



DALE GIERINGER

The legalization of marijuana *should* be a rallying call for conservatives in this country. Sean Hannity should be uniting his army of Angry, Angry Hippos against government infringement on personal choice. Bill O'Reilly's nightly "Talking Point Memos" should feature bulleted screeds against federal laws which largely go ignored, yet fill prisons with non-violent offenders.

WORDS BY EVAN DASHEVSKY

Newt Gingrich should be decrying the billions of taxpayer dollars spent on enforcing a prohibition bureaucracy that denies revenue that could be collected from an otherwise flourishing market. There should be tea parties with monosyllabic protest signs made out of hemp, bumper stickers on pickup trucks with pot leaves superimposed on Confederate flags, country songs, ALL-CAPS message board posts, and school board meeting decrees.

But, of course, this is not the case.

Despite the mountain of reasons why marijuana legalization would benefit the country, it's become just another unfortunate hot potato on the already starchy culture war menu. But just when you reside yourself to comfortable cynicism, you are given hope from those loony whackballs out west. California State Assemblyman Tom Ammiano recently proposed a bill which aims not only for decriminalization, but actually calls for a balls-out, legal, taxed and regulated marijuana trade in the Golden State. BRM spoke with Dale Gieringer, the state coordinator of California NORML (the state chapter of the National Organization for the Reform of Marijuana Laws — www.canorml.org) who helped write the Ammiano bill about how to challenge these 20th century relic laws into 21st century thinking.

What is the status of Tom Ammiano's bill to legalize marijuana in California?
The hearing on it has got delayed until winter to give us more time to lobby the legislature.

Governor Schwarzenegger announced that the state was putting together a study regarding the effects of marijuana legalization. Did that have anything to do with your bill in particular?

That's his response. The bill has created enormous nationwide public interest in the issue of legalization. And some polls came out which all of a sudden show that, lo and behold, for the first time, a majority supports legalization in California. In fact, today we saw the first nationwide poll which shows legalization support.

What do you think the chances are of the bill getting through?

It depends on who gets elected governor and how fast federal policy evolves here. The biggest obstacle at the moment is that the federal government might obstruct state

law, and that would create a chaotic situation. There's chaos in the fact that the federal government has still refused to recognize our medical marijuana laws. So, there's been a lot of legal disputes about that. I think it will depend on how fast the federal government is willing to start letting states take more say on that.

For those not in California, can you give a brief description of how the medical marijuana system works?

Well, we have around 100 stores in California where anyone who has a doctor's recommendation and documentation thereof can buy medical cannabis on the spot. The stores get their supplies from a network of patients who grow.

What do you think of the argument that a legal marijuana system would help alleviate the drug wars in Mexico?

Yeah, there's that argument. The drug czar said 60% of the Mexican drug gangs' income comes from marijuana. So that would obviously weaken them. It would also weaken the DEA, because about 60% of drug arrests come from marijuana, so you'd need that much fewer drug agents.

The Obama administration recently said that they would not go after medical marijuana as the previous administration had. Have they kept to their word?

Not yet. They have the same people running the DEA. There have been no changes in the DEA regulations. They have the same US attorneys out here. We've got the same person running the DEA in Washington, D.C. The orders haven't really been written up and transmitted. So, there's still some DEA meddling going on here.

What is NORML's take on decriminalization vs. legalization?

We support the right for adults to have legal

access to the use of marijuana. Now, some people think this can be done without a full-scale, legally regulated tax system. I don't happen to think that. I wouldn't say that's outside the organization's mandate.

I've heard several different histories of the reason marijuana became illegal. What is your take?

Well, it's a long story. Marijuana was first prohibited in California in 1913. Before that, there wasn't even a marijuana problem. It was implemented by public health authorities at a time when the whole drug police apparatus was being invented, and the government was just starting to get involved in this. It was also a time of widespread alcohol prohibition, and the movements were connected by the notion that the government should protect people from using substances for pleasure—only medical purposes. It was those people that passed the laws. There wasn't a big outcry to throw all the cannabis users in jail, because there weren't any. But it was the work of professional policy people who said we ought to control this like opium and cocaine. I think they saw it as an issue of principal and power. "We're gonna make it illegal for people to use pleasurable substances." That's my take on it.

Do you think other drugs should be legalized?

Well, not speaking for NORML. I always like to remind people that more than a century ago, when my grandparents were young, it was possible to walk into any drug store and buy any drug over the counter. Heroin, cocaine, opiates, cannabis—they were all available. There were no controls on it. However, if you read the newspapers of that time, you'll find the drug problem was really not all that big. It's very hard to find drug problems back then. It was a minor issue. It became a much bigger issue when it became illegal and became a criminal issue. Drug crime was invented by this war on drugs. 🍓