

# Opinion

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# America's culture wars just got more extreme

## A liberalisation of drugs is sweeping the US while the historic right to abortion is under attack



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OK, it's legal to buy it, it's legal to own it and, if you're the proprietor of a hash bar, it's legal to sell it. It's legal to carry it, but that don't matter, 'cause, get a load of this, if you get stopped by a cop in Amsterdam it's illegal for them to search you..."

"Oh man, I'm f\*\*\*in' goin'!" Vincent (John Travolta) and his pal Jules (Samuel L Jackson) captured American amazement at Dutch attitudes to cannabis in 1994's cult classic *Pulp Fiction*.

Well, right back at ya, Vincent. This week semi-legal cannabis has come to Washington DC and done so in a psychedelic train-wreck of loopholes, threats of jail and claims of constitutional impropriety. There is nothing on earth that American legalism cannot furnish with a new level of mind-numbing complexity, and that includes getting stoned.

The mess over cannabis in Washington is caused by the odd governance of the city — Congress still has a direct role — and the clash between the plainly stated desire of voters to smoke pot and the Republican-dominated Congress's distaste for the practice. So it's going to be weird for a few weeks. Here's a taste (for Vincent): it'll be legal to

smoke it and legal to buy it, but not legal to sell it. And not legal at all in public housing. As Jules might say, "Oh man, I'm stayin' away!"

But here's the point: they will sort it out and in the longer term it will be legal to use cannabis in the nation's capital, as it is already in four American states, with more certain to follow.

If drugs are part of the culture wars, who has won? On the face of it the liberals have. On drugs, with legal cannabis and a consensus against tough penalties for hard drug use; on gay rights, with growing acceptance of gay relationships and marriage; and even on assisted suicide and the right to die — the nation appears to be heading firmly in the direction of tolerance.

But look closer and there's another interpretation. This is no more than a prisoner exchange in the culture

### If you want to smoke pot move to Colorado; if not, go to Oklahoma

wars; people can move states and find wildly different attitudes and laws on social issues.

Perhaps you make a choice in modern America: if you want to smoke pot you live in Colorado and if you don't you live in Oklahoma.

Deal? It sounds like one. But not when it comes to the most bitterly fought battle of America's culture wars. Conservative states are seeking to curb the availability of abortion to a degree that could put it back at the top of the national political agenda.



John Travolta as Vincent Vega enjoying a drag in *Pulp Fiction* (1994)

The problem is clear. If you allow states to restrict abortion in accordance with their distaste for the practice, you effectively ban it for poor women who have no access to the medical facilities of other states. Take Texas, a quarter of a million square miles, 26 million people, and now only a handful of abortion clinics.

Or Mississippi, 170 miles wide and 340 miles long, and soon, potentially, with no abortion clinics at all. The state has banned doctors from carrying out terminations unless they have the right to work at a local hospital. The suggestion is that women are safer if these local controls are in place: but the fact is that doctors in rural Mississippi or Texas or the Dakotas would risk

their lives if they provided abortions. The law — as its supporters well know — is a tool to stop abortions. Mississippi's one abortion clinic would cease to exist.

And that is a direct challenge, of course, to one of the most famous Supreme Court rulings: the 1973 judgment in *Roe v Wade* that made abortion legal in every American state.

### The historic *Roe v Wade* ruling could be effectively overturned

The Mississippi case has been handed to the Supreme Court. They do not have to rule on it but if they decide to take the case and to rule in favour of the restrictions, then that's effectively the end of *Roe v Wade* and the birth of a new America in which liberals and conservatives fight trench warfare from state to state on a range of social issues.

Only a few weeks ago the Republicans introduced legislation in the House of Representatives to restrict abortions but then withdrew the toughest measure because their own people (particularly women) could not agree on it. In Republican-controlled state legislatures in the deep south, by contrast, no such problem will be found.

Yes, it will be fun for liberals to smoke weed in Washington DC and nice for gay people to get married all over the place. But if the price of that is back-street abortions in Texas and Mississippi? To many Americans it does not look like such a great deal.