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A Judge's Critique of the War on Drugs
By Michael E. Raabe

It has been several years since Orange County's own Judge James P. Gray stood on courthouse steps and condemned the so-called war on drugs -- the criminalization and punishment of manufacture, possession and distribution of e.g., marijuana, cocaine and heroin. It has been many years as well since the Orange County Lawyer magazine aired that issue, printing both favorable and unfavorable views on that tenet.

Well, neither the Honorable James P. Gray, nor the war on drugs have gone away -- although both have been scarred by the continuation of that "war." The battle lines have been drawn and the issues have been aired. Now we witness either a balloon about to burst, i.e., a change in policy, moving away from criminalization; or a retrenchment such that our criminal laws take on a power never before utilized in the country...

In his 2001 book, *Why Our Drug Laws Have Failed and What We can Do About It* (A Judicial Indictment of the War on Drugs), Judge James P. Gray in a 266 page tome published by Temple University Press, of Philadelphia, Pennsylvania, at a price of \$18.95, has taken the debate to the next level. This is a full-fledged book, logically arranged and argued. It is not to be taken lightly -- by those favoring either the position of criminalization or decriminalization (or something in between).

Not only did the Judge do his homework in the research, organization and writing of the book; but Temple University Press has aided in the presentation by publicizing endorsements and praise from the likes of Walter Cronkite, Milton Friedman, George P. Schultz... and others. Is it zealous foolhardiness to continue the "war," or have "regulation only" advocates missed something?

In reading the Judge's book, his voluminous research, his phrasing of options, and his portrayal of the past century's failures, this author is persuaded. But, like most difficult issues, there are two sides... and the opposing view also has its value and impressive advocates.

Be that as it may, the book is worthwhile reading for those in support... and for those not... However, perhaps the most interesting aspect of the book is that which is unstated. For an individual who remains a sitting judge, for a non-drug-user, for a judge with a background lending himself to judicial advancement or a lucrative alternative career in the private sector, both the proponents and nay sayers must be impressed by the courage of his legal crusade. Absent a dramatically rapid turnaround in policy, this Judge has given it all this one issue.

No more need be stated here. I earnestly suggest you read the book.

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