



@h.a.r.d.l.a.w.

We are a group of students who are former users, current users, harm reduction workers, and allies working towards building a legal system that affirms the autonomy and dignity of people who use drugs. For use, that means a legal system where drugs are decriminalized, demedicalized, and accessible.

The war on drugs has been a trillion dollar, fifty-year failure. Unfortunately, bad policy can be good politics, and many people still subscribe to the idea that "tough on crime" measures will solve our current toxic drug crisis and help people who use drugs.



Richard Cowan, a cannabis activist, coined this term. It states that "as law enforcement becomes more intense the potency of prohibited substances increases."

This was true during alcohol prohibition. Alcohol was banned in BC from 1917-1921 and in the United States from 1920-1933. During this time, someone who had once drank beer could now only drink moonshine, a much more potent and dangerous drink.<sup>1</sup>

The same is true for opiates. As racist laws cracked down on Chinese people and their opium use, people turned to more concentrated heroin. Then, as state action disrupted the heroin supply, underground drug manufacturers used fentanyl instead, because it is 100x more potent than heroin, so it is much easier to transport in small packages. Even fentanyl is now being replaced by the still more potent carfentanyl.<sup>2</sup>

Resources cited here and recommendations for further reading.

- 1 PHS, "The case against the war on drugs," (July 16 2021) online: <<https://www.phs.ca/the-case-against-the-war-on-drugs/>>.
- 2 David Perrin, Overdose: Heartbreak and Hope in Canada's Opioid Crisis, (Canada: Penguin Random House, 2020), 15-25.
- 3 "BC recorded 211 toxic drug deaths - almost 7 a day - in January, coroner reports", CBC News (7 March 2023), online <[cbcnews.ca](https://www.cbcnews.ca)>.

To learn more about us, check out HARDLaw.ca. Thanks for reading, and good luck out there.

Seven people are dying per day in BC of toxic drug poisoning.<sup>3</sup>

When the state criminalizes drug manufacture, sale, and use, without addressing the underlying reasons why people use drugs, people will still use drugs. Due to the Iron Law of Prohibition, the drugs that people use become lethal.

This situation is the inevitable outcome of the war on drugs. If we don't change our approach, the problem will get even worse.

Is this an urgent problem?  
Yes.

OK, so the war on drugs actively makes things worse, and BC's model of decrim doesn't go far enough to stop people from dying. What do we need?

We need LEGALIZATION, not just decriminalization. We need to legalize the manufacture, sale, possession, and use of drugs, the same way Canada has done with marijuana.

Regulate it to keep the drug supply safe and so people can know what they're using.

Tax it so the money from drug sales goes to fund better and more accessible treatment centres for people who want them.

Didn't BC just decriminalize drugs?

Well, sort of.

In early 2023, BC decriminalized the possession of 2.5g or less of some illicit drugs like heroin, cocaine, meth, fentanyl, and MDMA. This is a step in the right direction and we should recognize that progress. But there are problems.

These problems are:

- only possession under 2.5g is decriminalized. Many people use more than 2.5g per day. This is also a problem for people in rural areas who have to travel long distances to get their drugs because this law won't let them buy a supply for a week or two.

- the law is set to expire on January 31, 2026. If nothing changes, possession will be criminalized again after that day.

But the biggest problem is...

BC's "decriminalization" does not address the poisonous drug supply.

As long as the manufacturing and selling of these drugs remains illegal, the drug supply will remain poisonous, and people will keep dying.

We need safe supply.

Currently, people can get treatment drugs like methadone, suboxone, and dilaudid from their doctors. This is good, but it is not enough.

In this model, people who use drugs are still subject to strict controls, which make it difficult for them to keep a job or live a flexible life.

Also, some people don't want methadone, suboxone, or dilaudid from their doctor. Some people want to keep using their drug because they enjoy it and it helps them with their physical or emotional pain. These people deserve autonomy, dignity, and the right to use a safe supply of drugs.