



Written by [Michael Tennant](#) on September 28, 2010

Federal Official Won't Have Voters Deciding Drug Policy

"How can we imagine that a dangerous, illegal drug like marijuana should be voted on by the people? That's not how we do medicine in this country." Those words, spoken by a federal drug-control official, are emblematic of the contempt Washington has for the common man. Only the federal government has the right to determine what the average American may smoke or ingest, so this line of thinking goes; individuals should have no say in it whatsoever.



The official who uttered those sentences is Kevin Sabet, special adviser for policy at the White House's Office of National Drug Control Policy, an agency that shouldn't even exist from a constitutional standpoint. Speaking before the Montana Supreme Court Administrator's annual drug court conference in Helena, Sabet expressed his frustration with the public's response to a 2009 Justice Department memo "telling [federal prosecutors] that pursuing medical marijuana patients or their caregivers is not a priority in states that have approved medical marijuana," [according to the Billings Gazette](#). "Sabet said the Justice Department memo has been 'widely misinterpreted' by the media and proponents of legalizing marijuana, and that it does not give marijuana growers or suppliers a blank check to produce pot in states with medical marijuana programs." Furthermore, the paper reported, Sabet "said he believes medical marijuana programs are part of a strategy to legalize marijuana, and that the Obama administration is staunchly opposed to legalization."

Sabet is a firm believer in the federal government's authority to regulate drugs and seems to assume it has always regulated them. "Marijuana cannot be the one exception *in the history of the world* that doesn't go through a scientific process to be approved as medicine," he said. "It doesn't make any sense." (Emphasis added.)



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Of course, prior to 1902, the federal government didn't regulate drugs at all. It was assumed that Americans were competent to decide for themselves what substances to smoke or ingest without having to get Washington's permission.

Marijuana only became illegal at the federal level in 1937, not (*contra* Sabet) on the basis of scientific evidence — the ban was opposed by the American Medical Association — but [on the basis of fear](#), be it fear of Mexicans, blacks, "reefer madness," or business losses (since hemp paper could have taken market share from standard paper). Hemp had, in fact, been a major U.S. crop prior to this time, grown by such luminaries as George Washington and Thomas Jefferson; hemp cultivation was even mandated at various times in various states.

Nevertheless, Sabet is certain that this plant must be kept illegal. "Research shows that marijuana use causes health problems, can be addictive, and kills and injures people on roadways, among other things, he said," according to the *Gazette*. Research also shows that plenty of legal substances, all of which have been approved by the government, have similar, and often worse, effects. Why pick on this particular plant?

Sabet, in fact, agrees that some legal substances are every bit as dangerous as marijuana and indicates that they should be illegal too: "Our two legal drugs, tobacco and alcohol, serve as frightening examples of legalization. Look at the alcohol industry. It does not make money off the 10 people who drink one drink a week. It makes money off of the one person who drinks 50 drinks a week. Addiction is incentivized in this business." Moreover, the *Gazette* writes, "Legalizing marijuana will increase its usage, increase arrests for drug-related behavior and won't eliminate a black market for the drug, Sabet said."

Sabet has obviously learned nothing from the United States' experience with alcohol prohibition. The existence of the ban created the black market for the prohibited substance, which in turn created the criminal class that profited from it. The end of Prohibition put many of these gangsters out of business and, by the very act of making alcoholic beverages legal again, did away with the black market. Legalizing marijuana would likely have similar effects, and it is not likely to lead to a huge upswing in drug-related crime: Beginning in the 1970s, the Netherlands decriminalized drug possession and use to a large degree, yet by 2009 the crime rate had fallen so drastically that the Dutch government [closed eight prisons](#) even as the U.S. prison population, largely made up of drug offenders, skyrocketed.

None of this sways control freaks such as Sabet. To these folks the fact that something is bad for people is reason enough to ban it. Niggling concepts like freedom mean nothing to people determined to run others' lives "for their own good."

Marijuana — and all other drugs — ought not be banned at the federal level, period. Any regulation of these substances should take place at the *state* and *local* level, where it can best be affected by those voters that Sabet so disdains.



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