



Some Thoughts on the Drug Problem

By Lindsay Tanner

BA (Hons) (Melb)

Starting final year LLB (Melb.)

Former editor, *Farrago* and various other journals.

Co-author, with Peter Russ, of *The Politics of Pollution* (Visa Books, Melb. 1978).

Those in our society who glean their information on current topics from the mass media will not need to be reminded that Australia is currently in the throes of a severe "drug problem".

In the last few years, and in particular since the dramatic disappearance of Liberal Party activist Don Mackay, politicians, police and proprietors have all been falling over each other to demand harsher measures against the "drug menace". A spate of Royal Commissions, increased penalties, and police blitzes has accompanied this torrent of declamation. Yet it appears that the only major effect of such heightened activity has been to fuel popular hysteria to the point where objective debate on the drug use/abuse question has almost disappeared.

Though it may seem a silly question to those who base their outlook on received wisdom in this and other areas, it is worthwhile to ask just exactly what this "drug problem" is. The mere fact that public conception of the "problem", if indeed there is one, can vary from a simplistic belief in the existence of thousands of marijuana addicts to a sophisticated awareness of the extent of the "hidden" abuse of drugs such as analgesics is indicative of the fact that that problem is a *concept* and not necessarily an actuality. It is important that this concept be examined in a slightly more rational fashion than that adopted by the Sunday newspaper editorialist: the issues involved are quite substantial, and in many respects particularly complicated.

IS THERE A DRUG PROBLEM?

Behind the multitude of public demands for action on the "drug problem" there lies a group of common assumptions or beliefs. The most obvious, of course, is the assumption that there *is* a drug problem. Although we are told every day of the week that there is a drug problem, there is not a great deal of solid evidence tending to establish that fact, if one excepts legal drugs such as tobacco and alcohol, which fairly clearly constitute "problems" in themselves.

To begin with, it is quite impossible to estimate accurately the total quantity of any illicit drug being consumed in Australia in any given year, and the total number of people over which that consumption is spread. An informed guess can be made with respect to certain drugs, but the presence of complicating factors such as vast variations in individual tolerances and rates of use, the genuinely medicinal use of such drugs, and the practice of "cutting" certain drugs with other substances makes any claim to accurate knowledge of consumption/usage rates rather dubious. Empirical evidence can be used as a source for very general observations such as that Australia has a substantial number of heroin addicts, or a very large number of occasional cannabis users. However, quantifications of such conclusions are just not credible, even aside from the fact that they disguise enormous internal variations with respect to usage rates and effects.

Nevertheless, it is fairly clear that very substantial quanti-

ties of the drugs such as heroin and cannabis that monopolise media attention are consumed in this country. The salient point is that knowledge concerning the detailed aspects of that consumption is so limited that it is not really possible to draw hard and fast conclusions as to the *effects* of that consumption. And it is the effects of such drug use, of course, which constitute the vortex of the presumed "drug problem". In fact, knowledge of these effects is in most cases as limited as the data on consumption and usage rates.

A common assumption underlying the attitudes of politicians, police, proprietors and public is that, to put it in its elemental form, "drugs are bad for you". The apparently incontrovertible evidence of dead or withdrawing heroin addicts, LSD users jumping off tall buildings, and so on, seems to brook no argument. Yet it is not very difficult to demonstrate two points which indicate that this assumption is baseless: first, that we have insufficient data on which to base any proper conclusions as to the real effects of the drugs concerned, and, secondly, that those effects which are cited as evidence for the "drugs are bad for you" argument are invariably due to the fact that they are illegal, rather than to their intrinsic qualities.

Most scientific studies on questions such as cannabis use and its effects have tended to "answer" the questions raised according to the particular preconceptions of the participants. Subtle biases in methodology — and very often biases which are not very subtle at all — have tended to dictate results. As is so often the case, when science is called on to adjudicate in a social or political controversy, the instruments and techniques of science have proved objective, but those who operate them have not. Hence in the instances of those drugs which have been extensively tested, the evidence tends to be inconclusive. And in the case of more unusual or esoteric drugs, there has been virtually no research at all into their effects on users, partly because of logistic difficulties. The physically addictive qualities of certain drugs have been reasonably well-documented, and certain effects induced by particular drugs, such as mild euphoria caused by cannabis use, are apparently well-established both by scientific research and the evidence of users. However, the fact remains that we know very little of the actual physiological and psychological effects of these drugs, and that when variants such as individual tolerances and differing levels of use are considered, it is generally quite impossible to state definitely that a particular illicit drug has a certain deleterious effect on ordinary users. The mere effect of addiction is not intrinsically harmful: the human race is involuntarily addicted to a number of things, such as food, and there is no particular reason why some of its members should not voluntarily assume other addictions which do not harm them to any great extent.

An important subsidiary point must be made in this context: it is vital to distinguish between use and *abuse*. Virtually

anything can be shown to be harmful by the use of a *reductio ad absurdum* — hence in examining or considering the effects of a particular drug it is necessary to do so at three separate levels at least, namely occasional use, regular use, and abuse. Some of the more notorious scientific studies of cannabis have purportedly established "harmful" effects of the drug by the simple expedient of subjecting individuals to dosages many times the normal intake of even the most hardened and avid user.

The second conclusion which must be drawn from the scanty evidence available of the effects of illegal drugs upon their users is that any effects which are demonstrably harmful are caused by and large by the illegal status of the drug concerned. This point is well-illustrated in the case of heroin, which most would cite as the most deleterious drug currently used by significant numbers of people. As soon as one asks "why" to a statement of detrimental effect, the answers consequent thereon mostly lead ultimately to the one cause — heroin is illegal. The trauma of withdrawal is caused by interruptions in supply — a direct consequence of illegalisation. Death by overdose is caused mostly by enormous variations in purity and quality in the drug supplied — again a direct consequence of illegalisation. The spread of diseases such as hepatitis is caused partly by the dynamics of heroin use, which dictate surroundings and implements rather less sterile than those of a public hospital, and partly by the ghetto mentality of users — both essentially caused by the regime of illegalisation. The "criminal" side-elements in the heroin use syndrome, such as the occasional elimination of an addict by the "spiking" of a deal, or the tendency for addicts to engage in criminal activity to support their habits, are directly attributable to the fact that heroin is illegal.

Indeed, on top of this contribution, the regime of illegalisation also operates so as to push users into the very syndrome of total commitment to the drug, with all its unfortunate side-effects, that it is supposed to prevent. The actual dynamics of illegalisation are such that they amount to a positive stimulus to the overuse of drugs like heroin. The parameters of a regular pattern of heroin usage are such that the user is often compelled to abandon most vestiges of a "normal" existence. The grossly inflated price of the drug, the fact that reliable sources of supply tend to concentrate at points of heavy use, the problems encountered in finding enough money to pay for even a moderate supply, the inevitably undesirable features of the ghetto mentality, and the various consequences flowing from the need to conceal the use of the drug, such as the lack of hygiene, tend to draw the user inexorably into a spiral of increasing commitment and dependence. Illegalisation very much restricts the user to an "all or nothing" choice, hence substantially exacerbating those very problems which are largely caused in the first place by the fact that the drug is illegal.

Furthermore, illegalisation effectively restricts those who seek to eradicate or mitigate these problems to only one means of doing so, namely the restriction or elimination of supply of the drug. Not only does this preclude any effort to attack specific drug-use problems such as the spread of disease, it actively exacerbates such problems if successful by causing interruptions in supply.

Although as is pointed out above, there is insufficient evidence to go on, it is possible that regular and controlled heroin use has no really substantial deleterious effects on the user. Deteriorations of some mental and physical functions probably occur, but human lifestyles are full of factors which cause deteriorations of such nature, and often of far greater severity. (The tragic toll exacted by industrial accidents and occupational diseases is but one example). Overwhelmingly, in the case of heroin and equivalent drugs, those undesirable side-effects which can be identified are essentially attributable

to the fact that they are illegal rather than to any intrinsically dangerous qualities of the drugs themselves. In the case of other drugs, the evidence is completely inconclusive, with the exception of one particular point — many problems arise from the lack of any "quality control" of drugs such as LSD and cocaine — again a direct consequence of their illegal status. And although the debate about the effects of cannabis use rages unabated, it is apparent that the drug does not engender any harmful effects on users at all. Such effects will be equivalent to those induced by drugs such as tobacco, i.e. manifested only in the very long term.

IS THE "PROBLEM" A DRUG PROBLEM?

One point inherent in the "drug problem" (if one accepts that a syndrome capable of bearing that title exists) which is rarely raised is that the problem is itself an *effect*, not a cause. The drug problem is merely a symptom of an increasingly neurotic society which generates a never-ending flow of victims searching for solace in one form or another. Just as the western world's addiction to alcohol is a product of internal societal needs for temporary or permanent escape from bleak reality, so the various illicit drugs cater for a newer and more virulent strain of that necessity, a strain which finds the blurred vision, impaired functions, and mild euphoria induced by alcohol abuse an inadequate level of escape from an increasingly unpalatable human reality. It is no coincidence that in the last two decades western society has seen a substantial upsurge in drug usage *and* a dramatic proliferation of extreme quasi-religious "cults". The two are essentially both symptoms of the same cause, which is rooted in the frenetic changes in society in the past twenty to thirty years.

Hence, at the very least, the "drug problem" should be examined in the context of its source — ourselves. The idea of persecuting the involuntary victims, or voluntary seceders, of our own crazy society is anathema — yet this may well be the very thing that society is doing when it self-righteously attacks the "drug problem". Indeed, it may be that the existence of "drug problem" constitutes a safety valve helping to prevent the society's neuroses from tearing it apart. Whether or not that is a good thing is debatable; but it cannot really be disputed that any treatment of the so-called "drug problem" should incorporate solid knowledge of the details and origins of that problem — neither of which exists at present in Australia.

IS THE DRUG PROBLEM BEING ATTACKED PROPERLY?

There are numerous assumptions which underpin the approach which the ruling elite in Australian Society has adopted to stamping out the drug problem. Some are patently ridiculous, yet surprisingly widespread: they ridicule the presumption that illegal drug use *per se* causes users to commit crimes like robberies, and that drug use and trade is inevitably tied up with 'organised crime'. It is clear in both cases that the association is caused by the fact that drugs happen to be illegal and thereby expensive, and not by any inherently 'criminal' qualities they contain. Other assumptions are more fundamental — for example, the view that the drug problem can only possibly be conquered by the mode of illegalisation, and the idea that the use of traditional law enforcement techniques such as heavier penalties, savage blitzes, and severe restrictions in associated areas can have an effect on the 'drug trade'.

Whether through lack of political courage or sheer stupidity, politicians and judges have not even raised the possibility that illegalisation has had no real impact on the drug problem, let alone that it has been the substantial cause of what 'problem' there is. Since the fabled Makay disappearance in particular public debate on the issue has consisted of a frantic scramble by various politicians and newspapers to outbid each other in extravagant demands for retribution and dramatic action. The idea that illegalisation has failed, and that heavier sentences and

harsher enforcement have barely minimal impact on the drug problem, has hardly even been raised (with a few honourable and conspicuous exceptions such as Professor Don Aitkin, *National Times*, March 23-29, 1980, p.23). Again, it is clear that there is insufficient data available to determine whether harsher penalties have any deterrent value, and that analogous experience suggests that the relationship between deterrence and crime levels is a very tenuous one at best — not to mention the rather obvious point that anyone who risks a theoretical fourteen years' gaol in order to earn large amounts of money is hardly likely to be deterred if it is raised to twenty years, because of the very abstract nature of the distinction. The deterrence element in criminal sanctions is remarkably inelastic.

The idea that harsher penalties serve to keep convicted drug dealers out of circulation longer is based on the fallacy that such persons have a peculiar disposition impelling them to deal in illicit drugs. Unlike crimes such as rape, the crime of drug-trafficking is engaged in for purely mercenary motives (other than by users seeking to supply their habit, and their motives are objectively mercenary in any case, in that large sums of money from *any* source would avail). Hence, there is not particular reason why a gaol'd trafficker should revert to trafficking upon release, and indeed there are a number of reasons why he should *not* do so. His old contacts may have disappeared, others will shy clear of a convicted trafficker because of the increased risk involved, and he himself would be more likely to turn his hand to other lucrative areas where he is not immediately tainted and hindered by his conviction.

WHY HAS IT BEEN ATTACKED THUS?

It is not difficult to discern why the various elements in the anti-drug vanguard — politicians, police, bureaucrats and media — have adopted the hard line on the drug problem. Drug abuse represents a golden opportunity for vote-hungry politicians to curry popular favour without upsetting any organised interest groups, and to be 'seen' to be 'doing something' about a perceived problem. The drug trade's existence enables rapacious bureaucracies in the police, customs and law areas to arrogate greater powers and funds at the expense of other bureaucratic empires. Those who doubt the validity of this proposition should ask themselves if they can remember the last time a police bureaucracy called publicly for a reduction in its powers and funding in a certain area because the crime concerned was declining in incidence and importance. Like their colleagues in other areas, the police and customs bureaucrats are adept at playing on the sensitivity of the politician to popular feeling — and in the intense popular hysteria over the drug trade they have an unsurpassed goose that lays golden eggs. The media's interest is obvious; sensational stories sell copies and lift ratings, and there is nothing more sensational than behaviour which the average citizen finds deviant and disgusting.

Public receptiveness to calls for 'war' on drugs is rooted in the same cause as the persecution of the Jews in Nazi Germany, the hounding of communists in the fifties, and countless other instances of mass inhumanity: the fundamental social needs of a scapegoat to blame for society's ills. Arguably, drug users and traffickers, along with other 'deviants', have filled the void left by the decline in the popularity of racism in the last two decades. The sheer vehemence and traditionality of popular hysteria on the drug issue is illustrated by a brief consideration of the *true* nature of the trafficker in drugs such as heroin. Seen by many as an outright murderer, the trafficker does nothing more than supply a diverse group of people with a substance which some of them use in such a fashion as to eventually kill themselves. Fundamentally the heroin dealer's activity differs from that of the brewer, cigarette manufacturer, or car dealer or manufacturer only in that it is illegal. The last-mentioned, for example, makes and sells items of manifest 'addiction' which kill and maim thousands of 'users' every year. And just as the drug dealer is not overly concerned about the quality of his product, neither is the car manufacturer unduly interested

in passenger safety if it interferes with profits. Each enterprise is founded squarely on the capitalist ethic — The drug dealer simply acts in the time-honoured capitalist mode — he reacts to a substantial, albeit illegal, demand by supplying a product at maximum personal profit regardless of the consequences to others. The consequences which he ignores are no more horrific than those of alcoholism, cancer, or car smashes. Yet we accept the sight of hundreds of pitiful 'derros' utterly destroyed by alcohol as an unfortunate by-product of modern society, give knighthoods to brewery magnates, and treat the drug dealer as a 'monster'. Aside from the fact that the illegal, get-rich-quick nature of the enterprise tends to attract the more unscrupulous individual, the heroin dealer at whatever level is no different from his counterparts in other perfectly 'legitimate' trades.

Furthermore, a very significant proportion of drug dealers are motivated by the need to maintain supplies for their own personal use rather than merely to make money. The drug market structure is essentially pyramidal, with virtually all other than those very high up in the pyramid dealing largely to ensure secure channels of personal supply and make comparatively small amounts of money. Entrepreneurial activity at the top is no different to any other cut-throat business. Associated activities, including murder, bribery, and adulteration of the product are caused by the fact that drug dealing is illegal and thereby extremely vulnerable yet lucrative, and that as a consequence there is no deterrent to further illegal activity. A person undertaking the risk of fifteen years gaol is unlikely to quibble at committing crimes of equivalent seriousness such as murder in order to lessen that risk. There is nothing inherent in the activity of drug dealing which attracts monsters or turns people into monsters. What causes such effects is the fact that enormous personal risks must be undertaken in pursuit of enormous personal gain: human beings motivated by both extreme fear and extreme greed are rarely very civilised. The undesirable aspects of the illegal drug trade derive from the fact that it is a *trade*, and that it is *illegal*. The product being traded is functionally irrelevant in this context.

WHAT THEN IS THE DRUG PROBLEM?

It would seem that Australia is currently in the grip of *two* 'drug problems' — the problem of mass illicit drug use and abuse, and the problem derived from the attempts to eradicate it. But for the second problem, the first would be relatively minor and easy to cope with. The real 'drug problem' lies in society's refusal to countenance different lifestyles and values, and its deliberate blindness towards the actual realities of drug use and abuse. The real 'drug problem' lies in the fact that a regime of rigid illegalisation is employed as a means of suppressing that use and abuse, in spite of the fact that it causes most of the problems which it is supposed to eradicate. The real 'drug problem' lies in the extraordinary hypocrisy of a society founded on deadly drugs rejecting those who choose to use other drugs. The real 'drug problem' lies in the growing links between the large dealer networks, professional criminals, police, public servants and politicians — such dealers being the only group in Australian society with a direct vested interest in the continuation of illegalisation.

Australian society has only recently begun to develop an incipient conception of the enormity of the crime which it has perpetrated against our continent's original inhabitants. It is conceivable that in a few decades time Australians will look back on the 1970's era as a time when popular ignorance and prejudice, and the unscrupulous self-seeking of those in authority, caused immeasurable unnecessary loss and suffering to those who for various reasons decided to use illicit drugs. In the mean-time, Australian drug users will remain the subject of oppression by ignorance and persecution by malignancy, condemned to helplessness by the sheer dynamics of their own predicament.