

PERSPECTIVE

Racism and Its Effect on Cannabis Research

Robert Solomon*

Scientific research depends on legitimacy. We challenge legitimacy by questioning methods, researchers, funders, bias, and myriad other means. Popular culture has created a cottage industry on the dangers of the brilliant but arrogant mad scientist and the incompetent amateur, who stagger into unknown and dangerous waters. The stories rarely end well, and they are played as cautionary morality plays. From *Frankenstein*^{*,1} to *Stranger Things*,^{†,2} the consistent message is that humans should not try to become gods.

Cannabis falls into a different category. In 1850, cannabis, a plant with a history of medical usage for thousands of years, was listed for the first time in the United States Pharmacopeia, third Ed., as “Extractum Cannabis or Extract of Hemp.”³ The listing continued until 1942, 5 years after the passage of the Marihuana Tax Act (MTA) of 1937.⁴ The 1937 Act began a period of federal prohibition, a policy that continues today under the Controlled Substance Act (CSA),⁵ which classifies cannabis as a Schedule I drug with a high potential for abuse and no accepted medical use, like heroin, and more dangerous than cocaine or methamphetamine.

Neither the 1937 MTA nor its successor, the 1970 CSA, was founded on a fact-based inquiry, serious policy considerations, or even morality. Historians continue to debate whether the anticannabis campaign leading to the passage of the MTA was for the economic benefit of William Randolph Hearst, the Dupont

Corporation, and Andrew Mellon, one of Dupont’s investors.^{6,7,‡,§} Even putting economic interests aside, Hearst and Mellon were at the center of a vicious anti-cannabis campaign based on racism, sensationalism, and social control of racial minorities. Racism and sensationalism are strong allegations, but consider the roles of Hearst, Mellon, and Harry Anslinger.

William Randolph Hearst controlled a journalism empire unheard of at the time⁸ and dwarfing any modern media conglomerate.^{**} In 1923, a Hearst paper reported that “Marihuana is a short cut to the insane asylum. Smoke marihuana cigarettes for a month and what was once your brain will be nothing but a storehouse for horrid specters.”⁹ In 1928, a Hearst paper reported that “marijuana was known in India as the ‘murder drug,’ it was common for a man to ‘catch up a knife and run through the streets, hacking and killing every one he [encountered].”¹⁰ In one of the most bizarre claims, the article claimed one could grow enough cannabis in a window box to “drive the whole population of the United States stark, raving mad.”¹⁰

Hearst newspapers published a steady stream of anti-cannabis stories, but they were not alone. As early as 1913, *The Salt Lake Tribune*, under the headline, *Evil Mexican Plants that Drive You Insane*, reported that “marijuana make(s) the smoker wilder than a wild

**Frankenstein, or The Modern Prometheus* is a gothic novel written by Mary Shelley (1818) in which Victor Frankenstein creates a creature from dead body parts.

†*Stranger Things* (2016) is a popular television series written by the Duffer Brothers and released by Netflix, in which government experiments open a portal to an alternative dimension, which allows human-eating monsters into a small town. Three seasons have been released, and each deals with a new threat and attempts to close the portal.

‡See Reichard⁶ in support of the claim that the anti-cannabis campaign was based on economic interests.

§For a contrary view, see Wishnia.⁷ Both versions emphasize the racist nature of the anti-cannabis campaign. The only dispute between the two versions is on the question of motive.

**As described in *The Nation*, “By the twenties and early thirties Hearst had expanded his media empire to include twenty-six daily newspapers in eighteen cities. All told, almost one in four US families read a Hearst paper every day. Still searching to expand his political sway, he moved into magazines—including *Cosmopolitan*, *Good Housekeeping*, *Town & Country* and *Harper’s Bazaar*—then to radio stations, then newsreels.”

beast”¹¹ and provided anecdotal evidence of average people who became murderers after smoking cannabis.

In 1930, Harry Anslinger, became the first director of the Federal Bureau of Narcotics.¹² Anslinger was appointed to the position by Secretary of the Treasury Andrew Mellon, his wife’s uncle.¹³ Anslinger, an avid supporter of prohibition, had minimized the dangers of cannabis before his appointment. Once appointed, he began a campaign based on race and violence. Anslinger did not hide his prejudice, with comments like, “There are 100,000 total marijuana smokers in the US, and most are Negroes, Hispanics, Filipinos, and entertainers. Their Satanic music, jazz and swing, results from marijuana use. This marijuana causes white women to seek sexual relations with Negroes, entertainers, and others.”¹⁴ Anslinger helped popularize the use of “marijuana” instead of the more common “cannabis,” to tie the drug to anti-Mexican prejudice.^{15,16} Anslinger’s themes were replicated in the movie *Reefer Madness*¹⁷: cannabis turns men to violence and women to sexual promiscuity.^{††}

Later, the Nixon administration was more subtle, but no less cynical, in enacting the CSA. Many people think of modern cannabis policy as starting with the CSA, but the Act was in basic principle a continuation of the MTA of 1937,⁴ which had the intent of prohibiting cannabis on a federal level. When the MTA was held to be unconstitutional in 1969,¹⁸ the Nixon administration formed a commission under the chairmanship of Raymond Shafer, a former Republican Governor of Pennsylvania.¹⁹ Nixon saw the commission as a means to establish the dangers of cannabis. To Nixon, the Shafer Commission was the opposite of legitimate scientific inquiry. It was a hit job and, as we learned later through the Nixon tapes,^{20,21} the hit was directed at African Americans and the antiwar movement, two groups Nixon despised.

John Erlichman, a senior advisor to Nixon, was later quoted as saying “We knew we couldn’t make it illegal to be either against the war or black, but by getting the public to associate the hippies with marijuana and blacks with heroin, and then criminalizing both heavily, we could disrupt those communities. We could arrest their leaders, raid their homes, break up their meetings, and vilify them night after night on the even-

ing news. Did we know we were lying about the drugs? Of course we did.”²¹ Ray Shafer did not get with the program. The commission concluded that cannabis was not as dangerous as perceived, and recommended decriminalization.^{19,22} The Administration and Congress ignored the recommendation and moved forward with the CSA.

The subsequent War on Drugs may have put hippies and the antiwar movement in a bad light, but, as shown by Michelle Alexander in *The New Jim Crow*,²³ it was African American young men who paid the price by way of massive arrests. The conservative Cato Foundation and liberal Center for American Progress both agree that Nixon’s War on Drugs, which was enforced by subsequent administrations, was an expensive failure, resulting in a period of ~50 years of a federal policy based on a false premise and a conscious avoidance of evidence-based research.^{24,25}

The consequences of federal policy include the Schedule I listing,^{26–28} a requirement to use limited and inadequate federally approved cannabis from the University of Mississippi for research,^{‡‡,§§,***} a federal bureaucracy tied to antiquated policies, and limited funding. As states liberalize cannabis use, state actors continue to act in fear of federal reprisals. State universities, including some of the greatest research facilities in the world, want to foster research, but are justifiably risk averse to any activity that may place federal funding in jeopardy.^{†††}

We are not very good at admitting past mistakes, especially on issues of race, and that has consequences. When federal drug policy is to “Just Say No,”^{‡‡‡,§§§}

‡‡The federal Drug Enforcement Administration (DEA) regulates the cultivation of cannabis for research purposes under the CSA through licensing requirements. Since the inception of the CSA, DEA has only issued a single license for the cultivation of cannabis for research, to the University of Mississippi, which is funded through a NIDA contract.

§§There have been many complaints about the quality of the University of Mississippi cannabis.²⁷

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†††As one example, the University of California Office of the President (UCOP) has held information sessions and regular conference calls to seek input and establish policies. Decisions on accepting funding from the cannabis industry, as well as other research determinations, are being made at the local level, with UCOP input. As a participant in several of these discussions, the author is aware of the tensions around any decision that might be grounds for a claim of a violation of federal law.

‡‡‡On September 14, 1986, in a nationally televised address, Nancy Reagan announced the “Just Say No” campaign, which emphasized abstinence and little else. The announcement can be seen on YouTube.²⁹

§§§The policy has been considered by most analysts as a failure. As one of many examples, see Grayholm.³⁰

††*Reefer Madness* Grand National Studios, Los Angeles, CA, also attributed to MCM/Fathom, originally titled *Teach your Children*, is a 1936 anti-cannabis film, in which innocent teenager become addicted to “reefers” distributed by unscrupulous drug dealers. Their use of cannabis leads to listening to attending jazz parties, resulting in violence and promiscuity.

there is little room for discussion. When the Attorney General of the United States comments that good people do not smoke cannabis,^{31,32} which he views as a gateway to the opium crisis and heroin use,^{****,††††} he quashes a rational discussion and signals that any research will be based on curtailing cannabis, not exploring its medical and social potential. Nancy Reagan and William Sessions are gone, but the policy lives on.

Cannabis laws are evolving quickly and rescheduling may occur in the near future. Until then, research will be inhibited, with a virtual lock on some of the most promising research. To move forward, we need to understand our own history, and the false premise on which we have based this misguided policy. We need to treat the cannabis policy started in 1937 the same way we treat segregated schools,^{††††33,34} miscegenation,^{§§§§} and other race-based policy. Our inquiry needs to start with an acknowledgment of the history of racial discrimination in our drug policy and move toward serious evidence-based research. If we fail to do so, we will remain the willing victims of our own racist history.

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****William Sessions' views on cannabis and drug use were widely reported when he was nominated by Donald Trump to be the Attorney General of the United States.³¹

††††At a Senate Hearing in April 2016, he endorsed the Just Say No campaign and spoke on the dangers of cannabis.³²

§§§§See, *Brown v. Board of Education*, 347 U.S. 483 (1954), holding that racial segregation in education violated the Equal Protection Clause of the 14th Amendment to the United States Constitution.

§§§§See, *Loving v. Virginia*, 388 U.S. 1 (1967), holding that state laws banning interracial marriage violated the equal Protection and due Process Clauses of the 14th Amendment to the United States Constitution.

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Abbreviations Used

CSA = Controlled Substance Act
 DEA = Drug Enforcement Administration
 MTA = Marihuana Tax Act
 UCOP = University of California Office of the President