

Název diplomové práce v anglickém jazyce, abstrakt v anglickém jazyce a klíčová slova

Title of the thesis: Prohibition versus Legalization of Drugs from the Perspective of Law and Economics

Abstract

Drug prohibition has lasted for over a hundred years. In the last decade, however, more and more states are moving from restrictive drug policy to milder forms of drug regulation, including their partial legalization. This master's thesis is one of the first Czech studies that comprehensively deals with the prohibition and legalization of drugs from the perspective of law and economics. The main aim of this thesis is to analyze selected economic and legal aspects of current drug prohibition and possible legalization of drugs. Several methods have been used to achieve this objective, with the greatest emphasis being placed on the demand-supply analysis of the drug market, which is present in the economic part of this thesis. This analysis makes it possible to understand how drug market is affected by state interventions, why these interventions often fail or identify benefits of drug legalization. This is followed by description of the most significant economic implications of drug use and their prohibition. Consequently, the next section deals with a brief overview of the history of economic thought regarding drugs and prohibition. The analysis of economic aspects is followed by a thorough analysis of the international and Czech legislation with regards to drugs. The emphasis is placed on the criminal law and a description of the drug policies in the Czech Republic. The analysis of legislation and drug policies is completed by the comparison of the main approaches to drugs in selected countries. The analysis shows presence of four prevailing drug policies: from extremely harsh repression, through partial decriminalization of selected drugs, to a progressive approach based on reducing drug-related harm and addiction treatment. The final part of the thesis deals with the basic challenges that appear with respect to prohibition and legalization of drugs based on previous economic and legal findings. Overall, this master's thesis presents a complex analysis of all the important economic and legal aspects of drug prohibition and legalization, in which also lies its greatest contribution. The most important conclusion that results from this analysis is that prohibition in its current form is not an entirely effective way how to get drugs under control. The main cause of the inefficiency of drug prohibition primarily lies in the characteristics of the drug market, which does not respond to state interventions as expected. The author of the thesis therefore deals with the idea of state drug regulation as a possible solution to the drug problem. At the same time, however, the author stresses the importance of prevention of drug use and addresses the possibilities of using findings of behavioral economics to reduce drug demand.

Keywords: prohibition, legalization, drugs