

Newsletter from Boston
March 11, 1990

Was it really 10 months ago that I wrote the first "Newsletter" (a newsletter sounds quite pompous, doesn't it!)? I have been in the process of buying a condominium and have really had very little free time. Thank you all for the many responses to the first newsletter. There were a number of interesting points made that I will try to summarize here.

The Homeless. My thesis here was that the homeless problem did not result from cutbacks in government funding for housing programs but instead was a result of the gentrification process occurring in many American cities. Thus the homeless problem originated in a social process that is largely beyond the control of the government (although it seems likely that recent budget restrictions and fraud may have exacerbated the problem). This was the main proposition I was defending although I proposed that one possible solution might be to look for methods by which the homeless population could be moved out of the center of the city (where property values are skyrocketing) and into suburbs where they might more easily be adsorbed.

Support for my thesis came from the city of Cleveland where an anecdotal observation indicated that the homeless problem was not a serious problem. That would not be surprising as Cleveland has not yet had regentrification to the extent of other U.S. cities. Boston, in fact, is an excellent example in that through the early 80s the unemployment rate was the lowest among the industrial states and yet homeless was a serious problem here: Boston has been undergoing regentrification for about 10-15 years. Another respondent indicated that Europe apparently does not have a significant homeless problem.

To buttress these qualitative statements, I checked the literature to see if I could relate homeless numbers to unemployment rate and availability of housing in different cities. I found an excellent article by William Tucker in the *National Review* (September 25, 1987). His thesis was in fact quite similar, although he used statistical methods to show that those cities with rent control (R) have low vacancy rates and the highest homeless populations. For example, he found the following:

<u>City</u>	<u>Homeless</u> <u>(per 1,000)</u>	<u>Unemployment Rate</u>	<u>Vacancy Rate</u>
San Francisco (R)	11.5	6.0	1.6
Chicago (NR)	6.6	8.3	6.0
Boston (R)	5.6	4.6	2.6
New York (R)	5.0	7.4	2.2
Syracuse (NR)	2.3	6.7	9.5
Cleveland (NR)	1.4	12.4	6.5

While his data (for 50 cities) showed a strong correlation between rent control and homelessness (and a significant but weaker relationship between vacancy rate and homelessness), he did not consider gentrification (and associated condominium conversion) as a separate variable (note that Chicago has had a significant gentrification). In fact, both rent control and vacancy rate are related to gentrification and condominium conversion. Thus his data provides further support for the hypothesis.

More criticism came for my proposal that the homeless should be moved out of the city. While it was viewed as an interesting and perhaps possible solution, it was regarded as problematic: "How do you propose to increase the job markets in these rural communities?" and "... this perpetuates separation of the classes ... rather [we desire a society] where socioeconomic classes are mixed more thoroughly. The purpose would be to ensure that each city would be able to support an even balance of low-, middle-, and high-income housing within its borders."

I don't know what the best solution to the homeless problem would be; however, the logic of gentrification indicates that the problem will continue to get worse (irrespective of the funds spent on affordable housing) and that something has to be done.

Abortion. Well, this was more of a case where I was "preaching to the choir". My proposition was simply to observe that death (the end of human life) is defined as cessation of brain function: why not define the beginning of human life as the beginning of brain function. Thus, we would determine, using some kind of scientific test, when brain function began. This would then define the time limit beyond which abortion could not be performed. Most of you are sufficiently liberal that there seemed to be largely agreement with this proposition (although the agreement of a few was predicated on the result of the scientific test). There was also the claim "that life **obviously** begins at conception", but this was an argument that did not really bear on the proposition.

More to the point was the claim that perhaps the issue is not the beginning of human life, but the beginning of *potential* human life. This argument challenges my definition of the end of life as being analogous to the beginning of life: following cessation of brain function there is no *potential* human life; previous to the beginning of brain function there is *potential* human life. This argument has the ring of truth to it and the phrase "*potential* human life" has worked its way into legal proceeding. However, it seems to me that if *potential* human life is accepted as a criteria (as the Pro-Life movement desires), then any active act of contraception must also be prohibited as it also stops *potential* human life.

Issue 3: Drugs and Society. Well, here is an issue that all of society seems to agree on: drugs are damaging to society and drug-pushers are terrible people. Thus, we must give the government new powers and pass new laws so that we can combat the drug problem.

No, No, No

I can't stand it. There are few issues that I feel more emotional about than the way that society is being torn apart by drug laws (NOT DRUGS). I will put forth here the proposition that

drug use must be legalized. It is difficult in our society to even state such a proposition. In the House of Representatives, only one member (out of 435) has had the courage to call for such a step (MacNeil Lehrer Report, Dec, 1989 or Jan, 1990). In the workplace, it would be most damaging on one's career to actively promote such a position. Even in polite conversation (in so far as I have ever been accused of polite conversation), it is simply not done to promote drug legalization. The atmosphere is positively poison.

While I believe that arguments are most persuasive that limit themselves to a single line of reasoning, I will here advance three reasons for legalizing drugs. I feel that many different lines of reasoning can support for drug legalization, but these three are independent and powerful arguments, each showing a different aspect of how anti-drug laws are now destroying our society. The three arguments I intend to pursue are (in order of their importance to me):

- Loss individual liberties
- The funding of international organized crime
- The damage that the sale of illegal drugs do to our society (as opposed to the damage the drugs themselves do)

Loss of individual liberties. We live in a world that increasingly will threaten our individual liberties as technology continues to explode. It is the world feared by George Orwell as described in his book **1984**. As governments gain the capability to more closely monitor our actions, our bodies and ultimately, our minds, they will increasingly want to use this information "for the public good." Public-minded, caring people will threaten our individual liberties with seeming innocuous limitations of our individual freedoms. Then, manipulative, power-hungry individuals will take advantage of the weakened state of individual liberties and may eventually eliminate many of the freedoms we hold so dear. Implausible, fiction, unrealistic ... I hope so but fear not.

The last 60 years of history demonstrates around the world how fragile individual liberties are¹. The recent history of Latin America is sad proof that the western world does not hold individual liberties (even that of free thought) in high regard. Too often, individual liberties have been sacrificed for the "greater good." In Argentina (with a democracy that began last century, interrupted by a number of military coups), the government in the mid-70s began to bypass normal legal procedures, and eliminating people suspected of being "communist" guerrillas or of aiding these people. Ultimately, the efforts of the of this government to "promote law and order" led to the death of some 15,000 people, most of whom had little or nothing to do with the guerilla movement except perhaps some inner sympathy. In varying degrees, this grim story has been repeated around the world many times in the past 60 years. The growth of technology will only fuel these possibilities.

¹ Note here that it is important to distinguish between protection of individual liberties and protection of democracy. Democracy only insures that the will of the majority has a voice in decision making; it does not protect the minority in and of itself. While we all speak of our desire for democracy throughout the world, it is our entire constitutional framework (with its strong protections of individual liberties) that we are all justly proud of and hope to use to influence other nations.

In our country, I see lie detectors being used increasingly in a variety of situations ("if you have nothing to hide, why should you fear a lie detector?"). Few people seem to really understand why the 5th amendment to the Constitution (the right to refuse self-incrimination) is so important to our freedom. Our bodies are being tested for dangerous drugs. How soon until our minds are tested for "dangerous" neurotransmitters or hormones? What happens when governments acquire the technology to probe the sympathies within a person's mind?

Couple this fear with the trend I see in our country for self-righteous indignation; for people telling other people what they may and may not do; for the many limiting the rights of the few; for the "moral" imposing their morality on others; for the newly "reborn" spreading (and forcing) their various new found wisdoms on those not so blessed. Plainly speaking, Americans are just too concerned about what their neighbor is doing and they are encouraging their government to get involved in this effort. Drugs seem to me to be just one aspect of this trend.

The assault on individual rights far transcends the drug issue. Witness the abortion debate, the growing size and power of our federal government, the use of lie detectors to probe our minds, the recent Supreme court narrow interpretations of the Constitution, Anti-drugs laws are working to exacerbate this assault. It is a very high price to pay to "crack the door" allowing government to increasingly limit our rights with the goal of fixing some social ill. If this approach was successful and was the only way to help society, perhaps it would be worth it. But it is not working, and as I hope to show, there are alternate methods to deal with society's drug problem.

Funding of international organized crime. One needs look back only to recent U.S. history (prohibition of alcohol; the 18th amendment to the Constitution) to determine how well this social experiment worked the last time our society tried it. Recall that this experiment was a dismal failure (the 21st amendment), and one of its unfortunate consequences was the establishment of organized crime in the United States. The tremendous monetary incentives for "boot-legging" (sale of illegal alcohol) in the 1920s lead to the formation of syndicates to properly manage this "growth" industry. The legacy of these syndicates are still with us today.

The analogy with the prohibition of drug-sales must seem most obvious. Drug profits are tremendous and international in scope. International organized crime syndicates have been formed and have power and wealth far beyond the crime syndicates and families here in the United States. They commit crimes without respect for national border, and in Columbia for example, without regard for national governments. Such power in criminal organization have not been seen previously in our century. Our prohibition of drugs have funded the formation of these hideous entities.

The scope of the problem is perhaps best seen when it is recalled that our elected representatives are now considering the use of the military to fight the international drug cartels. How great indeed must be their scope that we are considering such a drastic step. As many foreign governments have pointed out, the drug problem is here in our country, not in foreign countries that require the intervention of our military.

Drug legalization would cripple these sinister organizations by taking away their profit motive. **A capitalistic solution for our capitalistic society.** More importantly, it would allow us to focus on our problems at home, and halt the export of our problems to other societies.

The damage that illegal drugs causes to our society . Consider the murders, the mob violence, the robberies and other drug-related crimes that have increased in our society during the eighties. Look into your fears, and I think that many of you will find that it is this crime that scares you, not the drugs that led to this crime. We must ask the question whether the drugs themselves are the source of this evil, or whether the tremendous profits involved are in fact the villain.

Consider a black 16 year old youth in the inner city next summer. Will he choose to look for a job working at the bottom of one of our service industries (for \$5/hour, \$200/week)? Maybe, if he can get the job (1985 unemployment rate for young blacks: 40%!) ... but his friends are sure to point out that he can make a weeks salary in a few hours (or less) by getting involved in the drug trade. What do you think he will choose to do? Many black leaders have pointed out that drugs are especially damaging to black communities. They need this problem solved and they need it solved now.

But what about the damage that drugs themselves do? We have all heard about the drug-overdoses and deaths, the debilitating effects of drugs on the lives of those dependent on these drugs. Without question, drugs can be, and in many cases are, damaging. But so is alcohol and so is tobacco. It is very important for us to stop talking about "drugs" in general, and talk of the specific substances -- they are not all equivalent.

It has not been demonstrated in any medical study that I am aware of (although I have not done a literature review) that marijuana is nearly as damaging (**under conditions of normal usage**) as either of these two legal drugs. While cocaine is reputed to be responsible for many deaths, I could only find evidence for 26 such deaths in 1985 (Vital Statistics of the United States) (there is reason to question this figure; see below). Heroin is thought by many of us to be a very dangerous drug, and it seems quite unreasonable to lump it (and other medically dangerous substances such as angel dust) with other 'relatively' benign hallucinogenic drugs such as LSD under the general category of **DRUGS**.

Each of these drugs should be evaluated to find "how" damaging it is . We also need to establish the level of crime associated with each drug and determine how the death, crime and property loss due to the illegality of the substance compares with the malignant effects of the drug itself. This is the key comparison I think we need to consider: how much damage are the drugs themselves doing and how much damage (crime etc.) is due to the high profitability of the drug trade and its illegal nature. Only by such a comparison can it be determined if our society might be better off (at least from a utilitarian² point of view) by legalization of any or all of these substances.

However much data is required. My attempts to acquire data on these matters were not terribly successful. The 26 cocaine deaths in 1985 were out of a population of 2300 drug-related deaths, 1500 of which were "unspecified". Statistics on drug-related crime were also difficult to find and not related at all to the particulars of the drug involved. Perhaps some of you might be more successful than I was. Evaluation of such data might allow us draw the line, that line separating those drugs that we should now legalize.

² The utilitarians (Jeremy Bentham and John Stuart Mill) believed in a calculus of utility whereby the optimal approach is that approach that maximizes the happiness (or benefits) for the greatest number of individuals in that society.

Alternate solutions. I hope that my arguments above have motivated the need to pursue alternate solutions to the drug problem. Legalization, of some form, is one such solution. Legalization of most "recreational" drugs (as opposed to "hard" drugs) would make a significant step toward alleviating the stresses placed on individual rights as outline above. It would also remove much of the profit incentive from the drug trade, thus crippling international organized crime, and also aiding in deterring inner city youths from being drawn into the drug trade.

As mentioned above, such a proposal requires data on the specifics of each of the individual drugs. While complete legalization of drugs might be workable, it is not necessarily the best solution. I should emphasize here that it is not my libertarian side that is urging my charge for drug-legalization -- I quite accept a governmental role in regulating some aspects of our life. My concern is that while in the process of limiting drug-usage, in some instances for no apparent reason (marijuana), the government has stepped too far and begun to threaten both individual liberties and social stability.

There is the concern that, by legalization, we would be just creating a new substance abuse problem, above and beyond that we now have with alcohol and tobacco. However, there are other ways to deal with substance abuse problems than making the substance illegal: specifically, education. In 1960, approximately half of the people in the United States smoked; that number is now down to approximately 30%. It has taken a long time (and many deaths) but the education process is working. People are voluntarily quitting smoking. Hopefully, we have learned how to better promote this education process (such as the banning of cigarette advertisements on television) and could combine legalization with a **realistic** drug education program (not one that tells our youngsters that marijuana "fries your brains").

Postscript. When I first began to write this newsletter (October 1989), it seemed that I was stepping out with a position that was positively unpalatable to all public officials, journalists, political thinkers and most people I knew. In the past several months, it has become clear that many other individuals are thinking along similar lines. Former, Reagan Administration, Secretary of State George Schultz surprised many individuals earlier this year (and delighted me) by declaring the drug legalization should be seriously considered. While not directly advocating legalization, he declared that the efforts currently underway to fight the 'drug-problem' were inadequate and that radical rethinking of the problem was required. A solution such as drug legalization or decriminalization was one that he was willing to explore.

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