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Does it Really Matter?

Presidential Rhetoric and Framing and its Effect on State Marijuana Policy Diffusion.

by

Dana Andre Stevenson Jr

Under the Direction of Periloux Peay

A Thesis Submitted in Partial Fulfillment of the Requirements for the Degree of

Master of Arts

in the College of Arts and Sciences

Georgia State University

2023

ABSTRACT

The topic of marijuana prohibition has been a subject of discussion in the United States for more than a century. As the president of the United States is typically viewed as a figure who can influence policies in the country without legislative authority, I conducted a historical analysis of presidential statements and speeches regarding marijuana and drug policy implementation. I also investigated the impact of the president's words on the diffusion of marijuana policy across states. To do this, I reviewed speeches by presidents and searched for legislative issues related to marijuana from 1970 to 2023. By placing these events on a timeline, I observed a correlation between the president's statements on marijuana policy and subsequent state actions.

INDEX WORDS: Presidential Rhetoric, Framing, Marijuana legalization, Policy diffusion

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2023

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December 2023

DEDICATION

To my grandparents Mary and Herman, thank you for the love and memories that have helped me through many tough times. To Kendrick, Chealsey, Kayla, and DeLon thank you for teaching me humility and strength. To my dad Big Dana, thank you for your encouragement. To my dad Lamar, thank you for always being the praying, loving, and great example of what it means for me to be a man. My Auntie Talia for always having my back. To Aaron, thank you for always telling me I was good enough to get to this point. To Eric , Kat, Trey, and Erik you all encouraged me to never give up on my dreams and pushed me to reach for the stars, and I will forever be grateful for your friendship.

To my mother, words cannot describe the depth of love and gratitude I feel for you. You held me up when I wanted to give up, you loved me when I did not know if I could love myself. You showed me what it means to be successful. You worked, went to school, raised a family, and never asked for a thank you. You carried our world on your shoulders and always did it with a smile. There is nothing I can ever do to repay you for all you have done and given me, so the best thing I know to do is place my heartfelt thank you here for the world to see.

I dedicate this paper to those people whose lives have been affected by the War on Drugs.

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I want to thank my committee members, which include Dr. Peay who since the first time I had class with you, you became my mentor. It is because of your leadership and mentorship that has allowed me to present my research today. Your work inspires other young black men and women to reach for their goals and to never forget where they come from, and I will be forever grateful for that, and I hope I can influence students as you do. Dr. Sparks, your insight and perspective and dedication to your students and to me has given me the framework of what kind of professor I want to be someday. Thank you for everything. Dr. Hankla, I want to thank you for believing in me that I could make it through this process and giving the best advice and for always doing it with a smile.

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1 INTRODUCTION

The legalization of marijuana in the United States is an ongoing and intriguing issue. Since its complete prohibition in 1937, laws and punishments associated with the drug have been significantly and unfairly applied to minorities and people of color. Legalizing marijuana for all citizens would lead to a decrease in federal and state prosecutions and jail sentences for vulnerable communities, while also providing new opportunities for communities to heal from years of unequal law enforcement.

Political science scholars have conducted in-depth research on how a president's language and emphasis on specific policy areas can impact policy implementation at the national level. Many Americans view the president as the primary driving force for the direction of public policy, which can affect what policies are enacted. As the top law enforcement agent of the federal government, the president and their agencies have a wide range of strategies to draw the attention of the American people to particular policy topics.

This study examines the impact of presidential rhetoric on marijuana legalization policies at the state level between 1970 and 2023. Using a process trace method and historical analysis, I collected and assessed executive agency policy directives, presidential statements, and interviews. The study found that the U.S. policy landscape was characterized by negative framing of marijuana until a pivotal moment during the Obama administration in 2010 for medical marijuana, followed by another push in 2012 for recreational marijuana. Following this turning point, there was a significant increase in state laws expanding the legalization of medicinal, recreational, and marijuana decriminalization.

2 HISTORY AND BACKGROUND

During the early 18th and 19th centuries, Hemp was one of the most important crops grown in the United States. It was a versatile crop that was used for making ropes and other materials by many early Americans. However, in the late 19th century, Mexican immigrants introduced a recreational form of hemp into the United States. They brought this form of hemp into lower Texas, California, and New Mexico. While marijuana was a legal cross-border import for 126 years, a campaign against it emerged in 1911 from concerned parents who noticed the effects of the recreational form of marijuana. These bans started with citizens who watched Mexican immigrants use marijuana and felt that the safety of their children was in jeopardy.

In the late 1930s, propaganda began to spread throughout the United States, depicting recreational marijuana in a negative light and highlighting its potentially harmful effects on both the cognitive and physical functions of the human body. Federal Bureau of Narcotics Commissioner Harry Anslinger led a campaign to criminalize marijuana in the United States. The 1936 movie 'Reefer Madness', also known as 'Tell Your Children', was produced by George Hirliman and intended to be a morality movie, warning parents about the dangers of cannabis. The movie depicts violent outbursts, uncontrolled laughter, mania, and even murder under the influence of THC. The objective of the film was to imply that all of these were caused by the use of marijuana (Ganier, 1938). These events culminated in the passing of the 1937 Marijuana Tax Stamp Act. The act required the regulation of recreational marijuana and all hemp processed with proper paperwork to have a regulation stamp. The act aimed to target recreational marijuana that crossed the Mexican border into the United States but unfortunately, industrial hemp also became caught in the crossfire of the over-regulation of hemp.

During the 20th century, there was a strong push against the use of marijuana. In the 1970s, the United States government, led by President Richard Nixon, launched the "War on Drugs" campaign to combat the illegal recreational use of drugs and promote a safer country. One of the major outcomes of this campaign was the passage of the Controlled Substance Act in 1970. This act established a system that classified drugs based on their potential for abuse and their medical benefits. THC, the active ingredient in marijuana, was classified as a schedule one narcotic, which means that it has no medical benefits and a high potential for dependence. Today, marijuana is still classified as a schedule one drug and can only be rescheduled or removed from the drug schedule list through an act of Congress.

3 LITERATURE REVIEW

3.1 What is Framing?

Framing theory can be described as the way an issue can be analyzed, discussed, postulated, and presented to people for them to conceptualize the argument being placed before them. A more precise definition of what framing is, can be defined in Chong and Druckman's writings on framing; "An attitude toward an object, in this view, is the weighted sum of a series of evaluative beliefs about that object. Specifically, $Attitude = \sum v_i * w_i$, where v_i is the evaluation of the object on attribute i , and w_i is the salience weight ($w_i = 1$) associated with that attribute" (Chong & Druckman, 2007). With this established formula of how attitudes can affect public opinion and, it can be determined the relationship on how those frames relate to it. For framing to be utilized to affect public opinion it must be stored in the memory of the individual and needs to be easily accessible for retrieval in order for the individual to be able to process the frames. (Chong & Druckman, 2007). To better understand framing theory, we need to look at the two types of frames that are utilized and discussed in the literature which are emphasis framing and equivalency framing.

We can first look at emphasis framing. These can also be called issue frames or value frames (Druckman, 2009), which can be defined as a central organized idea that gives meaning to a sequence of unfolding events. (Shulman & Sweitzer, 2018) For a better understanding of how this type of framing works we can use guns in the United States. For a large segment of the American population, gun ownership is granted to them in the second amendment of the United States constitution and any attempt to restrict or disarm them is a violation of that right. We could call this the right to bear arms frame. On the other end of the same argument are those people who believe that guns cause a great deal of deaths and cause millions of dollars in

damage and injury and are dangerous to the public health and public safety or the safety of the greater good frame. These would be the opposing frames that could be weighed by individuals in order for them to make a decision based on their personal feelings. (Druckman, 2009)

. Equivalency framing is presenting information in two logically equal but diverse ways. (Shulman & Sweitzer, 2018) what equivalency framing is best described as the glass half full versus the glass half empty frame. For the best way to visualize this type of framing we can look at a situation that is often used in this type of framing and that is presidential approval rating. If it is reported that 48% of likely voters in the upcoming election disapprove of the job the president is doing it cast a negative frame on the job done by the president thus far. However, if we were to say that 52% of likely voters in the upcoming election approved of the job being done by the president, the same information has been disseminated to the public but this time the information was presented in a positive view both statements are true but the way the information was presented causes people to process the information in different way. Both types of framing are present and utilized by media as well as politicians who are seeking to win over voters or to impress information upon the American public.

3.2 Presidential Rhetoric

The office of the president of the United States is seen by many people to be the most influential and powerful offices in the country or even the world. The presidential powers are listed in article two of the constitution which gives the president no legislative power with the exception from time to time shall inform congress on the state of the union. It is in this address many scholars look to see the effects of presidential rhetoric on policy issues. (Young & Perkins, 2005) in the early days of the country the president would send over the presidential

address to congress where it would be read out loud by a clerk. (Kernell et al., 2024)

Since that time, televisions have been added to almost every American home and because of the nature of the office many televisions stations offer TV prime time for the presidential address, which is broadcast into millions of Americans homes This was especially true in the era of TV between 1969-1980 when many people had TV but before many households had cable subscriptions. (Young & Perkins, 2005)

Due to the fact that the president does not have legislative power they use their State of the Union address as a sounding board for the policies they believe are important and think should be addressed in the country. If the President's party is in power in Congress, this signals members as to what policies they should be focusing on and if they aren't in power then the president's policies fall to his party but with little chance of picking up steam for consideration of passage. (Young & Perkins, 2005). Presidents have utilized their bully pulpit or have gone public when they had issues they wanted to get out to the American people. Most famously were FDR'S fireside chat where he would address the nation while they sat around a radio and tuned in. (Kernell et al., 2024)

Since the days of radio and television address social media has become a large part of how president and their administration deliver messages to voters and constituents on issues, they believe are important to the American people, the most famous example of this would be the tweets sent by former president Donald J. Trump who famously used social media to express feelings and sentiments for policy issues and to get the American public on board with his policies. Because the president is the Chief Clerk of Congress, his actions or inactions on policies also send directions the federal government, state governments as well as the American public on what policy issues they find most important. (Kernell et al., 2024)

3.3 Social Construction and Elected Officials

When elected officials make policy decisions, one major issue they take into consideration, or they may not consider is who is helped and who is harmed by the effects of the policy. (Schneider & Ingram, 1993) the president like anyone else has a base whom they try to appease once in office, they do their best to not sign or implement laws that would harm the very people who got them into office. For many presidents passing laws that help senior citizens and veterans have been deemed by society as appropriate bills because in social construction theory these people would be an advantaged group who has power, the ability to affect policy and deservingness. (Schneider & Ingram, 1993) policy makers also find it easy to pass laws that also seem to punish those who seem to deserve punishment or the deviants who have no power and are not deserving these could be drug dealers or welfare scammers. (Schneider & Ingram, 1993)

Because the president has the ability to steer policy when he proposes a law that helps the advantaged group but seems to harm the deviant group, they have then made legislation in which is congruent with reward and punishment system. If the president signs a law that either harms any group deemed deserving or powerful and helps a group that is deemed undeserving, they could face issues with winning elections for their party or even themselves. These non-congruent actions can cause issues for the president when making policy decisions and can shape a political landscape for election cycles.

4 QUESTION

Question 1: Does presidential Rhetoric Affect state level marijuana policy diffusion?

5 HYPOTHESIS

Hypothesis 1 If marijuana legalization is framed in a positive way by Presidents, then we can expect to see positive and/or more rapid shifts toward marijuana legalization at the state level. However, if marijuana legalization is framed negatively, then we can expect to see more incremental and/or negative shifts away from legalization.

6 THEORY

As I reviewed the literature of what other scholars have said about framing, we put forth the questions that this research project intends to uncover is if anything in history has shown us that framing should affect the way people view and understand marijuana legislation in the United States. Due to the divisive nature of politics in the United States, it is the frames that are used by the individual parties and branches of government that help everyday citizens with the fostering idea of understanding of how certain pieces of legislation policy initiatives or social movement ideas will affect them in their daily lives.

I can see from the historical showings of marijuana use of the hippie and draft dodger or the impoverished African American banished within the ghettos and slums of America that are those associated with marijuana. This image has helped shape the negative view of marijuana in the United States. When advertisements or information on marijuana legalization is framed, it is shown in a light that is demeaning damaging. The images used are derogatory to society as it presents itself as a danger or harm to children. The in turn yields the public opinion of the topic of marijuana to program to a more negative viewpoint. If marijuana is demonstrated in a light of public health, privacy of the individual, or a criminal justice reform frame it is more likely to garner public support than it would be if it were framed differently.

Considering the current policies of the United States federal government on marijuana since the 1970 passage of “The Controlled Substances Act” which categorized marijuana as a schedule one drug which has no medical benefit and highly addictive, the majority of state governments remain on the stance of complete prohibition of marijuana. Due to the status of marijuana being prohibited under federal law the federal government’s actions have been that of protecting and enforcing the laws passed by the United States Congress. The

president is the chief law enforcement officer of the laws in the United States, and by his directive of moving and his stance on marijuana the rest of the federal government within his party will support his actions. This in turn will cause those of the opposite party to implement harsher policies to make the dominant party seem weaker on those issues.

However, because the president has the authority to enforce laws due to the take care clause of the constitution, he has the ability based on policies stances and statements to cause policies at the federal and state level to be passed or delayed. When a president has a stance that may be better left to the states to decide they will direct their offices to allow those states to proceed with their policy agendas without fear of rebuke from the federal government. When state government or citizens are informed that they can seek to fulfill their policy goals free from interference there will be a more positive shift towards reform.

7 METHODS

For this paper, a historical analysis and process trace of marijuana laws, Presidential rhetoric, and executive agency action, as well as any state actions taken in response to Presidential rhetoric regarding marijuana legalization, were utilized as the preferred method. The first step in the process was selecting the starting point for data collection.

My analysis dates to 1970, when "The Controlled Substances Act" was implemented. We examined executive action statements from various presidents, as well as statements from presidential candidates who later became president. Additionally, I reviewed memorandums and decisions from executive agencies like the Department of Justice that could affect marijuana policy. I also analyzed YouTube videos of presidential and candidate statements regarding marijuana policy, including discussions on the correlation between marijuana use and increased crime rates. I also looked at any executive orders or statements made to the public regarding drug crimes or marijuana-related issues in the United States.

After collecting video interviews and presidential addresses, they were analyzed for any statements regarding marijuana and police action for drug offenses. Any direct statements regarding marijuana were documented and placed on a timeline with a description of the event. Next, a Google search was conducted to gather information on state actions regarding marijuana reform. Any states that had decriminalized or legalized medical or recreational marijuana were collected, along with the date of the action, and added to the timeline.

After placing the data on the timeline, an arrow was added beneath each action. If the arrow pointed towards the year 1970, it indicated a negative shift towards a stricter policy on marijuana. On the other hand, if the arrow was blue and pointed away from 1970, it represented a positive shift towards the legalization of marijuana. Once all the actions were placed on the

timeline, the arrows were examined to identify framing shifts and the impact of presidential rhetoric on public opinion about marijuana policy.

The state actions and their respective dates were compiled once again and organized in an Excel file. The year and the name of the president were assigned to the X-axis, while the number of policies enacted was plotted on the Y-axis. A column graph was then generated to visualize the changes in policy across different presidential administrations.

8 RESULTS

Table 1 presidential marijuana timeline

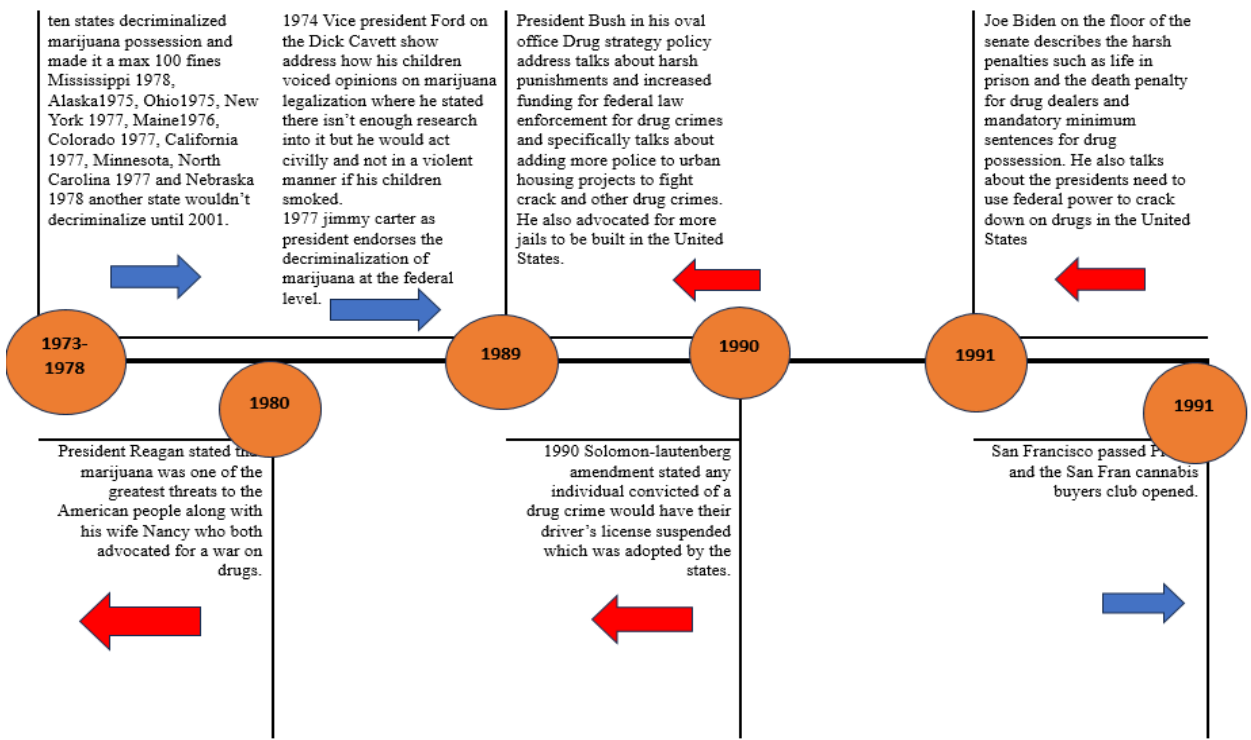
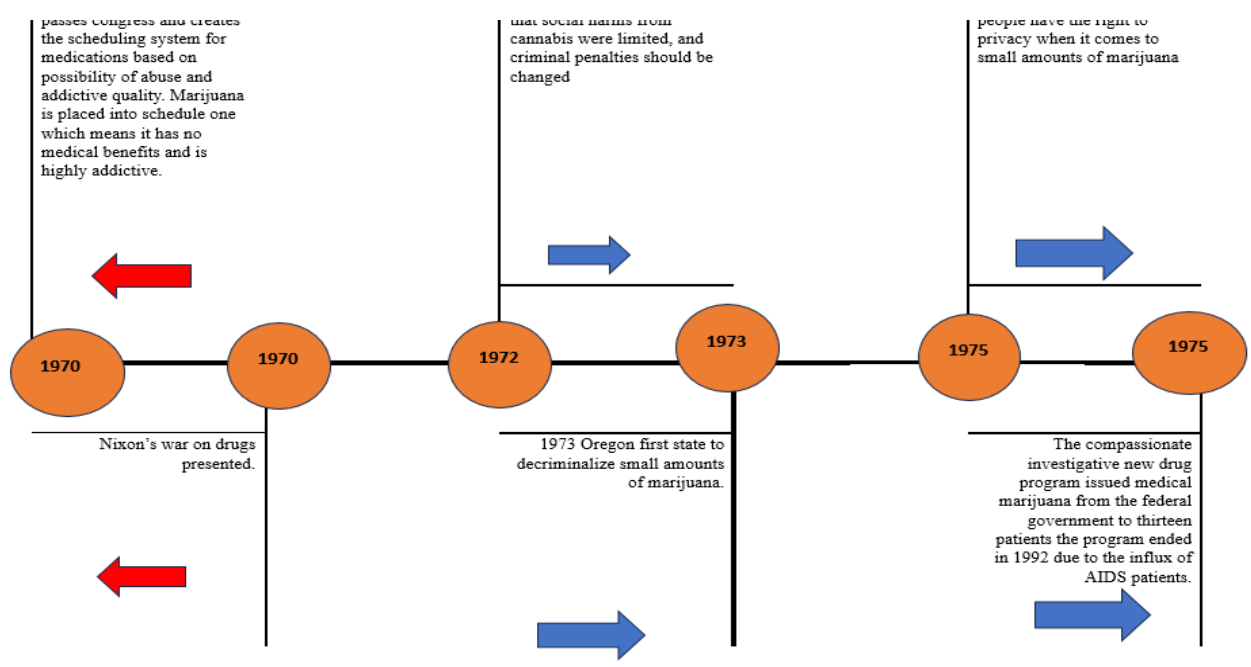


Table 2

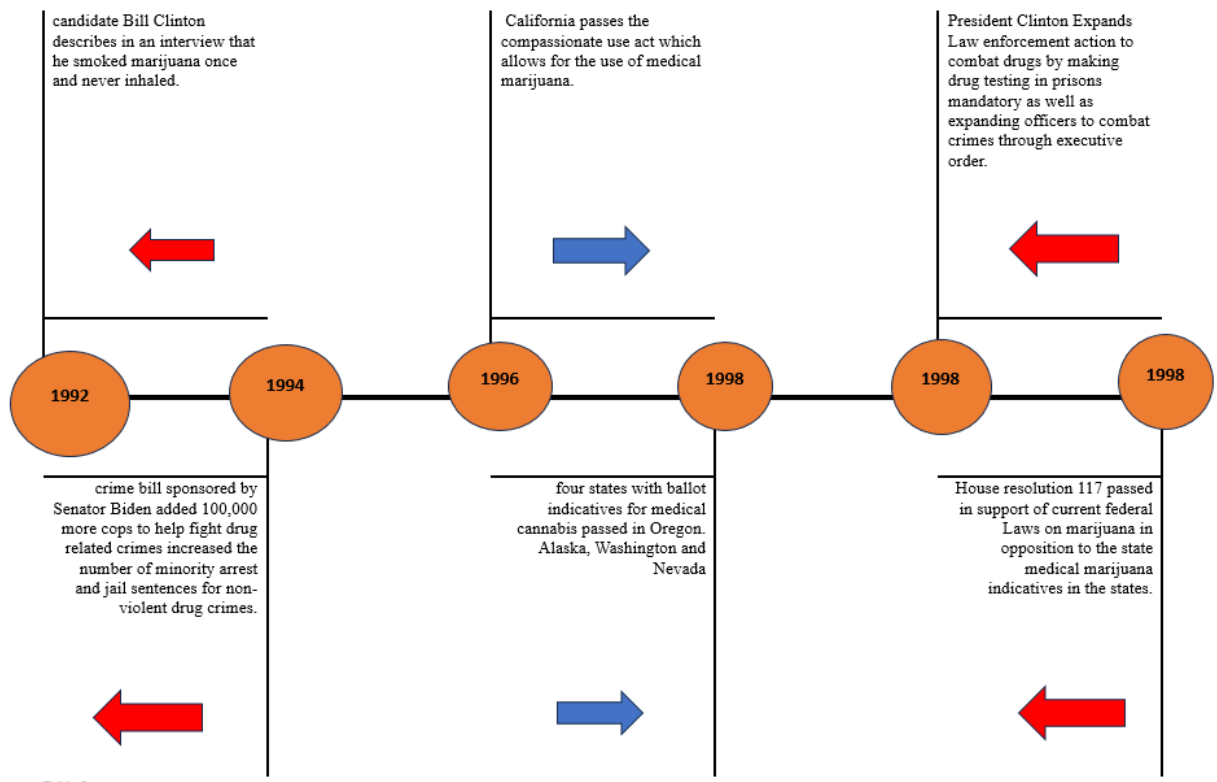
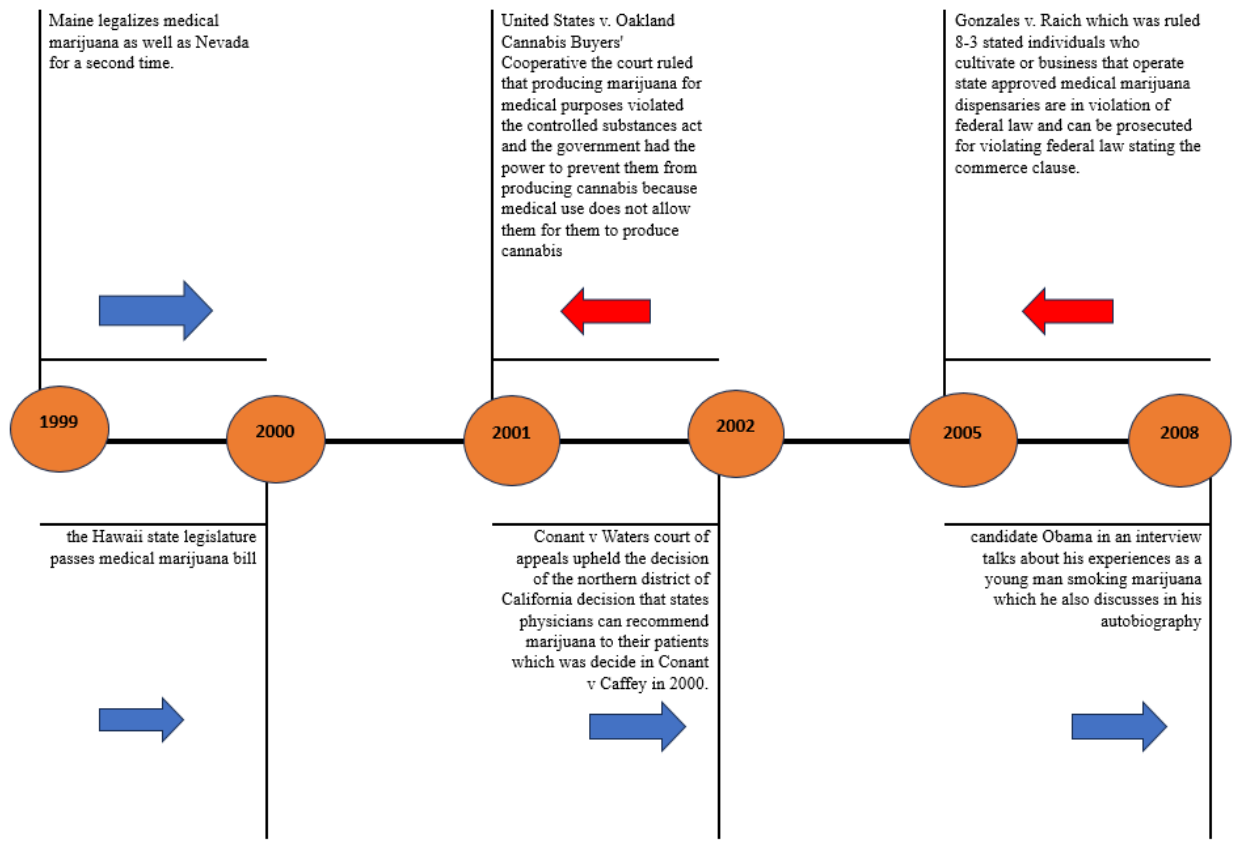
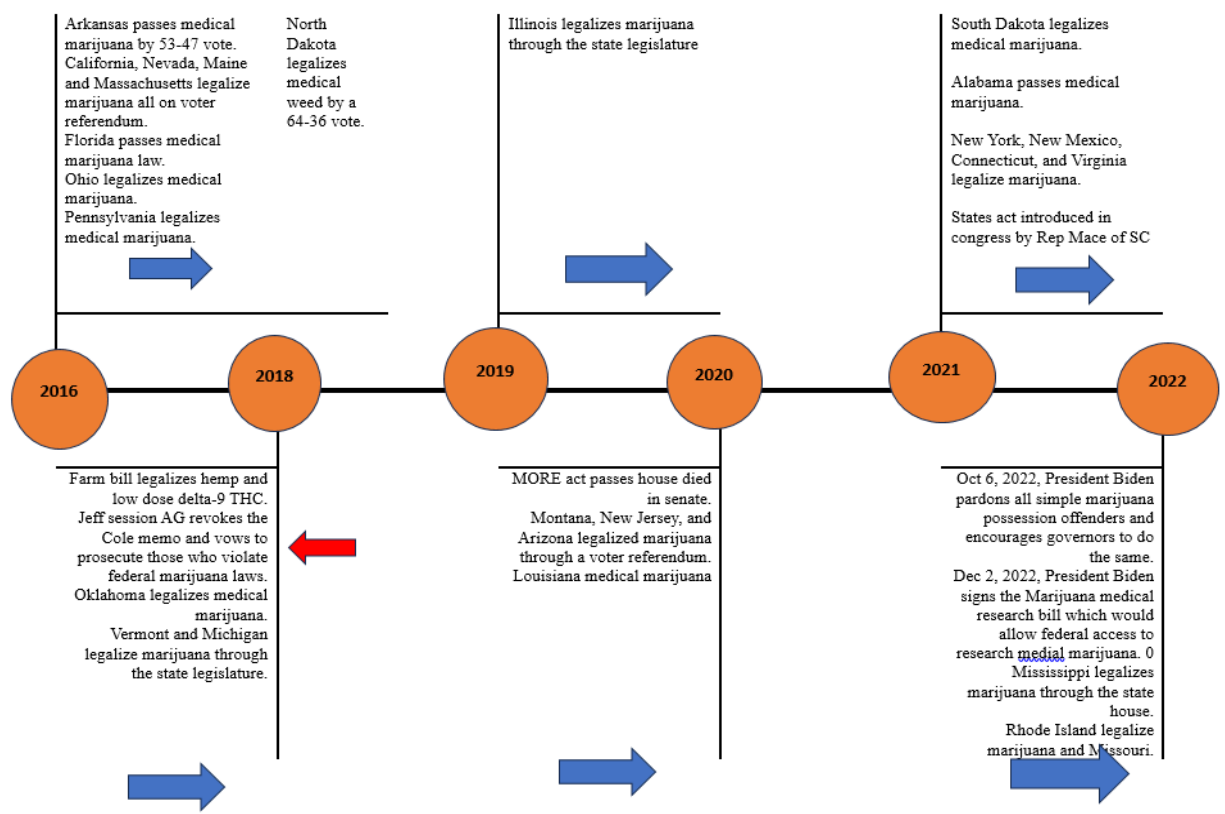
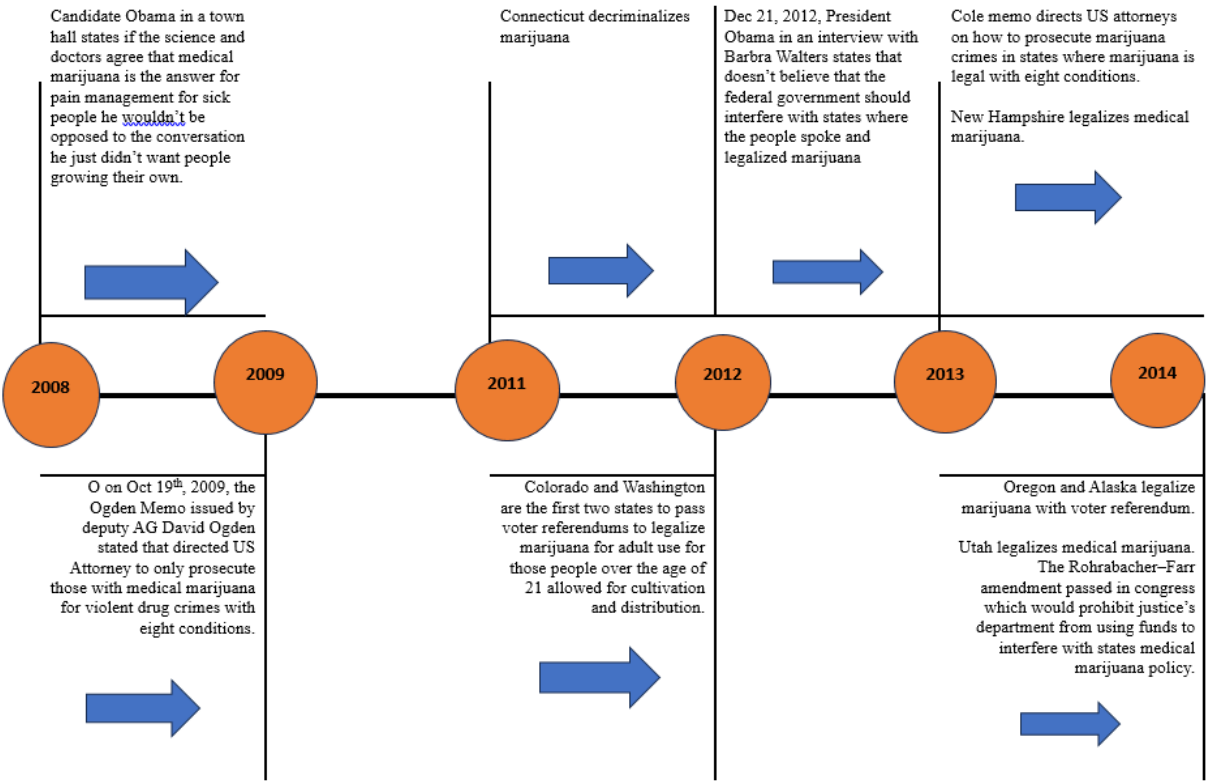
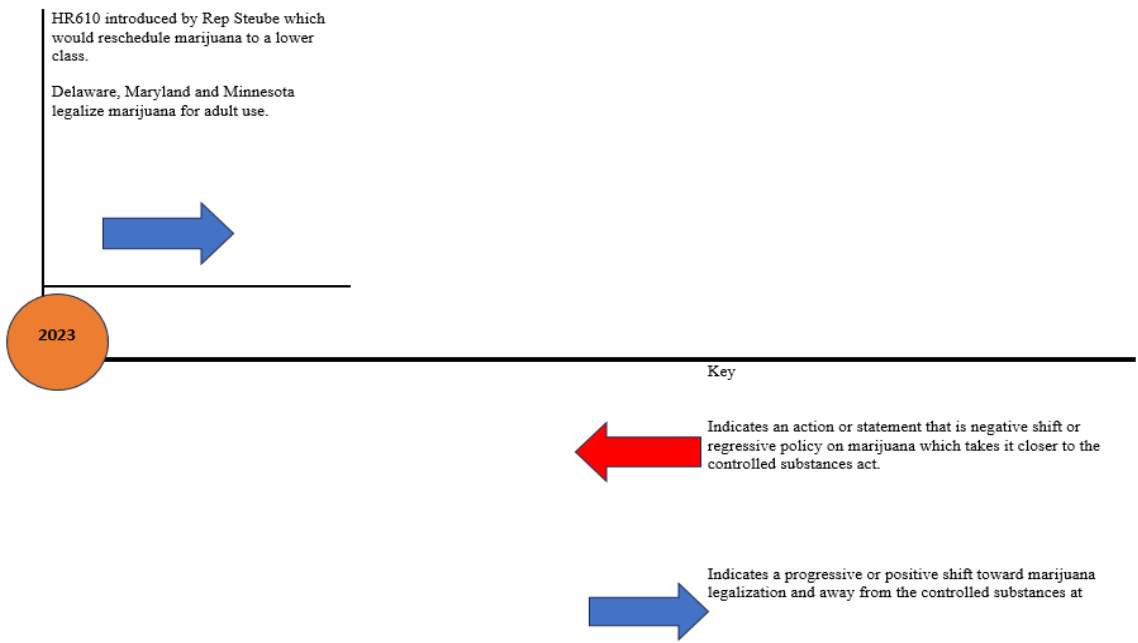


Table 3







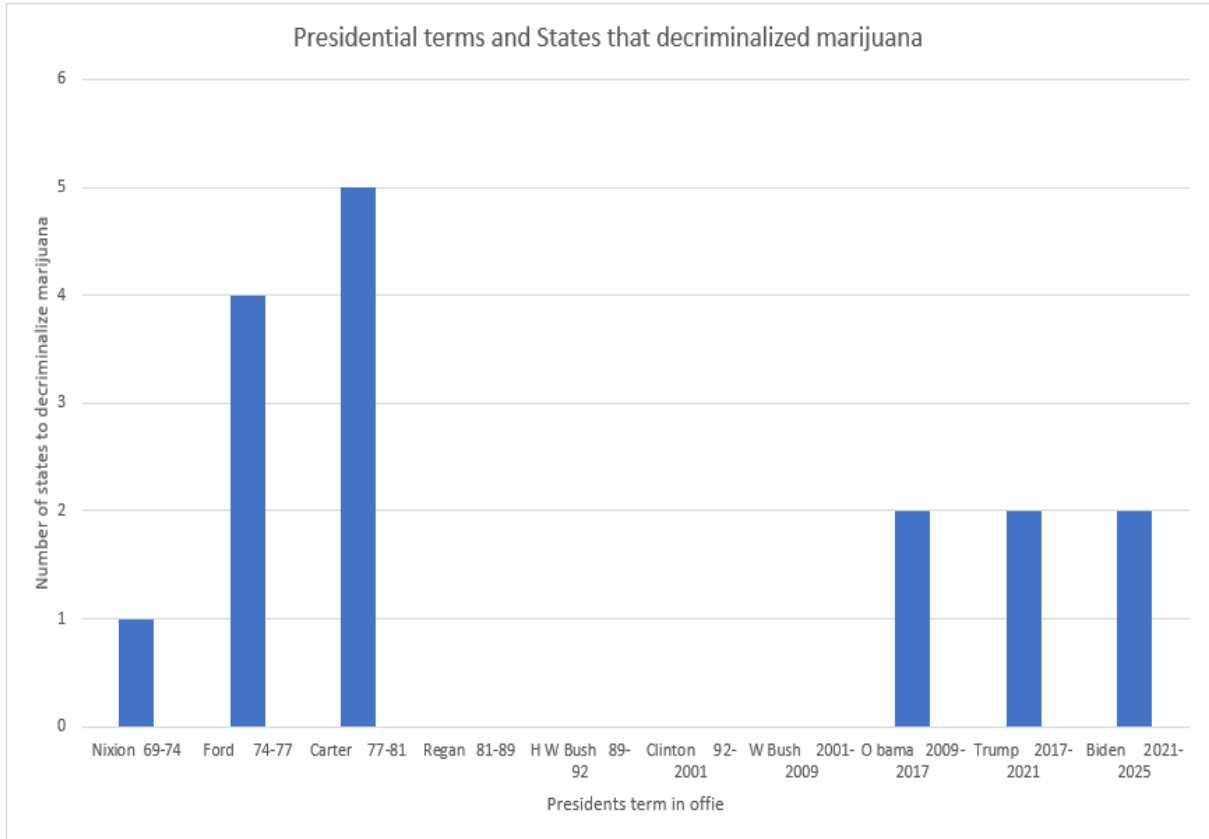


Figure 1 presidential decriminalization graph

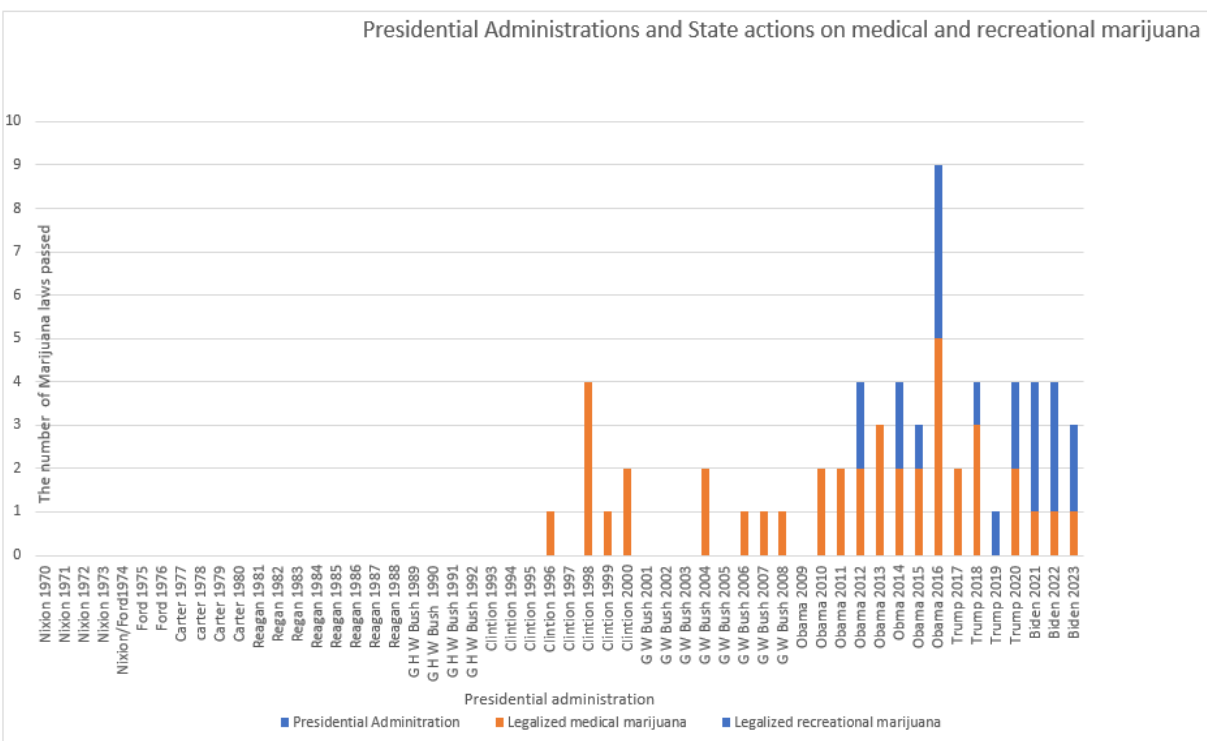


Figure 2 presidential marijuana legalization graph

9 DISCUSSION

9.1 Presidential Rhetoric and its Effects on Policy Diffusion.

After compiling all the data together, I have created a timeline of events from 1970 until 2023 which depicts pivotal events in the league the legalization history of marijuana. What I want to focus on are the instances in which presidential rhetoric caused this shift in the policy diffusion process at the state level. From 1970 until 1974 under the Nixon administration we notice that there is a small shift towards progression of marijuana legalization Nixon signed the controlled substances act of 1970 which placed marijuana In a Class 1 schedule showing that it had no medical benefit and high levels of addictive nature. In January of 1974 Vice President Gerald R Ford went on the Dick Cavett show where he was asked a question about marijuana legalization. In his answer the vice president stated that his children have advised him of the effects of marijuana Cortana where no different than that of having a gin and soda or a martini, he did state that if he found his Children smoking marijuana that he would attack it civilly and not in a violent manner. In 1975 after Ford had become president the state of Alaska decriminalized marijuana and during his tenure as president three more states would decriminalize.

In 1977 President Jimmy Carter in a statement endorsed the federal decriminalization of marijuana at the federal level and would support any law at the federal level that would decriminalize marijuana. From 1977 until 1980 five more states decriminalized marijuana. I can trace these presidential statements and the rhetoric used by the executive officers to show that the president's direct support or indirect statements in support of marijuana allowed for state policies to incrementally change towards a progressive model of marijuana reform at the state level by decriminalizing marijuana.

Looking at graph 2 we see from the year 1970 until 1995 there was no movement in the direction of marijuana legalization. In 1996 the state of California with a voter referendum voted to legalize medical marijuana in the state and from 1996 until 2008 there were small incremental shifts which states legalizing marijuana for medical uses with mostly Voter referendums with the 2000 Hawaii bill being passed through the state legislature. In a 2008 interview presidential candidate Barack Obama discusses his position on marijuana legalization. Candidate Obama states that he will follow the science when it comes to marijuana legalization and what experts say should help drive policy decisions when it comes to marijuana decriminalization and legalization. In 2009 the Obama administration issued the Ogden memo on October 19th, 2009, which informed the Department of Justice on how the department should not waste resources on enforcing marijuana laws in states where medical marijuana had been legalized. If you look at the graph you will see that in 2009 there were no medical marijuana laws passed in the United States in 2010 you see that number increased to two in 2011 there are two more states to legalize medical marijuana.

In 2012 during the Obama administration, we have the first two states to legalize recreational or adult use marijuana being Washington and Colorado. In a December 21st, 2012, interview with Barbara Walters President Obama states during their interview that He still thinks that marijuana legalization should be researched but he also states, “the federal government should not be interfering with the will of the citizens who have voted to legally purchase and use marijuana within their state”. On August 29th, 2013, the Department of Justice again with the Cole memorandum which was issued by deputy attorney general James M Cole directed the Department of Justice on how to enforce federal marijuana laws in states where recreational or adult use marijuana had been legalized. It is at this point where we see a massive shift from

regressive policies Progressive policies at the state level and the increase in medical marijuana laws passed as well as the increase in the number of states where recreational or adult use marijuana Laws that are passed at the state level after.

9.2 State Policy Diffusion

If we look at graph 1, we notice that from 1970 to 1974 there is minor shift towards progressive policies under the Richard Nixon administration. In 1974 or after Gerald Ford interview on the Dick Cavet show and in 1977 after Jimmy Carter's statements on marijuana decriminalization at the federal level, we see large uptakes in states who proceeded with marijuana decriminalization Laws in their respective states. We were able to see a correlation in the rhetoric of the executive Office of the president impact the diffusion of decriminalization policy at the state level after these statements were made on national stages.

Looking at graph two we can see from 1970 until 2008 there were incremental shifts towards a progressive stance on marijuana legalization for medical use and recreational use. This is noted by the minor increases in states that legalized medical marijuana up until the year 2008 as noted by the graph. In 2000 and 9 there is no marijuana laws enacted in the United States, but the administration of President Obama issues the Ogden memorandum in October of 2009 which directs the Department of Justice To not interfere with states that have legalized medical marijuana. From 2010 to 2011 we see increases in two states each year legalizing marijuana in 2012 we have our first recreational marijuana laws passed in the United States. In December 2012 President Obama in an interviews notion his administration should not be interfering in state actions when it came to marijuana. From 2012 Until 2023 we have consistent state legislative action or voter referendums legalizing medicinal marijuana or adult use marijuana. In

2013 the Obama Justice Department issued the coal memorandum which reinforced the Presidents Dec 21st position on leaving states alone to handle marijuana in the states. From 2012 we have a shift to state lead policy diffusion where the rhetoric of the president was allowing citizens and state governments to enact marijuana reform without fear of federal government intervention these shifts are noted on the graph by the increase and sustained number of states that passed marijuana reform during and after the Obama administration

10 CONCLUSION

Based on the data I have gathered; I have found a clear correlation between presidential rhetoric and policy diffusion at the state level. Specifically, when a president expresses positive views on marijuana legalization, it signals to states to pass positive marijuana reforms. This was evident during the Obama administration's change in policy direction on marijuana legalization. However, my investigation did not include the relationships between presidential rhetoric and its impact on congressional or judicial actions. Additionally, my research only covers the period starting from 1970, so there may be room for further research to add to the existing literature.

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