even put a "because" in front of them). Then see what claim they can support. You can use the word "therefore" as a prompt to help you invent a potential claim. For example, suppose that you are undecided about whether your team should build a new stadium. You could list several facts and beliefs that seem relevant to this proposal, and then see what overall claim they can support.

Reason: [because of] _____

Reason: [and because of] _____

Reason: [and because of] _____

Claim: [Therefore] _____

Remember that in building up to a claim in this way, you may also have to supply reasons for your reasons.

After you have your reasons and claim, review your individual reason-claim pairs and supply the necessary warrant for each so that you can assess the plausibility of the case you are building, for yourself and your potential audience.

Reason _____ → Claim _____

↑

Warrant _____

You can use either of these two methods—claim first or reasons first—when constructing an argument. Some people believe that the first method is actually more common, that researchers usually start with a potential claim or claims in mind and see what support is available, abandoning claims with insufficient support and keeping only those with the strongest support. Whichever process you follow, though, remember that the core of your developing argument will be the claim-reason pairs you can generate.

Expanding the Three-Part Argument: The Full Toulmin Model

As you have seen, the three-part model of a basic argument—claim, reason, and warrant—can be expanded when more reasons are added or when a reason and warrant are treated as claims requiring further support. This three-part model can also be expanded in still another way. To understand this new direction we have to introduce another aspect of argument.

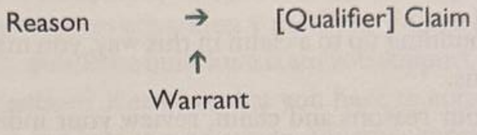
Qualifiers

People make claims with varying degrees of certainty or conviction. They often qualify their claims, offering them boldly or tentatively, depending on what seems to be at stake in the situation and how compelling their reasons are. Our movie rental claim, for example, could be qualified in the following ways:

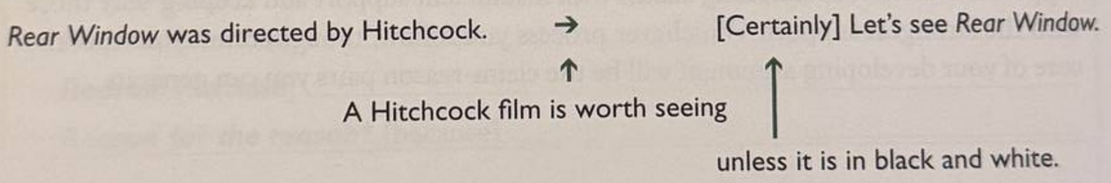
We absolutely have to see this movie.
We probably should see this movie.

We might enjoy this movie.
We could take this movie out if there's nothing better available.

Most claims are hedged in ways like these because we know that special circumstances or possible counterarguments could weaken our case. So we add a **qualifier** to the claim, adjusting the certainty according to the strength of our support and the amount of resistance we expect. The Toulmin scheme for laying out arguments includes a place for the qualifier in the claim. (In an actual claim, the qualifier may appear in a different place from the one suggested by the diagram.)

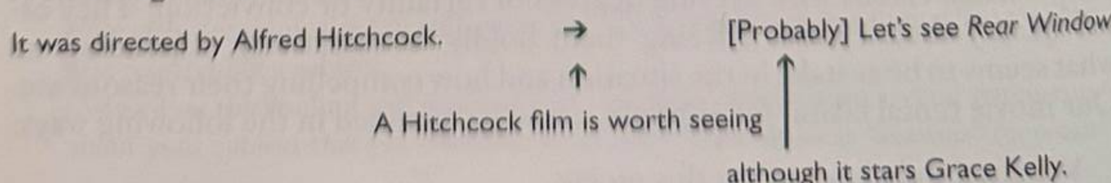


The qualifier in a claim is often directly tied to circumstances that can affect the argument. To return to our video store example, suppose your friend has heard your reasons for taking out *Rear Window* and is inclined to agree. But your friend dislikes older movies in black and white and so will agree to rent *Rear Window* only if it is in color. We can call your friend's stipulation the **rebuttal condition** in the argument. If this condition is present, if *Rear Window* is in black and white, then the claim no longer holds. We can add the rebuttal condition (and there could be more than one) to the Toulmin scheme in a way that shows its impact on the claim.



Counterarguments

The qualifier in a claim is also affected by potential counterarguments. To return to our example, suppose your friend has an irrational dislike of Grace Kelly, the beautiful actress who left Hollywood in the 1950s to marry the Prince of Monaco. It happens that the female lead in *Rear Window* is played by Grace Kelly. Your friend's dislike of Kelly is an argument against seeing the movie. You can deal with this argument by acknowledging it and then setting it aside; it weakens the case and increases the hedging but doesn't destroy it. You maintain that the argument based on the director is stronger than the counterargument based on dislike of Grace Kelly.



When you add a counterargument in this schematic way, you can see that one way to strengthen the argument would be to answer the counterargument.

Thus an argument recommending *Rear Window* could turn into a defense of Grace Kelly as an actress.

This fuller scheme for laying out the parts of an argument, developed by the British philosopher Stephen Toulmin, is widely used in the teaching of writing and critical thinking. Qualifying a claim according to the strength of the reasons or the rebuttal conditions is a wise practice in everyday argument since we can rarely prove our claims; we can only make them more probable.

EXERCISE 2.7

Working either alone or with a group of classmates, expand one of the three-part arguments you developed for Exercise 2.6 by supplying a rebuttal condition or counterargument. Depending on your rebuttal condition or counterargument, add an appropriate qualifier to your claim. (You may go on to use this expanded argument as part of a written argument.)

BUILDING ARGUMENTS WITH OTHER POSITIONS IN MIND

In our long-playing example of two people deciding what DVD to rent, one speaker already had a course of action in mind. The only problem was how to convince a friend to go along. But while this simple example is typical of the many little daily arguments we make, it does not reflect the processes we go through to help us make up our minds in the first place. In more complex situations—how to respond to an assignment, whom to vote for in an election, what position to take in a controversy—we usually do not know immediately what to believe or do. In cases like these, we use the process of argument itself to help us think through an issue and form a claim. We try out the arguments for various positions, testing to see which seem the strongest to us or to the audience we want to persuade.

An extended example will show how the process of examining arguments on at least two sides of an issue can help you decide what claim to support and how to put together a case for it. Suppose that for a film course you have been assigned to assess the practice of colorizing black and white films and broadcasting them on television in the new colorized format. You can easily find many published arguments on this issue. Reading through them, you can list the various reasons for approving or disapproving of colorization. You can also come up with reasons of your own. The reasons on either side can then be lined up according to whether they directly answer each other.

Colorizing rejuvenates black and white movies.

1. The technology of computer colorization is good and getting better.
2. Colorization improves the TV and DVD markets for old movies.

Colorizing ruins black and white movies.

1. The colors imposed on movies look unnatural and bleed into one another.

3. The original directors would have used color had it been available.
4. Colorizing makes movies accessible to audiences that would otherwise not see them.
5. Colorization makes movies appear less dated.

3. Black and white film is an aesthetic medium in its own right.
4. These audiences are not seeing the movies as they were meant to be seen.
5. Colorization distorts film history.
6. Prominent directors, actors, and critics object to colorization.
7. You can always turn the color off.

You could support each individual reason in these lists with additional reasons, of course. For example, you could support the point about black and white being an artistic medium in its own right by citing Stephen Spielberg's choice of this medium for substantial parts of one of his most important movies, *Schindler's List*.

One side may have more reasons than the other, but arguments are not decided just by counting the reasons. One reason on one side may seem to outweigh all the others. In our example here, the appeal to film history, to being faithful to the original artistic form of a movie, would be more convincing to some audiences than any other reason. For others, the strength of the overall case on one side or the other, without weighting the individual points, could seem decisive. It is even possible that someone who has gone through the process of making the case for each side will conclude that neither position is stronger than the other. Whatever conclusion you reach, conducting this kind of analysis, carefully compiling all the reasons for different positions, improves your chances of reaching a considered position and finally producing a fair and thorough argument. Since the process of making up one's mind depends on knowing whatever can be said on all sides of an issue, it makes sense to be patient and willing to take into account whatever and whoever can contribute to a debate.

WRITING YOUR ARGUMENT

TAKING ACCOUNT OF OTHER POSITIONS

The full Toulmin diagram of an argument includes a place for you to fill in the conditions and counterarguments in the minds of your audience that could weaken your claim. The diagram provides a visual scheme that can help you put together your response to other positions.

Begin by identifying competing claims about the topic you are investigating. It is common to form claims that are opposed to each other, pro and con, but you can also create positive claims that cannot be maintained simultaneously by the same person. They cancel each other out in a sense; you cannot hold both or all of them at the same time. The two claims in the example above, "Colorizing rejuvenates black and white movies" and "Colorizing ruins black and white movies," are incompatible. If you come

up with incompatible claims, write each one at the top of a piece of paper or a computer screen and list reasons for each underneath. Where possible, line up the reasons that contradict each other.

Claim A _____	Claim B _____
Reason _____	Reason _____
Reason _____	Reason _____
Reason _____	Reason _____

and so on as needed.

Following this process should help you determine which position deserves your adherence overall. You can also use it to strengthen the claim you finally choose by dealing directly with any reason that seems to weaken your claim. To help you in this process, fill in the slots in the full Toulmin diagram to help you visualize how a claim-reason pair can be strengthened by taking a counterargument into account. For example, you can concede the validity of the counterargument by qualifying your claim to accommodate it, or you can argue against (refute) the counterargument. (For more on dealing with other positions, see Chapter 3, pp. 56–58.)

Reason _____ → [Qualifier] Claim _____

↑ ↑

Warrant _____ Rebuttal Condition/
Counterargument _____

EXERCISE 2.8

Working either alone or with a group of your classmates, identify competing claims about one of the following topics, then list reasons for each claim underneath. Line up any reasons that contradict each other. Then decide how you would weight the reasons you have listed. Which claim is stronger?

1. Reality television shows such as *Survivor* and *The Bachelor*
2. State lotteries
3. School vouchers
4. Privacy on the Internet
5. Peace-keeping role of the United Nations

THE BUILDING BLOCKS OF ARGUMENTS: VALUES AND FACTS

In the sample arguments we have worked through so far in this chapter, we have stressed the importance of the basic three-part structure: claim, reason, and warrant. Claims are either given and then supported by reasons and warrants, or they are discovered from the available reasons and warrants.

Where do these building blocks, reasons and warrants, come from? The fundamental building blocks, the sources or bases of all of the types of arguments discussed in this book, are values and facts.

Let's focus on reasons for the moment to see how facts and values can be drawn on to support them. Compare the following two reason-claim pairs.

EXAMPLE A:

Reason: The disabled elderly confined in long-term care facilities deserve to be treated humanely and generously.

Claim: Therefore we should carefully inspect and control long-term care facilities for the elderly.

EXAMPLE B:

Reason: There are almost 3 million disabled elderly in long-term care facilities in the United States today [1999].

Claim: Therefore we should carefully inspect and control long-term care facilities for the elderly.

Both these examples argue for the same claim, but in the first the reason offered is a value and in the second the reason is a fact. You can see the difference between these two reasons by considering the different kinds of additional support each would need. You could support the statement of fact, reason B, by citing a credible source for statistics about residents in long-term care facilities. You could not, however, support Reason A by turning to census data. It is not a fact that can be verified; it is a value judgment. It can still be supported or strengthened, but it offers a different kind of basis for building a case.

The Belgian rhetoricians Chaim Perelman and Lucie Olbrechts-Tyteca were the first to emphasize the categories of values and facts as the building blocks of arguments. In their joint work, *The New Rhetoric*, they described values and facts as "sources of agreement," the materials that can be used as common ground between the arguer and the audience. Since arguments cannot go on forever, they have to stop (or begin) somewhere, and Perelman and Olbrechts-Tyteca believed that these stopping (or starting) points are always the values and facts that an arguer judges an audience will accept. We will review briefly the differences between these two broad categories and then discuss the special problem of finding or verifying facts for an argument.

EXERCISE 2.9

Consider the reasons that you came up with for Exercise 2.6 or 2.8 and decide whether each reason is a fact or a value.

Values

Values are beliefs about what is good or bad, moral or immoral, right or wrong, beautiful or ugly. Our values determine the attitudes that we hold toward ideas, goals, actions, people, and things. The sample argument above calling for

inspection of long-term care facilities invoked a certain attitude toward the elderly based on their value as people deserving special care and respect. The argument at the beginning of Chapter 1, which urges citizens of Indianapolis to go to the polls, invokes the value of voting in a democracy ("Election Day is a rare opportunity not only to change our leaders but refocus our government"). Even our video store example relies on both a fact as a reason ("*Rear Window* was directed by Alfred Hitchcock") and a value judgment about artistic works as a warrant ("A movie by Hitchcock is worth seeing"). Values can also be thought of as motives for action. If you value something strongly and positively, then you will act to acquire or preserve it. In fact, the strength of a value can be measured by what you are willing to sacrifice for it, by how much you are willing to pay in time, money, or energy to acquire or preserve it.

Values will be discussed in greater detail in Chapter 8 on evaluation arguments. Here we simply want to stress one important feature of values as sources of agreement. Perelman and Olbrechts-Tyteca pointed out that the values appealed to in an argument depend greatly on the particular audience being persuaded. A value appeal that one audience responds to strongly might have little force with another audience. An audience of British citizens, for example, will tend to have a different attitude toward, or evaluation of, their Queen than an audience of American citizens will. Perelman and Olbrechts-Tyteca also stressed that while many people may share the same basic "list" of values, they do not prioritize the values on that list in the same way, and they do not always agree about which value from the list is the most important one to call on in a particular case. So arguments have to be introduced that weight one value over another and these, in turn, will depend on still other values that the audience will acknowledge. The bottom line is that arguers have to be very sensitive to their audience's particular values.

Facts

Unlike values, which may have limited appeal, facts are by definition the kind of statements that we imagine everyone will agree with. **Facts** can be defined as answers to the basic questions about reality involving who, what, where, when, how many, and so on. Who won the Super Bowl in 1977? Where is Botany Bay? When was the Treaty of Utrecht signed? How many stocks posted gains in today's trading on the NASDAQ? We label as facts any answers to such questions that we believe should meet with unanimous agreement, whether that agreement is given immediately or after verification. So strong is our assumption that "facts" should command everyone's agreement that when we encounter someone whose recognition of facts is radically different from our own, we tend to consider that person not just ill informed but abnormal.

Facts need to be considered from two perspectives. First, there are those facts that you count on your readers agreeing to immediately. Facts treated as unproblematic should be phrased in a way that makes them easy to accept; the precise wording of such a statement is critical if is to be recognized as obvious fact. Second, arguers often need to use sources to verify their facts and to

discover them in the first place. Such sources can include personal experience, the testimony of others, and authoritative sources in print or on the Internet.

Stating Facts

Think about how you respond to statements presented to you as facts. Whether or not you accept a statement as a fact depends on what is already in your mind. Suppose, for example, you read that Abraham Lincoln is buried in Springfield, Illinois. Although you have never heard that fact before, you probably do not doubt it because this new fact lines up with your existing knowledge of Lincoln's associations with Illinois. The new fact fits, so you accept it readily. But if someone told you Lincoln is buried in Hawaii, your reaction would be quite different.

Whether a new fact passes without a challenge depends in part on how it is worded. Suppose you hear or read the statement that "the opossum is a marsupial." At first, the word *marsupial* may make you think of Australia, kangaroos, and koala bears, while the word *opossum*, on the contrary, suggests an animal that can be found in your own backyard. Because these bits of information seem to contradict each other, you may tend to doubt the new fact. How can an Australian animal wind up on your side of the world? However, if the statement had been worded differently—"The opossum is the only North American marsupial"—this new fact might have met with less resistance. Those careful qualifications, "only" and "North American," show that the framer of the statement knew the audience's predictable previous knowledge might make the simple assertion "The opossum is a marsupial" difficult to accept.

Since wording can be so important, you, as an arguer, should try to anticipate your readers' reaction to any statement you present as a fact. Are they likely to know it already? If they are, then you can simply assert the fact. The earth revolves around the sun, hot air rises, and some people lose money on the stock market. The barest prose suffices for simple, well-known facts. At the same time, as a reader you should be careful of statements that are presented as patently obvious facts. Any writer can make a clear, absolute statement about anything, and one way to make a controversial statement appear to be a widely accepted fact is to state it in a simple, direct way.

Using Sources

Sources for Verifying Facts

Sometimes you need more than careful wording to make your readers accept a statement as a fact. They are not going to accept it just because you state it. You have to verify it. To "verify" a fact usually requires citing the source where you found it in the first place. Ideally, this source should be accessible to your readers so that if they want to go and check it for themselves, they can.

The sources you used to find the information in the first place are also the means for verifying facts. To verify, you acknowledge in your argument whatever source convinced you of your facts in the first place. In general, the more

crucial a fact is to your argument, the less you should rely on a single or questionable source to verify it.

Basically, people are convinced of facts from four sources:

1. They have seen and experienced the facts firsthand.
2. Others whom they trust have told them about what they have seen and experienced.
3. They have gathered facts from experts in the media, in books or articles, or in reference books such as encyclopedias or dictionaries.
4. They have found a source of information on the Internet that they consider reliable.

Each of these four has special advantages and disadvantages as sources of information and verification.

Personal Experience Many of the arguments you write will arise from situations in your own life: your dorm needs better security; the library should be open for more hours; your community needs a new parking lot or swimming pool and does not need a new prison or another shopping mall. You select these subjects for argument because you have been frightened by a stranger in the dorm, unable to study in the library on a Saturday night, frustrated looking for a parking place, or sweltering on a hot summer afternoon with no place to swim. All of these experiences are facts. They have actually happened; they happened to you. When the topic of your argument grows out of personal experience, you can regard your experiences as facts and use them in your argument.

The Testimony of Others The word "testimony" suggests the evidence provided by a witness in a trial, a special example of a widely used source of information: what another person tells you. A person can make a factual claim to you directly, or you can hear someone's testimony on the news or read it in the paper or in some other printed or online source. Most of the information that stocks our minds comes to us not through our own experience but from the reported experience of others.

If you are going to use personal testimony, the witness of others, as verification, you have to make sure that your source is trustworthy and competent, with no obvious motives to deceive. A witness may need many kinds of competence simply to take in and comprehend what happens. You could have a medical examination, for example, and not be able later to give a clear report of what was done to you, or you could be in the control room of a nuclear power plant when an accident occurs and not even realize it. A great deal of prior knowledge may be necessary simply to be aware of what is happening.

Testimony is usually more believable when the source is named. Journalists, however, will sometimes credit "a White House source who asked to remain anonymous" or "a Pentagon informant who did not wish to be identified." This questionable practice may increase the credibility of testimony as verification;

it is so true, the reasoning goes, that the informant could be fired for disclosing it and so has asked to remain anonymous. In a courtroom, where the standard of evidence is higher, evidence from an unnamed source is inadmissible. Whenever you have reason to doubt your informant, their testimony needs further verification. When, for example, Peter Habeler and Reinhold Messner claimed to have climbed Mt. Everest together without oxygen, they were asked to produce evidence other than their mutual corroboration.

Authority An authority is a person or publication that is widely trusted to give accurate information and is therefore a reliable source of verification. *The Statistical Abstract*, *The Handbook of Chemistry and Physics*, *The Oxford English Dictionary*, *Encyclopedia Britannica*—these are famous, authoritative reference books, and there are hundreds of others, compendiums of information on everything from abacus to zygote. These sources are never 100 percent accurate—that is an impossible state of perfection—but those that have been continually updated and corrected have been acknowledged as trustworthy over the years. You can verify basic information in these printed sources or consult them in CD-ROM versions or online.

When you need information that is too current to have found its way into the thin pages of a reference book, you must turn to more frequently published newspapers and journals or to continually updated online sources (see the following section). Newspapers and magazines differ greatly in their credibility or authoritativeness. You would not usually verify facts from the latest edition of a supermarket tabloid instead of a widely distributed national newspaper like *The New York Times* or *The Wall Street Journal*. Your local newspaper may not be as reliable or detailed on national events as the national newspapers are, but it may be your only source of information on events in your community. You may also verify facts about current events from magazines like *Time* or *Newsweek* or *Sports Illustrated*. But keep in mind that mass-circulation magazines, like newspapers, often bend and color facts, or leave out tedious but important details and qualifications in order to entertain. Such magazines should not be used alone as sources of verification.

Television is in the same somewhat unreliable category as mass circulation publications. An enormous amount of information is presented on television, but it is very difficult to trust it implicitly or to use any of it authoritatively. The time restrictions of television programs create more distortions than are found in print. The format of some television shows also makes them problematic as sources of verification. When the famous talk show host Oprah Winfrey was on trial for "defaming" beef, she explained that her show would invite people on different sides of the issue to participate, but would not independently check the veracity of their accounts. Thus the show gave license to claims that could not be verified. Winfrey claimed that her show was entertainment, "not the evening news," and that her audience knew the difference. Yet many people do absorb their information about the world from talk shows like Winfrey's. They assume that the people making claims on such shows have a certain authority because they are appearing on television.

So just as distinctions have to be made among publications, they have to be made among television shows. To check what you have heard and seen on a television show, interview, or documentary, you can often request a transcript and tapes from Journal Graphics or directly from many online sources such as C-Span.

So far we have considered certain publications as possible authorities on current topics. But another very obvious meaning of the word *authority* is a person who is an expert on a subject. Experts often present their information in books and articles, so when you want to know anything about a field, you find out who the experts are. Do not assume, however, that anyone who has written a book about a subject is an expert. At first glance, books may look equally authoritative, but not all of them are written by conscientious and thoughtful scholars.

How do you tell the difference between authors who are reliable sources of verification and those who are not? The following suggestions will help you.

Determining the Reliability of a Source

1. Check the credentials of an author by noting other books and articles that he or she has published. If a previous book was an exposé of the secret life of Elvis Presley and the most recent a harangue on the dangers of cloning, you might doubt your author's credibility. But if the author has published other reputable books, you can feel more confident.
2. Check the credibility of a book by looking up reviews of it in journals and newspapers that send books to other experts for assessment.
3. The book itself will provide some clues as to its credibility, and the more you know the subject, the more the quality of a book on that subject will be evident to you. Most importantly, does the book show its sources of verification, just as you are required to do when you write a paper for an academic course?

When you want to verify a fact for readers, cite the authority that verified it for you in footnotes, in-text citations, or the very wording of your argument. Accurate documentation is not only a matter of intellectual honesty; it is also a mark of respect for your audience as alert, intelligent readers.

Online Sources Access to the Internet allows us to do everything from ordering vitamins to checking sports scores to looking up encyclopedia entries to keeping up with the headlines to finding bibliography entries for a research project. This wonderful resource has made the raw materials of argument more available than ever before in history. But are Internet sources the ultimate answer to problems of finding and verifying information?

Consider again the purpose of verifying the facts you use in an argument. You want to give your audience directions to the sources of your information

so that they can check for themselves, if they so desire. But the very nature of Internet sites and web pages makes it difficult for readers to consult them as sources of verification. Internet and World Wide Web sites change frequently. You may find a piece of information on a site one day that will be gone when the site is updated. Or the site itself may disappear. Someone could type in the URL you provide and access the site but not find the same information that you found there. How then can you feel confident in using the Internet as a source of verification?

To get around this problem, the conventions for citing web sources require you to include not only the URL address but also the date of access. Some web sites keep an archive of past postings so that users can find out what was on the site at a specific date in the past. But these archives are by no means widely available. If an archive is not available, the very purpose of citing a source for verification, to give your readers the chance to check what you checked, cannot be fulfilled.

This problem with access is only a small part of the issue of verification from the Internet. The World Wide Web has been celebrated for its openness, for the possibility it offers for anyone to enter dialogue and share perspectives. But that very openness creates problems of reliability. Anyone with the appropriate software and access to a server can set up a web site and say anything whatsoever on it. Someone surfing the World Wide Web can access the genome database from the National Institutes of Health and promotional literature from Heaven's Gate, the cult that committed mass suicide to join its extraterrestrial friends. For more on evaluating and citing Internet resources, see Chapters 10 and 11.

FOR YOU TO ANALYZE

Use the two arguments that follow to practice your skills as a critical reader of arguments. For each argument, identify the following:

1. The main claim.
2. The reasons given to support the main claim. You can use a simple tree-diagram to show when the argument branches out with several reasons to support one claim.
3. The warrants that link the reasons and claims. If they are not included, reconstruct them as necessary.
4. The chaining of arguments. Where are reasons given to support other reasons or warrants?
5. The qualifications in the claim.
6. The rebuttal conditions or counterarguments. How are they answered?
7. The basic building blocks of the argument. What facts are used? Are they verified, and if so how? What values are appealed to?

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Don't Legalize Those Drugs

BARRY R. McCAFFREY

Barry R. McCaffrey was the director of the Office of National Drug Control Policy, a position popularly known as "drug czar," from 1996 to 2001. Before joining the executive branch, McCaffrey was a highly decorated general in the U.S. Army and a veteran of the Vietnam and Desert Storm Wars. This article first appeared in the *Washington Post* in June 1999.

Three-quarters of the U.S. population opposes the legalization of psychoactive drugs such as heroin, cocaine, LSD, methamphetamine, and marijuana. Therefore, the term "drug legalization" has rightfully acquired pejorative connotations. Many supporters of this position have adopted the label "harm reduction" to soften the impact of an unpopular proposal that, if passed, would encourage greater availability and use of drugs—especially among children. The euphemism of "harm reduction" implies that legalizing dangerous substances would reduce the harm these substances cause. In fact, condoning drugs would increase their use and hence their harm. Drug use imposes an unacceptable risk of harm on the user and others. The evidence supporting this viewpoint is chilling:

Substance abuse wrecks families. A survey of state child-welfare agencies found substance abuse to be one of the top two problems exhibited by 81 percent of families reported for child maltreatment. Researchers estimate that chemical dependence is present in at least half of the families involved in the child welfare system. One study published in the *Journal of the American Medical Association* revealed that non-drug users who live in households where drugs are used are 11 times more likely to be killed than individuals from drug-free households.

Drug-dependent individuals are responsible for a disproportionate percentage of our nation's violent and income-generating crimes such as robbery, burglary or theft. National Institute of Justice surveys consistently find that between one-half and three-quarters of all arrestees have drugs in their system at the time of arrest. In 1997, a third of state prisoners and about one in five federal prisoners said they had committed the crimes that led to incarceration while under the influence of drugs.

Injection-drug users place themselves at great risk. A University of Pennsylvania study of Philadelphia injection-drug users found that four times as many addicts died from overdose, homicide, heart disease, renal failure and liver disease as did from causes associated with HIV disease. Dr. James Curtis, director of addiction services at Harlem Hospital Center, explains: "It is false, misleading and unethical to give addicts the idea that they can be intravenous drug abusers without suffering serious self-injury."

Clearly, drugs themselves harm users. A significant percentage of all current drug users are addicted to illegal substances. Addiction is a brain disease that changes a person's neurochemistry. For 4 million chronically addicted people, drug use is not a choice and hence has little to do with personal liberty. Removing the threat of criminal sanctions would eliminate the possibility of forced treatment and condemn countless addicts to miserable lives.

One argument given for drug legalization by harm-reduction advocates is that the "war against drugs has been lost." Aside from the fact that this is not a war, much progress has been made. Current drug policies are reducing drug use and its consequences. Drug use in this country has declined by half since 1979. The number of current users dropped from 25 million in 1979 to 13 million in 1996. The decrease in current use of cocaine has been even more dramatic.

This is not to say that drug policies cannot be improved. The 1999 National Drug Control Strategy is implementing important changes. The stategy's number one goal is prevention. In the past four years, the administration increased spending on prevention by 55 percent while spending on treatment rose 25 percent. The strategy calls for more treatment in the criminal justice system to break the cycle of drugs and crime.

At root, the debate over drug legalization boils down to a question of risk. Studies show that the more a product is available and legitimized, the greater will be its use. If drugs were legalized, the cost to the individual and society would grow astronomically. Removing the criminal status associated with drug use and sale would not make such activity less criminal when drug abuse wrecks young lives. It is criminal that more money is spent on illegal drugs than on art or higher education; it is criminal that crack babies are born addicted and in pain; it is criminal that thousands of adolescents lose their health and the freedom to create a bright future.

Harm-reduction advocates tolerate drug use because they consider it part of the human condition that will always be with us. Many other perennial problems such as racism, theft and aggression cannot be extinguished entirely, but we still resist their damage and criminalize the practices. No one argues that we should legalize these activities to make them more sanitary or provide tax revenues.

On a judicial level, the question of drug legalization comes down to whether we 10
should legalize destructive behavior. With respect to the individual, society at large and the environment, American jurisprudence has run in the opposite direction. Americans have decided that people do not have a right to ride motorcycles without wearing helmets, drive cars without using seat belts, pollute the environment at will, or endanger the self and others by refusing vaccination or similar life-saving health measures. In general, our laws indicate that self-destructive activity should not be permitted or condoned. Drug consumption damages the brain, which in turn produces other forms of destructive behavior. U.S. law does not grant people the right to destroy themselves or others. Addictive drugs were criminalized because they are harmful; they are not harmful because they were criminalized.