

On July 3rd the Home Office announced that the herbal stimulant khat (or qat) would be banned, and on July 24th Pope Francis, on his first visit as Pope to his native Latin America, criticised proposals to liberalise the drug laws in some South American countries. Are they right?

Tea, coffee, alcohol, cannabis, cocaine, heroin: where should the line be drawn, and how? Mormons avoid even tea! A good idea of God's answer comes from the Old Testament attitude to alcohol. In ancient Israel's legal code, the Law of Moses, there is no general prohibition on drinking alcohol. In Proverbs, wine is said to be a good thing in some verses (9:2,5) but a bad thing in others (20:1, 23:21,30-33). A closer look shows that it is a good thing in moderation – it 'gladdens the heart' (Psalm 104:15) – but drunkenness is bad. It is obvious why drunkenness was not outlawed: Mosaic Law legislates protection from others but not from ourselves, and drunkenness carries its own penalty (the hangover). When this principle is ignored, laws multiply and we move from Our Father to Nanny State to Big Brother. This happens in a partnership between zealots who like to busybody other people using the excuse that it is for their own good (which is appropriate to say to children but not to other adults), and politicians who like to look busy and decisive by banning things. We are quite a long way down that path – there are restrictions on smoking *outdoors* in some places, even where there is no fire risk; and e-cigarettes, which are far less noxious, are often banned similarly. If alcohol were invented today then it would obviously get banned. During World War I licensing hours were introduced to keep effort up in munitions factories, but remained in place after the war. In Australia, World War I led to the closing of bars at 6pm, a policy maintained for decades after to promote family life, but which led instead to an hour's hard drinking after work – after which men returned home to their families inebriated. Alcohol was, notoriously, criminalised in 1920s America, largely by Christians who might not have let Jesus Christ into their churches because he drank (Matthew 11:19). Prohibition of drink criminalised peaceable people who enjoy a glass of wine over a meal; handed the alcohol trade to criminal gangs who used the profits to expand into genuinely evil enterprises; took up huge police resources that could have been better spent; brought the law into disrepute by widening the gap between government and people; and failed in practice to prevent people drinking alcohol. We are now in the same position with other drugs – expending large sums trying to enforce bans that are not working (it is not hard to get hold of drugs) while criminal empires extend their tentacles from drugs to organised crime, the police divert resources from other areas, and the courts and prisons get clogged up with drug offenders, while addicts delay seeking help because they fear getting a criminal record. Doctors repeatedly call for smoking to be banned, but how much police time would be taken in trying (without success) to enforce it? In banning khat, which has to be chewed for an extended period before it exerts any effect, our Home Secretary went against her own experts, the Advisory Council on the Misuse of Drugs. But in 19th century England most drugs were legal and there were no mass crazes for opium or cocaine, just a few addicts – little different from today when these drugs are illegal. (See an excellent book called *The Art of Suppression* by Christopher Snowdon.) In 2001 Portugal removed all penalties for possession of 'hard' drugs and, contrary to claims that addiction and crime would rocket, its statistics did not soar. Many detectives who have spent years battling the drug trade eventually reach the same conclusion as God about what the law should be. Mike Barton, Chief Constable of Durham, gave the same arguments as above for the decriminalisation of even Class A drugs in *The Observer* on 28/9/2013. (There is another, that the 'rush' of breaking the law, goes away.) The police are not meant to be a branch of Health and Safety. In 2013 Uruguay announced that it would legalise cannabis, and at the start of 2014 the State of Colorado legalised it, although it remains illegal under US Federal Law (which is unlikely to be enforced). Of course, legal driving limits must then be set.

If drugs are not criminalised, should they be taxed? Currently the drug trade is a huge industry that does not pay tax. Some say it is immoral for the State to profit by taxing something that causes human degradation. But the government already taxes tobacco, and it is actually *more* moral to tax non-essentials. In a country with a Health Service funded through tax revenue it is reasonable to tax drugs having effects that are costly to treat (although the accountancy should also take note that addicts die younger so that State pensions cost less). Tax must not be so high that the black market is much cheaper, for smuggling would then flourish (as with cigarettes and, at one time, tea – an issue which triggered the American War of Independence!) As for taxing designer drugs, distilled spirits are the designer drugs of yesteryear – they are strong and they require specialist knowledge and apparatus to make – and those are taxed. Today it seems that legal highs and designer drugs must be banned as soon as they come to the government's attention. But why? In regard to designer drugs, here is a paragraph from the British parliament's 2009 revision of the 1971 Misuse of Drugs Act:

Any compound structurally derived from 3-(1-naphthoyl)indole or 1H-indol-3-yl-(1-naphthyl)methane by substitution at the nitrogen atom of the indole ring by alkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl or 2-(4-morpholinyl)ethyl, whether or not further substituted in the indole ring to any extent and whether or not substituted in the naphthyl ring to any extent.

Can you imagine a policeman asking if you have that on you? When the laws of the land look like this, you might think a wrong path has been taken. [**Postscript.** *The Psychoactive Substances Bill 2015 will, according to the government, apply to “any substance intended for consumption that is capable of producing a psychoactive effect” excluding alcohol, caffeine and tobacco – which concedes the point. Penalties will include jail terms. The change from prohibiting specific substances to outlawing everything except what the government permits is deeply totalitarian.*]

So much for what the law should be. How should Christians live under it as it is? First, unless the law goes directly against the principles of Jesus – which is not the case with drugs – then you must be good citizens and keep the law (Romans 13); don't take illegal drugs. But if you are in a place where drugs that are illegal here are legally available, what then? God's answer is oblique: *You have responsibility before Me for all of your actions.* You would be foolish to take drugs that are immediately and powerfully addictive. Also, many psychoactive drugs are liable to give a 'bad trip'. Perhaps this is because “the heart is deceitful above all things, and desperately wicked” (Jeremiah 17:9), and the operating part of us, which is unaware of this wickedness moment by moment, becomes unbearably aware of it. Keep in mind also that Jesus drank with his disciples for social reasons, not as an experiment with his head. The Greek for witchcraft in the New Testament is *pharmakeia*, because of the availability from herbalism of psychoactives and the notion of magic potions. You have responsibility before God for all of your actions.