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## A CONTENT ANALYSIS OF THE DRUG LEGALIZATION DEBATE

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*We analyzed two convenience samples of opinion essays from U.S. newspapers to examine differences in the content and complexity of argumentation in the drug legalization debate. The first sample was of fifty-one New York Times essays over a twenty-year span of the 1970s and 1980s. The second sample was of 133 essays from twenty-seven newspapers across the country in 1989 and 1990. Content analyses suggest that the debate has shifted over time from decriminalization of marijuana, based on the civil rights of users, to legalization of cocaine and heroin, based on the perceived need to disrupt the connection between drugs and crime. Proponents of legalization provided significantly more complex arguments than proponents of continued prohibition.*

The debate over the prohibition of drugs is not new to the United States. The topic itself is as old as the nation (Musto 1973) – only the substances have changed. Although the “Great Experiment” of alcohol prohibition between 1919 and 1932 comes most easily to mind, the legal status of other psychoactive substances has been questioned. Within this century, some drugs (e.g., tobacco) have never been prohibited, some (e.g., heroin, cocaine) have been prohibited since implementation of the 1914 Harrison Act, yet others (e.g., alcohol) have moved in and out of prohibited status, and a few (e.g., marijuana) are technically prohibited, but with greatly varying degrees of enforcement and sanctions for use in the various states.

Over at least the past twenty years, the question of whether to relax the prohibition of the use of certain drugs – especially heroin, cocaine, and marijuana – has been a recurrent theme in the debate over drug policy (see Evans and Berent 1992; Farr 1990; MacCoun 1993; Nadelmann 1989; Wilson 1990). The debate involves variations on three distinct positions. *Prohibitionists* advocate the status quo of maintaining strict legal sanctions against currently illicit drugs. *Decriminalizers* would largely maintain the legal ban on the sale of drugs, but generally advocate a reduction in criminal sanctions for possession of small amounts. *Legalizers* would make the sale and use of some currently illicit drugs legal, although most advocate some form of government regulation.

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In order to better understand these positions and their implications for American drug policy, it is important to examine both the content and the form of the legalization debate. In terms of content, what are the key arguments that distinguish prohibitionists, decriminalizers, and legalizers? To what extent do the differences involve empirical questions that might be resolved by systematic research, and to what extent do they involve irreconcilable philosophical differences? Which drugs are cited most frequently by each position? In terms of form, are proponents one-sided propagandists who employ rhetoric and finger-pointing or are they reasoned advocates who logically consider all sides of the question? Do advocates for each position differ solely in the content of their arguments, or do they also differ in rhetorical style? A better understanding of the content and intellectual tenor of the debate can provide some indication of the likelihood of resolving differences and finding drug policies relatively acceptable to most people.

A major forum for the debate has been the editorial pages of American newspapers. In these pages, one finds all sides of the debate and a variety of rhetorical styles. In an attempt to describe the form and content of the debate, we have conducted content analyses of two samples of "op-ed" essays addressing the topic. The first, which was oriented toward the recent history of the debate, examined the twenty years beginning 1 July 1970 of op-ed pieces in the *New York Times*. The second, more oriented to the most contemporary manifestation of the debate, examined a convenience sample of newspapers across the different regions of the United States for the twelve-month period from 1 July 1989 to 30 June 1990.

## Twenty Years of *New York Times* Essays

### *Sample and Coding*

The twenty-year sample consists of fifty-one op-ed essays on the topic of drug legalization or decriminalization that were published in the *New York Times* — considered the nation's "newspaper of record" — during the period from 1 July 1970 to 30 June 1990. These cases were identified through a search in the *Information Bank Abstracts*, compiled by the New York Times Company. It relies on the *New York Times* as its primary source, and covers the period from January 1969 to the present. Identified essays were obtained and incorporated in the sample if the piece was clearly an essay expressing opinion rather than a news story presenting factual journalistic reporting, and if the central focus of the essay was the issue of drug decriminalization and/or legalization.

For each essay, a trained coder recorded basic information identifying the sample, the newspaper source, the date of publication, and when available, author profession, and author political affiliation.<sup>1</sup> Next, the coder recorded the essay's position on legalization and on decriminalization (Pro, Con, Other/Don't Know, No Mention). We combined this information into four categories: *Pro-legalization*, *pro-decriminalization* (but either against or doesn't state a position on legalization), *prohibitionist*, and *no position taken*. The latter included authors who simply commented on the debate without taking sides (e.g., calls for research or for a national debate).

Next, the coder indicated which drugs were mentioned, and whether or not each of eight generic arguments for each position were made explicitly by the author.<sup>2</sup> These lists of arguments were developed by examining an initial collection of about twenty essays, as well as several scholarly articles on the

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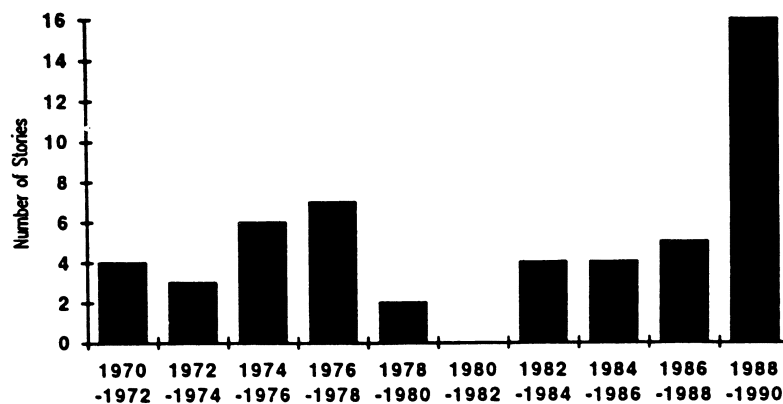
debate (Farr 1990; Nadelmann 1989; Wilson 1990). The coders also noted any additional arguments they encountered that weren't on the list; most of these occurred infrequently, but a few were added to the coding scheme in the second study.

Two different coders each coded about half of the essays in the twenty-year sample. Thirty-five of the forty data entry fields required some judgment on the part of the coders. To establish interrater reliability, an arbitrary set of five essays was coded by both coders. The raters coded 168 out of 175 "judgment" fields identically (32, 33, 34, 34, and 35 out of 35 possible for the five articles), for a total agreement rate of 96%, suggesting a high degree of reliability.

### Results

There are fifty-one *New York Times* essays in the twenty-year sample. Forty-three percent of these essays were published in the 1970s, while 57% were published in the 1980s, 27% of them in the final eighteen months of the sample period. Figure 1 represents the distribution over time. The distribution is bimodal, with a cluster of essays in the mid-to-late 1970s, and a second, much larger cluster in the final 1988–1990 period.

**Figure 1**  
**Drug Law Essays in the *New York Times*, 1970–1990**



*Note:* Each bar represents a two-year period starting on July 1st, for example, 1 July 1970 through 30 June 1972.

### *Position Advocated*

The proportion of types of advocacy were not constant over the twenty-year period. Table 1, where essays from the 1970s are compared to those of the 1980s, shows two different shifts over time ( $\chi^2[3] = 16.85, p < .001$ ).<sup>3</sup> Half of the essays in the 1970s – 61% of those taking a position – advocated

decriminalization. In the 1980s, however, only a single pro-decriminalization essay appeared, whereas prohibitionist essays quadrupled. Both shifts were statistically significant (reduction in pro-decriminalization essays,  $\chi^2[1] = 8.45$ ,  $p < .005$ ; increase in prohibitionist essays,  $\chi^2[1] = 15.07$ ,  $p < .0001$ ). Although the net effect was a prohibitionist shift, there was a doubling of the essays favoring legalization, although the raw frequencies were too small to test with any statistical power. Thus there is some indication that the debate became more polarized in the 1980s, shifting from a focus on decriminalization to a debate between prohibiters and legalizers.

**Table 1**  
**Position Advocated by Decade (Twenty-Year Sample)**

Position Advocated	1970s		1980s	
	<i>N</i>	%	<i>N</i>	%
Prohibition	4	18	17	59
Decriminalization	11	50	1	4
Legalization	3	14	6	21
No position taken	4	18	5	17
Totals	22	100	29	100

#### *Drugs Mentioned*

One explanation for this shift in opinion is that the drugs at issue in the debate changed over time.<sup>4</sup> The most striking feature of table 2 is the omnipresence of marijuana in the 1970s editorials. This was a period in which twelve states decriminalized marijuana: Oregon in 1973; Alaska, Colorado, and Ohio in 1975; California, Maine, and Minnesota in 1976; Mississippi, New York, North Carolina, and South Dakota in 1977; and Nebraska in 1978.<sup>5</sup> In the 1980s, no state decriminalized marijuana. The increased salience of cocaine is also remarkable. In the 1970s, crack cocaine did not exist and powdered cocaine was perceived to be much less serious than heroin. In the 1980s, however, cocaine came to be perceived as the number one drug menace in the country (Reinerman and Levine 1989). Heroin and alcohol were also more prominent in the 1980s debate.

**Table 2**  
**Drugs Mentioned by Decade (Twenty-Year Sample)**

Drug	Correlation with Year	1970s (%)	1980s (%)	$\chi^2(1)$
Cannabis	-.62***	100	52	14.64***
Cocaine	.64***	9	72	20.26***
Heroin	.33*	18	59	8.45**
LSD	-.19	9	0	2.74
PCP	.00	0	4	0.77
Amphetamines	-.19	9	0	2.74
Alcohol	.32*	9	34	4.48*
Tobacco	.22	5	17	1.94
Other	.08	9	17	0.70

\*  $p < .05$  \*\*  $p < .01$  \*\*\*  $p < .001$

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The differences in drugs cited may account for the shift in the frequency of positions taken on prohibition. Cocaine was significantly more likely to be mentioned by the prohibitionists (71%) than by the legalizers (33%), decriminalizers (17%), or those who did not take a position (33%) ( $\chi^2[3] = 10.80$ ,  $p < .02$ ). We could not detect a statistically significant difference in cannabis mentions ( $\chi^2[3] = 4.95$ , n.s.), although the trend suggests less emphasis by prohibitionists (57%), than by decriminalization advocates (92%), or other positions (both 78%). The increase in the total number of drugs mentioned over time was marginally significant ( $r[51] = .23$ ,  $p < .10$ ), but total drugs mentioned did not differ by position advocated ( $M = 2.2$  drugs per essay) ( $F[3,47] < 1$ ).

### *Arguments Made*

Arguments made for or against a change in drug laws are shown in table 3. Although the small subsample sizes preclude strong inferences, it appears that the types of arguments change over time. In the 1970s, the major argument made in favor of liberalizing drug laws was that the current laws were too harsh.<sup>6</sup> In the 1980s, the pro-reform faction emphasized the beneficial effects they expected liberal drug laws to have on crime and the criminal justice system: reducing illicit drug markets, reducing drug-related crimes (e.g., crimes committed to raise money to purchase drugs), and to a lesser extent, reducing the burden of drug cases on the system. Because the *New York Times* only published four essays in the 1970s arguing a prohibitionist position, it is difficult to estimate the frequency of prohibitionist arguments in that decade. However, in the 1980s, prohibitors argued that liberal drug laws would increase the population of users and/or drug addicts, as well as drug-related illnesses.

Not surprisingly, significantly more arguments for liberalizing drug laws were made by advocates of legalization ( $M = 1.44$ ) and decriminalization ( $M = 1.25$ ) than by advocates against those policies ( $M = 0.33$ ) ( $F[3,47] = 3.58$ ,  $p < .05$ ), and the converse was true for arguments against ( $M_s = 0.00$ ,  $0.08$ , and  $1.67$ , respectively) ( $F[3,47] = 9.86$ ,  $p < .0001$ ). Therefore, table 3 presents only the frequency of arguments for authors' own positions. In accord with the net shift away from liberalization during the 1980s, there was significant growth in the total number of prohibitionist arguments over the twenty-year period ( $r[51] = .52$ ,  $p < .0001$ ), but no change in the number of reformist arguments ( $r[51] = .10$ , n.s.).

### *Discussion*

In summary, this study suggests that the debate shifted between the 1970s and the 1980s from the decriminalization of marijuana to the legalization of multiple psychoactive drugs, especially cocaine. Along with this change of focus was a major change in the arguments offered for relaxing prohibitionist laws, from a focus on the civil rights of users to an emphasis on the increase in overall criminality concomitant with forcing drugs into the criminal world. The prohibitionists, as maintainers of the status quo, changed less than the legalizers and decriminalizers, but increased their emphasis on the negative consequences of drug use.

**Table 3**  
**Arguments For Each Position by Decade (Twenty-Year Sample)**

Arguments for Drug Legalization or Decriminalization <sup>a</sup>	1970s (%)	1980s (%)	$\chi^2(1)$
Would decrease drug-related crime	0	57	9.88**
Would eliminate illicit drug markets	0	43	7.00**
Should regulate like prescription drugs	0	14	2.10
Current laws are too harsh	36	0	3.28*
Current laws infringe on rights	21	14	0.15
Should emphasize treatment/education	14	29	0.62
Should make available for medical uses	0	14	2.10
Criminal justice system is overburdened	21	29	0.13

Arguments against Drug Legalization and Decriminalization <sup>b</sup>			
Would increase number of users, addicts	25	41	0.36
Would increase safety hazards	0	12	0.52
Would increase drug-related illness	25	65	2.08
Would increase drug-related crime	0	18	0.82
Implies endorsement, sends wrong message	50	6	5.15
Would disrupt families	0	18	0.82
Disproportionately harms poor/minorities	0	18	0.82
Drug use is immoral	0	6	0.25

<sup>a</sup> Legalizers and decriminalizers only ( $N=21$ )

<sup>b</sup> Prohibitors only ( $N=21$ )

\*  $p < .10$  \*\*  $p < .01$

Of the three changes – decriminalization to legalization, type of argument offered, and drug discussed – the drug discussed is the most likely cause of the other two changes. Marijuana is typically not associated with the criminal underworld, while heroin always has been and cocaine became so in the 1980s. The prototypical marijuana user of the 1960s and 1970s was perhaps counterculture to some extent, but well within normal society, and therefore someone entitled to civil rights. Decriminalization would be, given the general availability of marijuana, sufficient to preserve those rights. Indeed, cocaine, before it became associated with the poor and the criminal world, was similarly regarded. When underclass drug use became the focus of attention, however, decriminalization was no longer adequate to dissociate use from the criminal justice system, and legalization rose to prominence. Following this line of argument, then, one would predict that the debate over alternative legal policies would follow which drug was currently popular and what segment of society was using it.

#### National Sample, July 1989 through July 1990

We wondered whether, as the debate polarized and drugs and principal issues changed, the *New York Times* essays were typical of arguments throughout the remainder of the United States. In addition, we desired a better understanding of the types of arguments proposed and the rhetorical style of the

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debate, and such an analysis required a larger sample of concurrent essays. We therefore developed a second, nationwide sample of essays. Resource constraints forced us to limit this second sample to the year preceding our search.

### *Sample and Coding*

The national sample consists of 133 essays on the topic of drug legalization or decriminalization published in twenty-eight different American newspapers between 1 July 1989 and 30 June 1990, a period of renewed attention to the topic. These were identified by a search in the *VU/TEXT* electronic database using the query "drug? or narcotics? and legaliz? or legalis? or decriminalization? but editorials." The coding scheme was modified slightly; in particular, a revised list of arguments was developed, as will be seen below.

Table 4 represents the distribution of essays across newspapers, grouped by census region of the country. Note that all four census regions are well covered by the sample. However, there is a disproportionate representation of newspapers in Florida and Arizona; Florida's interest in the topic is understandable given the salience of the drug war in that state, but Arizona's preoccupation is more puzzling.

### *Integrative Complexity of Editorials*

To better understand the rhetorical style of argumentation in the legalization debate, we analyzed the integrative complexity of the editorials. *Integrative complexity* (e.g., Tetlock 1983, 1985, 1988, 1989) is a concept that has been employed to study political rhetoric; among its numerous applications are speeches in the U.S. Congress, the United Nations General Assembly, and public pronouncements of U.S. and Soviet leaders.

Integrative complexity involves two related cognitive variables – differentiation and integration (e.g., Tetlock 1989). *Differentiation* refers to the acknowledgment of different ways of looking at a problem. People who do not differentiate see the world in terms of black and white. Those who differentiate acknowledge not only shades of gray, but also that things may be black on one dimension and white on another. For example, an undifferentiated view of legalization of cocaine would see that option along a single dimension – say as sanctioning an unhealthy act. A differentiated view would acknowledge different ways of looking at the policy; it is sanctioning an unhealthy act, but it is also reducing the burden of an overburdened criminal justice system. *Integration* refers to the ability to deal with the differentiation in a constructive way. A differentiated but unintegrated view of the legalization of cocaine, having stated the different ways of looking at the policy, would go no further. An integrated view might examine the relative costs of the criminal justice burden and additional health problems and try to seek ways of combining the two (e.g., reallocating criminal justice efforts to drug treatment). Tetlock (e.g., 1989) argues that integrative complexity does not imply a value judgment about the intelligence of the source or the validity of the arguments; for example, arguments for the abolition of slavery were low in complexity, but today few would question their moral validity.

**Table 4**  
**Essays by Census Region and Newspaper**  
**(National Sample)**

Region and Paper	Frequency	Percent
Northeast	28	21
New York Times	13	10
Albany Times-Union	1	1
Lexington Herald-Ledger	3	2
Philadelphia Daily News	6	4
Philadelphia Inquirer	1	1
Wall Street Journal	4	3
South	37	28
Atlanta Constitution	2	2
Charlotte Observer	2	2
Ft. Laud. Sun-Sentinel	2	2
Miami Herald	2	2
Orlando Sentinel	6	4
Palm Beach Post	19	14
Washington Post	4	3
Midwest	16	12
Chicago Tribune	4	3
Columbus Dispatch	1	1
Detroit Free Press	3	2
St. Louis Post-Dispatch	2	2
St. Paul Pioneer Press	4	3
Wichita Eagle-Beacon	2	2
West	52	39
Arizona Republic	16	12
Houston Post	2	2
L.A. Times	4	3
Phoenix Gazette	20	15
San Jose Mercury	6	4
Seattle Post-Intelligencer	1	1
Anchorage	3	2

Tetlock and his colleagues (Baker-Brown et al. 1992) have developed a method of coding integrative complexity on a seven-point scale. A score of one on this scale indicates an argument of low differentiation. Three indicates an argument of moderate differentiation but low integration. Five indicates an argument of moderate-to-high differentiation but only moderate integration. Seven is reserved for a fully differentiated and integrated argument. The even



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numbers are compromises between the labels anchoring the odd numbers and often indicate the coder's belief that the statement had an implied or incomplete expression of the next highest level.

A rater scored each editorial on the seven-point integrative complexity scale. Ratings were done on a set of twelve trial essays (taken from the twenty-year sample) until the rater and a supervisor agreed on scores for eleven of the twelve essays. The rater and supervisor independently rated the first dozen essays from the national sample and agreed on ten of them, with a difference of one unit on the other two.<sup>7</sup>

### *Results of Content Coding*

#### *Position Advocated*

Roughly 13% of the essays did not advocate a clear position on drug laws one way or the other (table 5). Of the 116 essays with a clear position, 47% were against any relaxation of drug laws, 37% advocated drug legalization, and 16% advocated decriminalization but not legalization. There were no significant differences in advocacy by region of the country ( $\chi^2[6] = 10.57$ , n.s.).

**Table 5**  
**Position Advocated**  
**(National Sample)**

Position Advocated	Freq.	Percent of Total	Percent of Advocates
Prohibition	55	41	47
Decriminalization	18	14	16
Legalization	43	32	37
No Position Taken	17	13	—

**Table 6**  
**Drugs Mentioned by Position Advocated**  
**(National Sample)**

Drug	Prohib. (%)	Decrim. (%)	Legalize (%)	$\chi^2(1)$
Cannabis	46	33	42	0.82
Cocaine	84	72	49	13.76**
Heroin	45	39	30	2.36
Alcohol	62	72	65	0.69
Tobacco	20	33	42	5.58*
Other	25	28	16	1.52

\*  $p < .10$  \*\*  $p < .001$

#### *Drugs Mentioned*

An average of 2.77 different drugs were mentioned in each essay; the average number of drugs mentioned did not vary with position advocated ( $F[2,113] < 1.0$ ). Cocaine was the most frequently mentioned drug in the national sample (69%), followed by alcohol (65%), cannabis (42%), heroin (39%), tobacco (30%), and

various other drugs (22%). Only cocaine mentions significantly differed by position advocated, with legalization advocates mentioning cocaine significantly less often (49%) than prohibitors (84%) or decriminalizers (72%). There was a marginal tendency for legalizers to mention tobacco more frequently. As with the twenty-year sample in the *New York Times* study, alcohol was mentioned frequently by all groups, largely with reference to its prohibition (see table 7).

#### *Arguments Made*

As seen in table 7, advocates on all sides of the debate offered a variety of arguments for their positions. In almost every case, the presence or absence of an argument was significantly associated with the position advocated. In general, advocates of legalization and decriminalization offered similar arguments. Their major arguments were that liberalizing drug laws would significantly reduce illegal drug markets, drug-related crime, and the burdens drug cases place on the criminal justice system. About half stressed the need for a shift in emphasis away from enforcement and toward drug treatment and education. The majority of those opposing liberalization argued that it would significantly increase the number of drug users and/or addicts in American society. Other frequent arguments were that drug use is inherently immoral, that liberalization would send the wrong message to the public, implying endorsement by the government, and that liberalization would increase drug-related health problems and family problems.

Not surprisingly, essay positions were significantly associated with the number of arguments for and against liberal drug laws (for pro arguments,  $F[3,129] = 43.09$ ,  $p < .0001$ ; for con arguments,  $F[3,129] = 30.22$ ,  $p < .0001$ ). Decriminalizers and legalizers offered more *pro* arguments than other authors, but did not differ from each other, while prohibitors offered more *con* arguments than other authors. There were no differences in total arguments made ( $F[3,129] = 1.86$ , n.s.).

#### *Integrative Complexity*

Figure 2 represents the percentage of each advocacy group at each of the seven levels of integrative complexity. The mean integrative complexity scores were 2.69, 3.72, 4.02, and 3.47 for prohibitionists, decriminalizers, legalizers, and no position advocated, respectively. These means were significantly different ( $F[3, 129] = 4.69$ ,  $p < .004$ ); post-hoc Neuman-Keuls comparisons showed that the prohibitionists (with the lowest mean score) differed from the legalizers (with the highest mean score). An examination of figure 2 clarifies these differences. The group advocating no position peaked at integrative complexity level three, showing no integration but moderate differentiation, and then fell off sharply to the left and gradually to the right. This indicates that this group was able to differentiate, but often failed to achieve integration; perhaps this unintegrated differentiation prevented these authors from reaching a firm conclusion. The three partisan groups were each bimodal, with low frequencies of essays in the middle levels of three and four and peaks at the ends of the continuum. Fifty-eight percent of prohibitionist essays were at levels one or two, compared to 22% at levels five, six, or seven. The corresponding figures for decriminalizers were 44% at the low end and 56% at the high end; for legalizers, 28% at the low end and 63% at the high end. Thus, the prohibitionists had their primary mode at the undifferentiated end of the continuum while the legalizers

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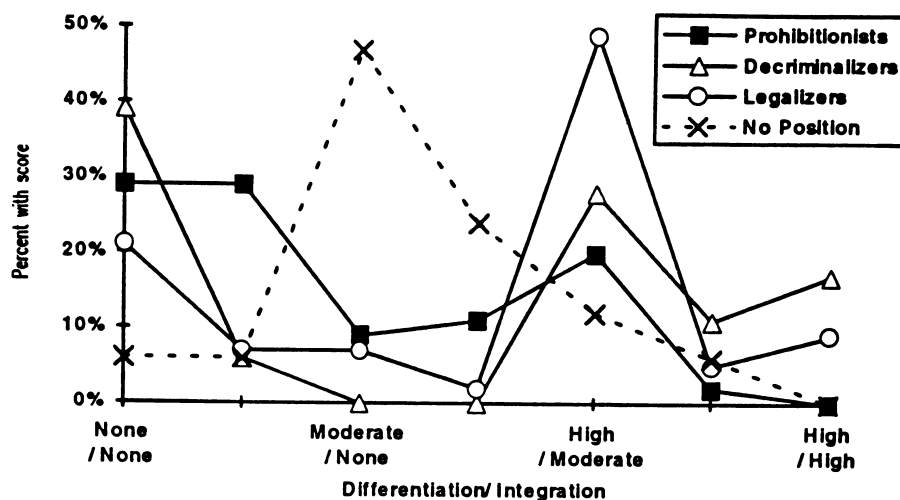
and – to a lesser extent — decriminalizers had a primary mode at the highly differentiated and moderately integrated end.

**Table 7**  
**Arguments For and Against by Position Advocated**  
**(National Sample)**

Arguments for Drug Legalization or Decriminalization	Prohib. (%)	Decrim. (%)	Legaliz. (%)	None (%)
Would decrease drug-related crime	13	78	65	24
Would eliminate illicit drug markets	5	56	54	29
Should regulate like prescription drugs	0	22	26	18
Current laws are hypocritical	0	17	21	12
Current laws are too harsh <sup>a</sup>	0	11	7	12
Current laws infringe on rights	0	22	19	18
Should emphasize treatment/education	7	56	46	12
Criminal justice system is overburdened	5	61	37	41
Raise revenue from drug taxes	0	17	30	6
Social conditions are the problem	2	11	19	6
Reduce illnesses related to use	0	17	5	12
Alcohol prohibition a failure	4	67	26	12
Mean number of arguments favoring this position	0.36	4.33	3.53	2.00
Arguments against Drug Legalization and Decriminalization	Prohib. (%)	Decrim. (%)	Legaliz. (%)	None (%)
Would increase number of users, addicts	60	6	5	24
Would increase safety hazards	24	6	2	0
Would increase drug-related illness	45	6	5	6
Would increase drug-related crime <sup>a</sup>	18	6	2	18
Implies endorsement, sends wrong message	18	0	0	18
Increase school/work problems	18	11	0	0
Would disrupt families	27	11	0	0
Disproportionately harms poor/minorities	20	0	0	0
Drug use is immoral	33	0	0	12
Hard to implement; need more details	15	0	0	12
Drug use already finally declining	13	0	0	0
Alcohol prohibition was effective	15	0	2	12
Mean number of arguments favoring this position	3.05	0.44	0.16	1.00

<sup>a</sup>Marginally significant ( $p < .10$ ), association with position advocated. All other all arguments significantly associated with position advocated at  $p < .05$  or better.

**Figure 2**  
**Integrative Complexity Scores by Position Advocated**



We examined the relationships of the integrative complexity scores to other variables in the study. Integrative complexity scores did not differ by census region ( $F[3,129] < 1.0$ ). Complexity was positively but moderately associated with total number of arguments presented ( $r[133] = .18, p < .05$ ) and total number of drugs mentioned ( $r[133] = .19, p < .03$ ). This is to be expected, as by definition differentiators manifest awareness of different arguments, and one method of differentiation is to distinguish among the characteristics of different drugs.

A possible manifestation of complexity would be the expression of arguments that run counter to one's position. Overall, the acknowledgment of counterarguments was positively associated with integrative complexity ( $r[116] = .25, p < .01$ ). Within each advocacy group, this was significant for decriminalizers and legalizers combined ( $r[61] = .30, p < .02$ ), and marginally significant for prohibitionists ( $r[55] = .26, p < .06$ ). The average number of counterpositional arguments did not differ between these groups (overall mean = 0.30;  $t[115] = -0.67, n.s.$ ).

### General Discussion

These samples have some obvious limitations. The twenty-year sample is limited to a single newspaper; the national sample, while including essays from twenty-seven different newspapers in four different regions of the country, is by no means a nationally representative sample of American newspapers. Our sample is one of convenience, constrained by the availability of citations in the *Information Bank Abstracts* (twenty-year sample) and *VU/TEXT* (national sample) on-line databases. Moreover, the sample sizes are somewhat small – fifty-one essays in the twenty-year sample and 133 essays in the national sample – so that only fairly large effects are likely to be detected reliably. Nevertheless, our approach is more systematic and empirical than is typical in analyses of public policy debates.

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A comparison of table 3 (1980s column) and table 7 shows that the *New York Times* was similar to the national sample of newspapers in the arguments used in drug policy essays. For both samples, the two most frequently cited reasons for maintaining prohibition (albeit in reversed order for the two samples) were that relaxed laws would increase the numbers of users and addicts, and that drug-related illness would increase. Frequencies for the remainder of reasons to maintain prohibition were scattered and unsystematic. Similarly, the decriminalizers and legalizers were largely alike in the two samples, emphasizing first and foremost that drug-related crime would decrease, with the concomitant arguments that illicit drug markets would be eliminated, and the burden on the criminal justice system would be lightened.

Perhaps the most intriguing finding of this study is that the integrative complexity of prohibitionists appears to be less than that of legalizers. There are three explanations that come to mind. First, there is the "rigidity of the right" hypothesis that has waxed and waned in the past fifty years of social psychology, but never entirely either been accepted or dismissed (Tetlock 1989). According to this hypothesis, originally motivated by a need to explain fascism, people with strong right-wing beliefs are characterized by rigid, black-and-white styles of thinking. These people are more likely to view drugs as a monolithic moral issue and hence to be prohibitionist.<sup>8</sup> It is of interest in this regard that politically conservative thinkers who are regarded as "intellectual" rather than "moralistic" (e.g., William F. Buckley, Milton Friedman, and George Shultz) have at times argued for legalization.

A second explanation is that the philosophical bases for legalization are inherently more complex than those for prohibition, and hence someone must be integratively complex in order to fully comprehend and advocate this position. It is true that on the surface, legalization seems paradoxical – that legalizing a societally-problematic behavior will lessen the problem to society. Allied to this is the notion that few writers of newspaper editorials are themselves drug users and sellers, and to adopt a position that doesn't necessarily promote one's personal interests requires some integrative complexity.

The third explanation is that legalizers, arguing against the status quo, require more complex arguments because their task of persuasion is more difficult. That is, the status quo is – by and large – that position supported by the majority, and the majority must be convinced that its own beliefs are in need of modification before it is open to new arguments. Hence, to argue against the status quo successfully, one must be able to differentiate at a minimum. Tetlock (1989:143) has argued to the contrary: the opposition, on the attack, can be less complex as it finds a weak point in the status quo to pummel. However, Tetlock's argument is based on his finding (Tetlock 1983) that personal accountability results in complexity, whereas in the present instance, few of the authors of the essays we sampled were in a position of any personal accountability for the efficacy of American drug policy.

Each of the three explanations is plausible and indeed they are not mutually exclusive. The second position is the most consistent with our interpretation of the shift from decriminalization to legalization over time. If our interpretation of that shift is correct, then the legalization argument arises from a recognition of the complex and often unintended consequences of cocaine and heroin prohibition – in particular, the apparent role of drug prohibition in promoting

income-generating crime, overburdening the criminal justice system, and diverting resources away from treatment and prevention.

Whether or not our explanation is the correct one, it is certainly true that arguments for legalization take on average a broader view of drug policy than prohibitionist arguments. Given that broader views have a better chance of surviving as circumstances change, this suggests that the legalization position is not about to disappear. Our study suggests, though, that the type of alternative legal policy and the arguments in favor of the policy will shift as the illicit drug environment in the United States changes over time.

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### NOTES

1. Unfortunately, the data ~~don't~~ permit useful analyses of author characteristics. First, we were generally unable to determine the author's political affiliation; thus we are unable to estimate the association of political affiliation and positions and arguments advocated. Second, almost all of the authors were either journalists (55%) or fell into the "other" category (28%); the remainder were scattered across seven other categories, with too few authors per category to permit meaningful analyses.

2. Some arguments were not made explicitly by an author, but were implicit in the author's reasoning. For example, a pro-legalization advocate might state that major American cities were besieged by drug-selling gangs, and then immediately advocate legalization without explicitly arguing that legalization would reduce illegal drug markets or organized crime. Coders distinguished whether an argument was not made, was made explicitly, or was implied by the text. We found that combining implicit and explicit arguments had little effect on frequency counts of most of the arguments, but substantially increased the frequency of two arguments; the argument that current drug laws are too harsh (from 24% to 48%), and the argument that a liberalization of drug laws would increase the number of users (from 38% to 76%). In the results that follow, we present only those arguments made explicitly by authors.

3. Our sample period begins on 1 July 1970 and ends 30 June 1990. To provide two full decades and ease the clarity of the presentation, we include the first six months of 1990 in "the 1980s" and the first six months of 1980 in "the 1970s."

4. An alternative explanation is that the publication policies of the *Times* editorial staff changed over time. However, the distribution of positions in the national sample (presented below) argue against this interpretation.

5. South Dakota and Alaska subsequently repealed their decriminalization laws.

6. This concern was not specific to marijuana; citation of this argument was uncorrelated with cannabis mentions ( $r[51] = .20$ , n.s.).

7. Tetlock (1989) states that coding integrative complexity should be preceded with an intensive training experience supervised by an expert rater; while we could not supply our rater with that training, our calibration results seem to indicate adequate reliability.

8. The rigidity of the right hypothesis is most often contested by the ideological polarization hypothesis, which posits that people on the extremes of political issues are undifferentiated. That hypothesis would predict decriminalizers and people not advocating a position to have higher integrative complexity scores than prohibitionists and legalizers – a prediction not borne out in the study.

## CONTENT ANALYSIS

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