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## **Medical Marijuana Does Not Equal Freedom** **by Sheldon Richman**

The Obama Justice Department says it will no longer go after “individuals whose actions are in clear and unambiguous compliance with existing state laws providing for the medical use of marijuana.” In other words, if a state legalizes the production, distribution, and possession of marijuana for medical purposes, Attorney General Eric Holder’s troops will keep hands off.

Considering that marijuana is outlawed by federal statute, this is good news as far as it goes. The thought of DEA (Drug Enforcement Administration) agents swooping down and arresting seriously ill people trying to get some relief from marijuana is appalling.

But no one who values freedom should be satisfied with Holder’s policy or medical-marijuana laws. By the standard of individual autonomy, the laws are a fraud.

Why is it any business of the government’s what adults ingest or why? Is this a free society or not?

It is revealing that after all these years, conservatives, despite some honorable exceptions, still want the government to crack down on drug consumers, makers, and vendors. They claim to be for freedom, but they flunk this important test. When Holder announced his new policy, prominent conservatives — Bill O’Reilly and Ann Coulter, among them — complained the loudest. They simply cannot stand the thought of adults being free to use drugs.

The rationalizations they come up with for their anti-freedom position are remarkable. O’Reilly opposes ending prohibition, he says, because the main cause of child abuse is the parents’ use of drugs and alcohol. O’Reilly fails to explain how intensifying prohibition, with all its indisputable evils, would reduce child abuse. Drugs have been illegal in this country for many years. The penalties for violating the drug laws are severe. Yet anyone who wants to use drugs can find them with little trouble. So O’Reilly’s claim that ending prohibition would increase child abuse is simply ridiculous. How to eliminate child abuse is a difficult question, but we can say with certainty that pouring more money into the rat hole called the “drug war” is not an answer.

Now look at medical marijuana. Conservatives dislike it because they suspect it is merely thinly disguised legalization of recreational marijuana. “Progressives” applaud the states that

permit doctors to prescribe marijuana for seriously ill people. Still others are enthusiastic because they see medical marijuana as an important step toward the repeal of prohibition.

In fact, anyone committed to individual liberty must reject medical marijuana as counterfeit compassion and false progress toward freedom and privacy. Medical marijuana is nothing more than the strengthening of what social critic Thomas Szasz calls the “therapeutic state.” Where is the gain to freedom if legislatures give doctors — who are essentially state deputies already — the power to prescribe marijuana under the stringent medical conditions specified by politicians who are being advised by those very doctors? Thomas Jefferson would be surprised to learn that freedom means being able to beseech one’s doctor for permission to use marijuana for medicinal purposes.

Why does marijuana — or any other drug — require a medical justification before free access can even be considered? Why aren’t adults simply free to manage their own lives in their own way? Medical marijuana isn’t a step toward legalization. It’s a reaffirmation of the paternalist principle: Government is our parent, and it will tell us when it is okay for us to use marijuana. That should offend people who claim to be free.

Many prudential reasons could be invoked in defense of ending prohibition. The war on drugs and resulting black market have ruined the inner cities and corrupted our society; created phenomenal profits for Mexican gangs, whose violence has spilled over the border into U.S. cities; fueled a crusade against guns (which should concern conservatives but doesn’t); and have cost the taxpayers billions in a futile effort to stop people from doing what they’ve done from time immemorial. Now escalation in Afghanistan is an extension of the drug war.

If there were no other reasons to end prohibition, these would be more than enough. But here are the most important reasons of all: the inalienable rights to life, liberty, and the pursuit of happiness.

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