

PROHIBITION AS A MORAL FRAMEWORK: THE UNITED STATES'  
OPIUM POLICY, 1898-1914

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by  
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## **ABSTRACT**

This study explores the creation of American prohibition policy towards drugs and drug trafficking. It examines the United States' opium policy in the first decade of the twentieth century as the first example of drug prohibition and locates the impetus for drug prohibition in the American acquisition of the Philippines Islands in 1898. This work shows how prohibition in the early twentieth century was based on a moral understanding of drug policy. This study also briefly looks at how drug prohibition continues today with the modern War on Drugs policy. The War on Drugs in this framework is an expansion of an earlier failed policy. By revisiting the first example of drug prohibition and thereby historicizing the current debates about drug policy, this thesis argues history does not provide reasons to expect that the prohibition of drug use and trafficking will prove effective.

I dedicate this thesis to my parents, Joe and Denise, who have always supported me. I could not have done this without you. Thank you for always being there for me! I also want to dedicate this thesis to my brother, Christopher, my larger family, and my friends who have supported my work and me during this project. Thank you!

## **ACKNOWLEDGMENTS**

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## CHAPTER 1

## INTRODUCTION

“From July 1 till the 1<sup>st</sup> week of October 2016,” reported Michael Bueza, a contributor for the *Rappler* online news source, “there have been over 3,600 deaths linked to the ‘war on drugs’—both from legitimate police operations and vigilante-style or unexplained killings (including deaths under investigation)” in the Philippines.<sup>1</sup> Rodrigo Duterte, the newly elected president of the Philippines, launched his campaign against illegal drugs and narcotics traffickers the day he took office. As the *Rappler*’s headline suggests, Duterte’s campaign involves high levels of police activity and violence. Since Duterte’s national campaign began in July, over 23,852 police operations have been conducted, 22,971 individuals have been arrested, and 1,390 suspects have been killed in police operations.<sup>2</sup> While global condemnation has increased with the higher rates of death, Duterte remains committed to his policy.

His commitment to his campaign led Duterte to denounce American criticism of his policy and to accuse China of supporting the Philippine drug problem. Duterte claims that Chinese individuals and syndicates are responsible for smuggling the ingredients for narcotics such as methamphetamine (meth) into the Philippines. As recently as September 27, Duterte announced at a press conference that, “We are dealing with China. I’m bringing this to their attention. Lahat ng materials galing sa (All the materials are

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<sup>1</sup> Michael Bueza, “In Numbers: The Philippines’ ‘War on Drugs,’” *Rappler*, Online Edition, September 13, 2016, Updated October 6, 2016, Accessed on October 6, 2016, <http://www.rappler.com/newsbreak/iq/145814-numbers-statistics-philippines-war-drugs>.

<sup>2</sup> Ibid.

from) China. We want them also to control their people and increase focus on their criminals. Kaibigan man kaya tayo (We're friends, right)?"<sup>3</sup> China has denied any involvement in the Philippine's drug problem. Whether or not Duterte's accusations are accurate, the United Nations Office on Drugs and Crime (UNODC)'s 2016 report identifies China as the hub for methamphetamine manufacturing and distribution in Asia.<sup>4</sup>

The current focus on illicit drug use and trafficking in the Philippines is not without precedent. Duterte's connection between the drug trade in the Philippines and China is also not new. The Philippines and its associated drug problems first came to global attention in the first decade of the 1900s. The United States acquired the Philippines after defeating Spain in the War of 1898. As a new imperial power, the United States investigated the drug problem of its colony. The American findings helped to launch an American-led international campaign against drug use and trafficking. The biggest drug threat in the early 1900s was not methamphetamine, however. It was opium.

By revisiting that precedent and thereby historicizing the current debates about drug policy, this thesis argues history does not provide reasons to expect that the prohibition of drug use and trafficking will prove effective. It also shows how prohibition

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<sup>3</sup> Echo Huang Yinyin, "China Believes It Has Nothing to Do with the Philippines' Drug Problem, No Matter What Duterte Says," *Quartz*, Online Edition, September 30, 2016, Accessed September 30, 2016, <http://qz.com/794209/china-believes-it-has-nothing-to-do-with-the-philippines-drug-problem-no-matter-what-rodrigo-duterte-says/>.

<sup>4</sup> United Nations Office on Drugs and Crime, *World Drug Report 2016*, Online Edition, New York: United Nations, May 2016, Accessed September 28, 2016, [http://www.unodc.org/doc/wdr2016/WORLD\\_DRUG\\_REPORT\\_2016\\_web.pdf](http://www.unodc.org/doc/wdr2016/WORLD_DRUG_REPORT_2016_web.pdf).

is based on a moral understanding of drug policy. This paper historicizes the failures of drug prohibition by showing how the United States' first foray into federal drug prohibition in the first decade of the twentieth century did not work. The United States pushed for prohibition by relying upon moral perspectives of drug use and the drug trade. However, the United States efforts to enact an international drug prohibition on opium were limited by oppositional international parties and economic concerns. Economic concerns are no longer a major hurdle in the modern War on Drugs policy and international actors have largely supported the American-led international drug prohibition. Nevertheless, drug prohibition is not working. The current international drug prohibition has its roots in the United States' push for an international prohibition against opium in the early twentieth century.

The international campaign against opium in the first decade of the 1900s resulted in four international meetings: the 1909 Shanghai Commission, the International Opium Conference at The Hague in 1911-1912, the Second International Opium Conference at The Hague in 1913, and the Third International Opium Conference at The Hague in 1914. At these four meetings, the United States argued for the creation of a global prohibition system in which opium would be illegal to use and traffic. With the Philippines' drug problem serving as a catalyst, the United States' efforts to formulate a global regime that prohibited the use and trade of opium in the early twentieth century represents America's first international and first national crusade against narcotics. The United States used its new position as an imperial power to influence international policy, especially in Asia.

Advocates of the United States' prohibition on opium in the early twentieth century viewed their crusade as a moral war against the evils of opium. The Philippines

crystallized missionary and progressive efforts to end the opium trade in Asia and then the United States. The American federal government responded to this movement by championing the cause in the international arena. The government worked with the Chinese to push for a prohibition-based international policy. Even in the early twentieth century, advocates recognized that the prohibition of opium would fail without international support. This paper will examine the efforts of the United States in the early twentieth century to create the international prohibition system on opium.

This study, consequently, focuses on the acquisition of the Philippines by the United States in 1898, the American study on opium policies in Southeast Asia in 1903, and the three International Conferences at The Hague in 1912, 1913, and 1914 respectively. Advocates of ending the production, use, and trafficking of opium viewed these measures as pathways to end the trade. Reverend Wilbur F. Crafts confidently labeled May 30, 1906, the day the British parliament agreed to debate the Indo-Chinese opium trade, as “the Waterloo of opium.”<sup>5</sup> Crafts was far too optimistic. Much like today’s drug wars, those of the early twentieth century ended in failure.

Nevertheless, beginning with the presidency of Richard Nixon in the 1970s, the United States revived and expanded its early campaign against illegal narcotics. While not minimizing the contributions of Nixon’s actions to the current War on Drugs policy,

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<sup>5</sup> Rev. Wilbur F. Crafts, “Address of Rev. Wilbur F. Crafts, PhD, of Washington, USA, Superintendent of the International Reform Bureau, at Meeting of United Kingdom Branch of Bureau’s British Council, Parliament Committee Room, September 16, 1909,” National Archives, College Park, Record Group 43, Box 2, Entry 37 Correspondence Regarding Legislation to Control Traffic in Narcotics, 1906-1916, Folder: International Opium Conference, The Hague, Opium, miscellaneous and the Private, 1908--. 1 of 2. Page 6.

it is important to place American drug efforts into a longer historical narrative. The purpose is to show how prohibition has never worked and is a flawed concept. By renewing and expanding an older failed drug policy, the United States continues to waste resources and negatively affect individuals, especially minority groups. Nixon's policy, especially his comments on the danger of heroin, a drug based on opium, reflects the ubiquitous moral arguments against opium in the early twentieth century. Nixon and Ronald Reagan in the next decade revitalized America's early crusade against opium by expanding it into a much larger and broader campaign against all narcotics. For this reason this study will also explore the connections between the campaigns of the early twentieth century and the late twentieth century.

The importance of this study is underscored by the vast impact the modern War on Drugs has had on individuals, families, cities, and nations. Millions of people have been affected in some way by the contemporary policy. In addition to the vast impact of the policy, both domestically and internationally, now is also a time of questioning the premises that drive today's War on Drugs. After several decades of a global prohibition on illegal narcotics, even before the controversy erupted over Duterte's "scorched earth" policies in the Philippines, commentators, pundits, and politicians began to express doubts about the effectiveness and costs of the policy with increasing frequency and intensity. Michelle Alexander's 2010 work, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*, is currently the most notable work to show the costs of the War on Drugs on American domestic society by highlighting its impact on African

Americans.<sup>6</sup> Internationally, Portugal opted out of the prohibition system in 2001 by decriminalizing the use of all drugs.<sup>7</sup> Understanding the history of America's prohibition on narcotics allows policymakers to contextualize the current system and critically examine the failures and successes of the policy over a long time period. By appreciating the history of American drug policy, policymakers will gain additional analytic tools and insights to reform the modern War on Drugs.

This paper also adds to a robust field of scholarship on American drug policy. Academics from the fields of Criminal Justice, Political Science, History, and Sociology have studied such topics as the efficacy of the War on Drugs policy, the costs of the policy in both resources and society, the race-based nature of its enforcement, the relationship to mass incarceration, the programs of local and state law enforcement agencies, the involvement of the intelligence community and the American military in operations abroad, and American relations with other nations.<sup>8</sup> When discussing the

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<sup>6</sup> Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*, (New York: The New Press, 2010). See also Katherine Beckett and Theodore Sasson, *The Politics of Injustice: Crime and Punishment in America*, (California: Sage Publications, 2004); Marc Mauer, *Race to Incarcerate*, Revised Edition, (New York: The New Press, 2006); Marc Mauer and Ryan King, *A 25-Year Quagmire: The "War on Drugs" and Its Impact on American Society*, (Washington, D.C.: Sentencing Project, 2007); and David Cole, *No Equal Justice: Race and Class in the American Criminal Justice System*, (New York: The New Press, 1999).

<sup>7</sup> Christopher Ingraham, "Why Hardly Anyone Dies From a Drug Overdose in Portugal," *The Washington Post*, Online Edition, June 5, 2015, Accessed on September 29, 2016, <https://www.washingtonpost.com/news/wonk/wp/2015/06/05/why-hardly-anyone-dies-from-a-drug-overdose-in-portugal/>.

<sup>8</sup> Alfred McCoy, *The Politics of Heroin: CIA Complicity in the Global Drug Trade*, Revised Edition, (Chicago, Illinois: Chicago Review Press, 2003); Peter Dale Scott,

prohibition of illegal substances, historians generally focus on the American experience of the National Prohibition of Alcohol (1920-1933).<sup>9</sup> In contrast to the exclusivity of prohibition studies, historians have studied the importance of opium.<sup>10</sup> This paper will add to the conversations on opium, prohibition systems, and America's international and domestic drug policy by focusing on America's campaign against opium in the first

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*Cocaine Politics: Drugs, Armies, and the CIA in Central America*, (Berkeley: University of California Press, 1991); Winifred Tate, *Drugs, Thugs, and Diplomats: U.S. Policymaking in Colombia*, (California: Stanford University Press, 2015); Alexander, *The New Jim Crow*; and Ronald Chepesiuk, *Hard Target: The United States War Against International Drug Trafficking, 1892-1997*, (North Carolina, McFarland, 1999).

<sup>9</sup> Frederick Lewis Allen, *Only Yesterday: An Informal History of the Nineteen-Twenties*, (New York: Harper & Row Publishers, 1957); Norman H. Clark, *Deliver Us From Evil: An Interpretation of American Prohibition*, (New York: W.W. Norton & Company, Inc., 1976); David E. Kyvig, *Repealing National Prohibition*, (Chicago, Illinois: The University of Chicago Press, 1979); Michael A. Lerner, *Dry Manhattan: Prohibition in New York City*, (Massachusetts: Harvard University Press, 2007); *Law, Alcohol, and Order: Perspectives on National Prohibition*, edited by David E. Kyvig, (Connecticut: Eleutherian Mills-Hagley Foundation, 1985); and Daniel Okrent, *Last Call: The Rise and Fall of Prohibition*, (New York: Scribner, 2010).

<sup>10</sup> Jeremy Agnew, *Alcohol and Opium in the Old West: Use, Abuse, and Influence*, (North Carolina: McFarland & Company, Inc., Publishers, 2014); Dianna L. Ahmad, *The Opium Debate and Chinese Exclusion Laws in the Nineteenth-Century American West*, (Las Vegas: University of Nevada Press, 2007); Hans Derks, *History of the Opium Problem: The Assault on the East, ca. 1600-1950*, (Boston, Massachusetts: Koninklijke Brill NV, 2012); John Rogers Haddad, *America's First Adventure in China: Trade, Treaties, Opium, and Salvation*, (Philadelphia, Pennsylvania: Temple University Press, 2013); William B. McAllister, *Drug Diplomacy in the Twentieth Century: An International History*, (New York: Routledge, Taylor & Francis Group, 2000); Arnold H. Taylor, *American Diplomacy and the Narcotics Traffic, 1900-1939: A Study in International Humanitarian Reform*, (Durham, North Carolina: Duke University Press, 1969); W.W. Willoughby, *Opium as an International Problem: The Geneva Conferences*, Reprint Edition, (New York: Arno Press, A New York Times Company, 1976); and William O. Walker, III, *Opium and Foreign Policy: The Anglo-American Search for Order in Asia, 1912-1954*, (Chapel Hill: The University of North Carolina Press, 1991).

decade of the twentieth century. It will show how the moral crusade against opium led to the creation of an unsuccessful international prohibition on the narcotic in the early twentieth century. It will also show how the early crusade against opium was later revitalized and expanded in the late twentieth century's unsuccessful War on Drugs policy.

First, this project will provide a brief history of the United States' experience of opium in the nineteenth century prior to the acquisition of the Philippines in 1898. The next section will examine the United States' campaign against opium use and trafficking in the first decade of the twentieth century. This section will cover the evolution of American opium policy in the Philippines and the United States. The third section will study the international meetings on opium between 1909 and 1914 and the American efforts to create an international prohibition system in response to the perceived threat of opium use in the Philippines and the United States. The next section will survey the efforts of the Nixon and Reagan administrations in creating the current War on Drugs and its relationship to America's first campaign against narcotics. Finally, the conclusion will challenge the continued support for drug prohibition by showing how many of the issues that impair the modern drug prohibition have earlier precedents from the prohibition on opium policy.

## CHAPTER 2

## AMERICA, CHINA, AND OPIUM IN THE NINETEENTH CENTURY

Opium is dried sap from the seeds of the poppy *Papaver somniferum* and contains morphine. Jeremy Agnew, a scholar of the American western territories in the nineteenth century, notes, “The name ‘opium’ comes either from the Greek word *opion*, which means ‘poppy juice,’ or from the Greek *opos*, which means ‘vegetable juice’ and describes the hardened, dried juice of the poppy.”<sup>11</sup> With a several millennium-year-old history, opium has roots in various cultures and continents. Additionally, the most common use of opium for much of its history has been medicinal. Many European medicines contained opium and used its effects for pain relief. Adopting European practices, Americans used opium for pain relief, stomachaches, headaches, typhoid, tuberculosis, rheumatism, syphilis, joint inflammation, pneumonia, asthma, and a solution to diarrhea, the most dangerous symptom of dysentery and cholera.<sup>12</sup> Opium historically could be found in elixirs, cigars, cigarettes, teas, and other combinations. American opium-based medicines eventually reached their height in the 1880s and the 1890s.

The medicinal use of opium was not without consequences. Many individuals became addicted to the drug and/or suffered from flushing, sweating, itching skin,

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<sup>11</sup> Jeremy Agnew, *Alcohol and Opium in the Old West*, 32.

<sup>12</sup> Jeremy Agnew, *Alcohol and Opium in the Old West*, 58-59.

nausea, sleepiness, restlessness, anxiety, and shortness of breath.<sup>13</sup> Despite such side effects, opium as a medicine remained popular. The morphine found in opium, which Friedrich Wilhelm Serturmer isolated in 1803, positively contributed to medical discoveries and remains a powerful medicine today. While opium in medicine was popular throughout the nineteenth century, another use of opium began to spread. The newer use of opium was as a narcotic. While many scholars separate the histories of opium as a medicine and opium as a narcotic, it is important to identify an important connection between the two uses of the drug. The medicinal use of opium justified the growth of poppy plants and provided an income to those who sold as well as grew the drug. This legitimate use of opium would influence the early twentieth century crusade against opium by hampering advocates who pushed for its total elimination.

The narcotic version of opium, generally used by smoking it, remains intertwined with the history of Chinese immigration to the United States and the history of the relationship between China and the United States. Following the British example, American individuals travelled to China to participate in the opium trade in the early nineteenth century. Like the British, Americans did not have enough money to purchase Chinese goods, and China did not want many American goods. The imbalance caused American traders to copy the British by engaging in the illicit opium trade. Americans used opium from Turkey, however, due to the British monopoly of opium from India.<sup>14</sup>

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<sup>13</sup> Jeremy Agnew, *Alcohol and Opium in the Old West*, 60.

<sup>14</sup> Ahmad, *The Opium Debate and Chinese Exclusion Laws in the Nineteenth Century American West*, 21.

Dianna L. Ahmad, an American historian, notes, “By 1818 the United States supplied China with 20 to 30 percent of its opium and the British considered the Americans a threat to its monopoly.”<sup>15</sup> While the British fought the Chinese in the First Opium War (1839-1842), American opium traders replaced the British business.

Following a British victory in the First Opium War, Great Britain and China signed the Nanking Treaty in 1842. Historians generally view the Treaty as one of several unequal treaties between European powers and China. The Treaty granted Britain Hong Kong as a colony, access to Chinese ports, and rights of extraterritoriality for British citizens in China. China, on the other hand, lost control of its trade and became indebted to the European powers. Despite the origins of the war, the Treaty of Nanking did not directly address the issue of opium trafficking. It was not until after the British victory in the Second Opium War (1856-1858) that the opium trade became a subject of treaty. In the Treaty of Tientsin, the British and Chinese agreed to the legal importation of opium. Consequently, Ahmad notes that “legal imports of opium increased from sixteen thousand chests in 1830 to seventy thousand chests in the immediate post-Second Opium War period.”<sup>16</sup> The concessions won by the British and the consequences of the wars on China had consequences for American traders, its foreign relations, and its public policies.

First, as a result of a supplementary treaty between the British and the Chinese, the Treaty of the Bogue in 1843, the Chinese granted the United States most-favored

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<sup>15</sup> Ibid.

<sup>16</sup> Ibid., 22.

nation status. The new status allowed American merchants to have legal access to Chinese ports, an economic incentive for American businessmen who viewed the Chinese market as a gold mine.<sup>17</sup> Secondly, the United States signed its first treaty with China in 1844. The Treaty of Wanghia (also known as the Treaty of Wangxia) reaffirmed American access to Chinese ports, an American right to lease land from Chinese land owners to build churches, cemeteries, and hospitals, a punitive free system for hiring Chinese language teachers, and a strong extraterritoriality clause with an opium exception.<sup>18</sup> The Treaty's articles granting Americans the right to lease land and hire Chinese language teachers reflected the desires of American missionaries in China. The opium exception to the Treaty of Wanghia's extraterritoriality, immunity from Chinese jurisdiction for Americans, was in accordance with the official American stance on the opium trade, which identified it as illegal.<sup>19</sup> Third, after the conclusion of the Second Opium War, the United States' stance on the opium trade changed to reflect British concessions. As British traders began to legally import opium into China, the United States' position changed to support the legalization of the opium trade. Finally, the social upheaval in China that began with the Opium Wars with Great Britain and continued with

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<sup>17</sup> See Walter LaFeber, *The New Empire: An Interpretation of American Expansion, 1860-1898*, (New York: Cornell University Press, 1963), 284-325; Anders Stephanson, *Manifest Destiny: American Expansion and the Empire of Right*, (New York: Hill and Wang, A Division of Farrar, Straus, and Giroux, 1995), 66-111; and Jay Sexton, *The Monroe Doctrine: Empire and Nation in Nineteenth-Century America*, (New York: Hill and Wang, A Division of Farrar, Straus, and Giroux, 2011), 200-239.

<sup>18</sup> Haddad, *America's First Adventure in China: Trade, Treaties, Opium, and Salvation*, 151-154.

<sup>19</sup> Ibid.

the fifteen-year-long Taiping Rebellion pushed many Chinese to migrate to the United States.<sup>20</sup> The gold rush in California acted as an additional incentive to emigrate.<sup>21</sup>

Chinese immigration to California significantly increased due to the social upheaval in China. In addition to war and increased taxes to pay Great Britain, natural disasters along the Chinese coast also pushed Chinese men to leave their homeland. Chinese migrants travelled to the West Indies and Latin America in addition to the United States. Historian Najie Aarim-Heriot notes, “Although Chinese immigration had been low prior to 1851, it suddenly increased in 1852. The figures of Chinese arrivals in San Francisco for 1848, 1849, 1850, and 1851 are, respectively, 3, 325, 450, and 2,716. The figure for 1852 soared to 20,026.”<sup>22</sup> The growing Chinese population incited anti-Chinese feelings amongst white Americans on the West Coast of the United States. The continued growth of the Chinese pushed many to advocate exclusion. Beyond fears of lost labor and

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<sup>20</sup> See Gunther Paul Barth, *Bitter Strength: A History of the Chinese in the United States, 1850-1870*, (Cambridge, Massachusetts: Harvard University Press, 1964); Ping Chiu, *Chinese Labor in California, 1850-1880: An Economic Study*, (Wisconsin: University of Wisconsin, 1963); Roger Daniels, *Asian America: Chinese and Japanese in the United States since 1850*, (Seattle: University of Washington Press, 1988); Michael Hunt, *The Making of a Special Relationship: the United States and China to 1914*, (New York: Columbia University Press, 1983); Sing-wu Wang, *The Organization of Chinese Emigration, 1848-1888*, (California: Chinese Material Center, 1978); Najia Aarim-Heriot, *Chinese Immigrants, African Americans, and Racial Anxiety in the United States, 1848-1882*, (Chicago: University of Illinois Press, 2006); and Kil Young Zo, *Chinese Emigration into the United States, 1850-1880*, (New York: Arno, 1978).

<sup>21</sup> Ibid.

<sup>22</sup> Aarim-Heriot, *Chinese Immigrants, African Americans, and Racial Anxiety in the United States, 1848-1882*, 36.

race mixing, advocates of exclusion identified opium smoking and prostitution as part of the Chinese menace.<sup>23</sup> As discussed earlier, opium itself had a long history in the United States. However, it is only in the mid-nineteenth century that opium smoking, which came to be viewed as a Chinese activity, spread throughout the United States.

Many along the West Coast and later on the East Coast feared opium smoking would spread beyond Chinese immigrants and destroy American communities. As white men and women began to visit opium dens in the 1870s, demands for legislation prohibiting the narcotics increased. Nevada, Montana, Wyoming, Utah, Idaho, Oregon, and California passed legislation in the 1870s prohibiting opium smoking, visiting opium dens, and closing already existing opium dens.<sup>24</sup> In 1877 Nevada became the first state to prohibit opium. The only exception was for medicinal opium, which required a prescription. Penalties for violating the law included fines and imprisonment.

However, execution of the law posed problems for law enforcement. For example, Ahmad notes, “Despite the complaints against law enforcement agencies for not closing

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<sup>23</sup> Aarim-Heriot, *Chinese Immigrants, African Americans, and Racial Anxiety in the United States, 1848-1882*; George Anthony Peffer, *If They Don't Bring Their Women Here: Chinese Female Immigration before Exclusion*, (Urbana: University of Illinois Press, 1999); Benson Tong, *Unsubmissive Women: Chinese Prostitutes in Nineteenth-Century San Francisco*, (Norman: University of Oklahoma Press, 1994); Judy Young, *Unbound Feet: A Social History of Chinese Women in San Francisco*, (Berkeley: The University of California Press, 1995), 15-51; and Ahmad, *The Opium Debate and Chinese Exclusion Laws in the Nineteenth-Century American West*, 17-35.

<sup>24</sup>Ahmad, *The Opium Debate and Chinese Exclusion Laws in the Nineteenth-Century American West*, 60.

opium dens forever, police and sheriffs' departments raided the dens again and again."<sup>25</sup> Newspaper articles from the Western states and territories identified the danger of opium dens to white men and women. Despite advertising the threat of opium dens and passing legislation to suppress opium dens, white Americans continued to frequent such places. A statement in the *Territorial Enterprise* newspaper of Virginia City, Nevada aptly summarizes the futility of suppression. On December 19, 1876, the newspaper noted, "The ordinance for the suppression of the Chinese opium dens, passed by the Board of Alderman, does not seem to work very well."<sup>26</sup> Neither the police raids nor the increased penalties stopped the practice of opium smoking.

Opium smoking within the United States in the nineteenth century increasingly became a problem, but it did not become a concern for the federal government. The extent of the federal government's role in opium trafficking in the nineteenth century was the negotiation of treaties between China and the United States, which largely followed the British example. The growth of opium smoking and the perception of its dangers in the second half of the nineteenth century also received momentum from the growth of industrialization. Historian David T. Courtwright notes, "Factories did for drugs what canning did for vegetables. They democratized them. It became easier, cheaper, and faster for the masses to saturate their brains with chemicals, making a lasting impression

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<sup>25</sup> Ibid., 62.

<sup>26</sup> "Consolidate; Virginia; San Francisco; H. L. Foreman; Explosion," December 19, 1876, *Territorial Enterprise*, America's Historical Newspapers, Accessed on November 7, 2016, <http://infoweb.newsbank.com.libproxy.temple.edu>.

on their most primitive pleasure and motivational systems.”<sup>27</sup> The easy access to opium smoking helped to spread the narcotic across the United States.

Finally, it is important to note that the nineteenth century witnessed not only the spread of opium smoking but also an increase in criticism. Missionaries decried the opium trade in China and critics spread in conjunction with the narcotic. Anti-opium advocates frequently referred to opium smoking as both a moral and physical threat to Americans. Many compared the evils of opium use to the evils of alcohol. Despite the failures prohibition suffered in the form of Chinese prohibition and laws in the Western states and territories, it remained a goal for opponents of the opium trade and use.

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<sup>27</sup> David T. Courtwright, *Forces of Habit: Drugs and the Making of the Modern World*, (Cambridge, Massachusetts: Harvard University Press, 2001), 173.

## CHAPTER 3

## “THE WATERLOO OF OPIUM”

The United States Department of State’s Office of the Historian identifies the Spanish-American War of 1898 as a major milestone in the history of the United States. The results of the Spanish-American War impact this study due to the integral role the annexation of the Philippines played in the adoption of opium prohibition by the United States. The war between the two powers erupted as Spain and Cuba fought an increasingly violent conflict on the island from 1895-1898. On April 20, 1898, Congress passed a joint resolution that acknowledged Cuban independence, demanded that the Spanish also acknowledge Cuban independence, denied that the United States had any intention of annexing Cuba, and authorized President William McKinley to use whichever measures, including the exercise of military force, that he deemed necessary to guarantee Cuban independence.<sup>28</sup> The Spanish rejected the American ultimatum, and McKinley ordered a naval blockade of Cuba and military volunteers to assemble. Spain

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<sup>28</sup> Office of the Historian, “Milestones: 1866-1898: The Spanish-American War, 1898,” Department of State, Accessed on September 30, 2016, <https://history.state.gov/milestones/1866-1898/spanish-american-war>. See also Paul A. Kramer, *The Blood of Government: Race, Empire, the United States, and the Philippines*, (North Carolina: The University of North Carolina Press, 2006), 82-94; Walter LaFeber, *The New Empire: An Interpretation of American Expansion, 1860-1898*, (New York: Cornell University Press, 1963), 326-406; Jay Sexton, *The Monroe Doctrine: Empire and Nation in Nineteenth-Century America*, (New York: Hill and Wang, A Division of Farrar, Straus, and Giroux, 2011), 211-221; Kristin Hoganson, *Fighting for American Manhood: How Gender Politics Provoked the Spanish-American and Philippine-American Wars*, (New Haven, Connecticut: Yale University Press, 1998); Ernest May, *Imperial Democracy: The Emergence of America as a Great Power*, (New York: Harper & Row, 1963); and Louis Perez, *War of 1898: The United States and Cuba in History and Historiography*, (Chapel Hill: The University of North Carolina, 1998).

declared war on the United States and the United States responded with a war declaration of its own on April 25.

After the United States defeated Spanish forces in the Caribbean and in the Philippines, America and Spain signed the Paris Peace Treaty on December 10, 1898. The Peace Treaty granted Cuba independence from Spain, ceded the Spanish colonies of Guam and Puerto Rico to the United States, and outlined the sale of the Spanish Philippines to the United States for \$20 million.<sup>29</sup> The United States Senate ratified the Paris Peace Treaty on February 6, 1899. The Office of the Historian summarizes the War and its Peace Treaty in that “the war enabled the United States to establish its predominance in the Caribbean region and to pursue its strategic and economic interests in Asia.”<sup>30</sup> To bolster its plans to pursue economic interests in Asia and to promote its security interests by facilitating the projection of American power in the Pacific, the McKinley administration secured a potential navy base at Pearl Harbor by annexing the Hawaiian Islands. Congress made Hawaii a United States territory on August 12, 1898.<sup>31</sup>

The sale of the Philippines to the United States caused great unrest in the Philippines, where the idea of simply switching colonial masters was not popular. Before the United States Senate could ratify the Paris Peace Treaty, the Philippine-American

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<sup>29</sup> See note 28.

<sup>30</sup>Ibid.

<sup>31</sup> Ibid. See also Thomas J. Osborne, *Empire Can Wait: American Opposition to Hawaiian Annexation, 1893-1898*, (Ohio: Kent State University Press, 1981).

War (1899-1902) erupted. Americans termed the conflict an insurrection and downplayed the severity of the war.<sup>32</sup> In the beginning of the war, Filipinos fought American troops in conventional warfare under Emilio Aguinaldo. When it became obvious that the Filipino troops would not be able to match American superiority in arms and training, the Filipinos switched to guerilla warfare. Undercutting Filipino support for guerrilla warfare was William Howard Taft. Under the direction of Taft who headed the American colonial government in the Philippines, the program lured key elites and non-supporters of Aguinaldo to the American camp by permitting a large degree of self-government, social reforms, and implementing plans for economic development.<sup>33</sup> President Theodore Roosevelt declared the war was over on July 4, 1902, despite continuing fighting between Filipinos and Americans. The war resulted in over 4,200 American deaths, over 20,000 Filipino deaths, and about 200,000 Filipino civilian deaths from the violence, famine, and disease.<sup>34</sup>

The annexation of the Philippines made the United States an imperial power with specific interests in Asia. It also acted as a catalyst for the beginning of American drug

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<sup>32</sup> Office of the Historian, "Milestones: 1899-1913: The Philippine-American War, 1899-1902," Department of State, Accessed on September 30, 2016, <https://history.state.gov/milestones/1899-1913/war>. See also Kramer, *The Blood of Government*, 87-158; David Brody, *Visualizing American Empire: Orientalism and Imperialism in the Philippines*, (Chicago, Illinois: The University of Chicago Press, 2010); and Victor Roman Mendoza, *Metroimperial Intimacies: Fantasy, Racial-Sexual Governance, and the Philippines in U.S. Imperialism, 1899-1913*, (Durham, North Carolina: Duke University Press, 2015).

<sup>33</sup> Ibid.

<sup>34</sup> Ibid.

prohibition. The transition to a traditional imperial power marked a major turning point in American history---and American engagement with the opium trade in Asia. While many criticized the McKinley administration's adoption of imperialism, others welcomed and supported it. Americans who supported the annexation of the Philippines highlighted its proximity to China and the possibilities of increased trade. China at the turn of the twentieth century represented a desirable trade partner that promised untapped markets and vast fortunes. The historian John Haddad suggests that at least part of the lure of China for American merchants could be traced to the American traders who became rich from the opium trade in the early nineteenth century. He reasons, "Imagine the possibilities, businessmen of the Gilded Age could say, now that China is open and the American industrial sector outperforms all rivals!"<sup>35</sup> While Haddad speaks of the general allure of Chinese markets for American businessman, it is easy to see how the same allure could be tied to the opium trade. The connection between markets, China, and the annexation of the Philippines was also a concern beyond American businessmen.

For example, the relationship between Chinese markets and the annexation of the Philippines is broached several times in a long telegram from Mr. William Rufus Day, the former Secretary of State and leader of the American Peace Commission in Paris, to Mr. John Milton Hay, the Secretary of State. The telegram is dated Paris, October 6, 1898 and was received on October 7, 1898. The telegram includes reports from various military and civilian leaders in the Philippines. Day wrote, "Belgian consul [Andre],

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<sup>35</sup> Haddad, *America's First Adventure in China: Trade, Treaties, Opium, and Salvation*, 232.

according to [General] Merritt, who gives much weight to his opinion, is intelligent man, wealthy, and largely interested in business and discloses business man's point of view. Consul says United States must take all or nothing. If southern islands remained with Spain they would be in constant revolt and United States would have a second Cuba."<sup>36</sup> According to Day, the Belgian Consul was not the only one concerned with commerce being disrupted. Day transmitted General Merritt's report on the Philippines profitability by writing, "Revenues of Luzon, leaving out cock-fighting, gambling licenses, and poll tax, would more than pay expenses of government. No burden of any kind on United States and we could help the island. Chinese half-breeds the most enterprising element in the islands."<sup>37</sup> General Merritt also notes, "Our interests in the East would be helped by the cheap labor in the Philippines, costing only from 20 to 80 cents a day according to skill."<sup>38</sup> Finally, General Merritt concluded the natural advantages of the Philippines would allow trade to continue.

In addition to support from American merchants and military leaders, annexation of the Philippines received support from Great Britain. Many British imperialists encouraged the American annexation of the Philippines through articles and periodicals. In her study of British imperialist periodicals during the American debate on annexation,

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<sup>36</sup> William Rufus Day, "Telegram to Mr. Hay, October 6, 1898," United States Department of State, *Papers Relating to the Foreign Relations of the United States with the Annual Message of the President Transmitted to Congress December 5, 1898*. U.S. Government Printing Office, 1898, *Foreign Relations of the United States*, Accessed on September 27, 2016, <http://digital.library.wisc.edu/1711.dl/FRUS.FRUS1898>, page 919.

<sup>37</sup> *Ibid.*, 920.

<sup>38</sup> *Ibid.*, 921.

academic Susan K. Harris offers an explanation for why British imperialists would support a possible rival imperial power. She notes, “It is possible to see this as a conscious ploy—rather than actively discouraging the Americans from becoming global competitors, periodicals supporting imperialism urged them to join Great Britain in what they described as an international enterprise to uplift the world.”<sup>39</sup> Part of this ploy is the idea that the British would mentor the United States as a new imperial power and contain America as a dangerous and possible rival in Asia. Many American imperialists welcomed British support and at least some were willing to consciously adopt British models, supporting Harris’ assertion that the British thought of mentoring the younger imperial power. In his telegram to Hay, Day noted, “A military government, following the English example of utilizing natives as far as possible, would be best for the present.”<sup>40</sup>

Harris also notes that the British sensitivity to the issue in part came from their “substantial merchant houses in the Philippines” and the knowledge that the Philippines “was a gateway to China.”<sup>41</sup> The location of the Philippines and their connection to the Chinese trade made the Philippines a strategic asset for British and American imperialists. For the British, Harris offers the reasoning, “If they [the British] could not control it [the Philippines] themselves, it would be useful to have a strong ally there.

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<sup>39</sup> Susan K. Harris, *God’s Arbiters: Americans and the Philippines, 1898-1902*, (New York: Oxford University Press, 2011), 133.

<sup>40</sup> Day, “Telegram to Mr. Hay, October 6, 1898,” 922.

<sup>41</sup> Harris, *God’s Arbiters*, 133.

Otherwise, they feared that the islands would fall to one of the other predator nations, particularly Germany.”<sup>42</sup> The British were not the only party viewing the annexation of the Philippines in this context.

Twice in the telegram from Day to Secretary of State Hay, General Merritt draws attention to the threat from other imperial European powers. The first instance is when Merritt advised, “There would be danger between the United States and Spain as there is between Germany and France over Alsace-Lorraine. Spain would want to recover what she had lost.”<sup>43</sup> The second reference comes later in the telegram when the general discusses the possibility of only annexing Luzon. He suggested, “To take Luzon alone would expose us to Spain’s efforts to recover what she had lost. If disorders broke out in other islands, either through Spanish misgovernment or through attempt to sell to other countries, the effect upon our possessions in Luzon would be disastrous.”<sup>44</sup> Merritt continues by reporting, “Prosperity in Manila has arisen partly from its being the capital and entrepot of the group. If we took Luzon alone and powerful European countries got other islands the trade would be deflected from Manila.”<sup>45</sup> Consequently, American military leaders in the Philippines recommended the total annexation of the Philippines to

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<sup>42</sup> Ibid., 133.

<sup>43</sup> William Rufus Day, “Telegram to Mr. Hay, October 6, 1898,” 921.

<sup>44</sup> Ibid.

<sup>45</sup> Ibid., 922.

protect its strategic values of location and trade. While not the main intention of military leaders, annexing the Philippines also ultimately resulted in the American federal government handling Filipino local issues such as the opium trade.

The similarities between British and American imperialists extended beyond military and economic concerns. Perhaps the most notable example of British support for American annexation of the Philippines was Rudyard Kipling's famous 1899 poem, "The White Man's Burden: An Address to the United States."<sup>46</sup> The poem calls on Americans to fulfill their duties of Anglo-Saxon men and tutor the uncivilized dark races of the world. Americans adopted the language of the poem and accepted its general messages of racial kinship with Great Britain, racial superiority over the dark races, and the responsibility of Americans to help inferior peoples. According to Harris, British requests to take responsibility were easily translated by Americans as an extension of America's divine mission.<sup>47</sup>

The charge of civilizing inferior races held a moral and religious justification for imperialism. It also highlighted the role of race in American policy. An example of this type of reasoning can be noticed in Day's telegram when he writes, "On (the) whole natives inferior and unfitted to rule. Their only example [of government are] the monks and [the] Spaniards. [The] United States should have pity on them [and] show them

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<sup>46</sup> Rudyard Kipling, "The White Man's Burden: An Address to the United States," 1899, *Internet Modern History Sourcebook*, Accessed on October 6, 2016, <http://sourcebooks.fordham.edu/mod/kipling.asp>.

<sup>47</sup> Harris, *God's Arbiters*, 140-153.

something better.”<sup>48</sup> The moral tone of some annexation proponents matched the moral tone of missionaries and later prohibition advocates. This unity between British and American economic and strategic concerns in East Asia reflected the larger trend of Anglo-American rapprochement that occurred in the late nineteenth century and the early twentieth century before World War I.<sup>49</sup>

The annexation and pacification of the Philippines necessitated the United States examining colonial practices in the Philippines. Opium policy was one of the largest differences between Spanish and American imperial rule. Prior to American rule, opium was legal in the Philippines and created high revenues for the Spanish government. Historian Anne L. Foster describes the system of opium farms by noting, “The opium farms were state-granted monopolies for the sale of opium in a particular region. Opium farmers bid for the rights to this monopoly and purchased their stocks of opium from the colonial government, which remained the sole legal importer.”<sup>50</sup> Unlike other opium farmers in the colonies of Southeast Asia, Filipinos were forbidden from smoking opium;

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<sup>48</sup> William Rufus Day, “Telegram to Mr. Hay, October 6, 1898,” 919.

<sup>49</sup> See Jay Sexton, *The Monroe Doctrine*, 237-246; Charles S. Campbell Jr., *Anglo-American Understanding, 1898-1903*, (Baltimore, Maryland: John Hopkins Press, 1957); Duncan Andrew Campbell, *Unlikely Allies: Britain, America, and the Victorian Origins of the Special Relationship*, (New York: Hambledon Continuum, 2007); and Bradford Perkins, *The Great Rapprochement: England and the United States, 1895-1914*, (New York: Atheneum, 1968).

<sup>50</sup> Anne L. Foster, “Models for Governing: Opium and Colonial Policies in Southeast Asia, 1898-1910,” in *The American Colonial State in the Philippines: Global Perspectives*, ed. Julian Go and Anne L. Foster, (Durham, North Carolina: Duke University Press, 2003), 92-117, 95.

only ethnic Chinese residents could smoke. The new American government did not seek to radically change the opium policy of the Philippines. It replaced the opium farm model with a high tariff, but otherwise left opium a legal commodity. The legality of opium under early American colonial rule also reflects the state of opium in the United States. While some Western states and territories had begun to prohibit opium by the late nineteenth century, there existed no federal law prohibiting opium smoking or trafficking.

In 1903 the Philippine Commission returned to the issue of opium in the Philippines. Harris identifies several factors explaining why. She notes, “The quantity of opium imported into the Philippines appeared to be increasing steadily, which had not been the intended outcome of the high tariff, and the habit of smoking opium was spreading from ethnic Chinese to the Filipino population. In addition, the high level of the tariff seemed to be encouraging opium smuggling.”<sup>51</sup> Consequently, the Philippine Commission desired to reestablish the earlier policy of opium farming. However, unlike the last examination of opium policy in 1900, resistance to the change in policy and the continued legalization of opium use had increased both in the Philippines and within the United States.

Missionaries in the Philippines were better organized by 1903 and began a campaign of sending letters, cables, and preprinted cards to the American federal government. An example of this type of petition included women’s missionary societies of Presbyterian churches in Pennsylvania. The petitions were preprinted papers in which the paper was addressed to the Secretary of State and signed by the president and

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<sup>51</sup> Ibid., 98.

secretary of each society. Several of these petitions were dated from early November 1904.<sup>52</sup> They included the Women's Missionary Society of the Warren Presbyterian Church of Pennsylvania, the Women's Missionary Society of the Brighton Road Presbyterian Church of Pennsylvania, the Women's Missionary Society of the North East Presbyterian Church, the Women's Missionary Society of the Avalon Presbyterian Church of Pennsylvania, and the Women's Missionary Society of the Rochester Presbyterian Church of Pennsylvania.<sup>53</sup>

Another example of the intensity of the petitions campaign comes from an address delivered by Reverend and Doctor Wilbur F. Crafts on September 16, 1909. Crafts was the founder and superintendent of the International Reform Bureau, a Christian lobby group. He ardently supported citizens protesting government policies on opium and alcohol, especially in colonies. He called on his audience to campaign against opium and alcohol by “‘agitat[ing]’ sanely but persistently and insisently for the righting of these great wrongs, which have been for a century the chief hindrances to missions, to morals, and also to markets, and could and should have been abolished long ago.”<sup>54</sup> It is

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<sup>52</sup> Envelope of Petitions on China and Opium Trade, 1904, United States National Archives, College Park, MD, Record Group 59, Miscellaneous Petitions and Memorials, Entry 174, Petitions Regarding China and the Opium Trade, November 1904.

<sup>53</sup> Ibid.

<sup>54</sup> Rev. Wilbur F. Crafts, “Address of Rev. Wilbur F. Crafts, PhD, of Washington, USA, Superintendent of the International Reform Bureau, at Meeting of United Kingdom Branch of Bureau's British Council, Parliament Committee Room, September 16, 1909,” National Archives, College Park, Record Group 43, Box 2, Entry 37 Correspondence Regarding Legislation to Control Traffic in Narcotics, 1906-1916, Folder: International Opium Conference, The Hague, Opium, miscellaneous and the Private, 1908--. 1 of 2.

interesting to note that even Crafts, a progressive reformer, also noted an economic factor to his moral crusade. Crafts referred to his advocate work as a “double crusade” against the evils of opium and alcohol.<sup>55</sup>

Reflecting on his earlier efforts during the initial examination of American opium policy in the Philippines, Crafts remarked, “Accordingly we secured 2,000 telegraphic blanks and had a swift printer put on them forthwith in red ink, for danger and emergency, this message: ‘President Roosevelt, Washington, D.C. Undersigned earnestly petition you to overrule Philippine opium monopoly, and substitute Japan’s effective prohibition.’ Signed-----. Across the end was printed a brief statement of the perilous situation.”<sup>56</sup> Crafts proclaimed the success of his activities with the following pronouncement, “And on Monday morning, the War department, reversing itself, set this cablegram to the Philippine commission: ‘By order of the president, hold opium monopoly bill, further consideration; many protests.’”<sup>57</sup>

Finally, several the *New York Times* articles reflect the high volume of protest activity during this time period. Craft’s connection between alcohol and opium was reflected in the decisions of members of the Anti-Saloon League. In a brief article on June 13, 1904, the *New York Times* reported, “A number of well-known citizens of Albany and Schenectady belonging to the Anti-Saloon League to-day sent a dispatch to

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<sup>55</sup> Ibid.

<sup>56</sup> Ibid.

<sup>57</sup> Ibid.

President [Theodore] Roosevelt in opposition to the proposed Philippine opium monopoly, and favoring rather the Japanese system of prohibition.”<sup>58</sup> Another article also remarked on the issue by writing on June 16, 1903, “Secretary [Elihu] Root has decided that nothing further shall be done regarding the proposed Opium act of the Philippine Commission until it has had the most careful consideration here in Washington.”<sup>59</sup> The article concludes by noting, “Many protests have been received at the [War] department against the proposed law, and the Secretary [Root] has been urged to take steps to prohibit its [opium] sale entirely.”<sup>60</sup> The expansive petition campaign affected opium policy in the Philippines.

While the Philippine Commission under Taft continued to support their proposal to switch to an opium farm program, American officials in Washington were more concerned with the large-scale unrest over the proposal. Taft, sensitive to the concerns of Washington politics, offered a compromise by proposing a commission to study the

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<sup>58</sup> “Oppose Philippine Opium Monopoly,” June 14, 1903, *The New York Times*, ProQuest Historical Newspapers: *The New York Times (1857-1922)*, Accessed on September 29, 2016, [http://search.proquest.com.libproxy.temple.edu/cv\\_701361/docview/96296841/C120EFF7A0134FC3PQ/83?accountid=14270](http://search.proquest.com.libproxy.temple.edu/cv_701361/docview/96296841/C120EFF7A0134FC3PQ/83?accountid=14270).

<sup>59</sup> “Opium in the Philippines,” June 17, 1903, *The New York Times*, ProQuest Historical Newspapers: *The New York Times (1857-1922)*, Accessed on September 29, 2016, [http://search.proquest.com.libproxy.temple.edu/cv\\_701361/docview/1013643065/518A211BA7EC4DC5PQ/87?accountid=14270](http://search.proquest.com.libproxy.temple.edu/cv_701361/docview/1013643065/518A211BA7EC4DC5PQ/87?accountid=14270).

<sup>60</sup> Ibid.

opium policies of other Southeast Asian colonies.<sup>61</sup> Taft appointed E.C. Carter, a health commissioner in the Philippines, Charles H. Brent, the Episcopal bishop for the Philippines, and Jose Albert, a physician from Manila, to the investigative commission. In 1903-1904, the Commission visited Formosa, Japan, China, Hong Kong, French Indo-China, the Straits Settlements, Upper and Lower Burma, and Java to review the opium policies of the French, Dutch, British, and Japanese.

In his report on the Geneva Conferences on opium in the 1920s, W.W. Willoughby, an advisor to China during the Geneva Opium Conferences of 1924-1925, included material from the first decade of the twentieth century to frame the international efforts in the 1920s. He noted that the Philippine Opium Commission made the following recommendations:

- (1) Immediate government monopoly.
- (2) Prohibition, except for medical purposes, after three years.
- (3) Only licensees, who should be males and over 21 years of age, to be allowed to use opium until prohibition shall go into effect.
- (4) All vendors or dispensers of opium, except for medical purposes to be salaried officials of the government.
- (5) Every effort to be made: (a) To deter the young from contracting the habit by pointing out its evil effects and by legislation; (b) to aid in caring for and curing those who manifest a desire to give up the habit; and (c) to punish and if necessary to remove from the islands, incorrigible offenders.<sup>62</sup>

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<sup>61</sup> Foster, "Models for Governing: Opium and Colonial Policies in Southeast Asia, 1898-1910," 100-101.

<sup>62</sup> W. W. Willoughby, *Opium as an International Problem: The Geneva Conferences*, (Baltimore, Maryland: The John Hopkins Press, 1925), Reprint Edition, (New York: Arno Press, 1976), 19.

Willoughby also itemized the Commissions' recommendations on how to achieve the above stated goals. The Commissions' recommendations included:

- (1) A head office or depot in Manila where opium might be supplied to licensed consumers in Manila and two sub-offices in such places as the commission might select.
- (2) These entrepots to supply the licensed consumers in their vicinities.
- (3) A system of entry, registration, and bookkeeping to be devised to keep accurate account of the quantity of opium sold to each licensed habitué.
- (4) The licensee to be licensed to buy at one depot or entrepot only, and to be required to show the vendor his license, a copy of which, together with a photograph of said licensee, to be furnished to the vendor.<sup>63</sup>

The Philippine Opium Commission's recommendations reflected the changing attitudes of other colonies in Southeast Asia and the successes and failures of neighboring opium policies.

While the European colonies' traditional opium policy involved the practice of opium farming, the Philippine Opium Commission's investigation revealed how many of their colonial neighbors had switched to a government monopoly of opium. The switch reflected several different trends, most notably the increased political power for anti-opium forces especially in Great Britain; the growing popularity of missionary work; the conflict between claiming to civilize inferior races and profiting from opium smoking; the lack of colonial government control over opium farms; the revenue of opium farms going to the farmers and not the government; and the fear that opium farms made so much revenue by smuggling in cheaper opium.<sup>64</sup> The Americans attempted to identify

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<sup>63</sup> Ibid.

<sup>64</sup> Foster, "Models for Governing: Opium and Colonial Policies in Southeast Asia, 1898-1910," 104.

some of these trends and recommended a transition to a government monopoly before moving to a total prohibition of opium. The United States federal government did not adopt the recommendation for a government monopoly, but in 1905 passed legislation that would introduce the total prohibition of opium in the Philippines in 1908.

The 1905 legislation called for a transition period of three years. In 1908 the importation and sale of opium into the Philippines was completely prohibited and the government could only import opium for medicinal purposes.<sup>65</sup> In this interim period, several events unfolded to push international opium policy forward. The first and most significant development was the changing position of the British on their opium policy in Southeast Asia. Concurrent with the increased organization and power of missionaries in the United States, missionaries and anti-opium advocates also became more powerful in Great Britain during this time period. Anti-opium British advocates had denounced the British opium policy since the Opium Wars with China in the nineteenth century. However, it is during the early twentieth century that this group of advocates became sufficiently influential to achieve a ban.

A newspaper article in the *New York Times* from July 8, 1906 makes clear the changes in Great Britain. The article notes, “The International Reform Bureau has just received from the British Society for the Suppression of the Opium Trade the news that the House of Commons, which has been called the most stalwart in morals since the days of Cromwell, has unanimously resolved that the Indo-Chinese opium trade is morally indefensible and requests his Majesty’s Government to take such steps as may be

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<sup>65</sup> Willoughby, *Opium as an International Problem*, 20.

necessary for bringing it to a speedy close.”<sup>66</sup> The article continues by highlighting the economic benefits of outlawing the opium trade. It reported, “Mr. Morley says that abandoning the trade will involve some sacrifices, but though, with the unexpectedly heavy bills for the South African war not yet paid, this is rather a troubled time with the finances of the empire, the Government is willing to make them, and he thinks that Britain’s legitimate business with that populous Oriental [China] country would greatly improve by the change.”<sup>67</sup> The economic and moral imperatives of the opium trade pushed Britain to reevaluate its opium policy.

Another example of the momentous change in British disposition to opium in Asia is Reverend Wilbur F. Crafts’ previously cited speech at the Meeting of the United Kingdom Branch of Bureau’s British Council on September 16, 1909. Crafts’ speech to the British branch members of the International Reform Bureau praises the British Parliamentary decision to open the debate on the British opium trade in Asia and attributes the British decision, at least in part, to American influence. Using high language to reflect on the British Parliament’s decision to debate the Indo-Chinese opium trade on May 30, 1906, Crafts noted, “I have called that day the Waterloo of opium, and still think it will stand in history as the beginning of the end, though the Napoleon then

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<sup>66</sup> “England and the Chinese Opium Trade,” July 8, 1906, *The New York Times*, ProQuest Historical Newspapers: *The New York Times (1857-1922)*, Accessed on September 29, 2016, [http://search.proquest.com.libproxy.temple.edu/cv\\_701361/docview/96641406/57671758/A7C04344PQ/79?accountid=14270](http://search.proquest.com.libproxy.temple.edu/cv_701361/docview/96641406/57671758/A7C04344PQ/79?accountid=14270).

<sup>67</sup> Ibid.

routed has not yet been banished. The Wellington in that battle surely was the Anti-Opium Representative Board, in which all Anti-Opium Societies of Great Britain are federated, but that Board is bald to recognize our Bearer as the Blucher that brought in the necessary foreign reinforcements [Americans].”<sup>68</sup> Following Crafts’ lead, American missionaries and officials identified the possibility of change in British opium policy.

Another important development was the realization that even in prohibition’s introductory phase, the surrounding opium trafficking undermined it in the Philippines. National borders did not limit the opium trade and the Philippines’ location to China in this instance was not a positive factor. The smuggling of opium continued in the Philippines and a black market for the drug continued to expand. The United States arrived at the conclusion that to successfully prohibit opium in the Philippines international cooperation was necessary.

Examples of this judgment can be seen in a newspaper article that was printed in both the *New York Times* and the *Washington Post*. The article notes, “But owing to the freedom with which the custom [opium smoking] is prevalent in China it is realized that to become effective regulations for the suppression of the opium traffic must extend beyond the Philippines.”<sup>69</sup> The article continues by stating, “Therefore the State

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<sup>68</sup> Crafts, “Address of Rev. Wilbur F. Crafts, PhD, of Washington, USA, Superintendent of the International Reform Bureau, at Meeting of United Kingdom Branch of Bureau’s British Council, Parliament Committee Room, September 16, 1909,” 6.

<sup>69</sup> “The Opium Inquiry Plan: Originated Through Our Desire to Stop the Habit in the Philippines,” March 22, 1907, *The New York Times*, ProQuest Historical Newspapers: *The New York Times (1857-1922)*, Accessed on September 29, 2016, [http://search.proquest.com.libproxy.temple.edu/cv\\_701361/docview/96702704/57671758/A7C04344PQ/77?accountid=14270](http://search.proquest.com.libproxy.temple.edu/cv_701361/docview/96702704/57671758/A7C04344PQ/77?accountid=14270).

Department addressed the British Government with a view to ascertaining how far it would be possible to proceed in making joint regulations to control this traffic. The British Government in turn suggested a broader line of action by the creation of an international commission to investigate the whole subject and report some feasible plan of combined action.”<sup>70</sup> The British wanted to convene an international commission, at least in part, to also involve the other European imperial powers of Southeast Asia.

Finally, the third development to lead to an international movement to investigate international opium policy was the actions of the Chinese government. Resentment from the imposition of the British opium policy from the mid-nineteenth century and the widespread use of opium amongst the Chinese population pushed the Chinese government to address the opium problem. As the historian William Walker notes, “In the autumn of 1906, the throne bowed to the reform spirit and issued an edict mandating the cessation of poppy cultivation over a ten-year period and requiring, based on the Formosan model, licenses for smokers. Those under sixty years of age gradually had to stop smoking.”<sup>71</sup> The United States approved of the Chinese effort and sought to convince other imperial powers of the Chinese sincerity in their efforts to eradicate opium. The Chinese were aware of American actions and welcomed them. Viceroy Tuan Fang’s letter to *The Washington Post* serves as an example. In a special cable on March 20, 1909, the article notes, “Tuan Fang, probably the most powerful and progressive of

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<sup>70</sup> Ibid.

<sup>71</sup> Walker, III, *Opium and Foreign Policy*, 14.

all Chinese viceroys, has sent an appeal to America to aid his country in freeing itself from the curse of opium.”<sup>72</sup> Quoting Fang’s appeal, the article reads, “China is determined to abolish opium entirely. It earnestly hopes that the people of Great Britain, the United States, and other powers will approve and help us in ridding ourselves of this great evil. If so, we shall, indeed, be fortunate.”<sup>73</sup> In addition to the moral underpinnings of the opium crusade, the economic dimensions of the opium problem also interested American officials.

The economic dimensions interested the United States and once again tapped into the powerful allure of Chinese markets. The Historian Arnold Taylor also notes the economic considerations of the American government. The United States believed that in return for helping China with its opium problem, China would be more willing to work with the United States on other matters.<sup>74</sup> Americans understood this type of quid pro quo in economic terms. Americans were proven right. An example of the economic benefits can be seen in a newspaper article from the *New York Times*. In a transatlantic telegraph from London on May 13, 1913, General Chang, President of the Chinese National Opium Prohibition Commission, wrote, “It would be going too far to say that there is a definite

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<sup>72</sup> “Asks Aid to Fight Opium: Viceroy Tuan Fang Would Have Americans Help in Crusade in China,” March 20, 1909, *The New York Times*, ProQuest Historical Newspapers: *The New York Times (1857-1922)*, Accessed on September 29, 2016, [http://search.proquest.com.libproxy.temple.edu/cv\\_701361/docview/144939976/57671758A7C04344PQ/30?accountid=14270](http://search.proquest.com.libproxy.temple.edu/cv_701361/docview/144939976/57671758A7C04344PQ/30?accountid=14270).

<sup>73</sup> Ibid.

<sup>74</sup> Taylor, *American Diplomacy and the Narcotics Traffic, 1900-1939*, 29.

boycott against British goods, but certainly the tendency is not to buy them when something else will do as well.”<sup>75</sup> General Chang goes on to write, “You see, America gave us back her share of the Boxer indemnity [reparations from the Chinese government to foreign powers for the Boxer Rebellion of 1900], and she has given us recognition. Great Britain has given us opium. Can you wonder that America gains in our developing markets what Great Britain loses?”<sup>76</sup> For all these reasons, the United States took a leadership position in calling for an international commission on opium policy.

In addition to the three developments described above, it should also be noted that during this period the opium issue was largely understood as a foreign problem. The United States first established a drug prohibition in response to the opium trade and use in the Philippines. Missionaries and advocates in both the United States and Great Britain described the issue as a moral wrong against inferior races. In the next two chapters, the drug problem simultaneously remains a foreign problem and becomes a domestic issue in the United States.

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<sup>75</sup> “Our Goods Are Preferred: Gen. Chang, President of Opium Prohibition Commission, in England on Educational Mission,” May 13, 1913, *The New York Times*, ProQuest Historical Newspapers: *The New York Times (1857-1922)*, Accessed on September 29, 2016, [http://search.proquest.com.libproxy.temple.edu/cv\\_701361/docview/97409674/57671758/A7C04344PQ/57?accountid=14270](http://search.proquest.com.libproxy.temple.edu/cv_701361/docview/97409674/57671758/A7C04344PQ/57?accountid=14270).

<sup>76</sup> Ibid.

## CHAPTER 4

## THE OPIUM CONFERENCES

The United States pushed to have the international conference held in Shanghai, China. The conference would last from February 1 to February 26, 1909. The American delegates included the Right Reverend Charles H. Brent, the Episcopal Church's Missionary Bishop of the Philippines, Dr. Hamilton Wright, a proclaimed tropical disease expert, and Mr. Charles D. Tenny, the Chinese Secretary of the American Legation in Beijing. The following powers were invited to the commission: the United States, Great Britain, France, the Netherlands, China, Japan, Germany, Siam, Turkey, Persia, Portugal, Russia, Italy, and Austria-Hungary. All of these powers sent representatives except Turkey. Taylor notes, "The principle which ran throughout the American resolutions was that medical purposes constituted the only legitimate use of opium and its derivatives, and that the production, distribution, and use of opium for any other purpose, regardless of the problems involved, should be prohibited."<sup>77</sup> The American position was not popular with all the attendees; especially those who benefited from the opium trade in Asian colonies.

The British delegation's actions to preserve large parts of the Indo-Chinese opium trade infuriated the American delegation, which perceived it as a betrayal.<sup>78</sup> American perceptions of British opium policy remained negative after the commission and entered

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<sup>77</sup> Taylor, *American Diplomacy and the Narcotics Traffic*, 67.

<sup>78</sup> Taylor, *American Diplomacy and the Narcotics Traffic*, 79-80.

into the larger American public. Meanwhile, the American delegation identified the Chinese as vital allies on the problems of opium. The Commission brought the opium problem to an international audience by identifying opium as a problem in Western countries, providing a greater understanding of the problems inherent in the international opium trade, and noting the growing sentiment that opium for medicinal purposes only as the only legitimate use for the drug.<sup>79</sup> Unfortunately, the Commission was only an investigative body and none of the resolutions were binding. The American government, however, was impressed by the limited gains of the Commission and sought another international meeting to make the Commission's resolutions binding.

Another benefit of the Commission was the passage of the Opium Smoking Act of 1909 by the United States Congress. It prohibited the importation of opium for any purpose except medicinal. The law was the first federal legislation to completely prohibit the importation of opium in the continental United States. It also reflected the growing awareness in the United States of a domestic opium problem. An example of this awareness can be seen in Dr. Wright's study of the opium problem in preparation for the Shanghai Commission. An article from the *New York Times* on July 31, 1908 notes, "That there are 6,000 people in New York City slaves to the opium habit, about five-sixths of whom are white, is the finding of Dr. Hamilton Wright."<sup>80</sup> The article continues

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<sup>79</sup> Taylor, *American Diplomacy and the Narcotics Traffic*, 78-79.

<sup>80</sup> "6,000 Opium Users Here: Dr. Hamilton Wright Thinks Five-Sixths of Them Are White," July 31, 1908, *The New York Times*, ProQuest Historical Newspapers: *The New York Times (1857-1922)*, Accessed on September 29, 2016, [http://search.proquest.com.libproxy.temple.edu/cv\\_701361/docview/96841753/57671758/A7C04344PQ/74?accountid=14270](http://search.proquest.com.libproxy.temple.edu/cv_701361/docview/96841753/57671758/A7C04344PQ/74?accountid=14270).

by noting, “Dr. Wright declared there had been a steady increase in importation of opium since 1878, though there was a larger Chinese population then than now, and the laws against its importation were not so severe. That year the imports of the drug prepared for smoking amounted to 54,000 pounds, while in 1907 the imports had increased to 151,000 pounds.”<sup>81</sup> The idea of opium as a danger to Americans beyond the Chinese communities increased the pressure to create an international solution to the problem.

The First International Opium Conference was held at The Hague from December 1911 to January 1912. The same powers that had been invited to the 1909 Commission were invited to The Hague. The Conference revealed details about the opium traffic and use in each individual country’s sphere of control. In the Philippines, the United States submitted the following information for the period March 1, 1908 to June 30, 1909: 2,217 people charged with violating the opium prohibition, 1,715 convictions, 307 imprisonment sentences, 3 months and 25 days for the average term of imprisonment imposed, and 1,610kg of opium seized.<sup>82</sup>

The report for the Conference also showed that the importation of opium into the continental United States was continuing to increase despite international action. The

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<sup>81</sup> Ibid.

<sup>82</sup> “Conference International de l’Opium: Actes et Documents,” National Archives, College Park, MD, Record Group 43, Box 1, Entry 45, Folder: Conference Internationale de l’opium la haye, 1 decembre 1911-23 janvier 1912, actes et documents tome II documents, chart on page 6.

price for this illegal opium was also increasing.<sup>83</sup> The report identified two problems for the enforcement of prohibition in the Philippines. The first problem was the lack of money and men to enforce the law. The second was “The ease with which opium is smuggled makes it impossible to cut off the supply without international cooperation.”<sup>84</sup> The problems with enforcing prohibition in the Philippines and in the United States continued throughout this era, despite actions taken by both the United States and the international community.

Examples of problems enforcing prohibition included the corruption of government officials. In an article from February 1911, the *New York Times* reported that W.J. Fitz Gerald, a watchman of the Pacific Mail dock, had been arrested and pled guilty to smuggling opium into San Francisco.<sup>85</sup> Another article from July 1912 shows the *New York Times* reporting on federal employees saving confiscated opium from destruction and then reselling the product to local opium sellers in New York.<sup>86</sup> This article also

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<sup>83</sup> Ibid., 13-14.

<sup>84</sup> Ibid.

<sup>85</sup> “Guilty in Opium Case: Watchman Arrested in San Francisco Admits Smuggling the Drug,” February 1, 1911, *The New York Times*, ProQuest Historical Newspapers: *The New York Times (1857-1922)*, Accessed on September 29, 2016, [http://search.proquest.com.libproxy.temple.edu/cv\\_701361/docview/97217564/57671758A7C04344PQ/64?accountid=14270](http://search.proquest.com.libproxy.temple.edu/cv_701361/docview/97217564/57671758A7C04344PQ/64?accountid=14270).

<sup>86</sup> “Indicted for Opium Plot: Federal Employees Alleged to Have Resold Confiscated Drug,” July 23, 1912, *The New York Times*, ProQuest Historical Newspapers: *The New York Times (1857-1922)*, Accessed on September 29, 2016, [http://search.proquest.com.libproxy.temple.edu/cv\\_701361/docview/145190735/57671758A7C04344PQ/27?accountid=14270](http://search.proquest.com.libproxy.temple.edu/cv_701361/docview/145190735/57671758A7C04344PQ/27?accountid=14270).

notes, “Because of the rigid enforcement of the law excluding smoking opium the drug is now retailing at \$400 a pound, or \$80 more than gold.”<sup>87</sup> Finally, a third example is an article from August 1913 that has the *New York Times* reporting on one Customs Inspector and ten Customs guards who were fired for smuggling opium into San Francisco.<sup>88</sup> The black market for opium invited corruption of officials and smuggling efforts.

The First Opium Conference sought to make the resolutions of the Commission of 1909 into a binding convention. The Conference also added the issue of manufactured drugs to the provisions on drug trafficking and use. Taylor notes the strengths and weaknesses of the Conference,

The strongest provisions of the Convention were in Chapters I [raw opium and domestic/international regulations of it] and IV [other powers could not continue to export opium to China under the Anglo-Chinese Ten Year Agreement]. Chapter II was weak in that the powers were not pledged to suppress the use of prepared opium within a specific period of time, but only promised to take steps to suppress gradually the traffic and use. Chapter III was the weakest. No distinct pledges were made to control and restrict the traffic in and manufacture of morphine and cocaine and their products; it contained merely the hollow promises of endeavoring to take certain measures. In addition, one of the Convention’s greatest defects was the lack of an organ of administration to supervise the carrying out of the provisions of the Convention.<sup>89</sup>

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<sup>87</sup> Ibid.

<sup>88</sup> “Opium Plot Discovered: Eleven Coast Customs Men Dismissed for Smuggling,” August 30, 1913, *The New York Times*, ProQuest Historical Newspapers: *The New York Times (1857-1922)*, Accessed on September 29, 2016, [http://search.proquest.com.libproxy.temple.edu/cv\\_701361/docview/97378715/57671758/A7C04344PQ/55?accountid=14270](http://search.proquest.com.libproxy.temple.edu/cv_701361/docview/97378715/57671758/A7C04344PQ/55?accountid=14270).

<sup>89</sup> Taylor, *American Diplomacy and the Narcotics Traffic*, 109.

The Conference was looked upon as a success by Americans and the United States Senate ratified its convention in 1913. It remained the groundwork of American international drug policy into the 1930s. A major hindrance, however, was the stipulation that all nations needed to ratify the Convention by December 31, 1912 for it to be internationally adopted. When it became obvious that the deadline would not be met, diplomats called for a Second International Conference.

The Second Conference's primary goal was to achieve ratification of the First Convention by the remaining nations. When the Second Conference convened in July 1913, only Austria-Hungary, Bulgaria, Greece, Montenegro, Norway, Peru, Romania, Serbia, Sweden, Switzerland, Turkey, and Uruguay had not signed or indicated the intention to sign the Convention.<sup>90</sup> The main reason for not ratifying or not planning to ratify was economic. Nations were concerned they would lose money with the end of the opium trade and or that other nations would take commercial advantage of those nations who signed the Convention. Additionally, the Balkan Wars of 1912 and 1913 displaced interest in an international opium agreement in Europe as antagonism between the European powers increased. Consequently, the Second Conference also did not receive full ratification and a Third and final Conference was prepared for June 1914.

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<sup>90</sup> Second International Opium Conference The Hague, 1-9 July 1913, "Summary of the Minutes (Unofficial)," National Archives, College Park, MD, Record Group 43, Box 1, Entry 45, Folder Second International Opium Conference, The Hague, 1913, Summary of the Minutes, Large brown book.

By the beginning of the Third Conference only Serbia and Turkey refused to sign the Convention, which means thirty-two of the thirty-four non-signatory powers had signed.<sup>91</sup> The Third Conference's conclusion did not change the position of Serbia and Turkey. Only the United States, Belgium, China, Denmark Guatemala, Italy, Portugal, Siam, Sweden, Venezuela, and Honduras had ratified the Convention.<sup>92</sup> The other powers planned to ratify. The deadline for ratification was December 31, 1914. Due to a fear of not achieving full ratification by the December deadline, the Third Conference agreed to put the Convention of 1912 into effect between those powers who had ratified it. Unfortunately, the deadline and most of the international drug movement ended a month later with the outbreak of World War I in July 1914.

The outbreak of World War I in 1914 largely put the international opium campaign on hold. In 1914 the United States passed the Harrison Narcotics Act, named after its proponent, Representative Francis Burton Harrison (D-NY). The Act imposed a license fee on the importation, prescription, sale, or dispensing of opiates and coca leaves. Like earlier state laws against opium, penalties included fines and or imprisonment. Also like earlier laws against opium, enforcement posed a problem for law enforcement officers.

It is important to note, however, World War I did not stop international progress. The international community had already reached an impasse on the issue of opium

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<sup>91</sup> Taylor, *American Diplomacy and the Narcotics Traffic*, 116-117.

<sup>92</sup> Taylor, *American Diplomacy and the Narcotics Traffic*, 119.

prohibition. While many nations were willing to collect information on the problem of opium and place opium under government control, few nations except the United States were willing to adopt a total prohibition policy. The global war halted international conferences on the opium issue, but did not destroy concern. During the peace negotiations of World War I, ratification of The Hague Convention of 1912-1913 was included in the final peace treaty, which forced lingering countries such as Germany and Turkey to adhere to the convention.<sup>93</sup> Historian William McAllister notes, “Most significantly, through the League of Nations the drug question gained a permanent place on the international agenda. Article 23c of the Covenant conferred upon the League responsibility for supervising execution of the 1912 Hague treaty.”<sup>94</sup> The League would continue to work on the issue in the interim between world wars.

The League would host two opium conferences in Geneva in 1924 and 1925. The United States, despite not being a member of the League, participated in both conferences in Geneva. Similar to the earlier conferences, Bishop Brent served as one of the American delegates. The American delegation in the Geneva conferences pushed for the reduction and therefore prohibition of raw opium beyond medicinal purposes.<sup>95</sup> Unlike

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<sup>93</sup> William B. McAllister, *Drug Diplomacy in the Twentieth Century: An International History*, (New York: Routledge, A Taylor and Francis Group, 2000), 36-37.

<sup>94</sup> *Ibid.*, 37.

<sup>95</sup> Willoughby, *Opium as an International Problem*, 263.

the earlier conferences, the Geneva conferences were not as successful from an American perspective.

The American delegation walked out of the Second Opium Conference in Geneva after it became apparent that Great Britain and India would not cooperate on the American resolution to severely prohibit the production of raw opium.<sup>96</sup> While Great Britain and therefore India participated and agreed to The Hague Convention of 1912, the 1912 Convention did not mandate a reduction of raw opium production. During the Geneva Conferences, the American delegation pushed for a major reduction in raw opium production and failed to achieve a consensus. The United States was not the only power disappointed in the Geneva Conferences. Willoughby, a participant in the Geneva Conferences, noted in his 1925 report of the conferences that only fourteen of the forty-one delegations remained to the end of the Second Convention and signed the agreement.<sup>97</sup> Willoughby summarized the debacle, “Regarded as a whole the results of the Geneva Conferences were far from satisfactory whether judged by the substantive contents of the Conventions that were signed or by the circumstances that attended their drafting.”<sup>98</sup> Like the outbreak of World War I, global crises such as the economic depression, Japanese aggression in Asia, events in Europe, and ultimately the outbreak of World War II diverted attention from international drug policy. Similar to how the

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<sup>96</sup> Ibid., 441.

<sup>97</sup> Ibid.

<sup>98</sup> Ibid.

League of Nations adopted The Hague's responsibilities and resolutions as international mediator in the aftermath of World War I, the United Nations adopted the League's responsibilities and resolutions in the aftermath of World War II.

While the League of Nations conducted some work on the opium and larger narcotics problem in the 1920s and 1930s, the United States' temperance movement superseded public concerns over the opium problem. As early as 1913, some dry advocates, those who supported the prohibition of alcohol, saw alcohol as a much greater threat to Americans than opium. For example, in a letter to the editor of the *New York Times* on November 17, 1913, E.C. Davison wrote,

Can any of your readers give a plausible explanation for the universal war waged so recently on the sale of opium, while liquor is allowed to be sold on three out of four corners, not counting saloons between corners? The proportion of homes and lives sacrificed to the use of opium is indeed small, compared to the number sacrificed daily to alcohol. It certainly savors of straining at a very small gnat, but swallowing a very large camel.<sup>99</sup>

The temperance movement gained momentum during the Great War as anti-German sentiment helped their cause. Dry advocates utilized the antagonistic feelings towards Germany and German immigrants that arose during the war period to attack the beer industry in America, which Germans dominated. The ratification of the Eighteenth Amendment and the dawn of the Noble Experiment in 1920 garnered most American attention. The primary focus remained on America's experiment with the National Prohibition of Alcohol from 1920-1933.

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<sup>99</sup> E.C. Davison, "Liquor and Opium," November 17, 1913, *The New York Times*, ProQuest Historical Newspapers: *The New York Times (1857-1922)*, Accessed on September 29, 2016, [http://search.proquest.com.libproxy.temple.edu/cv\\_701361/docview/97453518/57671758/A7C04344PQ/59?accountid=14270](http://search.proquest.com.libproxy.temple.edu/cv_701361/docview/97453518/57671758/A7C04344PQ/59?accountid=14270).

American concern about narcotics, as evidenced by its call for and participation in the Geneva Conferences of the 1920s, never disappeared. Narcotics remained a problem, but not a major concern for Americans during the mid-twentieth century. Other issues such as the Great Depression, World War II, the beginning of the Cold War, and nuclear war superseded any concerns about narcotics. It was not until the late 1960s and the 1970s that drug prohibition once again became a major national issue for Americans and for the federal government of the United States.

The prohibition of opium in the Philippines and the United States, however, was not successful. The problem of prohibition, whether based on alcohol or drugs, is the moral understanding of the problem. Prohibition presents a situation in which the problem is understood in black or white terms. For example, if drugs are bad, then using drugs is bad. This simplistic understanding of a complex problem means only one solution is available—the complete prohibition of the evil in question. The prohibition of a substance, however, does not work. As this section shows, reports and newspaper articles showed the continued smuggling of opium in the Philippines and the continental United States. Additionally, the price of the drug increased on the black market and government officials became corrupted. Questions regarding the production of opium, whether for medicinal or recreational use, the revenue from opium production, and the amount of resources necessary for total prohibition complicated and limited early American efforts at prohibition. The American response to such questions, as seen in the next section, was to continue the moral understanding of drug use, expand American resources, pass harsher penalties, and push for greater international support. The 1970s

witnessed the return of narcotics as a primary concern of the federal government and an expansion of a war against the evils of narcotics.

## CHAPTER 5

## A WAR ON DRUGS

While the national experiment in the prohibition of alcohol destroyed any interest in ever repeating the exercise, the difficulties and failures of the United States' experience with drug prohibition in the early twentieth century did not impede a renewed interest in drug prohibition in the late twentieth century. The United States' current War on Drugs policy has its roots in the 1970s, and the Nixon administration provided the groundwork for the more expansive measures the Reagan administration would take a decade later. The Nixon era drug policy had similar themes to America's drug crusade in the first decade of the twentieth century. Despite such similarities, Nixon does not appear to draw direct connections between the American anti-opium crusade of the early twentieth century and his own campaign against narcotics. The absence of direct connections or comparisons is glaring due to the relationship between the two policies. The War on Drugs policy of the late twentieth century is an expansion of the anti-opium crusade of the early twentieth century. The War on Drugs is an American prohibition system that has international dimensions and relies on a moral framework for the justification of total prohibition.

A major similarity between the early twentieth century crusade and the late twentieth century campaign was the theme of moral destruction. Nixon used drugs as a way to promote his law and order campaign promise. He directly linked drugs to crime and lawlessness. An example of this connection can be seen in Nixon's speech on October 27, 1970. The president, reflecting on the findings that drugs were the major cause of street crime, remarked, "Those who have a drug habit find it necessary to steal,

to commit crimes, in order to feed their habit. We found also, and all Americans are aware of this, that drugs are alarmingly on the increase in use among our young people.”<sup>100</sup> The short example also drew attention to the danger of drugs to the youth of America.

Nixon highlighted how drugs destroy the lives of young people across America and “not just of college age or young people in their twenties, but the great tragedy: The uses start even in junior high school, or even in the late grades.”<sup>101</sup> After the devastating news of drugs targeting children, Nixon switched to a more reassuring tone by stating how the new Comprehensive Drug Abuse Prevention and Control Act of 1970, which replaced over fifty older pieces of drug legislation, would help to protect the youth of America. He notes that the new law increased the number of agents for the Bureau of Narcotics and Dangerous Drugs (BNDD), the predecessor of the Drug Enforcement Agency (DEA), increased the jurisdiction of drug law beyond heroin to include barbiturates and amphetamines, and a program for treating drug addiction.<sup>102</sup> Nixon closed his address by asking the nation to support his campaign against the evils of drugs and to help “save the lives of hundreds of thousands of our young people who otherwise

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<sup>100</sup> Richard Nixon, “Remarks on Signing the Comprehensive Drug Abuse Prevention and Control Act of 1970,” October 27, 1970, Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, Accessed on September 28, 2016, <http://www.presidency.ucsb.edu/ws/index.php?pid=2767&st=drug&st1=>.

<sup>101</sup> Ibid.

<sup>102</sup> Ibid.

would become hooked on drugs and be physically, mentally, and morally destroyed.”<sup>103</sup> This early address by Nixon on drugs emphasizes the physical and moral danger of drugs for Americans. He uses children as a way to highlight the moral framework of his prohibition policy.

Another similarity to the early crusade against opium is the war terminology. In a special message to Congress on drug abuse prevention and control on June 17, 1971, President Nixon remarked, “The magnitude and severity of the present threat will no longer permit this piecemeal and bureaucratically-dispersed effort [regarding the fact that nine different federal agencies were involved] at drug control. If we cannot destroy the drug menace in America, then it will surely in time destroy us. I am not prepared to accept this alternative. Therefore, I am transmitting legislation to the Congress to consolidate at the highest level a full-scale attack on the problem of drug abuse in America.”<sup>104</sup> Nixon uses the language of opium critics when they labeled opium an evil to be abolished or a menace to society. Anti-opium advocates also used words such as crusade, campaign, and war to describe their mission to end the opium trade.

In an effort to consolidate American drug policy, Nixon requested Congress to create the Special Action Office of Drug Abuse Prevention in the Executive Office of the President to coordinate and evaluate federal programs, and additional \$105 million in

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<sup>103</sup> Ibid.

<sup>104</sup> Richard Nixon, “Special Message to the Congress on Drug Abuse Prevention and Control,” June 17, 1971, Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, Accessed on September 28, 2016, <http://www.presidency.ucsb.edu/ws/index.php?pid=3048&st=drug&st1=>.

funds for rehabilitation programs, an additional \$10 million for education on the dangers of narcotics, to increase the budget of the Veterans Administration by \$14 million to provide Vietnam War veterans access to rehabilitation programs, and to broaden the Narcotic Addict Rehabilitation Act of 1966 to cover methadone treatments.<sup>105</sup> These measures were signs of an expanding crusade. The increase in funding, new scientific and medicinal knowledge, and the creation of new agencies to enforce the United States' international drug prohibition reflect the increased resources available to the federal government in the late twentieth century.

Similar examples can be seen in Nixon's additional requests to Congress. He also requested several law enforcement measures that included allowing the United States federal government to utilize foreign intelligence on narcotics, allowing chemists to submit findings of analysis in drug cases, allocating \$2 million for research and the development of technology for identifying narcotics and trafficking, allocating \$2 million to the Department of Agriculture for the creation of environmentally friendly herbicides to be used against narcotics-producing plants, authorizing and funding an additional 325 positions within the Bureau of Narcotics and Dangerous Drugs, and allocating an additional \$25.6 million for the Treasury Department with \$18.1 million going to the Bureau of Customs to increase its capacity for investigating smuggling and trafficking by sea and the air.<sup>106</sup>

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<sup>105</sup> Ibid.

<sup>106</sup> Ibid.

Nixon's plan for combatting the drug menace did not only refer to domestic policies, but also international programs. Again, the need for an international dimension arose from the realization that national borders do not limit the drug trade. The American government in the early twentieth century came to the same conclusion when attempting to prohibit opium in the Philippines. Also similar to the crusade of opium is the drug Nixon labels the most dangerous. Out of all the drugs recognized in the 1970s, which included the cannabis family, sedatives, amphetamines, hallucinogens, and narcotic analgesics, Nixon identified heroin as the "priority in the struggle against drugs."<sup>107</sup> Heroin, which is made from morphine, is a derivative of opium in that it also comes from the opium producing poppy plant. Nixon, however, does not directly reference the early campaign against opium.

American newspapers reported on Nixon's Special Message to Congress on his new drug war. Many of the titles use Nixon's language of crisis, emergency, campaign, war, fight, and battle. The newspapers articles published in the aftermath of Nixon's speech agree with Nixon's assertion that drugs are a national problem and approve of Nixon's requests. One of the biggest criticisms, if a true criticism at all, was found in *The New York Times*. Published right before the speech, the article states, "In announcements scheduled to be made by President Nixon today, the Administration's fragmented drug programs are at last to be brought together and given professional leadership. For the first time, there will be basis for hope that the sluggishness in the Administration's approach

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<sup>107</sup> Ibid.

to the national drug crisis is ending.”<sup>108</sup> Far from critical, many Americans approved of Nixon’s battle plans.

Some of the new steps Nixon proposed for combatting heroin included increased cooperation with the governments of Asia, the United Nations, and Turkey via American ambassadors, the training of foreign narcotics enforcement officers by the Bureau of Narcotics and Dangerous Drugs, and funding programs sponsored by the United Nations.<sup>109</sup> The ideas of increased government cooperation in Asia, the inclusion of Turkey as an opium producing country, the training of narcotics officers, and the sponsorship of the United Nations all have roots in the early twentieth century crusade. The crusade against opium also had an international dimension that focused on Asia, invited Turkey, which was then the Ottoman Empire, to international conferences on opium, trained American and then Filipino officers, and later had the sponsorship of the League of Nations. Two of Nixon’s new proposals serve as direct examples of the links between the early opium crusade and the modern War on Drugs.

The first supposed new proposal is Nixon’s idea “that the only really effective way to end heroin production is to end opium production and the growing of poppies. I will propose that as an international goal. It is essential to recognize that opium is, at

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<sup>108</sup> “Moving on Drugs Nationally,” June 17, 1971, *The New York Times*, ProQuest Historical Newspapers: *The New York Times* with Index, Accessed on November 9, 2016, <http://search.proquest.com.libproxy.temple.edu/hnpnewyorktimes/docview/119338771/975930F20DF749C1PQ/14?accountid=14270>.

<sup>109</sup> Nixon, “Special Message to the Congress on Drug Abuse Prevention and Control,” June 17, 1971.

present, a legitimate source of income to many of those nations which produce it.

Morphine and codeine both have legitimate medical applications.”<sup>110</sup> But the resolution to destroy poppy plants is not a new idea from the 1970s, it can be traced to the nineteenth and early twentieth century campaigns against opium. The earlier campaigns against opium also discussed the destruction of poppy plants and opium production. In addition to the absence of a reference to these earlier campaigns and debates, Nixon also does not make any reference to the older problems of opium’s narcotic and medicinal uses. Even in the nineteenth century, critics of opium smoking made allowances for the continued use of opium for medicinal purposes. Nixon’s ideas are a continuation of earlier debates and earlier failed policies. By not acknowledging the connections, Nixon also does not reference the failures of the early opium crusade.

Nixon’s second proposal includes several amendments to the Single Convention on Narcotics. These amendments propose enabling the International Narcotics Control Board to require members to provide information of opium poppy cultivation and production, acknowledging information about drug production and trafficking beyond official member government’s official statements, carry out inquiries on drug related activities with a nation’s consent, and opening the possibility of requiring members to embargo the exportation/importation of drugs to/from non-complying member states.<sup>111</sup> Again, Nixon’s amendments make no reference to the earlier international campaign

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<sup>110</sup> Ibid.

<sup>111</sup> Ibid.

against opium. The three international meetings discussed how to identify opium production, how to decrease and prohibit the narcotics trade and use, and how to make such agreements internationally binding. While not referencing the earlier opium crusade, Nixon's ideas represent a perpetuation of earlier ideas on opium, narcotics trafficking, and international cooperation.

Nixon continued to make drug abuse a major policy of his administration. On July 6, 1973, the president signed the Reorganization Plan Number 2 of 1973, which established the Drug Enforcement Administration (DEA) in the Department of Justice.<sup>112</sup> The creation of the new agency consolidated federal law enforcement efforts into one agency and streamlined the bureaucratic process. Nixon's creation of a federal infrastructure to fight drug use and trafficking was expanded and reaffirmed by President Ronald Reagan in the 1980s.<sup>113</sup>

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<sup>112</sup> Drug Enforcement Administration, "DEA History in Depth 1970-1975," Online Resource, Accessed on September 28, 2016, <https://www.dea.gov/about/history/1970-1975.pdf>.

<sup>113</sup> See Jonathan Simon, *Governing Through Crime: How the War on Crime Transformed American Democracy and Created a Culture of Fear*, (New York: Oxford University Press, 2007); Andrew B. Whitford and Jeff Yates, *Presidential Rhetoric and the Public Agenda: Constructing the War on Drugs*, (Maryland: Johns Hopkins university Press, 2009); Edward Jay Epstein, *Agency of Fear: Opiates and Political Power in America*, (New York: G.P. Putnam's Sons, 1977); David F. Musto and Pamela Korsmeyer, *The Quest for Drug Control: Politics and Federal Policy in a Period of Increasing Substance Abuse, 1963-1981*, (New Haven, Connecticut: Yale University Press, 2002); Eva Bertram, Morris Blachman, Kenneth Sharpe, and Peter Andreas, *Drug War Politics: The Price of Denial*, (Berkeley: University of California Press, 1996); Jeremy Kuzmarov, *The Myth of the Addicted Army: Vietnam and the Modern War on Drugs*, (Amherst: University of Massachusetts Press, 2009); Arthur Benavie, *Drugs: America's Holy War*, (New York: Routledge, 2009); Kathleen J. Frydl, *The Drug Wars in America, 1940-1973*, (New York: Cambridge University Press, 2013); and Christina Jacqueline Johns, *Power*,

Similar to Nixon, Reagan adopted moral and military terminology in his remarks on the drug problem. On June 24, 1982, Reagan remarked, “We’re rejecting the helpless attitude that drug use is so rampant that we’re defenseless to do anything about it. We’re taking down the surrender flag that has flown over so many drug efforts; we’re running up a battle flag. We can fight the drug problem, and we can win. And that is exactly what we intend to do.”<sup>114</sup> Reagan made a number of additions to the War on Drugs including cash grants through the Edward Byrne Memorial State and Local Law Enforcement Assistance Program to focus on narcotics, free training, intelligence, and technical support by the Drug Enforcement Administration to state highway patrol agencies for assisting officers in highway drug interdiction, the allocation of military equipment to state and local police forces, and supporting the 1986 Anti-Drug Abuse Act, which established extremely long mandatory minimum prison sentences for low level drug offenses.<sup>115</sup>

The enhanced War on Drugs maintained the principles of a total prohibition system. Reagan expanded the resources and funding for law enforcement officers at the local, state, and federal levels. Reagan’s expansion complemented increases in the

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*Ideology, and the War on Drugs: Nothing Succeeds Like Failure*, (New York: Praeger Publishers, 1992).

<sup>114</sup> Ronald Reagan, “Remarks on Signing Executive Order 12368, Concerning Federal Drug Abuse Policy Functions,” June 24, 1982, Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, Accessed on September 28, 2016, <http://www.presidency.ucsb.edu/ws/index.php?pid=42671&st=drug&st1=>.

<sup>115</sup> Alexander, *The New Jim Crow*, 72-86.

international sphere of drug prohibition. The United Nations adopted the leadership of the international efforts of drug prohibition from the League of Nations, which adopted it from the Two International Opium Conferences at The Hague. The United Nations' current Office on Drugs and Crime (UNODC) became the new name in 2002 of the Office for Drug Control and Crime Prevention, which was created in 1997. The 1997 version combined the United Nations International Drug Control Program (UNDCP) and the Crime Prevention and Criminal Justice Division.<sup>116</sup> This office holds yearly campaigns to draw attention to the threat of narcotics, continuously researches various aspects of the problem, publishes their reports and findings, and cooperates with different national bodies.

In addition to the work of the United Nations, the United States also has international programs located in the Department of State. The State Department has the Bureau of International Narcotics and Law Enforcement Affairs (INL) and the International Law Enforcement Academies (ILEA). The Bureau's mission is to "combat international crime and illegal drugs, and their on impact on the United States, its citizens, and partner nations by providing effective foreign assistance and fostering global cooperation to counter these threats."<sup>117</sup> The Bureau lists foreign partners in over ninety countries throughout the Americas, Asia, Africa, and the Middle East and domestic

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<sup>116</sup> United Nations Office on Drugs and Crime, Accessed on October 19, 2006, <https://www.unodc.org/unodc/index.html?ref=menutop>.

<sup>117</sup> United States Department of State, "Bureau of Narcotics and Law Enforcement Affairs," Accessed October 19, 2016, <http://www.state.gov/j/inl/index.htm>.

partners at all levels of law enforcement in over twenty-five states.<sup>118</sup> The second program, the International Law Enforcement Academies, seeks to “buttress democratic governance through the rule of law; enhance the functioning of free markets through improved legislation and law enforcement; and increase social, political, and economic stability by combating narcotics trafficking and crime.”<sup>119</sup> The academy focuses on teaching foreign law enforcement officials how to practice law enforcement on an American model. It has campuses in Budapest, Hungary, Bangkok, Thailand, Gaborone, Botswana, San Salvador, El Salvador, Roswell, New Mexico, and Lima, Peru.<sup>120</sup>

Recently, however, some of the costs of the War on Drugs have become evident. Michelle Alexander, a scholar of America’s mass incarceration, notes, “Convictions for drug offenses are the single most important cause of the explosion in incarceration rates in the United States. Drug offenses alone account for two-thirds of the rise in federal inmate population and more than half of the rise in state prisoners between 1985 and 2000.”<sup>121</sup> She goes onto to note that about “a half-million people are in prison or jail for a drug offense today, compared to an estimated 41,100 in 1980—an increase of 1,100 percent. Drug arrests have tripled since 1980. As a result, more than 31 million people

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<sup>118</sup> Ibid.

<sup>119</sup> United States Department of State, “International Law Enforcement Academies,” Accessed on October 19, 2016, <http://www.state.gov/j/inl/c/crime/ilea/>.

<sup>120</sup> Ibid.

<sup>121</sup> Alexander, *The New Jim Crow*, 59.

have been arrested for drug offenses since the drug war began.”<sup>122</sup> In her study of mass incarceration, Alexander also shows how the War on Drugs has disproportionately affected minorities. And Alexander is not alone in noting the negative impact of the War on Drugs. Michael N. Gomila and Robert D. Hanser, for example, also correlate the increased incarceration rates in the United States to drug offenses. They identify the United States as having the highest rate of incarceration in the world. The United States has 2.29 million people incarcerated, while the closest two countries, China and Russia, have 1.57 million people and .89 million people respectively.<sup>123</sup> The high incarceration rate in the United States results in an overburdened criminal justice system.

The War on Drugs continues today. The punitive prohibition system is over forty years old and remains largely intact. However, the costs of the war have become increasingly visible and critics of the policy proliferate both domestically and internationally. In 1998 the United Nations identified 2008 as the deadline for the possible elimination of the production and availability for synthetic drugs, opium poppy, cannabis plant, and the coca bush.<sup>124</sup> In 2009 the United Nations adjusted its timeline to

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<sup>122</sup> Ibid.

<sup>123</sup> Michael N. Gomila and Robert D. Hanser, “The War on Drugs: A Review of U.S. Policy Drug Policy,” in *Flawed Criminal Justice Policies: At the Intersection of the Media, Public Fear, and Legislative Response*, ed., Frances P. Reddington and Gene Bonham, Jr., (Durham, North Carolina: Carolina Academic Press, 2012), 21-37, 33.

<sup>124</sup> Liana W. Rosen, “International Drug Control Policy: Background and U.S. Responses,” Congressional Research Service, March 16, 2015, Online Resource, Accessed September 26, 2016, <http://www.fas.org/sgp/crs/row/RL34543.pdf>.

2019.<sup>125</sup> However, the United Nations Office on Drugs and Crime's 2016 World Drug Report does not show any significant advancement to the goal of total, or close to complete, elimination of narcotics.<sup>126</sup> After a century of campaigns and prohibitions on the use and trafficking of narcotics, the fulfillment of a promise to completely eradicate the drug problem remains elusive.

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<sup>125</sup> Ibid.

<sup>126</sup> United Nations Office on Drugs and Crime, *World Drug Report 2016*, Online Edition, New York: United Nations, May 2016, Accessed on September 28, 2016, [http://www.unodc.org/doc/wdr2016/WORLD\\_DRUG\\_REPORT\\_2016\\_web.pdf](http://www.unodc.org/doc/wdr2016/WORLD_DRUG_REPORT_2016_web.pdf).

## CHAPTER 6

## CONCLUSION

Returning to where we began, in response to the criticism of the current and violent War on Drugs in the Philippines, President Duterte recently challenged President Obama, Secretary of State John Kerry, the European Union, and the United Nations Commission of Human Rights to investigate his campaign against narcotics. During a speech on Wednesday, October 12, *Reuters* reporter Martin Petty noted, Duterte “said it was necessary to cleanse the streets of drug pushers and rescue the next generation of Filipinos from the scourge of narcotics.”<sup>127</sup> The ongoing campaign against narcotics in the Philippines alone has killed thousands of individuals. Duterte’s policy of complete eradication of narcotics highlights the idealism of prohibition—even if his method of implementation does not.

Proponents of prohibition continuously argue that if simply enforced strongly enough, the use of whichever substance in question will cease. The continued support for prohibition defies historical examples that prove the exact opposite. The Chinese attempted to prohibit the use of opium in the nineteenth century and failed. The United States attempted the same in the Philippines and within the United States in the nineteenth and early twentieth centuries and failed. The United States then tried to prohibit alcohol within the United States and that Noble Experiment failed within thirteen years. The United States has since the 1970s attempted a global prohibition of all

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<sup>127</sup> Martin Petty, “I’ll Humiliate You’: Duterte Challenges West to Probe Philippines Drugs War,” *Reuters*, Online Edition, October 13, 2016, Accessed on October 13, 2016, <http://www.reuters.com/article/us-philippines-duterte-idUSKCN12D25N>.

narcotics and not surprisingly has failed. Differences in time, people, funding, resources, technology, organization, penalties, duration, education, and media awareness have not changed the outcome of prohibition systems.

Prohibition in the Philippines is currently resulting in high numbers of death, which almost certainly include innocent individuals. Likewise, the American War on Drugs, which is over four decades old, has cost taxpayers over one trillion dollars with over \$51 billion spent annually.<sup>128</sup> Money diverted to the War on Drugs policy is money not spent on education, infrastructure, health care, and any other important issue. The prohibition against narcotics has also made America one of the nations with the highest incarceration rates and disproportionately impacted American minorities.<sup>129</sup> Families and lives have been destroyed and are being destroyed by a failed policy. Additionally, the narcotics trade has produced transnational links between organized crime groups and terrorist organizations. The corruption and violence of the underground markets created in the shadow of prohibition have wrecked nations across the globe. The costs of the punitive prohibition system outweigh any perceived benefits of the policy.

Instead of continuously supporting a failed policy, policymakers should investigate alternatives. One of the most intriguing among the possibilities is the Portuguese policy. Portugal decriminalized the use of all drugs in 2001. The *Washington Post's* reporter Christopher Ingraham explains the underlying logic of the policy as

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<sup>128</sup> Drug Policy Alliance, "Making Economic Sense: Wasted Tax Dollars," Accessed on September 26, 2016, <http://www.drugpolicy.org/wasted-tax-dollars>.

<sup>129</sup> Alexander, *The New Jim Crow*, 58-94.

“Portugal decided to treat possession and use of small quantities of these drugs as a public health issue, not a criminal one.”<sup>130</sup> The switch from a criminal problem to a public health issue means the drug itself is still illegal, but the penalty is a small fine and referrals to treatment programs. According to the European Monitoring Centre for Drugs and Drug Addiction, Portugal has the second-lowest drug overdose deaths in the European Union.<sup>131</sup> While Portugal has three drug overdose deaths for every one million citizens, Netherlands has 10.2 per million, the UK has 44.6 per million, 126.8 per million in Estonia, and a European Union average of 17.3 per million.<sup>132</sup> Additionally, the European Monitoring Centre for Drugs and Drug Addiction’s report notes that Portugal has the lowest rate of synthetic drug use. Ingraham explains the logic of the low rate of synthetic drug use by asking, “why bother with fake weed or dangerous designer drugs when you can get the real stuff?”<sup>133</sup> Portugal’s sixteen years long experience of decriminalization offers policymakers an example of how to reform the War on Drugs.

Portugal’s policy is not entirely alien to American policymakers, as several states have recently changed their policies on marijuana. Alaska, Colorado, Oregon, Washington, and the District of Columbia allow for the legal use of recreational

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<sup>130</sup> Christopher Ingraham, “Why Hardly Anyone Dies From a Drug Overdose in Portugal,” *The Washington Post*, Online Edition, June 5, 2015, Accessed on September 15, 2016, <https://www.washingtonpost.com/news/wonk/wp/2015/06/05/why-hardly-anyone-dies-from-a-drug-overdose-in-portugal/>.

<sup>131</sup> *Ibid.*

<sup>132</sup> *Ibid.*

<sup>133</sup> *Ibid.*

marijuana. Arizona, California, Connecticut, Delaware, Hawaii, Illinois, Maine, Maryland, Massachusetts, Michigan, Minnesota, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, Pennsylvania, Rhode Island, and Vermont allow the legal use of medicinal marijuana. The presidential election on November 8, 2016 saw California, Massachusetts, and Nevada approve recreational initiatives for marijuana and Florida, North Dakota, and Arkansas approve medical marijuana programs.<sup>134</sup> Counting the District of Columbia, the current total is twenty-eight. It should also be noted that the change in marijuana laws reflects the wider use of marijuana amongst white and middle class Americans and therefore a growing mainstream acceptance of the drug.

Beginning with the acquisition of the Philippines in 1898, the United States conducted several campaigns against narcotics. H. Richard Friman, a political scientist, summarizes the century long war as how “the United States campaign against cocaine and heroin in the 1990s follows campaigns against cocaine in the 1980s, heroin and marijuana in the 1970s, marijuana in the 1960s, heroin and opium in the 1950s and 1940s, alcohol during the 1920s and early 1930s, and cocaine, opium, and manufactured narcotics from the early 1900s to the late 1930s.”<sup>135</sup> While some campaigns garnered more attention than others in policy and public responses, the idea of prohibiting narcotics has not gone away.

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<sup>134</sup> Christopher Ingraham, “Marijuana Wins Big on Election Night,” *The Washington Post*, Online Edition, November 8, 2016, Accessed on November 17, 2016, <https://www.washingtonpost.com/news/wonk/wp/2016/11/08/medical-marijuana-sails-to-victory-in-florida/>.

<sup>135</sup> H. Richard Friman, *NarcoDiplomacy: Exporting the U.S. War on Drugs*, (New York: Cornell University Press, 1996), ix.

Prohibition relies on a moral understanding of drug use and trafficking. It proclaims a complete eradication of the problem, despite the number of historical failures. When one comments on the era of National Prohibition in the 1920's, there is always an incredulous air to the idea. We know National Prohibition did not work. And yet, the idea of drug prohibition remains a viable policy option in the twenty-first century. It is the hope of this paper that by understanding the longer historical narrative of American drug prohibition in the twentieth century and its failures, readers will be able to advocate and participate in the current reform discussions.

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