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Legalization of Drugs in Mexico

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The war on drugs is a failure. In Mexico, corrupt politicians and soldiers themselves are involved in the business of drug trafficking and do not care about the safety of the Mexican people. The people are tired of so much violence and murders. There is no more room in jails for so many criminals that continue committing the same crimes behind bars, either. The human rights of Mexicans, guaranteed in the Constitution of 1917, must be respected, it is also necessary to decriminalize the use of drugs to combat drug trafficking and the government must take ownership of the production and distribution of these substances to satisfy the demand and end crime.

The Federal Law against Organized Crime, which establishes extrajudicial detention, is a clear violation of the human rights of Mexicans. This law was incorporated into the constitution in 2008 and “allows the detention and the deprivation of liberty of a person for up to 80 days, without an accusation, order of apprehension or without having been detained for committing a crime in flagrante, simply for being a suspect of committing an offense related to organized crime.”¹ This law is unconstitutional because it violates article 16 of the Constitution of 1917 that guarantees the freedom of all Mexican citizens. “No one may be subjected to interference with his or her person, family, home, papers or possessions, except on the written order of a competent authority, which is duly based on the law and applied to the facts of the case for establishing the legal ground of the proceeding.”² We are civilized people and do not live in a totalitarian state to live in fear of the government. We do not want another Ayotzinapa case, in which injustice and impunity reign supreme. Rumors and suspicions are not enough to deprive individuals of their freedom, without any conclusive proof that the law was violated. The government must respect our rights as citizens. We Mexicans want transparency, no more corruption.

It is necessary to decriminalize the use of drugs. The government simply cannot stop people from consuming drugs if they want to. If they cannot acquire them legally, they will acquire them illegally, risking their lives and the lives of many innocent people. It is not possible to cure a sick addict locking him or her in jail. “At present, global drug policy is characterized by heavy-handed law enforcement strategies which not only fail to attain their targets of reducing drug use, production, and trafficking, but also result in a documented escalation of drug-related violence, public health crises, and human rights abuses.”³ The government must respect the freedom of its citizens, as long as their actions do not infringe upon the rights and liberties of others. In Argentina, the supreme court ruled in 2009 that “each adult individual is free to make

1 “Reformas a las Leyes de drogas en América Latina”, trans. Luis Angel López Salazar, *Transnational Institute*, accessed April 6, 2016, <http://www.druglawreform.info/es/informacion-por-pais/mexico/item/248-mexico>.

2 “Constitución Política de los Estados Unidos Mexicanos”, trans. Luis Angel López Salazar, *Cámara de Diputados*, last modification January 27, 2016, <http://www.diputados.gob.mx/LeyesBiblio/htm/1.htm>.

3 Artur Domoslawski, “Drug Policy in Portugal – The Benefits of Decriminalizing Drug Use”, trans. Hanna Siemaszko, *Open Society Foundations*, June 2011, <https://www.opensocietyfoundations.org/sites/default/files/drug-policy-in-portugal-english-20120814.pdf>.

decisions about his or her lifestyle.”⁴ It is better to educate the people about the risks of drug use than to punish them for their addictions.

But it is not enough to decriminalize the use and possession of drugs either, if there is no agency that can supply them legally. On the contrary! This absurd policy only encourages the creation of drug cartels that not only satisfy the demand, but increase and worsen it through violence. “[The attacks against civilians] and the escalation of violence are carried out in order to destabilize, demoralize the people and obtain a total control of authorities, distribution centers and in general of the country at the service of drug trafficking [...]”⁵ Several states have suffered the consequences of the war against drugs. “Juarez has become the most unsafe city in the world, where more murders were committed than in Afghanistan in 2009.”⁶ And Colima, which was the safest state in the country in 2009, “placed first in homicides nationwide,”⁷ during February of 2016, due to organized crime. At present, those crooks even give drugs to children in schools to make them addicts and increase their profits. “The Attorney General’s Office [of the State of Colima] has detected that children between the ages of 9 and 11 are used by their parents to distribute drugs in toys and to serve as hawks [...] The parents [also] allow their children to consume [the] drugs.”⁸ Their heart is so full of evil that they even poison their own children. “Which of you fathers, if your son asks for a fish, will give him a snake instead? Or if he asks for an egg, will give him a scorpion?”⁹ Faced with this threat many civilian groups of auto-defense have risen in arms to protect their families and their communities from these criminals. But it is not possible to end this madness by cutting the head of the monster. It is necessary to root out this evil –the corruption in Mexico.

Even the government of the United States has allied itself and protected, in different occasions, one or another of these cartels, giving them a license to traffic and impunity for their crimes in exchange for their cooperation. “The Guadalajara Cartel, the most powerful drug trafficking network in Mexico at the beginning of 1980, prospered largely, among other reasons, because it enjoyed the protection of the DFS, under the responsibility of its boss Miguel Nazar Haro, an agent of the CIA.”¹⁰ The CIA has also been involved in the clandestine business of drugs and has favored drug traffickers to defend the U.S. capitalist ideology and protect the interests of multinational companies that operate in Latin American countries. “Miguel Ángel Félix Gallardo, is known as the godfather of the drug business in Mexico and the first drug lord of Mexico, in exchange for a significant amount of money, arms and other types of help for the contras in Nicaragua. [...] His activities were known by several U.S. federal agencies, including

4 “Fallo Arriola”, trans. Luis Angel López Salazar, *Wikipedia*, last modification November 24, 2015, https://es.wikipedia.org/wiki/Fallo_Arriola.

5 “Guerra contra el narcotráfico en México”, trans. Luis Angel López Salazar, *Wikipedia*, last modification April 6, 2016, https://es.wikipedia.org/wiki/Guerra_contra_el_narcotr%C3%A1fico_en_M%C3%ACxico.

6 “Guerra contra el narcotráfico en México”.

7 Edgardo Zamora, “Colima alcanza primer lugar en homicidios”, trans. Luis Angel López Salazar, *Colima Noticias*, published March 23, 2016, <http://colimanoticias.com/colima-alcanza-primer-lugar-en-homicidios/>.

8 Oscar Cervantes, “Detecta Procuraduría de Justicia que niños distribuyen droga en juguetes”, trans. Luis Angel López Salazar, *Colima Noticias*, published Aug 24 2017, <http://www.colimanoticias.com/detecta-procuraduria-de-justicia-que-ninos-distribuyen-droga-en-juguetes/>

9 Luke 11:11-12

10 “Implicación de la CIA en el tráfico de drogas”, trans. Luis Angel López Salazar, *Wikipedia*, last modification March 4, 2016, https://es.wikipedia.org/wiki/Implicaci%C3%B3n_de_la_CIA_en_el_tr%C3%A1fico_de_drogas#M.C3.A9xico.

the CIA and the DEA, but he was granted immunity due to his «charitable contributions to the contras.».”¹¹ How can we end drug trafficking and have peace in our country, if the government makes pacts with the devil himself?

The Mexican government must regulate the production, distribution and sale of these dangerous substances. This industry must be in the hands of the state and not private companies. Under no circumstances, must we allow the proliferation of greedy drug traffickers who profit from the suffering of addicted persons and exacerbate the problem of drug abuse by promoting their consumption. It is necessary to provide people suffering from addictions with the humanitarian aid that they need in order to overcome their problems, if they wish. Instead of wasting any more money on a lost war against drugs, we must invest on education and prevention of addictions. The legalization of drugs does not necessarily lead to an increase of their consumption, as exemplified by the case of Portugal, which decriminalized the possession and use of drugs in 2001. “The Global Commission on Drug Policy’s report points to Portugal as proof that decriminalization does not result in significant increases in drug use or dependencies, and urges governments to ‘replace the criminalization and punishment of people who use drugs with the offer of health and treatment services to those who need them.’”¹² Drugs must be regulated like alcohol and tobacco. In this way, users may consume quality drugs in a safe environment, without fear of reprisal, and have easy access to treatments for addiction.

We must not let the corrupt government trample on our human rights. Like the meritorious one of the Americas, Benito Juarez, stated, “Among individuals, as among nations, respect for the rights of others is peace.” Drug use does not make people criminals. If they suffer from addictions, they must get the healthcare that they need and not be judged for their sickness. The policy of decriminalization of drugs has been a success in Portugal. Today, “Levels of drug consumption in Portugal are currently among the lowest in the European Union.”¹³ Mexico must follow its example and move towards the legalization of drugs. This is the only way to combat the violence that ravages our country and end drug trafficking once and for all.

11 “Implicación de la CIA en el tráfico de drogas”.

12 Domoslawski, “Política Sobre Drogas en Portugal”.

13 Domoslawski, “Política Sobre Drogas en Portugal”.