

SEARCH

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President Obama: Free the Medical Marijuana Researchers!

What's Your Reaction?

The War on Drugs continues, four decades after President Richard Nixon commenced hostilities. President Barack Obama--the third president in a row to have used illicit substances in his youth--is no drug warrior. However, he seems unlikely to challenge the disastrous new prohibition.

The president has, however, ended the federal campaign against medical marijuana, ordering administration officials to respect state laws legalizing the drug for medicinal purposes. This policy will grow increasingly important as more states allow use of med-pot (for instance, in November Maine voters legalized medical marijuana dispensaries). Congress should approve legislation introduced by Rep. Barney Frank (D-Mass.), codifying administration policy into law.

Moreover, the president should order the Drug Enforcement Agency to make more pot available for research, moving the issue forward at another level.

Critics of medical marijuana argue that pot has no clinical value. Many doctors, nurses, and scientists disagree.

For instance, the Institute of Medicine (part of the National Academy of Sciences) concluded that "Cannabinoids likely have a natural role in pain modulation, control of movement, and memory." Two years ago San Francisco General Hospital reported that HIV-positive patients achieved marked pain relief by smoking marijuana. Numerous seriously ill patients, including such leading political conservatives as the late Lyn Nofziger, an aide to Ronald Reagan, also attested to the therapeutic value of pot.

Continued research is needed to resolve the dispute. Indeed, the Institute of Medicine recommended more study "into the physiological effects of synthetic and plant-derived cannabinoids and the natural function of cannabinoids found in the body." Moreover, the IOM pointed to the importance of reviewing "vaporization devices," since "Marijuana delivered in a novel way that avoids smoking would overcome some, but not all, of the regulatory concerns."

Barbara Roberts, formerly of the White House Office of National Drug Control Policy, suggested that the IOM study provided a blueprint "to investigate this and to put it to rest." Unfortunately, the Bush administration, whose drug czar, John Walters, compared marijuana users to terrorists, refused to follow the IOM's recommendations.

Scientific study is hampered by the Drug Enforcement Agency's control of marijuana production through the National Institute on Drug Abuse (part of the National Institutes of Health). NIDA has denied scientists access to marijuana to study the drug's impact on migraines and AIDS wasting syndrome, for instance.

The lack of sufficient legal marijuana poses a particular barrier to privately-funded pharmaceutical research. Without adequate evaluation of the safety and effectiveness of marijuana's chemical compounds in treating chemotherapy-induced nausea, glaucoma, multiple sclerosis, AIDS symptoms, and other diseases, medicine will be impossible to develop.

The Bush administration wanted to have it both ways. It publicly claimed that marijuana had no medical value while privately denying researchers the drugs necessary to research pot's medicinal possibilities.

Several years ago Professor Lyle Craker, Director of the Medicinal Plant Program at the University of Massachusetts (Amherst), requested a Schedule I license to produce marijuana for research purposes. The University of Mississippi had a monopoly cultivation contract and opposed Dr. Craker's petition; the DEA did nothing. So Dr. Craker filed suit, resulting in a nine-day hearing before agency Administrative Law Judge Mary Ellen Bittner. She issued an 87-page opinion in 2007 recommending approval of Craker's application.

Bittner concluded "that NIDA's system for evaluating requests for marijuana for research has resulted in some researchers who hold DEA registrations and requisite approval from the Department of Health and Human Services being unable to conduct their research because NIDA has refused to provide them with marijuana. I therefore find that the existing supply of marijuana is not adequate."

The government complained that Craker "has not shown that his registration would result in a pharmaceutical company developing a drug product from plant marijuana," observed Bittner. But only additional research can determine marijuana's potential as a prescription drug.

Ruled Bittner: "Respondent [Craker] is not obligated to show that his registration will lead to a pharmaceutical product but, rather, that he will use his registration to produce marijuana that will be used in legitimate research. That, Respondent has done." She therefore recommended approval of Craker's application as being "in the public interest."

The agency filed several disingenuous objections to Bittner's decision, which then went to DEA Administrator Karen Tandy. Tandy was not asked to legalize marijuana. She was not asked to approve marijuana for medical purposes. She was not even asked to confirm the potential medical benefits of the drug.

All she was asked was to do was increase research opportunities for marijuana research. Doing so would have allowed med-pot advocates to meet the challenge raised by her predecessor, Robert Bonner: "Those who insist that marijuana has medical uses would serve society better by promoting or sponsoring more legitimate scientific research, rather than throwing their time, money and rhetoric into lobbying, public relations campaigns and perennial litigation."

Tandy and the DEA ignored Craker's appeal until January 7, 2009, when the Bush administration's drug warriors were two weeks away from being pushed out the door. Deputy Administrator Michele Leonhart then rejected Bittner's recommendation, ruling "that the proposed registration is inconsistent with the public interest." Leonhart offered conclusions rather than justifications, suggesting that the last administration simply opposed allowing additional research which might result in politically incorrect conclusions.

President Obama campaigned to restore good science to policy making. The issue of medical marijuana requires just such an approach. All parties should be able to agree on the value of more "legitimate scientific research," in Bonner's words.

But the DEA continues to stand in the way. Mr. President, it's time for a change.

Books By Doug Bandow