

The Government's Creation of a Monster: Marijuana Policy throughout American
History

You see a bathroom. A mother is holding up a pregnancy test with her daughter sitting behind her. The father rushes in to look at the test. It's positive. A voice from above says, "Smoking marijuana impairs your judgment. It's more harmful than we thought." This advertisement was shown during a commercial break at the Super Bowl in 2003, funded by the White House Office of National Drug Control Policy. The new ads originally were designed to focus on teen alcohol use in addition to marijuana use, but changed after lobbying from the alcohol industry. (Samano) Since the early 1930s, anti-marijuana advocates have been able to monstrify the drug, hiding the positive benefits while overemphasizing the negatives. How have these advocates been able to turn marijuana, which used to be omnipresent as a medical device, into a monstrous substance, one worthy of being regulated even more strictly than amphetamines and cocaine? This paper will discuss the history of marijuana enforcement with a special emphasis on social propaganda. In addition, it will show how the federal government unfairly produced, and continues to produce, propaganda and unfair rationalizations to try to make marijuana monstrous.

Marijuana as a plant has only very recently become illegal and demonized. In the 17th century, the Jamestown colony passed a law requiring all farmers to grow cannabis

hempseed, the basis of marijuana, for rope. The actual marijuana plant was used as a pain reliever all over the United States well into the early 1900s until aspirin began to take its place. Marijuana was used all over the world until the 1930s, when the new Federal Bureau of Narcotics began to demonize the drug.

The head of the Federal Bureau, Harry Anslinger, was a strict prohibitionist who began a push to outlaw all drugs. In an attempt to gain support for his crusade, Anslinger commissioned the creation of several highly sensationalized propaganda films, the most famous of which is *Reefer Madness*. [Click here to see a clip.](#) (*Reefer Madness*)

Reefer Madness is an excellent example of the unfair and exaggerated propagandistic techniques. The film begins with a party where some people are smoking marijuana and playing the piano. Suddenly, one woman begins to play the piano at the command of her male friend very fast and becomes almost demonic in appearance, frightening the audience with off key melodies. When someone enters the room, her friend proceeds to beat him with a stick until he dies. The film

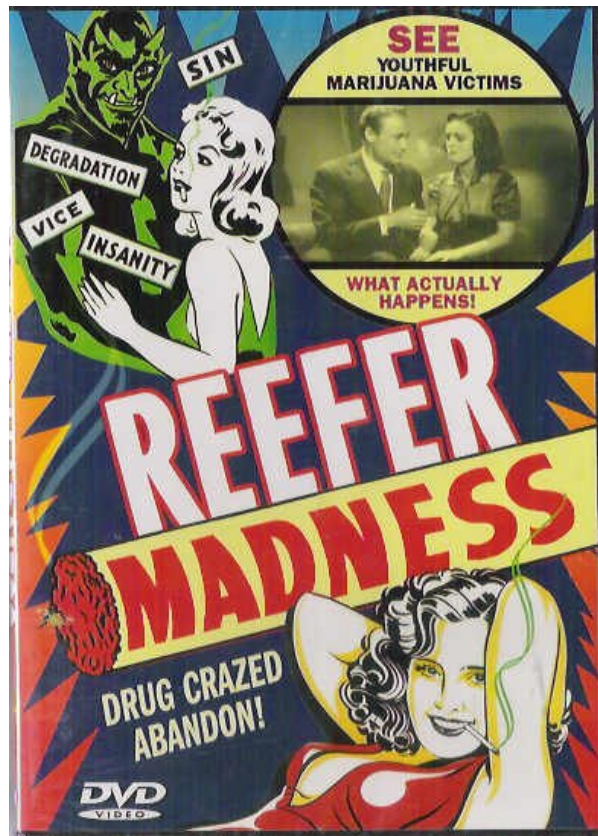


Figure 1: The *Reefer Madness* Film Cover

continues to show sin, lust, murders, and suicides that occur from the influence of marijuana, concluding with a man pointing directly at the camera and saying, “This could

happen to you.” The final segment of the film overlays the words “TELL YOUR CHILDREN” in all capital letters over the man pointing at the camera.

Reefer Madness demonstrates several very propagandistic strategies, common in much of the anti-marijuana material the government released, that unfairly play on the viewers’ emotions. The movie, which was created by a Mormon Church group but appropriated by the FBN, exaggerates events to try to cast marijuana as a cause for all sorts of sins, including murder. Even the movie poster (in figure 1) depicts marijuana as a cause of “sin, degradation, vice, insanity.” The movie used scare tactics, such as the TELL YOUR CHILDREN statement (in all caps) to frighten the audience. Overt exaggeration of the effects of marijuana worked in the FBN’s favor because the public did not have any real knowledge of the effects of the drug, and thus were prone to become very fearful.

In addition to movie propaganda, Anslinger was also able to manufacture several racist reasons to make marijuana illegal which he spread throughout the country using the media. In 1935, Hearst papers nationwide had the headline "Marihuana influences Negroes to look at white people in the eye, step on white men's shadows and look at a white woman twice." (Guither) Marijuana was very commonly smoked by “undesirable” Mexicans and Latinos---Anslinger even used the Spanish spelling of Marihuana for the tax act in 1937 because it was more closely associated with the Mexican community. Anslinger is also said, “musicians, not good ones, but the jazz type” (Legal Issues of Cannabis) were common users of marijuana, with the implication that African-Americans were common users.

With his racist and exaggerated propaganda in place, Anslinger and the FBN petitioned Congress to make marijuana illegal. In 1937, the Marihuana Tax Act was passed, strongly penalizing anybody who distributed marijuana and effectively making it illegal. After years of propaganda and lobbying, Anslinger did not have much trouble getting the act passed: the entire hearing took two hours, not at all a very long time by congressional standards. Anslinger's testimony was quick, but very effective. To the congressional committee, he said, "Marihuana is an addictive drug which produces in its users insanity, criminality, and death" (Whitebread History), theories which were completely without basis and patently untrue. After Anslinger, the synthetic hemp industry lobbied for the illegalization of marijuana. Marijuana was dangerous to the hemp industry because it was cheaper and more available than synthetic hemp. This industry was backed by a lot of money and was able to strongly influence Congress by saying, "all the hemp we need for rope, we can get from the Far East." An interesting side note is that five years later, in 1942, America needed more rope for the war and commissioned farmers throughout the Midwest to plant cannabis to make up for the inability of the synthetic hemp industry to keep up with war requirements.

With only the medical facts to be debated, the first doctor demonstrated how false the evidence was of the negative health effects of marijuana. A pharmacologist from Temple University who was specifically chosen to be anti-marijuana claimed that he had injected 300 dogs with the active ingredient of marijuana, and two of them had died. However, the active ingredient in marijuana wasn't synthesized until World War II, so he couldn't have done so. A congressman then asked him, "Doctor, did you choose dogs for the similarity of their reactions to that of humans?" the doctor responded, "I wouldn't

know, I am not a dog psychologist." This medical advice was very debatable, but because of the anti-marijuana agenda, Congress agreed with his claims.

The only other piece of testimony came from the Chief Counsel to the American Medical Association. His statement was, "The American Medical Association knows of no evidence that marihuana is a dangerous drug." However, Congress did not want to hear any positive information about marijuana, and one congressman demonstrated this when he said, "Doctor, if you can't say something good about what we are trying to do, why don't you go home?" In this way, without any real testimony or debate, marijuana became illegalized throughout the nation. There was no debate and no recorded vote in the Senate, and the previously medically beneficial drug became illegal (Whitebread Marijuana).

In 1945, almost decade after marijuana was made illegal, the LaGuardia report, a 6-year intensive clinical study was released to describe the effects of marihuana in natural settings. The report said that, although marijuana could release antisocial tendencies, it was not addicting, did not tend to excess, did not impair functioning, and did not lead to violence or harder drugs. Additionally, the report talked about the possible positive benefits of helping with depression and with opiate withdrawal. Anslinger's response was to say that any release of any report supporting marijuana would encourage use, encourage antisocial behavior, and hamper law enforcement. (Himmelstein 80).

So we now know how marijuana became illegal, and many theories about marijuana have been put forward since then to rationalize keeping marijuana illegal. These theories include the gateway theory, also known as the stepping stone hypothesis. The stepping stone hypothesis was first released by the FBN in 1949 in a report that

stated, “There has...been an increasing number of these young narcotic offenders who admit starting the use of narcotics with marihuana, then after a short while changing to the more powerful narcotics such as heroin, morphine, and cocaine.” This theory, seemingly grounded in common sense, became very popular and was used to argue against the LaGuardia report. Certainly, the stepping stone hypothesis was grounded in a bit of fact—it is true that, after World War 2, the average age of heroin and marijuana users began to converge. Victor H. Vogel, the director of Federal Narcotics Hospital in Kentucky, said that, “without exception all teen-age drug addicts there first smoked marijuana before starting on heroin,” (DARE) in a report to a senate subcommittee, in defense of the theory, and this helped keep the Senate intent on keeping marijuana illegal (Senate). However, many reports have defended against the gateway theory. One study said that,

“The people who are predisposed to use drugs and have the opportunity to use drugs are more likely than others to use both marijuana and harder drugs. Marijuana typically comes first because it is more available. Once we incorporated these facts into our mathematical model of adolescent drug use, we could explain all of the drug use associations that have been cited as evidence of marijuana's gateway effect.” (Rand).

The stepping stone hypothesis was developed in response to an increased amount of debate about the actual negative effects of marijuana, beginning with the LaGuardia report and continuing on throughout many major media and medical outlets. The FBN used the stepping stone hypothesis to justify its continued jurisdiction over marijuana and to continue to keep it illegal. In fact, after the hypothesis became widely accepted, the fact that marijuana didn't harm the user became an argument *against* its use. Because marijuana was no longer considered very dangerous to the person using the drug, people

were not too worried about starting to take it. But, because it seemed to lead to heroin use, the fact that the drug was not dangerous only made it *more* dangerous.

Although the government's restriction of marijuana was still strong, over the next decade, the changing view of the dangers of marijuana slowly changed the culture of the drug, leading to less strict penalties. In addition, the average user of marijuana changed—instead of being a poor minority, the average user in the mid-1960s was a “middle class youth.” (Himmelstein 98). Because of this shift, the policymakers themselves had a direct interest in reforming drug laws, and this led to a change in the drug policies. Media began to show marijuana in a better light—Time Magazine, in 1965, found marijuana as “something to be concerned about...but not to panic over” (The Pot Problem). Penalties began to decrease sharply. Instead of a minimum 2 years jail time without parole for simple possession, federal and state laws slowly changed to remove jail time and even allow first time offenders to expunge marijuana convictions off their record.

However, in 1970, things changed. Nixon was president, and he helped pass through the Controlled Substances act, which created the five schedules, or classifications, for drug use. The highest classification was known as Schedule I, which means that the drug has a high potential for abuse and has no accepted medical use. Schedule II drugs are drugs that have some acceptable medical uses, and are allowed to be prescribed by doctors. What's on the Schedule II list? Cocaine and amphetamines. The Schedule I list? Marijuana.

Since Nixon's creation of the “War on Drugs,” drug penalties have increased and public fear of marijuana has gotten much stronger. With the creation of the DEA, the War on Drugs included funding for anti-drug campaigns throughout America. As mandatory

minimums came into existence under Reagan, zero tolerance policies became more and more common. Funding for the War on Drugs greatly increased, leading to a huge advertising campaign. That campaign still exists today. The government uses these ads to propagandize against marijuana, but many of these ads use unfair techniques, including exaggeration and fallacies, to try to limit drug use. For example, examine the “Not Again” ad, linked to on this page.

<http://abovetheinfluence.com/the-ads/default.aspx?home=launchagain>

This ad, which features a woman who chooses to fall in love with an alien over her marijuana-smoking boyfriend, implies that women won't like you if you smoke marijuana. It unfairly tries to associate marijuana with the idea of repulsion. This is an exaggerated instance—of course, not all women will immediately dump any guy who smokes marijuana, and they certainly won't choose to fall in love with a foreign alien.

The second film is a live action clip, entitled “Tic Tic.”

<http://abovetheinfluence.com/the-ads/default.aspx?home=launchagain> (tic tic)

This ad shows a boy who has succumbed to peer pressure: first, he smokes marijuana, and second, he accepts a dare to try to run away from a guard dog. This ad uses the slippery slope fallacy by implying that if you are pushed into smoking, you will certainly be pushed into doing much dumber things. Of course, not everyone who tries marijuana will do *anything* their friends tell them to do---people still do retain common sense. This ad only shows the worst-case scenario of a teenager who has no ability to refuse anything his friends say.

In both of these ads, marijuana is associated with something that is not really relevant. In making these associations, Above the Influence, which is funded by the

government, creates fictional events that are not related to marijuana in an attempt to use the association effect and logical fallacies to get teenagers to brand the drug as bad.

The funny thing is that, when reading the government's rationalizations for keeping marijuana illegal, a lot of very odd contradictions arise. The Office of National Drug Policy recently released a major report called "Marijuana Myths and Facts – the Truth Behind Popular Misconceptions." Almost all of these myths try to show how marijuana is harmful—in all cases, almost as harmful as tobacco and alcohol. The articles say that marijuana is almost as harmful to lungs as tobacco and almost as bad for driving ability as alcohol. However, they don't mention the fact that alcohol and tobacco *are legal*. They don't account for how the government can reasonably keep marijuana illegal while keeping tobacco and alcohol, which, by the report's own admission, are more dangerous, completely legal.

The government's control over drugs has expanded to every facet of American life, especially since the beginning of the War on Drugs. This never-ending war gives the government greater access into the privacy of each citizen, costs billions of dollars of taxpayer's money, and has very little positive effect on curbing hard drug use. The government uses unfair propaganda tactics, including fallacious techniques within their advertisements, to spread their anti-drug message. Additionally, the government uses subversive ad placements, such as during the commercial break of the Super Bowl. The worst thing is that the propaganda techniques *don't work*. A recent study by the Association for Psychological Science showed that when young adults were shown anti-tobacco ads, they were likely to feel more negatively toward tobacco. However, when shown anti-marijuana ads, they were more likely to feel *positive* towards marijuana. The

millions of dollars that go into these ads are being wasted on a cause which doesn't need to be fought.

Works Cited

- "DARE Smokes a Reefer." Schaffer Library of Drug Policy. 1953. 12 Mar. 2007
<http://www.druglibrary.org/mags/dare_smokes_a_reefer.htm>.
- Guither, Peter. "Why is Marijuana Illegal." Salon. 12 Mar. 2007
<http://blogs.salon.com/0002762/stories/2003/12/22/whyIsMarijuanaIllegal.html>
- Himmelstein, Jerome. *The Strange Career of Marihuana*. Westport: Greenwood Press, 1983.
- "Legal Issues of Cannabis." Wikipedia. 12 Mar. 2007
<http://en.wikipedia.org/wiki/Legal_issues_of_cannabis>.
- "Marijuana Myths & Facts." Publications. Office of National Drug Control Policy. 12 Mar. 2007
<http://www.whitehousedrugpolicy.gov/publications/marijuana_myths_facts/index.html>.
- "RAND STUDY CASTS DOUBT ON CLAIMS THAT MARIJUANA." Rand. 2 Dec. 2002. Rand Corporation. 12 Mar. 2007
<<http://www.rand.org/news/press.02/gateway.html>>.
- "Reefer Madness." YouTube. 12 Mar. 2007
<http://www.youtube.com/watch?v=bM_vLk1I6G4>.
- Samano, Simon. "Anti-Marijuana Ads Propaganda, Overstatedangers." The Daily Aztec. 12 Jan. 2004. San Diego State University. 12 Mar. 2007
<<http://media.www.thedailyaztec.com/media/storage/paper741/news/2004/01/12/Opinion/AntiMarijuana.Ads.Propaganda.Overstatedangers-757669.shtml>>.

"The Ads." Above the Influence. 12 Mar. 2007 <<http://abovetheinfluence.com/the-ads/default.aspx?home=launchagain>>.

"The Pot Problem." Time 12 Mar. 1965. 12 Mar. 2007
<<http://www.time.com/time/magazine/article/0,9171,839380-3,00.html>>.

U.S. Senate, Committee on Government Operations. *Organized Crime and Illicit Traffic in Narcotics*. 88th Cong., 1963-1964

Whitebread, Charles. "History of the Non-Medical Use of Drugs in the United States." Schaffer Library of Drug Policy. 1995. USC Law School. 12 Mar. 2007
<<http://www.druglibrary.org/schaffer/History/whiteb1.htm>>.

Whitebread, Charles. "The Marihuana Tax Act of 1937." Schaffer Library of Drug Policy. 1995. 12 Mar. 2007
<<http://www.druglibrary.org/olsen/dpf/whitebread06.html>>.