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Law school holds forum examining U.S. drug policy

DEBATE: Experts offer options for current prohibition such as legalizing use, more education

By David King

Daily Bruin Contributor

Admitting that the problem is practically unsolvable did not prevent the expert panelists at Monday's law school debate "Ending drug prohibition: yes, no, or maybe?" from sharing their opinions on the topic.

The public debate, which was attended by roughly 100 people, featured as participants Judge Jim Gray of the Superior Court of Orange County; Mark Kleiman, UCLA School of Public Policy professor; and James Q. Wilson, a professor at the Anderson School.

The event was moderated by Jim Willwerth, Time magazine legal correspondent.

Co-sponsored by the School of Law, the UCLA Program in Public Interest Law and Policy, the Federalist Society and Bruin Libertarians, the forum began with Gray's listing of multiple problems caused by current

U.S. drug policies.

"Prohibition has costs," said Gray. "Most problems today are not drug problems, but rather drug prohibition problems."

Among such societal costs, Gray highlighted crime, a loss of civil liberties, increased corruption and an ever-growing prison population.

According to Gray, California has built 16 prisons since 1984, compared to 14 being built in the state's history before 1984.

He also emphasized the health risks that current drug policies encourage.


"Intravenous drug users do not deserve to be infected with AIDS - we are denying these people, who are going to use drugs anyway, the right to use clean needles."

Gray suggested that education, positive incentive programs, and promoting individual responsibility on the user's part would minimize the problem, in contrast to current "drug warrior" tactics.

Wilson, the next speaker, contested Gray's comments, suggesting that a focus on demand, rather than incentive programs or education, is the key to solving America's illegal drug conundrum.

"We should reshape our drug policy, by redirecting supply control tactics to focus on demand," Wilson said. "As long as there is a demand for drugs, there will always be a supply."

According to Wilson, making drugs less attractive to Americans - and especially youth - will substantially decrease the problem.



He also suggested drug tests should be performed on welfare recipients and ex-convicts on parole, with a loss of federal money or prison time as punishments for discovered illegal drug use.

"We cannot solve our drug problems simply by sending more people to prison," Wilson said. "The presence of drugs on the streets are where we should focus our efforts."

"Education only goes so far," Wilson continued. "The goal is to use the pressure of the state to reduce demand of drugs."

The debate ended with a 20-minute speech by Kleiman, who argued both against the legalization of drugs, and against the current U.S. drug war.

"Libertarian policies of legalization won't work - too many people are going to get hurt," Kleiman said.

Kleiman focused much of his speech on alcohol, which he suggested as the No. 1 problem drug, over cocaine, heroin and marijuana.


As solutions, Kleiman suggested eliminating the age restriction, a beer tax, and stricter punishments for abusers.

"Why is it when someone is arrested for drinking and driving, we take away their driver's license?" he said, suggesting instead the right to buy alcohol should be suspended.

"We need to completely rethink our enforcement strategies," Kleiman concluded.

The debate ended with a brief question-and-answer period with the audience.

Eugene Volokh, UCI A School of Law



professor and organizer of the event, said he thought the debate was very informative.

"What are law schools for but to put together great panels?" Volokh added.

Some in the audience, however, including members of groups who co-sponsored the debate, were dissatisfied.

"I felt it wasn't representative of how we feel about the issue of legalizing drugs," said Justin Sobodash, law student and vice president of Bruin Libertarians. "I don't think there was much difference in the views of the speakers."

Although he said the forum was productive in some ways, Sobodash felt that the Bruin Libertarians should not have co-sponsored the event.

"Somewhere along the line we were misled," Sobodash said.

In response to such complaints, Volokh suggested that time for discussion was limited.

"You've got three people with 20 minutes of time each - you can't cover everything in an hour," he said.