

# Virtual Dialogues

*with Latin America*



## Drug Policies in Latin America From Repression to Regulation



# Drug Policies in Latin America: From Repression to Regulation

The **Center for Latin American Studies** at the University of Arizona, in collaboration with **Asuntos del Sur** and the **Universidad ORT**, with the generous support of the **Confluence Center for Creative Inquiry** presents *Drug Policies in Latin America: From Repression to Regulation* as part of the Virtual Dialogues series.

This event took place on October 2nd at the School of Government and Public Policy.

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# Drug Consumers and Alternative Policies

by Eduarado Vergara

For the past hundred years since the first real prohibitive drug policies were enacted with the Harrison Narcotics Tax Act of 1915, the US has exported a rhetoric of prohibition and elimination of drugs. However, as the recent changes in cannabis laws in Washington and Colorado state demonstrate, there has been resistance both domestically, and as demonstrated with Uruguay's recent legislation, internationally.

Both cases mark fundamental changes to how drugs are perceived and regulated in society. Both cases mark resistance to the drug czar paradigm promulgated by US foreign and domestic policy that has objectively failed to significantly curb drug production and consumption.

As Plan Colombia was underway in Colombia so were numerous, almost laughable anti-drug campaigns in the US focusing on the end result of drug abuse. American youth were almost exclusively the target of these campaigns, but reliable data show that drug consumption has only moderately gone down. Certainly access to the products in question has not diminished as seizures, market prices, and production have remained nearly static.

Certainly, when drugs are abused, the results are negative, but is any use necessarily qualifiable as abuse? Does a professional relaxing by smoking a joint truly tear at the fabric of society? Do college students snorting lines generate a threat to the security of the state? Two of the last three American presidents have admitted to former drug use; certainly if leaders of the free world can admit to former drug use, then we, as a society can ask to reevaluate our stance towards illicit substances.

It is not just bad people who do drugs, 'good' people

do drugs too and unfortunately our repression and prohibition based policies have failed to accommodate this reality favoring instead to create a fiction that only degenerates, vagrants and other social "undesirables" consume drugs. This rhetoric is not only false, but has detrimental effects on vulnerable populations whether it's impoverished coca growers in Bolivia who have seen their livelihood set ablaze or young black males in the US incarcerated most of their life due to minimum sentencing guidelines.

“Rational people rationally  
consume drugs...”

The conversation on drugs, be it cannabis, narcotics or even opiates needs to change and move away from a rhetoric of moral vilification to one of data based analysis.

Rational people rationally consume drugs because much like alcohol consumption, which is regulated and has far worse potential health consequences than cannabis or cocaine, rational people engage in it because it makes them feel good. Uruguay's move to legislate rather than incarcerate has set a precedent in the Americas, one of the, if not the primary theatre of the US's forlorn drug war.

My moving towards a path of regulation and legalization governments can act in the public interest and regulate production materials, reduce the need for violent externalities, and

It is my sincere hope that countries follow in Uruguay's example paralleled by the states of Washington and Colorado and begin to re-examine the issue of drug consumption in a serious and proactive manner.

# Colombia's Unrelenting Cycle of Violence: Reevaluating Plan Colombia

by Marcela Vasquez

Who has benefitted and who has lost from the “drug war” in Colombia? What has the impact of U.S. military support and Plan Colombia? How has success been defined? And how is it that it became the model to follow for the Merida Initiative in Mexico. I am not going to answer all these questions, but they should be posed as part of this dialogue

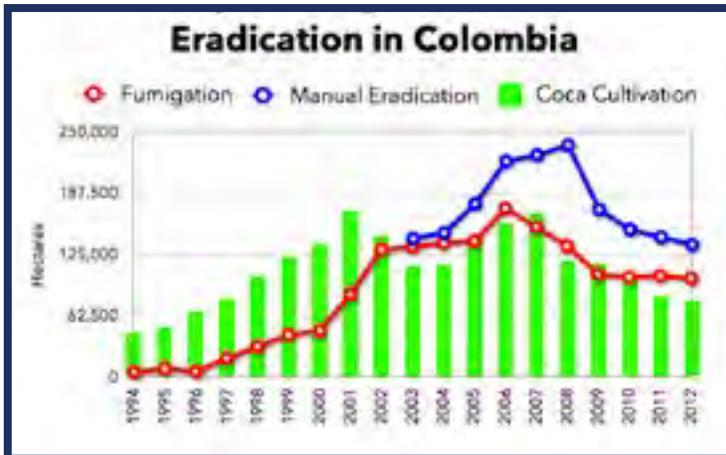
First, it is important to highlight some of the contradictions that frame U.S. military support in Colombia, both today and in Colombia's recent past. After all, the United States military has played a key role since the cold-war in advising and pressuring the various Colombian governments and in providing a great deal of military support mostly in the form of training and weapons.

In terms of counterinsurgency assistance to the Colombian armed forces against guerrilla groups, it is important to remember that US military aid included the attack in 1964 on an armed peasant commune in the southern part of the country which led to the formation of the Revolutionary Armed Forces of Colombia (FARC), Colombia's strongest guerrilla organization involved in the country's ongoing armed conflict. This was 50 years ago and the FARC is still around, it is indeed a much weaker organization

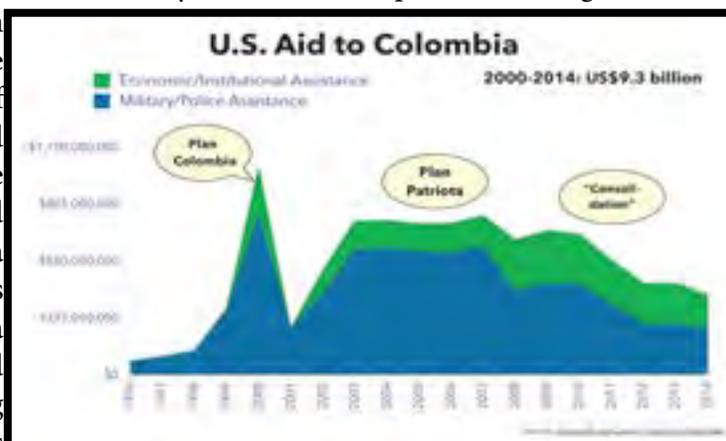
today, but a sign that it is still a viable organization are the current efforts by the Colombian government at peace negotiations.

However, instead of addressing issues of social and economic justice, civilian governance, and impunity, for decades the Colombian government has opted for military intervention as a solution to both the FARC and narcotics trafficking.

With the end of the Cold War in the mid-1980s, the war on drugs became the justification for continued and even enhanced military intervention. Beginning in the 1990s, the drug war increasingly dominated the U.S. official discourse to justify a substantial increase in the levels of military aid to Colombia. By 1991, Colombia had topped El Salvador as Latin America's largest recipient of military and police assistance, with most of the aid going to the police for drug interdiction and aerial fumigation of illegal crops, particularly in the Amazon region. During the presidency of Andrés Pastrana (1998-2002) fumigation of a highly toxic chemical herbicide, Roundup SL became the core of the U.S. militarization strategy, negotiated through what came to be known as Plan Colombia.



Source: wola.org, U.S. State Department



Source: wola.org

With Plan Colombia, the Colombian military became

the primary beneficiary of U.S. military aid and training as well as the largest recipient of U.S. military aid outside of the Middle East.

After September 11, 2001 the mission of U.S. troops and military assistance in Colombia was formally expanded to include counter-insurgency operations, as Washington waged a “global war

on terrorism.” In 2002, Colombian President Alvaro Uribe (2002-2010) unveiled his “Democratic Security” policy, designed to rid the country of terrorism and destroy the illegal drug trade with increased U.S. military assistance.

In 2007 after the Democratic Party took over majority control of both legislative houses, the U.S. congress began cutting back military assistance and increasing economic and civilian aid. Still, Colombian security forces continue to receive about a million dollars per day in US aid.

After 9.3 billion dollars in military assistance and the support of the aerial fumigation program that has sprayed more than 3 million acres of Colombian territory in the past 15 years, has the “eradication” program eradicated coca production?

The absolute failure of plan Colombia in reducing drug production is more than obvious and its costs have been high in environmental and human terms

However, Plan Colombia became the model for the Merida Initiative (Or Plan Merida). It started in 2007 as a joint initiative between the U.S. government and Mexico and much like Plan Colombia provides

substantial U.S. training and military equipment. 1.6 billion dollars were budgeted by congress in 2008. This aid has continued throughout the past six years.

Given the amount of assistance that the Colombian military has received, it is important to ask what is the record of the Colombian military, and with the Merida initiative, one must also ask, what is the record of the Mexican military. Besides fumigating, it has also been directly responsible for human rights abuses.

In 2002 there was a big scandal when the country realized that dozens of U.S. Special Forces soldiers were training the Colombian military to protect an oil pipeline located near the

Venezuelan border. Guerrilla forces had continuously bombed the pipeline, of which the U.S. based Occidental Petroleum owns a significant portion. More than static protection; however, military training was conducted with the explicit purpose of offensive combat.

On the “terrorism” front, even though the two leftist-guerrilla groups, including the FARC, have lost ground, military intervention conspicuously omitted combat against right-wing paramilitary groups that control and direct a large portion of cocaine trafficking in Colombia and committed the vast majority of atrocities against civilians during the period between 2000 and 2010.

Many Colombians have also seen the way the military operates around the guerrilla issue in a clear perpetration of human rights norms and regulations. In 2008, for example, stories became public that Colombian soldiers had detained civilians, sometimes taken them far away, executed them, and then claimed them as guerrillas killed in combat. These were known as “false positives” or falsos positivos. While cases of “false positives” date back at least to the 1990s, the number of reports exploded in 2004-2008, becoming “widespread and



Children's art portraying negative effects of fumigation. Source: [www.dailykos.com](http://www.dailykos.com)

*“The absolute failure of Plan Colombia in reducing drug production is more than obvious.”*

systematic,” according to Phillip Alston, United Nations Special Rapporteur on Extrajudicial Executions (ALSTON, 2010). At the time, current President Santos was Minister of Defense.

Human rights organizations reported more than 3,000 cases of executions by the military, many of them carried out against false positives. A study by the Fellowship of Reconciliation (FOR) found that reported extrajudicial killings increased on average in areas after the United States increased assistance to military units in those areas (FOR, 2010). “Success” has indeed come at a high price. The impact of these successive waves of militarization on respect for human rights in Colombia, must be considered a human rights catastrophe. With a population of internally displaced citizens estimated at 5.2 million (COHDES 2010 figures), including displacement as a result of fumigation



Satirical cartoon



from plan Colombia. Colombia has one of the largest internally displaced populations in the world.

Despite the high price paid by the Colombian citizenry in initiatives aimed at stemming the demand of drugs, it would seem that demand has maintained relatively static and independent of initiatives in Colombia.

The US continues to see the drug problem as one of supply and has done little to try to reduce demand.

In the last instance, it would appear as if the War on Drugs and the War on Terror, like the Cold War in the past, are not designed to rid the hemisphere of drugs, terrorists, or communists, but to maintain a neo-colonial order based on uneven economic globalization. These wars are good for military business, good for banks in the US and elsewhere, for private prisons, for the Monsanto corporation, and provide the justification to force entire populations out of regions where there are valuable natural resources or to target social movements that demand social justice and political accountability from the state.

To end, I want to read the statement made by a sociologist from the Universidad Nacional in Colombia, Carlos Medina, at a United Nations sponsored forum on illicit drugs in Guaviare. Referring to the hundreds of rural people from the region that participated in the forum, Medina said:

*“They want the State to return their children, their relatives, their neighbors, their wives, confined in ignominious prisons, treated not as peasants, indigenous or Afro-descendants, as human beings, but as criminals and delinquents for seeking to survive in a world without opportunities. They want the return of their families, planting cocoa, rubber, aloe, yucca, bananas, rice, rounding up cattle, milking cows, harvesting life and hope. They want them at their side to build bridges and paths to development and well-being. They want the money used for glyphosate in fumigation and forced eradication made into schools, health clinics, productive projects, life plans.”*

# An Institutional Approach to the Uruguayan Experience

by Pedro Isern

Uruguay is a country that had a long bi-partisan tradition until the last decade of the 20th century. Both The National and Red Party were the classical expression of what the literature called “catch-all parties”.

A structural change occurred in the 1995 general election when the left-wing coalition founded in 1971, Frente Amplio or “Wide Front”, increasingly became a center left-coalition with real aspirations to reach power. The Wide Front finally came into power in 2005 after Uruguay suffered its worst economic crisis in history. The center-left coalition won the second consecutive general election in 2010 and the well-known former guerrilla leader Jose “Pepe” Mujica became President.

After becoming the main political actor, the “Wide Front” structurally changed the logic of the political system. When we discuss the long term viability of any public policy, such as the de-penalization of cannabis, we have to keep in mind the future potential performance both of the “Wide Front” in the opposition as well as the traditional parties in power. Indeed, although Uruguay is well-known for having a solid political system, a key element is still missing: the “Wide Front” has never been in the opposition after being in power. Then, we don’t have information about the Front’s cooperative behavior in opposition

We can see a great improvement in the Front’s performance from the 1985 Presidential Election to the present.

Latin America is essentially a diverse region where the main point in common is underdevelopment. It is not possible to talk about a uniform Latin America. Following the “Human Development Index” published by The United Nations, there are countries with: a) Very High Human Development (Chile and Argentina); b) High Human Development (Uruguay, Cuba, Costa Rica, Panamá, Mexico, Brazil), c) Medium Human Development (Paraguay, Bolivia, El Salvador, Nicaragua) and d) Low Human Development (Haiti).

*“The repression policies implemented in Mexico, Colombia and other countries have failed dramatically. Although it is essential to change the drug policies in most of Latin America, it is probably more important to first consider the quality of the democracies in each country.”*

Furthermore, there are countries with strong institutions (Chile, Uruguay and Costa Rica), countries with middle quality institutions (Colombia, Brazil, Panama), countries with weak institutions (Mexico, Argentina, Ecuador, Venezuela) and

countries with very weak institutions (Haiti, Nicaragua, Honduras).

Then, why is it troublesome to talk about a sole Latin American drug policy?

First, it is important to highlight a common mistake: if a country is unable to efficiently fight drug trafficking because of poor institutions (Mexico may be the best current example), then, it may be difficult or impossible to implement an efficient and fair de-penalization and regulation policy. If you lack good institutions to implement prohibition you also may lack good institutions to implement an efficient regulatory policy. As a result, it probably means that a specific policy implemented in one country, for instance, Uruguay, is

inapplicable in Mexico.

Indeed, “Latin America” as a concept is too broad and vague. It includes a group of countries and regions that in many cases have little in common. For example, it is clear that the north of Mexico has few points in common with the Uruguayan society.

Then, in this context it is important to discuss the Uruguayan experience in comparative perspective: We have chosen Mexico both because it is a main actor in the failed war against Drugs, and because it is so different from Uruguay. Uruguay is a small and very predictable country with good political institutions. To a certain extent, it is literally the opposite of Mexico: that is, it is geographically far from the US, small, homogenous and with low levels of corruption.

We can compare the following institutional and social indicators:

	Uruguay	Mexico
Per capita Income (PPP)	18.108	15.854
GINI Coefficient	45	47
Life Expectancy	77.2	77.5
Homicide Rate per 100,000	5.8	23
Prison Population Rate per 100,000	281	210
Population	3.4M	122M
Median Age	34.8	27
HDI Rank	50	71

Secondly, a note on the political economy of the implementation process. To talk about this, we can introduce a well-known concept: “Only Nixon goes to China”. As a political metaphor, “it refers to the ability of a politician with an unassailable reputation among his supporters for representing and defending their values to take actions that would draw their criticism and even opposition if taken by someone without those credentials”.

Again, the question remains: How would the “Wide Front” in Uruguay, which is the center-left coalition

	Wide Front	National Party	Red Party
1985	20	34	40
1990	20	37	29
1995	29.1	29.8	30
2000	39	21	31
2000 (Ballotage)	45		53
2005	50.4	34	10
2010	48	29	17
2010 (Ballotage)	53	43	

that governs, react if it happened to lose power? That is, how strong is the relationship among the main political parties in different countries? The end of repression and the incipient beginning of regulation is a matter both of those temporarily in power and those temporarily in opposition.

When people trade they are not only exchanging goods and services but they are also, and mainly, exchanging institutions. As we know, “institutions” is a much-abused concept. For example, when Chile exports copper to China, Chile is not only selling a good and receiving dollars. Chile is also importing Chinese institutions - that is, unfair or poor-quality institutions. This is a crucial, underestimated consequence of last decade’s economic miracle in emerging countries, including Latin American countries: indeed, we saw and measured the impressive rates of economic growth, but we have not measured the welfare cost of the connected institutional weakness.

Then, when you introduce de-penalization, you have to deal with a new social actor, namely, all those powerful or relatively powerful people who were involved in drug trafficking. Again, we take Mexico as a relevant example: it is troublesome to understand how a corrupt bureaucracy would deal efficiently with a hypothetical regulation process as well as with the attempt of the former drug traffickers to capture and boycott the implementation process.

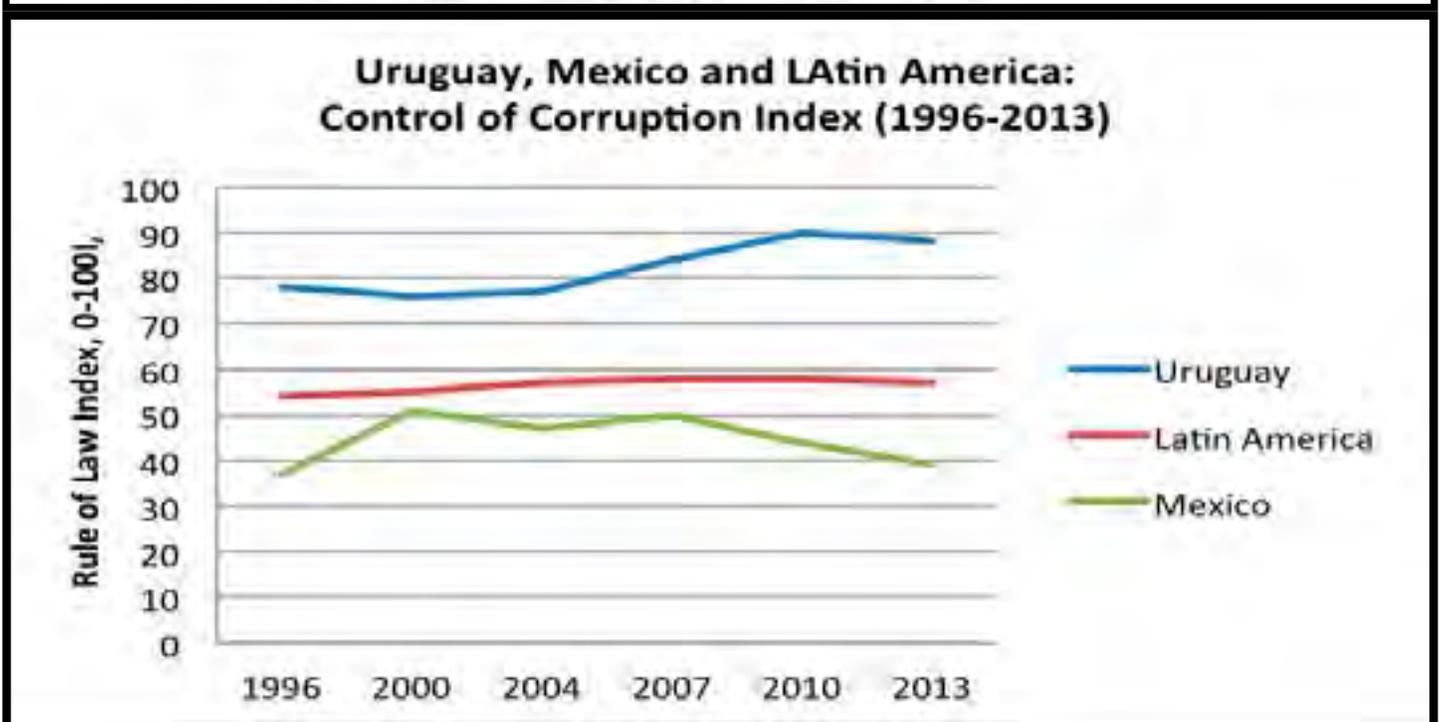
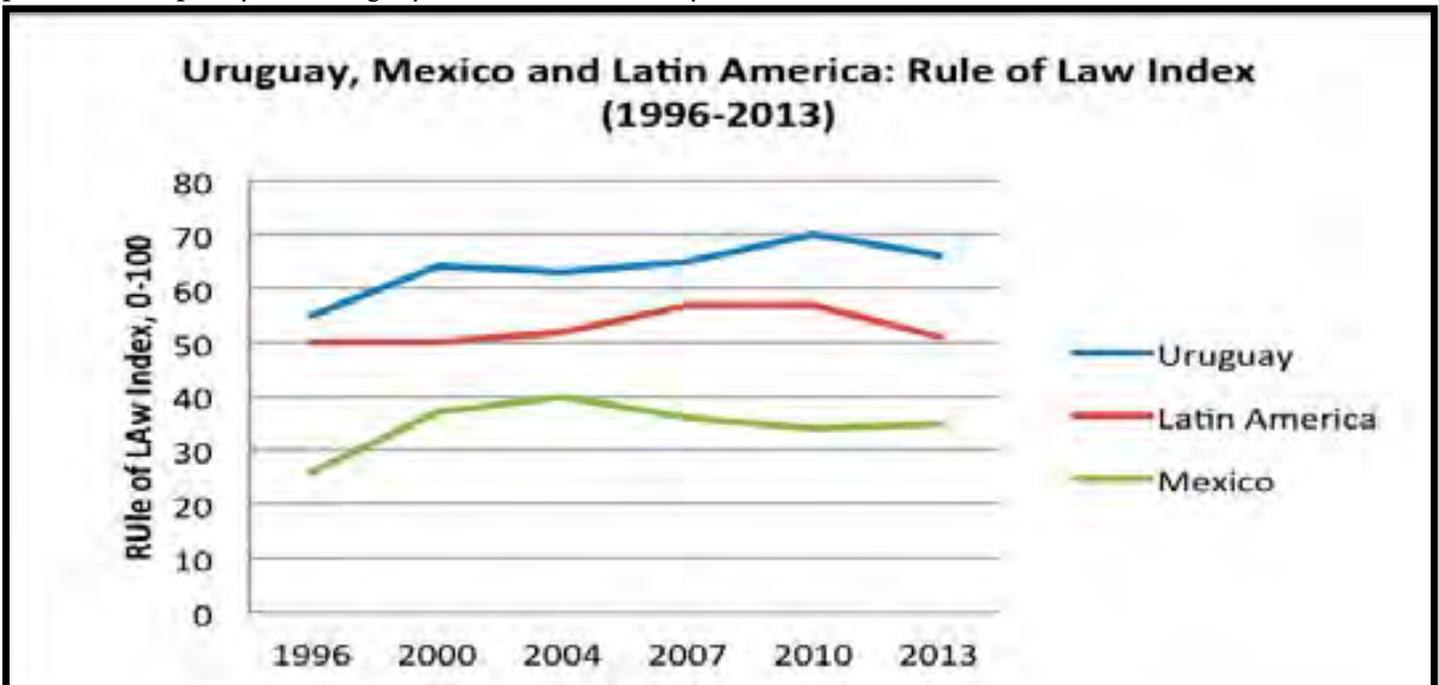
A note on this post liberal world we are approaching. As we mentioned, the Rule of Law is deteriorating across the globe. China, Russia, Indonesia and many emerging countries possess an increasing share of the world economy and, consequently, the world possesses

a decreasing level of Rule of Law. And the main question refers there and here, in Latin America, to the real state of Rule of Law. After a decade of economic growth, is it true that we have better institutions? What has been the relationship between economic growth and Rule of Law? If it is true that there has been an inverse relationship between economic prosperity and institutional strength, then, *ceteris paribus*, a more prosperous society consumes more drugs and that occurs in an increasingly weaker institutional environment.

evaluated by activists and political leaders in Latin America before attempting it in their country.

The repression policies implemented in Mexico, Colombia and other countries have failed dramatically. Although it is essential to change the drug policies in most of Latin America, it is probably more important to first consider the quality of the democracies in each country.

In summarizing, the potential success of the de-penalization policy in Uruguay should be carefully



Data Source: World Bank Data

# The Long and Winding Road to Cannabis Regulation in Uruguay

by Clara Musto



In 1971, United States President Richard Nixon, proclaimed in a landmark press conference that “America’s public enemy number one is drug abuse. In order to fight and defeat this enemy, it is necessary to wage a new, all-out offensive”. In historical terms, this meant the symbolic beginning of what is now called the War on Drugs. This approach was rapidly consecrated by an international treaty regime that, even over fifteen years later, still assembled world leaders under the slogan of “A Drug-Free World - We Can Do It!”

The basis of this “prohibitionist” model are: a focus on supply reduction in the war against the illegal drug trade; an emphasis on criminal policy as a means to discourage drug use and commerce; broad legal frameworks with no separation of the different markets for illicit substances; dissuading the public from taking drugs by emphasising the harms derived from their

use, and a view of addiction as an uncontrollable and incurable disease, for which the only available solution is withdrawal (Buxton, Haden and Mathias 2008).

In the 1980s, in a context of rising crime rates and public alarm over its relation with the use of drugs, an increasing number of empirical evidence pointed out some of the limitations of this model, including: (i) the high levels of violence due to the drug markets’ illegality; (ii) the bias of the criminal justice system towards small-time drug dealers and users; (iii) stigmatization of drug users and their exclusion from health, education and labour; (iv) the arbitrariness of the criteria used to determine the legal status of substances, especially evident when comparing the health consequences of using legal drugs, such as alcohol and tobacco, with soft illegal drugs such as cannabis; and v) A strong moral emphasis at the expense of empirical evaluation of evidence-based

policy (MacCoun and Reuter 2001). The conclusion drawn from this literature suggests that prohibition has not helped provide solutions to the problems associated with drug use, but has instead aggravated them and created new ones (Nadelmann 2005; Buxton, Haden and Mathias 2008).



In the past several years,

*Source: cnn.com*

as scepticism regarding the success of the current approach has grown, new voices started to assert the necessity of debating and evaluating alternative solutions to the drugs problem, and the urgency of the harmonisation of drug policy with principles of human rights (MacFarland 2014).

At the same time, at the local level a number of different jurisdictions are starting to test less rigid drug policy models. This new trend has developed along a general trajectory of going from an emphasis on punitive laws to a public health approach (Haden 2004), on one hand, and a “contradictory and volatile” punitivity pattern, on the other (O’Malley 1999; Garland 2001; O’Malley 2004). In general terms, a “quiet revolution” of drug consumption decriminalisation was at place in several countries (Bewley-Taylor et al 2014). The goal of eradicating consumption was complemented or substituted with the reduction of risks and harms associated with the use of drugs, which in some cases included an attempt to separate the cannabis market from the markets for other illicit drugs (Haden 2004; Chatwin 2010). In this sense, several countries have allowed people to buy cannabis exclusively for medical reasons (such as Israel, some U.S. states including Alaska, Arizona and California); or for medical and recreational purposes (Holland and the U.S. states of Colorado and Washington); or authorizing the cultivation of small amounts for personal use (as in Spain and the Czech Republic). In

2013, Uruguay -a small country in South America-, has gained an unprecedented amount of international attention after becoming the first nation in the world to challenge mainstream policies and comprehensively regulate its internal cannabis market. This innovative law not only authorizes domestic cannabis cultivation and the creation of cannabis clubs, but also tasks the state with the production, distribution and sale of the drug.

These different models of cannabis regulation are distinctive not only due to the content of their normative and regulatory framework, but also because of the political and social processes behind them. They are outputs of singular “causal configurations” (Ragin 1987) of structures, events and actors that struggled in each moment to shape the decision making process, defining the problem of marijuana use and attaching solutions to it.

In a way, analysing the process of marijuana regulation is like trying to study the black swan in the policy field, lies beyond normal expectations of drug policy development, and comes as something of a surprise. It is difficult to overstate the epistemological importance and challenge of an ex post explanation of this innovation; analyse the role that relatively hazardous events may actually have in historical transformations -Is this law a whim of the Uruguayan president Mujica?

As Taleb (2004) argues, after they happen, these kinds of processes appear much more lineal and transparent than they were; we tend to develop a hindsight bias in its understanding.

This essay has the limited objective of introducing one of the main research hypothesis of an ongoing PhD on the topic, that involves the idea that we can better understand the process towards cannabis regulation in Uruguay as a three stages movement: a stage of filling up the political space; a second one of “inflection” signed by the irruption of the Executive Power; and a third one of “synthesis”, when the final draft of the bill is presented and voted. By doing this, my aim is trying to illustrate four rather basic theoretical notions regarding

drug policy development: That it is punctuated by critical moments or conjunctures of intersecting trajectories -with independent temporalities- as sources of tensions, dissonances and opportunities (Pierson 2004). Secondly, that the political decision making process is much more complex, less linear and less rational than many assume, involving far more actors than politicians alone (Hill

2009). Third, that the different stages of the political process are related: the dynamics of agenda setting, how we define a problem and the type of solution (or policy output) provided are iterative and influence the phases of implementation, monitoring and evaluation (or policy effects) (John 1998). And four, that as Nelken argues (2004), culture is as much a matter of struggle and disagreement as of stability and shared understandings.

Therefore, this brief story about marijuana regulation in Uruguay starts with a first moment concerning “the demand’s maturation”, when the base of the advocacy coalition that supported the reform is consolidated. The policy process is led by highly politicised youth, marijuana users and growers, technicians and academic advocates. The historical roots of this coalition can be traced to the late 1980s, when the Uruguayan dictatorial period was ending, a time characterized by a constant and rapid increase in the rate of marijuana usage. According to the National Drugs Observatory , in 1998

3% of the Uruguayans declared have tried cannabis at least once in their life. For 2006 this figure rose to 12.2%, and reached 20% in 2011. As in most parts of the world, it is among youth were the highest use rates are observed: in 2007 39% of the people between 17 and 21 years old accepted have tried marijuana at least once in their life (SND 2012). In other words, during the 2000s marijuana turned into a familiar thing for different groups in Uruguay, as the high educated youth, which slowly conformed the new political generations (Garat 2012).

The general image that supported the legalisation demand was the critique of a moral bias in the War on Drugs. As an emancipatory issue, it is embraced

*“(the) story about marijuana regulation in Uruguay starts with a first moment concerning the ‘demand’s maturation,’”*

by other social progressive coalitions as abortion legalisation or gay rights . The links among these groups can be traced to, for example, the systematic cross reference of the topics in public parades and the membership of the same organisations in the different topic-oriented advocacy coalitions. The definition of the problem at this stage was user-centred and thus the policy proposals concerned the guaranty of a legal framework for

marijuana use and selfcultivation. Many of the activists involved recognise a key point in this first stage with the 2005 national election, which was won by a left-wing party - the Frente Amplio – a fundamental ally within the reformers coalition. Still, the scepticism about the importance of the topic by the mainstream mass media and political parties remained during this first period, keeping the reform movement low-profile. In 2011 the aspirations of the cannabis activists were finally crystallised in the “Cannabis Regulation for its Consumption” bill, drafted in July by the ad hoc Legislative Commission for Drugs and Addictions and supported by a handful of legislators of almost every major party in the lower house.

Confronted with the possibility of legalising cannabis selfcultivation, instead of going backwards the Uruguayan President Jose Mujica doubled the bet. Thus, the second moment is shaped by the emergence of the executive power in the debate, when Mujica’s cabinet

presented the “Strategy for Life and Coexistence” in a June 2012 press conference. The 15-point plan included legislative proposals like the regulation of marijuana sales and the compulsory treatment of drug users, reframing the issue as a “public safety” measure. The political context of these proposals is signed by a growing domestic alarm over coca paste consumption and its link to crime, and a regional change in the main public opinion concerns; whereas in 2000s the main worry in Latin America was about the economic situation and unemployment, public safety and violence became the main issues for the 2010-2020. According to the *Latinobarometro*, a strong consensus has risen among different age and class groups regarding the perception that crime is increasing and that the authorities are being incapable of handling this problem. Within this general trend, Uruguay represents a special case in the continent, showing in 2012 the highest perception that people abide the rules (54%); along with Paraguay, presents the highest credibility rate in the state (78%); noun acknowledge of the public policies targeting crime (2%); and a low perception of public safety (15%), even when it remains as one of the “most secure” places in the continent (Lagos and Dammert 2012).

Afterwards this attention shift, the political process of marijuana regulation is now characterized by a contradictory and somewhat anarchic high profile. The main image attached to the issue is the worldwide leadership of the country in overcoming of the War on Drugs and its violent consequences, especially in Latin America. Since the problem is framed as a matter of market separation and a fight against drug trafficking, the proposed solution is a law creating a state monopoly over marijuana sales –which is expected to reach a wider population than selfcultivation-, presented a few weeks later. The role of mass media now turned from the neutralisation of agenda-setting towards an active framing of the proposal.

At the third stage, the political process can be characterized by a new concern for public opinion as the issue broke into the macro-political agenda. Policy entrepreneurs are defined and lead the adaptation of the proposal through compromise and negotiation among the different interests involved, integrating the two former proposals of selfcultivation (first period) and commerce (second period). The advocacy coalition supporting the project expanded and new international actors get involved, in part triggered by the passage of

marijuana legalisation amendments in the US states of Washington and Colorado and, at the local level, a series of “expert seminars” sponsored by the National Drugs Committee since September of 2012 aimed at discussing the lessons learned from these different processes. Thus, the policy transfer became of key importance, changing the distribution of power and shaping the rhetoric and policy tools, though it was constrained by cultural aspects and core beliefs, especially regarding the role of the state in the market (for a comparison of the proposals see Pardo 2014, among others). A new policy image is attached, that of “Responsible Regulation”. In spite of the strong opposition to the proposal by the general population, the political process went on and the policy monopoly is finally broken. This last period concludes in between the December 2013 passage of the marijuana regulation law, and April of 2014, the deadline for the development of its regulatory framework.

In conclusion, the characteristics of the political process behind marijuana regulation highlight some uncertainties that the bill faces to be converted into a state policy. The shift in the issue’s framing from an emancipatory approach -centred on individual freedom and the critique of the moral biases at the legislation level- towards public safety is not free of tensions within the reformers advocacy coalition. A case in point is the continuous conflicts over the marijuana users register which, eventually, may disincentive the migration to the legal market, threatening the success of the new policy. Additionally, the irruption of the executive power in the debate facilitated the alignment of the legislators within the Frente Amplio but at the same time restrained the search for supports outside this party. In October 2014 Uruguay will face a new national election and both opposition candidates have expressed their will to repeal the law. Lastly, the fact that still today a large part of the Uruguayan society is against the initiative, points to the importance of opening the black box of its implementation to explore the empirical variation in the way that law is conceived and lived.

# Participant Bios

## **Marcela Vasquez**

Marcela Vasquez is an Associate Professor in Anthropology and Latin American Studies at the University of Arizona and holds both a PhD in Anthropology and MS in Agricultural Economics. She specializes in environmental anthropology, political ecology, environmental justice, and inter-relationships between human agency and large-scale structures.

## **Pedro Isern**

Pedro Isern is a current professor at the Universidad ORT Uruguay with an MA from the London School of Economics and Political Science. He is currently the editor for *Letras Internacionales*, a weekly examination of international politics and events. Currently he is an Economic History PhD candidate.

## **Clara Musto**

Clara Musto is a member of the Uruguayan NGO Proderechos and works on marijuana related policy. She is currently an Erasmus Mundus scholar pursuing a PhD in criminology at the University of Kent and University of Utrecht. She has participated in expert advisory groups regarding policy change in the Uruguayan marijuana market.

## **Eduardo Vergara**

Eduardo Vergara is a founding Director at Asuntos del Sur and the Latin American Drug Policy Observatory. He routinely presents to national parliaments, UN, OAS, and related international bodies on the issue of drug policy reform.

He is a co-author of the book *From Repression to Regulation: Proposals for Drug Policy Reform*.

# About

Virtual Dialogues with Latin America is a series of events organized by the Center for Latin American Studies at the University of Arizona with support from the Confluence Center for Creative Thinking and Asuntos del Sur think tank. The goal is to provide an expository medium by which leading experts in Latin America can interact with students and faculty, not just at the University of Arizona, but world-wide as the events are streamed and make use of social media platforms. The dialogues address pertinent issues that affect Latin America today. Just as we rely on institutional support from the aforementioned organizations and institutions, we also work with and rely on partners throughout Latin America. Thank you to the Confluence Center for Creative Inquiry at the University of Arizona for being a major supporter as well as to Dr. Linda Green for her considerable time and resources in putting this together.

Directors of the Virtual Dialogues Series: Dr. Linda Green and Dr. Matías Bianchi

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