



A TIME FOR CHOOSING: THE GOP AND MARIJUANA INITIATIVES

By Tim Lynch - November 15, 2012

Attorney General Eric Holder is soon expected to announce the federal government's response to the marijuana legalization initiatives recently approved in Colorado and Washington. For conservatives and GOP persons in the Congress, it is a time for choosing.

The first path is to turn against the federal drug war. Call it a correction—just as many have acknowledged the runaway spending errors during the Bush years. Recall that conservatives just took a principled stand against federal overreaching in the Obamacare legal fight. It would be a drastic mistake to shift ground now and start defending federal police raids. Clarence Thomas has the constitutional law right. And William F. Buckley and Milton Friedman were right on the policy side—legalization of drugs is the correct policy stance to take. The neocon approach championed by Bush administration alumni (William Bennett, John Walters, and Michael Gerson) has been profoundly misguided.

We've heard a lot about demographics in the election aftermath. Immigration has received most of the attention, but consider drug policy. Young people just don't think marijuana users are "criminals." Hispanic-Americans see the chaos in Mexico more clearly than average Americans. African-Americans bear the brunt of drug law stops, raids, arrests and incarceration. And let's not forget that this policy debate is taking place in the context of a fiscal crisis. The GOP likes to think of itself as the party that is willing to tackle government policies that don't work and have unintended consequences. One cannot talk seriously about criminal justice reform and corrections spending without addressing the drug war. It's past time to end the federal war on drugs.

The second path is to champion the DEA and federal police powers. Flip-flop back to big government conservatism? From arguing that it's a federal overreach to fine someone for not buying health insurance ...to lock up that gal over there with a joint in her purse? Alienate the tea party folks and their small government movement? Alienate young voters and African-Americans with talk

about how the government is helping everyone with increasing numbers of arrests? Alienate Hispanic-Americans and fiscal hawks with talk about another billion dollar aid package to the Mexican government to fight the drug war? Sounds like a foolish consistency with the past.

Betsy Woodruff of the National Review Institute gets it right:

[T]here's one easy ideological maneuver that Republicans could make that would simultaneously burnish their stance as the party of freedom and expand their base while alienating the president from his. It is a move that might also make one swing state a little easier to win in 2016. Congressional Republicans and conservative leaders could get on the weed bandwagon.

Hear, hear. Some on the religious right—Pat Robertson—are already on that bandwagon.

Some may ask, "Isn't there some sorta middle position between legalization and stay-the-course-drug war policy?" Yes—that position is this: "I am not sure about Colorado and Washington are doing, but that's their prerogative in our federal system."

To paraphrase Ronald Reagan, no one is saying the choices are going to be easy, but the policy choices are fairly simple.