

## The War on Drugs: Anatomy of a Failure

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**Launched over a century ago, the war on drugs has been a resounding failure. Not only has it increased trafficking, but it has also reinforced drug use and drug production while cracking down on drug users and peasant producers. The time has come to promote coherent projects of alternative development.**

The balance sheet of over a century of drug prohibition is clearly negative. On the one hand, it is simply impossible to determine with certainty whether prohibition has helped to limit the illegal production of drugs, as some argue (see especially Windle and Farrell, 2012), or, on the contrary, has encouraged it due to the profitability of breaking the law, as others believe (Roitman, 2000; McCoy, 2004). On the other hand, it is now understood that the illicit cultivation of opium poppy, coca bush and cannabis were not significantly or lastingly reduced, either on a global scale or in the majority of producing countries (Afghanistan, Myanmar, Colombia, USA, Mexico, Morocco, Peru, etc.).

The prohibition of drug production forms the basis of all anti-drug policies and actions that have been implemented by the international community since the early twentieth century. In 1906, Charles Henry Brent, then bishop of the U.S. Episcopal Church in the Philippines where opium use constituted a serious problem, convinced President Theodore Roosevelt to convene an International Opium Commission. The latter met in Shanghai in 1909 under Brent's direction, and laid the foundation for the prohibition of non-therapeutic drug use. The first international treaty to implement prohibition, the International Opium Convention, was signed in The Hague in 1912, during an international conference that was also chaired by Brent. The purpose of this treaty was to establish the control of production, trade and use of opium, but also morphine, heroin, and cocaine. After World War I, the international community equipped itself with a first drug control body: The Advisory Committee on Traffic in Opium and Other Dangerous Drugs was created in 1920 under the aegis of the League of Nations, and gave way in 1946 to the United Nations' Commission on Narcotic Drugs. Successive international conventions and protocols were later agreed to, until the 1961 Single Convention on Narcotic Drugs (184 signatories in 2014) brought them together in a single instrument that has been at the heart of the international drug control system to this day. To this were added the 1971 Convention on Psychotropic Substances (183 signatories) and the 1988 United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (189 signatories).

## **War on Drugs and Alternative Development**

From the beginning of the prohibitionist regime, and especially since U.S. President Richard Nixon declared war on drugs in 1971, anti-drug policies worldwide have had as their primary objective the reduction of supply. The diminution and eventual elimination of illegal production were supposed to cause an increase in retail prices, and hence to discourage drug use. These efforts, however, have all failed. In fact, drug cultivation and drug use have sharply increased since the early 1970s. Production areas have been diversified. The availability of illegal products on the world market has grown, with lower prices and higher quality. In March 1995, after three decades of the war on drugs, Thomas Constantine, then administrator of the Drug Enforcement Administration (the American federal law enforcement agency in charge of drug control, hereinafter referred to as DEA), thus declared before the United States Congress that the “drug availability and purity of cocaine and heroin” were “at an all-time high” (Falco, 1997). Since then, the production of cannabis, cocaine and heroin has not decreased in the majority of producing countries—witness the examples of Morocco, Peru, Afghanistan, Myanmar, Laos and India (Chouvy, 2009; UNODC, 2014).

Many observers have blamed this failure on prohibition itself. The latter helps to generate high profits, which in turn drive the drug market; indeed, it is especially “because it is illegal and risky” that this economy is “highly profitable” (Fonseca, 1992: 491). Yet the failure of anti-drug policies also owes to the fact that priority has been given to cutting the drug supply rather than to reducing drug use. Several studies have shown that offering medical care to drug users is more effective than cracking down on them, and even more so than attempts at eliminating illicit drug cultivation at the source (Teslik, 2006). Lastly, the failure of anti-drug policies can be attributed to the way in which supply reduction has been conceived and undertaken since the early 1970s. The war on drugs has largely favoured the repression of farmers, who have been criminalised by international prohibition. The level of funding devoted to the forced eradication of illicit crops of cannabis, coca, and opium poppy has been much higher than that dedicated to policies of economic development (alternative crops, integrated development, alternative development).

In Asia, where the bulk of opium production has always taken place, history offers several examples of repressive policies and incentive measures aimed at eliminating illicit poppy cultivation. Almost all of them have failed. Prohibitions on production have proved ineffective, forced eradication campaigns inapplicable, repressive actions economically counterproductive, alternative development projects poorly designed and underfunded, and, for lack of adequate assessment, few lessons have been drawn from failure (Chouvy, 2009). The greatest successes and the greatest failures in the fight against drug production have all occurred in opium-rich Asia, as evidenced by the rapid elimination of China’s enormous production in the 1950s (Zhou, 1999), and by the unprecedented increase in Afghan production from the 1990s onwards. However, for the most part, the policies implemented have not been able to stem the production of illegal drugs (Chouvy, 2009).

## **Failure and Denial**

The key players, foremost among them the United Nations Office on Drugs and Crime (UNODC), have had difficulty admitting the failure of prohibition and of anti-drug policies and actions. This organisation’s annual reports list the progress, real or supposed, of the global war on drugs. Thus, in a 2006 report, the Office stated that the quantity of opium produced in 2005 was

much lower than it had been a century earlier (UNODC, 2006). However, in 1906, not only did China account for 85% of the world's opium production of 41,624 tons, but the trade in opium had also been imposed on the country by two wars (1839 and 1856) and several unfair treaties. Comparing the production of 2005 with that of 1906 is therefore misleading, given that a century of prohibition and over thirty years of the war on drugs separate these two dates. Many observers have made that point, while regretting that the UNODC's partial and biased selection of data discredits its work (IDPC, 2007). To be sure, it is more favourable to compare an opium production of 4,620 tons in 2005 to a production of 41,624 tons in 1906 than with one of 1,066 tons in 1970. Yet in 1970, the 1961 Single Convention was less than 10 years old; moreover, neither the war on drugs (1971) nor the first international projects of alternative development (1972 in Thailand) had been initiated at the time. In short, the 2006 UNODC report clearly participates in what some have termed the "politics of denial" (Bertram et al., 1996). The war on drugs, justified by a prohibitionist ideology with puritanical and racist overtones, resists any rational approach. It is constantly renewed instead of being questioned. The failures of prohibition (which some describe as relative) have been repeated for decades, but have not led to any revision, except to reinforce means deemed inadequate (Blumenson and Nilsen, 1998; Carpenter, 2000; Davenport-Hines, 2001).

Nevertheless, the case of the United States is illuminating because it shows that no matter the financial, human, technical, and political resources at its disposal, no state can prevent the large-scale production of illegal drugs. American impotence is all the more obvious since the gigantic resources it has deployed for its war on drugs have managed neither to eradicate the vast areas under cannabis cultivation in the national territory (in 2009, these areas were estimated at 31,000 hectares for the state of California alone and at 44,400 hectares for the entire country<sup>1</sup>) nor to block the flow of international drug trafficking from its two neighbours—Mexico and Canada—or the rest of the world (HIDTA, 2010). The power of the DEA (which comprises 86 offices distributed across 66 countries, including one in Paris) and the constant reinforcement of its means of action (from 1,470 agents and an annual budget of 65 million dollars when it was created in 1973 to 5,235 agents and an annual budget of 2.4 billion dollars in 2008<sup>2</sup>) have clearly been inadequate to reduce the area under cannabis cultivation, the number of methamphetamine labs, or drug trafficking in general. Surely, the federal agency has had some success in significantly reducing cannabis cultivation in the Midwest, but it has failed to prevent production from moving to California, Tennessee, Kentucky, Hawaii, and New York (Chouvy, 2014).

The war on drugs was strongly supported by the Reagan administration (1981-1989). One significant consequence was the militarisation of the fight against trafficking, which was described at the time as a "threat to national security" (Carpenter, 2000). Billions of dollars have since been spent on this war, mainly in Latin America, but in Asia as well. Thus, the United States has funded Marines patrols along the Mexican border, the delivery of attack helicopters to the Myanmar dictatorship (18 helicopters between 1974 and 1978), and the deployment of paramilitary drug enforcement units in post-Taliban Afghanistan. To date, Plan Colombia remains the most expensive anti-drug program ever funded by the United States: 4 billion dollars between 2000 and 2005, of which 80% were allocated to the Colombian army and police as

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1 These data were produced by the National Drug Intelligence Centre (U.S. Department of Justice) as part of a federal program (HIDTA - High Intensity Drug Trafficking Area) run by the White House Office of National Drug Control Policy.

2 <http://www.justice.gov/dea/about/history/2003-2008.pdf>. Consulted on 22 December 2014.

against only 8% to projects of alternative development (Isacson, 2005). The results of this plan hardly measure up to the funding efforts. Despite having undertaken the largest aerial spraying of glyphosate in the history of forced eradication, Colombia still had 157,200 hectares of coca cultivation in 2006, i.e., 13,200 more than in 2005 (Isacson, 2005).

Afghanistan offers another example of the failure of the war on drugs: Repeated prohibitions (except that imposed by the Taliban in 2000<sup>3</sup>), forced eradication operations, and alternative development projects have all failed to prevent the significant increase in illicit poppy cultivation. Despite more than a decade of efforts by various actors in the international community, and despite fortunes spent on reconstructing the Afghan state, opium production has risen in Afghanistan from 4,565 tons in 1999 to 8,200 tons in 2007 (the latter figure being higher than the previous year's total global production, i.e., 6,610 tons in 2006). While production declined in 2013 (5,500 tons) due to climatic factors, the area under poppy cultivation has never been so large: The 209,000 hectares of illicit cultivation (36% more than in 2012) reflect the state's limited political and territorial control as much as the mixed success, to say the least, of the war on drugs (UNODC, 2013; Chouvy, 2014).

### **Forced eradication vs. Alternative Development**

The history of alternative development (understood here as economic development as part of anti-drug policies) shows that it has only rarely managed to reduce illicit drug cultivation (UNODC, 2005). And yet, despite its disappointing results, alternative development should not be rejected outright. It is reasonable to assume that its failure owes to the weakness of the methods and financial means that have been deployed rather than to the logic that underlies it. This strategy has not failed because it is inappropriate, but because it has been underutilised, the reduction of illegal cultivation having too often been divorced from issues of economic development.

Poverty is the main reason why people turn to drug cultivation. Yet drug farmers are often perceived not as victims of economic underdevelopment, but as criminals, which explains the priority given, in drug control strategies, to repressive methods rather than to development projects. As happened in Afghanistan during the last decade, the bulk of resources devoted to the war on drugs have been used to design, implement, and reinforce a battery of repressive measures that have aggravated rather than addressed poverty in regions that produce cannabis, coca, and poppy.

The deployment of alternative development projects has been hampered by various economic, political, and ideological constraints. Nevertheless, the few positive experiences to which they have given rise suggest that this approach holds an untapped potential. This cannot be said of repressive strategies, which have been implemented for nearly four decades on scales and with resources that alternative development projects have clearly not benefited from. This is particularly the case for forced eradication programs. By exacerbating poverty, which is recognised as one of the main reasons why peasants turn to illicit drug cultivation, these programs have proved not only ineffective, but also counterproductive.

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<sup>3</sup> The "success" of the Taliban in fighting opium poppy cultivation in 2000 was short-lived: It was followed by a significant and lasting increase in production the following year (Chouvy, 2009).

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