of global policy in the light of the devastating impact of current policy in Latin America. *The Observer* urged Barack Obama, 'to embrace a wide-ranging discussion to include a range of options which would then be investigated in an evidence based approach'. An earlier editorial (13 November 2011) asked 'must we rely on big business not our leaders to pave the way when it comes to tackling a narcotics industry that is ravaging Latin America?', concluding that 'Milton Friedman was right, 20 years ago, when he said: "if you look at the drug war from a purely economic point of view, the role of government is to protect the drug cartel. That is literally true'.

This prompts three reflections that blur the borders in our mapping of the ideological and political underpinnings of drug law reform.

First, it highlights the extent to which recent debate has been provoked and shaped by calls from senior politicians from Latin America for a debate on the 'war on drugs', in the light of its appalling impact in their countries, including murderous drug cartels, civic corruption and environmental devastation. But we shouldn't assume that the sort of law reforms that are sought by reformers in consumer countries will necessarily be of any help in addressing the problems of producers – for example, decriminalising cannabis would be largely irrelevant to Latin America, decriminalising cocaine could make things worse. Nice people may take drugs, but nobody with a concern for the plight of Latin America should be using cocaine. Similar issues were explored by Ed Vulliamy in *The Observer* on 24 July 2011. Speaking of his experiences at Ciudad Juarez on the US-Mexico border 'where drugs are legal for personal use and easier to obtain than soft drinks', he says that he developed a problem with the current lexicon for talking about drug issues in countries like the UK, with the stress on 'recreation', rather than 'despair and desperation'. 'This view of drugs as stimulating entertainment may hold true of Camden Lock in London and the capital's West End clubs', he concluded, 'but not of São Paulo or even the valleys of south Wales, let alone the US-Mexican border'.

Second, the near catastrophic losses of Britain's economy to currency speculation in the early 1990s have proved an unexpected boon for advocates of drug law reform. It was on 'Black Wednesday' that international financier George Soros reputedly netted around a billion dollars, which has helped to fund his philanthropic interests in drug law reform (which has benefited from the legacy of another fantastically rich American, John Paul Getty Jnr). The world of finance has distinguished representation on the Global Drug Policy Commission, notably in the form of Paul Volker, the (Democratic) former Chairman of the US Federal Reserve. Another signatory to the Commission's report was George P Shultz, who served as Ronald Reagan's Secretary of State, and previously as US Secretary to the Treasury in the Nixon administration.

And, of course, the HASC inquiry heard from 'big business' when it opened with evidence from the Virgin boss Richard Branson. Mr Branson spoke for decriminalisation along Portuguese lines and in favour of experimentation with alternative legal regimes. Whatever

motivates his interest in drug policy it does not appear to be a particularly detailed engagement with current policy contexts. He admitted he had not looked at the UK Drug Strategy prior to appearing to give evidence. This is not to suggest that drug law reformers from business or finance backgrounds are driven in a direct way by business interest, but only that their engagement may reflect perceptions, principles and priorities that are distinct from those of other reformers – for example, they may be particularly influenced by the fact that drug prohibition is exceptional, and may appear anomalous, from the point of view of free-market and consumer capitalism.

IF YOU LOOK AT THE DRUG WAR FROM A PURELY ECONOMIC POINT OF VIEW, THE ROLE OF GOVERNMENT IS TO PROTECT THE DRUG CARTEL (FRIEDMAN)

And this brings us, thirdly, to *The Observer* reference to Milton Friedman, the free market economist who advised Reagan and inspired Thatcherism. Friedman spoke at a drug policy reform conference in Washington in 1991, declaring that 'the war on drugs is a failure because it is a socialist enterprise'. He concluded with two key points. First, that it was a mistake to challenge 'prohibition' in the name of alternative forms of state regulation, nothing short of the free market would do. Second, that 'we are likely to make more progress against drugs if we recognise that repealing drug prohibition is part of the broader problem of cutting down the scope and power of the government and restoring power to the people ... the reason to end the war on drugs is also the reason to end the socialisation of medicine, the socialisation of schools and so on down the list'. In other words, and running directly contrary to left liberal opinion, the reason for legalising drugs is also a reason for withdrawing all public funding from health, education and so on and leaving them entirely in the hands of the private sector and the free market. Nor has Friedman been an isolated voice on the libertarian right. The Cato Institute, a US libertarian think tank, has called for drug liberalisation and the leader of the US Libertarian Party, and its presidential candidate, Gary Johnson, is an honorary member of

the *Drugs Policy Alliance*, which supports law reform.

More recently, advocacy of drug law reform has emerged as an important theme for libertarians within the US Tea Party, such as Ron Paul, pictured left, a Republican member of the House of Representatives from Texas, who recently commented that 'someday we're gonna awake and find out that the prohibition we are following right now with drugs is no more successful, may be a lot less successful, that the prohibition of alcohol was in the twenties'. An article by Harvard economist Jeffrey Miron (himself a libertarian advocate of drug legalisation) on the 'Tea Party and the drug war' concluded that this is an issue that divides social conservatives from libertarians within the Tea Party. He concluded that 'if the Tea-Party believes in its principles, it must choose a libertarian path on drug prohibition'.

As Peter Hitchens and Kathy Gyngell played out their accustomed roles in the UK debate about drug law reform in their evidence to the Home Affairs Select Committee, they helped to set the 'left'/right' compass for drug policy in a familiar and cognitively soothing way. Scratch below the surface of the current lobby for drug law reform, however, and one finds a curious and unstable political and ideological eco-system. There will be those who will see this as a coalition of those who 'get it'; whatever their political divisions the liberal left and the libertarian right are united by the fact that they have followed through evidence and argument on drugs to a logical conclusion. It is interesting in this context to note that Milton Friedman argued at that 1991 conference that it was a basic intellectual error to consider drug policy as 'a special case to be discussed in terms of specific issues associated with drugs', when actually it was about broader political issues, and particularly the appropriate relationship between the state and the market. Should the reform lobby ever move on from calling for 'mature discussion', 'impact assessment' and 'evidence based debate' to detailing specific proposals for reform, it is likely that these repressed differences will make their way rapidly to the surface – particularly between those who want reform but favour close state control and regulation and those who would be inclined to let the market rip.

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