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Waiting for the Man

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It's true that California may pass Proposition 19 and become the first state to legalize marijuana. It's also true prohibition isn't going anywhere.

If polls reflect a growing appetite for legalization of marijuana, why is it that so few elected representatives of note -- and by "so few" I mean "no" -- support it? If the war on drugs is by all metrics a failure, why is there not a single elected official in D.C. working on the terms of surrender?

They're a bunch of gutless weasels, you say? Perhaps. But they're also notoriously sensitive to public sentiment. And even if they oppose the drug war, what incentive do they have to act?

Sure, we can claim that illicit drugs are harmless. But having partaken in youthful "experimentation," I can say with empirical certainty this is untrue. If drugs are harmless, why did I try to convert Pez dispensers into bongos or choose journalism as a career?

To say that drugs are innocuous might be far less ludicrous than nearly anything scaremongering drug warriors contend, but it still makes for terrible politics.

We can argue that no law can stop motivated users from getting stoned. True enough. Rational people understand that demand will be met one way or another. Voters, though, are notoriously irrational. And few elected officials can make the case that lawlessness is a reason to disregard laws -- that is, unless they aspire to be former elected officials.

We could argue that legalization wouldn't trigger any increased usage. Yet we know that casual use would probably increase.

We could argue that legalizing drugs would provide government with a great source of revenue. (No worries; the "wealthiest among us" would pay their fair share.) But a new Cato Institute study by Harvard economist Jeffrey Miron and Katherine Waldock at New York University finds that there would be a rather unexceptional \$17.4 billion in yearly national budgetary improvement from legalizing marijuana.

(For a number of reasons, there would be far more savings if we legalized potent narcotics. Then again, as it's nearly impossible to buy cough medicine without asking a cashier for permission, the prospects of heroin and methamphetamine party samplers remain murky at best.)

Or we could keep pretending that pot has profound medicinal value. In Denver, a sham medical pot industry has blossomed, and coincidentally there have been mass outbreaks of Andromeda strain and cooties among 20-somethings. This makes a mockery of real sickness and threatens to turn one-time public support into deeper skepticism.

Meanwhile the most honest arguments for legalization are also the most politically unattractive:

If people want to get stoned, it's none of your business. (Now (SET ITAL) that's (END ITAL) a campaign slogan!) If an employer wants to test me, fine. If government wants to bray on about the troika of evil -- drugs, cigarettes and Happy Meals -- so be it. But the trade-offs are clear. Today we're creating international crime syndicates, we're locking up nonviolent citizens and we're not altering behavior.

Yet no matter who's in power, nothing changes. President Barack Obama made little effort to curtail the drug war. The Drug Enforcement Administration still ignores state law. Conservatives feel a moral obligation to continue prohibition. (Individual freedom ends where your rolling paper begins.)

The minority that wants real reform? Politically speaking, our bad arguments are terrible and our good ones are worse.