“TEENAGE KICKS:” YOUTH, SOCIAL CLASS, AND HIERARCHIES OF TASTE IN CANADA’S NEW DRUG SCENE, 1961-1975

by

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Abstract

This thesis explores the political discourse around the increased use of illicit substances in Canada from 1961 to 1975. In particular, marijuana had been criminalized—along with opium—as a part of a broader move to penalize unwanted Asian workers. At the time, lawmakers could not anticipate that their laws would also fall on a new wave of predominantly affluent and white drug users. When judges began to find more and more middle class young people in their courtrooms, the country found itself in crisis. Using Pierre Bourdieu’s theories of habitus, social class and symbolic violence, this paper argues that affluent marijuana smokers seriously challenged the logic of Canada’s laws by occupying new psychoactive terrain, while simultaneously, establishing a new hierarchy of taste and consumption that disadvantaged other less privileged drug users.
Preface

This thesis is original, unpublished, independent work by the author, Robert Samuel Fenn.
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Introduction: The “Other World”

In 1969, a writer and self-identified “freak” named Jeffrey Samuels took some mescaline and shared his prose with a panel of Canadian academics in Toronto’s St. Lawrence Hall. “He was walking through the marsh to the cabin and on the wind he could hear Ellen playing a flute” he read aloud, “He had left his reasoned self back there. Now it was the marsh and Ellen going ahead. There was a drizzle and ahead was the cabin—warm, weeds, and herbs drying and wood burning. His expression changing.” Samuels was just one of hundreds of “hippies,” law enforcement officers and concerned parents attending the first town hall meeting of the Royal Commission of Inquiry into the Non-Medical Use of Drugs that day. For Samuels, hallucinogenic drugs opened up another world that the academics had no access to. After some time, the young man admitted that it was difficult to convey the experience of a hallucinogenic drug trip through words alone. Exacerbated, he exclaimed, “if only we could put acid in everybody’s water supply, then we would have a really groovy world.” The panelists smiled.¹

The Royal Commission consisted of Peter Stein, a 32-year old addictions worker from Vancouver, Dr. Heinz Lehmann, a world-renowned psychiatrist and researcher specializing in mood-altering drugs, Marie Bertrand, a forty-something criminologist from the University of Montreal, and Ian Campbell, the dean of arts at Sir George Williams University. The Commission was chaired by Gerald Le Dain, a 45-year-old dean of Osgoode Hall law school in Toronto. Sheila Gormely, a young reporter with the Toronto Telegram who had covered Canada’s new drug scene since it emerged in 1964, depicted Le Dain as a sympathetic and well-meaning bureaucrat. “He has children, and he seems to understand the problem of being relevant to them,” she wrote.

¹ Sheila Gormely, Drugs and the Canadian Scene (Toronto, Canada: Pagurian Press Limited, 1970), 37.
In an obvious way, he was the commissioner trying the hardest to comprehend this other world. He was polite, receptive and reassuring throughout, and he was a good sport, too, when in spite of his care, he made the worst possible gaffe. When someone approached a microphone on the floor, he said: “We’ll hear from the young lady at the back of the room. Oh! I am sorry!” The boy with the hair was not amused.

In 1969, Canada’s federal health minister, John Munro, tasked Le Dain with mediating the conflict between families who faced the Canadian criminal justice system for the first time and traditionalists who believed that widespread marijuana use threatened Canadian values.²

In the 1960s, a group of conspicuously affluent North American young people began to—suddenly, unprecedentedly and cataclysmically—use an illicit drug that had, for most of its recent history, been associated with poor racial minorities. Their drug-use inspired a national debate over the logic and practice of Canada’s prohibitory drug laws as well as the practices of the Royal Canadian Mounted Police (R.C.M.P.). As marijuana spread to the suburbs, Canadian politicians, judges, academics and journalists—many of whom now feared their children would face the repressive side of the law—sought to undo the punitive elements of Canada’s anti-marijuana policies. While medical experts debated marijuana’s psychopharmacology, others asked deeper, philosophical questions about prohibitionism itself: should the federal government have the right to determine what substances its citizens can and cannot consume? Does policing effectively limit the demand for illicit commodities? And, most importantly, are prohibitory laws more harmful to drug users than the drugs themselves?

In 1969, after four years of controversial drug raids and arrests in urban centres, the Canadian courts intervened in the political crisis by removing mandatory minimums for possession charges. In this context, Le Dain and the commissioners revisited Canada’s

prohibitory history to question the logic of existing drug laws. They found that Canada’s original prohibitory policies had been developed as a mechanism for abusing and limiting unwanted racial groups, not as a public health scheme. With the Le Dain Commission, the Canadian press was sympathetic to the new affluent drug users and framed them as victims of a punitive and illogical drug policy, not as criminals or social deviants. While historians, anthropologists and sociologists usually describe the early history of marijuana in Canada as part of a broader narrative of protest and dissent, in the 1970s, sociologists came to believe that the phenomenon of marijuana smoking should be understood as much as a part of traditional North American values as a rejection of it. Ultimately, the Canadian government responded to the political controversy by liberalizing their marijuana policies, thereby creating a two-tiered prohibitory system that privileged marijuana users over lower-class opiate users. Increasingly, marijuana smokers occupied liminal space between dangerous drug addicts and ideal citizens. Using Pierre Bourdieu’s theories of habitus, social class and symbolic violence, this paper argues that affluent marijuana smokers seriously challenged the logic of Canada’s marijuana laws by occupying new psychoactive terrain, while simultaneously, establishing a new hierarchy of taste and consumption that disadvantaged other less privileged drug users.

In his landmark book, *Distinction*, the French sociologist Pierre Bourdieu developed a theory of cultural taste and social class that is especially useful in the analysis of Canada’s new drug scene. During the 1960s and 70s, Bourdieu observed statistically significant correlations between certain professions and specific commodities: French professionals, for instance, enjoyed whiskey while manual labourers preferred to drink red wine. Chess was almost exclusively played by professors, journalists and others with a disproportionate share of
symbolic and cultural capital. Bourdieu theorized that the upper class did not prefer whiskey and chess because they were inherently “sophisticated” or “valuable;” instead, these objects were imbued—unconsciously— with symbolic significance through their association with the upper class people who consumed them. For Bourdieu, then, acts as banal as waving to a friend across the street, wearing a baseball cap or drinking a domestic beer, are actually singularly important sites of distinction, where cultural tastes are sorted into a relationally-defined and hierarchical “social field.” Bourdieu theorized that the same unremarkable acts of consumption work to delimit the boundaries between the social classes and— even—act to reconstitute and reinforce conditions of inequality. Whereas Marx imagined the boundaries between social groups in terms of their relationship to the means of production and labour, Bourdieu drew the boundaries between social groups in terms of consumption. Building on Michel Foucault’s work on power, discourse and surveillance, he argued that subtle and day to day acts of distinction constitute a form of “symbolic violence,” which tacitly leads members of the lower classes to “misrecognize” their position in the economic field as either “natural” or just. With Bourdieu, I am interested in the ways that affluent Canadian marijuana smokers challenged existing hierarchies of taste by smoking a drug that was symbolically associated with poverty and otherness. I am also interested

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4 While consumption was rigidly segmented in 1970s France, modern sociologists have observed that, today, people with a lot of economic, cultural or social capital tend to be cultural omnivores. That is, they do not express their privilege through high-brow consumption, rather through a familiarity and comfort with a wide range of commodities, activities and practices. See: Gerry Veenstra, “Culture and Class in Canada,” Canadian Journal of Sociology 35:1 (2010): 84.
in the ways that these same consumptive acts—in turn—reconstituted boundaries between social
groups and restructured inequality in Canada’s drug scene.

In this aim, I have had to be especially aware of my categories of analysis—particularly
the category “middle class.” While North America was and is a deeply stratified place, it is also a
place where traditional Marxian class categories have not always neatly applied to people’s lived
experiences. In his 1934 essay, “Americanism and Fordism” Antonio Gramsci remarked that
the term “working class” seemed particularly irrelevant to a generation of Americans who had
come to see themselves as being united under a “vocation of work.” Class, he argued, was less
visible in America than it was in Europe because the U.S. had never experienced feudalism,
because it did not have a residual plutocratic (or, in his words) “wholly parasitic” class, and
because American labourers often were told—and believed—that they received “high wages.”
Instead, class categories in North America were entangled with ideas about race, health, and
personal aspirations. In the context of the post-war economic boom, a surprisingly large number
North Americans believed that they existed somewhere between the bifurcated Marxian
categories of capital and labour. In 1940, Fortune magazine reported that 79 percent of
Americans believed that they were members of the middle class; in modern surveys the number
sometimes reaches 90 percent. Citing these studies, the American historian, Marina Moskowitz
argues that historians should treat class as “a category of social experience rather than
measurable status.”

For their part, the journalists, Le Dain Commissioners, doctors, police officers and

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8 “The Fortune Survey,” Fortune 21 (February 1940), 14.
politicians who commented on the phenomenon of “middle class drug-use,” tended to use the category “middle-class” un-problematically and in starkly visual terms: the new drug users were “middle class” because they looked “white,” physically healthy and young—not necessarily because their parents ran small businesses, owned their homes or held professional careers. Some hippies considerably complicated this visual analysis by dressing in tarnished “peasant clothes” and performing a spectacle of voluntary poverty. Whenever possible, then, I have provided specific economic information about the young marijuana smokers or used adjectives like “affluent,” “professional,” and “wealthy” when speaking specifically about their economic privilege. Instead of reproducing the term “middle class,” then, I have worked to deconstruct it in order to reveal the intersections of age, health, gender, access to education, attractiveness and race that were embedded in the term.

While marijuana has generated substantial debates by sociologists, criminologists and psychologists, historians have largely ignored the role of this intoxicating commodity in modern history. When historians discuss illicit drugs, they usually focus on an event that David Courtwright has called “one of history’s great about-faces:”\(^\text{10}\) the sudden, cataclysmic and international decision, by the most powerful governments in the world, to prohibit a set of psychoactive substances, which had previously provided them with enormous profits and underwritten their colonial projects.\(^\text{11}\) Along with Courtwright, Canadian historian Catherine Carstairs argues that the decision to prohibit certain drugs and not others in the 1920s had more to do with the social class and race of the drug users than the psychopharmacological properties of


their drugs of choice. Prohibitionism, than, has been depicted as a product of the “moral panic” that emerged over urbanization, class struggle and racial miscegenation at the turn of the twentieth century. That is to say, the seemingly arbitrary distinction between licit and illicit drugs, medical and recreational drugs, and traditional and “deviant” drugs are actually deeply reactionary distinctions between ideal citizens and the social movements that threaten traditional values and ideals. To this extent, historians and anthropologists have noted that the most powerful and enduring drug laws are usually applied to marginalized social groups and—some

12 Courtwright, argues that, throughout the nineteenth century, North American doctors prescribed opiates to treat infectious diseases, chronic ailments, respiratory conditions and especially “nervous disorders.” Their patients were often middle and upper class white women. However, by 1910, doctors had become concerned by the addictiveness of opiates and began to prescribe other drugs in their place. Concurrently, a new group of lower class urban men began to use opiates “recreationally.” It was in this context, with a new discourse of social deviance, that the first prohibitory laws were enacted. Catherine Carstairs, with Courtwright, argues that opium was only prohibited in Canada after it began to be used almost exclusively by “lower-class urban males.” David T. Courtwright, Dark Paradise: Opiate Addiction in America Before 1940 (Cambridge, Massachusetts: Harvard University Press, 1987), 48-84. Catherine Carstairs, “Innocent Addicts, Dope Fiends and Nefarious Traffickers: Illegal Drug Use in 1920s English Canada,” Journal of Canadian Studies 33:3 (Fall 1998), 148.

13 David F. Musto, for instance, has argued that Dr. Hamilton Wright, a pioneer of North American prohibition was especially motivated to suppress cocaine-use because of his fears of racial miscegenation, not out as a scheme to improve public health or curb addiction. In particular, Wright claimed that “cocaine is often the direct incentive to the crime of rape by the negroes of the South.” Similarly, Robert Solomon and Melvyn Green argue that anti-opium legislation was enacted in Canada precisely because of antipathy towards Chinese sojourners. See: David F. Musto, The American Disease: Origins of Narcotic Control (New Haven and London: Yale University Press, 1973), 43-44; Robert Solomon and Melvyn Green, “The First Century: The History of Non-Medical Opiate Use and Control Policies in Canada, 1870-1970,” The University of Western Ontario Law Review 20: 2 (1982). See also: Neil Boyd, High Society: Legal and Illegal Drugs in Canada (Toronto, Ontario: Key Porter Books, 1991), 29-30; Catherine Carstairs, Jailed for Possession: Illegal Drug Use, Regulation, and Power in Canada (Toronto, Ontario: University of Toronto, 2006); Philippe Bourgois, In Search of Respect; and Philippe Bourgois and Jeff Schonberg, Righteous Dopefiend.

14 The phrase “moral panic” was popularized by the sociologists Stanley Cohen and Jock Young in the 1970s. Cohen coined the term “Folk Devils” to describe groups that challenge the established order, and the term “moral entrepreneurs” to describe the people whose panic criminalizes the first groups’ behaviour. While the concept of “moral panic” remains important to the field of drug studies, it has become increasingly criticized by criminologists, anthropologists and historians. In particular, the British criminologist Steve Hall claims that “moral panic” is a “catastrophism”—that is, an imagined version of power dynamics based on the mistaken belief that any political “panic” would plunge post-war capitalist societies into Stalinism or Nazism. Hall, argues that the theory of “moral panic” has led to, on the one hand, the protection of certain dangerous criminals, and on the other hand, the obfuscation of the actual mechanisms of socio-economic abuse. See: Stanley Cohen, Folk Devils and Moral Panics: The Creation of the Mods and the Rockers (New York: Routledge, 2002); Ian Taylor, Paul Walton and Jock Young, The New Criminology: For a Social Theory of Deviance (London: Routledge and Kegan Paul, 1973); and Steve Hall, Theorizing Crime and Deviance: A New Perspective (London: SAGE, 2012).
say—have only exacerbated the conditions of drug addiction and poverty.\textsuperscript{15} By analyzing the flow of illicit commodities through underground economies and the flow of psychoactive drugs through human bodies, historians, anthropologists and sociologists hope to analyze governmentality where it “hits the ground.”\textsuperscript{16} While my project, like most histories of intoxication, is concerned with the social conditions of illicit drug use, it has one conspicuous difference: in the 1960s and 1970s, marijuana-smokers were far more privileged than the opium smokers, cocaine sniffers, heroin injectors, and crack dealers that have inspired most of the historiography to date.

Currently, there is only one comprehensive academic history written on marijuana policy in Canada: Michel Martel’s \textit{Not This Time: Canadians, Public Policy, and the Marijuana Question, 1961–1975}. In this book, Martel explores the various political interest groups who participated in the debate over marijuana’s illicitness as more and more Canadian young people began to use the drug. While this book is an invaluable contribution to the field of drug studies and to my own project, Martel largely ignores the role of social class and habitus in the history of Canada’s new drug scene. Instead, he attributes the change in policy to the work of social activists who mobilized to influence legislators and formed “strategic alliances” with political elites.\textsuperscript{17} While young activists and other political interest groups certainly play a role in the liberalization of Canada’s federal prohibitory policies, Canada’s repression of marijuana remained popular and stable until racially and economically privileged Canadian began to smoke it. More specifically, throughout the 1960s and 1970s, Canadian politicians, the press and the

\textsuperscript{15} See especially: Catherine Carstairs, \textit{Jailed for Possession}; Philippe Bourgois, \textit{In Search of Respect}; and Philippe Bourgois and Jeff Schonberg, \textit{Righteous Dopefiend}.


\textsuperscript{17} Marcel Martel, \textit{Not this Time: Canadians, Public Policy, and the Marijuana Question} (Toronto, Canada: University of Toronto Press Incorporated, 2006), 7.
public were as concerned that thousands of affluent, white Canadians would be victimized by severe penalties for marijuana possession as they were with any health-risks associated with the drug. Martel also provides very little commentary on the actual impact of the Le Dain Commission; ironically, with each successive act of liberalization, more young Canadians were imprisoned for the simple crime of possessing marijuana. Moreover, the penalties for marijuana possession have only became increasingly severe for those at the margins of society.
Part Two: Canada’s Psychoactive “About-Face:”

To write on drugs is to plunge into a world where nothing is as it simple or stable as it seems. Everything about it shimmers and mutates as you try to hold its gaze. Facts and figures dance around each other; lines of enquiry scatter like expensive dust. The reasons for the laws and the motives for wars, the nature of pleasures and the troubles drugs can cause, the tangled webs of chemicals, the plants, the brains, machines: ambiguity surrounds them all. Drugs shape the laws and write the very rules they break, they scramble all the codes and raise the stakes of desire and necessity, euphoria and pain, normality, perversion, truth and artifice again. Endlessly repeating their patterns and their themes, time after time to their opening scenes.¹⁸

“Marihuana,” later respelled “marijuana” by American Anglophones, is a colloquial Mexican term for a mixture of stems, dried leaves and flowers prepared from one of two psychoactive plants: *Cannabis sativa* or *Cannabis indica*. Known to induce euphoria, numb pain, and alter the user’s perception of time and space, *Cannabis sativa* and *indica* are intoxicating largely because of a naturally occurring, psychoactive compound called delta-9-tetrahydrocannabinol (THC), which is located in the female plants’ flowers.¹⁹ Throughout its history, Marijuana’s psychopharmacological power has been determined by the methodology of its cultivators, by the technology used in the agricultural process and—most importantly—by

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¹⁹ Hashish—based on the Arabic word for “grass” and often simply shortened to “hash”—is a more potent substance derived exclusively from the trichomes, or sticky, resinous outgrowths, of the female flowers. Today, strands of cannabis that contain a higher concentration of trichomes and, particularly, less seeds, are celebrated by marijuana enthusiasts. See: Bubbleman and Jeremiah Vandermeer, “Inside the Trichome,” *Cannabis Culture*, June 11, 2009, accessed August 16, 2013, [http://www.cannabisculture.com/content/inside-trichome](http://www.cannabisculture.com/content/inside-trichome).
normal genetic variations across the botanical species at any given time.\textsuperscript{20} As one journalist put it: “There has always been pot that wouldn’t get a mouse high, pot that can get you buzzed, and pot that delivers the full Timothy Leary experience. There still is.”\textsuperscript{21} Moreover, like all drugs, marijuana is a form of technology that combines with different individual minds and different historical cultures in different ways. In his book, \textit{Tastes of Paradise: A Social History of Spices, Stimulants, and Intoxicants} the German Historian Wolfgang Schivelbusch observed that drugs are culturally “habit forming,” while new psychoactive commodities often seem to have cataclysmic effects on their users, after time they become increasingly benign. Today, coffee, tobacco, and chocolate, “which by their very novelty once shook mankind to the core” have lost much of their cultural significance and possibly psycho-pharmacological power.\textsuperscript{22} In the 1960s and 1970s, commenters as diverse as the Le Dain commissioners and the beat poet and marijuana advocate, Allen Ginsberg, observed that the character of marijuana intoxication varied dramatically in different settings. In a 1996 article for \textit{Atlantic Monthly}, Ginsberg noted that while Americans often complained that marijuana made them anxious and paranoid, ganja smokers in India—where the drug was legal and normalized—almost always found the drug to be calming. He wrote:

\textsuperscript{20} This is a point of some controversy. In 1971, the Le Dain commission analyzed marijuana seized by the RCMP over the past two years—by no means an ideal sample—and determined that THC levels in illicit cannabis varied between an almost non-existent 0.02 and a much more powerful 3.46%. At the same time some hashish samples contained THC levels as high as 14.30%. Equipped with sophisticated hydroponic lights, fertilizers and pesticides, today’s cannabis growers, are sometimes capable of producing more psychoactively potent plants; some recent strains seized by the RCMP reportedly contain up to 32% THC concentration. However, a 2004 report prepared by the explained that there has always been more “natural,” variation in THC concentration during one historical period then there has been change over time. Nevertheless, since the mid-1980s, North American law enforcement and health officials have occasionally— and somewhat dubiously—warned parents that modern marijuana has much higher levels of THC than the stuff they smoked in the 1960s and 1970s. See: The Royal Commission of Inquiry into the Non-Medical Use of Drugs, \textit{Cannabis: A Report of the Commission of Inquiry into the Non-Medical Use of Drugs} (Ottawa, Ontario: Queen’s Publishers, 1970), 28-29; “Teens Indulging Stronger Marijuana,” \textit{USA Today Magazine} 137:2758 (July 2008): 7; and Leslie Fruman, “Marijuana as Popular and More Dangerous than Ever,” \textit{The Toronto Star}, 28 February, 1987.


\textsuperscript{22} Wolfgang Schivelbusch, \textit{Tastes of Paradise}, 223-224.
It is no wonder then that most people who have smoked marijuana in America often experience a state of anxiety, of threat, of paranoia, in fact, which may lead to trembling or hysteria, at the microscopic awareness that they are breaking a Law, that thousands of Investigators are trained and paid to smoke them out and jail them, that thousands of their community are in jail, that inevitably a few friends are “busted” with all the hypocrisy and expense and anxiety of that trial & perhaps punishment—jail and victimage by the bureaucracy that made, propagandized, administers, and profits from such a monstrous law.23

Writing about the internal experiences of intoxication in the 1960s, then, is as fraught and as necessarily discursive as any other investigation into the subjective experiences—or, mentalités—or of people from the past.

For the vast majority of its history, Cannabis has been regarded as a valuable, pleasant and useful plant as well as an important commodity. As early as the 28th century, B.C., the Chinese emperor Shen-Nung noted that marijuana had intoxicating and therapeutic properties; in ancient Egypt cannabis was mixed with wine to create an anaesthetic; and pre-modern Romans inhaled its smoke to soothe pain during childbirth. Until the mid-nineteenth century, Europeans remained largely unaware of cannabis’ psychoactive power. Nevertheless, western farmers cultivated cannabis for its fibrous stocks, or “hemp,” which were used to produce ropes and paper.24 In his book Reefer Madness, the American investigative journalist, Eric Schlosser, sardonically notes that the first American legislation to deal with cannabis was passed in 1969, when the Virginia Assembly passed a law requiring every farmer to grow it. In Virginia,

24 There was one notable exception to the rule: some European colonialists and explorers had learned about cannabis’ psychoactivity from the indigenous people they encountered in the Indian sub-continent. In 1783, for instance, the English orientalist William Marsden wrote, “[in Sumatra] Ganja or hemp (cannabis) is extensively cultivated, not for the purpose of making rope, to which [the Sumatrans] never apply it, but to make an intoxicating preparation called bang, which they smoke in pipes along with tobacco.” See: William Marsden, The History of Sumatra: Containing an Account of the Government, Laws, Customs, and Manners of the Native Inhabitants, with a Description of the Natural Productions, and a Relation of the Ancient Political State of that Island (London: Thomas Payne and Son; Benjamin White; James Robson; P. Elmsly; Leigh and Sotheby; and J. Sewell, 1783), 73.
Pennsylvania, and Maryland, hemp was accepted as legal tender and George Washington and Thomas Jefferson both grew hemp on their estates.\textsuperscript{25} Even in 1942—five years after the Marihuana tax act had effectively banned the sale of cannabis in the U.S.—the Department of Agriculture produced a wartime propaganda film that urged American farmers to grow hemp to contribute to the war effort.\textsuperscript{26} Western doctors and botanists first became aware of marijuana’s psychoactive power in 1843, when an Irish surgeon named William Brooke O’Shaughnessy—borrowing techniques from East Indian doctors and medical texts—successfully used it to ease muscle spasms in patients suffering from rabies, tetanus, and epilepsy.\textsuperscript{27} By 1850, cannabis had become a relatively common medicine in Europe and was listed in the \textit{United States Pharmacopeia} as a useful drug in the treatment of a long list of ailments including snake bites, gout, nerve pains, tetanus, cholera, dysentery, rabies, opiate addiction and alcoholism.\textsuperscript{28}

In 1844, a group of French artists and intellectuals—including Victor Hugo, Honoré de Balzac, Charles Baudelaire, and Théophile Gautier—founded the “Club des Hashischins” in Paris, where they explored another beneficial effect of cannabis intoxication: its potential to inspire artistic creativity. Like the “opium eater,” Thomas De Quincey before him, Gautier recalled his psychoactive experience in particularly dramatic terms: “I could no longer feel my

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\item \textsuperscript{26} Coming on the heels of a decade of anti-marijuana propaganda from Harry J. Anslinger and the Federal Bureau of Narcotics, the film reassures American farmers that growing cannabis was patriotic and quintessentially American. “Just as in the days when ‘Old Ironside’ sailed the seas victorious with her hempen shrouds and her hempen sails,” the narrator exclaimed, “hemp for victory!” Brittain B. Robinson, \textit{Hemp for Victory}, directed by Raymond Evans. VHS. U.S. Department of Agriculture, 1942.
\item \textsuperscript{27} O’Shaughnessy was first exposed to the therapeutic uses of cannabis while stationed in Calcutta with the British East Indian Company. After a number of medical tests on dogs, he observed that cannabis could ease the pain of patients suffering from rabies, rheumatism, tetanus, cholera and epilepsy. Specifically, O’Shaughnessy informed Western doctors that cannabis “possess in small doses, an extraordinary power of stimulating the digestive organs, exciting the cerebral system, of acting also on the generative apparatus.” See: “On the Preparation of the Indian hemp, or Gunjah (\textit{Cannabis indica}): Their Effects on the Animal System in Health, and their Utility in the Treatment of Tetanus and other Convulsive Diseases,” \textit{Provincial Medical Journal of Religion and Retrospect Medical Sciences} 123 (1843): 363.
\item \textsuperscript{28} Martin Booth, \textit{Cannabis: A History} (New York: Doubleday, 2003), 89-93.
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body,” he wrote. “The bonds of matter and spirit were severed; I moved by sheer willpower in an unresisting medium.”29 Writing one hundred years later in 1946, the American Jazz musician, Milton “Mezz” Mezzrow, concurred with Gautier; marijuana seemed to sever the relationship between corporeality and his performance. “The first thing I noticed was that I began to hear my saxophone as though it were inside my head” Mezzrow recalled of his first time smoking “muggles:” “All the notes came easing out my horn like they’d already been made up, greased and stuffed into the bell, so all I had to do was blow a little and send them on their way.”30

In the twentieth century, western government officials, journalists and law enforcement officers began to associate psychoactive commodities’ with a loss of personal agency, and in doing so, connected opium, marijuana and LSD with broader fears about urbanization, racial miscegenation and changing gender roles. In the 1920s and 1930s, for instance, the Canadian press frequently reported that Chinese drug traffickers used opium to lure rich white women into prostitution.31 In her 1922 book, The Black Candle, Emily Murphy explained that “incorrigible or feeble-minded girls” were seduced into taking opium or cocaine by “those parasites of vice, whose nefarious business it is to break down their moral nature in order that they may be held more easily.”32 At the end of the 1930s, Earle Albert Rowell, and his son, Robert, wrote an influential book called On the Trail of Marihuana: The Weed of Madness, which pushed the agency-sapping power of illicit drugs even further. For the Rowells, simply smoking one joint “[destroyed] will power, making a jellyfish of the user.” Unlike the opium in the 1920s,

32 Emily Murphy—often referred to by her nom de plume, “Janey Canuck”—was a prominent Canadian suffragette, author and columnist. She was also the first female police magistrate in the British Empire. A version of Murphy’s book was republished in 1973 with an introduction by two Le Dain Commission researchers, Brian Anthony and Robert Solomon. See: Emily F. Murphy, The Black Candle (Toronto, Ontario: Coles Publishing Company, 1973), 70.
marijuana did not need to partner with a nefarious dealer in order to wreak its havoc. Instead marijuana use alone automatically “[eliminated] the line between right and wrong, and [substituted] one’s own warped desires or the base suggestions of others as the standard of right.”³³ Later, during the Second World War and the politically hostile McCarthy era, illicit drugs were seen as catalysts for outright treason. Believing that American soldiers were not sufficiently bellicose, Harry Anslinger, the commissioner of America’s Federal Bureau of Narcotics (F.B.N.), frequently accused the Japanese—and later the communists—of drugging Americans, and in doing so, sapping their will to fight.³⁴ On December 26th, 1948, in the furthest extension of this logic, members of the Central Intelligence Agency (C.I.A.) looked into the “vacant eyes” of the anti-communist Cardinal Joseph Mindszenty at his show trial in Budapest and determined that he must be under the influence of some sort of Stalinist “mind control drug.”³⁵ In turn, Allen W. Dulles and his Agency began surreptitiously administering hallucinogens to North American citizens and forcing prisoners to ingest LSD prior to violent

³³ The Rowells believed that marijuana played on latent desires in the users’ subconscious, the Rowells believed that marijuana use would invariably “[fill] the victim with an irrepressible urge to violence” and incites “revolting immoralities, including rape and murder.” Earle Albert Rowell and Robert Rowell, “Marihuana, the Liar,” in On the Trail of Marihuana: The Weed of Madness (California: Pacific Press Public Association, 1939).

³⁴ As late as 1961—though the Rowell’s theories had long since been discredited—Harry Anslinger still argued that marijuana was a major cause of rape, murder and suicide in America. He wrote: “Much of the most irrational juvenile violence and killing that has written a new chapter of shame and tragedy is traceable directly to this hemp intoxication. A gang of boys tear the cloths from two school girls and rape the screaming girls, one boy after the other. A sixteen-year-old kills his entire family of five in Florida, a man in Minnesota puts a bullet through the head of a stranger on the road; in Colorado a husband tries to shoot his wife, kills her grandmother instead and then kills himself. Every one of these crimes had been proceeded by the smoking of one or more marijuana “reefers.” Harry J. Anslinger and Will Oursler, The Murderers: the Story of the Narcotic Gangs (New York: Farrar, Straus and Cudahy, 1961), 38. See also: Eric Schlosser, Reefer Madness: Sex, Drugs and Cheap Labor in the American Black Market (New York: Houghton Mifflin Company, 2003), 21.

and sexually abusive interrogations in an attempt to learn the secrets of “brainwashing.” In one instance the CIA funded experiments in “de-patterning” by a psychiatrist named Ewan Cameron at Montreal’s Allan Memorial Hospital. Cameron attempted to erase and then rebuild his patients’ consciousness by repeatedly giving them near-lethal courses of Electroconvulsive Therapy (ECT) and high doses of synthetic drugs. Though a number of the patients had been admitted with only minor mental illnesses, many left Allan Memorial with permanent and debilitating brain damage.

In Canada, Marijuana was first added to Canada’s Schedule of Banned Substances in 1923 under the Opium and Narcotic Drugs Act. It was a curious decision. In the words of the Le Dain commissioners, the ban came “without any apparent scientific basis nor any real sense of social urgency.” After all, there was little reason to be urgent; while Canadian temperance groups had lobbied the federal government to prohibit the sale of booze for nearly one hundred years, in the 1920s the RCMP still rarely, if ever, encountered marijuana smokers or traffickers. Even by 1955, a Special Senate Committee on the Traffic in Narcotic Drugs noted that “no problem exists in Canada at present in regard to [marijuana].” Between marijuana’s

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37 In her book, The Shock Doctrine, author and activist Naomi Klein describes how the director of Allan Memorial, Dr. Ewan Cameron de-pattered his patients using a newly invented ECT machine: the Page-Russell, which was capable of administering six consecutive jolts where most machines could only administer one. Additionally, Cameron gave his patients many of the stimulants, depressants and hallucinogens that the synthetic age had to offer, including chlorpromazine, sodium amytal, nitrous oxide, insulin and—sometimes—LSD. After the patients experienced almost total amnesia and personality loss, Cameron made them listen to looped tape recordings playing messages like “You are a good mother and wife and people enjoy your company.” It was a practice he called “psychic driving.” In 1988, the CIA awarded Cameron’s patients a settlement worth $750,000. Four years later, the Canadian government awarded $100,000 in compensation to each patient. See: Naomi Klein, The Shock Doctrine: The Rise of Disaster Capitalism (Toronto, Canada: Vintage Canada, 2008), 27-55.

38 The Royal Commission of Inquiry into the Non-Medical Use of Drugs, Cannabis, 230.

39 The Senate of Canada, Proceedings of the Special Committee on the Traffic in Narcotic Drugs in Canada, 1955, xii.
criminalization in 1923 and the Special Senate Committee in 1955, the Royal Canadian Mounted Police [RCMP] had only made a handful of arrests for marijuana possession and the Committee found that most of these arrests had been of either “visitors” bringing marijuana across the border or “one or two instances [of] Canadians who developed the addiction in other countries.”

Nevertheless, the motion to prohibit marijuana passed without a legislative debate and with almost no coverage by the Canadian press.

Canadian parliamentarians also made the enigmatic and possibly accidental decision to classify marijuana as a “narcotic drug.” Both now and in the 1920s, the word “narcotic” usually refers to opiate-related substances, either those derived from the natural alkaloids of the opium poppy—such as opium, codeine and morphine—their partially synthetic derivatives—including heroin and hydromorphone—or their entirely synthetic analogues—like methadone. Until 1961, Canadian legislators, consistently made the penalties for trafficking and possessing marijuana more severe, in spite of the conspicuous lack of marijuana-smoking in the country. Instead, Canada’s repressive drug legislation was part of a broader policy to strengthen penalties against opium, and in turn, penalize Canada’s sizeable population of Asian opium smokers.

In 1961, when Canadian legislators raised the penalty for trafficking opium, and with it marijuana, to life imprisonment, Canada had some of the most severe anti-marijuana legislation in the

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40 The Senate of Canada, Proceedings of the Special Committee on the Traffic in Narcotic Drugs in Canada, 1955, xii.
41 Prior to the widespread use of illicit drugs by affluent white youths, North American legislators were often able to pass laws prohibiting the simple possession of particular substances quickly and with little controversy or media attention. See: Hansard, House of Commons, April 23, 1923, page 2117; The Royal Commission of Inquiry into the Non-Medical Use of Drugs, Cannabis: A Report of the Commission of Inquiry into the Non-Medical Use of Drugs (Ottawa, Ontario: Queen’s Publishers, 1970), 230; and, Rufus King, The Drug Hang-Up: America’s Fifty-Year Folly (New York: Norton, 1972).
42 Today, botanists consider marijuana to be a mild hallucinogen or a “psychedelic,” in the same class of drugs as mescaline, psilocybin and LSD. Melvyn Green, “A History of Canadian Narcotics Control: The Formative Years,” University of Toronto Faculty of Law Review 42 (1979): 42.
43 This point is relatively uncontroversial today. Even the Le Dain Commission observed that “in the early years, at least, the call for increased severity in the narcotic laws seems to have been inspired by the in some measure by anti-Asiatic feeling. The Royal Commission of Inquiry into the Non-Medical Use of Drugs, Cannabis, 231.
world. In the same year the international journal Addictions reported that while some aspiring artists in Vancouver smoked marijuana, on the whole marijuana smoking “does not appear to be a problem” in Canada.\textsuperscript{44} Looking back in 1972, Gerald Le Dain noted, “It is ironic that the severity [of Canada’s repression of marijuana and opium], which was originally seen as falling mainly upon persons of Asiatic origin, should have fallen ultimately upon middle class youths.”\textsuperscript{45}

In 1961, for the first time, Canada’s anti-marijuana legislation was put to use in a high profile drug raid. In the middle of that summer, a thirty-year-old named Werner Graeber and his wife, Eva, held a drinking party for just over 20 young bohemian people at their house on Yorkville Ave. The Toronto Metro Morality Squad—who would soon become a fixture in the neighbourhood—raided the party and arrested its hosts for illegally selling liquor. The party’s attendees were also arrested as “found-ins,” and taken to Don Jail, where—according to Toronto Daily Star reporter, Pierre Berton— they were “stripped, showered, deloused, and given an intimate physical examination.”\textsuperscript{46} The Globe and Mail’s readers were alarmed to discover, in particular, that Graeber’s six female guests were made to lie “naked on a table” at the prison and were “given an intimate examination.”\textsuperscript{47} The press and public were scandalized by the account. However, procedurally speaking, neither the Morality Squad nor the prison officials deviated from standard practice. The deputy governor of Don Jail, W.J. Woodside, told the Globe and Mail that intimate searches had been regular policy in his prison for six years. He reassured the paper that the physical examinations were always carried out by a registered female nurse and were absolutely necessary in order to “ascertain if an attempt is being made to bring in


\textsuperscript{45} Gerald Le Dain et al., Cannabis, 230.

\textsuperscript{46} Pierre Berton, “How Did Those Reefers Get into that Yorkville Coffeehouse?” Toronto Daily Star, 1 May 1962.

contraband.” 48 Similarly, Woodside argued that guards had to spray every prisoner for bugs because “even the cleanest person before being admitted comes into close proximity to other prisoners of questionable cleanliness in the police stations and police vans.” 49 Soon, Toronto’s Mayor Nathan Phillips condemned “Yorkville Row” and promised to revisit the city’s policies on policing disorderly conduct. 50 One Globe and Mail editorial attempted to strike a middle position: drunk partygoers were a nuisance and therefore should be placed in prison, its author argued “but must it be Don Jail?” The editorial continues:

Many other cities maintain cells for overnight guests whom they do not subject to the complete physical examination of Don Jail. To be exact, the police just toss these guests in the drunk tank until they recover—an experience which can have a salutary effect upon otherwise reasonable citizens who have got into the habit of having one drink too many. Perhaps Toronto should increase its supply of such cells. 51

The debate over the “indignity” of Don Jail’s procedures foreshadowed coming debates over marijuana and its criminality. While the editorial agreed that underage drinking, the sale of alcohol without a permit and public drunkenness should remain criminal offences, the fact that the offences were often committed by "otherwise reasonable” citizens demanded that Toronto’s law enforcement spare future offenders from the harsher side of the Canadian criminal justice system.

The charges against the Graebers did not hold up in court. Soon thereafter, Werner and Eva registered their home as the 71 Club, one of Yorkville’s first official coffee houses. Werner told Berton that he “almost immediately began to sense that some of his customers were

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49 Ibid.
50 Thereafter, the Toronto Police force actually changed their official policy to distributing summons at an illegal party instead of hauling the party-goers to jail. Stuart Henderson, Making the Scene: Yorkville and Hip Toronto in the 1960s (Toronto, Canada: Toronto University Press, 2011), 54-55.
Two months following the first raid, the Morality Squad entered the Graeber’s house again, this time finding hard evidence of the couple’s corrupting influence on Toronto’s youth. After Werner welcomed the police officers to “tear the place apart,” the morality squad officers produced four joints from various locations around the 71 Club. Insisting on his innocence, Werner agreed to take a lie detector test and undergo a “psychiatric interview” under the influence of sodium amytal, a supposed “truth drug.”

Again, the Toronto courts decided to throw out the case—this time because all of the joints were found in areas where they could have been stashed by members of the public—or as Berton implies—by the cops themselves. “How did the Toronto police learn of the presence of these cigarettes?” he asked. “Did somebody tell them . . . If the police have the identity of any tipster will they charge him with committing a public mischief?”

Yorkville historian Stuart Henderson concurs with Berton, arguing that “there can be little doubt that Graeber was the victim of a corrupt police action.” Whether the Morality Squad actually planted the marijuana in Club 71, the fact remains that, in 1961, the simple possession of a small quantity of marijuana was incendiary enough to inspire angry letters to the Toronto Star, a coordinated police raid and a lie detector test.

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52 Pierre Berton, “How Did Those Reefers Get into that Yorkville Coffeehouse?”
53 Ibid.
54 Ibid.
55 Stuart Henderson, Making the Scene, 55.
Part Three: Visualizing Canada’s New Drug Scene

The Graeber incident took place during a period of cataclysmic change in the greater Toronto-area. In his history of the Village, Stuart Henderson describes Yorkville prior to 1960 as a “scuzzy” collection of “crumbling Victorian houses” in Southern Toronto. For the first half of the twentieth century, Yorkville was almost exclusively residential: it had a Chinese laundry, two grocers, and—after its more affluent villagers moved to the suburbs—a community largely composed of the elderly working class, immigrants and artists.\textsuperscript{56} The first pivotal investment into Yorkville was made in 1947 when a wealthy Torontonian named Mary Millichamp converted one of the damaged Victorian homes into a luxury restaurant. Though the 1950s, the City of Toronto’s municipal government continued to develop the areas near Yorkville and, overtime, a number of luxury clothing boutiques, hair salons, and restaurants moved into the neighbourhood. In 1960, attracted in part by the new restaurants and retail stores, young students, professionals and artists began to rent the still inexpensive flats located above the new shops. Soon, trendy coffee houses like the Purple Onion, the Half Beat and the Graebers’ Club 71 moved into to some of the remaining Victorian houses.\textsuperscript{57} While more and more professional Torontonians moved into the economically and racially homogenous suburbs, Yorkville was becoming an unlikely mixture of classes and races: it was home to white musicians and artists from affluent families who, now that they had left their parents’ homes in the suburbs, would just barely be able to make ends meet; it was home to Eastern European working class families, who had lived in the village for decades; and it was home to young professionals who wanted to live near the new shopping district.\textsuperscript{58}

\textsuperscript{56} For the suburbanization of Canadian cities in the 1940s and 1950s, see: Richard Harris, \textit{Creeping Conformity: How Canada Became Suburban, 1900-1960} (Toronto: University of Toronto Press, 2004).
\textsuperscript{57} Stuart Henderson, \textit{Making the Scene}, 35-37.
\textsuperscript{58} \textit{Ibid.}
By the mid-1960s, Yorkville had been transformed into the heart of Canada’s new drug scene. In September 1964, the Globe and Mail reported that cannabis grown in Mexico, West Africa, the Middle East, and Latin America was being imported into Canada through hippie communities in New York and San Francisco.\(^5^9\) In 1964, the RCMP and the Addiction Research Foundation—a federal consortium of addiction specialists run by a psychiatrist named David Archibald—confirmed that young affluent people had begun to smoke marijuana in Yorkville. Subsequent waves of “hippies” moved into Yorkville as the local coffee shops began to feature increasingly electric musical acts. Gradually, Woody Guthrie-inspired folk revivalists gave way to Neil Young and a generation of folk-rockers. After Jimi Hendrix’s famous performance at the Monterey Pop Festival in 1967, Yorkville coffee houses started to book “acid rock” acts that appealed directly—sonically, lyrically and aesthetically—to psychedelic drug users.\(^6^0\) Yorkville looked conspicuously like Haight-Ashbury—or as Hunter S. Thompson called it, “Hashbury;” it was a village full of people in strange outfits, men with long hair, and youth who used marijuana openly, even publically.\(^6^1\) According to Smart and Jackson, ethnographers working for Canada’s Addiction Research Foundation, by 1969, Yorkville had become “a kind of non-alcoholic skid row for young people—where youthful social drop-outs congregate for shared drug experiences.”\(^6^2\) Highly visible “hippie” communities, built in the image of San Francisco’s Haight-Ashbury district, emerged in Vancouver’s Gastown as well as in Halifax, Winnipeg, and Ottawa.\(^6^3\) A study of psychoactive drug use in the International Journal of the Addictions


\(^{6^2}\) Ibid, 1.

\(^{6^3}\) Ibid. Ethnographies from the Vancouver and Toronto scenes reveal that the term “hippie” was almost always externally imposed on the residents of these neighborhoods. See: Reginald Smart and David Jackson, The Yorkville Subculture, 9.
determined that “relatively privileged young people” had begun to smoke marijuana in Vancouver. In Montreal, young people were frequently seen smoking marijuana outside of McGill University. For the first time, Canada’s new drug scene was in full view.

Through 1965, the RCMP still believed that most of the marijuana brought into Canada was transported by touring American musician, not criminal syndicates. In 1964 and 1965, the RCMP proceeded to arrest a number of musicians for possession. After a jazz pianist from Southern Florida named Ernie Goldman with $10 worth of marijuana at Toronto’s Flamingo Club, he told the judge “I would like to apologize to you and Canada for all the trouble I’ve caused.” Goldman explained to police that a Canadian drug dealer had approached him and offered to sell him marijuana on the assumption that all jazz musicians used the drug. In February 1965, Toronto police made one of the largest drug busts in Canadian history when they apprehended 11 individuals carrying marijuana, including three rock musicians, Jamie Robertson—better known by his stage name, “Robbie”—Garth Hudson and Levon Helm. By late February, the RCMP and the Toronto Metro Morality Squad had arrested 23 Canadians on marijuana charges, almost all of them college students and artists living in Yorkville. By the end of 1965, the number of young people arrested in Toronto climbed to 69. Only ten people had been charged with possession in 1964. Concurrently, professional criminals in Canada and the US, as well as Yorkville’s young residents, were building the partnerships, infrastructure, and strategies necessary to set up a permanent and highly profitable underground economy for

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65 Royal Commission of Inquiry into the Non-Medical Use of Drugs, Cannabis, 200.
67 At the time of their arrest the musicians belonged to a group called “Levon and the Hawks.” The following year they achieved international stardom as Bob Dylan’s backing band. All three would later go on to play in “The Band,” one of Canada’s most successful rock groups. See: “RCMP Holds 11 on Narcotics Charges,” Globe and Mail, 1 February 1965.
marijuana in Canadian cities.

At first, this underground economy was shallow and informal. In the early years of the new drug scene, the combination of raids by the Morality Squad in Toronto and American police action against crime syndicates in New York still frequently shut down the supply of marijuana into Yorkville. In September of 1965, for instance, the arrest of two major suppliers from New York City carrying two pounds of marijuana was enough to deprive villagers of marijuana for the night. At first, the space between the criminal elites who ran the marijuana trade and their consumers was so pronounced, that most Canadians assumed that gangs had nothing to do with the transportation or distribution of cannabis. In truth American and Canadian professional criminals sometimes acted as the wholesalers and importers of marijuana, but virtually never involved themselves in the lower levels of distribution. Instead, Canadian young people assumed the role of circulating the substance amongst their friends and, sometimes, acted as middlemen in sizeable drug deals. In their 1972 report on *Cannabis*, the Le Dain commissioners noted that marijuana-smokers were ignorant of the international drug dealers who purchased huge quantities of cannabis from growers in the Mexican provinces of Chihuahua, Coahuila and Sonora, or—increasingly—in Panama, Columbia, or Jamaica, where the bulk of the world’s marijuana was produced. Nor did they much about the “drug runners” who regularly traveled with marijuana in the trunk of their cars, stuffed into “false-bottom” suitcases, or strapped to their bodies. These men and women risked imprisonment every time they encountered customs or border agents. This ignorance probably reflected a much broader trend; modern consumers,

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70 In 1969, Richard Nixon mandated that each vehicle crossing the U.S.-Mexico border into the U.S. be searched for a minimum of three minutes as part of Operation Intercept. Thereafter, drug dealers increasingly sourced their marijuana from growers in the West Indies, the Middle East and Africa and, sometimes, attempted to ship large quantities of marijuana through the mail. Operation Intercept was also largely responsible for Canada’s new role in the transshipment of illicit drugs. See: “Alberta RCMP Seizes 6,000 Pounds of Hashish,” *Globe and Mail*, 14 December, 1971.
the commissioners remarked, “are rarely party to the operation of any market above the level of their own dealings.”  

71 Like people who ate hamburgers or smoked tobacco, then, marijuana smokers knew virtually nothing about the thankless and dangerous conditions of their commodity-of-choice’s production nor the diffuse and complex market forces that brought it into their communities.

The lack of criminal involvement in the day-to-day exchange of drugs in Canadian urban centres created space for a small minority of young Canadians to make money as low level drug dealers. Often these dealers saw themselves as much as advocates for the psychedelic lifestyle as professional criminals. An 18-year-old drug dealer named “Fantasia,” for instance, told journalist Sheila Gormely that while she had dealt marijuana, hashish and LSD in Yorkville since she was 15-years-old, she refused to sell amphetamines like Methedrine “because she didn’t want it on her conscience.”  

72 In Yorkville village in particular, some young people began to invest deep symbolic meanings into marijuana: it was a drug that slowed the body and mind and, therefore, resisted the logic of post-industrial life; it was a spiritual drug that put its users on the path towards some poorly understood form of Bodhisattva enlightenment; and it was a hedonistic drug that enhanced the pleasures of music, food and sex. For many hippies, then, marijuana helped resist the monotony of suburban life. However, others saw the drug in more pragmatic terms. One young person simply told an ethnographer, “What is happening is not a social renaissance. People are smoking pot.”  

73 After three years of making profits in the underground economy, Fantasia was equally pragmatic about the business of psychedelic drugs: “I gotta get my cut,” she emphasized to Gormely, “I don’t do it out of the goodness of my heart.”

71 The Royal Commission of Inquiry into the Non-Medical Use of Drugs, Cannabis, 171.
72 Sheila Gormely, Drugs and the Canadian Scene, 48.
73 Reginald Smart and David Jackson, The Yorkville Subculture, 16.
74 Sheila Gormely, Drugs and the Canadian Scene, 50.
While Canadian sociologists, ethnographers and criminologists very rarely wrote about illicit drug use prior to 1964, throughout the 1960s and 1970s, Canadian researchers began to build an archive of research on the new drug scene. At the behest of the Le Dain Commission, an ethnographer named Ken Stoddard secretly observed a Vancouver pub named the Alcazar, where young people were said to use drugs openly. In the same study, Real Aubin and George Letourneau published a paper on the Montreal drug scene after Expo ’67, Howie Broomfield, covertly profiled rock and roll fans’ drug use in Halifax, and—perhaps most surprisingly—Michel Gaussiran infiltrated “an administratively autonomous, northern suburb of Montreal” where he studied a particularly small drug using group: “The ‘scene’ in this suburb is located in two apartments situated close to each other,” he wrote. “[It is] composed of thirty-seven members: 14 regulars and 18 “satellites.” Looking back, the Le Dain commissioners were self-conscious about the role that social class played in their decision to study these groups. In their report on Cannabis, the commissioners stated: “since the widespread and middle class use of cannabis in North America is a relatively recent phenomenon, it has not, in the past, been considered a particularly high priority research area from a public health standpoint.”

Canada’s urban drug scenes were still limited enough in the late 1960s and early 1970s that there is a good chance that any of its participants had at some point unknowingly met an undercover ethnographer or an undercover cop.

In 1966, the Ottawa’s Addiction Research Foundation (ARF) sent an anthropologist named Gopala Alampur to live in Yorkville and covertly investigate why so many “middle class” young people were openly flaunting Canada’s drug law. Alampur grew out his beard, bought “typical Yorkville clothes and beads” and stayed in the village until 1968, where he interviewed

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76 Gerald Le Dain et al., Cannabis, 15.
young villagers under the auspice of writing a book on “various religions and cultures.” In 1969, two leaders in Canada’s emerging drug studies field, Reginald Smart and David Jackson, composed an ethnography of Yorkville based on Alampur’s field notes. Smart, Jackson and Alampur divided the residents of Yorkville into four social categories; the “hippies,” a group of affluent social dropouts who used psychoactive drugs as a form of political protest; the “weekenders,” high-school-aged suburbanites who came to the Village on weekends and during their summer vacation to—sometimes—buy drugs and participate in Yorkville’s hedonistic sexual atmosphere, (more frequently they simply gawked at the hippies); the “greasers,” or “hoods,” were an ethnically diverse group of young immigrants who, Alampur noted, typically came from lower class families and had “suffered severe deprivation in semi-criminal environments;” and, finally the “motorcycle gangs,” a group of Caucasian, working class men who identified as criminals and, in the imagination of most Canadians, were inseparable from the many lurid profiles of the Hell’s Angels that had appeared in American magazines in 1965. In an informal count, Alampur estimated that there were 1163 greasers in the village as compared to 1013 weekenders, fewer than 300 hippies and 243 motorcyclists. The Addiction Research Foundation embedded Alampur in the hippie subculture in spite of the fact that the greasers were known to use more dangerous drugs like heroin and amphetamines.

Smart, Jackson and Alampur noted—along with Canadian sociologists and the press—

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77 Reginald Smart and David Jackson, The Yorkville Subculture, 3.
78 In his 1966 book, Hell’s Angels, Hunter S. Thompson describes how the American motorcycle gang gained fame and symbolic power after they allegedly raped two young women in Monterey. “Weird as it seems,” Thompson wrote, “as this gang of costumed hoodlums converged on Monterey that morning they were on the verge of ‘making it big,’ as the showbiz people say, and they would owe most of their success to a curious rape mania that rides on the shoulder of American journalism like some jeering, masturbating raven.” While police reports admitted that there was some question as to whether or not the rape actually took place, the event was covered by America’s national magazines and, soon thereafter, the Hell’s Angels became a household name in the United States and Canada. See: Hunter S. Thompson, Hell’s Angels: A Strange and Terrible Saga (New York: Ballantine Books, 1966), 13-32; “California: The Wilder Ones,” Time Magazine, 26 March 1965, 23B; and “The Wild Ones,” Newsweek, March 29, 1965, 25.
79 Reginald Smart and David Jackson, The Yorkville Subculture, 27.
that Yorkville’s “hippies” seemed to have completely rejected their middle class status and were, instead, living in a sort of self-imposed state of poverty. While the hippies almost exclusively came from relatively wealthy families—Alampur notes that “their fathers are salesmen, clerks, executives and professionals”—most appeared to have severed their relationships with their parents and all were unemployed.80 In spite of their class mobility—or perhaps because of it—the hippies frequently fought with Yorkville’s working class residents. When asked about the hippies, one “greaser” remarked that ‘rich people can afford to be bums. Poor people have no choice.’81 When Alampur asked a motorcyclist why he did not like the hippies he replied, “In my opinion, hippies are phonies who live off their parents.”82 For their part, the hippies were typically ambivalent about the way that class structured inequalities in the village. One long-haired young person told Alampur that he and his friends had no interest in participating in the motorcyclists and the greasers’ “class struggles” because “status is not our hang up.”83 Instead, the undercover ethnographer wrote that the hippies subscribed to a sort of “unstructured socialism”—a detached politics of “helping others,” that was not popular with other villagers.84

On occasion the conflict between the hippies and the motorcyclists or greasers would turn violent—and when it did, the hippies almost invariably lost the fight. In one instance, motorcycle gang members attempted to “give the village youths free haircuts,” which lead to a massive fist fight and then a bottle-throwing “near riot.”85 While the Globe and Mail reported that it was the motorcycle gangs and not the hippies who had started the fight, Joseph Pomerant, a member of a panel of police, lawyers and villagers tasked with addressing the violence in Yorkville, told the

80 Reginald Smart and David Jackson, The Yorkville Subculture, 13.
81 Ibid, 25.
82 Ibid, 21.
83 Ibid.
84 Ibid, 13.
young hippie residents that they had it coming. “You seek attention,” he told them. “By being flamboyant in appearance you invite the very attention that you receive.”\textsuperscript{86} Still, other commentators refused to pick a side. Describing the fight between “the so-called greasers and the long-hair types” as “like nature providing its own antidote for a bad situation,” \textit{Globe and Mail} columnist Bruce West suggested that the conflict be moved to the Maple Leaf Stadium or the Grandstand of the Canadian National Exhibition.\textsuperscript{87}

On one side of the grounds there would be a special enclosure containing, say, five chairs with five barbers standing at the ready, with electric hair-clippers buzzing eagerly. On the other side would be a similar enclosure manned by professional dry cleaners, fully equipped with grease-removing preparations. All greasers who dragged a mop-top to the barber enclosure would be awarded one point by the judges. All greasers who dragged a mop-top to the barber enclosure given the mop-tops who dragged to the barber enclosure would be awarded one point by the judges. Similar marks would be given the mop-tops who dragged a greaser to the dry cleaning pen.\textsuperscript{88}

Frequently reduced to political metonymies in the press, the greasers, the motorcycle gang members and the long-haired hippies often offended one another, the police and writers like West merely by wearing their costumes.

It is debatable how authentically countercultural the Yorkville hippies actually were and to what extent they maintained their economic privilege through handouts from their parents. However, the point is somewhat mute: by putting themselves on the frontlines of Canada’s war on drugs, young people in places like Toronto’s Yorkville and Vancouver’s Gastown were disproportionately victimized by the Canadian criminal justice system and, to some extent, endured genuine abuse for their illicit tastes. Moreover, because they were the most public face

\textsuperscript{86} “Yorkville Youth Praised: Outsiders Blamed for Violence.”
\textsuperscript{88} \textit{Ibid.}
of drug use, the Yorkville hippies were disproportionately charged with drug crimes. In September of 1965, for instance, morality squad detective Ronald Clifford admitted that so far that year every single person arrested on a marijuana charge was either arrested in Yorkville or was known to visit the district.\(^8^9\) In September 1969, sociologist John A. Byles released a report on the Yorkville scene that included a description of police abuse in village. According to Byles, police routinely harassed and intimidated young, long-haired people in Yorkville. Some youths also reported being punched, kicked or handled roughly.\(^9^0\) Additionally, the RCMP and the Metro Morality Squad made use of a whole range of special legal powers in Yorkville and Gastown, including, the warrantless search and seizure of an individual suspected of carrying marijuana, the use of force to enter a premises, and—unlike in the United States, where the practice was illegal—“the encouragement or provocation of drug offences” through sting operations.\(^9^1\) Hospital workers, too, would frequently withhold services to the hippies, especially if they were experiencing a bad acid trip. As Gormely explained, “these freak- outs were too much like hulking six-foot babies demanding a great deal of affection and help while pleading: ‘I do not recognize that I have been bad.’”\(^9^2\)

However, Canadian hip marijuana smokers in Canada also benefited from some favorable reporting. In the earliest stages of the new drug scene, both the *Globe and Mail*—still largely a Red Tory publication—and the *Toronto Star*—by all accounts, more liberal than the *Globe*—often presented marijuana users as likeable young people without criminal records who had been victimized by harsh drug laws.\(^9^3\) From the outset, the *Globe and Mail* portrayed marijuana

\(^9^1\) The Royal Commission of Inquiry into the Non-Medical Use of Drugs, *Cannabis*, 239.
\(^9^2\) Sheila Gormely, *Drugs and the Canadian Scene*, 28.
legislation as a genuine debate between two legitimate points of view, but gradually featured more testimonies by medical experts who argued that marijuana should be legalized than statements by the RCMP about the dangers of marijuana. In one typical article from 1966, the *Globe* featured lengthy statements by Dr. S.J. Holmes, the director of the narcotics addiction unit of the ARF in Toronto. Holmes attacked the RCMP’s anti-marijuana campaign, claiming that marijuana was not addictive, that it posed almost no health risks, and that while there was no psychopharmacological evidence to suggest that marijuana lead to heroin use, its criminalization almost certainly forced young Canadians to consort with opiate-using criminals.94 In fact, the *Globe* frequently asked Holmes for a comment when the RCMP made drug busts. In one case, Holmes claimed that marijuana was psychopharmacologically safer than alcohol and that, therefore, its prohibition was “hypocritical.”95 This argument has since become chapter and verse for modern marijuana activists.

In particular, the press was interested in the relationship between gender and drug use in Yorkville. In article after article, the *Globe* and the *Star* scrutinized the relationship between young female drug use and sex, sometimes from a position of lurid objectification and other times from a position of frantic paternalism. In an article from 1965, *Globe* reporter William Hanrahan demonstrated that the new generation of drug users did not look haggard and sickly, like opiate addicts. Instead, the new drug users were young, healthy and even sexy. “Standing in the prisoner’s box, her long blonde hair tumbling over her shoulders,” he wrote of a 20-year-old who had been arrested for possessing marijuana, “She looked more like a dancer on a teen-age television program or a Brigitte Bardot.” In a particularly lurid article printed in the *Globe* called “LSD, Pot Give Spice to Sex, Users Maintain” *New York Times* reporter Matthew Arnold

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cinematically described another female pot smoker: “The expensively coiffed wife of a dress shop owner was seated on a brown hassock, slowly running her tongue along the seam of a cigarette she had just rolled.”

Arnold interviewed another woman who claimed that she “once stayed in bed for three days with a man, taking [amphetamines] to keep going and smoking pot to enjoy myself. We did nothing but make love for three days. We sent out for chop-suey every once in a while.”

Elsewhere, marijuana was connected to sexual misconduct rape and prostitution. In August of 1964, The Globe and Mail printed a story about four “clubs for homosexuals” in Yorkville, all of which had “thriving memberships.” The Globe reported that the Toronto police “wish they could take action on them . . . What worries the police is not the activities in the club . . . but the fact that they are gathering places for homosexuals and as such offer a chance for homosexuality to spread by introduction.”

Even more troublingly was the fear that young women were becoming “dirty, diseased and demoralized” in the village. After high profile pieces on “free love” ran in Newsweek and Time in 1966, Canadian newspapers began to run their own pieces on sexual relations in the village. In 1967, Toronto’s deputy police chief Bernard Simmonds told the Toronto Star that he wanted to see the juvenile age raised from 16 to 18 so that to save young women from sexual violence. “They come to the village as good kids, mixed up perhaps, [but] many [are] from fine homes,” he observed. “And these beatniks grab them and within two days they are ruined.”

At the beginning of the century, prohibitionists told apocryphal stories about women being forced into the “white slave trade” by malicious—

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97 Ibid.
and almost exclusively Chinese—opium dealers. Now, in the 1960s, the press repeated the trope, this time pinning the crime on lower class motorcycle gang members. In one particularly alarmist story, a “frail and nervous” 19-year-old named Susan was said to have been “sold for nine cents by one [Yorkville] motorcycle gang member to another.”

Frequently, the press and the police attributed young women’s decisions to sleep with men from the village either to the haze of marijuana intoxication or outright sexual slavery. In this context, cracking down on marijuana possession in the village became part of the broader strategy of guarding the sexual purity of Canada’s young women.

In the pharmacopeia of the village, psychoactive drugs were imbued with symbolic significance based on their associations with one of the subgroups. The motorcyclists and the greasers told Alampur, for instance, that they disliked marijuana, because of its association with the hippies’ vague appreciation of Eastern cosmology, bohemianism and leftism. Nevertheless, Alampur observed that both groups would occasionally smoke marijuana when there was a shortage of booze, amphetamines or heroin. While “hippies,” “greasers” and “motorcycle gang members” all were multidrug users, the hippies were the only ones to conceptualize their drug use as “self-development, mind enhancement, and self-exploration.”

More than any other drug, the Yorkville “hippies” smoked marijuana. Like the vast majority of young Canadians who experimented with marijuana in the 1960s and 1970s, Yorkville’s “freaks” reported that the drug produced a pleasant sensation of intoxication without the severe hangover that usually follows a night of heavy drinking. There was less vomiting. Doctors confirmed that, unlike booze, it was

102 “Yorkville: Where a girl like Susan is sold for nine cents,” Toronto Star, 3 November 1967, 1.
103 Stuart Henderson, who is generally sympathetic to the hip villagers he profiles, admits that some of the women who came to Yorkville—just like some of the women who came to Haight Ashbury—genuinely faced a sexually hostile environment. However, Henderson somewhat un-problematically reproduces arguments by the hippies at the time that most of the sexual violence in the village was committed by either the poorer motorcyclists and greasers or the less ideologically pure “weekenders.” See: Making the Scene, 99-100.
104 Reginald Smart and David Jackson, The Yorkville Subculture, 64.
virtually impossible to overdose on marijuana and it seemed as if it had no chemically addictive properties. Although the vast majority of Yorkville’s marijuana smokers were also drinkers, again and again they made the case that marijuana should be legalized precisely because it seemed safer and more pleasant than alcohol, which they regarded as a “dangerous addictive drug, vulgarized by its general use in the large society.”

By frequently insisting that their drug of choice should be decriminalized precisely because it was safer, more pleasant and more aesthetic than “hard drugs” the hippies, in turn, supported one of the key philosophical positions of North American prohibitionism: that harsher and more dangerous psychoactive commodities should be illegal and their users criminalized for their own protection. In other words, young people in Yorkville were not trying to sever the link between social class and psychoactive taste; instead, they argued that marijuana had been inappropriately categorized as a “hard” drug. Nevertheless, the ethnographers noted that the hippies—like everyone in the village—occasionally went to extremes for “kicks.” When the hippies could not find any marijuana, LSD or booze some opted to inject themselves with syringes full of sugar or smoke a joint filled with crushed aspirin. Other Yorkville residents ingested airplane glue, cough medicine, nail polish, and a “frost substance used for cooling glasses.” While almost every resident reported to Alampur that these forms of intoxication produced unpleasant effects, he noted that the practice

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105 Reginald Smart and David Jackson, The Yorkville Subculture, 68.
106 Today, many people who advocate a reform to anti-marijuana laws use the same strategy. In one recent study, modern marijuana-smokers in Norway insisted on the relative softness of marijuana intoxication compared to the harsher sensation of drunkenness in order to challenge their country’s prohibitory drug laws. Like the young Canadians of the 1960s and 1970s, the Norwegians did not make an idealistic argument about personal liberty nor a pragmatic argument about the ineffectiveness of prohibitory policing. Instead, marijuana advocates then and now frequently argue that their drug of choice should be legal because its use is more pleasant than a legal (and normalized) drug; it should be legal because it feels nice, because it does not seem to be addictive, because the hangover is not as severe and because no one overdoses on it. The marijuana-smokers gave no explanation as to why less pleasant drugs should be illegal and their users criminalized. See: Sveinung Sandberg, “Is Cannabis Use Normalized, Celebrated or Neutralized? Analysing Talk as Action,” Addiction Research and Theory 20:5 (2012): 379.
108 Ibid, 68.
remained common nevertheless.

The hippies’ psychoactive experience differed most conspicuously with the lower class “greasers,” some of whom were heroin addicts.\(^\text{109}\) When grappling with the “stepping stone” thesis—the idea that marijuana use lead to “harder” and more dangerous drug use—the Le Dain commissioners admitted that it is possible that marijuana could lead to LSD or cocaine use, but steadfastly rejected the claim that marijuana users mixed with intravenous drug users.\(^\text{110}\) In fact, “middle class” people were so unlikely to inject their drugs that sociologists and healthcare workers had developed a “needle-barrier” theory that hypothesized that affluent white people were culturally, or alternately biologically, predisposed to avoid needles.\(^\text{111}\) In a study of Vancouver’s marijuana-using “experimenters” and “hippies” Ingeborg Paulus of the Vancouver-based Narcotics Addiction Foundation (N.A.F.) confirmed that marijuana users and opiate users were both spatially and socially “miles apart.”\(^\text{112}\) Paulus argued that marijuana and heroin users were so culturally distinct that by 1969, “the question whether or not marijuana ‘leads’ to heroin use is by now pretty obsolete.”\(^\text{113}\) Almost invariably, the heroin users that Paulus encountered were born into the lower class and had “the wretched childhood and adolescence so many of the heroin users we see at the Narcotics Addiction Foundation have.”\(^\text{114}\)

Like the young people living in Yorkville, the first marijuana smokers in Vancouver came from professional families and were disproportionately male, young and white. While Paulus referred to his subjects as “hippies,” Vancouver’s marijuana smokers were not living in the same conditions of voluntary poverty as the Yorkville dwellers. In particular, Paulus noted

\(^{110}\) Gerald Le Dain et al., Cannabis, 272.
\(^{111}\) Ibid.
\(^{112}\) Ibid.
\(^{113}\) Ibid.
\(^{114}\) Ibid.
that they were “almost all gainfully employed.” Additionally, like hippies everywhere, the Vancouver marijuana smokers were not involved in any criminal activity outside of their drug use and predominately came from “middle class or upper class families.”

In order to situate the marijuana smokers in the wider continuum of drug users in Vancouver, Paulus compared his subjects to his typical patients. In 1966, the N.A.F. accepted 169 patients, most of whom had not graduated from high school, had been involved in criminal activity prior to using drugs and “came from lower class backgrounds.”

In 1965, the police estimated that there were approximately 200 marijuana-smokers in Toronto, but in retrospect this number seems implausibly low: while a relatively small group of highly politicized Yorkville villagers dominated the headlines and were frequently the target of police surveillance, whatever marijuana was transported back to the suburbs by young Torontonians prior to 1969 was largely unnoticed by the Canadian police and press. For the same reason, it is difficult to judge how much marijuana was being smoked by Canadian adults. From 1964 to 1969, the RCMP focused almost exclusively on repressing marijuana-use amongst the young people living in Yorkville Village, who were reportedly smoking the drug with impunity.

From the outset, Canadian magistrates were deeply ambivalent about how to handle the waves of middle class white people brought into their courtrooms on minor drug charges. Occasionally, judges chose to reinforce the dangers of drug use by sending young people to jail for relatively minor infractions. In November of 1964, for instance, Toronto Magistrate Robert Dnieper sentenced a 19-year-old named Alpert Martin to serve seven days in prison after he was caught with two envelopes full of marijuana. When Martin’s lawyer requested a suspended

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116 Ibid.
sentence Dnieper denied it because—as he stated—experimenting with marijuana “like messing around with a hydrogen bomb.”

In order to fight the flow of marijuana from the village into the suburbs, other magistrates began simply banning marijuana smokers from Yorkville, forcing its young residents to move back in with their parents. In one instance, a “neatly dressed” 17-year-old girl was ordered by Toronto Magistrate Peter Wilch to stay out of Yorkville after a small quantity of marijuana was discovered—presumably by her parents—in her bedroom. Wilch also imposed a curfew on the young woman, insisting that she make it back to her parents’ home each night by 10:30pm (11:30 on Saturdays) and that she “comply with whatever rules [her parents] lay down.” To some conservative commentators, this practice was inexcusably weak and would only encourage illicit drug use. In one article, Kip O’Neil, a police reporter for the Toronto Star, quoted an 18-year-old as saying, “The police consider it serious but look at the way the courts look at it. It can’t be bad because they’re handing out medals to ‘pot’ smokers.”

O’Neil argued that judges were erroneously handing down much harsher sentences to people arrested on heroin charges then on marijuana charges. In particular she described one unnamed “trafficker” who only received 16 months imprisonment after being caught with a pound of marijuana. By comparison, “a person caught trafficking in an equivalent amount of heroin,” O’Neil writes, “could expect a term of between 6 and 20 years in prison.” In 1969, Byles concurred, observing that juvenile delinquents from lower income neighborhoods tended to receive harsher punishments in general. He wrote:

> There is evidence . . . that this discrepancy in official delinquency is also due to partly to the

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120 Actually, I am skeptical as to whether any Canadian young person actually said this to Kip O’Neil. O’Neil’s piece is decidedly anti-marijuana, full of conjecture and clearly designed to provoke fear in the Toronto Star’s readership. Framed this way, the unnamed young man’s remark seems—too conveniently—to call on Canadian judges to start handing out more repressive judgments to prevent the spread of marijuana use. See: Dot O’Neil, “Weekend Reefers,” The Toronto Star, February 24, 1965.
121 Ibid.
differential use of discretion by the police and courts in their treatment and sentencing of juvenile offenders from upper class families. In spite of considerable evidence to the contrary, the belief that delinquency is essentially a phenomenon of the “lower classes” is strongly held by many in our society. The deviant behaviour of lower class youth, therefore, frequently provokes a more severe and punitive reaction than deviant behavior of upper class youths.

For his part, Byles argued that the law needed to be applied more evenly, writing, “the primary determinant of ‘delinquency’ [should] be the behavior of the youth, not the social standing of his parents.” Nevertheless, Byles argued that if the Canadian government wanted to make a “concerted effort” to confront the alienation of the youth, that “the most important constituency to begin with are the middle to upper class families in [Toronto]. Some means of making family counselling and family therapy easily available and accessible to upper-income families is urgently needed.”

Throughout the first months and years of the marijuana crisis, politicians, medical administrators and public health bureaucrats frequently commented that, whether one wanted to arrest young people or not, there was not enough known about the psychopharmacological effects of marijuana use to seriously consider its decriminalization. To some extent, they were right. In 1965, there was no medical consensus on the long term impact of marijuana smoking, the effect on fetuses when pregnant mothers smoked, or the effect of marijuana on safe driving practices. That said, officials in favor of an extremely repressive approach used these limited disagreements amongst medical experts to call into question a large body of psychopharmacological scholarship that had, generally speaking, been internally consistent for nearly a century. As early as 1893, the British Indian Hemp Drugs Commission Report argued that: “the moderate use of hemp drugs produce no injurious effects on the mind,” whereas

122 John A. Byles, Alienation, Deviance and Social Control, 155.
123 Ibid, 149.
excessive use could “induce insanity.” The state of medical knowledge on marijuana prior to the start of the Le Dain Commission was largely based on a controversial report commissioned by New York mayor Fiorello La Guardia in 1944 titled *The Marihuana Problem in the City of New York*. At the time, the report challenged three widely held beliefs: that marijuana was addictive, that it caused its users to become violent, and that its use inevitably lead to cocaine or heroin consumption. Like the *British Indian Hemp Drugs Commission Report* before it, La Guardia’s experts insisted that “the publicity concerning the catastrophic effects of marijuana smoking in New York City is unfounded.” While there was no real dissent from within the medical community, the La Guardia report was roundly denounced by American law enforcement officials including Harry Anslinger who called it “a government printed invitation to youth and adults—above all to teenagers—to go ahead and smoke all the reefers they felt like.” Anslinger and the FBN depicted marijuana use in far starker terms.

Much of the most irrational juvenile violence and that has written a new chapter of shame and tragedy is traceable directly to this hemp intoxication. A gang of boys tear the clothes from two school girls and rape the screaming girls, one boy after the other. A sixteen-year-old kills his entire family of five in Florida, a man in Minnesota puts a bullet through the head of a stranger on the road; in Colorado a husband tries to shoot his wife, kills her grandmother instead and then kills himself. Every one of these crimes had been proceeded [sic] by the smoking of one or more marijuana “reefers.”

By the 1960s, Anslinger’s comments were an anachronistic hold over from the “reefer madness” days of the 1930s, when the Central Intelligence Agency tried to discourage marijuana use by

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producing shocking—and now laughable—antidrug propaganda. While Anslinger’s comments may not have fooled incredulous readers in 1961, the position of the FBN and, later, the RCMP certainly cast the existing body of knowledge about marijuana, its health effects, and its users into some doubt. By the time Canadian parents began to notice the presence of marijuana in suburban high schools, in 1969, the psychopharmacological and social harmfulness of the drug had become an impenetrable and hyperbolic debate in the press.

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Part Four: Smoking in Suburbia

On an evening in July, 1969, 80 parents from Toronto and its surrounding suburbs filed into St. George’s Parish to attend the first meeting of the Etobicoke’s Parents’ Action Group on Drug Abuse. Through the mid-1950s and 1960s, as Toronto and its municipalities expanded into a sprawling metropolis, the still somewhat rural township of Etobicoke was transformed by waves of white, professional families into the neighbourhood. In the 1960s in particular, Etobicoke’s Board of Education, with those in North York and Scarborough, built hundreds of public elementary and secondary schools, as well as Catholic schools, to accommodate its new residents.\textsuperscript{129} Prior to 1969, many Canadian parents still believed suburbs like Etobicoke were largely free from urban vices like illicit drug use, gambling and prostitution: the suburbs still seemed to stand in stark contrast to places like Yorkville. In 1969, however, the dichotomy between Canadian suburbs and cities began to blur. The Canadian press reported that marijuana—and perhaps the strange politics and sexual promiscuity it seemed to inspire—had made its way from the hippie village into Toronto’s tree-lined suburbs. Sheila Gormely remarked: “Drugs seemed okay when they were confined to the freak shows in the hippie districts such as Toronto and Vancouver, but now the drugs and the hippie outlook were in every high school.”\textsuperscript{130} One Canadian high school student explained to Gormely: “Parents have a stereotyped picture of drug takers.” Canada’s new drug scene was not confined to urban slums, like the heroin scene, nor was it confined to the city. “The kids who are taking [marijuana] are straight kids, kids getting good marks. They have short hair and they wear good clothes. They’re your kids.”\textsuperscript{131}

\textsuperscript{129} For a discussion on the role of schools and institutions for children in the development of Canada’s suburbs see: Richard Harris, \textit{Creeping Conformity}, 40.
\textsuperscript{130} Sheila Gormely, \textit{Drugs and the Canadian Scene}, xiii.
\textsuperscript{131} \textit{Ibid.}
Alarmed that their children had entered a nefarious criminal subculture, where they would come into contact with motorcycle gangs, international crime syndicates and the wrong side of the Canadian criminal justice system, the Parents’ Action Group invited a panel of experts to explain why high school students had started to use illegal drugs and how they would affect their children. The panel had their work cut out for them. In 1969, Marijuana was still a relatively new addition to the Canadian pharmacopeia and was, therefore, still poorly understood by most Canadians. In the five years prior to the infiltration of marijuana into Canadian suburbs, high schools and colleges, Canadian journalists had done their part to contribute to this ignorance by printing a number of alarming columns on marijuana, some of which only served to confirm suburban parents’ worst fears. For instance, in 1965, the conservative columnist for the *Globe and Mail*, Richard J. Needham, wrote:

Did you see the full-page spread in your favorite newspaper last week about drug addiction among the young people of New York? Not young people who are Negro or Puerto Rican, but young people “from the substantial, sophisticated and educated families.” They start off with marijuana and the various barbiturates; they end up being hooked on heroin. And for what? “For kicks” . . . You can understand why an Asian or African or South American peasant patronizes his friendly neighborhood drug-peddler. He’s got a dull, grinding, hopeless sort of life from which narcotics offer a temporary escape. But why North Americans in big cities, like New York and Chicago and Toronto and Montreal and Vancouver? And why North Americans with money in their pockets and purses?\(^{132}\)

According to Needham, certain groups of white people could also be forgiven for taking drugs; “you could understand why people living on the vast lonesome plains of Saskatchewan would smoke pot,” he wrote. You could also understand why the “people living in isolated Newfoundland outports,” or the “trappers and forest rangers and lighthouse keepers” might snort

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cocaine or drink themselves into a stupor. But when young, affluent people turned to illicit drugs, in a decade without a World War, living in the some of the most sprawling and modern metropolises in the world, it seemed as to Needham and Canadian conservatives that the marijuana smokers were “starving in the middle of a supermarket.” Framed this way, marijuana was an anti-modern drug in the heart of modernity. It was alarming precisely because it appealed to the white and the affluent, the urban and the urbane. Now that marijuana was becoming suburban as well, some cultural commentators argued that the drug was pharmacologically safe and a normal part of Canadian adolescence while others warned that a huge portion of the younger generation were becoming neophyte drug addicts and juvenile delinquents.

If the Etobicoke parents came to St. George’s with similar fears as Needham, they could easily be forgiven. Most Canadians in their age group—those born in the 1920s and 1930s—had never smoked marijuana and never would smoke it. They had their own intoxicants. The so-called Greatest Generation and Silent Generation were prolific smokers and drinkers. They took amphetamines to lose weight. They drank coffee in the mornings and bought enough Millotwn and Valium to turn the minor tranquilizers—famously labelled “Mother’s Little Helper’s” by the Rolling Stones—into some of the most lucrative psychoactive commodities in history. Now, alarmingly, their kids—the “most comfortable generation in history”—were smoking an illegal plant that through most of its history had been associated with Mexican labourers and African American jazz musicians. In this context, the Etobicoke parents wanted to find out as much about marijuana as they could.

The panel included Dr. Anne Kyle of Women’s College Hospital at the University of Toronto, Detective Sergeant Ivor Graham of Toronto’s Metro Morality Squad, and Michael Leluk, the executive director of the Council on Drug Abuse (CODA), a political action group launched by CEO’s of some of North America’s most powerful pharmaceutical corporations. The meeting was chaired by Reverend Roland Hill, the rector of St. George’s Parish. According to a *Globe and Mail* reporter in attendance, the panelists started by presenting a united message to the audience: “the problem lay in parents’ shortcomings, not in the deliberate waywardness of their children.” Their children were using drugs, in other words, because they could not get their “kicks” from modern, suburban life. As soon as the Etobicoke parents started to question the experts, the panel began to fight amongst themselves. Dr. Kyle reassured the audience that as long their children were only “smoking reefers (marijuana cigarettes) I’m not too upset. Of all the drugs, I worry about marijuana the least.” A *Globe and Mail* reporter noted that Sergeant Ivor Graham was “disturbed” by Kyle’s comments. He incredulously asked her, “Well, what does it do to them?” She responded: “We find that their four or five reefers a day gives them a nice mild feeling—like your having a drink.” CODA’s executive director, Michael Leluk, disagreed. Citing hawkish, American research, he claimed that marijuana was profoundly dangerous. Both the parents and the panelists accused Leluk of being overly-polemical, asking “how they were going to tell their children the truth about drugs when not even the experts could agree.” As the panelists clashed, Reverend Hill noted that the “whole row of 15- or 16-year-old people who were here to listen have left. We turned them off.”

By the end of the 1960s, marijuana had become so correlated with affluence that many North American psychiatrists and health workers speculated that young people had turned to

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illicit drug use in order to escape the ennui of bourgeois life itself. In particular, a Harvard psychiatrist named Dr. Graham Blaine argued that young people smoked marijuana because of “an unconscious hunt for danger.” 139 Blaine told the *New York Times*:

> When a young man can raise his finger and mama gives him a Jaguar, things are too easy. He has never been tested in real danger … Never having been tested, they are distasteful of themselves and are trying to change an unconscious weltschmerz—world of pain—which is more than apathy. It is neutral. They have a lack of hope with the world at large and themselves in it.140

Later, the Le Dain Commissioners, also attributed the marijuana smokers’ desire to “get high” to their social position. They wrote:

> Affluence has paradoxically become a source of boredom from which drugs provide an escape. It also permits the luxury of time for introspection to a large number. There is also a rejection of the life style characteristic of the affluent society with its emphasis on striving for material gain and competitive success and its perceived willingness to place material gain above the psychological and spiritual needs of the individual. Drugs are said to have the capacity to help liberate the user from these moulds and structures.141

Both Blaine and the Le Dain commissioners saw smoking marijuana as a highly symbolic political act—a rejection of the very system and political structures that benefited the young middle class. Both groups based this argument on the mere correlation of marijuana-use and wealth and neither had much of an explanation why young North Americans were not turning to opiates to escape the boredom of affluence. Nevertheless, the idea that the younger generation’s illicit drug use was inspired by some failing in their parents’ value system only became more pervasive as marijuana spread from urban hippie centres to high schools, colleges and suburbs around Canada.

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In 1970, addiction workers, the Canadian press and the RCMP became aware of a huge spike in marijuana use among high school and college students. Between 1965 and 1971, six major studies were undertaken in Toronto, London, Montreal Island, Halifax, Ottawa and Vancouver to study patterns of drug use in Canadian high schools.\textsuperscript{142} In 1971, B.C.’s Narcotic Addiction Foundation, found that 37.4\% of a sample of Vancouver’s secondary students had at one time smoked marijuana. 24\% of the sample claimed to be regular marijuana smokers at the time of the questionnaire.\textsuperscript{143} Unlike the hippies, the high school marijuana smokers did not seem to connect their drug use to a broader political movement. In a variety of sociological studies, marijuana-using North American high-school and college students appeared far more comfortable with their class status than the hippies and, in fact, resisted being defined as social deviants or criminals. While Alampur noted that every weekend, hundreds of suburban young people came to Yorkville to take part in the village’s party atmosphere and buy marijuana to take back to their high schools and colleges, these students dressed in far more expensive clothing and were “always clean and well groomed.”\textsuperscript{144}

Between 1969 and 1972, some American social scientists began to reconsider the role of marijuana smokers in North American society, arguing that marijuana-use was a normal part of Western adolescence and, in fact, may be psychologically beneficial to its users. One analysis of drug users at the University of Vermont, confirmed that there was a “preponderance of drug use in higher [Socio-Economic Status] groups,” and that drug-users slightly out-performed non drug-

\textsuperscript{142} See: John. Russell, \textit{Drug Use Among Vancouver Secondary Students} (Vancouver, Canada: Research Department of the Narcotic Addiction Foundation of British Columbia), 1.
\textsuperscript{143} \textit{Ibid}, 18. It is possible that the actual rates of marijuana use were actually higher. In her book, \textit{Drugs and the Canadian Scene}, Sheila Gormely reported that students sometimes assumed that drug research foundations were turning information over to the police and, therefore, did not report their drug use in their questionnaires. Sheila Gormely, \textit{Drugs and the Canadian Scene}, 54.
\textsuperscript{144} Reginald Smart and David Jackson, \textit{The Yorkville Subculture}, 16.
users in terms of academic performance.\textsuperscript{145} The researchers postulated that working class students—as “the bulwark of the Protestant ethic”—might be predisposed to avoid drugs on principal.\textsuperscript{146} After a subsequent study determined that “marijuana-only users” on the same campus did not score significantly higher for depression or mental illness on the Minnesota Multiphasic Personality Inventory (MMPI), psychiatric researchers argued that:

One could expect that marijuana-only usage covers all normal adolescent development with the usual tendencies towards thrill seeking and experimentation, all of which are closely linked with the quest for identity. In this situation the drug is merely a symbol in this quest, a badge of youthful protest toward the parental generation.\textsuperscript{147}

In other words, illicit drug use was not—as some had suggested—a scourge that meaningfully threatened the logic of middle class life. In 1971, Russell Eisenman, Jan Carl Grossman, and Ronald Goldstein took the analysis a step further. After studying the personality types and drug habits of 148 male and 130 female predominately white and middle class students registered in undergraduate psychology courses at Temple University and Pennsylvania State University, the researchers found that the more their subjects self-reported a high frequency of marijuana use, the higher they scored on tests of creativity and “openness to experience.”\textsuperscript{148} Based on their findings, some of the social scientists were openly critical of the modern prohibitionists. Summing up the sociological conclusions, one study stated plainly: “In general terms, marijuana use is a solipsistic or self-regarding activity which is perhaps more properly classified as amoral than immoral, and current disapproval of its use may reflect a cultural emphasis rather than a

\textsuperscript{146} See: R.A. Steffenhagen et al., “Social and Academic Factors Associated with Drug Use on the University of Vermont Campus,” 95.
truly ‘moral’ judgment.”

The social scientists also noted that marijuana users tended to be more liberal than their non-drug using classmates. In particular, researchers found that the more the students reported using marijuana, the less likely they were to tolerate authoritarianism, as measured by the German critical theorist Theodor Adorno’s F-Scale test. Looking back in 1980, the *Journal of Clinical Psychology* was not surprised by their findings: “The authoritarian, who tends to be more conservative, conforming, rule abiding, more likely to adhere to middle class values, and less likely to seek out experiences that focus on internal cognitive processes, should be less likely to use marijuana.”

While high school marijuana smokers may have been more liberal than their classmates, they tended to not see marijuana smoking as a form of political dissent and, instead claimed they simply used it for “kicks.” Again and again when sociologists asked students why they smoked marijuana, the students insisted that they merely used marijuana for “kicks” and that it should not be considered illicit or immoral because it was less psychopharmacologically harmful than alcohol. ironically, while marijuana users pointed out the social and psychopharmacological harmfulness of alcohol as a discursive technique to “neutralize” the social stigma of being attacked for their illicit drug use, the vast majority of marijuana were also drinkers.

Based on this new conceptualization of the college-aged pot-smokers class, American sociologists began to sketch new theories of social deviance, criminal pathology and subculture. In particular, the American sociologist, Edwin Sutherland claimed that no subculture was

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151 Russell Eisenman et al., “Undergraduate Marijuana Use as Related to Internal Sensation, Novelty Seeking and Openness to Experience,” 1017.
completely distinct from the dominant culture and that, therefore, marijuana smokers had to “rationalize” their drug using the logic of the “normative system” or else the delinquent’s guilt would not allow him or her to violate their nations’ drug laws.\textsuperscript{152} As early as 1957, American sociologists Gresham Sykes and David Matza argued that middle class, marijuana-smoking “social deviants” used five “techniques of neutralization:” “the denial of responsibility; the denial of injury; the denial of the victim; the condemnation of the condemners; and the appeal to higher loyalties.”\textsuperscript{153} While marijuana smokers often denied responsibility for their drug use, claimed that it did not injure themselves or anyone else, condemned their condemners use of barbiturates, amphetamines and alcohol and appealed to a higher loyalty by claiming that their drug use was an act of political dissent, tellingly, many marijuana smokers expressed empathy with the police, the legislators and the parents who vilified their drug use. In one case when asked about her mother’s concerns, a young woman responded:

\begin{quote}
I understand them, you know; I feel sympathetic for my mother [and] her fears about me as a drug addict down in the gutter somewhere, but you can’t condemn them for their fears. You know, in my mother’s case it’s done out of love, not out of anything else.\textsuperscript{154}
\end{quote}

Ultimately, the sociologists determined that while marijuana users were free spirited and somewhat “anti-authoritarian,” most wanted to be accepted by the very people and institutions that repressed their drug use.

\textsuperscript{153} Thomas Brian Priest and John H. McGrath, “Techniques of neutralization: Young Adult Marijuana Smokers,” \textit{American Sociological Review} 6 (1957): 666.
\textsuperscript{154} Thomas Brian Priest and John H. McGrath, “Techniques of Neutralization,” 192.
Part Five: A Legacy of Liberalization

The development of middle class illicit drug use prompted Canadian politicians—especially the Le Dain Commission—to revisit the historical conditions that lead to Canada’s first set of prohibitory laws. In particular, the commissioners undermined the logic of Canada’s modern drug laws by insisting that the first federal prohibitory policies were enacted in reaction to widespread anxieties about Chinese sourjorners, not as a legitimate scheme to curb opium addiction. In 1908, William Lyon Mackenzie King was in his mid-30s and was working as Canada’s first Deputy Minister of Labour. He travelled to Vancouver in response to the anti-Asiatic riots, and while there he discovered that one of the buildings destroyed in the riots was a large opium factory in the heart of Chinatown. Two weeks later he submitted his Report on the Need for the Suppression of the Opium Traffic in Canada to the Governor General and the Minister of Labour, and the first prohibitory drug law in North America passed without debate in the House of Commons.155 In his report, King informed Canadian legislators that in Vancouver, Victoria and New Westminster alone, there were at least seven factories producing between $600,000 and $650,000 worth of opium annually—one of the largest supplies of opium in the British Empire.156 The commissioners noted that, more than the sheer amount of psychotropic substances in Canada, King was alarmed to discover that opium was being used by “white people” as well as Chinese Canadians. He wrote:

The Chinese with whom I conversed on the subject, assured me that almost as much opium was sold to white people as to Chinese, and that the habit of opium smoking was making headway, not only among white men and boys, but also among women and girls. I saw evidences of the truth of

156 William Lyon Mackenzie King, Report on the Need for the Suppression of the Opium Traffic in Canada (Ottawa, S.E. Dawson, Printer to the King’s Most Excellent Majesty, 1908), 7.
these statements in my round of visits through some of the opium dens of Vancouver.\textsuperscript{157}

White conservatives, the press, and in particular an influential police magistrate and \textit{Maclean’s} column\-nist named Emily Murphy, exaggerated the extent to which opium had spread to young white women; “right-thinking people” spoke out against the new drug scourge; and concerns quickly died down after prohibitory legislation was enacted, even though the opium industry continued to operate underground.\textsuperscript{158} In particular, Murphy struck a chord with Canadians who feared that Canada’s whiteness was under attack from racial minorities. Murphy wrote:

A man or woman who becomes an addict seeks the company of those who use the drug, and avoids those of their own social status. This explains the amazing phenomenon of an educated gentlewoman, reared in a refined atmosphere, consorting with the lowest classes of yellow and black men … One becomes especially disquieted almost terrified-in face of these things, for it sometimes seems as if the white race lacks both the physical and moral stamina to protect itself, and that maybe the black and yellow races may yet obtain the ascendancy.\textsuperscript{159}

While some Canadians were concerned about opium’s addictiveness—as the commissioners pointed out in their Interim Report—most Canadians simply associated opium with deeper fears regarding racial miscegenation, the white slave trade, and a perceived challenge to Canada’s racial hierarchy.

Similarly, the commissioners argued that racial hierarchies, not public health, had motivated early twentieth century legislators to ban marijuana. Marijuana was added to Canada’s list of banned substances under \textit{The Opium and Narcotic Drug Act} in 1923 and, like the initial anti-opium legislation, the decision to ban marijuana was made without debate in the House of

\textsuperscript{158} Ibid.
\textsuperscript{159} Emily Murphy, \textit{The Black Candle} (Toronto, Ontario: Thomas Allen, 1973), 17, 210. Also see: Steve Hewitt, “‘While Unpleasant it is a Service to Humanity’: The RCMP’s War on Drugs in the Interwar Period,” \textit{Journal of Canadian Studies} 38:2 (2004).
Commons and without any official justification.\footnote{\textit{The Royal Commission of Inquiry into the Non-Medical Use of Drugs, Cannabis: A Report of the Commission of Inquiry into the Non-Medical Use of Drugs} (Ottawa, Ontario: Crown Publishers, 1970), 230.} The Le Dain commissioners noted that while marijuana was inappropriately put into the same legal category as the strongest opiate narcotics, the decision seems to have been made “without any apparent scientific basis nor any real sense of social urgency.”\footnote{The Royal Commission of Inquiry into the Non-Medical Use of Drugs, Cannabis, 230.} In fact, the decision to ban marijuana seems to have been made in spite of the prevailing medical consensus of the early twentieth century. The largest convention on psychoactivity in history, \textit{The British Indian Hemp Drug Commission Report} of 1896 had declared that “the moderate use of hemp drugs produce no injurious effects on the mind.”\footnote{The Indian Hemp Drugs Commission, 1893-1894, \textit{Marijuana: Report of the Indian Hemp Drug Commission} (Silver Spring, Maryland: Thomas Jefferson Publishing Company, 1969), 264.}

Historians have yet to offer a compelling explanation as to why Canadian Parliamentarians bothered to ban a substance that was rarely, if ever, used in Canada, and whose botany was largely misunderstood. According to Catherine Carstairs, Canadian legislators’ distaste for marijuana was likely inspired by their participation in international conferences, such as The Hague Opium Conference in 1911, where the United States, Egypt and China expressed concerns over marijuana and hashish trafficking in their own counties.\footnote{Catherine Carstairs, \textit{Jailed for Possession}, 31.} However, this explanation does not sufficiently explain why Canada passed federal anti-marijuana legislation before the United States. Furthermore, in 1923, most of the other nations that participated in the League of Nations’ International Opium Conventions had not passed comprehensive anti-marijuana legislation. Gerald Le Dain and the commissioners argued that Emily Murphy, and especially her book \textit{Black Candle}, may have been responsible for the banning of marijuana as well.\footnote{The Royal Commission of Inquiry into the Non-Medical Use of Drugs, \textit{Cannabis}, 230.} In \textit{Black Candle} Murphy claimed that white women who used marijuana were powerless to stop the sexual advances of black men, and that after repeated use, they become almost

161 The Royal Commission of Inquiry into the Non-Medical Use of Drugs, Cannabis, 230.
163 Catherine Carstairs, Jailed for Possession, 31.
164 The Royal Commission of Inquiry into the Non-Medical Use of Drugs, Cannabis, 230.
entirely ambivalent towards miscegenation. She writes:

A man or woman who becomes an addict seeks the company of those who use the drug, and avoids those of their own social status. This explains the amazing phenomenon of an educated gentlewoman, reared in a refined atmosphere, consorting with the lowest classes of yellow and black men.\textsuperscript{165}

Finally, the commissioners argued that the severity of Canada’s modern anti-marijuana legislation was embedded in a broader history of abuse against opiate-using Chinese Canadians. After reviewing the Parliamentary records as well as periodicals from the first half of the twentieth century, the commissioners declared that “there can be no doubt that Canada’s drug laws were for a long time primarily associated in the minds of its legislators and public with general attitudes and policy toward people of Asiatic origin.”\textsuperscript{166} In 1922, for instance, when the anti-opium legislation was amended so that any non-citizen convicted of an opium crime would be deported, members of the House of Commons openly hoped that this policy would “solve the oriental question in this country.”\textsuperscript{167} Because cannabis remained legally bound to opium, every time that Canadian legislators made opium prohibition more severe, the penalties against possessing, trafficking and cultivating marijuana were also increased. For this reason, in 1954, the maximum sentence for trafficking and for “possession for the purpose of trafficking” marijuana was raised from seven to 14 years imprisonment.\textsuperscript{168} The increase in penalties was almost entirely motivated by a desire to suppress opium trafficking, not marijuana. Only once the Canadian courts began to receive increasing numbers of affluent, white youths in the 1960s, did the Canadian government begin to rethink its classification of marijuana and its techniques for suppressing drug use.

\textsuperscript{165} Emily Murphy, \textit{Black Candle}.
\textsuperscript{166} The Royal Commission of Inquiry into the Non-Medical Use of Drugs, \textit{Interim Report of the Commission of Inquiry into the Non-Medical Use of Drugs} (Ottawa, Canada: Queen’s Printer, 1970), 173.
\textsuperscript{167} \textit{Ibid}; see also: House of Commons Debates 1922, pp.2824 and 3017.
\textsuperscript{168} The Royal Commission of Inquiry into the Non-Medical Use of Drugs, \textit{Cannabis}, 230.
In his historical analysis of Canada’s “commissions on everything,” Neil Bradford argues that though Royal Commissions have very little legislative power, they have been used by Canadian politicians to introduce new “idea systems that realign the thought and behaviour of social and political interests”—what Max Weber calls “world images”—to the Canadian public.\textsuperscript{169} In general, Gerald Le Dain saw himself as a spokesperson for a new political philosophy that balanced the rights of individual drug users with the rights of the society at large to reduce the total amount of harm. In 1970, in their controversial \textit{Interim Report}, the Le Dain Commissioners stated flatly that, “We believe that [the] emphasis must shift, as we develop and strengthen the non-coercive aspects of our social response, from a reliance on suppression to a reliance on the wise exercise of freedom of choice.”\textsuperscript{170} In general, Le Dain and his fellow commissioners argued that the RCMP should still try to limit the supply of certain drugs—including marijuana—but that the charge of possession should be limited to a $100 fine.\textsuperscript{171} More than a simply a policy recommendation, Le Dain and the commissioners saw their Interim Report in philosophical, almost metaphysical terms. In an address to the Empire Club, Le Dain stressed that the Commissioners interpreted their task as rethinking very broad issues in the politics of the human body, civil liberties and Canada’s place in the world. In particular, Le Dain claimed that they were “talking about what it means to be a human being today.”\textsuperscript{172}

While the royal commissioners began to design a radical new political philosophy for Canada’s entire prohibitory system, Trudeau and the Liberal party took steps to liberalize—not decriminalize—marijuana. In 1969, the Liberal party introduced Bill S-15, which altered the

\textsuperscript{170} The Royal Commission of Inquiry into the Non-Medical Use of Drugs, \textit{Interim Report}, 195.
\textsuperscript{171} \textit{Ibid}, 242-43.
Narcotic Control Act to allow judges to choose between summary convictions and indictments at the discretion of the prosecutor. The maximum punishment for a possession indictment remained 7 years’ imprisonment, while the maximum punishment on summary conviction was set at either a $1000 fine, imprisonment for 6 months, or both for a first offense. Instantly, the arrest rate for marijuana convictions fell from 44 per cent in 1968 to only 10 per cent in 1970.173 Concurrently, the fears of Canadian young people and parents were abated as the word spread that Canada no longer arrested people for the simple possession of marijuana. The Le Dain Commission went a long way towards convincing North Americans that marijuana-use, while still illegal, was neither psychopharmacologically nor socially harmful, and therefore, was almost a legitimate social act. In 1977, Prime Minister Trudeau explained his governments’ new policy to a group of young members of the Liberal Party. He said: “Certainly the spirit of government policy … is that if you have a joint and you’re smoking it to your private pleasure, I have to be careful now … you shouldn’t be hassled.”174 Perhaps the ultimate expression of marijuana’s acceptance into North American political culture occurred in the 1990s, when politicians Bill Clinton, Stockwell Day and Paul Martin admitted that they had used marijuana in their youths.175

However, while fears over marijuana’s criminalization were largely mitigated by the early 1970s, after Canada passed Bill S-15 more and more Canadians were convicted, imprisoned and fined for simply possessing marijuana each year. In fact, by the end of the 1970s, Canada was annually arresting more of its citizens for simply possessing marijuana than any other nation in the world. Writing in 1979, Michael Bryan, Special Assistant to Gerald Le Dain, estimated that since the Le Dain Commission was established and Bill S-19 was passed in 1969,

174 “Transcript of Prime Minister’s Questions and Answer Sessions With New Liberals, University of Toronto,” Toronto, March 24, 1977, 2-5.
175 Michel Martel, Not This Time, 204.
criminal charges were brought against 300,000 young Canadians and the federal government spent $400-million policing and prosecuting cannabis possession alone.\textsuperscript{176} Even though fewer than 10 per cent of Canadians were sent to jail for the marijuana possession offences, the total number of Canadians imprisoned for possession increased each year the total number of convictions increased exponentially. Bryan writes:

> By simplifying trial procedures and allowing the imposition of a fine as an alternative to incarceration, the Government removed much of the public concern and official hesitation. It is difficult to escape the conclusion that the amendment’s combined effects on public perception of the health risks of cannabis and the law’s impact on cannabis offenders were directly related to the subsequent increase in the numbers of simple possession convictions: from 2,496 in 1969 to 8,889 in 1971.\textsuperscript{177}

Excluding traffic charges, one in every eight Canadians arrested between the years 1969 and 1979 were arrested on marijuana charges. Within this group, approximately 90 per cent were charged with simple possession, not trafficking, importing or cultivation.\textsuperscript{178} Because marijuana remained a young person’s drug, the vast majority of the arrests were of people under 25-years-old. Furthermore, because the fine was set at a flat rate of $1000, possession charges were inevitably more severe for poorer Canadians who could not pay the fine. In fact, in between 1969 and 1979, more Canadians were imprisoned for failure to pay their fine than for possession in the first place. In spite of all of these facts, the marijuana debate became conspicuously less important to the Canadian public and the Canadian press.

While many Canadians thought the country’s drug laws were excessively severe prior to 1969, still more argued that marijuana possession convictions should not create criminal records. After the Liberal Party won a majority government in 1974, and under a new Minister of Health,

\textsuperscript{176} Michael Bryan, “Cannabis in Canada—A Decade of Indecision,” 169.
\textsuperscript{177} Michael Bryan, “Cannabis in Canada,” 172.
\textsuperscript{178} Ibid, 185.
Marc Lalonde, the Liberal Party tried to keep marijuana users from obtaining criminal records. In 1975, they introduced bill S-19 into the senate, which included provisions for an “automatic pardon” for all marijuana offences.\textsuperscript{179} During the debate on the bill, the committee chairman explained that the bill would “save the accused, particularly youngsters from going through life with a criminal record.”\textsuperscript{180} Though pardons for possession charges were relatively easy to obtain, some Canadian legislators were so worried about the young marijuana smokers’ criminal records that they recommended retroactively administering pardons to everyone who had been convicted on possession charges since 1965. In 1975, the Canadian Medical Association and the Canadian Bar Association Joint Committee recommended that “provisions be made for the automatic erasure of the criminal record for those found guilty of simple possession for personal use following a two or three year ‘charge free’ probationary period.”\textsuperscript{181} The debate over criminal records ultimately was dropped when Bill S-19 died on the floor in 1975.


\textsuperscript{181} Standing Senate Committee on Legal and Constitutional Affairs, 4 February 1975, 6.
Conclusion

From 1965 to 1975, marijuana legislation was violently in flux as Canadians debated how to respond to middle class illicit drug use. For the first time in Canadian history, large groups of middle-class young people openly defied federal laws causing a genuine political crisis that the Liberal Party hoped to mitigate by appointing a Royal Commission under Gerald Le Dain. Instead, Le Dain and his fellow commissioners argued that Canada’s initial prohibitory legislation was inextricably linked to the nativist and anti-Asiatic policies of the early twentieth century and were, in fact, never intended to curb drug use but, instead, to persecute a particular set of lower-class drug users. The Royal Commission on the Non-Medical Use of Drugs recommended a dramatic overhaul to Canada’s prohibitory policies, wherein the RCMP and the courts would attempt only to limit the supply of drugs but not to prosecute individual drug users for the simple crime of possession. Instead, Trudeau and the Liberal Party chose to liberalize Canada’s penalties for marijuana possession, which on the one hand, established lower penalties for middle-class drug users than lower-class drug users and, on the other hand, ironically lead to a steep escalation of convictions of marijuana-smokers. Largely because of their higher social status, the new marijuana smokers inspired a sort of reverse “moral panic;” Canadian reporters, politicians and parents did not want to see thousands of young affluent Canadians prosecuted under Canada’s conspicuously severe prohibitory policies and so they mobilized to change the laws. To this extent, marijuana smoking in the 1960s and 1970s became both an act of cultural dissent and a reconstitution of class hierarchies and habitus. Ultimately, marijuana still exists in liminal space between a privileged taste and social deviance.
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