Description

CASE STUDY 1:  Medicinal and Recreational Marijuana One of the problems of Federalism is the ability for specific policy issues to find themselves at cross purposes between the federal and state governments. The federal government considers marijuana a Schedule I substance under the Controlled Substances Act, making it illegal, and therefore possession and use of it a federal crime. However, since 1996, a total of 33 states, the District of Columbia, Guam, and Puerto Rico have legalized the use of marijuana for medical purposes. Over the past few years, 10 states and the District of Columbia have passed laws legalizing marijuana for recreational purposes as well. This places state laws in direct violation of federal law, making the issue surrounding the legalization of marijuana for any purpose a contentious public policy. There are numerous questions raised when state and federal law stand in contrast. These questions include, but are not limited to, What are the impacts of American democracy when state policies violate federal law? Many marijuana laws in the states have been passed by ballot referendum, allowing the voters (citizens) to directly weigh in on the issue and decide. What does it mean for a representative democracy when the laws or actions at either the state level or federal level do not reflect the will of the people? How have states gone about implementing medical/recreational marijuana laws in violation of federal law? What has been the federal government's response to these state laws, since 1996? For this, what has been the response from the Justice Department in how they police the states over marijuana, and has that changed across administrations? What does this mean for businesses and an industry that has grown large over the past several decades, and the protection of rights for citizens in specific states? What does the Constitution say about the nature of states versus federal government (think Amendments 9 and 10)? How have drug policies evolved and changed over the past 50 years? Think about Nixon's declaration of a war on drugs, which expanded under Reagan/Bush, and the policies passed during the Clinton administration (maximum minimum sentencing, 3-strikes laws, etc.), to today's debate over marijuana decriminalization in the face of an opioid epidemic. The purpose of this case study is to examine in-depth the current situation of medical and recreational marijuana legalization, and to develop a case study that examines a specific policy or aspect in detail as described below. You can choose to look at a specific state, for example, California was the first to legalize marijuana for medicinal purposes and Colorado the first for recreational purposes. Or you can examine this as a federalism issue, as in the states versus the federal government. Or you can examine this as a philosophical democracy issue, looking at what citizens want versus the law. Regardless of your specific approach, you will need to research the issue, offer a history that examines the problem, provide details on the current policies and debate, a discussion on the impacts of the current policies, and lastly offer your own analysis of the situation.  It is important to understand the issue broadly, how and why it evolved into a policy issue, what policies have been passed and implemented, and what those impacts are. This way you can provide a detailed comprehensive study to assess and analyze the success of current policy and determine if any gaps still exist so that improvements can be made. The flipside being that the current policies could be total failures and need to be removed completely.  Beginning sources: National Conference of State Legislatures, "State Medical Marijuana Laws." (Links to an external site.) This website also contains other resources that will be beneficial for you, such as "State vs Federal Perspective" sections. John G. Sprankling, "Owning Marijuana (Links to an external site.)," from the Duke Journal of Constitutional Law and Public Policy, 2018. Lewis A. Grossman, "Life, Liberty, (and the Pursuit of Happiness): Medical Marijuana Regulation in Historical Context (Links to an external site.)."  HOW TO WRITE A CASE STUDY: A case study analysis requires the same amount of research as a traditional academic paper, but it is written and analyzed differently. There are four major sections for a case study analysis: the problem, the solutions implemented, the results and the analysis of the results. The fourth section often includes recommendations for achieving better results in a similar situation. The case studies you write for class will include recommendations. In many case studies there is more than one problem. The key here is to carefully examine the issue, think about it and conduct some initial research before you decide on the problem you wish to analyze. The problem identification is important because it is the basis for the rest of the analysis. You are given a specific example here to help you focus on the current debate over marijuana, but are multiple aspects you can choose to focus on. As in your readings, defining the problem/issue is key. This section is the background, and offers initial context for the rest of the paper. The next step is to describe what steps were taken to resolve the problem. From your research, you should have compiled general information on the specific policy issue that will provide you a starting point to examine the various steps already taken to resolve the issue. For example, regarding marijuana, what law passed in California to legalize medical marijuana? What was the law, how was it passed, and how was it implemented? In Colorado, what law legalized recreational marijuana and how did it pass, and how was it implemented? Be specific. The idea is to find one focused aspect, which will make examination of what has already been done much easier. In the third section, describe the results of the actions taken to resolve the problem. Be sure to stick to the problem or problems that you identify in the first section. This will ensure that your paper is focused. To return to our earlier example, if your focus was on Colorado, when the law was implemented, what were the results, what impacts did the law have on the state, and what was the response of the federal government? What were the political arguments made to justify the policy and why? Finally, analyze whether the steps taken to resolve the problem were adequate in terms of problem solving. If you find that there were deficiencies, develop recommendations to correct them in case a similar problem occurs again. This is where you may be creative and insightful. What are the ethical considerations here, meaning, who 'wins' and who 'loses'? There is never one single correct answer, although there are certainly some wrong ones! Your analysis should end with conclusions that can be drawn from the study. Think about what the current debate is and why. Where does the issue stand and what actions could be taken to move the issue in a direction you think appropriate. Since these case studies will be government oriented, be sure to check official documents, government website sources, as well as academic and secondary sources. You should have a minimum of 10 sources (a mix of academic/peer-reviewed; press/media; government websites/docs; and general online resources). Although this is not a formal term paper, I expect proper format- standard font, 1-inch margins, double-spaced. The paper should be between 1500-1800 words (about 5-7 pages). Proper citations are expected, use whichever style you prefer but be consistent throughout (e.g. Chicago, MLS, APA, etc.), and include a bibliography that lists all the sources you reviewed, citations and correct grammar and spelling. Remember, Wikipedia is not a credible academic source!