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Drug policy that promotes security The paradox of de-securitisation

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Introduction

As detailed in Transform's paper on the securitisation of drugs, '[International security and the global war on drugs - The tragic irony of drug securitisation](#)', (and in Emily Crick's paper for this workshop at the International Institute for Strategic Studies), treating illegal drugs primarily as a security issue, and re-securitising criminal entrepreneurs, has an overwhelmingly negative impact, not only upon human rights, but also on global security.

If this securitisation thesis holds water, the thrust of many of those looking to explore alternatives, is primarily based upon the recognition that in the absence of a threat-based regime, a policy vista opens up that currently remains firmly closed, one that offers potentially hugely improved outcomes on almost all key policy indicators.

Two essential issues that this paper addresses are:

- what we have given up in order to pursue a threat-based approach to illegal drugs and
- what we have to gain by shifting to a normalised approach.

Ultimately this paper will suggest that paradoxically, by desecuritising the drug issues, we not only help promote security, but that we will also be dramatically better positioned and resourced to address the underlying drivers of drug misuse, and related social harms.

A double securitisation

Firstly, however, it is necessary to be aware that there exists a distinction between two drug-related securitisations that have taken place in the twentieth century. Unless we are aware of the distinction between the two securitisations and their habitual conflation, we will find it all but impossible to both understand the

dynamics of the current regime, and the motives of those who wish to explore alternatives.

The two securitisations are:

- 1 The securitisation of drugs in the early sixties, which led inexorably to the involvement of organised crime, paramilitary forces, separatists, insurgents and parapoliticians, in drug production and supply
- 2 The securitisation – which occurred in the mid-eighties – of the individuals and groups who were gifted the drug trade by the first securitisation

The only reasons for examining the impact of undoing the two securitisations are: firstly, that the costs of the two securitisations potentially outweigh the benefits, and secondly, that the opportunities created by shifting to a normalised, desecuritized regime are potentially hugely beneficial.

The debate on alternatives is invariably couched as a conflict between strong government and liberal or libertarian ideologues. This is far from the reality. Whilst there are those who subscribe to alternatives for ideological reasons, the dominant ideology that lies behind forces for reform is pragmatic, perhaps even utilitarian. Ultimately this is about states taking control of the production and supply of one of the largest commodity trades on earth.

Desecuritising the global drugs regime

At the Commission on Narcotic Drugs of 2009, Ecuador's statement to the High Level Meeting described its approach as a *'De-securitisation of drug policy which allows us to address the problem from the perspective of health and human rights'*.

Given that securitisation is an international framework, this statement exceeds the limitations on the measures which can be taken by the Ecuadorans, because all nations are bound into the global securitisation, through the UN Single Convention on Narcotic Drugs. However, the analysis is correct. A de-securitisation or normalisation of drug policy enables a dramatic shift in how drug issues can be addressed.

A growing number of other statements have been made by past and current world leaders calling for debate on alternatives to the current approach. These include Ecuador's Foreign Minister, who called for a *"de-narcotisation"* of Ecuador's relationship with the US, Presidents Santos and Calderon's calls for debate and President Obama's statement that legalisation is *'an entirely legitimate topic for debate'*.

Within a securitized regime, neutralising and eradicating the 'threat' is the paramount political priority, together with heavily resourcing the extraordinary measure of prohibition. Under a normalised regime priorities can be shifted to a wide range of policy areas that we might bring together under the banner of wellbeing: security, development, criminal justice, public health, human rights and effective expenditure.

The negative impact of a securitised approach

“There will be no development without security and no security without development. And both development and security also depend on respect for human rights and the rule of law.”

‘In larger freedom: towards development, security and human rights for all’, 2005
Report of the Secretary-General of the UN

“The United Nations drug control bodies should:... Consider creation of an alternative drug regulatory framework in the long term, based on a model such as the Framework Convention on Tobacco Control.”

‘The right to health and international drug control’: October 2010
Report of the UN Special Rapporteur on the Right to Health

The construction of the threat-based approach to drugs leads, perversely, to prohibition causing significant negative consequences. In a world in which demand has increased exponentially, prohibition has created profit margins in the cocaine and heroin markets that are almost unheard of in any other commodity trade.

The recently launched [Count the Costs](http://www.countthecosts.org) initiative (www.countthecosts.org) details the global costs of operating an enforcement-led approach to illegal drugs. Normal policy issues are de-prioritised, ignored or actively undermined in what is effectively a world war.

[‘The War on Drugs: Are we paying too high a price?’](#) (A Count the Costs project briefing) describes how the war on drugs:

- undermines international development and security, and fuels conflict
- threatens public health, spreads disease and causes death
- undermines human rights
- promotes stigma and discrimination
- creates crime and enriches criminals
- causes deforestation and pollution
- wastes billions on ineffective law enforcement

In his speech to the Commission on Narcotic Drugs in 2010, Antonio Maria Costa (former ED of UNODC), analysed some of the issues:

*“...drug policy must be part of security and development.
As part of a balanced approach, drug policy must be brought into the mainstream of efforts to promote security and development.*

As illustrated in a recent UNODC report on Crime and Instability, drug trafficking causes insecurity; in turn, insecurity attracts smuggling and violence. Indeed, 22 of the 34 countries least likely to achieve the Millennium Development Goals are in the midst – or emerging from – conflicts, located in

regions that are magnets for crime and violence. Let us turn this vicious circle into a virtuous one: effective drug control induces stability, and vice-versa.

This is why UNODC works with governments and development institutions to promote drug policy, crime control and terrorism prevention as goals complementary to security, justice and development – and we have done so with regional programmes in the Balkans, Central and West Asia, meso-America, West and East Africa.

Recent trends add a sense of urgency. In the past year, we have seen new sources of supply (synthetic drugs from West Africa), new trafficking routes (through the Sahel), and new markets (in developing countries). The stakes are now high: the revenue from drugs that is accruing to terrorists and insurgents is a threat to nations around the world. So grave is the danger that it is now periodically on the agenda of the Security Council, where UNODC has been asked to testify.

*Unless Member States deal effectively with the menace posed by organized crime, not only their security – even their sovereignty – will be under threat: **and there will be renewed calls to dump the UN drug conventions that critics claim are the cause of the crime problem.** This would be a recipe for a global health disaster.*

Turning to the UN itself, we must answer calls made by the Security Council in two recent Presidential statements, to place drug control into wider UN efforts to make and keep peace.”

We can only guess whether Mr Costa meant turning peace keepers into drug warriors: in March 2011 UNODC and the United Nations Department of Peacekeeping Operations signed a joint plan of action to further strengthen their cooperation in the battle against drugs and organized crime in conflict and post-conflict zones, and to proactively address threats to stability and security ([UNODC and United Nations peacekeeping forces team up to combat drugs and crime in conflict zones](#)).

Wouldn't it be preferable if it were the other way round? And drug control were to be based upon the principles and normalised settings, currently operating within such UN agencies as UNDP and UNAIDS? This relates to the key question of system wide coherence at the UN, as expressed in Barrett and Nowak's '[The United Nations and Drug Policy: Towards a Human Rights Based Approach](#)'.

Impact of a normalised approach

It is important to note that the transformative outcomes of regime change are brought about as much by the cessation of the forces that maximise harm, as they are related to initiating policies that maximise benefit. In their book *Drug War Heresies*, p. 106, MacCoun and Reuter, in a table titled 'Taxonomy of drug related harms', note separate harms under the categories of health, social and economic

functioning, safety and public order and criminal justice. They assert that thirty-six of the forty-eight harms they identify have as their primary source, enforcement or the illegal status of drugs.

Under a de-securitised framework many of these unintended consequences are significantly reduced or simply disappear. Shifting regimes from a securitised to a non-securitised approach removes the harm maximising force of prohibition and allows policy makers to engage with the underlying policy issues and promote:

- international development, security and peace
- public health
- human rights
- equality
- criminal justice
- environmental sustainability and
- effective expenditure

As is demonstrated in [Blueprint for Regulation](#), the key is government control of production, supply and availability, and crucially price control. Prohibition is an extraordinary measure to apply to a global commodity market whose value is estimated at up to \$320 billion a year.

Under a normalised regime, normal trade rules apply. Prices can be set or influenced by governments and appropriate taxes and levies applied and hypothecated as necessary. The bottom line is that in returning the illegal drugs market to the control of governments, the price can fall dramatically, and users take advantage of the many additional incentives to buy from legally regulated sources that apply to existing legal medicinal and non-medicinal drugs (purity, safe environments, expiry dates, dosage instructions, health warnings, trustworthy vendors etc). As a result, organised criminals are squeezed to the margins, perhaps not out of the market altogether, but governments would be in overall control. The obvious historical example is the repeal of alcohol prohibition in the US in 1932, whereby the Mafia left the trade after re-legalisation, (and ironically set themselves up to move into the newly prohibited illegal drugs trade). The immediate consequence of ending the contemporary drug prohibition is that countries currently engaged in production and transit would largely cease to be involved in the trade. They just cannot compete on price.

The knock on effect for security is significant. Let us break this down into the key security areas:

International Security - consists of the measures taken by nations and international organizations, such as the United Nations, to ensure mutual survival and safety.

The balloon effect is a well understood mechanism, whereby squeezing drug production and transit from one area, merely results in its appearance somewhere else. Hence the rapid transition of Guinea Bissau from fragile state to 'narco state',

as the balloon effect of improved enforcement in the Caribbean shifted the cocaine supply route from Latin America to Europe .

In effect, the securitised regime, accompanied by global prohibition creates a permanent threat to fragile states the world over. By desecuritising/normalising the regime, this permanent threat is removed. Fragile states may remain fragile, but they cannot become narco states, as the drivers for these developments are gone.

National Security - is the requirement to maintain the survival of the nation state through the use of economic, military and political power and the exercise of diplomacy.

Nation states are threatened where the power of criminal gangs, insurgents, paramilitaries and para-politicians are boosted significantly by the opportunities presented by the illegal drug trade. Conflict and corruption are stimulated, sustained and reinforced by the illegal market. Removing this opportunity could significantly undermine the power bases of the groups and individuals involved.

Homeland Security - efforts to protect the US against terrorist activity.

Turf wars originating in Mexico have spilt over the southern border of the US, adding substantially to security issues. Arizona has been identified as the kidnap capital of the US.

The catalysing effect of the fight for drug turf and markets would largely disappear under a normalised regime.

Public security is the function of governments that ensures the protection of citizens, organizations, and institutions against threats to their wellbeing – and to the prosperity of their communities.

Even low level turf wars, with occasional shootings are clearly a problem in urban environments. Recent research shows that attempts to crackdown can make matters worse and increase levels of violence ([Effect of drug law enforcement on drug market violence: A systematic review](#)).

Not all gang violence is drug related. However, the high profits to be made, combined with the unregulated nature of the trade, make prohibition a major catalyst for extreme violence. This catalyst would be removed under a de-securitised regime and thereby contribute to the promotion of public security.

Human security holds that a people-centred view of security is necessary for national, regional and global stability.

As ever, it is the poorest, most marginalised and disadvantaged who suffer most in any war, and the war on drugs is no exception. Relieving these people of the burden

of living in a perpetual war zone is yet another positive security outcome of desecuritising drug policy.

Drugs in a normalised setting

“But Repeal changed that, replacing the almost-anything-goes ethos with a series of state-by state codes, regulations and enforcement procedures. Now there were closing hours and age limits and Sunday blue laws, as well as a collection of geographic proscriptions that kept bars or package stores distant from schools, churches or hospitals. State licensing requirements forced legal sellers to live by the code, and in many instances statutes created penalties for buyers as well. Just as Prohibition did not prohibit, making drink legal did not make drink entirely available.”

‘Last Call – The Rise and Fall of Prohibition’, Daniel Okrent, 2010

One way to demonstrate the already extant de-securitized context, is through a comparison between the illegal production and supply of heroin, and its legal counterpart, pharmaceutical diamorphine. The following is excerpted from Transform’s securitisation paper:

It is a little known fact that, in parallel with the enormous illegal opium and heroin market, there exists a regulated legal market to match it. When the UN Drugs Convention of 1961 was drawn up, as well as calling on member states to support a global ban on non-medical use of opiates, it made provision for governments to grow, trade, supply and oversee the use of opiates for medical use. Indeed, more than half of global opium production is for the legal opiates market – pharmacy preparations, co-codamol, vicodin, codeine, and prescribed opiates – morphine, diamorphine, and the like.

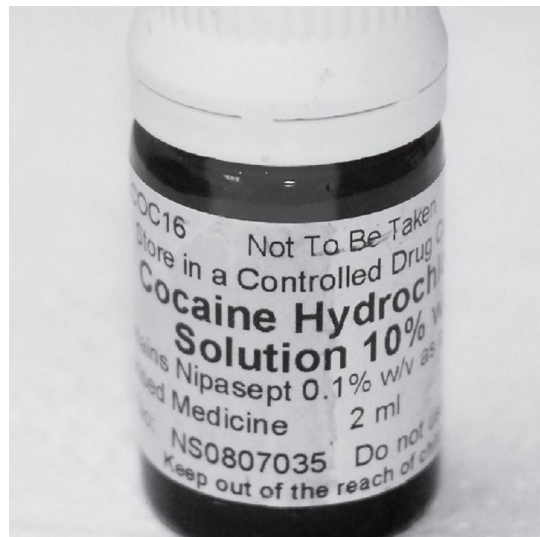
Opium poppies are legally grown in the fields of the United Kingdom, Tasmania, Turkey, Hungary and India. Their production and supply operates within global frameworks that govern pharmaceutical drugs. These are detailed in Transform’s report [‘After the War on Drugs - Blueprint for Regulation’](#) that shows how a post-prohibition regulatory framework for currently prohibited drugs might work.¹

¹ Transform Drug Policy Foundation, (2009), [‘After the War on Drugs - Blueprint for Regulation’](#)



Legal opium poppies growing in a field in Hampshire, England

It is instructive to compare this legal market with the poppy fields in Helmand province and the supply chain that leads to the illicit heroin on the streets of most industrialised nations. Why is it that the legally grown, produced and supplied opiates do not constitute an international security issue, and yet those whose production, supply and use is prohibited, do? Security cannot be undermined by the plant or the drug it contains. The difference must be the result of the respective policy contexts the drugs inhabit.



Medical cocaine in a UK hospital

Drugs as a wellbeing issue

The global drug control regime, created by the UN Single Convention of 1961 was conceived and resourced in order to promote health and welfare. The Preamble

states that it is: *“Concerned with the health and welfare of mankind... But quickly asserts the threat: “Recognizing that addiction to narcotic drugs constitutes a **serious evil for the individual and is fraught with social and economic danger to mankind...Conscious of their duty to prevent and **combat this evil...**”***

Overwhelming evidence shows that, not only have the securitisations failed to protect mankind’s welfare, they have caused ill health and reduced levels of wellbeing. We now know that high levels of drug misuse correlate very closely with low levels of societal wellbeing. UNICEF has produced league tables of child wellbeing in twenty-one industrialised countries. In 2007 at the bottom of that table sat the UK; in twentieth place was the US. Both have much higher levels of drug misuse than comparable countries. Both are champions of the securitisation of drugs. It is evidently demonstrable that low levels of wellbeing cannot be rectified by fighting a war; wellbeing is not improved in a war zone.

Obstacles

“It is difficult to get a man to understand something, when his salary depends upon his not understanding it!”

Upton Sinclair, ‘I, Candidate for Governor: And How I Got Licked’, 1935

“Remember, the leaders who are most likely to lie to their publics are those who head democracies bent on fighting wars in distant places. That description obviously fits the US...”

‘Why Leaders Lie – The truth about lying in international politics’, John J. Mearsheimer

“Isn't it funny how people who no longer have responsibility for anyone's safety or security suddenly see the light?”

US Drug Czar Gil Kerlikowske, Foreign Policy, 1 April, 2011

One can only guess whether he is making reference to his predecessor as Drug Czar Barry McCaffrey, who in an interview in 2009 told his audience that he doesn’t care about pot smoking, or growing by adults: [Go knock yourself out](#). Mr Kerlikowske’s statement fails to entertain the idea that former senior politicians do have safety and security in mind. However, they may have the political room to a) correctly assess the threat level and b) to depart from the geopolitical orthodoxy.

At any rate it is important to note that both [David Cameron](#) (calling on the UN to debate legalization and regulation) and [President Obama](#) (describing the war on drugs as an ‘utter failure’), expressed far more strident and progressive views before they came into high office. Former UK Secretaries of State, the late Mo Mowlam and Bob Ainsworth MP, both called for legalization/regulation as soon as they left high office.

Only the securitized discourse is permissible at the highest political levels, which creates a vicious circle, whereby only drug war successes can be articulated and alternatives are marginalized. This is what led to Hillary Clinton’s recent gaff in

Mexico, when she told an interviewer that there is [too much money in the drugs trade for it to be legalised](#).

Securitisation has poured trillions of dollars into enforcement, security and the military, building multi billion dollar empires and a complex world order, overseen by the US. The geopolitical infrastructure for drug policy is predicated upon war, not peace.

De-securing global drug policy will entail the demobilization of tens of thousands of individuals and, some very large agencies. Whilst redeployment to other areas will be overwhelmingly beneficial, geopolitical change management on this scale will be difficult.

A macro securitization of this complexity has never been undone. The closest examples might be the repeal of alcohol prohibition and the end of US military involvement in Vietnam.

“Leaders engaged in fearmongering...will exaggerate or ‘hype’ a recognized threat that is not causing much alarm outside of government circles”, Why Leaders Lie, Mearsheimer. Having participated in this for almost a century, it is difficult for leaders to admit that the regime has been orchestrated in this way.

Opportunities

“But it is also possible—maybe even likely—that the public is basically intelligent and responsible, and the reason that government leaders are having difficulty making their case is that they are misreading the threat and pushing a misguided policy.”

‘Why Leaders Lie – The truth about lying in international politics’, John J. Mearsheimer

“I don't object to discussing any alternatives [to the War on Drugs], but if we are going to discuss alternatives, let's discuss every alternative... what is the cost, what is the benefit of each alternative?”

President Santos of Colombia, Dec 2010

The [Latin American Drug Commission report](#) of 2009 (whose commissioners included former presidents Zedillo, Gaviria and Cardoso) demonstrated that senior politicians in Latin America are willing to critique the war on drugs and to articulate the need for global drug policy reform. The [Global Commission on Drug Policy](#) is due to report in June 2011 and will in all likelihood again call for substantive and substantial reforms.

Opinion polls show that the public is moving inexorably toward reform. The dissonance between the public's pragmatic position and the orthodoxy of the securitised regime is becoming ever more apparent. As this tendency grows, debating de-securitisation leads to a kind of democratisation of threat assessment.

In 2009 the International Drug Policy Consortium, a seventy member network of international NGOs called on member states and the UN to conduct country level

and international [Impact Assessments](#) of the costs and benefits of the war on drugs and alternatives. Part of this work would be to conduct national and international security impact assessments.

As the evidence comes to the fore and the fearmongering subsides, we have the potential to create a virtuous, rather than vicious circle, as science and effective outcome monitoring begin to predominate in the policy making world.

The worldwide economic crisis is forcing all governments to account for large expenditure. As the crisis continues, the budget for the war on drugs will come under more scrutiny to show value for money. The cross border fall out from turf wars in Mexico is causing Americans to notice the negative impact it is having upon their southern neighbour.

Conclusion

"It is tempting, if the only tool you have is a hammer, to treat everything as if it were a nail."

Abraham H. Maslow, 'The Psychology of Science', 1966

The initial securitisation of drugs in the sixties created the problems with the criminal market that grew throughout the eighties. With that securitisation in place, (unless the regime was changed), the only option left was to re-securitise organised crime, which duly happened. This second securitisation didn't reduce the problem, and there is much evidence to show that it exacerbated it.

The costs we collectively pay for maintaining the securitisation are in inverse proportion to the benefits of reinstating a normalised regime. Whilst normalising the regime does not solve all security problems, it removes one of the single biggest drivers for insecurity throughout the world. The paradox of a de-securitisation of drug policy is that it not only removes the forces that create the need for the second securitisation, it also enables us to address the underlying issues of drug use and misuse with the full toolbox of policy instruments.

In a threat obsessed environment it is all too easy to forget that the fundamental principles upon which normal policy making is, and should be built, are the three pillars of human development, human security and human rights. This paper challenges us to demonstrate whether prohibition is really delivering in terms of the UN's three pillars,² and asks us to seriously debate the alternatives.

Whilst the obstacles are great, the opportunities are greater than they have ever been. Let us take them.

² See Barrett D [Security, development and human rights: Normative, legal and policy challenges for the international drug control system](#), International Journal of Drug Policy 21 (2010) 140-144

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