

For Howard Zinn:

LaGuardia and the Truth About Marijuana

"LaGuardia in the Jazz Age" in *The Politics of History* by Howard Zinn; Beacon Press, 1970.

The Marihuana Problem in the City of New York by Mayor LaGuardia's Committee on Marihuana. 1944. (Reprinted in 1973 by the New York Academy of Medicine.)

By Fred Gardner

Fiorello LaGuardia was the mayor of New York City when Howard Zinn was growing up in Brooklyn during the Great Depression. Zinn admired LaGuardia and in the end would have important things in common with him. LaGuardia had flown bombing missions for the U.S. Army over Italy during World War One. Zinn flew bombing missions over occupied France in World War Two. Both men would come to reconsider the worth of those missions. Both would spend their lives speaking for people whose voices hardly got heard.

LaGuardia in Congress established Zinn's reputation as a historian.

Zinn wrote his PhD dissertation on LaGuardia's years as a Congressman representing the tenement dwellers of East Harlem. (LaGuardia served in Congress from 1917 through 1933, minus his stint in the Army and two years as President of the New York City Board of Aldermen.)

LaGuardia in Congress, published by Cornell University Press in 1959, established Zinn's reputation as a historian. It debunked the prevailing text-book image of the 1920s. Its themes were encapsulated in an essay, "LaGuardia in the Jazz Age," which Zinn published in *The Politics of History* (Beacon, 1970).

"In the United States, the twenties were the years of Prosperity, and Fiorello LaGuardia is one of its few public figures who suspected to what extent that label was a lie," Zinn asserted.

Nor did LaGuardia mistake the twenties for "a time of quiet isolation from foreign affairs," Zinn wrote. "The United States was established as a dominant power in the Caribbean having purchased the Virgin Islands during the war, possessing a naval base in Cuba, and exercising such control over the Republic of Panama, Nicaragua, Haiti, and the Dominican Republic as to make them 'virtual protectorates.' American influence in the Far East extended from the Aleutian Islands to Hawaii and across the western Pacific to the Philippines."

LaGuardia opposed sending 5,000



Fiorello LaGuardia

U.S. troops to Nicaragua in 1927 to uphold a government subservient to U.S. lumber and fruit interests. "The protection of American life and property in Nicaragua does not require the formidable naval and marine forces operating there now," La Guardia declared. "Give me 50 New York cops and I can guarantee full protection."

Zinn wrote that LaGuardia did not see the 1920s as a time of "national political consensus, when a general mood of well-being softened political combat." Angered by Rep. Fred Vinson of Kentucky's reference to New York's "Italian bloc" of voters, LaGuardia "denounced the drastic restriction of immigration and particularly the 'national origins' method of determining quotas... The restriction bills were 'unscientific,' LaGuardia charged, the 'result of narrow-mindedness and bigotry' and 'inspired by influences who have a fixed obsession on Anglo-Saxon superiority.'"

By 1937, when Congress passed the Marihuana Tax Act, LaGuardia was in his fourth year as mayor of NYC. His nemesis, Vinson of Kentucky, was the Treasury Department's key ally in pushing marijuana prohibition through the House Ways and Means Committee. Vinson conducted a hostile interrogation of the only witness who understood and strongly opposed prohibition, Dr. William Woodward of the American Medical Association. When the Act came before the full House, instead of explaining its provisions, Vinson recounted Harry Anslinger's "reefer madness" testimony as undisputed fact.

The question of whether the American Medical Association supported the Marihuana Tax Act was answered

thus by Vinson: "Our committee heard testimony of Dr. William Wharton — *sic*—who not only gave this measure his full support, but also the approval from the American Medical Association which he represented as legislative counsel." The Act passed on a voice vote and was enacted into law in September of 1937. Fred Vinson, brazen liar, went on to become Chief Justice of the U.S. Supreme Court.

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Marijuana prohibition might not have sailed through Congress if Fiorello LaGuardia had still been a member in 1937. It was based on false facts that no one in Congress questioned, but which LaGuardia recognized as baloney — notably that marijuana is addictive and leads to insanity and violent crime. In 1938 LaGuardia, as mayor, assigned the New York Academy of Medicine (NYAM) to investigate the premises of marijuana prohibition. A blue-ribbon committee of 31 scientists was assembled. Physicians from the city Department of Hospitals supervised clinical research involving 77 patients.

"My own interest in marihuana goes back many years," LaGuardia wrote in a foreword to the committee's report, "to the time when I was a member of the House of Representatives and, in that capacity, heard of the use of marihuana by soldiers stationed in Panama. I was impressed at that time with the report of an Army Board of Inquiry which emphasized the relative harmlessness of the drug and the fact that it played very little role, if any, in problems of delinquency and crime in the Canal Zone.

"The report of the present investigations covers every phase of the problem and is of practical value not only to our own city but to communities throughout the country. It is a basic contribution to medicine and pharmacology. I am glad that the sociological, psychological, and medical ills commonly attributed to marihuana have been found to be exaggerated..."

The Canal Zone Papers

Studies by the U.S. Army of soldiers using marijuana in Panama in the 1920s had been collectively ignored by the Congress during the debate on Prohibition. The first study was conducted in April 1925 by a committee chaired by Colonel J.F. Siler of the Medical Corps. A group that included soldiers, doctors, and police officers was observed smoking cannabis.

One officer who participated concluded, "I think we can safely say, based upon samples we have smoked here and upon the reports of the individuals concerned, that there is nothing to indicate any habit-forming tendency or any striking ill effects. All of the statements to the effect that two or three puffs produce remarkable effects are nonsense, judging from our experience."

The U.S. government printing office published Col. Siler's report ("Canal Zone Papers," 1931), which found

no evidence that marijuana was addictive or that it had "any appreciable deleterious influence on the individuals using it."

According to "the Great Book of Hemp" by Rowan Robinson, "Some commanders disagreed with the committee's findings and ordered a new investigation in 1929. The surgeon general who directed the inquiry duly reported that 'use of the drug is not widespread and... its effects upon military efficiency and upon discipline are not great.' A third investigation, initiated in June 1931, found no link between cannabis and delinquency or morale problems" in the U.S.-run Canal Zone.



"The scientific part of the research will be continued in the hope that the drug may prove to possess therapeutic value for the control of drug addiction." In other words, the NYAM investigators — and Mayor LaGuardia himself — were hip to the harm-reduction potential of marijuana as a substitute for hard drugs!

A key chapter of the report by Drs. Samuel Allentuck and Karl Bowman, "The Psychiatric Aspects of Marijuana Intoxication," was published in the *American Journal of Psychiatry* in September 1942. It specifically refuted the Federal Bureau of Narcotics characterization of marijuana as an addictive drug that led to insanity.

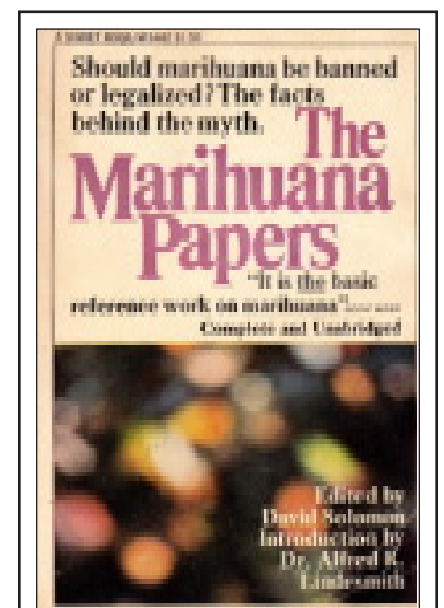
An exhaustive investigation into the extent of use by New Yorkers was conducted by a Police Department squad — "two policewomen and four policemen, one of whom was a Negro," according to Dudley Schoenfeld, MD, who described their findings in the LaGuardia Committee Report. (See excerpt on next page.)

"While on duty the squad actually 'lived' in the environment in which marihuana smoking or peddling was suspected. They frequented poolrooms, bars and grills, dime-a-dance halls, other dance halls to which they took their own partners, theatres — backstage and in the audience, roller skating rinks, subways, public toilets and parks and docks. They consorted with the habitués of these places, chance acquaintances on the street, loiterers around schools, subways, and bus terminals. They posed as 'suckers' from out of town and as students in college and high schools."

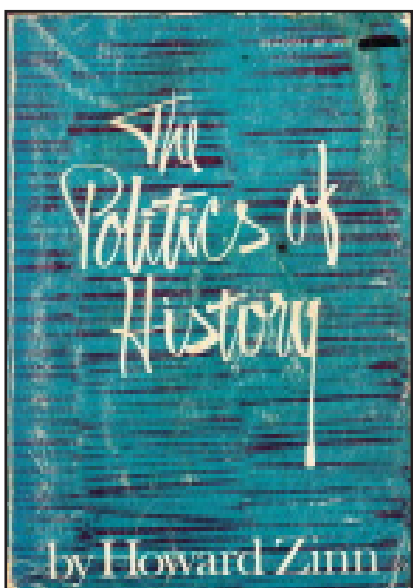
The full Report, *The Marihuana Problem in the City of New York*, was published in 1944. Its conclusions, verbatim:

- Marijuana is used extensively in the Borough of Manhattan but the problem is not as acute as it is reported to be in other sections of the United States.
- The introduction of marijuana into this area is recent as compared to other localities.
- The cost of marijuana is low and therefore within the purchasing power of most persons.
- The distribution and use of marijuana is centered in Harlem.
- The majority of marijuana smokers are Blacks and Latin-Americans.
- The consensus among marijuana smokers is that the use of the drug creates

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The 220-page LaGuardia Committee Report was reprinted in full in *The Marijuana Papers*, an anthology edited by David Solomon, published by Bobbs-Merrill in 1966 and in paperback the following year by Signet.



What LaGuardia's Police Investigators Found

Marijuana Use in New York City... All Those Years Ago

From The Marihuana Problem in the City of New York, also known as "The LaGuardia Committee Report."

Method of Retail Distribution

In general, marihuana is used in the form of a cigarette. Occasionally some individuals chew the "weed" and seem to get the same effect as do others through smoking. The common names for the cigarettes are: muggles, reefers, Indian hemp, weed, tea, gage and sticks. Cigarettes made of marihuana differ in size as do cigarettes made of tobacco: they are long, short, thick or thin.

Price varies in accordance with the accepted opinion as to the potency of the marihuana used in the cigarettes,

The price varies in accordance with the accepted opinion as to the potency of the marihuana used in the cigarettes, and this appears to be determined by the place of origin. The cheapest brand is known as "sass-fras," and retails for approximately three for 50 cents. It is made of the marihuana that is grown in the United States. Smokers do not consider such marihuana very potent. They have found that they must consume a greater number of cigarettes in order to obtain the desired effect colloquially termed as "high." This opinion, expressed by smokers in the Borough of Manhattan, is at variance with that of some authorities who believe that marihuana grown in the United States is as potent as the marihuana grown in other countries.

The "panatella" cigarette, occasionally referred to as "meserole," is considered to be more potent than the "sass-fras" and usually retails for approximately 25 cents each. The hemp from which the "panatella" is made comes from Central and South America.

"Gungeon" is considered by the marihuana smoker as the highest grade of marihuana. It retails for about one



ARTIST WILLIAM H. JOHNSON was employed by the federal Works Progress Administration to teach art in Harlem in 1938.

dollar per cigarette. The "kick" resulting from the use of this cigarette is reached more quickly than from the use of "sassafras" or "panatella." It appears to be the consensus that the marihuana used to make the "gungeon" comes from Africa. The sale of this cigarette is restricted to a clientele whose economic status is of a higher level than the majority of marihuana smokers.

A confirmed marihuana user can readily distinguish the quality and potency of various brands, just as the habitual

The investigators estimated that there were about 500 "tea-pads" in Harlem and at least 500 peddlers.

cigarette or cigar smoker is able to differentiate between the qualities of tobacco. Foreign-made cigarette paper is often used in order to convince the buyer that the "tea is right from the boat."

There are two channels for the distribution of marihuana cigarettes— the

A constant observation was the extreme willingness to share and puff on each other's cigarettes.

independent peddler and the "tea-pad." From general observations, conversations with "pad" owners, and discussions with peddlers, the investigators estimated that there were about 500 "tea-pads" in Harlem and at least 500 peddlers.

A "tea-pad" is a room or an apartment in which people gather to smoke marihuana. The majority of such places are located in the Harlem district. It is our impression that the landlord, the agent, the superintendent or the janitor is aware of the purposes for which the premises are rented. The "tea-pad" is furnished according to the clientele it expects to serve. Usually, each "tea-pad" has comfortable furniture, a radio, victrola or, as in most instances, a rented nickelodeon. The lighting is more or less uniformly

A person may be a confirmed smoker for a prolonged period, and give up the drug voluntarily without experiencing any craving for it or exhibiting withdrawal symptoms.

dim, with blue predominating. An incense is considered part of the furnishings. The walls are frequently decorated with pictures of nude subjects suggestive of perverted sexual practices. The furnishings, as described, are believed to be essential as a setting for those participating in smoking marihuana.

Most "tea-pads" have their trade restricted to the sale of marihuana. Some places did sell marihuana and whisky, and a few places also served as houses of prostitution. Only one "teapad" was found which served as a house of prostitution, and in which one could buy marihuana, whisky, and opium.

The marihuana smoker derives greater satisfaction if he is smoking in the presence of others. His attitude in the "tea-pad" is that of a relaxed individual, free from the anxieties and cares of the realities of life. The "tea-pad" takes on the atmosphere of a very congenial social club. The smoker readily engages in conversation with strangers, discussing freely his pleasant reactions to the drug and philosophizing on subjects pertaining to life in a manner which, at times, appears to be out of keeping with his intellectual level. A constant observation was the extreme willingness to share and puff on each other's cigarettes. A boisterous, rowdy atmosphere did not prevail and on the rare occasions when there appeared signs indicative of a belligerent attitude on the part of a smoker, he was ejected or forced to become more tolerant and quiescent.

One of the most interesting setups of a "tea-pad," which was clearly not along orthodox lines from the business point of

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a definite feeling of adequacy.

- The practice of smoking marijuana does not lead to addiction in the medical sense of the word.

- The sale and distribution of marijuana is not under the control of any single organized group.

- The use of marijuana does not lead to morphine or heroin or cocaine addiction and no effort is made to create a market for these narcotics by stimulating the practice of marijuana smoking.

- Marijuana is not the determining factor in the commission of major crimes.

- Marijuana smoking is not widespread among school children.

- Juvenile delinquency is not associated with the practice of smoking

marijuana.

- The publicity concerning the catastrophic effects of marijuana smoking in New York City is unfounded.

Impact of the Report

Although the LaGuardia Committee provided evidence and documentation in support of its findings, the Report was ignored at the federal level — as would other painstaking commission reports by government agencies and the medical establishment in the decades to follow.

In 1973 the New York Academy of Medicine reprinted the Report with a foreword by Raymond Schafer, the former governor of Pennsylvania, who had been appointed by President Richard Nixon in 1970 to chair a commission on "Marihuana and Drug Abuse."

The "Old Left" and Marijuana

In the political milieu from which Howard Zinn emerged, marijuana use was looked down on. This disapproval by the "old left" was rooted in ignorance, but it had a practical application. If you were, say, a union organizer, you wouldn't want to give management spies an excuse to report you to the cops. The fight for higher wages and better working conditions would take precedence over your desire to smoke reefer (which was almost certainly nil, because few Americans, especially white folks, had ever touched the stuff)

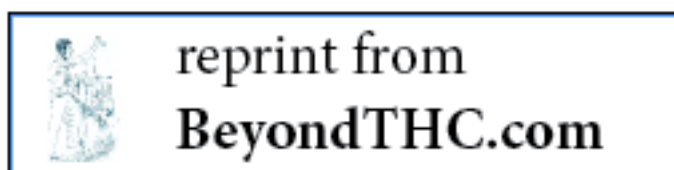
The "new left" of the '60s had a different attitude towards marijuana because millions of people on college campuses and in the military had started smoking it by 1966, and recognized that it wasn't dangerous. Freedom to smoke marijuana became an auxiliary goal

of "the movement" that was primarily aimed at ending racial segregation and bringing the troops home from Vietnam.



HOWARD ZINN (left) in Berkeley, February 2009. He was staying with a granddaughter, getting away from the cold Boston winter. That's what he was doing in Santa Monica when he died of a heart attack in late January of this year. —F.G.

PHOTO BY EMAMY JOSEPHS



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The Communist Party Line on Marijuana

The New York Academy of Medicine report includes an example of a "reefer madness" story from the *Daily Worker* for Dec. 28, 1940. Headlined "Health Advice," the Communist line on marijuana could easily have come from a William Randolph Hearst paper — minus any racist overtones, of course:

"Smoking of the weed is habit-forming. It destroys the will-power, releases restraints, and promotes insane reactions. Continued use causes the face to become bloated, the eyes bloodshot, the limbs weak and trembling, and the mind sinks into insanity. Robberies, thrill murders, sex crimes and other offenses result... The habit can be cured only by the most severe methods. The addict must be put into an institution, where the drug is gradually withdrawn..."

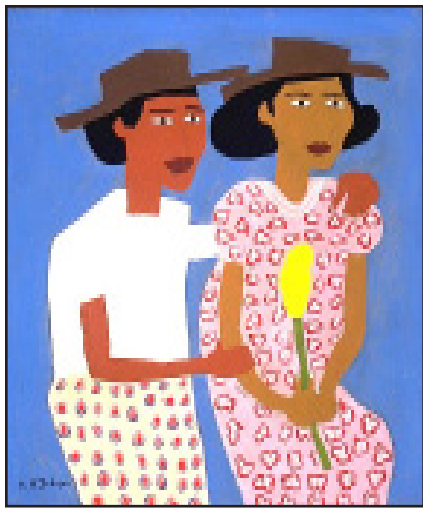
NYPD Report *from previous page*

view, was a series of pup tents arranged on a roof-top in Harlem. Those present proceeded to smoke their cigarettes in the tents. When the desired effect of the drug had been obtained they all merged into the open and engaged in a discussion of their admiration of the stars and the beauties of nature.

Because of the possibility of spreading disease, note should be taken of what seems to be a custom known as "pick-up" smoking. It is an established practice whereby a marihuana cigarette is lit and after one or two inhalations is passed on to the next person. This procedure is repeated until all present have had an opportunity to take a puff or two on the cigarette.

Occasionally a "tea-pad" owner may have peddlers who sell their wares in other localities and at the same time serve as procurers for those who wish to smoke marihuana on the premises.

One also finds other methods of retail distribution. After proper introduction, one may be able to purchase the cigarette in certain places. This is not an easy procedure, but it can be accomplished. In some bar-and-grills, restaurants, and bars our investigators were able to establish contact with someone who in turn, would introduce them to a peddler who apparently made regular rounds of these places in order to sell cigarettes. It appears that the owners of such places are



A Flower for Teacher

not aware of this practice, and in many instances they would discharge any employee known to be directly or indirectly associated with the sale of marihuana.

On rare occasions public guides, if properly approached would refer one to a place where the "reefer" could be bought. There was no evidence that the guide received money when acting as go-between. Terminal porters, mainly Negroes, appeared to be more directly connected with the traffic of marihuana. They were more conversant with the subject and it was easier for them to establish contact between purchaser and peddler.

Marihuana smoking is very common in the theatres of Harlem according to the observations of the investigators. We have reason to believe that in some instances, perhaps few in number, employees actually sold cigarettes on the premises. In the Harlem dance halls smoking was frequently observed either in the lavatories or on the main floor. The patrons as well as the musicians were seen in the act of smoking. There was no evidence of sales being made by employees on the premises, or that there was any gain on the part of the owners or employees in permitting this practice. Whereas the smoking of marihuana was not encouraged, nothing was done to prohibit such practice.

There are specific sections in the Borough of Manhattan where the sale



Jitterbugs

of marihuana cigarettes appears to be localized: 1) the Harlem district; 2) the Broadway area, a little east and west of Broadway and extending from 42nd Street to 59th Street. While it is true that one may buy the cigarette in other districts, it is not as easily obtainable as in the two localities mentioned.

The consensus of marihuana users is that the drug is not harmful and that infrequent or constant use of marihuana does not result in physical or mental deterioration.

The Mental Attitude of the Marihuana Smoker Toward Society

Most of the smokers of marihuana coming within the scope of our survey were unemployed, and of the others most had part-time employment.

Occasional, as well as confirmed, users were all aware of the laws pertaining to the illegal use of the drug. They did not indulge in its use with a spirit of braggadocio or as a challenge to law as has been reported by some investigators in other districts. They did not express remorse concerning their use of marihuana, nor did they blame this habit as a causative factor in the production of special difficulties in their personal lives. Except for musicians there appeared to be no attempt at secretiveness on the part of the habitual smoker. This attitude is in marked contrast to that usually taken by those addicted to morphine, cocaine, or heroin.

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In describing the most common reaction to the drug they always stated that it made them feel "high." Elaboration of just what the smoker meant by "high" varied with the individual. However, there was common agreement that a feeling of adequacy and efficiency was induced by the use of marihuana and that current mental conflicts were allayed. Organic illness was not given as a cause for smoking "reefers."

A person may be a confirmed smoker for a prolonged period, and give up the drug voluntarily without experiencing any craving for it or exhibiting withdrawal symptoms. He may, at some time later on, go back to its use. Others may remain infrequent users of the cigarette, taking one or two a week, or only when the "social setting" calls for participation. From time to time we had one of our investigators associate with a mari-

huana user. The investigator would bring up the subject of smoking. This would invariably lead to the suggestion that they obtain some marihuana cigarettes. They would seek a "tea-pad," and if it was closed the smoker and our investigator would calmly resume their previous activity, such as the discussion of life in general or the playing of pool. There were apparently no signs indicative of frustration in the smoker at not being able to gratify the desire for the drug. We consider this point highly significant since it is so contrary to the experience of users of other narcotics. A similar situation occurring in one addicted to the use of morphine, cocaine, or heroin would result in a compulsive attitude on the part of the addict to obtain the drug. If unable to secure it, there would be obvious physical and mental manifestations



Blind Singer

of frustration. This may be considered presumptive evidence that there is no true addiction in the medical sense associated with the use of marihuana.

The confirmed marihuana smoker consumes perhaps from six to ten cigarettes per day. He appears to be quite conscious of the quantity he requires to reach the effect called "high." Once the desired effect is obtained he cannot be persuaded to consume more.

He knows when he has had enough. The smoker determines for himself the point of being "high," and is ever conscious of preventing himself from becoming "too high."

He knows when he has had enough. The smoker determines for himself the point of being "high," and is ever conscious of preventing himself from becoming "too high." This fear of being "too high" must be associated with some form of anxiety which causes the smoker, should he accidentally reach that point, immediately to institute measures so that he can "come down." It has been found that the use of such beverages as beer, or a sweet soda pop, is an effective measure. Smokers insist that "it does something to the stomach" and that it is always associated with "belching." A cold shower will also have the effect of bringing the person "down."

Smokers have repeatedly stated that the consumption of whisky while smoking negates the potency of the drug. They find it is very difficult to get "high" while drinking whisky, and because of that smokers will not drink whisky while using the "weed." They do, however, consume large quantities

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of sweet wines. It is their contention that this mild alcoholic beverage aids the drug in producing the desired effect. Most marihuana smokers insist that the appetite is increased as the result of smoking.

We have been unable to confirm the opinion expressed by some investigators that marihuana smoking is the first step in the use of such drugs as cocaine, morphine, and heroin. The instances are extremely rare where the habit of marihuana smoking is associated with addiction to these other narcotics.

Marihuana and Eroticism

In the popular agitation against the use of marihuana, its erotic effects have been stressed repeatedly. As previously stated in this report, our investigators visited many "tea-pads" in the Borough of Manhattan. It is true that lewd pictures decorated the walls but they did not find that they were attracting attention or comment among the clientele. In fact one of the investigators who was concentrating his attention on the relation between marihuana and eroticism stated in his report that he found himself embarrassed in that he was the only one who examined the pictures on the wall.

Numerous conversations with smokers of marihuana revealed only occasional instances in which there was any relation between the drug and eroticism. At one time one of our investigators attended a very intimate social gathering in an apartment in Harlem, having succeeded in securing the position of doorman for the occasion.

There was a great deal of drinking, and the dancing was of the most modern, abandoned, "jitter-bug" type. This form of dancing is highly suggestive and appears to be associated with erotic activity. The investigator made careful observation of those who were dancing, and found that there was no difference between the ones who were and the ones who were not smoking "reefers." Similar impressions were received after careful observations in public dance halls, places where they knew that some persons were under the influence of marihuana.

Visits to brothels which occasionally also served as "teapads" revealed that the use of marihuana was not linked to sexuality. These observations allow us to come to the conclusion that in the main marihuana was not used for direct sexual stimulation.



Jitterbugs 2