A Paradigm Shift in the War on Drugs? Obama's Drug Policy in Perspective

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1. Where Have All the Drug Worriers Gone?

A commonly deliberated argument, claims that the under the Obama’s administration the US has undergone a paradigm shift in its approached to drugs. Contending this claim, I argue that although a slow, calculated change took place, it did not accrue to be a paradigmatic change, but rather was a balancing act between the two paradigms tenants that holds US drug policy. The Obama administration didn't end four decades of the war on drugs, but did make substantial changes within in the existing framework, by promoting strategies that were once considered subsidiary or taboo. In parallel, the administration allowed crevasses and changes at home and on the international level to advance, mainly by avoiding from interfering as his predecessors did. This modus-operandi rebalanced the supply and demand paradigms in US drug policy, but did not outweighed for a completely new paradigm to take the helm. Yet, by that the administration also sets conditions for a rollback by the next administration.

I will explain these changes, using a neo-classical realist model, and argue that an integrated dynamic between systemic and domestic factors, set this policy change. In this dynamic, changes in US position in the global balance of power and in the administration's threat perception, was interpreted by a unique "transition belt", shaped by the administration's strategic culture and US political structure, reflecting on the way the administration conceived the drug issue, and therefore leading to a change in US drug policy.

The paper begins with a concise review of the research model, which is based on the neo-classical realist theory guidelines. The model holds variables at three levels: systemic variables, domestic level variables (intervening) and US drug policy as a dependent variable. The following section examines the effect of change in the systemic environment: the changing trends of global power distribution, the Geo-strategic environment, and the administration's perception of resource extraction capacity and threat perception. The third part portrays the transition belt during the Obama administration and its impact on the administration's perception of the war on drugs. The last section presents US drug policy, home and abroad, while concluding the discussion on how much a paradigm shift Obama's drug policy represents.

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1 This is an initial draft paper, presented at the IDC Herzliya Conference "The 2016 Presidential Election and the Obama Administration". Comments are highly appreciated. Dr. Ben Zion Telefus received his PhD from Bar-Ilan University in 2015. His dissertation dealt with the war on drugs as a national security issue in the US and the E.U. Email: Bentzile@gmail.com
2. **The Research Model**

*Power and threats as systemic conditions:*

For neoclassical realism, a state's position in the international system is not merely a function of global power distribution, but derives primarily from a state's capacity to mobilize and extract state-power from its national-power. This mobilization-extraction capacity, is a precondition for the state's position and ability, to deal with elements in the international system and its ability to "chase monsters to destroy." However, fluctuations in the global power structure, may constrain state power and require a growing allocation of resources. This may lead to a reduction in the scope of the issue, a state chooses to confront at the international system.²

By This definition, a state's power is not just the material accumulation of military, economic, political, or even of soft power, but rather the sturdiness of the national functions that enables the mobilization-extraction capacity, within a given global power distribution context.³ This portrays a functional view of power, since "states respond to a what they can do, rather than to "what they ought to do." Therefore, threats to the state are derived from what decision makers identify as elements effecting the national functions and mechanisms that generates the mobilization-extraction capacity. Based on previous models, this research model holds strategic culture and political structure as such functions at what neoclassical realism defined as the transition belt.⁴

*The transition belt as a mediating interoperating mechanism:*

The transition belt has two main functions: First, it interprets trends in global power distribution and the threats posed by the system, and at the same time, defines for the executive the status of the mobilization-extraction capacities. By doing so, the transition belt determines the state's relative power in front of the international system, and highlights the power components the executive holds as vital. Accordingly, the degree to which a systemic element is identified as a threat to this vital component of power and to the state mobilization-extraction capacity, will determine its position as a national security issue. Following this repositioning, policy and strategic adjustments may occur. This process may be defined as threat inflation, but can also work as a threat deflation.

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² An illustration of the research model is presented on page 7
This process characterizes the transition belt as a constraining internal environment, that imposes limits to the executive ability to interpret the international system, the status of the state capabilities and the nature of threats. The factors causing these limitations, are the extent of national and political consensus revolving these questions. When it comes to transnational phenomenon, like drugs and transnational crime, these restrictions are intensified, due to their amorphous nature. Yet, the executive in its interoperation of such phenomena's, defines what capabilities and intentions such element may hold.

The emphasis on interpretation, identifies the transition belt as a selective layer, directing the state in the international system. In this research model, the belt is composed of two factors: strategic culture and political structure. Strategic culture clarifies how a framework of codes, political understanding, and a common mindset of the executive is formed at the transition belt and emerges into common assumptions regarding options in policy and strategy. These common assumptions may diffuse into subdomains, which will adopt the mindset of the broader strategic culture. Therefore, under any administration, the strategic culture of the war on drugs assimilates the characteristics of a broader grand strategy. This can be identified by common symbols, rhetoric, and by analyzing if answers to policy dilemmas and strategic questions are answered by a symmetrical mindset.

The second factor, that of political structure, correlates with strategic culture in affecting the Ideational dimension of the interpretation process. But more importantly, it affects a state's ability to leverage power capabilities into influence at the international level. The sturdiness of this structure will determine how accessible is the executive to national power and what capacity it hold in mobilizing and extracting state-power, at home and abroad. Several elements determine the strength of the political structure.

The first is the degree to which the executive holds a control over political arrangements and the extent that this control can have on generating political and state power. This depends on the degree of autonomy, resistance to external pressures from varying elements, control over the legislative process and the ability to shape policies. The outcome of these can create, what is known as the distinction between strong and weak states. In the United States, the political structure refers mainly, to the power balance between the presidency the Congress and the states.

A second significant element defining the sturdiness of the political structure is the degree of independence the bureaucracy has, and the extent to which it has influence over
policy formation. Bureaucratic establishments, military or otherwise, are methods states organize variable domains. These methods and their bureaucratic embodiment, demands resources on the one hand, but also operates as a recruitment mechanism for the executive on the other, enabling the buildup of political and state-power. In the US, the vast complex of drug law enforcement agencies, far wider than the DEA, is such an establishment. Yet, this comes with a price: along the political benefits they generate, they also develop self-interests and not the least, an independent strategic-cultural mindset, that may rival that of the executive. Therefore, a gap between the executive and bureaucracy, and the bureaucracy's position in the political structure in general, may influence the way the transition belt interprets systemic constraints and affect the ability to design and formulate policy.

The affect over policy change and strategic adjustments

The model suggests that four patterns of policy adjustment may occur, due to the transition-belt's effect: first, states with a high mobilization-extraction capacity and a high threat perception, will duplicate and maximize national resources and capabilities, such as technology platforms, institutional and military arrangements, as well as political practices. This is a resource consuming pattern, therefore, would typically characterize great powers, in their global expansion process.

In the second pattern, states with a restricted mobilization-extraction capacity, but with a high threat perception, will have difficulty duplicating capabilities and therefore will focus on extracting existing capabilities, by imposing additional burden on existing institutions and organizations. At The third pattern, states with high mobilization-extraction capacity and a low threat perception, will embark in experimenting with new innovative policies. Such states will change and even replace institutional structures and political practices, while reorganizing the allocation of national resources and the scope of issues defined as national security. In the final, fourth pattern, states with low mobilization-extraction capacity and a low threat perception, may adopt a policy of conservation or exclusion, in which a topic such as drugs, will be absent from the national foreign and security policy.

The war on drugs as a domain for policy change in the US

US drug policy traditionally consists a tension between two main paradigms: supply versus demand, each encapsulates a defined set of ideas and assumptions on policy preferences. Over the years, these paradigms have been built into US domestic (supply and demand) and on international (supply) policies, with a prominent preference for the supply paradigm. This is
not just an ideational divide, it sets a budgetary balance that reflects on the drug strategies and initiatives that assemble each paradigm. Administrations throughout the history of the war on drugs, by their policy preferences, reshaped the balance between these paradigms and the balance within each paradigm. Hence, to answer the question of a paradigm shift under the Obama administration, one must look at the actual changes made to these balances in his policy.

Accordingly, US international drug policy can be described as a table with four strategic legs: first, the **fight at the source strategy**, ranging between crop eradication approaches to alternative development approach, each represents an opposing policy tool, based on different characteristics regarding the implication to US involvement and commitment in source countries. The second is the **interdiction strategy at international spaces**, which is based largely on a unilateral American action to detect and intercept smuggling activities. The third strategy, emphasizes the **dismantling of criminal groups** that drives global drug trafficking. This can be done with an indirect military approach, usually outsourcing the fight to local military services, backed by covert US assistance, or by what is known as a nation building approach – promoting the strengthening of state institutions, law enforcement capacity, judicial institutions and the rule of law. The difference between these approaches, lies also in the implication for US involvement and commitment and its will to use force. The fourth strategic leg, is the **strategy of incentives**, which operates by economic and diplomatic power, and is often a secondary supplemental strategy.

As for the domestic side of US drug policy, it can be generally described as a more constant balancing struggle between supply and demand. On the demand side, there is tension between strict enforcement via criminalization verses a public health approach, focusing on treatment, rehabilitation and prevention. On the Supply side, the tension is also between strict enforcement via criminalization in contrast to a more lenient legal flexibility approaches. In this study, domestic policy will be addressed, but to a lesser extent, compared to US international drug policy, on which the study is more ate focus. Major changes in Obama's domestic drug policy will be presented, to portray a more holistic policy picture, while assessing the extent of a paradigmatic shift in US drug policy under Obama.
The Research Model Illustration

The illustration shows the transition belt contoured by strategic culture (A1) and political structure (A2). These contours may push transnational issues, in or out of the center of the transition belt. The black center circle, symbolizes the extent to which the belt broadens or reduces the scope of the concept of national security, by including or excluding issues. The scope of this circle will determine how the systemic factors: relative distribution of power and capabilities (S1) and external threat (S2) are interpreted by the state executive. The outcome will affect the design of policy preferences (PA-to-PD).
3. **The Changing Geopolitics of the War on Drugs**

*Trends in global balance of power and the influence on Obamas drug war perception*

Obama entered office when the US supremacy and global dominance were becoming harder preserve. The eroding process of American primacy, started years before, during the G. W. Bush administration, when the wars in the middle-east and the rise of the BRICS, made the ability to preserve the capability gap, in various power domains, a costlier stand. In the process of power diffusion in the international system, the US remained, still, in military terms the only superpower, yet on any other power component, mainly the economy, unipolarity dissolved. The 2008 economic crises only made this clearer than ever.\(^7\)

This power diffusion process created a multilayered systemic environment, in which polarity was a dual concept. Unipolarity on the military side and multipolarity on any other power component. This process signaled significant implications for US capacity to translate its capabilities into global influence during the Obama administration. This process can also be described as the American paradox of power, in which, if US military power dominance remains unchanged, also dose remains the relative decreased in the importance of military force as an influence generating component.

A significant outcome of this paradox and the diffusion of power in the system, was the growing importance the Obama administration gave to soft power and economic power as components of US global influence.\(^8\) This change from the Bush administration made a significant effect, both on the way the war on drugs was perceived, and on the way the global drug problem in general, was perceived as an international phenomenon, influencing US power. In an environment in which the administration singled out soft power, as a core component in preserving allies, the need to distinguish the US from its rivals became a significant effect over the administration's approach to the war on drugs.

In addition to the administration's approach to the issue, the systemic power diffusion process set objective constraints on the US ability to continue shaping global drug war agenda. The rise of economic competitors, mainly china, narrowed US ability to leverage political and economic coercion and eroded the effect of incentives and threats as a coercive diplomacy tool. The diffusion of economic power made countries, previously more vulnerable to this type of coercion, now more impervious. The fact the administration wished to preserve them under the US sphere of influence, as allies or economic partners, and to prevent them from realigning with its rivals, made this constraint a greater factor over drug war considerations than ever.
Obamas geopolitical perception and the war on drugs

The process of global power diffusion forced the Obama administration to recalibrate US global interests and to reconsider its spheres of influence. This had an effect also on the perception of the war on drug in these spheres. The downsizing of its presence in the Middle-East, versus its "pivot to Asia" and the reemergence of Africa as global spheres of competition with China, made an effect on the drug war and on drug policy. Based on this geopolitical realignment, and following the need to scale back on American global military deployment and resource allocations, due to the economic crises, the administration needed alternative mashers to preserve US presence in these areas. Using the drug war was one way to accomplish that.

By altering drug war priorities, the administration could preserve intelligence and minimal footprint presence. One such change was the push the DEA made in West Africa, that became a new front line in the war on drugs under Obama, an as the head of the DEA in Europe has expressed that. Alongside with Africa and Asia, Latin America, the traditional heart of the American war on drugs, was also going changes due to the power diffusion process. The rapid economic growth of countries in Latin America and the noticeable entrance of China to the region, created growing difficulties in preserving the old ways of coercive dependence pattern. Chain regional diplomacy of vast investments, a willing hand in landing loans and its growing role as trade partner in the region, all narrowed US influence over the region and had implications for the war on drugs.

A key component in the Obamas global strategy, was the need and will, to preserve old and new partners, to moderate and accommodate the global power change. This was also reflected in the war on Drugs. In Africa, the war on drugs became an issue through which US could cooperate with its NATO allies, in fighting what became to be known as the "West Africa cocaine rout". In west Africa, the war on drugs also enabled cooperation with Brazil, Latin Americas rising regional power. Yet the war on drugs was not just an issue of cooperation, but was an issue in which the US had to make concessions to preserve allies and influence. The desire to advance the TPP, the growing importance of Latin America to US economy, the entrance of China, the Reappearance of Russia in Latin America and the Caribbean's using the war on drugs as an excuse, all created a reality in which drug war consideration had to be sidelined.
The drug problem effect on the perception of US mobilization-extraction capacity

These systemic conditions also influenced the administration position, regarding the status of core components, by what they perceived as the pillars of the US mobilization-extraction capacity. This perception had a fundamental effect over the drug war and drug policy. The administration defined US power in the system as dependent, not necessarily on military or economic terms, but on the domestic conditions. Obama recognized the importance of US military power as an important power element, but saw a necessity to underpin it with other capabilities that will allow the US greater flexibility to operate on the international level. The basis for that in his view, was the internal healing of the American society and economic system. What can be named the basic elements of American national-power.14

Originating out of that, came the administration's position that the war on drugs Is hindering those elements of American national-power and not augmenting them, as some of his predecessors claimed. For the administration, in an age of growing federal deficit, the enormous budgets the war on drugs consumed and the social burden it inflicted on the American society were the real threat to the basics of the national-power. For Obama, the war on drugs hampered his notion of "nation building at home". This was clearly articulated both at his national strategy reports and his drug strategy reports.15

However, this perception was under domestic contention and received limited consensus. Federal bureaucracy, from the DEA to the Army, objected this view and harked back to the war on drugs as a pretext to fight resource allocations. For instance, in 2014 the commanders of USNORTHCOM and USSOUTHCOM claimed in a senate hearing, that budgetary cuts severed the US ability to confront major threats, among them drug trafficking, and that this situation allow adversaries like China and Russia, to increase their influence in the region. USSOUTHCOM commander, General Kelly stated that this creates "an existential threat to the US"16

Obamas perception of the threat from drug as systemic factor

Obamas threat assessment as he entered office, did not recognize any imminent existential threat to the US. The administration considered nuclear proliferation and climate change as the two major existential threats to the security of the US and the world in the foreseen future. The threat from the drug problem was included into a broader concept of transnational threats, recalling to the Clinton administration's definition of transnational crime in an obscured systemic environment. In the 2011 federal drug threat assessment report, the
last of its kind, the administration stated "The illicit trafficking and abuse of drugs present a challenging, dynamic threat to the United States".17

Unlike his predecessor, Obama refrained from addressing the drug problem with a demonizing ideological zeal and substantially scaled down the linkage between the war on drugs and the war on terror the administration described the drug problem as one of many criminal transnational activities threatening the US by what the administration coined as TOC. The return to this term from the Clinton days, instead of the "Narco-Terrorism" and DTO terms of the Bush days, symbolized the change of perception. The Obama administration based his perception on deciphering capabilities and not ideological intention as his predecessor. This was illustrated in the 2011 strategic program to combat transnational crime.18

In his interpretation of the threat from transnational crime and drug trafficking in the international system, the administration defined the ability of these criminal groups to penetrate the US and spread to vital US spheres of interest, as the main threat, this was, as always, centered on central America and the Caribbean basin. Among those, the administration identified the Mexican Cartels as the most imminent issue.19 After overpowering the Colombian Cartels at the helm of the global trafficking industry, the Mexican Cartels grow to become the main perpetrators of drug trafficking to the US.20 More than that, their ability to spread around the region and the globe, the Haigh powers and semi-militarized capabilities they acquired, were all influencing the stability of Mexico and the region. For the Obama administration, the threats from these organizations was not merely the capabilities they developed with the immense profits from the drug trade, but also the organizational structure of a hierarchical command with a control over a net of armed cells. This was the source of those organizations capabilities, to spread in the region and to other global arenas and to create criminal alliances. This was the source of their ability to disable countries into a state of dysfunction.21

Accordingly, the main concern for the administration was from a "spillover" of Mexican violence into the US, and was addressed as such in drug strategy reports and testimonies.22 This also explains, that more than the drug trafficking alone, the violent consequences and instability were the administration's top priorities. The outcome was a strategical decision to focus on border protection along a push to strengthen the Mexican government capacity to stabilize the country. Therefore, US involvement in the Mexican drug war, had a more overriding objective than just stopping drugs, it was about preventing Mexico from becoming a failed state.
Identifying the drug problem within a consortium of criminal activities, served another purpose in the Obama administration. The administration included drugs along wildlife trafficking and illegal mining and deforestation activities, and the state department tended to highlight the importance of those issues rather than of the drug issue.\textsuperscript{23} Portraying the issue as such, assisted the administration's in tackling the growing criticism against the war on drugs, both at home and at the international level. By highlighting these less controversial transnational crime issues and by minor semantical changes, like using the term TOC instead of DTO, the administration diverted the criticism over the effectiveness of the war on drugs, to a larger question concerning the effect of transnational crime on national and international security. Yet by that, intentionally or not, it preserved the debate on the issue, in terms of national security.

Following this review of the administration's perception of the drug issue within the context of the changing international system, a closer review of the factors generating this interpretation is required. The next section will portray the dynamic within the administration's transition belt, and the effect it had on setting and selecting policy options.

4. Obama's Transition Belt and the War on Drugs

The Strategic Culture of the war on Drugs

The change from the Bush administration in the Obama administration was a complete change of strategic mindsets. From a hawkish, offensive-neo-liberal, internationalist neoconservative mindset, to a mindset that some define as an eclectic gathering of ideas from the strategic traditions of the defensive realism and defensive neo liberalism. Unlike previous governments, it was difficult to place the Obama administration within a clear strategic template. This gave the notion that the administration has no "grand-strategy" mindset that directs his foreign and security policy. Some have argued that this strategic ambiguity is embedded as an intended behavior.\textsuperscript{24}

However, once reviewing the Obama presidency in retrospect, it illustrates the guiding principles of his strategic mindset and it clarifies his grand-doctrine. This had resonated over the strategic culture of the war on drugs. Obama's strategic mindset can be epitomized in what others have named "retrenchment and accommodation strategy".\textsuperscript{25} This is a defensive doctrine, not in the sense of an isolationist view, but rather a view that sees the US as an overstretched empire, that needs to retrench, to allow domestic progressive reforms to advance.
The national security strategy reports the administration published during his terms, in 2010 and 2015, portray this strategic mindset. To sum what others described, deems this mindset as "multilateral reduction, combined with a selection of strategic blows against a narrow set of national security issues". This sets the administration's image as one that avoids involvement in global events. Other principles that characterize the mindset of this strategic culture, are ambiguity and adaptability.26

The purpose of these strategic guidelines, is to create a common knowledge framework that will allow the administration to focus on domestic policies, so he could advance his progressive agenda at home, while reducing the cost of US international commitments and avoiding any new expensive commitments. Accordingly, to preserve US global influence, the US must strengthen its soft power and set her liberal values as an example to the international system. In order to do so, the US must accept self-restriction over her power, advance multilateral cooperation in the system and work with international institutes. This mind set was dominant during the first term, but retracted to some extent over the second term, as the administration adopted a somewhat more realism based approach, mainly in reaction to the growing defiance by Russia.

These principles have permeated into the administration's drug war mindset and affected its concept and policies. The assimilation between the administration's grand strategy and his drug war mindset is reflected in the national drug control strategy reports. For example, In the reports there is a repetitive emphasis for the need to work with the international community to address the international drug problem. The reports also emphasize the general ambition, to focus on domestic rejuvenation and the willingness to de-escalate the use of force in the fight against drugs. To not to a lesser amount, the reports also reflect the administration's overall mindset, of avoiding and defusing political demagoguery, by setting policy on what was labeled by the white house as a "21st century approach to drug policy. This science-based plan, guided by the latest research…".27

These reports also expressed the administration's open, flexible and accommodating approach towards international criticism, and his willingness to accept debate on the demand for reforms to the international drug control regime. This approach reflected the importance the administration gave to engaging the international community. A step further in the reports was made in 2012-2013, when the reports were presented as a "policy reform" changing US approach in the fight against drugs.28 This openness was the result of the administration's willingness to accept restrictions to US military and political power. This willingness was the
outcome of the view, that considered the Bush administration unilaterally aggressive behavior in the international drug regime, to be destructive to US soft power and global influence. Obama saw US role in general, and on international drug policy, as setting the example rather than being the global enforcer of a punitive controversial approach. In this sense, he represented more of what Walter Russell Mead termed "Jeffersonian model of American foreign policy" in which the US refrained from actively advancing its liberal values and instead remains as the "shining city on the hill".

This change in strategic culture and the drug war culture under Obama, explains why the US diminished its aggressive stand at the international drug control regime, and highlighted at the international forums, the need to base drug policies on public health and human rights. This was the outcome of an understanding, that the US needs to rehabilitate its soft power, and that opposing the calls for debate on reform, lines it up alongside a-liberal adversaries like China and Russia. In this sense, expressing openness on the issue, was another way to position itself as that "shining city on the hill".

Part to policy and strategy reports, a prominent example to the change the drug war culture went, was the de-escalation in rhetoric, starting with the administration refusal to the use of the phrase "war on drugs" itself. More than any other administration, the Obama administration worked to annul the habituation of American politics and public life, to debate the drug problem by demagogic rhetoric. The president and his officials, rhetorically operated to rebrand the issue as a complex issue, both at home and abroad, and to reposition it as a public health issue. And at the International level, they emphasized its role as one of many transnational problems facing the international community.29

The way administration officials reverted from using the term war on drugs, is the most compelling example to this rhetorical de-escalation. Obama's first drug Czar, Gil Kerlikowske, said on several occasions "the drug problem in the US is a more complex issue than a forty-year-old metaphor about a war on drugs… and should be a public health issue, in which law enforcement plays a major role". In 2013 he described the new drug policy, as a "third way" far from the old punitive approach of the drug warriors, but also, far from those demanding full legalization. These statements led some to describe the new policy as a paradigm shift.30

The President himself was a main driving force in this rhetorical de-escalation. First, by avoiding the moralistic preaching of his predecessors, and avoiding from using the issue as a political instrument. Second, by his decision to keep a low profile on the issue of marijuana.
legalization. When he did address the issue, he emphasized the social injustice caused by previous policies, that he described as counterproductive. In other statements, he outlined in greater manifestation his notion, that the drug war caused more damage to the American society and to its national power, as an outcome of its overreaction and counterproductive policies.31

This rhetorical de-escalation escalated during the second term, backed by the symbolic appointment of the new drug czar, Michael Botticelli, the first in years not coming from a law enforcement agency, and even more, a drug czar who himself is a recovering alcoholic. Botticelli repeatedly stressed in his statements, that the failed drug war is over and that the administration's new policy is targeted at public health. White House officials admitted that the decision to appoint Botticelli was a symbolic step, aimed at the public discourse.

In conclusion, we can see that when it comes to rhetoric, a paradigm shift in the war on drugs did occur. But rhetoric, and strategic culture in general, were not suffice to alter policy realities. Political structure had greater influence on the issue, as will be described in following part.

**US political structure during Obama and its effect on drug war concept and policy**

US political structure traditionally shaped the drug war via four main factors: First, power struggles between the federal executive and Congress, mainly for control over legislation and budgetary allocation. An example of that is the certification process in foreign drug policy. Another important factor is the power balance between the federal executive and the states. Since domestic drug policy is mainly implemented at the state level, the federal executive need the states to cooperate, to accomplish its policy goals. Therefore, the way the states adhere to the federal drug policy, reflects on the president's strength, both at home and abroad. A third factor is public support, which indicates the federal executive's ability to mobilize wide support for a given policy. Polls and the media will usually mirror that support, but on the drug issue, presidents traditionally used the "Bully Pulpit" to mobilize public support, using it as a political mechanism against congress during policy debates. The fourth factor is the power of the bureaucracy, measured by if sway over the policy design process and outcome and its overall position within the political structure.

Assessing the Obama administration by these factors, indicates that during his presidency the federal executive's strength diminished. The primary reason for that was the political stagnation and polarization in the American political system, reflecting wider cultural, ethnical and social trends. The majority the Republicans held in Congress since 2010,
intensified the power struggle with the presidency, and once bipartisan issues became more polarized. This had implication on drug policy. In this political realm, of weak presidency and political polarization, a paradox revolving drug policy unfolded. As a byproduct of this polarization, public and political perception of the war on drugs has started to shift, especially in parts of the American society, were debating the drug war was previously a taboo. At this point, public support also started to change.\textsuperscript{32}

The rise of the libertarian tea-party movement, with its mix of populist, conservativism and antigovernment ideology, moderated Congress ability to use the war on drugs a battering-ram against the president. The political polarization and the change in the political landscape neutralized the traditional Republican political dominance over the drug issue, opening the way for a new political landscape, in which drug policy change could take place. In this new political atmosphere, parts of the far left and right, found common ground in the call for a change to the federal drug policy approach. And when the administration pushed for some domestic drug policy reforms, mainly on justice reform, he found a more receptive political system. Paradoxically, the "tea party movement" leveraged the administrations autonomy regarding some drug policy issues. The breakdown of the bipartisan status of the drug issue, enhanced the ability of the presidency to generate domestic changes and pick from a wider array of policy options, some previously unacceptable, without the fear of political and public retribution.

Another factor that weakened the presidencies' overall political strength, but opened the way for drug policy change, was the power balance between the federal executive and the states. The weakness of the federal executive in this regard, was to major extant, a byproduct of Obama's own personal perception, that saw the need to move more power and authority back to the state level, on domestic issues he considered state right. Drug policy was such an issue and Marijuana policy was the prominent symbol. The state right claim, was the underpinning rationale in the administration's explanation, of not confronting the states on the issue, like his predecessors.

However, more than just a personal ideational preference of the president, this was also the result of an overall reduction in the administration's ability to mobilize resources to enforce drug policy over the states. The broad budget cuts, affected federal funding for programs intended to support domestic drug policy at the state level.\textsuperscript{33} Considering overall federal budget cuts and the reduced federal incentives for the states, the administration could not fight marijuana reforms without cooperation from the states. The culmination of this process was the administration's willingness, to work with Congress to change federal marijuana law status,
if Congress agrees and decides to do so. This statement buck passed the political burden of the issue over to Congress, and was an indication that the Obama administration had no interest in preserving current marijuana policy. Yet it also indicated, that he will not waste political capital to initiate the change.34

The domestic process of change towards the war on drug, Mainly in regards to marihuana policy, shade restraints on the administration international drug policy stand. The diminishing will and ability to enforce the federal drug policy over the states, created a growing disparity between the domestic situation and US stand on drug policy at international fora's. This led to mounting criticism at the international level, blaming the US with hypocrisy. Since this disparity eroded US soft power and international stand, the administration saw the need to reshape its international drug policy preferences.

The final, and not less important factor that sets the stage for domestic drug policy change, was the status of the drug law enforcement bureaucratic complex. During the Obama administration, this status was undermined mainly due to the weakening of the traditional political alliance between this bureaucracy and Congress. At the commencement of the Obama presidency, this complex enjoyed the elevated status it gained over the years, especially due to the involvement in the war on terror. During the Bush administration, under ONDCP leadership and the DEA as the implementer, the drug war was intertwined into the war on terror. The DEA reach spread over 87 offices in 63 countries around the world, and the agency anchored its position as one of the leading national intelligence agencies. Several incidents demonstrated that the agency became widely involved in other national security activities, part to combating drugs. Thus, along the domestic increase in the power of this bureaucracy, it also became a prominent enforcer of US foreign and security policy. A status the Obama administration did not change.35

However, the political polarization did effect this status, as criticism over the war on drugs grow. Once the administration disconnected the war on drugs from the war on terror, by ending the war on terror, at least rhetorically, the door was open for more criticism of the war on drugs. This disconnection lifted public barriers the terrorism-drug-war connection preserved. As a result, public media and political criticism towards the DEA and other agencies moved from the sidelines to center stage. Branding the war on drugs as a continued failure, became the battering-ram of drug policy reform advocates, both at home and at the international level. This had an undermining effect. It influenced the will in congress, to blindly continue
approving budget allocations, and for the first time in decades, Congress passed legislations that narrowed DEA authority at home.

Once again, Marihuana policy was the place where this change was most evident. When the president and other government officials, reiterated their permissive stance on the issue, the head of the DEA tried to backlash with confronting statements. The president even addressed these controversies in an interview to the Rolling Stones, demonstrating the constraining influence the DEA and other agencies had on the issue.\textsuperscript{36} Trying to mobilize political support in Congress, to back against the presidential stand, the DEA and other drug war officials, found the political system less supportive than previous years. Additional examples of this process can be found at the end of the second term, when congress in a bipartisan effort advanced several legislative proposals that restricted the DEA from interfering in states marihuana reforms.\textsuperscript{37} The breakdown of the bipartisan status of the drug policy, lifted public and political taboos. This was particularly evident in regards to marihuana policy, but also weakened the political alliance between bureaucracy and the Congress, narrowing the bureaucracy's ability to leverage this alliance to advance its preferences. The primary effect was the diminishing influence of the bureaucracy over policy design. What policy outcome did this and the other factors had on Obamas drug policy at home and on the international level? This is explained in the next section.

5. \textbf{Obama's Drug Policy: A Ceasefire in the War on Drugs}

The accumulating effect of the systemic and domestic effects, was a gradual policy change over the course of two presidential terms. The perception the transition belt formed, highlighted for the Obama administration the relative decline in US power and the process of power diffusion in the international system, as a constraint limiting US ability to retain the drug war at its old form. In parallel this perception created a much narrower concept of threat, in which the drug problem remained a threat to national security, yet in a broader context of issues and in more defined global areas. The transition belt also supplemented this view, with strategic culture and political structure that were much more change enabling.

Reviewing Obama's drug policy in retrospect, deems fit to title it as a "policy of containment and stabilization". Under this policy, Obama saw the drug problem as an issue that the American people, and to some extant the international system, should learn to live with. Obama had no ideological aspiration to rid humanity form the drug problem, as some of his predecessors claimed, and did not set far-reaching goals to his Drug Policy. Instead, he wished
to contain the effects of the drug problem, in a way that by itself, will not damage his progressive nation building agenda at home. This perception sets rational for a policy based on a dual aspect: Gradual integration of new strategies in all aspects of drug policy, while maintaining a defensive posture at the international drug war, that will reduce the effects of the drug problem. This he hoped to achieve by multilateral cooperation and a less coercing posture at the international level and by rebalancing the supply-demand equation at home.

**Obama's drug policy – the International front**

On the international stage, the administration rebalanced the "four-legged" table by prioritizing the core strategies. Commencing with the first term, the administration reduced allocations for international crop eradications, that dropped from 170 MUSD in 2011, to 115 MUSD in 2012. In 2014, international eradication budget was dropped by 20.7% and they were almost erased in following years. The budget for the second major strategy, Interdiction, decreased by 8.2% at the same time. It should be stated that International budget is smaller than domestic, since Interdiction is allocated separately. As for the domestic programs, demand programs such as treatment and rehabilitation increased by 18% and the budget for prevention programs, increased by 5.2%. Yet despite this change, international interdiction operations and domestic law enforcement, remained the largest element in US drug policy up until 2015.38

Why didn’t Obama make a greater shift between Interdiction and demand policies? The explanation Lays in the 2010 drug strategy report, in which the administration states, that interdiction operations are essential to allow for domestic drug policy reforms to advance. This is a defensive posture, set by an administration that recognizes, that in the current state of global drug reality and domestic political system, drastic shift towards demand-side policy is unattainable. The administration acknowledges that such a shift, can only occur gradually and slowly.39 At the same time, the clear preference to abandon crop eradication strategy, was the result of the recognition of the damage it inflicted to US soft power and the recognition of the limitations to impose cooperation. Instead, the administration chose to promote other programs, based on alternative development assistance to socioeconomic and governmental institutes.40

This should not render the notion that Obama's Drug Policy lacked the use of force on the international stage. They merely took a more discreet and restraint form and focused mostly on dismantling the cartels in Mexico and central America.41 This was a resemblance to the administration other strategy of "minimal footprints" and same methods were used in the drug war: precise intelligence-based operation heavy reliance on UAVs, joint intelligence centers.
for the CIA and with Mexican forces, and using small tactical commandos. This demonstrates how similarities of strategic mindset in the transition belt, influenced the policy outcome.

This strategy had an additional advantage: cost. In times of budgetary constraints, it was cost-effective to move away from the resource consuming eradication strategy. This view received formal statement early on in 2009, when Obama's special envoy to Afghanistan, said that eradication is a costly failure that cost hundreds of billions and which pushed the locals to the Taliban. As consequence, from 2009 the administration retained from actively pushing for crop eradication, and left that to the decision of the local Afghan government.

On the opposite, when in the second term, the administration felt that the erosion of American power has somewhat halted, he was more willing to promote international initiatives, and the Central America stabilization program, led by vice president Biden in 2015, is an example. This willingness to promote broad new initiative, was a byproduct of a perception that identified growing threats and rising competitors in Central America and the Caribbean. Regional instability and violence threatened to exacerbate the immigration problem the stability of regional states. In consequence, the increase in Russian and Chinese presence in the region, became more salient. With this understanding, the administration was willing to promote measured steps to increase American influence in the region. Yet these steps were substantially different then past programs, such as plan Colombia and plan Merida. The administration based the new program on non-military strategies, aimed at strengthening civilian institutions and the economy to promote social development. These programs received 80% of the one billion USD allocated to the plan.

**Obama's drug policy and the international drug control regime**

A second International area in which US drug policy undergone changes during Obama, was the US approach towards the International drug control regime. Obama's grand strategy, emphasizing the need for cooperation at international institutes, impacted the administration's willingness to address the calls for reform to the drug regime. The reform movement, till Obama, was highly critical and hostile to the US since the early 90's. To address this hostility, the administration led gradual change in US position at international forums of the drug regime. The antagonism towards the US, that intensifies during the Bush administration, moved from rhetoric and minor irregularities to a more active blunt defying measures during Obama. During this period, states started to take independent actions that symbolized the potential for a regime collapse. Facing this reality, the administration needed to balance between the calls
for reform and the necessity to preserve the integrity of the drug control regime and the respect to international conventions and treaties, as a guiding international principal.

The administration tried to achieve that, by stating a more lenient approach than ever. For the first time in decades, the US has agreed accept debate on reform to the treaties and the regime, but stressed the need to do so from the existing treaties framework. Several administration officials stated this view during international gatherings and meeting, like the CND annual meetings, in which assistant secretary William Brownfield admitted that the treaties are not perfect and some degree of reform is required, but that should come out of knowledge and within the existing structure, without endangering it. In the preparations for the 2016 UNGASS meeting, he mentioned that the US Welcomes the debate on reform in the 2016 special meeting, yet also mentioned that reform depended on the will of all UN members, and by that referred to China and Russia, that took the lead as the most outspoken opponent of the reform movement.48

Although the new approach was criticized as hypocrisy, since the US was not willing to lead the way on the reform, Brownfield statements expressed US understanding that reform was unattainable, due to the new power dynamic in the system, morphing itself also in the drug regime. Brownfield statements also shed light on the way the domestic drug debate, affected US international policy and the administration view of a need for a new approach at the drug regime.49 The disparity between domestic development, mainly marihuana reform, and the international standard, stressed the need for new approach that will compromise these conflicting trends.50

Considering these constraints, the most feasible policy compromise was not to actively push for reform, out of fear it will cause the regime to disintegrate, and at the same time, to express formal willingness to accept the greater interpretation of the spirit of the treaties by states. One Such interpretation, was recognizing UN member states right, to legalize marijuana within their sovereign domain, without violating the international domain. This approach explains US willingness to discuss additional, once tabooed alternative policies, such as harm reduction, demand side approach and so. The driving rational in this policy compromise, was the request to protect the regime. Yet by trying to protect it, the US left the regime without any leadership, causing international frustration on the issue to increase.
Obama's drug policy – the domestic front

The condition within the transition belt and the international system, influenced domestic drug policy. Paradoxically, the administration's weakness in the balance of power, v's congress and the states, enabled it to slowly tilt the budgetary balance between domestic drug strategies. Substantial change in the domestic drug budget occurred, and it was reflected by the growing importance, given to the demand side of the drug policy. Unlike past policies that stressed strict enforcement, Obama's domestic demand policy tried to move resources towards rehabilitation, prevention and treatment strategies, such as the distribution of Naloxone. The culmination of this slow process came in 2016, when this type of programs slightly topped budget allocations over law enforcement and interdiction, the first time since the Carter administration. In addition, the administration success in approving the "21st Century Cures Act" the largest health since the ACA (Obamacare) was also a victory for demand side policies, since it allocated one billion USD to fight the opiate epidemic through public health programs and not by strict enforcement.

An additional policy issue in which change was somewhat possible, was criminal justice reform. Although not directly related to drug policy, this was heavily influenced by drug policy. In 2010, the administration managed to pass the Fair Sentencing Act, a first marker for repeating attempts to change the harsh criminal code on drugs. Yet those attempts did not pass congress, despite the fact it was one of few issues, still considered bipartisan. Facing this constraint, the president used presidential orders and DOJ guidelines, such as the Smart on Crime Initiative, or restricting federal agencies on asset forfeiture, to make some amount of change.51 The driving force of these reforms was the eminent problem of over incarceration, which the administration symbolled as a budgetary, social and moral burden, inflicting damage to US soft power.

However, reviewing of the domestic drug policy, budgets allocations and legislative reforms, indicate there was no profound paradigm shift. This was mainly a rebalancing of the paradigmatic equation. The budget indicates that the Obama administration did not cut the budget for enforcement and interdiction, but rather matched the budget to rehabilitation, prevention and treatment strategies, only slightly topping them in 2016. In addition, the weakness of the federal executive, some would say voluntarily, in regards to the power balance with the states, hindered his ability to promote greater criminal justice reform, that will assist in changing the over incarceration problem. Although the president has no authority over state laws, the administration could have tried to promote legislative initiatives that will rollback
strict sentencing laws, such as the 1994 criminal Act, or to promote initiatives that provides incentive to the states to reduce their inmate population.\textsuperscript{52}

These domestic changes were influenced by the administration's progressive agenda, but were also influenced by the administration position at the international level. The commitment to preserve the integrity of the drug control regime, set restrictions to the administration's ability to advance legislation and policies at home. Taking this commitment as a consideration, it may explain the administration's unwillingness to advance marijuana reform at the federal level. To change domestic federal legislation regarding marihuana, the administration first needs to lead reform to the international drug control treaties. Facing the limitations of such an action, as described earlier, the administration had no choice but to avoid any significant reform attempt at the federal level.

Considering these constraints, the default policy option was to adapt to marijuana reform at the state level with minimal federal action, affirmative or dissenting. In the first term the administration still take some harsh stand on marijuana reform, mainly medical cannabis initiative tackled by the DEA in attempt to preserve opposition to the legalization movement.\textsuperscript{53} But from the end of the first term onwards, mainly after Colorado and Washington passed their reform initiatives in 2012, such actions diminished and the administration accommodated. The administration's reaction to those symbolic reform landmarks, was the decision to do nothing expressing the it will respect states right and the voters will. Such an inactive stand, could not be imagine a decade earlier. The administration implemented this policy of inactive accommodation, through a set of guidelines to the bureaucracy, the most important was the Cole Memorandum of 2013. The memorandum, issued by the DOJ, sets the guiding principles for law enforcement agencies, trying to moderate the tension between federal and state laws in regards to marijuana.\textsuperscript{54} However, this was another example of how the administration did not set a paradigmatic shift, even in an agenda most publicly ripe for change.

**Conclusion – Paradigm Shift in the War on Drugs?**

Was there a paradigm shift in US approach to the drug war during the Obama administration? If by using the term paradigm shift, one refers to a condensed definition of Thomas Kuhn's term, then the answer is no. a summary of Kuhn's definition, defines that paradigm shift occurs when in existing conditions, irregularities overwhelm the conceptual framework, creating an ideational crisis, followed by the collapse of the dominant paradigm and the rise of a new paradigm carried by new supporters.
Looking at the Obama administration per this definition, it is difficult to say that Obama's drug policy was a paradigmatic shift. Indeed, crevices, or better say irregularities, did appear and to some extent caused by the policies the administration himself advanced, but the actual policy, demonstrated by budgets, initiatives and legislation, did not change the paradigmatic equilibrium. No new paradigm took the helm. It may have been merely a slit opening of a paradigmatic change.

Obama's Drug Policy can be described, as conflict management. The administration, unlike its predecessors, didn't set idealistic goals in US war on drugs, and accepted the notion that the drug problem is a constant phenomenon that needs to be constantly managed. In this respect, Obama's approach to the war on drugs was a manifestation of realism and political pragmatism. His policies were designed to control and reduce the effects of the drug problem on American society, its national security and its interests in the international system. In a time of increasing domestic divide and growing challenges from abroad, even if there was no sharp paradigm shift, Obama's drug policy was a profound change that created conditions for future changes.

The reason for this lack of paradigm shift in policy, was the need to balance between the ongoing changes in the international system, and fundamental domestic changes. Interpreting the systemic conditions through a domestic environment, which is in its early stages of paradigmatic change, led the administration to design a drug policy that aims to contain and stabilize the effects of the drug phenomenon. Such a policy was perceived to be, the best way to enable domestic progressive trends to evolve under a controlled manner. Yet this same policy, is what prevented a complete shift to a new paradigm.

A look to the future suggests that indeed, no deep paradigmatic change occurred. For the coming administration, it will be easy to roll back the changes that did take place. Trump's campaign "tough on crime and drugs" rhetoric, his opposition to criminal justice reform and his nomination for DOJ and HLS, suggests that the sprouts of paradigm shifts will be stomped. Trump may terminate any criminal justice reform initiative that awaits in congress, he may set back drug policy budget, to focus on strict enforcement, and he might work against state marijuana initiatives by canceling the Cole Memorandum and lifting the restrictions law enforcement agencies currently have. Also, his authoritarian style suggests the possibility of him using populist-moralistic rhetoric, and by that, using the war on drugs to advance other issues. On the international stage, he may align US drug policy with those of a-liberal states, such as Russia and the Philippines. This may be a supportive step to his desire to amend ties
with Russia, and the drug war could become an issue for renewed cooperation. This may also install the US to its previous corrosive roll at the international drug control regime.

However, both at home and abroad, the Trump administration may find that the same constraining framework, internal and external, may produce different results than expected. Bullying countries in international forums of the drug control regime, may deepen the stagnation and may even be a final blow, causing the regime's disintegration. The new administration may find out, that systemic condition turned states to be more immune to American coercion, including drug policy. Other countries in response to this, may push forward their independent policies, contradicting American will, leading to a further weakening of US position in the international system.

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