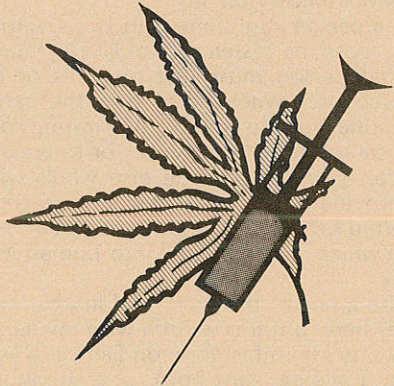


DRUGS AND THE LAW



BY ROD BOYER

Application for Membership

Society for Libertarian Life
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PLEASE ENTER MY MEMBERSHIP IN SLL.

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THE LIBERTARIAN STATEMENT

We, as libertarians, affirm:
That full individual liberty is impossible in any society other than a voluntary one that respects upon no one:
That men and women require the full and independent use of their own judgment in order to survive at an optimum level, and therefore have a natural right to do their own thing, providing that they do not physically harm or coercively restrict another individual's life, liberty or property.
That everyone is exclusively sovereign, and is a slave to no one.
That the individual is best served by society when he or she is free from the forcefully imposed controls of others, acting alone or in concert (as a government).
That all forms of coercion, aggression and fraud are always immoral.
That the only system consistent with personal freedoms in the economic arena is one that does not interfere with free trade between consenting individuals.
THEREFORE, we, as libertarians, resolve to oppose all forms of aggression by any State, Government, self-appointed savior, individual, or association of individuals. We further resolve to oppose taxation, conscription, eminent domain, laws which create victimless "crimes," and all programs forced onto individuals without their consent. It is time that the chains of authoritarianism in economics and morality be broken. Individual rights and coercion cannot co-exist. Liberty cannot be compromised, and we will settle for no less than freedom in our time.

(adopted on May 5, 1973)

products (bottles with child-proof caps, lockable cabinets to keep them in, etc.). Companies, in order to stay in business, would have to make a safer (and thus, more fully enjoyable) product than the competition. Much money, time and effort of any such profit motivated company would be spent on developing a *completely* harmless drug that could be freely enjoyed without worry.

Obviously, then, with time, the more harmful and less enjoyable drugs would vanish from the scene as their manufactures went broke or switched to different products. The less harmful and more enjoyable drugs would become increasingly predominant. This is not the conclusion of an idle and idealistic daydream. It is a conclusion based on the *fact* that businessmen enter into business to make wealth, and that people do value their own and their children's health and survival enough to buy the safer products. The only entrepreneurs who will stay in business in a free marketplace will be the ones who realize this.

THE FREE MARKET ALTERNATIVE

The safety of you and your children depends on a free market where customers can make the choices. So long as drugs are illegal, those who sell them have *nothing* to gain by making them safer. If they are not legal anyway, what can customers do about impurities, fraud, and harmful side-effects? You cannot look in the yellow pages for a more reputable firm. You cannot consult *Consumer Reports*. You certainly cannot complain to the Better Business Bureau. If you call the police, they will arrest you for *possessing* the drug. The drug sellers do not have to account to anyone for the quality of their product so long as it remains illegal. It is only legalization and the unrestrained functioning of a free market that can solve the drug problem.

The point of all this is that the responsibility of dealing with potential dangers in the environment belongs to each individual, not the government. When an individual makes an unwise decision in such matters, that person alone will suffer. When a government makes such a decision, millions suffer; the courts and prisons become jammed with harmless "criminals;" innocent lives are set back or ruined; more police, judges, attorneys, guards, facilities and thus more taxes, are needed more and more often; and everyone pays through the nose at the point of a government gun.

Thus, we as libertarians must condemn this unrestrained meddling in the lives of peaceful individuals. We further advocate, and work toward, the total and unqualified legalization of the use and sale of all presently illegal drugs.

The libertarian philosophy begins with the premise that each individual is the exclusive owner of himself or herself. It begins here because libertarians are people who want to live their own lives without being forced, or forcing others, to live in any manner other than the one they alone may choose.

The concept of ownership is central to the achievement of this goal. When a person owns something, that person is the *only* one who has any *right* to decide what will or won't be done with what he or she owns [so long as that person doesn't infringe on the equal right of others to make their own decisions about what they own]. It is only through the widespread recognition of this concept of ownership, and especially self-ownership, that we can ever free ourselves from the greatest threat to our survival and freedom on Earth--coercion at the hands of our fellow humans.

Before a person can come into ownership of *anything* necessary to the sustenance of Earthly human life, however, that person must first own his or her own *body*. To come into ownership of even the bare necessities of life, one must be capable of exerting *some* kind of labor to create those necessities; or to create something one can give to someone else who's willing, in return, to provide those necessities. *Whatever* kind of labor is exerted (physical, mental, emotional, etc.), the source from which it is expressed into human life is the human body.

If I write a poem, the ideas and images *may* have formed elsewhere, but it is *written* with my *hands*. The source of poetry's manifestation on Earth is the same as that of a car, building, song book, or a strenuously dug ditch--the human mind and body.

If you did not own your body, then it would not be up to *you* whether or not you would sing, write poetry, construct buildings or cars, pluck berries, eat, drink or live. You would die when whoever did own your body decided your life was finished.

The logical implications for drugs and the law should be rather obvious from this point forward. You *must* own your body if you desire to have anything to do with your survival as a human being. If you own your body, then only *you* have a right to decide what you will put into it; be it marijuana, L.S.D. or heroin, no one has the *right* to stop you. If you decide to sell any drugs you may own, others decide to buy, and a mutual agreement has been reached, then no one has the *right* to interfere in that agreement.

VICTIMS AND LAWS

Of course, if what you are selling is anything other than what you say it is, you are committing *fraud*,

which is definitely not a *victimless crime*. We, as libertarians, support the extraction from fraudulent people of equitable compensation for victims. If someone goes out killing, raping and plundering after taking some kind of drug, then, of course, appropriate penalties must be administered, and that person must be made to recompense the victims.

However, to impose penalties where there are no victims (except possibly the victimizer) is an act of blatant aggression. Accordingly, we as libertarians oppose all laws banning, restricting or regulating the voluntary use or sale of any and all drugs.

Many persons object to such an extreme position on the grounds that we must be protected from ourselves. They will say that some people are too stupid to examine all the evidence and take into account all the possible dangers of using certain presently illegal drugs.

A libertarian reply to this objection is to point out that this is true, but that it is also true that many *more people die* from failing to take into account all possible dangers of using cars, swimming pools, beaches, weapons, cigarettes, alcohol, electric light sockets, bug poisons, etc. The list is virtually endless. If we were to make illegal everything that could possibly be dangerous to someone, we would have to legislate the universe out of existence.

CHILDREN, GOVERNMENT AND DRUGS

Another common objection to the legalization of certain drugs is the potential availability of those drugs to children that legalization would seem to entail. Again, we must reply that there is an indefinite number of potential hazards in the environment. As with all potential dangers, it is the responsibility of parents to adequately supervise, instruct, and inform their still dependent children concerning such dangers.

The issue of children and drugs has increasingly become the source of the most emotional objection to the legalization of drugs. It has often been stated by concerned parents that they do not want a society where ten-year-olds can get pot at the corner drug store. It is obvious that parents cannot be watching their children every minute of every day of the year. "If drugs were legal," many parents ask, "how could we make sure our children weren't getting the drugs we don't want them to have?"

At this point, it is wise to examine how the health and survival of dependent children is *currently* being threatened by the very fact that drugs are illegal, and by the fact that the government has, through coercive means, almost totally monopolized the entire field of education. What many parents perhaps don't realize is that we *already* have a society where many ten-year-olds can get *heroin*. It isn't at the corner drug store, however. It's at the local tax-supported school.

The reasons why? 1. The public school your children probably attend have too many students in

proportion to those who can supervise them (teachers, playground monitors, etc.). Things can, and do happen, which no responsible adult may every be aware of; 2. The reason there are too many students is that fewer and fewer parents can afford to send their children to a private school with a more acceptable student-teacher ratio, more effective supervision, and better educational standards (if those parents could ever find such a school); 3. The reason such schools are rare and parents too poor to afford them is that first, the government taxes *everyone* to pay for the public schools and the vast bureaucracy (complete with the plush office buildings) to administer them. Then, parents think, "Why send my kids to a private school when I'm already paying for all the public ones?" Thus, private schools get less and less customers (recent exceptions to this are due to forced busing), while expenses rise (due to inflation of the money supply by government), and they either go broke, or have to charge prices only the very wealthy can afford.

Other than the inefficiency of public schooling, there are many other ways in which the government is the *cause, not the cure*, of the drug problem in relation to children.

If drugs were legal, companies that made them could not survive for long without pleasing the majority of their buyers. The majority of their buyers would undoubtedly be independent adults, since they would have the most money, and the most freedom to spend that money on drugs (children dependent on their parents are also usually dependent on them for spending money, and parents do have the option to demand an accounting of how the child's money is spent). Since most adults are concerned about the safety of children (especially their own), they would seek out child-safe

