

Debate far from over for Mexico's drug bill

Lawmakers vowed Monday to pass a bill that drops charges for small amounts of cocaine, marijuana, and other drugs.

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MEXICO CITY – Welcome to Mexico, a paradise of beaches, Mayan ruins ... and methamphetamines?

Much to the relief of many in Washington, Mexican President Vicente Fox decided last week not to sign into law a bill that would drop criminal charges for possession of small amounts of marijuana, cocaine, heroin, and other drugs.

But Mexican lawmakers pledged Monday to keep pushing for the decriminalization bill, saying they could override Mr. Fox's veto. The bill has proved controversial, sparking debate in both the US and Mexico over how best to battle drug trafficking and use.

Fox helped design the bill, and when Mexico's Congress initially passed it at the end of April, presidential spokesman Ruben Aguilar called it "an advance in combating narcotics trafficking." The reason: it would free up jail space and re-focus funding and manpower currently used to crack down on small-time users on big-time smugglers and dealers who, in the past few years, have turned Mexico into a more dangerous hub in the international drug trade.

But that was before Washington began raising objections. Officials from the State Department and the White House Office of National Drug Control Policy (ONDCP) "expressed concern," says Judith Bryan, a spokeswoman for the US Embassy in Mexico City, that such a law would both increase local drug consumption and encourage "drug tourism."

San Diego Mayor Jerry Sanders called the idea "appallingly stupid," and warned that it would turn border cities like Tijuana into Mexican versions of Amsterdam, where drug "tourism" rose after marijuana was decriminalized.

Mexico's Secretary of Public Security Eduardo Medina Mora argues the bill has been sensationalized by the media. Selling drugs or using them in

public would remain a crime punishable by jail, and police would still be able to take anyone found using drugs into custody for questioning, he told reporters last week.

The bill also sets stiffer penalties for trafficking and empowers Mexico's 400,000 local and state police to pursue and arrest street dealers, something that is now the responsibility only of the 21,000-strong federal police force.

Mexico would not have been the first country to decriminalize drugs. Half a dozen European countries, as well as Colombia, have passed some form of decriminalization law, says Bruce Bagley, a professor of international studies at the University of Miami. Many other countries have decriminalized marijuana. Most US states, by contrast, have much stricter laws.

"Is decriminalization the way to go? Absolutely," says Mr. Bagley. "The US method of repression does not work. Not only have we failed to reduce drug use, we have filled our jails with prisoners in for drug-related crimes, many of them non-violent - which has a devastating impact on society, especially on the poor."

Whether diverting resources from prosecuting small-time users to fighting big cartels will help combat the scourge is still unclear - but worth trying, says Jorge Chabat, a Mexican scholar who studies the illegal drug trade at the Center for Economic Research and Teaching, a university in Mexico City.

"It does not make any sense to put all the addicts or small-time users in jail. Addicts are not criminals and our jails are overwhelmed - so we need to choose who we are going to fight and how," says Mr. Chabat, who says that Fox was wrongly pressured into scrapping the bill by the US.

As many of the Colombian drug cartels have been dismantled in the past decade, the hub of the drug trade has shifted to Mexico, says Chabat. The US Bureau for International Law Enforcement Affairs claims that as much as 90 percent of the cocaine sold in the US is now smuggled through Mexican territory.

"Did the fact that Colombia decriminalized drugs make it easier for them to fight the cartels? That is hard to prove," says Bagley. "But they have seen some success there that Mexico might try to follow."

Critics of decriminalization, meanwhile, argue that turning a blind eye to any drug use only leads to worse problems.

The Mexican bill would make drug use easier, says Ron Brooks, President of US National Narcotics Officers Association, a coalition representing over 60,000 state narcotics officers. "Your kid goes down to party for a few days over spring break and comes back strung out," says Mr. Brooks, who worries that decriminalization normalizes drug use. "We have 24,000 overdose deaths a year in the US," he notes, arguing that if the bill becomes law, there would be more.

Tom Riley, ONDCP spokesman, says the Mexican bill is contrary to the prevailing trend against drug decriminalization. "Everyone talks about the Netherlands as an example of somewhere where decriminalization has worked fine - but, in fact, they are rethinking their strategy in response to higher addiction rates," he says. "Soft drug laws lead to more use and more addiction, and no one wants that problem."

Peter Reuter, a professor of public policy at the University of Maryland's Department of Criminology disagrees, arguing that there is no proof leniency affects the number of users. "Italy and Spain have moderately severe drug problems but don't stand out with the highest addiction rates or more drug-related criminality. Switzerland has a higher rate of addiction and has much more conventional policy," he says. "A study has yet to show that decriminalizing drugs has an effect on drug consumption or trafficking."