

## Chapter 2

### A History of Drug Control

#### Outline

- Drug Use in Nineteenth-Century America
- The Movement to Prohibit Alcohol, 1784-1920
- Early Anti-Opium Legislation
- The Pure Food and Drug Act of 1906
- The Shanghai Commission and the Hague Committee
- The Harrison Act of 1914
- The Impact of the Harrison Act: Did it Make Matters Worse?
- The Marihuana Tax Act of 1937
- The Controlled Substances Act and the Nixon/Ford Administration
- The Backlash Gathers Strength: The Carter Years
- The Reagan Years
- The Legacy of the Nixon/Reagan Years

#### Drug Use in 19<sup>th</sup> Century America

- Psychoactive substances freely available from a variety of sources; consumption immense
- Opium viewed as godsend by the medical community and patients
  - However, opium usually masked symptoms instead of curing the problem and left patients with addictions.
- Over-the-counter medications containing opium, morphine, marijuana, and cocaine freely available throughout 19<sup>th</sup> century without a prescription
- Prior to 1906, manufacturers did not even have to list ingredients on products
- In the 1890s, some laws were enacted requiring prescriptions, but they weren't enforced.

#### Drug Use in 19<sup>th</sup> Century America: Cocaine-Based "Soft" Drinks

- Wide variety of beverages sold during 19<sup>th</sup> century contained psychoactive substances, mainly cocaine
- John Pemberton, an Atlanta pharmacist and patent medicine vendor, introduced Coca-Cola - syrup containing caffeine and extracts of coca leaves
- By 1906, owners/distributors of Coca-Cola had given into pressure to decocainize the soft drink

#### Medical, Scientific, and Technological Innovations

- An explosion of scientific, medical, and technological innovations during the 1800s made psychoactive substances not only more available, but available in purer form, and via a much more efficient and effective route of administration

- Morphine, a much more potent narcotic, was extracted from opium in 1803. Codeine, another derivative of opium, was synthesized in 1831.
- In 1859, cocaine was isolated from coca leaves.
- Hypodermic syringe devised in Europe and brought to U.S. in 1856; soon made its way into doctor's offices/homes

### **Drug Use in 19<sup>th</sup> Century America: Numbers of Addicts and Abusers**

- During 1800s, U.S. housed an extremely large user and addict population
- Distinct populations/social circles of narcotic users: (1) medical addicts – mostly white, middle-class, middle-age women (2) opium smokers – mostly Chinese immigrants, and (3) criminal, underworld morphine addicts
- Efforts to stem tide of substance abuse complicated by mixed motives of reformers

### **The Movement to Prohibit Alcohol, 1784-1920**

- Dr. Benjamin Rush, Philadelphia physician publishes *An Inquiry into the Effects of Ardent Spirits on the Human Mind and Body* (1784)
- Hundreds of antiliquor organizations emerged throughout country
- Sermons and publications began to have impact on American drinking patterns: workers fired for drinking on the job, troublesome taverns closed down or had their licenses revoked, etc.
- Urban saloon became target of prohibitionists
- Anti-Saloon League organized in 1893 – major political force; single purpose is national prohibition
- Women's Christian Temperance Union (WCTU) organized in 1874 – single most powerful late 19<sup>th</sup> century antiliquor lobby
- 1920 – 18<sup>th</sup> Amendment of U.S. Constitution (passed by Congress)
- Volstead Act (a.k.a., National Prohibition Act) = the 18<sup>th</sup> Amendment, which outlawed the sale and distribution of alcoholic beverages in the U.S. – empowered the federal government to enforce the law
- Volstead Act a triumph of Protestants over Catholics, native-born Americans over immigrants, rural and small town dwellers over urban residents, the South over North, farmers and the middle class over the working class, Republicans over Democrats, etc.

### **Early Anti-Opium Legislation**

- Earliest laws not aimed at medical addiction but at recreational use
- Laws specifically targeted Chinese immigrants who settled California in 1840s and 1850s to work on railroads and goldmines
- Whites threatened by presence of Chinese; feared influence on young people, particularly females
- 1909 – Smoking Opium Exclusion Act

### **The Pure Food and Drug Act of 1906**

- Pure Food and Drug Act = a federal law, passed in 1906, that required distributors to list the ingredients of a product on its packaging
- Act did not outlaw the sale of patent medicines that contained opiates and cocaine; simply required that contents be listed on label
- Labeling combined with media exposure brought about keener public awareness of lack of curative powers of so-called medications

### **The Shanghai Commission and the Hague Committee**

- Opium Wars = the wars (1839-1842 and 1856-1860) fought by Great Britain to force China to open that country to the opium trade, which China had outlawed
- The International Opium Commission (a.k.a., the Shanghai Commission) held in China in 1909; convened reps from 13 countries
- The International Conference on Opium (a.k.a., the Hague Conference) held in the Netherlands in 1911; reps from 12 nations

### **The Harrison Act, 1914**

- Harrison Act = a federal law, passed in 1914, that required a prescription written by licensed physicians to be obtained for the sale of narcotics and cocaine, and that such sale be registered, recorded, and taxed
  - The Act did not directly criminalize addiction per se, but during a series of Supreme Court rulings between 1919 and 1923, maintaining the addict on a narcotic was declared an improper medical practice and hence, illegal
- By mid-1920s, medical profession had withdrawn from dispensing narcotics to addicts

### **Impact of the Harrison Act: Did It Make Things Worse?**

- Many observers argue that the changes in the addict's legal status, shaped in large part by the Harrison Act, produced our current, extremely serious, drug problem
- Consider:
  - Majority of pre-Harrison Act addicts were medical addicts – white, middle-class, middle-age women
  - Majority of post-Harrison Act addicts were predatory street criminals – inner-city males

### **The Marihuana Tax Act, 1937**

- Marijuana use stretches back thousands of years
- Many during 1920s/30s believed drug caused users to be violent, insane
- 1914 – 1931 referred to as local phase of marijuana prohibition
- Federal Bureau of Narcotics (FBN) = law enforcement agency that regulated illicit drugs prior to the Drug Control Act of 1970
- FBI, under leadership of Harry Anslinger, undertook a major media campaign and lobbied in legislatures to convince the public of evil effects of marijuana