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To Legalize, or Not to Legalize?

Ethan Nadelmann ("Think Again: Drugs," September/October 2007) succumbs to the intoxicating allure of the legalization argument. It's hard to blame him; legalization does appear to offer an escape from problems such as "corruption, violence, and organized crime." But legalization only offers an illusory fix. The problems Nadelmann links to the war on drugs would linger well after any end to it.

Although Nadelmann is quite satisfied with "removing coca from international antidrug conventions," he is silent about his feelings toward cocaine, the more powerful product derived from coca. Imagine a world where all drugs were legal. Vials of cocaine would be produced by multinational corporations and sold alongside packets of cigarettes and bottles of alcohol at local stores. Instead of needle-exchange programs, coupons for free needles would be distributed in periodicals, perhaps even in FOREIGN POLICY. The needles themselves would be made available near vending machines that dispense a drug, say methamphetamine, just as matches are sold near some tobacco machines. Does Nadelmann not consider that an alarming prospect?

Moreover, even if certain drugs were legal and commercial, it is likely that governments, in the name of civil order and public health, would still feel compelled to restrict levels of intoxicating and addictive chemicals present in drugs. A black market for drugs with higher concentrations of intoxicating compounds would spring up and be operated by criminal groups, just as they are today. And just as the end of Prohibition in the United States did not eliminate or reduce organized crime and violence—or lessen the use and abuse of alcohol—legalizing drugs is unlikely to produce any significant improvement.

The ways in which drugs are entrenched in a vast array of international economic, political, and security issues did not occur suddenly; they evolved over time through the intentional and unintentional efforts of numerous actors, both legitimate and

illegitimate. The trade cannot be quickly reversed or controlled with available resources, even with the sustained and combined will of the international community.

When it comes to drugs, we must accept an uncomfortable paradox: There will always be a drug trade in some form that will exist alongside continued prohibition on the sale of drugs or restrictions on their consumption. But if legalization occurs in the way Nadelmann envisages, the world would simply become a nightmarish illusion—one to which we wished we'd never succumbed.

—PAUL REXTON KAN

*Assistant Professor of National Security Studies
U.S. Army War College
Carlisle, Pa.*

Nadelmann has an easy target when he attacks the rhetoric of the international drug control regime. There's no doubt that a "drug-free world" is nonsense, and even those who utter the phrase know that. The idea cannot be a serious basis for drug control policies, and even its value as a rhetorical device is debatable. Moreover, it has also been used to justify the rejection of "harm reduction" policies such as needle-exchange programs and safe injecting facilities. Even though evidence of their effectiveness is weaker than advocates are willing to admit, these programs have suggestive evidence of benefit, no serious evidence of any harm, and a compelling logic and humanity.

The first half of Nadelmann's essay argues for harm reduction, but the last section shifts smoothly to legalization. As we argued in *Drug War Heresies* (Cambridge University Press, 2001), there is little doubt that legalizing cocaine and heroin would reduce many of the harms that most concern us now. Crime would fall dramatically, the drug-market disorder that is the bane of so many inner-city communities would disappear, and, with careful

For More Online



Watch the drug debate continue as Ethan Nadelmann squares off against Craig Murray of the Office of National Drug Control Policy, at ForeignPolicy.com/FPTV.



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planning, the connection between HIV and injecting drugs could be broken. What is less clear, however, is how much drug use and drug dependence would increase. Even if heroin use increased by 50 percent, society would probably be better off without the ill effects of prohibition. But if it increased by 500 percent (still well below the levels of alcohol or tobacco dependence), society would probably be worse off. The average dose of an illegal drug would surely cause less harm in a regulated regime, but if the number of those doses were to increase markedly, the total harm to society could rise rather than fall. Legalization might be a good policy option. But its advocates must accept the uncertainty of predicting any potential consequences and acknowledge the transformation—rather than complete elimination—of the drug problem that would remain.

—ROBERT MACCOUN

*Professor of Public Policy
Goldman School of Public Policy
University of California, Berkeley
Berkeley, Calif.*

—PETER REUTER

*Professor
School of Public Policy
University of Maryland
College Park, Md.*

Nadelmann's article reflects the intense polarization of the current U.S. drug policy debate. One side advocates "prohibition only," which relies on law enforcement, incarceration, and eradication of drug crops in foreign countries. The other side favors legalization of drugs that are currently outlawed, such as heroin, cocaine, methamphetamine, and marijuana. Nadelmann, who supports legalization, ignores a range of effective approaches that lie between these two policy extremes.

Contrary to Nadelmann's view, demand reduction can be effective even if drug abuse will never be entirely eliminated. Antismoking campaigns, which have cut smoking rates by almost half in the United States since 1965, are not intended to reduce harm, as Nadelmann believes, but rather to get smokers to quit or prevent them from starting in the first place. Like smoking, drug addiction is a chronic, relapsing disease. With similar investments in

prevention and treatment, drug use and addiction can also be reduced. But federal support for demand reduction is now about one third of the total drug budget, and treatment is available for only one in three of those who need help. Many prominent groups, including the American Medical Association and the American Bar Association, promote essentially a public-health approach to drug problems, which greatly increases education, early intervention, and access to treatment. The best way to cut drug consumption is through demand-side programs, not legalization or prohibition.

—MATHEA FALCO

*President
Drug Strategies
Washington, D.C.*

Ethan Nadelmann replies:

Mathea Falco is mistaken when she argues that the current drug policy debate in the United States is intensely polarized. In fact, it barely exists. The debates that are happening focus on issues such as drug treatment, criminal sentencing, needle exchange, medical marijuana, and government funding. Few people advocate either wholesale prohibition or legalization—myself included. I explicitly support a range of options between those two extremes. Indeed, the organization that I founded and direct, the Drug Policy Alliance, is probably the leading organization in the United States doing exactly that.

Falco and I agree, however, that drug abuse problems are best addressed by public-health approaches that emphasize early intervention and access to treatment. It's a shame that zero-tolerance policies and drug-free ideologies so often stand in the way of embracing evidence-based interventions that have proven successful elsewhere.

Paul Rexton Kan is right that a black market for drugs will always exist in some form. But that trade would be far less destructive if the market for drugs were legally regulated rather than kept in the hands of criminals. Kan's facile caricatures of a post-prohibition world are a poor excuse for refusing to think seriously about how best to reverse the extraordinary costs and harms of persisting with punitive prohibitionist policies.

Robert MacCoun and Peter Reuter note that "legalization might be a good



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policy option," but we must be wary of its potential impact on drug use and dependence rates, which cannot be reliably predicted. Their well-considered comment gets it just right.

I do not argue that legalization is *the answer* to the drug problem, but rather that it is *the question* that needs to be amply and honestly considered. The global drug prohibition regime has become the devil we know—its harms and failings tolerated and ignored beyond all reason. It demands critical assessment, but too often it is insulated by the power of vested interests, by simple inertia, and by dogmatic rejection of legalization as a sort of secular heresy. It's time to open the debate.

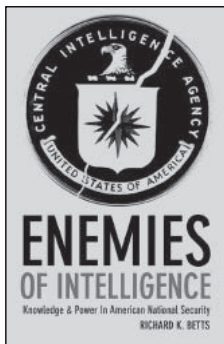
The Promise of American Intelligence

By virtue of his long experience on the intelligence beat, Tim Weiner is well qualified to critique the successes and failures of the CIA ("How to Make a Spy," September/October 2007). His proposal to invest \$20 billion in scholarships during the next five years to train a new generation of national security officers is right on target. Substantially increasing the funding for scholarships targeting new recruits is vital if the United States hopes to nurture the development of intelligence officers who understand the language, history, and culture of foreign lands.

Weiner's analysis is deeply flawed, however, in three ways. First, he claims that the United States has failed to create "a first-rate secret intelligence service." Despite its failures, the U.S. intelligence community has been more successful than any other espionage service in history—in both its record of accomplishments and its ability to speak truth to power. During the Cold War, every important weapons system fielded by the Soviets, from the H-bomb to missiles, was heralded in advance by American intelligence analysts. The CIA's development of the U-2 spy plane was also a breakthrough in espionage. Moreover, one of the agency's several useful officers in the Soviet Union, Oleg Penkovsky, provided invaluable information about Soviet

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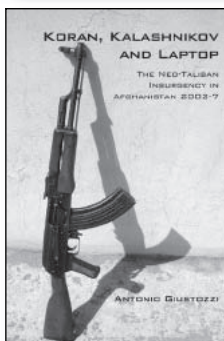


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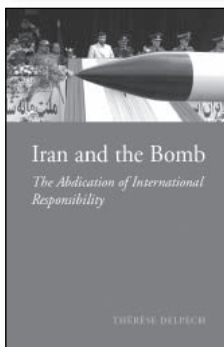
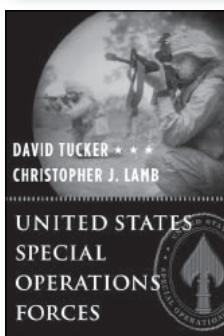
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— Peter Marsden, author of *The Taliban: War, Religion, and the New Order in Afghanistan*

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Thérèse Delpéch

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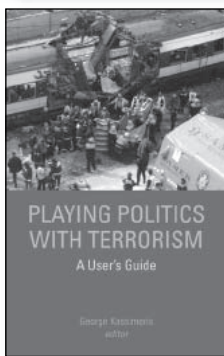
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military capabilities. The list of solid achievements goes on.

Weiner also has an unrealistic yardstick for measuring intelligence success. He seems to believe that the CIA ought to be able to forecast the future with perfect clairvoyance. That is simply not possible. Information is usually scarce or ambiguous, and situations are often fluid. Clearly, the CIA should have done better from time to time, but predicting the future as history unfolds in its capricious way is difficult, to say the least. Not a single journalist, politician, or scholar anticipated the sudden collapse of the Soviet Union in 1991, for example. The best that intelligence agencies can do is present policy officials with reliable data and a sense of possible outcomes, and, only rarely, precise predictions. We can and must improve intelligence, but we will never banish mistakes altogether.

Finally, although Weiner's focus on the training of intelligence officers is important, it is only one of many reforms that must be adopted to protect the United States. Basic organizational reforms are vital, including providing the new director of national intelligence with real authority to determine spy budgets and personnel. If the director continues to lack authority, intelligence will remain "stovepiped" within the 16 secret agencies. The end result will not be information sharing but bureaucratic turf protection—the very malady that contributed so strongly to the tragic intelligence failure in September 2001.

—LOCH K. JOHNSON

Regents Professor of Political Science
School of Public and International Affairs
University of Georgia
Athens, Ga.

Weiner would have us believe that the CIA never gets anything right. He is mistaken in that conclusion, but he is correct that recruiting and retaining first-class people is the key to building a great intelligence service. He is also right to point out how hard it is to find people who, as he puts it, "can haggle in a foreign bazaar." Unfortunately, he seems to believe that if we simply spend enough money training Americans to speak difficult languages (\$20 billion on training 100,000 individuals), and pay them enough (\$100,000 per year as a starting salary), the problem would be solved,

and the CIA would finally get it right. If only it were so simple.

First, the U.S. Congress would never agree to spend that much money on such an endeavor. Weiner surely knows that and is probably overstating his case for the sake of drama. Regrettably, suggesting such an improbable solution undermines the impact of his very important point.

Second, Weiner ignores the gains that the CIA has already made in doing precisely what he recommends. In the past few years, vast numbers of Americans have applied to work at the agency. In just the first six months of 2007, the CIA received approximately 103,000 applications, giving it a rich pool from which to recruit. Of the agency's new hires, 40 percent have advanced degrees and 60 percent have overseas experience. During the past three years, the CIA has increased its overall language capability by almost 50 percent, and it has boosted its proficiency in such critical languages as Arabic, Chinese, Farsi, Korean, and Pashto by more than 60 percent.

Finally, Weiner does not address the two questions that I believe are even more important than language proficiency

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—JEFFREY H. SMITH

Partner, Arnold & Porter LLP

Former General Counsel, CIA

Washington, D.C.

The personnel situation at the CIA is both troubling and hopeful. As Weiner asserts, the inexperience of much of the agency's workforce is a major problem. But it also demonstrates that many Americans have responded to the call for service after 9/11, despite the CIA's low morale and its technical and organizational problems. The question is whether all those newbies will stick around to become experienced officers. Since at least the 1990s, there has been a glass ceiling of sorts at the CIA; many officers leave as they near that threshold. Earlier this year, Gen. Michael Hayden instituted a reform program that, among other things, sought to break that barrier.

The jury is still out on whether Hayden can claim success, and there is clearly much work that remains to be done. Weiner is right to propose major investment to create a far greater pool of qualified linguists, but linguists are only one aspect of the solution. The CIA needs an entirely new operational formula—one that moves away from an excessive reliance on technical capability. Technological mechanisms have been seductive because they pull in vast amounts of data and can be planned for and budgeted. But they are indiscriminate and generate more raw intelligence than we can process, even as they fail to provide the key intelligence from inside the enemy camp.

There must be a fresh approach purely on the human intelligence plane. We must adjust U.S. information policy, psychological warfare, and our approach to the war of ideas to encourage the recruitment of sources who spy for conviction, not cash. During the Cold War, such people were called ideological spies. Recruiting and maintaining these sources would itself contribute to the morale of CIA case officers and the agency as a whole. We need foreign-language-speaking officers to talk to these people, but



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we also need them to be working to a formula that validates their dedication and offers the best potential intelligence for the United States.

—JOHN PRADOS

*Senior Fellow
National Security Archive
George Washington University
Washington, D.C.*

Tim Weiner replies:

Loch Johnson, Jeffrey Smith, and John Prados are three of the United States' best analysts of the strengths and weaknesses of U.S. intelligence. Like them, I want the CIA to succeed in its most vital missions—to know the enemy, to guard against surprise attack, and to provide the president with the information he or she needs to create a strategy for the conduct of U.S. foreign policy and the projection of U.S. power abroad.

I do not expect the CIA to have a magic crystal ball. I do believe, however, that the CIA broke its word with its false reporting on the Iraqi arsenal in 2002 and 2003. That work called into question every aspect of the agency's conduct of espionage and intelligence analysis. To quote Judge Laurence Silberman, who led the presidential commission that investigated the weapons of mass destruction fiasco, "If the American Army had made a mistake anywhere near as bad as our intelligence community, we would expect generals to be cashiered." Instead, we got a new directorate of national intelligence—another layer of bureaucracy—when what was needed was a new generation of multi-talented spies and analysts.

Smith is encouraging when he reports that the CIA's Arabic, Chinese, Farsi, Korean, and Pashto language skills have increased sharply. They were shockingly low not long ago. Given the parlous state of White House-CIA relations since 2001, he is right to wonder if future intelligence officers will speak truth to power—and whether presidents will listen. And Prados is on the money when he notes that U.S. foreign policy must change for the CIA to have a chance to win the loyalties of foreign agents. The lower the public image of the United States abroad, the harder it will be to recruit foreign spies who will divulge secrets out of a shared respect for American values.

Engaging the Brotherhood

I read with great interest Marc Lynch's memo to the Muslim Brotherhood's Chairman Mohammed Mahdi Akef ("Brothers in Arms," September/October 2007). I believe that this memo should have been written not only to the chairman but to all Brotherhood members, as the Muslim Brotherhood is a democratic body whose decisions are always made after proper consultations within its elected institutions.

In his memo, Lynch urges Akef to "use your political capital" and remain committed to democratic processes. But I feel that our commitment to democracy should not be the real concern of Western intellectuals and policymakers; our belief in democratic processes is ideological, not tactical. The real concern should be the negative impact of government crackdowns on moderates and the entire democratic process in the Middle East. The Muslim Brotherhood is a moderate, mainstream movement that is capable of overshadowing radical ideologies, yet we are only able to do so effectively in an atmosphere of freedom.

Lynch advises Akef to "watch what you say." I may have to partially agree with him on that. Although Akef's aim is winning the hearts of many Muslims with a war of words, diverting them from radicalism, I believe that winning peace in the world is a higher moral objective. The Brotherhood is playing a unique role in the world today. It acts as a safety valve—and sometimes the valve needs to release excess pressure to avoid explosion.

The Muslim Brotherhood is a large organization representing a reformist school of thought. During its historical journey, different lines of thought have influenced the organization, enriching it by adding diverse ideas and opinions. It is therefore natural that some of the group's leaders and members are more moderate and tolerant than others. Some are more pragmatic and more willing to engage in dialogue than others. But it has become increasingly clear over the past couple of years that the Egyptian regime has taken a ruthless stance against those moderate leaders.

Dialogue between moderate Islamists and the rest of the world would threaten the very existence of the authoritarian Egyptian regime. The regime seeks international support for its oppression by portraying us as radicals, terrorists, or theocrats. It is only through dialogue that such claims can be proven groundless. Therefore, the regime has tried to prevent such communication from taking place by keeping the moderate leaders of the Brotherhood, such as Deputy Chairman Khayrat El Shater, behind bars, by resorting to illegal measures, and by engaging in a deceptive smear campaign against the movement and its leadership.

Lynch's memo lays the foundation for healthy dialogue between moderate Islamists and the United States. It seeks answers for questions shared by many Americans, intellectuals and policymakers alike. However, it is important to understand that Islamists, just like other opposition groups in Egypt, are skeptical about the sincerity of the U.S. government in promoting democracy in the Middle East. Americans, just like Islamists, are therefore required to clarify their stances on some issues to achieve mutual understanding and boost the potential for a healthy dialogue. This should include a stronger position toward the ongoing violations of human rights in Egypt—whether it is toward Islamists or other Egyptians.

—A. FAHMY

*Leading member of the Muslim Brotherhood
Chief Executive Officer
IkhwanWeb, the voice of
the Muslim Brotherhood in English
Cairo, Egypt*

Lynch does an excellent job of capturing the U.S. political establishment's skewed debate about the Muslim Brotherhood—a debate premised on outdated assumptions. Empirical evidence demonstrates that the Brotherhood is just as committed—if not more committed—to civil nonviolence than other democracy movements that the United States has belatedly supported in places such as the Philippines, South Africa, and Indonesia. Yes, the Brotherhood is socially conservative. But the group is also politically pragmatic, believes in institutional development, and responsibly opposes authoritarian government.

The question for Americans should be: Why are we questioning the Brotherhood's commitment to nonviolence, and not the Egyptian government's appetite for repression? The United States provides billions of dollars in military aid to Cairo, yet the State Department remains silent when Brotherhood members are detained without charge, tortured, and referred to military tribunals. The debate would be far more constructive if it focused on U.S. complicity in suppressing civil demonstrators and non-violent local opposition groups in Egypt. One step toward curbing violence in the country would be to stop participating in it.

Until that happens, the Muslim Brotherhood's leaders and supporters have little incentive to court the approval of American politicians and academics. Until the U.S. government repudiates Hosni Mubarak's repressive state, it would be imprudent, to say the least, for the Muslim Brotherhood to try to win hearts and minds in Washington.

—JOSHUA A. STACHER

Postdoctoral Fellow
Maxwell School of Citizenship and Public Affairs
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Syracuse, N.Y.

"I never thought you were a bad *consigliere*, Tom. I thought Santino was a bad don."

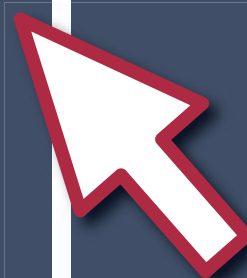
Like the *consigliere* to the Corleone crime family in *The Godfather*, Lynch gives sound advice to the supreme guide of Egypt's Muslim Brotherhood. But what good is sound advice to a bad don? Mohammed Mahdi Akef is an old-guard Muslim Brother who has left behind a trail of anti-American incitement as long as the Nile. He has proclaimed, "We have no relations with the U.S. It is a Satan that abuses the region, lacking all morality and law." The prospect of his becoming America-friendly is nil.

Lynch urges Akef to "demonstrate that, despite many policy differences, you share two fundamental goals with the United States: democracy in Arab countries and curtailing the influence of al Qaeda." But promoting democracy and defeating al Qaeda isn't what Akef sells to his followers—they wouldn't follow him if he did. The Muslim Brotherhood sells Muslim empowerment. It

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wants the Jews out of "Palestine" (that includes Israel) and the United States out of Egypt, Iraq, and everywhere else. Those "fundamental goals" have kept this movement going for almost 80 years and through trying times. Why should the Brotherhood adopt American goals? And why now? Akef has even stated that he "expect[s] America to collapse soon." Unfortunately, he hears plenty of American "experts" announcing that they expect something similar.

Lynch himself slips into double talk when he downgrades the divide to "policy differences." Importantly, Akef doesn't have "ambivalence" toward Hamas terror; he supports it. Lynch also misleads Akef by claiming that there is a debate about engaging the Muslim Brotherhood raging in Washington. There isn't. Because as tough as Hosni Mubarak can be, he shares several "fundamental goals" with the United States: stopping Islamist terror and keeping the Pax Americana.

—MARTIN KRAMER

Wexler-Fromer Fellow

*Washington Institute for Near East Policy
Washington, D.C.*

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A MESSAGE FROM AMBASSADOR JOHN BRUTON



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[Letters]

Marc Lynch replies:

Joshua Stacher and A. Fahmy both argue that the repressiveness of Egyptian President Hosni Mubarak, not the Muslim Brotherhood's commitment to democracy, should be the core issue of discussion on Egypt. I agree wholeheartedly with condemning the illiberal practices of a close American ally, but the Egyptian government cannot be the sole focus of critical scrutiny.

The Brotherhood thus far has demonstrated considerable commitment to the democratic game in spite of the regime's crackdown, which has earned it the backing of a wide range of human rights and democracy advocacy groups. But, ultimately, both Egyptians and Americans want to know what the Brotherhood would do if it were actually to come to power—and it is simply wrong to claim that no doubts about its intentions remain. The political party platform that it released to a small number of Egyptian intellectuals a few weeks ago, with its references to a religious council with power over legislation, shocked many people and has only exacerbated those doubts.

I agree with Fahmy's suggestion that the real focus should be the rank and file of the Brotherhood—the activists who form the base of the organization. But Mohammed Mahdi Akef is, in fact, the leader of the organization, leaving the Brotherhood open to critiques like that of Martin Kramer. Perhaps Akef's inflammatory statements are simply "red meat" to his base. But does that not tell us something about the views of that base?

Kramer is right that the Brotherhood supports Hamas and generally opposes U.S. foreign policy. He does a disservice, however, by reducing our vision to those issues at the expense of a wider view of the value of democracy and the need to combat extremism—two goals that many Americans share, and to which the Brotherhood might meaningfully contribute. Finally, Kramer succumbs to his own wishful thinking when he claims there is no debate in Washington about engaging the Brotherhood. My own participation in those debates aside, the evidence against his view can be found in the recent publication of articles exploring this question in the two leading foreign-policy periodicals in the United States:

Foreign Affairs, with Robert S. Leiken and Steven Brooke's "The Moderate Muslim Brotherhood," and ... FOREIGN POLICY.

FOREIGN POLICY welcomes letters to the editor. Readers should address their comments to fletters@ceip.org. Letters should not exceed 300 words and may be edited for length and clarity. Letters sent by e-mail should include a postal address.

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