


Substantial Disruption



Reefer Madman

By Mike Tully

One of the most popular films of 1933 was a slapstick, vaudeville-inspired romp called "[International House](#)," starring W. C. Fields and featuring, among others, George Burns, Gracie Allen, and Bela Lugosi. Filmed in the days before the [Motion Picture Production Code](#) took much of the fun out of America cinema, it concluded with a rousing musical number by [Cab Calloway](#) and his orchestra entitled "[Reefer Man](#)." "Man what's the matter with that cat there?" asked Calloway in the intro. The answer: "Must be full of reefer." The song clearly and unabashedly was about marijuana and was not the only reference to the herb in movies of the time. Even the beloved Harpo Marx apparently [smoked a joint](#) in the film [Animal Crackers](#). Cannabis was not widely used and generally confined to entertainers, black musicians, and Hispanic immigrants. Its association with the latter two categories led to its national prohibition.

While a handful of state and local jurisdictions attempted to regulate marijuana, there was no national effort until [Harry Anslinger](#) found his calling as America's anti-pot crusader. Anslinger, the first Commissioner of the Federal Bureau of Narcotics, initially disputed that marijuana should be banned. His view changed when the Department of Prohibition became obsolete after Prohibition ended and he did what any potentially obsolete Prohibitionist would do under the circumstances: he invented a new prohibition and turned his gaze on grass.

Anslinger needed political support for his new prohibition and called on a Golden Oldie: American racism. "There are 100,000 total marijuana smokers in the U.S.," [he said](#), "and most are Negroes, Hispanics, Filipinos and entertainers." He also stated, "Their Satanic music, jazz and swing result from marijuana use." Then, the *coup de grace*: "This marijuana causes white women to seek sexual relations with Negroes, entertainers and any others." (They had names like "[Shifty](#)" and "[D-Money](#)," he didn't add!) The campaign worked and Congress passed the [Marijuana Tax Act of 1937](#), the beginning of a national marijuana prohibition. The prohibition remained in effect as long as Anslinger lived and only recently began to break down as 29 states legalized cannabis for [medical reasons](#) and eight legalized, or will legalize it, for [recreational use](#).

Which brings us to Senator Jefferson "don't Beaugard that joint" Sessions III.

I have always regarded Senator Sessions as an imperious imp with the throw-weight of a cotton ball, but that appraisal must be modified, now that President-Elect Donald Trump has nominated him to be the next Attorney General of the United States. While confirmation is likely, it is far from a slam dunk, given facets of the Senator's history that trouble both sides of the political divide. Progressives and some conservatives are concerned about his [history](#) of racist words and actions. After he was nominated to the federal judiciary by President Ronald Reagan, a

Republican-dominated Judiciary Committee [rejected](#) his nomination because of his racist history. He has [referred](#) to civil rights groups as “un-American” organizations trying to “force civil rights down the throats of people who were trying to put problems behind them.” The National Review has designated him “[amnesty’s worst enemy](#)” for his anti-immigration efforts. Conservative columnist George Will [blasted him](#) for his unqualified support of civil forfeiture practices. The Senator is living evidence that nausea can be bipartisan.

But I suspect Senator Sessions’ downfall, whether during confirmation hearings or later, will be an attempted reincarnation of Harry Anslinger. The Senator is a throw-back, merging racism with reefer madness. In April, 2016, he [stated](#), “good people don’t smoke marijuana.” He opposes state marijuana reforms, stating, “(W)e need grownups in charge in Washington to say marijuana is not the kind of thing that ought to be legalized, it ought not to be minimized, that it’s in fact a very real danger.” He curiously [commented](#) that he was okay with the Ku Klux Klan until he found out its members smoked pot. It is not unlikely that the Senator, if confirmed as Attorney General, will [prosecute](#) users and dispensaries in states where use is legal.

Should he try, Mr. Sessions will smack into a brick wall labeled “2017.” He is only in a position to become Attorney General because of a wave of libertarianism and stubbornness in the electorate. It is not wise to get between Americans and their pleasures and his prospective new boss, with his casinos, resorts, and beauty pageants, understands pleasure. Marijuana has become mainstream and is no longer associated with racial minorities, musicians and beatniks. Mr. Sessions must leave Mr. Anslinger in the ground and not rekindle the pot wars of years past. Otherwise, he could be crushed like a roach -- politically speaking.