

Bongs for kids, profits for companies? Scholar Emily Dufton on the past and future of marijuana activism

The 2016 election seemed like a tipping point for marijuana legalization. Almost 60 percent of Americans support legalizing the drug, and voters in California – the state with the largest economy – decided to approve recreational weed, effectively tripling the scope of the national industry overnight.

But a permanent path toward legalization is unsure, says scholar Emily Dufton. Her book *Grass Roots: The Rise and Fall and Rise of Marijuana in America* (out now from Basic Books) chronicles marijuana activism in the US and shows that marijuana's place in politics is unlike that of any other drug. Pot is a stand-in for the political issues of the times, the only drug with a legal status that has slipped back and forth over the decades. It has spurred waves of activism on both sides of the legalization debate, going from a much-feared gateway drug to the subject of toys – bongs shaped like spaceships, frisbees with pipes – aimed at children to a lucrative source of money for big companies.

The Verge spoke with Dufton about the history of marijuana, why a group of Democratic parents started a wave of anti-legalization activism, and how the current fight is influenced by the opioid crisis.

This interview has been lightly edited and condensed for clarity.

One of the key ideas of your book is that nothing has inspired activism the way pot has – not cocaine, not heroin. Why is

that?

Pot is crazy. As soon as you say the word “marijuana,” people’s heads turn. It’s a fascinating substance because it’s been tied to so many other trends: the anti-war movement, the civil rights movement, counterculture, gay rights, the social justice movement.

People have layered upon this substance myriad meanings, and it has to carry the message for whichever side is arguing. If people are arguing for legalization, marijuana means freedom from government and freedom for millions of Americans who have been incarcerated. For people who are really opposed, it the potential threat of generations of children being disturbed. It means “Big Marijuana” could form in the wake of legalization, and it’s terrifying because you don’t know if the driver behind you on the highway is high. Beyond LSD, beyond cocaine, beyond even the opioid epidemic of our current conversation, it’s the one that people kind of universally see as a panacea or the apocalypse.



There is a push now to do more research into hallucinogenics for therapeutic use, but that seems to pale in comparison to what you see for marijuana.

Exactly. You don’t see people arguing that if we legalize psilocybin the huge issue of mass incarceration will be resolved.

Can you give me a quick history of marijuana? How did we get here?

In the early 20th century, Mexican migrants who were escaping the dictatorship of Porfirio Diaz came over and brought marijuana with them. Of course, marijuana grows in the wild,

but the habit of smoking the plant was first introduced in the Southwest [United States].

From a very early moment, this use of recreational marijuana became inherently racialized and stigmatized, so the government showed mostly Mexican immigrants and African-Americans smoking it. And they were painted as these dangerous threats because they were intoxicated and “who knows what they’ll do?”

Does it just *appear* racialized, or was its use actually racialized?

It just appeared to be racialized. White Americans were smoking it as well, for the most part, and it was lower-class whites. It was really a class-based and race-based denunciation of the drug, like what [Attorney General] Jeff Sessions said about how “good people don’t smoke marijuana.” If you’re poor, if you’re a person of color, you do, but the implication is that “good people” don’t.

By the 1950s, marijuana is mostly in urban centers and the cultural avant-garde, and it’s very popular with artists and writers. By the early ’60s it’s slowly spreading from urban centers to college centers. Obviously, that leads to a large uptick in police prosecution and people recognize that its use is connected to counterculture.

And then comes the first decriminalization movement, right? What happened there?

Between 1973 and 1978, about a dozen states decriminalized personal possession in the wake of the suggestion of the National Commission on Marijuana and Drug Abuse, which was organized by Nixon. This wave of decriminalization was the product of a wave of young people running for office, and of Watergate and the Pentagon papers that caused people to doubt the government’s line of “well, pot is really dangerous and it leads immediately to heroin addiction.”

So then, by 1977, the marijuana paraphernalia industry was making \$250 million, which today is a billion dollars. The products they were selling had no oversight and lot of them seemed explicitly targeted to children, like bongs shaped like spaceships and frisbees with pipes and "you're the dealer" board games. Rates of adolescent drug use really did skyrocket, and parents noticed what was going on.

Your original research was on this so-called "parent movement" against marijuana legalization, which took off around this time. How did it start?

The parent movement forms in Atlanta among a group of incredibly liberal proud Democrats, which is I think is the most fascinating part. These are people who didn't feel tied to the Nixon brand of Republicanism. They feel proud of having supported the civil rights movement.

The origin story is that one mother, Marsha Schuchard, throws a party for her daughter's 13th birthday and finds out afterward that her daughter is smoking pot. All the information she can find suggests that marijuana is incredibly dangerous: it makes people infertile, can make men grow breasts, and kids will never recover. So she does something from second-wave feminism. She forms consciousness-raising groups, bringing in the parents from the neighborhood and educating everyone about the dangers of drugs and ultimately gets swept up into the Regan revolution of the 1980s.

What's spurring the current activism around decriminalization that we see now?

Two things. First, its 20-year history recognized as a legitimate medical substance, which leads to it being seen as a drug that is a balm to the weary and suffering. But the largest influence for the recent wave of legalization is tied to the social justice movement and mass incarceration. In 2010, Michelle Alexander published *The New Jim Crow* and really

brought awareness to this problem. She doesn't really mention legalization, but she recognizes that non-violent drug crimes are a huge part of the reason American incarcerates its citizens.

I think people saw what Alexander was saying and said, "Wait, 95 percent of implementation of drug laws occurs at the state level, so if you change state laws you're going to dramatically reduce for drug crimes." I see that as so inherently tied to these larger conversations and debates and negotiations about social justice.



Photo by Travis S. Pratt

As a science journalist, I'm interested in the struggles around the research into marijuana and how difficult it is to do any research. How that has affected legalization?

It's very difficult to get unbiased, straight information about the medical benefits and effects of marijuana. Marijuana

remains a Schedule I drug, meaning it has a high degree of abuse and no legitimately recognized benefit.

I have noticed that universities in states that have recently legalized medical marijuana are in a race to patent. Pennsylvania just passed medical, and all the state universities are falling over themselves to figure out strains that they can patent and basically own to treat various symptoms, and now it's turning into a money race as well.

Given the way that marijuana legalization has slipped back and forth, is the current success of legalization tenuous?

I worry about the cyclical nature of history, and I believe that in certain forms history does repeat itself over and over again. Proclamations of legalization permanence are premature, particularly with Trump in office.

So far, all states that have passed legalization have done that through ballot and roughly half the states allow for those, but half of the states don't. So if you want to pass legalization in a place like New Jersey or New York, you have to go through the state legislature, which is inherently more conservative than states that allow ballot initiatives. You also have no interest from Washington to reschedule the drug, and a ballot initiative can be overturned by another.

This isn't like banning alcohol. Alcohol during Prohibition both started and ended with Constitutional amendments. It is law! Legalization is always being done at these varying levels, and these do not have the same sense of permanence that a Constitutional amendment does.

Who are some of the people pushing against legalization, and what are their reasons?

Money is quintessential to this battle. Major pharmaceutical companies, particularly those that manufacture opioids, are pushing big amounts of money into fighting against the extent

of legalization. They want to protect their bottom line, and there is a certain number of studies that suggest that people who use medical marijuana don't need opioids.

Other people are worried about Big Marijuana and how predatory it could be. If marijuana becomes too widely used by kids, if you have marijuana industry that becomes predatory and overcomes regulations and oversight, that could overturn legalization and if you have another grassroots anti-legalization movement, which actually has formed and is slowly growing, that could overturn legalization.

How is the current opioid crisis affecting marijuana activism?

I have a theory that marijuana's relationship toward other drugs is what pushes it toward legalization or criminalization. When decriminalization laws were passed in the '70s, America was going through another heroin epidemic, and marijuana in response seemed fairly benevolent. Heroin then died off and marijuana was one of the most notable drugs and that's what allowed so many parents to become concerned. Then crack cocaine knocked marijuana from the headlines, creating a new demon drug and marijuana goes back to seeming pretty harmless, even benevolent, because you see people using it to help with AIDS.

If the opioid crisis weren't going on, I think the opposition against legalization might be even more vocal, but because we have another drug that is far more dangerous and far more deadly, really taking headlines across the country, marijuana once again seems harmless. You know, "It's just pot."