

# Drug prohibition in australia: critiques



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## **Introduction**

A prohibition notice prohibits a person from carrying on certain activities which involves a serious personal injury until corrective action is initiated. Consumption of drugs spoils lives is not a new thought but the same has not been seriously considered. One of the methodologies used globally is to implement prohibition. Several studies have suggested that the prohibition based approach have proved to be a failure and are futile. Needless to emphasize that unlawful drugs cause harm both physically and socially. Drugs are major headache for all states. Drugs corrupt people and undermine society. Drugs make people unfit for work, unfit for parenting and unworthy for citizenship. Prohibition leads to huge black market in illegal drugs (Pryce, 2012). Drug consumption has worse impact as its usage does not satisfy hunger satisfaction rather the users try to find alternatives. There may be different methods for reducing the consumption of illicit drugs but prohibition has been the most reliable method found by all countries. It is, however, observed that prohibition has not been able to provide positive outcome. The easy availability, increase in drug related crimes and ruining of number of lives having dependence on drugs evidence those innovative steps or multiple actions are required to curb the consumption of illicit drugs.

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The drug war has remained as a priority for all political parties but it appears that it has largely been misunderstood and no concrete steps have been taken to solve the ever rising problems. One section of the researchers suggested legalizing the use of drugs but this debatable issue especially considering all drugs cannot be legalized. Drug abuse remained as a serious issue in our culture as self medication remains in practice for long and depressed people self medicate just for tolerance purposes. Prohibition policy is becoming policy of violence as holding banned drugs will take consumers behind jails and if the drug abusers are strong there is risk of life for the regulating agencies (Vibes, 2012).

## **Main Body**

All the drugs for consumption cannot be put under legally permitted because of the different characteristics. Prohibition of drugs is a fundamental issue but one segment of society suggests that concept of punishment is as old as Stone Age and prohibition is an inherently violent policy. There is suggestion for reforms in Drug Policy segregating which drug is more harmful than the other, how to prevent consumption of illicit drugs. To focus on drug problems in Australia, it is pertinent to refer that records indicate that 22% of Australian population during 1998 took drugs at least once a year which is five times more than the global average. After reviewing the seriousness, strategy made by Australian rulers was tough to reduce the drug supply and trafficking which caused reduction in demand and harm caused by drugs. Till 2008 there was significant decline in drug use levels. Review of Australian initiatives by amending drug policy indicates that drug use levels declined significantly after 1988. One of the steps taken by United Nations Office on

Drugs and Crime (UNODC) is to increase the body of knowledge available to policy makers to improve the global efforts to combat the threat posed by drugs.

Alternative to prohibition is to implement better control over seller's accountability and drug safety. Needless to say those drugs are sold in black market when the prohibition is enforced and there is no accountability amongst the sellers. Second alternative is reduction in availability of drugs to children. Culture also plays an important part e. g. even if there is no legal age restrictions on alcohol, the societal and family norms will prove to be effective by preventing children from than a formal prohibition policy. Thirdly, the steps initiated by Government to encourage genuine treatment for addicts are to avoid the path of punishment to deal with the social problem of drug addiction. All these actions need to be implemented as prohibition is not able to prevent the harm rather it is causing more harm in some cases. Past research studies confirm that drug-related offences account for 6 per cent of criminal cases and about 11 per cent with punishment of behind the bars (Ergas, 2012).

Prohibition has been seen as a solution but the real causes have not been targeted and alternate solutions have not been implemented due to number of reasons influenced by political administrations. Law enforcement and criminalization are linked to prohibition though other possible options to focus primarily on the health and social effects of drug use have not been given consideration to large extent. History confirms that Governments in Australia often use harsh measures for the illicit drug use and drug users. It is not in line with the steps taken for two other psychoactive drugs in

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widespread use in Australia, nicotine and alcohol. They are not prohibited, though associated with health, social and economic costs to public and society than the currently illegal drugs. It has been observed that in case of nicotine there has been decline in use after the regulation, taxation and social control have been invoked. But neither drug is prohibited. Instead, they are controlled not by organized crime, but by governments. The impact of invoking certain regulations provide boost for policy changes. It is prompting public discussions about prohibition of drugs, searching alternatives to existing criminalization approach and acceptance of the one found to be effective and acceptable to majority. This is need of the time as large number of young Australian deaths cannot be allowed to continue. In addition to the young deaths, large number of people suffers the short and long term health consequences of drug dependence, unsafe injecting practices and infections. There is decline in social standards as families suffer due to these drug abuses. It has been, therefore, suggested to reopen the national debate about drug use, its regulation and control. As suggested by other countries, change in culture and need to link parents and young people in this cause will have a major shift away from prohibition and major decline in use of illicit drugs. There has been opposition to prohibition in Australia and other countries. Public opinion is against prohibition which provides boost in production, distribution, and control of illicit drugs into the hands of criminals and increases their corruptive influence. There is more harm resulting from prohibition which overshadows the gains from efforts by police to curb the criminal drug industry. This is in fact accepted by many politicians, police, researchers and leaders of civil society across the world. Major drawbacks of prohibition are large number of young Australian deaths

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annually and loss of home and property. Internationally too, the war on drugs is lost by prohibition which has prompted them to look into rethinking of international strategies about prohibition and the treaties and conventions. Another factor is the huge profits from the black market trade in drugs, these amounts to an ounce of heroin costing many times more than an ounce of gold. It has made the criminals more resourceful than law enforcement authorities which hamper the success that police can achieve to reduce the supply of drugs. Prohibition causes an increase in the price of drugs and an increase in criminal profits and activities. It is fact that after decades of implementing prohibition in Australia, there is an easy availability of the banned drugs in streets and prisons which confirm that young people are surviving these supplies. Huge public funds used for implementing prohibition laws have gone waste looking into the growth of drug use. Had these resources been allocated and directed for health and social issues the results could have been different. Social cause is one of the most important criteria for any country. With the use of drugs there are increased chances of harm to individual drug users and their families. Large portion of this public harm is towards the younger generation and their families, mainly due to failure of the national policy of prohibition and criminalization. It has been suggested that national drug policy should be based on what is beneficial to the country and society as a whole and what factors differ from international actions (Australia 21).

Liberalization of drug policy is supposed to increase the number of drug abusers, though there are no studies to support this presumption. In fact the conclusion is otherwise as in case of Cannabis policy it is summarized that

after liberalization USA, Canada and South Australia, the consumption level did not change and was at similar levels or decreased following liberalization. It is evident from the studies for all countries cited above, after having adopted liberalized cannabis policy; they have experienced a substantial reduction in law enforcement costs. Prohibition has not only failed in Australia but on the international scale too. The drug abuse is known to have serious impact in 80 countries and prohibition could not help in curbing the spread of drug abuse. The spread of use of illicit drugs is more prevalent in developing countries. There can be different reasons e. g. transport, distribution and financing of the illicit drugs trade is increasing and the difficulties of trying to stop this trade are becoming more complicated with every passing year. In view of international failure of the policy of prohibition, it is not surprising that real alternatives to prohibition are being considered. In the United Kingdom, there have been relaxations in punishment of people caught with possession of certain quantities of drugs. People caught may not be charged if they are found to be first timers. Many countries including Netherlands and the Swiss are now moving slowly towards drug policy reform. In USA, there are number of reforms for the drug policies and there is less support for prohibition and there are number of steps to be materialized. Other issue is reforms in drug policies which remains debatable amongst the various segments of society and political parties. In spite of the fact that reforms are slow, these cannot be ignored as this is a major issue and needs to be given importance. Drug policy reform is thought to be major alternative to the prohibition. In one of the cases, heroin was prescribed by medical practitioners and the dispensing of this drug by pharmacists was put to the House of Representatives in Canberra.

Suggestions that drug law reform led to reduction in drug abuse have been found to be more effective e. g. in The Netherland, Dutch people are found to be the lowest users of cannabis in Europe considering Netherlands' policy being one of the most liberal in Europe. In UK, British crime Survey, the proportion of 16 to 24 year-olds using cannabis has declined from 28% in 2000 to 21% after the downgrading of the drugs to class C. It has been suggested that use of drugs by minors causes more difficulty in controlling prohibition. It is effective policy i. e. causing accountability to seller to ensure they only sell drugs to adults, specific drugs must be legalized and sellers are under given license. Prohibition has been providing opportunity to sellers to remain hidden and they remain underground to earn huge money (Kerlikowske, 2010).

There has been large number of events in the recent years evidencing that national and international recognition of serious concern related to criminalization of drugs is producing more social and geopolitical harm than benefits. There is urgency for taking new approach with future policy based on community understanding and sound research. In the recent Sydney symposium organized by Fairfax, large number of excellent studies with regard to prohibition confirming the steps taken for social cause was debated. Based on the factors that the Australian drug policy has been shaped by a national strategy around three pillars, the requirements are to look into accountability part of the supply side by “ supply reduction to reduce the availability of drugs through legislation and law enforcement”.

Change in demand reduction can be through prevention and treatment services and social awareness about the adverse impacts of usage.

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Recommendations done at various forums are to develop various forums for the reopening of the debate about drug policy (Douglas, 2012).

There had been various control measures in USA for curbing the practice of use of illicit drugs. In 1971 President Nixon had declared war on drugs but failed. The outcome was reviewed and made public that policy of full strength against the production, supply and consumption of illegal drugs has not worked. It is easy in the developed countries to buy these drugs as per wishes of consumer. It is multibillion dollar global industry having enriched mighty criminal cartels and also posing a threat to the countries. In view of the above, to quote statement of former president of Brazil that “ It is time to admit the obvious,” and “ The ‘ war on drugs’ has failed” need to be considered seriously. Change in society and culture is equally important. Responsibilities of the public is most important In Britain, more than half a million people aged 16-24 took cocaine last year and more than a third of all Britons aged 16-59 have taken drugs at some point in their lives; one in 10 in the last year. These major portions of societies need a major cultural change as it can lead to addiction and enter in crimes to fund their habit. The solution of such problems does not lie in prohibition alone; some combined efforts are needed for all the countries impacted by this underground industry (The Observer, 2009).

## **Conclusion**

Beyond doubt, all must acknowledge that prohibition is a failed policy. Even after spending billions of dollars in Australia on prohibiting drugs the country has one of the highest rates of drug usage in the world, including so-called party drugs used by young people. There are different arguments for reform, <https://assignbuster.com/drug-prohibition-in-australia-critiques/>

including its political bipartisanship. This has been highlighted by the experts from the Australia 21 forums confirming with the vast majority of doctors, welfare workers, lawyers and others who work at the coalface of drugs policy each day. It is hence a fact the prohibition alone is unable to stop rather it is literally killing, injuring and hurting young Australians who use illicit drugs because of our irrational obsession with prohibition. It is time to stop the prohibition process and initiate actions to produce policies that actually work. Over the past decade research studies have suggested that from chronological events, change in policies there is strong shift in public opinion in favor of drug policy reforms. This is in spite of the fact that there has been no public debate organized by countries or indulging in any independent enquiry in this serious issue. Contrary to this, there is still one section of public support for the continuation of prohibition of illicit drugs instead of legalizing and regulating the use of these substances. Such studies refer to incidents in USA also wherein 82% of those polled by the Family Research Association in 1998 were opposed to the legalization of heroin and cocaine in the same manner as alcohol is legal. Similarly, during the year 2009, a Gallup poll concluded 54% of those polled were against the legalization of cannabis. In Australia, which has had the highest levels of illicit drug use, in Organization for Economic Co-operation and Development (or OECD) countries do not support the legalization of heroin, cocaine and amphetamines, and 79% do not support the legalization of cannabis as per survey conducted in 2007. Experience of prohibition has not been successful in majority of countries. In fact conventional wisdom application helped more to frame and amend the policies on intoxicants prove to be effective.

Prohibition in consumption of alcohol also failed and generally speaking that

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drug prohibition is destined to fail too seems to be in order. However, notwithstanding one's position on the success or failure of alcohol prohibition, there are key differences between that policy and modern-day drug enforcement that renders a comparison almost useless for serious policy analysis. Public opinion states that prohibition has failed and there is need for managed legislation to curb this practice. Experienced law firms opine that war on drugs is not responsibility of courts as courts only practice what is referred to in the laws. There is need for political will for not to create a harsh environment in relation to drugs. Politicians focus is wrong and the real cause of addiction needs to be targeted. People suggest that drugs must be made legal for the use subject to terms and conditions.