

# Gentrifying Marijuana: The Construction of Whiteness Through Legalized Marijuana

Carmen Mabee

University of Colorado, Boulder

Sociology Department

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Honors Committee Members:

Matthew Brown, PhD. Sociology (Chair)

Mathieu Desan Ph.D, Sociology

Kwame Holmes Ph.D Ethnic Studies

## ABSTRACT

Marijuana legalization has provided vast opportunities for economic advancement and job growth within a number of US states. However, despite these gains, many argue that the legal marijuana industry has left behind those most impacted by prohibition. This project seeks to explore relationship between the legal marijuana industry, gentrification and whiteness. Data for this project was collected through an examination of 60 marijuana related advertisements sourced within magazines around the Denver and Boulder metro areas, as well as interviews with 20 primarily White identifying marijuana consumers. Using Schulman's (2012) definition of gentrification, this work seeks to further scholarly understandings of gentrification as a process that occurs not only within the physical make-up of space, but also within the ideological space of the mind.

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## INTRODUCTION

The rise of marijuana legalization in 33 U.S. states has been routinely praised for its perceived contributions to the advancement of American autonomy (McNearney 2018). Legalization has provided a growing number of opportunities for economic advancement and mobility for many Americans through the addition of the highly lucrative medicinal and recreational marijuana industry. An industry that is estimated to exceed \$16 billion in net worth by the end of 2019 (Reisinger 2018). These economic gains are just the beginning, with economists forecasting that national legalization would in effect increase the market's valuation to \$80 billion by 2030 (Franck 2019).

While there is no question that legalization has spearheaded economic growth within the states that elected to participate, many would argue that its prosperity is built upon the backs of those most impacted by its prohibition, People of Color (Posner 2018). Legal experts and politicians, such as congressperson Alexandria Ocasio-Cortez, have highlighted that legal marijuana is largely benefiting white investors and entrepreneurs, thereby compounding the racial wealth gap (Bruney 2019). There are several factors that contribute to the racial disparities. First, the vast majority of legal marijuana states bar those with past marijuana convictions from participating in the legal market, a reality that disproportionately impacts communities of color (Zhang 2019). I argue that this practice makes these states complicit in perpetuating the impacts of the racist history of marijuana criminalization and is used to justify the hypocrisy of whites owning and operating a business that scores of people are still imprisoned for in many of the same states and across the country (Posner 2018). This notion is made stronger considering that in the state of Colorado, where People of Color were arrested for marijuana violations at a rate

four times that of whites prior to legalization, 71% of marijuana executives are male and 81% of them are white (Bruney 2019).

Working in tandem with white domination in high-level executive positions is the overwhelming whiteness of existing legal states. The states and municipalities that have fully legalized marijuana for both recreational and medicinal purposes are as follows: Colorado (2012), Washington (2012), Alaska (2015), Oregon (2015), Massachusetts (2016), Maine (2016), Nevada (2016), California (2016), Washington D.C. (2016), Vermont (2018), and Michigan (2018) (Berke and Gould 2019). With the exception of Washington D.C, every single one of these states is comprised of majority white populations. In fact, the disparity between white and black populations in these states is so high that, aside from major cities, the black population is virtually nonexistent. For example, Colorado has a white population of 87.5% and a black population of a meager 4.5% (US Census Bureau 2016). Further, Massachusetts and Washington have a white population of 81.8% and 87.5% respectively, and a black population of 8.6% and 4.1% (US Census Bureau 2016). Maine's racial diversity is even more striking, boasting a white population of 94.8% while the entire black population makes up no more than 1.5% (US Census Bureau 2016).

Second, the ability to apply for a license to own and operate a marijuana business requires a significant amount of economic and social capital. In addition to highly selective application procedures the application fee to open a retail marijuana store in Colorado is a nonrefundable \$4500 (Colorado Department of Revenue). In New York, where only five medical dispensaries were permitted to open in the state, prospective applicants are required to pay a nonrefundable fee of \$10,000 and then an additional \$20,000 registration fee (Hamilton 2017). Washington state's application process has an interview portion, a \$250 application fee and an

annual fee of \$1,480 (Washington State Liquor and Cannabis Board). Additionally, because marijuana is still illegal at the federal level, most banks do not provide loans for any expense relating to marijuana. This stems from anxieties over an uncertain future of legal marijuana and the threat of at-will government raids which result in asset forfeitures of anything that could possibly be linked to marijuana production and distribution (The Economist 2018). When consideration is placed onto both the overwhelming whiteness of legal states and the costs associated with opening up a business, it is clear that marijuana legalization has only worked to benefit affluent whites.

How did a substance that sparked mass moral outrage for generations and provided justifications for the arrest and mass incarceration of vastly disproportionate levels of people of color become such a popular and lucrative commodity for mainstream whites? This study seeks to highlight the ways in which the legal marijuana industry has been whitewashed and subsequently gentrified to appeal to a rising white mainstream consumer base. Further, this study hopes to address a gap in gentrification literature by linking the relationship between marijuana, whiteness, and the revitalization space.

#### *A Note on Language*

A debate between the use of the name “cannabis” or “marijuana” when referencing the substance has been bolstered into national conversation within recent months (Chen 2018). Many argue that the term “marijuana” is inherently racist and therefore we should refer to the substance only by its scientific name “cannabis.” Large scale marijuana companies, like Oakland-based Harborside Health Center, are falling suit, contending that using the phrase “cannabis” would in effect destigmatize the industry and reconcile for its racist past.

There is no question that the word is rooted in the racist history of marijuana criminalization, a process spearheaded by the Federal Bureau of Narcotics commissioner Henry Anslinger who used the word to make the substance appear more exotic and therefore dangerous to whites in the 1930s (Gary 1998). However, Southwestern Studies scholar Guerra (2010) argues that the term is not innately racist. Guerra (2010) contends that the term “marijuana” was created by indigenous Mexican populations as a means of rebellion during the age of Spanish colonization. The Spanish coerced the indigenous population into growing hemp rather than their traditional crops, however, unbeknownst to the Spaniards, the natives discovered that the flowers produced calming psychoactive affects when smoked. The natives named the plant “marihuana,” which refers to the Virgin Mary, to appease the Spanish who at the time were forcing the indigenous populations into converting to Christianity. Further, Scott-Goforth (2016) views the push to call the substance “cannabis” as motivated more by the desire to make marijuana sound safe again to white people than to atone for its racist past. Calling marijuana by its European centric scientific name “cannabis” is therefore whitewashing marijuana’s history to make the industry more palatable for affluent white consumers and pave the way for corporate investment.

### *Research Questions*

When recreational marijuana was legalized in Colorado in 2012, the legal marijuana industry opened many doors for new employment opportunities and entrepreneurial ventures. As marijuana is becoming more mainstream, I identified a parallel between the newly legalized industry and the process of gentrification that is occurring in many formerly “undesirable” locations within cities across the country (Schulman 2012). As illegal marijuana producers are pushed out of the market, the view of the industry is cleaned up and repackaged to cater to the mainstream aesthetic—much like revitalization projects in formerly low-income neighborhoods,



such as Five-Points in Denver. This connection sparked curiosity, as much of the literature focusing on gentrification is situated within discussions of neighborhoods and public spaces, could theories of gentrification be applied to an industry? The question that formed the basis for my research is: How do agents of the legal marijuana industry separate themselves from the illegal market and thereby spur the process of gentrification?

This question is important to explore because we live in a period of marijuana glorification. It appears as though every corner in Colorado is dotted with marijuana dispensaries, and magazines are filled with advertisements for various marijuana infused products. Even more proof of marijuana's emergence within the mainstream is the declaration of CBD, a non-psychoactive component of marijuana, as the new health craze. At the same time the United States is witnessing a marijuana renaissance, there are still millions of Americans locked away in prisons for crimes that are now legal in ten states and Washington D.C. (Johnson 2018). More importantly, even after the formerly incarcerated are released from prison, individuals with marijuana violations on their records continue to be barred from legal participation in the employment opportunities afforded only to those lucky enough not to have been penalized during prohibition.

The purpose of this study is to highlight the ways in which marijuana has been whitewashed for the purpose of destigmatizing the industry in the eyes of white America to spearhead the process of gentrification. There for, I will not stand to be complicit in this act, and for this reason I have chosen to refer to the substance as "marijuana" throughout the duration of this project.

## LITERATURE REVIEW

*Whiteness as Property*

Whiteness is a widely unacknowledged racial hierarchical system that has shaped western civilization power structures (Altman 2006). To be unacknowledged is to be erased in favor of presenting a color-blind stance on race. By maintaining a color-blind ethos, the benefits and privileges associated with whiteness are camouflaged in favor of a “pull yourself up by your bootstraps” narrative (Bonilla-Silva 2017). This allows White Americans to ignore the fundamental relationship between race and economic mobility within the history of the United States.

Race is a social construction born out of the history of chattel slavery and colonization of early America (Harris 1993). To say something is a social construct is to recognize the real-life implications of its creation (Antrosio 2012). Defining race as a social construction emphasizes the role that society plays in prescribing meaning to the significance of skin tone (Guess 2006). Stated plainly, whiteness gets its meaning from the social and cultural value of being white that originated during the period of colonization and slave trade which emphasized differentiation between those that are white and those that are not white (Harris 1993). To be white in this period meant access to the right of property ownership and to amass wealth, thus indicated access to the privileges and benefits of citizenship in colonial America.

It is essential to understand that in this context property is not solely defined as a physical entity. Property as it exists within the context of the United States “consists of rights in ‘things’ that are intangible, or whose existence is a matter of legal definition” (Whelan 2015:27). Therefore, property is a matter of intangible and legally defined rights, not just a physical thing (Harris 1993). With this understanding, the connection between whiteness as a form of property

bestowed upon the beneficiary through legal means is illuminated. James Madison, a prominent figure in the founding of the United States, proclaimed, “property embraces everything to which men may attach value and have a right.” With this statement, Madison reveals that property was never solely a matter of physical things to the forefathers of the United States.

The classification of whiteness as a form of property (and legal rights) is a concept that was first discussed by Harris (1993). Harris maintains that rights to property are deeply contingent upon the racialization of Black and Native Americans. This process of racialization justified the commodification of Black bodies and the subsequent seizure of land owned and occupied by Native Americans. Black and Brown people thus became a physical manifestation of property exploited by white plantation owners who had the legal right to own property. The transformation of black and brown individuals as objects of enslavement based on skin color produces a dichotomy in which black and brown skin signify slavery and white skin implies freedom. As freedom is defined as a right in the Constitution, freedom is, therefore, a form of property owned by whites and whiteness thereby the property of a free man (Harris 1993).

#### *Policing as a Mechanism of Whiteness Protection*

Following the end of the Civil War, Black Americans experienced a period of progress known as Reconstruction. The 13<sup>th</sup> Amendment and the Civil Rights Act of 1866 gave formerly enslaved African and Caribbean people access to the rights of citizenship, this includes: the right to vote, the ability to pursue elected office, and the right to land ownership (Alexander 2010). This period of progress was met with aggressive white resistance by way of Southern Redemption (Anderson 2018). The combination of the assassination of Abraham Lincoln, the swearing in of Democrat Andrew Johnson as president, and rising white apathy in the north spearheaded the production of laws that worked to dismantle the gains made during

Reconstruction (Anderson 2018). Laws outlawing vagrancy and other forms of “mischief”, such as smiling at a white woman, allowed for the mass arrest and criminalization of thousands of free Black Americans (Alexander 2010). As retribution for these crimes, they were hit with expensive court fees and a slew of fines. Those that could not pay off their debts were placed into forced labor camps, which in many cases were worse than the former structure of slavery (Anderson 2018). Criminalization transitioned free Black Americans from being the property of individual plantation owners to the property of the state. Thus, reinforcing and maintaining the racial hierarchy. By the end of the 1800s, every state in the South had implemented laws effectively rolling back any perceived sense of progress for Black Americans.

At the same time Southern Redemption was beginning to take hold in former Confederate states, the United States as a whole was experiencing a period of mass immigration that put traditional racial lines to test. The United States was expanding westward, and with this came an influx of immigrants from China, Mexico, and Eastern and Southern Europe. These non-Western European immigrants extended the negotiation of whiteness beyond a simple black and white dichotomy (Chen 2015). This spurred the popularization of Eugenics, which defined race in terms of biology (Chen 2015).

As westward expansion increased the need for cheap railroad laborers, Chinese immigration boomed. Chinese immigrants were willing to work for lower wages than their white counterparts, pushing many whites out of the labor pool and exacerbating racial anxieties. White politicians capitalized off of the use of racialized narratives of Chinese opium users pillaging the virtues of white women—ultimately resulting in the criminalization of opium. Criminalization of opium can be understood as a mechanism for reinforcing white property rights because by

criminalizing opium, whites were able to successfully force Chinese immigrants out of the work force and make it all but illegal to be Chinese in the United States (Gray 1998).

Vice criminalization in the United States goes hand in hand with racial subjugation and white reclamation of dominance. Although whites were known to use opium at similar rates to their Chinese counterparts, opium laws worked to otherize the Chinese. Opium criminalization was preceded by a series of anti-vice laws aimed at “othering” more non-whites ethnic groups. The first anti-marijuana laws targeted Mexican Americans and migrants in the 1910s and anti-cocaine laws were aimed at criminalizing Black men in the south. Each campaign utilized similar narratives of white female victimization. White women were seen as the property of white men and in need of protection. Images of white women being attacked spurred white rage in protecting their wives and reclaiming their property (Gray 2015).

The first true introduction to the modern-day War on Drugs was spearheaded by President Ronald Reagan (Kilgore 2015, Kendi 2016). In response to racialized anxieties of violence and drug use, spurred by Reagan himself, Reagan signed off on the Anti-Drug Abuse Act of 1986 (ACLU 2013). This Act provided an extra \$1.7 billion to drug war policing and set new mandatory minimum sentencing procedures in place nationwide. Mandatory minimums took discretion away from judges to make sentencing calls based on circumstance and forced harsh mandatory sentencing limits on repeat offenders, including nonviolent offenses like the possession of a single gram of marijuana. This drastically increased monetary gain within the privatized prison system and worked to disproportionately lock away People of Color for low level crimes (ACLU 2013). Studies on racial disparities due to application of mandatory minimums and harsh sentencing practices have concluded that Black Americans make up 65% of those serving life sentences without the possibility of parole for nonviolent offences, 77% of

juveniles serving life sentences, and in states like Louisiana Black Americans make up 91% of those sentenced to life without parole for nonviolent offences (Kilgore 2015).

The idea of whiteness as a form of property helps to illuminate what is at stake for White America if this claim to ownership becomes threatened. Accordingly, a variety of legal mechanisms have been put into place to protect this right to ownership, the most influential of which being the increased militarization of the police and the War on Drugs (Gordon 2006). Prohibition of substances like cocaine, opium, and marijuana were not put into effect because of their adverse impact on Public Health. If this were the case, substances like nicotine and alcohol should be considered high priority, but they are not. The truth is that these substances are associated with immigrant and non-white communities, and policing of these substances is solely about controlling the communities associated with them and reaffirming White dominance (Gordon 2006). Anderson (2016) contends that the increased militarization of the police and the rise of mass incarceration due to the War on Drugs is a byproduct of White rage in response to the gains of the Civil Rights Movement. Alexander (2010) likens the rise of mass incarceration and punitive policies that prevent individuals from expunging their criminal record even after successful completion of their sentence (which prevents them from successful reentry into the workforce and mainstream America) to a rebirth of Jim Crow.

#### *Gentrification as a Whiteness Project and the Racialization of Space*

Defining gentrification as a whiteness project helps to illustrate the role that race plays in the revitalization of space (Guzman 2018). Omi and Winant (2015) argue that racial formations are situated within racial “projects,” which they define as “...simultaneously an interpretation, representation, or explanation of racial dynamics, and an effort to reorganize and redistribute resources along particular racial lines” (Omi et. al 2015: 56). Although this definition of racial

projects helps to form a general idea of this phenomena, it is important to outline its limitations. Omi et.al (2015) maintain that racism is not a factor of all racial projects and that racism is not an inherently a White by-product. Feagin and Elias's (2011) critique of racial formation theory can help to unpack these limitations and transition analysis to reflect what they call "Systemic Racism Theory." Systemic Racism Theory draws heavily from the work of Black counter-systems analysts, such as W.E.B. Dubois, Kwame Ture, and Frederick Douglas, and refers to the institutionalized systems of racial oppression embedded within legal and cultural power structures (Feagin 2011). Systemic racism works to reproduce racial hierarchies through historical remnants of segregation laws and social-psychological conditioning reinforcing racial prejudices. Further, the history of racial subjugation in the United States generated and enhanced Whites' access to economic prosperity that was then carried through familial generations, centuries before Communities of Color had access to the means of economic advancement. Considering whiteness projects in terms of Systemic Racism Theory helps to frame conversations on the racialization of space.

This analysis of gentrification seeks to situate the act of revitalization in terms of space rather than a specific physical place. The notions of race, place, and power have a long history of inter-connection within the United States (Lipsitz 2007). Segregationist policies represent a tangible example of race acting as a barrier to entry into White spaces. Space can also be understood in terms of political and psychological interpretations. All three forms of space are heavily intertwined with one another. Political attitudes affect the physical makeup of spaces through housing and land use policies, while psychological spaces form the foundation to personal identity which in turn is reflected in political spaces. Thus, gentrification within the context of this analysis is defined as the process of appropriating the space of the low-income

working class, communities of color, and formerly undesirable social movements (such as marijuana legalization) and repackaging them to fit the mainstream aesthetic (Schulman 2012).

Gentrification theories typically fall within two major theoretical camps: consumer sovereignty and the rent-gap theory. Both theories frame gentrification analysis through negotiations of class (Guzman 2018). Consumer sovereignty focuses on the idea that promoters of gentrification have full agency to move around a space, and that decisions to gentrify have more to do with power as a consumer than the ownership of wealth (Lipton 1977; Caulfield 1994; Ley 1996). Thus, the decision to gentrify a space is not inherently a by-product of higher socio-economic status but the desire for a lifestyle change outside the bounds of the boring sameness of middle-class suburbia (Osman 2011). On the other hand, rent-gap theory maintains that gentrification is driven by the market (Clark 1987; Smith 1996). Gentrification under this theory is, therefore, the result of a movement of capital rather than a movement of people.

Both arguments contend with the all too familiar ideas of sovereignty and property ownership but ignore the racial implications inherent in the questions of who is considered sovereign, and what properties can be owned and by whom (Guzman 2018). These two questions relate to the previous conversation of whiteness as property in two significant ways: 1) the history of property rights as a legal mechanism for determining freedom, and 2) how whiteness is used as a tool to negotiate terms of property ownership. Understanding gentrification as a by-product of whiteness as property allows for a greater awareness into how race is intertwined with economic class-based decisions to gentrify (Guzman 2018).

Smith (1996) coined the idea of “combative zones,” a concept he describes as the places in which the spaces of wealthy white capitalists are confronted with the “blighted” spaces of the working class and Communities of Color of which they must “reclaim.” To do so, Smith argues



that business elites utilize their influence over city officials to mobilize the police on their behalf to clear their path from any hindrances to development (e.g. street vendors, homeless people). The appropriation of public sector resources by private corporations under the guise of renewal follows closely in-line with neoliberal approaches to urbanization which favor free market-driven capitalization as a method of spurring economic growth (Kaplan-Lyman 2012, Derossett 2014). Speaking in terms of the marijuana market, wealthy White ganjapreneurs “take back” the marijuana industry from the working class and Communities of Color that, in many cases, used illicit marijuana trade to supplement income (Perman 2010). By taking back the industry from non-legal operators, the industry is made safe for corporate investment by ridding it of the racialized “other”, the poor, and separating legal marijuana from crime.

### *Neoliberalism*

Neoliberalism is broadly defined as “a system of economic ideas and policy initiatives that emphasize small government and market-based solutions to social and economic problems” (Kaplan-Lyman 2012:1). It is a concept that scholars perceive to be a powerful and pervasive political agenda designed to enforce class-based subjugation and exploitation (Hardin 2014). Neoliberalism itself is a relatively new economic and philosophical concept conceived following World War II in postwar Europe and the United States (Ganti 2014). Neoliberalism has since grown to be the most prominent governing principle of the United States and scholars argue that it has played a substantial role in the expansion of the criminal justice system and mass incarceration (Kaplan-Lyman 2012). A growing body of literature on the topic explores the relationship between neoliberal economic policies and policing mechanisms put into place during the height of urban disinvestment and the onset of the War on Drugs, these include the Broken-Windows Theory and stop-and-frisk policing tactics (Camp and Heatherton 2016). Both

measures have massive implications on police accountability and resulted in a spike in punitive punishment that disproportionately targets the working class and Communities of Color since their conception.

The rise of Neoliberalism in the United States is said to be the result of a dissenting response to the Keynesian State (Kapan-Lyman 2012). Keynesianism, a macroeconomic theory, laid the groundwork for the New Deal and subsequent Great Society measures designed in response to the Great Depression. Keynesianism favored big government spending to support economic and welfare opportunities implemented to fight poverty and create employment opportunities for those most impacted by the Great Depression. Neoliberal ideals were launched into popularity due to a group of theorists from The Chicago School of Economics who banded together to launch the Neoliberal Intellectual Movement. A movement that favored free market capitalism and the privatization of public services with skepticism of big government spending and economic regulation (Keton 2019). A number of corporate interest groups and think tanks, including The Heritage Foundation (1973) and the CATO Institute (1976), took up this message and pushed the movement further into what would become the dominant platform of the Republican Party in the 1970s and '80s (Smith 2014). The 1980 election of President Ronald Reagan spurred the mainstream popularity of neoliberal economic platforms like Trickle-Down Economics and limited government spending. Neoliberalism has since grown too dominate both sides of the political spectrum with the Democratic Party deploying related themes in policy proposals up until the 2016 election (Cooper 2008).

#### *Neoliberalism and whiteness*

Duggan (2003:3) asserts that neoliberalism organizes “material and political life in terms of race, gender, and sexuality as well as economic class and nationality, or ethnicity and

religion”. However, the way neoliberalism reflects on the relationship between human activity and economic outcomes actively obscures the historical implications of institutional inequality and, in most cases, ignores its reality altogether (Grzanka 2012). Appeals to individual responsibility as a means of subverting claims of institutional inequality is a key principle of white privilege that flourishes under neoliberalism (Grzanka 2012). By conflating racial inequalities in economic mobility with failures of individual responsibility, Whites are able to deny that their privileged positions are the result of historical racism and rationalize their support for dismantling policy initiatives that would in effect decrease and atone for historical social and economic inequality, such as Affirmative Action and Welfare Reform (Anderson 2018).

Discussions of race in terms of neoliberal ideals typically flounder under “banal multiculturalism,” a concept that Thomas (2011) argues works to maintain hegemonic whiteness by denying the relevance of past and present racial injustices by insisting on the existence of equal access to opportunity across racial lines. Under banal multiculturalism, overt racism is squeezed out of fashion in favor of what Bonilla-Silva (2017) calls color-blind racism. Color-blind racism is most clearly identified in phrases such as “I don’t see color.” While it is true that the concept of race is a social construct, the realities of its ramifications since its conception are very real. By maintaining a color-blind ethos on race, whites are able to ignore history and rationalize the contemporary socio-economic standing of minoritized groups as a byproduct of their collective failure to comply with Western ideals of individual moral responsibility. Further, the success of neoliberalism, and whiteness broadly, is intimately reliant on the ability of color-blind racism to remain unacknowledged by the dominant cultural narrative of the US.

Some argue that the election of Donald Trump to president implies an end to what Bonilla-Silva (2017) calls “racism with out racists” and color-blindness. However, Bonilla-Silva

(2017) points out that old forms of overt racism never really died out completely, color-blind racism just took center stage. Further, hegemonic racial moods are cyclical in nature. Color-blind racism prospered under both of the Bush's, Clinton, and Obama's administrations, and Trump's election reflects more on a reemergence of Reaganist attitudes of racial rhetoric than an eradication of color-blindness. Moreover, Bonilla-Silva (2017) highlights that Trump's public use of language, rather than his clearly racist past, provides a more fruitful look into the racial mood of the United States. Trump himself deployed several appeals to color-blindness throughout his presidential campaign. Some examples of this include: his statement that he is "the least racist person you've ever encountered", his claim that he loves Mexicans (which he demonstrated by eating taco salad), and his assertion that he loves Muslims and thinks that "they're great people" (Bonilla-Silva 2017).

Further, Trump has made a number of coded racialized appeals, many of which appear to be taken directly from Reagan's handbook. Racial "codes" were popularized from the onset of the War on Drugs when anti-drug crusaders realized that they would need the support of "progressive" white voters to enact their desired punitive drug criminalization policies. With the pervasive use of marijuana by white anti-war hippies, national support for marijuana legalization on the rise, and the Civil Rights Movement successfully removing overtly racist rhetoric from popular acceptance—racist politicians understood that they were going to need a new tactic to garner the support they needed. Politicians, such as Reagan, began to use coded racial appeals to "law and order" and "tough on crime", referred by Political Rhetoric scholars as "dog whistles". Dog whistles allowed politicians to allude to racial anxieties without ever having to name race directly. Dog whistles provided the opportunity to capitalize off white racial fears and garner the

much-needed backing of whites to approve the massive expansion of marijuana criminalization (Schlssel 2018).

### *Neoliberalism and policing*

While neoliberal economic policies do not directly impact law enforcement proceedings, most economic policy developments under neoliberalism have worked to change the landscape in which crime is produced and to downplay the reality of group inequality (Hanhardt 2013, Kaplan-Lyman 2012). These developments include rolling back welfare and divesting in urban renewal programs, both of which in effect worked to exacerbate socioeconomic inequality in cities and regions all over the United States. Further, as city centers began to degrade due to a lack of investment, new modes of policing, such as Broken-Windows theory, rose in popularity. Urban geographer, Smith (1996) theorized that the combined efforts of private corporate investors and government proceedings under neoliberalist policies allow the process of renewal to take hold in urban places as these polices push out low-income inhabitants who can no longer afford to claim the space. Spikes in socioeconomic inequality, as a result of disinvestment, gave new life to policing of quality of life infractions like loitering— ultimately criminalizing joblessness, poverty, and simply sitting on one’s stoop while drinking alcohol (Hanhardt 2013).

Broken-Windows policing is a highly contested criminological theory which asserts that violence and crime is a by-product of the overall levels of “blight” and disorder present within a given community (e.g., broken windows, vandalism) (Hanhardt 2013). Broken-Windows policing has been rationalized as a race-neutral response to criminality and its “disproportionate deployment against communities of color has been justified as a mere statistical inevitability” (Camp and Heatherton 2016:6). Camp et.al (2016) highlights that in a similar way that mass incarceration has relied on the racialization of criminality, Broken-Windows Policing works by

“conflat[ing] the racialized poor with spatialized disorder”. Thus, violent crime has become synonymous with poorness and poorness as synonymous with Communities of Color. These associations are central to justifications for the increased militarization and rise of the police state, with the War on Drugs acting as the fuel to perpetuate the fire.

*Neoliberalism and narratives of marijuana legalization*

The extent to which neoliberalism ideologies have shaped the culture of the United States does not end with policing. Many scholars argue that its rise is intimately intertwined with the dominant cultural ethos of the United States that favors rugged individualism and personal responsibility (Lazzarato 2009; Esposito and Finely 2014). This belief is made stronger when considering policies such as the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 under President Bill Clinton which worked to paint welfare recipients as lazy and morally corrupt free riders (Schram et al.2009).

In relation to marijuana, O’Brien (2013) maintains that appeals to individual moral responsibility is a key principle used to preserve marijuana criminalization in the US. In terms of legalization, many argue that neoliberalist appeals to the liberty of consumer choice (Harvey 2005) and the rise in hegemonic identity group’s increased valuation of individual responsibility over the authority of the medical establishment played a substantial role in the success of medical marijuana legalization 33 states (Villa-Henninger 2017). Schlusser (2018) adds to this theme of neoliberal approaches to legalization by connecting the rugged individualist ethos of White America to marijuana legalization campaigns in states like Colorado, Washington, Oregon, and Alaska. He argues that the use of racially coded appeals and depictions of hardworking White adults using marijuana in the comfort of their own homes led to the success of marijuana legalization in these first four states.

## METHODOLOGY

This chapter outlines the methodology used to complete this qualitative study on the relationship between gentrification, whiteness, and the legal marijuana industry. A qualitative approach to this research allowed for a deeper understanding of how marketing is used to reshape the perception of the legal marijuana industry, as well as the opinions of consumers on legislative issues that dictate participation in the legal market. The relevance of a qualitative approach is described in detail in this chapter. The study design, methodology, sources of data collection, methods of analysis, ethical considerations and reflexivity of the researcher are also included in this section.

### *Why Colorado?*

Following the landmark decision of Amendment 64, Colorado pushed forward with full decriminalization of marijuana in all of its forms and it was the first state in the United States to do so (Wist 2018). As a result, marijuana capitalists, self-proclaimed Ganjapreneurs, flocked to the state to be among the first to capitalize off of this newly infantilized market. Ganjapreneurs, thought to be the pioneers of the industry, include the likes of wealthy venture capitalists and the political elite. By 2019, the market has boomed into a billion-dollar enterprise, generating over \$5 billion in revenue since its inception in 2014 (colorado.gov). Colorado was chosen as the location for this research because it is thought to be the epicenter of the legal marijuana market (Birkeland 2018).

### *Study Design*

This study draws upon a mixed method approach to research, combining the two qualitative methods of interviews with white marijuana consumers and content analysis of marijuana advertisements for data collection (Hennik, Hutter, and Bailey 2011). The bulk of

analysis utilizes qualitative methods because this research seeks to explore the relationship between gentrification and the legal marijuana market, not confirm it. A quantitative account of gender and racial demographics within the content analysis of marijuana advertisements provided me with a numerical representation of the advertisement's target audience. Content analysis of marijuana advertisements is appropriate for this research because advertisements provide tangible examples of how marketers seek to frame the industry. Advertisements appeal to specific consumer bases. The themes that advertisements utilize include a number of racially coded appeals that are of particular interest to this study and will be described in detail in later chapters. Interviews were used to compliment the data collected in the content analysis portion of the research.

#### *Content analysis*

Content analysis is useful because it allows for an unobtrusive means of evaluating social structures and institutions (Hennik et al. 2011). Further, it allows the researcher to detect centralizing themes and messaging tactics of the group or institution in question (Erlingsson and Brysiewicz 2017). A disadvantage of this method of research is its increased risk of subjective error (Lacy et al. 2015). This is the result of implicit personal biases of the researcher that dictates what is categorized as important data points for analysis. The disadvantages of content analysis were mitigated through the use of a peer-review system that allowed for the identification and alleviation of researcher bias. Further, the inclusion of quantified demographical data added to the strength of my argument by providing somewhat objective statistics relating to the target market of the legal marijuana industry. However, gender and racial identification of the models was left up to my subjective opinion-- therefore limiting the objectivity of this approach.



The primary focus of my analysis centers on 60 marijuana related advertisements collected from 19 magazines ranging in dates from July 2017-February 2019 sourced around the Denver-Metropolitan area. I limited the sample size to include only advertisements with human models, this allowed me to concentrate on the human representations of legal marijuana consumers within the target market. I stopped sampling once I reached a point of saturation with 90 models in 60 advertisements. This number was deemed saturation because the addition of more advertisements did not add to or affect the data collected on race and gender, producing the same statistical results. The magazines included were the *The Rooster*, *Sensi Magazine*, *Dope Magazine*, and *Culture Magazine*. Each of these publications are located and were collected within local dispensaries within the Boulder-Denver area that my interview participants named as their primary locations for purchasing marijuana products. The term dispensary is used to describe retail marijuana locations in this study. This term was chosen to describe these locations because each participant within the interview portion of the study used this term to describe retail marijuana stores in their responses.

These magazines are displayed as reading material for shoppers in the waiting area of dispensaries. Shoppers typically spend up to 15 minutes in these areas depending on the time of day and the amount of traffic the dispensary is experiencing. This gives shoppers ample enough time to flip through these magazines, as well as to take home the reading material for further examination. Magazines, such as *The Rooster*, are dispersed in a wide array of spaces within the city of Denver, including shopping and dining locations in the student zones of local universities and popular mall districts frequented by shoppers from around the United States.

I consider content analysis of advertisements found in these magazines as appropriate for inclusion in this study because each advertisement aims at connecting to a specific audience.

This audience consists of the target consumers of the gentrified marijuana market. Each advertisement was carefully crafted to speak to one or more audiences to persuade them to purchase their product. An analysis of race, gender, socioeconomic status, and content theme provides an idea of who makes up the target market of these ads and the feeling the advertisement is trying to project. Each of the 60 advertisements are coded under a specific and mutually exclusive theme, these include: commodification of coolness, soccer mom chic, professionalism/trust, and upscale. The 90 models were categorized based on identified race and gender phenotypical traits.

### *Interviews*

Face-to-face interviews are a popular method of qualitative and ethnographic data collection (Opendenakker 2006). In person interviews allow for synchronous communication to occur in real time which gives the advantage of curated responses due to the accessibility of social cues and reactions given off by the participants. This allows the researcher to transition between topics with ease and to dig deeper into answers provided by interviewees (Hennik et al. 2011). Further, in person interviews can be recorded, which allows for greater accuracy in note taking by using the exact words of participants. The disadvantages of interviews mirror that of many qualitative methods of research in that it is up to the subjective interpretation of the researcher to pick and choose which data points are important for analysis (Opendenakker 2006).

To complement the content analysis of advertisements, I chose to include interviews with 20 individuals. I used snowball sampling, a form of convenience sampling, to recruit participants (Hennik et al. 2011). Snowball sampling consists of requesting that an individual already included in the sample refer the researcher to more individuals within their personal social network (Hennik et al. 2011). I first made contact with an individual who I was interested in

interviewing, from there this person put me in contact with a number of other individuals of whom I was able to successfully secure an interview. I chose interviewees based on the overall level of importance the potential participant indicated marijuana was to their everyday life, such as frequent to daily use. To ensure I was pulling from a wide population and not solely from the connections made from my primary contact, I reached out to another individual with no connection to my first participant, who then put me in contact with more participants and the snowball method was continued from these contacts. The participants I interviewed that were not recruited in this manner included former coworkers who I contacted individually. Because participants were recruited using convenience methods rather than representative sampling, this limits the ability for any conclusions made in this study to be generalizable for the white population as a whole (Bonilla-Silva 2017).

White young adults, aged 21-28, are the primary focus of the interview portion of this study. However, two individuals included in my sample self-identified as Korean American and black-white biracial. Each of the 20 individuals reported use of marijuana within their everyday lives, whether through participation in a subgroup of marijuana users or in their professional careers. The occupations of my participants include undergraduate and graduate level university students, a yoga instructor, non-profit professionals, a crypto-asset analyst, an architect, a ski instructor, and contracted construction workers. I also interviewed individuals who are currently working in or planning a career within the marijuana labor force. This includes an individual seeking to open a marijuana dispensary of their own and an individual who works in a start-up company seeking to take CBD and medicinal marijuana products to the mainstream. Every individual self-reported frequent to daily consumption of marijuana and each individual participates legally in this market with no forms of illegal trade included in this study.

I chose to center my research on white individuals because of their history of participation within this market without experiencing the ramifications of its prohibition and the ravages of mass incarceration as a population like that of Communities of Color (Sutherland, Steinberg 2018). As a result, this population can exploit and participate freely within the gains of legalization with little to no push back. It is important to note that the rate of marijuana use between white and non-white individuals is, and has always been, equal in comparison (ACLU 2013). Despite this knowledge, communities of color are routinely the targets of disproportionate drug arrests. Further, it became apparent throughout my analysis of marijuana advertisements that white individuals were the primary target of each advertisement. By focusing my interviews on white individuals, I was able to center my research on the people who make up the primary target of marijuana product promotions in the Denver-Metropolitan area. However, because this study's primary focus is on white marijuana users, this data set hinders the ability to compare and contrast white responses with those of People of Color (Bonilla-Silva 2017). A more complete picture of societal perspectives on this industry should include the opinions of People of Color, therefore the scope of my analysis is limited as a result of the whiteness of my participants and my own personal level of privilege in approaching this topic—a discussion I will revisit later on in this chapter.

I began each interview with demographic questions pertaining to the participant's socioeconomic background and characteristics of their self-identified race and gender. I sought to paint a picture of the whole self in question. I framed the demographic questions as a formal questionnaire and then moved to an informal conversation of their family background and their experiences of growing up. I was also interested in learning about the high school experiences of my participants, particularly if this was when they started using marijuana. I utilized a preformulated interview guide for each interview that specifically addressed marijuana use and

identity. A preformulated interview guide assisted in the maintenance of organizational flow and acted as a memory aid to refer to if the interview ran off course (Hennik et al. 2011). I catered each interview towards the direction that my participants lead me within their responses.

Following the demographic portion of the interview, I transitioned to questions pertaining to their history of marijuana use. I sought to gather information about the setting in which they first used marijuana and who introduced them to the substance. I was interested in knowing of any history of familial use or if they had any family members with marijuana or other forms of drug violations on their records. Depending on their educational status, I was curious about their choice of a university situated in a legal marijuana state. I sought to keep the interviews as informal as possible. I felt that this was important because of the unconventional nature of these discussions and to ensure the interviewees felt comfortable to describe their identities to me freely. This was especially important when I transitioned to topics that incorporated discussions of race because of the potential of these topics to cause unease with white individuals not accustomed to thinking in this manner. This would have potentially caused emotional disturbance in shows of white fragility and an untimely end to the interview (DiAngelo 2011). Keeping an informal structure to the interview was also important when interviewing individuals involved in the marijuana trade who hold positions that I was unfamiliar with (e.g. chemist for a CBD supplement manufacturer). I preferred to let these individuals speak freely about their occupations from an expert standpoint.

In addition to questions on demographics and identity, the interviews included questions on whether or not they received any anti-drug education in primary school. These questions coincided with questions relating to their opinions on expunging records and why they believed marijuana was criminalized to begin with. I focus the bulk of my analysis over answers on their

views of expungement because this directly relates to the ability of an individual to participate in the legal marijuana industry, and who was penalized during marijuana prohibition.

Throughout each interview, I recorded short notes in a journal and on fresh copies of my interview guide. I reserved space in my research journal before each interview to record my preexisting assumptions about what I expected during my conversation with each person. After parting ways from my participants, I took time to record the feelings I experienced during the interview and important mental notes that I could not take the time to write out during the session. I also recorded the appearance and self-presentation of each participant, this includes what they were wearing, style of hair and pieces of self-expression such as earrings and tattoos.

Interviewing White marijuana users was important to this research because of the role that white individuals have historically played in the gentrification process of urban centers. Further, their testimonial was important to gain a wider scope of the ways in which these individuals view their marijuana consumption as a tool for identity formation. The identity formation around this topic helps to gain a further understanding of the targeted consumers for the new legal marijuana industry as they are the primary demographic for advertisements in the Denver-Boulder metro area.

#### *Strengths and Weakness of Mixed Method Data Collection*

Mixed method research often refers to the use of both qualitative and quantitative methods in the data collection process (Tashakkori and Creswell 2007). However, mixed methods can also entail a combination of qualitative approaches (Hennik et al. 2011). The quantitative collection and assessment of demographic data plays a lesser role in the formation of my argument than qualitative methods. Nevertheless, a quantified portrayal of demographical data added strength to my argument by providing a numerical assessment of race and gender representation within my

analysis of advertisements. This study primarily relied on a combination of a qualitative analysis of theme and meaning-making within marijuana advertisements, and face-to-face interviews for data collection. A mixed method approach to data collection allowed me to expand the scope of my research by alleviating the restraints of a single approach to data collection that only allows for a single perspective in the analysis process. The largest limitation of mixed method research is the time-consuming nature of combining more than one means of data collection and analysis. However, a combination of methods allowed for a more thorough examination of data, as it was the case that data sourced from one method helped to sort through and develop data analysis within the other method (Hennick et. al).

#### *Method of Data Analysis*

The analysis of data in this study is situated in Grounded Theory. Grounded Theory implies an inductive approach to analysis that is informed by concepts pulled directly from data rather starting the research process with generalizable theories in mind (Hennick et. al). Theory is then produced and connected through a cyclical pattern that pulls assumptions from data and then allows for continuous reproduction of the process to test if the assumption continues to hold true. This allows for key themes and ideas from the data to constantly go through a process of redefinition and refinement (Hennick et. al). The time-consuming nature of Grounded Theoretical methods such as interview transcription provides the most substantial weakness to this analytical approach. However, verbatim transcriptions of interviews allow the researcher to revisit the interview as much as need, this provides a chance for constant reevaluation of meaning.

I analyzed the data using inductive analysis (Hennick et al.2011). Hennick et al. (2011) maintains that inductive analysis is an implicit complement of Grounded Theory. Inductive analysis implies that “codes, concepts, and theory are derived from the data” (Hennick

et al. 2011: 209). To prepare for analysis, all interviews were transcribed verbatim and all identifiers were removed to preserve anonymity. All codes identified in the interviews were derived inductively, meaning that they were identified within the data. The codes within the content analysis portion of this study were identified inductively through the identification of common themes. However, the phrases used to code were not taken verbatim from the images and therefore were deductively applied based on concepts defined in existing literature (e.g. coolness). Once codes were identified and defined, they were organized in a codebook using Google Sheets. A codebook was essential for providing a centralized source of reference for easy retrieval of data when needed (Hennick et al. 2011). The process of code development was circular in nature. This implies that the act of identifying codes, interpreting their meaning, and developing theory based on relevant themes were repeated until they were refined into what was used in the final analysis of the study.

### *Reflexivity Statement*

Research is rarely truly objective (Ratner 2002). This is the case with all forms of scientific endeavors, but this most certainly holds true within the social sciences. Social scientists are always situated within and are a part of any social context that they study. The way I grew up and the values that were passed down to me from my family and from my social network heavily influence the decisions I make and the way I interact with the social world. For example, growing up in a military family allowed me the chance to live and meet people all over the United States of America and the world. This background instilled in me an ever-present feeling of curiosity about the social world. This statement of reflexivity will help to situate myself within my research setting and acknowledge my privileges that impacted the way I was able to interact within this setting, collect and analyze my data.



I am a White, cisgender, heterosexual, middle-class female. Within this statement there are several sources of privileges of which must be unpacked. My whiteness allowed me entry into conversations with other White people that may not have been as easily accessed if I was a Person of Color. Along with access to certain conversations and spaces, my whiteness situates my vantage point within this topic from a view of privilege. I have not experienced many of the historical instances of discrimination discussed in this research because of my skin color. However, I do come from a place of understanding when discussions of mass incarceration and the War on Drugs arise because of how these have impacted my own family.

Another source of privilege that impacted my research is my position as a heterosexual, cisgender female. My appearance and presentation as a cisgender, heterosexual female is considered extremely normative within the context of the United States and within my research setting. As a result, I share a source of privilege with all of my research participants who all present as cisgender and heterosexual. The only source of disadvantage I found within my research setting was being a woman researching the marijuana industry, a heavily male dominated space. Just as with most research on vices and subcultures, marijuana stereotypes and perceptions about who is involved with the industry tend to focus primarily on men (Bettie 2014). As a result, many of the men who participated in this study took my curiosity on the subject as coming from a place of unknowing. Many assumed that I did not know a lot about the industry or the substance in question and took time to explain rather simple things too me, such as what a dispensary is. However, there were advantages to this experience. Lofland and Lofland (1984) argue for the use of “acceptable incompetence” in the field work, which they define as positioning oneself as someone who is friendly and likeable yet needs assistance in understanding the basics of the topic in question. Further, Douglas (1976) contends that female

researchers often are considered “sociability specialists” which provides a sense of ease for both male and female participants to feel comfortable to open up. Through acceptable incompetence, I was able to garner more detailed descriptions of the opinions and experiences of male participants.

My decision to research the connection between legal marijuana and gentrification stemmed from a lifetime of experiences that led me to be interested in this topic. My middle-class family upbringing allowed me the chance to pursue my curiosity of the social world in a university setting. I was exposed to marijuana in social settings at a young age, with many of my friends and siblings choosing to sell or use the substance. I indirectly witnessed the criminal justice side of marijuana and drug related court proceedings through the experiences of my family members. The process was financially and emotionally draining on my family, so I come from a place of empathy for the many other individuals and families affected by marijuana laws in non-legal and pre-legalization states. I began my college education in 2014, the same year that recreational marijuana was formally introduced in Colorado (Ingold 2014). This combination of university access, experience with the criminalization of marijuana users, and my university’s location in a legal marijuana state all led me to pursue this topic of research.

### *Ethical Considerations*

Consideration to ethical guidelines provided by the International Review Board (IRB) remained a top priority throughout the construction process and implementation of this study. Each interview was conducted following verbal and written informed-consent. The start of each interview was dedicated to reviewing the consent form that I provided. Each participant was informed of exactly how their responses were going to be recorded and stored. Each interview was recorded and stored anonymously using only their preferred pseudonyms. Upon

transcription, each recorded interview was destroyed in a manner that would insure their confidentiality. After going over the consent form, each participant gave their informed consent through a signature at the bottom on the page. No members of a protected class were included in this study. All participants were over the age of 21, no minors or individuals under the legal age of marijuana use were included in this sample. The risks associated with participation in this study were minimal in nature.

## THEMES OF GENTRIFICATION IN MARIJUANA ADVERTISING

The two most important theoretically based ideas that frame this chapter include: 1) gentrification defined as the process of appropriating the spaces of the low-income working class, communities of color, and formerly undesirable social movements and repackaging them to fit the mainstream aesthetic; and 2) the space in which those with capital meet with the marginalized is understood as the “combative zone” (Smith 1984; Schulman 2011). The combative zone is one that is undergoing a period of revitalization to signal to those with the capital that the area in question is safe for investment (Smith 1984). Within the context of this research, that “space” is the legal marijuana industry. In this case, the legal marijuana industry literally takes the form of the formerly undesirable social movement, and the space in which class-based and racialized stereotypes designated the illegal marijuana industry as a poor people’s trade or the space of the criminal “other.”

Although we know that stereotypes of the working class and People of Color as the most involved groups within the illegal marijuana trade to be untrue, they still caused considerable real-world consequences (Drug Policy Alliance 2018). Further, these insidious and false narratives of marijuana distribution and possession as a phenomenon solely belonging to the working class and Communities of Color are what formed the basis for arguments favoring criminalization and its subsequent prohibition (Chow 2014). Despite knowledge of how these false stereotypes influenced marijuana criminalization, the industry is still considered unsavory for many (but not all) mainstream consumers and investors (Adams 2014). Years of anti-marijuana messaging during the War on Drugs painted an unseemly picture of the marijuana industry in the eyes of mainstream, USA. To successfully promote the industry to the mainstream, a massive public relations campaign was unleashed to destigmatize the space. This

began through a whitewashed framing of legalization campaigns as a bid for white middle-class individualism (Schlussel 2017). Legalization campaigns explicitly painted “white, hardworking, middle-class marijuana consumers” as the deserving beneficiaries of legal marijuana (Schlussel 2017). This messaging was consistent throughout each campaign that launched legalization conversations into the mainstream, this includes the states of Colorado, Washington, Oregon, and Alaska.

Just as narratives of white individualism repainted legal marijuana under a whiter light in the opinions of voters and policy makers, the now legal industry is working to redefine what it means to be a legal marijuana consumer. This chapter seeks to examine the ways in which legal marijuana has been repackaged to appeal to the white mainstream consumer base. Through careful attention to a strategically docile theme, marijuana advertisements separate their products and consumers from the illegal marijuana market. Each of the 60 advertisements in this analysis fit seamlessly into one of four codes: the commodification of coolness, soccer mom chic, professionalism/trust, and upscale. Each of these themes represents a framing decision that explicitly seeks to connect with the viewer in an intuitive and highly calculated way (Berger 1984). Much like the attention to detail portrayed in narratives surrounding legalization, these advertisements are strategic in their messaging. They form a juxtaposition between the consumers of legal marijuana and those that used and sold marijuana prior to legalization.

### *Commodification of Cool*

The idea of commodifying what it means to be cool is used frequently throughout all sectors of modern advertisement campaigns. Coolness is defined as someone who exhibits an easy-going control over their emotional expression, a defiant or anti-establishment demeanor, and a sense of indifference to others (Rahman 2013). The nature of coolness and the search for

personal classification within the category is deeply grounded in the theory of symbolic interactionism popularized by George Herbert Mead (1934). Mead defines symbolic interactionism as the process by which humans understand the world around them by interpreting the actions of others through the use of symbols. In terms of consumerism, people tend to purchase items because of the meanings they contain (Rahman 2013). For example, the use of celebrity endorsements transmits the idea that the product in question is inherently cool due to the perceived overall level of coolness held by the person in the promotion. Therefore, the consumer's personal level of coolness will be raised symbolically through ownership of the product.

Contemporary notions of coolness can be traced back to its roots in the history of the African American experience and Jazz culture (Moore 2004; Rahman 2013). Amiri Baraka, a prominent African American literary artist, and critic of the 1960s defines coolness as “calm, unimpressed [and] detached” (1963). In his study of African American music, Baraka (1963) explains the original function of cool as an instrument for defense against white racism. Many academics agree with Baraka's interpretation and expand on the notion as a tool of social liberation used by minoritized individuals to project a sense of inner strength and silent knowing (Pountain and Robins 2000). Later, the term was appropriated by Beat Culture, a literary art movement shaped by white counter-cultural narratives stemming from the rejection of normative Western values and materialism through sexual and psychedelic experimentation (Skinner 2014)

Coolness ultimately made its way to the white mainstream by way of a nationwide youth rebellion against “boring” adult culture throughout the 1960s and '70s (Moore 2004). The commodification of symbolic capital, such as coolness, is often presumed by researchers as a

means of promoting urban renewal (Papen 2015). In many instances, gentrification begins in areas in which a rich art or counter-cultural scene already exists. Ironically, resulting in the eradication of the individuals who made the area what it was in favor of promoting an appropriated “authentic” existence based off the organic formation of the culture that existed in the space before (Osman 2011). Coolness has been tied to consumerism since the rise of Western materialism and the use of brands to define a sense of self (Solomon 2003). Throughout the course of analysis, I identified 20 advertisements that utilize coolness in their messaging. I used Baraka (1963) and Pountain and Robins (2000) definitions of coolness to code the images in this category.

Images 1 and 2 stand out as excellent examples of this motif. Each of these images were found in separate magazines, however; they are for the same brand. A comparison of the two images is interesting because of the difference in how the two men portray coolness. Both individuals presented as male in their respective advertisements are positioned in a nonchalant manner that mirrors one another. The White identified man in image 1 is in full color and is dressed head to toe in all of the latest trends. He is wearing round glasses known in pop culture as clout goggles. Clout goggles were first popularized by Kurt Cobain during the era of ‘90s grunge. They made a resurgence in modern-day pop culture thanks to black musical artists like Wiz Khalifa, Lil Yachty, Offset and more. The term clout refers to one’s ability to influence. After contemporary black artists brought these glasses into the mainstream, they quickly became a meme—ultimately expanding their influence. A meme is defined as “an image, video, piece of text, etc., typically humorous in nature, that is copied and spread rapidly by internet users” (Oxford English Dictionary 2018). Clout goggles became a wearable meme that came of age during a time in which coolness is a mainstream aesthetic, and with that, showing vulnerability is

considered uncool, while wearing “ironic” fashion and appearing detached is cool (Zhang 2017). Therefore, by wearing memeable clout glasses, the model demonstrates his aloofness and cynicism and, by association, his coolness.

In concert with his clout glasses, the White appearing man in this image is in full color and dressed in a more decorative manner than the black appearing man in the other advertisement. In image 2, the Black appearing man’s outfit is more understated. He is cloaked in a black and white filter, while wearing a more classic look with a distressed jean jacket and vintage looking Led Zeppelin t-shirt. While his look is understated, he still looks undeniably cool. His facial expression is less silly in nature than the white man and he looks at you from a shaded, more mysterious backdrop. He presents in a way that he does not need to prove that he is cool, the audience just gets it. His presentation of a more reserved and nonchalant form of coolness than his white counterpart may be significant due to the history of coolness within Black American communities as a method of portraying strength and control in response to racial marginalization; while the White man is more comical in contrast.

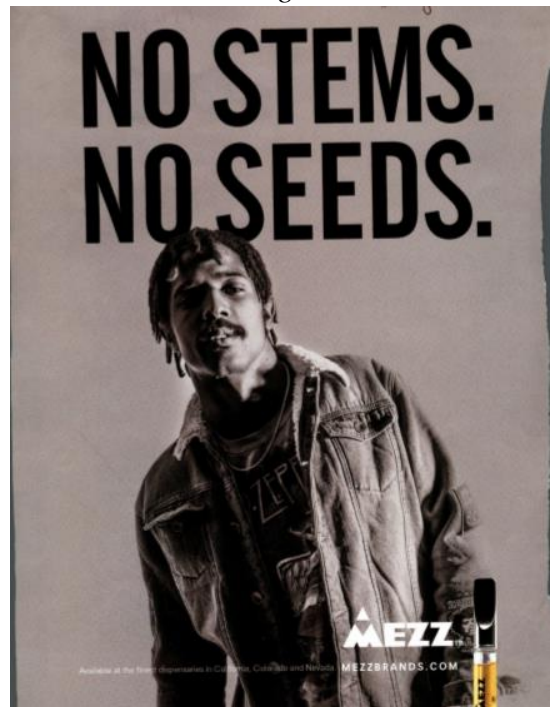
Transforming coolness into a commodity that can be purchased and achieved through a consumer’s relationship to a particular product can be seen in many ways as a form of cultural appropriation. Cultural appropriation is the process by which members of a hegemonic social group take, and profit from, the cultural knowledge productions of a subordinate group (Merry 2013). Coolness was appropriated from the African American experience and is now used to sell marijuana products. This act is particularly ironic considering that a defense behavior that was created to protect against the ravages of racial oppression is now being used to sell a product that was used to scapegoat communities of color during its prohibition and justify disproportionate arrests and incarceration



Image 1



Image #2



*Soccer Mom Chic*

No subculture seems to embody the stereotypical cultural opposite of illegal marijuana sales like the white suburban middle-class soccer mom. Yet, media portrayals of white suburban mom marijuana users, like in the popular show *Weeds*, have taken the marijuana market by storm. The trope is aplenty in legal states such as Colorado, with blog sites and support groups dedicated to this topic (The Stoner Mom; Jane West; HeyHelloHigh; Marijuana Mommy). Marketers know this consumer base well and nothing speaks to the soccer-mom much like appeals to natural and organic products.

If gentrification seeks to revitalize formerly unsavory spaces, painting cannabis products as the next big health craze is a perfect example of this. For years, marijuana was seen as a gateway drug that kills brain cells. Gentrifiers have now repackaged “cannabis” as a safe nutritious product. Twenty-eight advertisements appeal to the theme of natural and purity. This makes up almost half of my sample. Advertisements coded under this category include statements touting “non-GMO,” “gluten-free,” “organic,” and “pure of pesticides.” In addition to these buzzwords, many of these images are situated in “natural” sceneries. Natural scenes involve mountain backdrops, people walking through lush green forests, heterosexual couples taking in alpine landscapes, people doing yoga, and partaking in winter sports like skiing.

In image 3, we see a woman in a yoga pose with references to her motherhood. She is wearing Mala beads around her wrists, a form of prayer beads used in Buddhism originating as far back as 8th century B.C India (Storhoff et al. 2010). What is fascinating about these bracelets is researching their origin though a Google search leads only to product promotion sites with more happy white women doing yoga poses-- another interesting area of whiteness studies I cannot even begin to address in this research. Coupled with this image is a two-page spread

ensuring their product is pure, natural, organic, vegan, and non-GMO. They further establish their devotion to purity through their description of the company as taking “pride in [themselves] [for] providing a vaping solution that is an actual nutritional supplement.” We can understand the purpose of this advertisement is to establish marijuana as a nutritional supplement that is pure and worthy of consumption. This woman posed in Anjali Mudra, a sign of greeting in the Buddhism (but not the only sign of greeting), is a far cry from the portrait that criminal justice departments across the United States paint of marijuana as akin to violent crime in non-legal states (Singal 2019).

Image 3

**ThoughtCloud**  
Your **CBD** SOLUTION

Thoughtcloud Vegan Vaping solutions are made from 100% natural and organic coconut oil with no added preservatives, no propylene glycol, no sugars, pesticides, fertilizers, or additives. We pride ourselves in providing a vaping solution that is an actual health supplement.

Thoughtcloud is the only CBD company providing full spectrum vape without any harmful chemicals. All of our batches are tested for purity and potency. We only use the purest and organically grown and processed CBD.

Thoughtcloud is Lab Tested for purity, consistency, and safety with a 22 page lab report.

Thoughtcloud is Vegan from plant to oil in our farming and manufacturing practices.

Thoughtcloud is sustainable and virtually waste-free in our manufacturing, packing, and farming practices.

Thoughtcloud is the industry leader in CBD innovations with the first CBD Full Spectrum Bath Bombs and Ozonated CBD Ointment.

Thoughtcloud is organic, sustainable, and Non-GMO. We care about this planet and our practices reflect that.

**THOUGHTCLOUD.NET**  
THE PUREST CBD OIL

UP TO **60% OFF**

USE CODE **DOPEMAG**  
At checkout to save a total of 60% off

Interested? Give ThoughtCloud a call  
Telephone: 949-664-0114 Wholesale Available

@jo\_mamma ON INSTAGRAM

CBD has completely transformed my day to day life through healing from past abuse and current anxiety. As a single mother of two boys, custom tattoo designer, and yoga instructor, my days are pretty packed. When I found ThoughtCloud and began taking it regularly, the amount of anxiety and stress I used to experience decreased significantly. I feel more focused, and more at ease. I want everyone I know to experience this CBD. It is a pure source of CBD and one I trust for myself and my children. We are ThoughtCloud. We are CBD.

Face mask  
Facialbar  
Instagram

Thanks to feminist writers like Mikki Kendall, the term “food gentrification” has been launched into the national conversation. Food gentrification describes the process by which previously affordable and staple foods of marginalized cultures become “hip” and the next big health fad. As these products transition into the mainstream, they become more expensive. Grains and plants that have historically been connected to marginalized groups in the US, such as

yerba mate, quinoa, and ginseng, have been appropriated by privileged groups in recent years thanks to the health food craze sweeping the US. Marijuana is no exception. The substance that inspired a public health epidemic with propaganda such as *Reefer Madness* proclaiming marijuana as a gateway drug and insidious media portrayals of Black and Mexican men using marijuana and then raping innocent White women-- is now a health food fad. More ironic is that marketing in this category is aimed at White women, the supposed victims of marijuana's savage effects (Kilgore 2015). Furthermore, marijuana-infused supplements mixed with big-name health food fads like yerba mate and ginseng are complicit in the process of raising the prices of these items. CBD, a nonpsychotic component of marijuana, marketed as a nutritional supplement for exercise recovery makes up a large number of advertisements in this category.

Eight images in my sample fall into a subcategory of soccer mom chic as health and wellness projections. Take image 4, this image portrays an older active couple cross country skiing in the mountains. At first glance, it appears that this is just another ad for a physical therapist company-- but looking closer we see its advertising recovery creams infused with CBD and THC. The irony here is the advertisement's focus on the Boomer generation. This generation has historically been one of the loudest voices in the anti-marijuana crusade, but now they are listed as the faster-growing consumer base for marijuana (Cowan 2019).



Image #4

In image 5 we see another example of marijuana as a nutritional supplement used for after workout recovery. This woman is white and is wearing whitish-gray athletic apparel. The color elicits a feeling of purity. Much like the other images included in this code, she is posed as if she is practicing a more rigorous interpretation of yoga than the calm version the previous image demonstrates. The advertisement is for workout recovery tablets and topical ointments. Her backdrop is pure white and, despite that she appears to be in mid-workout, she is also clean. This clean, sleek presentation purifies the view of marijuana infused supplements as a destigmatized addition to a trendy, and privileged, health and wellness routine.

*Image #5*



*Professionalism and Trust*

Ideas like professionalism and trust are not typically the first things people think about when considering marijuana. The world of legal marijuana seeks to change that. As big money is moving into the industry, a whole host of advertising agencies and accounting firms are seeking to get their foot in the door. Seven images in my sample were coded as professionalism and trust. Image 6 below shows two white men working diligently at their computer screens. This screams, “trust me with your money, I’m a white man!” This category of marketing works to whitewash and sterilize the industry. Clean men in suits are far from the trope of gang affiliates that flood references to the illegal market. The target of these ads is industry professionals seeking to establish a perception of trust within their company. This trust is in stark contrast to the view of illegal sellers, as an act that Smith (1984) would describe as separating it from the “other.” By separating business professionals of the legal marijuana industry from the criminal other, this advertisement is in effect signaling to fellow venture capitalists that this industry is safe for investment.



Image # 6



As mentioned previously, sterilization of the legal marijuana industry through whitewashing the view of marijuana professionals draws upon the process of social othering for its success. Gentrifying practices are inherently linked to class identity projects which work by placing a certain class identity in relation to the deviant other (Keatinge et. al). Advertisements drawing upon the theme of professionalism and trust attempt to define their practices as culturally disaffiliated with the practices of illegal market traders. The act of not labeling those who toiled in this profession prior to legalization as professionals is a separation tactic. Including an image of clean White business men in a sanitized environment distinguishes the individuals in the professional cannabis trade from the historical identity of illegal marijuana operators and demonstrates a sense of security for investors.

### *Upscale*

As marijuana is pushing on with full speed ahead towards mainstream acceptance, luxury marijuana brands are flooding the market. This realm of the industry would like marijuana to be seen as a fine wine, with expensive tasting events and food pairings. Marketing to the luxury consumer involves women adorned in pricy jewels using discrete and classy devices. One dispensary owner in Colorado describes her marketing strategy as connecting to the high-class

white consumer: “Whole Foods is a good example of the type of clientele we attract” (Runyon 2014)

While only five images in my sample were coded as upscale, many of the magazines these images were sourced from are free and typically target the young-adult consumer. With this in mind, their inclusion is important to consider. These images exhibit the most care by the advertisement creators in intuitively separating the luxury “cannabis” market from its dubious marijuana cousin. They are set in alluring atmospheres that invite the viewer to believe that they too could be a part of the glamour if they purchase the product. All of the images in this category portray a western idea of beauty, with White women taking center stage.

Image 7 is an excellent example of the upscale code. At first glance, one would never suspect that this was a marijuana advertisement. The white woman in the image is adorned with a glitzy headband and her hair is styled in a 20’s era Marcel Wave with a gentle spit curl. Her lips are pursed with dark lipstick and the smoke from her device is wafting behind her in a mysteriously seductive manner. The caption reads “experience a higher standard,” this toys with the “stoner” motif of being “high” but it is paired with the allure of a promise of an upscale experience. Something else important to note is the portrayal of this woman in 20’s era glamour is not by accident. The 1920s was the height of alcohol prohibition, another example of vice criminalization within the history of the United States that drew upon dangerous racial fear mongering to scare white voters into favoring prohibition (Schlussel 2018). The neoliberal belief in white individualism and autonomy launched the movement to decriminalize alcohol and we see those same forms of imagery within this picture.

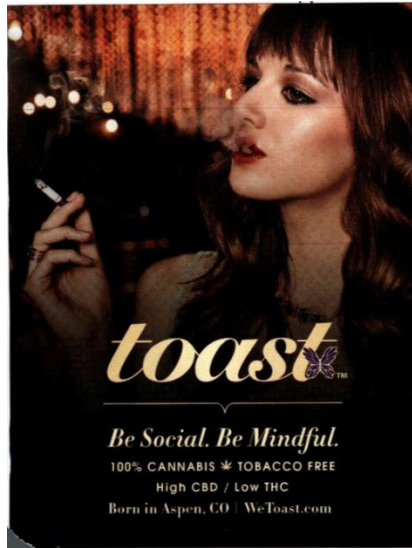


*Image 7*

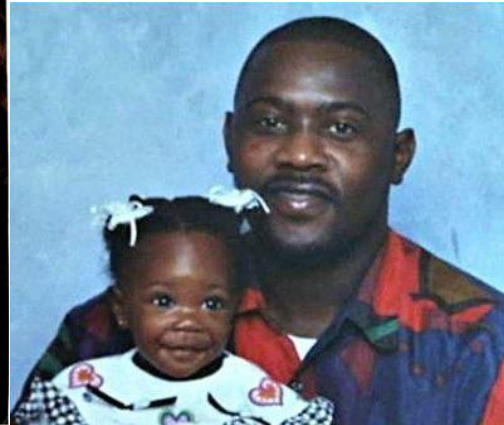
Many other images in this category follow the same motif. All images are of White women in classy outfits set in a bourgeois atmosphere. Image 8 is roughly the same as image 7. The only differences that can be identified are that it is for a different product, the image is in color, and set in a more modern time period. The woman in this image is surrounded by a similar waft of seductive smoke as the women in image 7. She is wearing a set of gold rings and a necklace with purple jewels and gold plating. Her hair is perfectly shiny in a way only a high-class hair stylist could accomplish. She is in full makeup with gold lights glimmering behind her. From the image we can gather that this particular product was produced in Aspen, a town considered the most expensive ski resort in the world (Block 2018). The inclusion of this location within the advertisement is purposeful. It is meant to establish a feeling of authenticity in how the glamour of the image is portrayed. Couple this advertisement with a mental image of a person of color sitting in a jail cell for exactly the same product used in the image and you have a clear Marie Antoinette “let them eat cake” moment. I included image 9 of Bernard Noble, a

Black man and father, who was recently released from prison on parole after being served a 13-year sentence for possession of two marijuana joints in Louisiana and serving seven years.

*Image 8*



*Image #9*



### *Summary*

This chapter sought to examine the ways in which advertisements are used to redefine what it means to be a marijuana user post-legalization. These advertisements seek to promote a revitalized or gentrified version of the marijuana user through a whitewashed separation of the legal marijuana user from the illegal marijuana user. Through this separation, marketers are able to provide a sense of safety for prospective consumers and investors to participate in the market. The themes of professionalism and trust, soccer mom chic, and upscale appeal to a consumer base that contradicts previous assessments of marijuana consumers prior to legalization. Coolness on the other hand, works as an example of an appropriated mode of existence that has been historically used by Communities of Color to protect themselves from the ravages of marijuana prohibition and racial marginalization—and now is being used to sell marijuana products to the white consumer.

## RACE, GENDER, AND SOCIOECONOMIC STATUS IN ADVERTISEMENTS

Advertisements provide a site for scholars to study the cultural norms of a society (Pollay 1983; Han and Shauitt 1994; Albers-Miller and Gelp 1996; Chamberline 1997). Nothing exists in a vacuum and advertisements are no different. Each advertisement that makes its way into the media, whether as a television ad, billboard, or magazine spread, is the product of an extensive marketing research process. The products that are promoted and the ways that they are presented are deeply rooted in the cultural values of the target audience in question. Further, advertisements tell us about racial and gender biases, and the intersections of racial and gender biases, of their producers, and target consumers (Thomas and Treiber 2000). Daniels (2018) emphasizes the importance of considering media representations in social research and argues that analysis of popular culture is essential to understanding the intersection of race and drugs in the US.

Within the context of this study, an examination of race, gender, and socioeconomic status representations in marijuana advertisements can provide insight into the target population of the legal marijuana industry. The first section of this chapter discusses the implications of white mainstream portrayals of race and class in marijuana advertisements. The following section examines gender representation in marijuana advertisements. This includes a discussion on the role of the White women as victim trope in anti-marijuana campaigns and modern representations of white female marijuana users. This analysis of advertisements provides a site to examine how white domination in the legal marijuana industry is reinforced through media representations.

*Racial makeup of models*

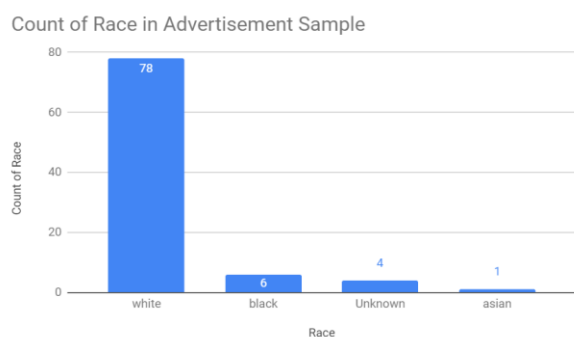
To preface this presentation of data, a discussion of my categorization methods is extremely important. All individuals in this sample were classified by race through observation of obvious phenotypic traits such as skin color, facial structure, eye shape, and hair color. I recognize this method can be problematic because the act of placing people into specific racial or ethnic categories without their input is indicative of colonization and negates their personal story of self and their preferred racial identity. However, it is crucial to acknowledge that we as individuals and as a society actively place people that we encounter into racial categories, whether or not it is a conscious decision. There is truly no such thing as “I don’t see color” (Bonilla-Silva 2017). To mend discrepancies in categorization, I consulted with members of my sociology honors cohort at my university. However, the majority of my colleagues in this honors cohort are white, leading to a reinforcement of white racial perceptions.

Now for some numbers, of the 60 advertisements and 90 models included in this sample, 87% of models were identified as white (78 people). Those identified as black made up 6.7% (7 people). Asian American identified makeup 1.1% (1 person), and 4.5% (4 people) were categorized as racially ambiguous.

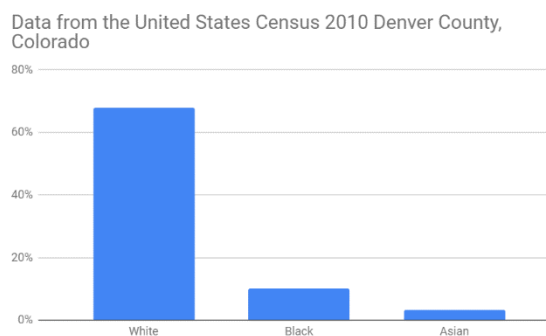
Upon first consideration, the overwhelming whiteness of this sample could be chalked up to the whiteness of Colorado’s demographics. However, after reviewing the racial demographics for the Denver Metropolitan area it is clear that this is not necessarily the case. According to population data sourced from the latest United States Census of the Denver Metro area (2010), white Americans make up roughly 68% of the population, black Americans make up 10.2%, Asian Americans make up 3.4%. After considering both the data sourced from the advertisements and the true population makeup of the Denver-Metro Area, it is clear that the

target audience for the marijuana industry is disproportionately white. Figure 1 and 2 below demonstrate this disparity.

*Figure 1*



*Figure 2*



### *Implications of class and racial representations in marijuana advertisements*

Blackness, and other forms of non-whiteness, has historically been typified as synonymous with poorness in the dominant framework of US society. Alexander and Jang (2017) argue that this “synonymization” is evident across scholarly and political disciplines, such as research on the effects of poverty on academic performance ending with a discussion focused solely on nonwhite pupils. Moreover, being poor in the eyes of mainstream America is seen as a product of individual failure due to inherent immorality and deviance (Gans 1995). This notion works in tandem with the association of blackness with poorness to conflate stereotypes linking poor Black communities to violent crime. Media pundit’s use of racialized dog whistles, such as referring to Black male youth as “thugs”, calling low-income black communities “ghettos,” and the mainstream news’ obsession with the violence in inner-city Chicago, work to reinforce this stereotype of violence. Thus, heightening white racial fears of the poor black criminal other.

In relation to the synonymization of blackness with poorness (and violence) is the notion of middle class as equating whiteness. Meghji (2017) argues that the middle class is a symbolic

category informed and reproduced by white norms and practices. Likewise, entry into the middle class acts as a marker of successful assimilation into the dominant white cultural ethos. Much like whiteness provides those who benefit with the presumption of innocence, the middle class is linked to passive conformity, and therefore is synonymous with safety (Kauppila 2007).

Black middle-class advancement in this respect is seen as proof of the benefits of assimilation into whiteness. Welburn (2016) argues that assimilation requires the formation of a dual consciousness in which becoming familiar with the language and mannerisms of the oppressor becomes an essential tactic of survival. By familiarizing and adhering to middle class whiteness, the black middle class becomes “safe” in the eyes of whites. Veronica, a participant from the interview portion of this study who indicted her racial identity as black-white biracial, referred me to a video advertisement that her partner was a part of that situates the conversation of middle-class assimilation and the overarching theme of gentrification within the context of this study. She said:

It [the advertisement] was a bunch of friends that came over, the guy I was dating was the only person of color so they were all adult white people and this guy, and they placed out these nice white bowls filled with [edibles] and it was just like a little party and it was in a really nice house and even with this guy there at this party it still felt gentrified.

I included an image taken from the video advertisement Veronica described below, blurring the face of each model to preserve anonymity due to its local ties to participants in the interview portion of this study. I did not include this image in my original advertisement sample, however Veronica’s discussion of it warrants its inclusion.

Image #10



The clean, white, and modern setting of the advertisement reflects middle to upper middle-class stylistic preferences; therefore, we are to assume the models in the image are middle to upper middle class by association. Further, every model included in the advertisement is white, aside from Veronica's partner. This is purposeful and reflects a marketing decision that centers middle class whiteness. Shanker (2014) describes the decision to include a single person of color in product promotions as "acceptable diversity." Acceptable diversity allows advertisements to remain as close to whiteness as possible by centering appeals to the middle class, creating the guise of a racially normalized society (Shanker 2014). Veronica's comment portrays the extent to which association with, and performance of, middle classness provides black individuals acceptance into white spaces, but not to the extent that inclusion would impact the feeling of gentrification. Moreover, McFarland (2009) argues that class plays a larger role in the decision to gentrify than race, however racial inequities are almost always a byproduct. Therefore, the inclusion of a single person of color suggests that middle class black individuals are welcome to participate in, and reap the benefits of, gentrification since they have the money (McFarland 2009).

Under this video on the company's website is the statement, "Our mission is to enhance our customers' lives through the responsible use of cannabis." This quote and the setting of the

advertisement parallel many of the images that flooded pre-legalization campaigns in Colorado that depicted white middle-class users in their homes freely, and “responsibility”, using marijuana. Schluskel (2017) provides a description of one of these pro-legalization advertisements in which the commercial narrator states, “We just believe that adults, in the privacy of their own homes, should be allowed to use marijuana instead of alcohol” (Schluskel 2017). This calls on a neoliberal narrative of individual merit in which achieving homeownership signals personal responsibility and independence, therefore the right to choose marijuana over alcohol. Thus, rendering the long history of discriminatory housing practices that barred communities of color from the opportunity of home ownership invisible by conflating the means of house ownership as a reflection of personal responsibility (Schluskel 2017). This suggests that the right to choose marijuana is a reward for successful performance of white middle classness and reinforces racist stereotypes of the illegal user as irresponsible and therefore dangerous.

Further, historical inequalities in housing ownership create barriers to “responsible” usage in private spaces for minoritized populations. Bender (2016:703) argues that “because racial minorities are more likely to be renters than whites, they are more vulnerable to residential lease provisions barring them from marijuana use on their rented property.” This places minoritized renters at a greater risk of contact with the police if they wish to exercise their right to legal marijuana.

Images 9 and 10 from my sample provide excellent portrayals of the benefits accrued from homeownership and the achievement of middleclass whiteness projected in marijuana advertisements. In image 9 we see a white man wearing a white button up shirt and dark jeans, sitting on a pure white couch using marijuana while watching something on an unpictured television screen. Due to this person's presentation in business casual, we are to assume this



person has a job and therefore is free to use marijuana responsibly within his home after a day of work, or if a winter storm renders him snowed in. Image 10 pictures a happy white heterosexual couple wearing causal, trendy outfits laughing and using marijuana in what appears to be a private and gated outdoor setting. The decision to use a heterosexual couple works to reinforce legal marijuana as a space for normative presentations of middleclass whiteness, ultimately working to destigmatize the space for white mainstream investment. This assumption is made stronger when considering that out of the ten images in this sample that suggested intimate partnership between models, every couple was identified as White and all were classified as heteronormative in presentation.

*Image 11*



*Image 12*



Asian American's assent to model minority status presents another relevant case study of the benefits accrued from assimilation into middle class whiteness. Many Asian American scholars argue that the leap from demonization to model citizens is the product of shifting racial moods rather than actual characteristic changes of the group (Sue and Kitano 1973; Osajima 1988; Hurh and Kim 1989; Suzuki 1989). The history of Asian American portrayals in American

media is abundant with racial-fear mongering of job displacement and suspicions of the racialized other (Rim 2007). Starting as early as the 1800s, political platforms across party lines spewed renditions of the trope of the Asian deviant other. They were drug fiends posing a moral threat to the virtues of White womanhood.

It was not until the end of the Civil Rights movement that Asian Americans were allowed redemption in the eyes of white America. During the late stages of the Civil Rights Movement, white racial fears were exacerbated through exaggerated media accounts warning of the rise of widespread black militancy. Political pundits frequently compared and contrasted black and Asian communities, focusing on Asian Americans supposedly stronger familial ties, work ethic, and reluctance to protest against the dominant cultural structure (Fleeger 2014). As a result, the model minority trope was born, resulting in the construction of stereotypes painting Asian Americans as passive and quiet, and therefore not a threat to whites (Zhang 2010). These alleged community wide adherences to whiteness allowed Asian Americans to enter into white adjacency and for acceptance into white spaces.

*Image 13*

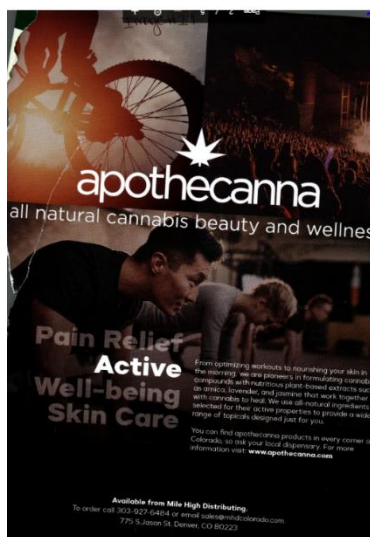


Image 13 directly above includes the only Asian model in my sample. He appears to be in a fitness class doing planks with a white woman and another unidentifiable model in the far back. He is the primary focus of the advertisement and his gaze is directed away from the camera. The viewer is to assume that he is in symbolic association with the product, as he is not directly using it. This finding confirms conclusions from previous research on the role of Asians Americans in advertising as more often being in a symbolic relationship with the product than directly holding or demonstrating its use (Skorek 2008; López-Calvo 2010). This plays off Asians as the model minority in which people in this racial category have successfully integrated into white spaces (Shanker 2015). They do not need to hold the product itself as they have gained the public trust to be responsible members of society (and fitness classes). He is not singled out for his perceived level of coolness in association with the product as the black man is in image 2 from the previous chapter, rather, he is in the company of a white woman participating in a fitness class. This demonstrates societal trust in the Asian model minority in the space of white women, however a lack of trust in marketing the product directly to white consumers through demonstration of the physical product. Increasing the sample size may lead to a larger number of Asian American models in order to see if this assumption continues to hold true.

### *Gender*

Those identified as female makeup 62.9% (56 people) of the models within the advertisement sample. Those identified as male makeup 31.5% (28 people), and five people could not be categorized because the image was only of a single body part (e.g. hands, eyes, nose). When compared to the gender demographic makeup of the Denver Metro area, female identified individuals make up 49.9% of the population and male identified individuals make up 50.1% (US Census 2010). Gender nonconforming individuals were not identified in this sample or in the

census data, however, in November of 2018 the Colorado Department of Revenue made an emergency ruling to allow the choice of gender X on identification papers (Evans 2018). In the future I hope this will allow for a more complete review of gender statistics within the state. Regarding the gender breakdown in the marijuana market, female identified individuals make up a large and growing faction of marijuana consumer, but not to the extent that these advertisements are presenting. Cannabis Consumer Coalition (CCC 2017) found that 53% of those who identify as female in all states regardless of legalization indicated use of marijuana, as opposed to 42% of male identified individuals who report use (Borchardt 2017).

Fifty models were identified as White women and six were identified as Black women. There were no other races represented in this sample of female models. This not only leaves out Asian and Native American marijuana consumers, but also those of Latin or Central American descent that make up the largest minoritized group in the state of Colorado. This is significant because data on arrests for marijuana indicate that along with Black Americans, Latinx communities make up a large majority of those targeted for marijuana violations (ACLU 2013). However, Latinx is not a racial category but an ethnic one, therefore Latinxs can be of any race (Massie 2018). Because of this, it is difficult to pinpoint whether or not one of these models is Latinx, and as such would account for the lack of representation in my advertisement demographic classifications. The fact that white female identified models are disproportionately represented in this sample is significant, particularly when considering the use of the White woman as victim trope in early anti-marijuana campaigns. The role has evolved from victim to consumer, reclassifying marijuana from a danger to a health benefit.

*White woman as victim*

White womanhood and white femininity have been central to the process of racial othering and its projections onto policy formation throughout the history of the United States (Daniels 2018). From the onset of marijuana prohibition, images of dangerous poor black, Mexican and Asian male drug users posing a threat to the virtues of white women permeated tabloids across the US with the intent of inciting a moral panic (Daniels 2018). Such tabloids include the mainstream staple *The New York Times* which ran an article in the early 1900s titled “The Negro Cocaine Fiend” with the intent of bolstering the narrative of hyper violence associated with black drug use (Daniels 2018). The anti-drug crusade of the 1930s instigated by Harry Anslinger, the founder of the Federal Bureau of Narcotics, was propagated in part by the motivation to protect white women (Daniels 2018). Anslinger’s intentions are highlighted in his 1937 testimony to congress on the Marijuana Prohibition Act in which he stated, “There are 100,000 total marijuana smokers in the US, and most are Negroes, Hispanics, Filipinos and entertainers. Their Satanic music, jazz, swing, result from usage. This marijuana causes white women to seek sexual relations with Negroes, entertainers and any others.” With this statement, Anslinger reinforces the assumption that white women were at the center of moral arguments pushing for marijuana criminalization and the subsequent demonization of non-white communities, from which the White women must be protected (Daniels 2010). Below are two examples of racially charged anti-marijuana propaganda posters from the 1930s. Both images portray the white women as a helpless victim of the demonized other.

#14

#15



The following section provides a comparison of these images with modern day advertisements.

*Movement from victim to consumer*

As stated previously, the use of the white female victim trope played a substantial role in the criminalization and stigmatization of marijuana users throughout prohibition. However, the over representation of white female identified models used in media representations in this sample stands in stark contradiction to this. Kittle (2018) argues that this is intentional, stating that appeals to normative white middleclass femininity are used to destigmatize the marijuana industry. Historically, white femininity has implied the presumption of innocence and docility. By using white women in advertisements, the legal marijuana industry as a whole is painted as non-threatening by association (Kittle 2018). This is another tactic used to signal to investors that the industry is safe for corporate investment, ultimately spearheading the process of gentrification (Smith 1996).

Images 16 and 17 provide examples of the way in which white women have transitioned from victim to consumer. These images portray white women's relationship to marijuana in vastly

different ways than the anti-marijuana propaganda posters. In image 14, we see a crazed looking White woman with drool running down her mouth being embraced by a devilish looking figure with an evil smile. Around the devil, are the words “sin”, “degradation”, “insanity” and “debauchery”. Beside those inscriptions is the statement “a vicious racket with its arms around your children!” While image 14 is quite insidious, image 15 is arguably worse. In the corresponding image, we see a white-women on her knees begging a caricature of an Asian man for “one more shot” of marijuana. This image clearly exemplifies the White women as victim trope of the deviant racialized other.

Upon first inspection of images 16 and 17 below, the extreme difference in portrayals of these white women compared to the propaganda posters are clearly identified. The anti-marijuana propaganda posters would have you believe that one “shot” of marijuana will have a poor defenseless white woman hooked until some form of tragic death consumed her. On the other hand, image 16 throws that trope out the window. This advertisement seeks to encourage White women to fill up a lavish bathtub with her favorite flowers and take a nice long soak in a marijuana bath. To add insult to injury, image 17 is encouraging White women to go ahead and make marijuana the theme of their wedding. The creators of the anti-marijuana images above must be rolling in their graves.



Image 16



Image 17



### *White male domination of legal marijuana*

When reviewing data for male identified models, it is apparent that only one black male was identified in the sample and only one Asian male was identified. The rest of the men identified in the sample were white. White male identified models were frequently presented as business professionals and experts in the trade. As seen by their roles as salesmen, inventors, or instructors. This finding represents the marijuana industry in Colorado as a whole, with 81% of marijuana business executives being white and 73% of executives being male. Further, policy measures barring those with past criminal convictions, and economic qualifications that place white men at an advantage due to historical inequities in income distribution, give white men an edge in securing marijuana business licenses and the means of operation. These details, however; are consistently ignored in media depictions praising the white male elite's bravery in pioneering the legal marijuana industry (Goldstein 2013; Huddleston Jr. 2016; *Green Bits* 2018; *Marijuana Business Magazine* 2018).



Image 18

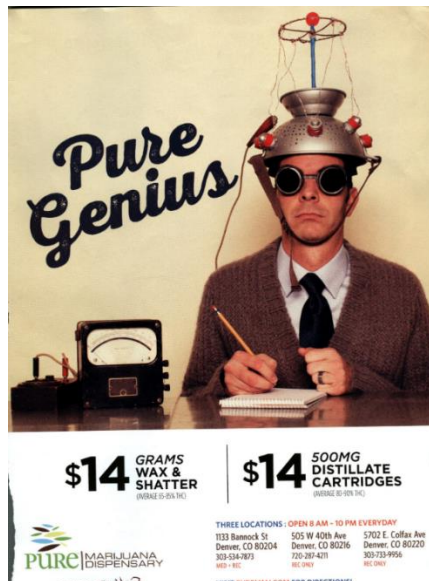


Image 18 above provides an example of how white male models are represented as experts in marijuana advertisements. The image includes a white male who appears to be doing an experiment, a practice associated with prestigious academics. He is presented as a nerdy looking scientist with the label “pure genius”. Because no female or individuals of color were presented in this way, we are to assume an inherent expert status of the white man in the realm of legal marijuana, as he is “pure genius.”

### *Summary*

This chapter sought to show the extent to which the legal marijuana industry is marketed as a white space. Through an examination of gender and racial demographics of the models included in the marijuana advertisements, this chapter reinforces the argument that the legal marijuana industry is disproportionately targeted towards whites. Representations of gender, race, and socioeconomic status in marijuana advertisements work to reproduce dominant cultural stereotypes, including the white male as expert and the Asian model minority trope. This was further demonstrated through a discussion relating to representations of the benefits of

assimilation into the standards of middle-class whiteness and neoliberal appeals to individual merit that evolved from legalization campaigns to present day marketing practices. This conversation also highlighted the role of white femininity in anti-marijuana campaigns and the way that white women have transitioned from victim of the deviant other to consumer.

## EXPUNGMENT AND RACIALLY CODED LANGUAGE

The most pressing critique of marijuana legalization is its apathy towards those that were the most impacted by criminalization. According to Schlüssel (2018), the neoliberal, white individualist narrative that carried legalization campaigns to fruition in states like Colorado largely ignored the disproportionate impact prohibition had, and continues to have, on communities of color. Legalization has propagated a trend in white opportunism. Fair weather supporters, like former NBA commissioner David Stern, discard their old beliefs in favor of investing in the highly lucrative market (Madu 2017). The hypocrisy does not end here, however. The majority of states with legal marijuana, including Colorado, bar those with past marijuana convictions from seeking jobs in the industry, even for low-level Budtender, or retail clerk, positions. The disproportionate levels of exclusion from the industry due to unequal past marijuana arrests has left the door wide open for the mostly white elite to flood the market. This places the human cost of criminalization on the backs of communities of color and solidifies legal marijuana as a white space.

During December of 2018, a few counties in Colorado, Denver and Boulder, announced a promise to seal off or expunge low-level marijuana convictions (Sherry 2019). This is great news for some 13,000 people in Denver alone that are eligible, however, for many this news comes in too little too late for three reasons. First, most jurisdictions in the state of Colorado have a cap on the number of dispensaries that can be located within county lines, this leads to a scarce supply of positions. Second, many job opportunities within all levels of the industry have already been filled during the six years marijuana has been fully legalized in the state (Colorado Department of Revenue 2017). Third, not only is the process to seal or expunge a marijuana records expensive in both time and money, it really does not go far enough in the eyes of many activists

and families impacted by the War on Drugs. The process for sealing or expunging records in Denver and Boulder counties are limited to those with only a single minor possession or paraphernalia charge and gives no retribution for the years these individuals spent blacklisted from the workforce (Sheldon et al. 2018). Despite its downfalls, this is great for the people able to capitalize off of this, however; just as this research does not exist in a vacuum-- those people did not just acquire marijuana out of thin air. They purchased and distributed it in a manner that is completely legal in 10 states and the District of Columbia. People of color are currently serving life sentences in prison for distribution charges that white Ganjapreneurs are able to do legally in about 10 states (Southerland and Steinberg 2018) What is so different about the people locked away in prison for life for marijuana distribution than legal marijuana “dealers”?

This chapter seeks to analyze language used to distance “deserving” White marijuana users, distributors, and producers from their “criminal” counterparts. These interviews were conducted prior to the news of Boulder and Denver decision to seal or expunge low-level marijuana convictions. Their answers regarding expungement were divided into five categories based on overall level of support. The breakdown of these categories are as follows:

*Table 1:*

Pro-Full Expungement	Pro-Expunge Possession Only	Expunge Possession on a Case-by-Case Basis	Expunge Possession and Distribution only on a Case-by-Case Basis	Against Expungement
3	10	3	2	2

The data presented in this table is striking, with only three people indicating full support for expunging marijuana charges of any kind. Yet, this table fails to tell the whole story. An analysis of the choice of words used to justify their beliefs provides for a more fruitful

examination of the whiteness project taking place. McIntosh (1988) argues that whites are conditioned to view their perspectives on race relations as objective and universally true because they are not taught to view themselves as racialized. This lack of introspection results in a form of individualism in which whites see themselves as a singular person with unique life experiences but view People of Color as a single homogenized group (DiAngelo 2011). Brewer's (1986) social identity theory explains this as the creation of an "us" vs. "them" dichotomy in which boundaries are formed between those in the normative ingroup (whites) and those in the deviant outgroup (People of Color) for the aim of achieving superiority. My interviewees frequently used racially coded language as a means of delineating the boundary between the "good" marijuana distributors and the "bad" marijuana distributors.

### *Dog Whistles*

Overt racism is so last season. With the election of President Obama in 2008, we were launched into what many call the era of "post-racism" in America (Pettigrew 2009). How could the United States possibly be racist with a Black president? Never mind the fact that police brutality and mass incarceration are on the rise and black and brown kids still live in fear of being shot for simply wearing a hoodie or playing in their neighborhood parks, racism is an issue of the past-- or is it? With good old-fashioned blatant racism increasingly becoming taboo, conservatives and liberals alike are switching to a subtler form of racism that many argue is even more dangerous. Critical race scholars coined the term "color-blind" racism to describe this new era of discrimination (Bonilla-Silva 2017).

If the foundation of racism is built upon the belief of white superiority, then color-blind racism attempts to reject that notion by insisting that racism cannot exist if everyone chooses to simply not see color. This ideology simultaneously normalizes whiteness while rejecting the

historical ramifications of racism by insisting color does not exist. This is done by whitening out racial differences, equating the experiences of People of Color to that of Whites, and allowing Whites the ability to hide their place in white supremacy through the guise of white exceptionalism (Mueller 2017). While race itself is truly a social construction, the oppression it caused is real, and insisting on not seeing color works to invalidate this reality.

Many would argue that the election of Trump to the White House produced a shift that brought overt racism back from the shadows (Wolffe 2018). However, the ways in which Trump presents his racism walks a tight line between blatantly overt and strategically concealed. Further he tactically calls upon color-blindness in an effort to conceal his intentions, such as his son stating that Trump “only sees one color, green.” Appeals to color blindness take many forms. The media, politicians, and the common person can no longer say overtly racist things. Instead, many turn to speaking in code. This practice predated the election of President Obama and began almost immediately following the Civil Rights Movement. These codes take on the form of what political rhetoric scholars call dog-whistles (Whitley 2014). Dog whistles are racialized messages hidden behind abstract jargon meant to connect to a particular audience in a manner that is not overtly racist, however, the audience in question is immediately able to identify its hidden racial meanings. Examples of dog whistles include “welfare queens,” “tough on crime,” and the “war on terror.”

The majority of responses provided by my interviewees utilized dog whistles in one form or another. This allowed them to dance around topics of race without coming across as racist or even needing to mention race at all. This practice is extremely prevalent in the political world and works by feeding off of white racial anxieties that result from minoritized groups simply seeking to access the gains of social justice initiatives and gentrification projects, like legalized

marijuana. Interviewees used dog whistles to construct a moral delineation between those incarcerated that are “good” and should be exonerated of their past convictions, and those that are “bad” and should remain behind bars as the criminal other. The three most common dog whistles used by my interviewees were appeals to “Law and Order,” “Gangbangers,” and those that come from “the Southern Border.” The following section breaks these down in full using examples sourced from the interviews.

### *Law and Order*

Appeals to Law and Order rose in popularity during Richard Nixon’s 1968 presidential campaign. This was a period towards the end of the Civil Rights movement flanked by increased white racial anxieties as a result media fueled fears of the perceived militancy of organizations like the Black Panther and the Brown Berets of the Chicano Movement popping up in large cities across the country (Nunberg 2016). The ethos was perpetuated further when it was used as a rallying cry during Ronald Reagan’s push to launch the War on Drugs. It is frequently used in tandem with law enforcement measures like broken windows policing and mandatory minimum sentencing laws which categorized the blight of low-income communities of color as criminal rather than a byproduct of historical systemic oppression (Heatherton 2016). Calls for Law and Order appear on their own to be a non-threatening and an even standard response for law enforcement. However, it is a justification to increase policing of Black and Latinx communities. This is most clearly seen in media reactions to demonstrations organized by communities of color, such as the Flint autoworkers strike in 1936, Martin Luther King’s 1963 campaign in Birmingham, Alabama, and the 2014 rally in Ferguson, Missouri in response to the police shooting of Michael Brown (Nunberg 2016). Each of these demonstrations was framed in media depictions as disrupting the peace, inciting violence and painted participants as lawless criminals.

Within the context of this study, appeals to Law and Order were most popular with participants holding a zero-tolerance position on expunging marijuana records and those in the “depends on the amount possessed” camp. John, a 21-year old neuroscience major used this appeal in his interview, “If you got caught when it was illegal you are breaking the law...It’s the law; it should stay with you.” What is interesting about his statement is he was the only person in this sample that had a prior infraction on his record for marijuana possession as a minor. Further, he actually had the opportunity to have his record sealed so his parents and future employers would not see it during a background check, “...it was funny, my record from my arrest was cleared, I got it sealed right before [court], so it’s fine, I didn’t get in trouble, and I didn’t tell my parents, but I did get it sealed again. It means they need a warrant to open it; I had to pay court fees-- it cost \$400.” With this statement, Damien shows that crimes committed while White and affluent are held to a far lesser standard than when the crime is alleged to have been committed by a working class or Person of Color.

Beth also appealed to Law and Order during the interview. She expressed, “I think respecting the law when it was law is important and [a marijuana possession] shouldn’t be necessarily wiped from their record.” All but one interviewee that used this sentiment indicated use of marijuana prior to legalization. Those that indicated use of marijuana prior to legalization but did not have any run in with the law presented a tough luck attitude towards those unlucky enough to have been caught, such as Amanda’s statement: “I think they are going to be upset, but at the same time I am happy with like what is happening and appreciative, like nowadays its legal and it does suck for them, but they have to understand that it came out of us just not knowing.”



### *Gangbangers*

When somebody references a “gangbanger” in conversation, who is the person that comes to mind? For most people with access to cable news, that person is either a Latino or black young adult male with tattoos and sagging pants. Despite surveys of youth showing that over 40% of those who claim gang affiliation are white, this stereotype has been pervasive since the onset of the War on Drugs and is consistently perpetuated in the media (Ladd 2018). In fact, Maur (1999) and Chiricos et. al (2009) found that when whites are asked about support for punitive punishment for violent crimes, they are significantly more likely to refer to a black offender than any other race. Violent gang culture and crime has been typified in US society as a black phenomenon to the extent that “it is unnecessary to speak directly about race because talking about crime is talking about race” (Barlow 1998:151).

Participants who indicated support for expunging possession convictions and would consider supporting expungement for distribution on a case-by-case basis frequently called upon the elusive gangbanger as an example of the type of person that they believe should not have their marijuana convictions expunged. In the following quote from Damien, a 22-year-old business student, he explains this thought process that separates his dealer from the criminal other: “I think a lot of [marijuana dealers] should be [exonerated] and then another group that I don’t know [if their records should be expunged]. Gangbangers that made a million-dollar business off of killing people should be in jail, and their records should remain.” Here we see firsthand the cognitive leap between those he believes should be free of their past distribution convictions (his white dealer), and the association made between gangbangers, marijuana dealers, and extremely violent crime. Damien uses this dog whistles so he does not have to explicitly talk about race and can erase the historical racism of marijuana prohibition.

*The Southern Border*

Thanks to Trump's national security crisis, racially coded appeals to the US Southern Border are currently en vogue (Siegal and Phelps 2019). However, the connection between Central and Latin America and marijuana crime has been rife since the Mexican-American war and Harry Anslinger's subsequent crusade against Mexican immigration into the United States in the early 1900s (McDonald 2017). As mentioned in previous chapters, the word "marijuana" has historical roots in dog-whistle politics. During the time following the Mexican-American war, "cannabis" and hemp were widely used by white America for its medicinal and industrial purposes. However, when it became apparent that Mexican migrants were using the substance recreationally, it quickly became criminal in the eyes of white southerners who had come to resent their new neighbors. The term "marihuana" was used by the Mexican immigrants to refer to the substance and politicians eager to appease their base latched on to the term to make it seem foreign and therefore dangerous (Gray 2000). Thus, politicians could talk about Mexicans and crime without saying Mexicans are criminals.

References to criminals coming from the Southern Border were used frequently by participants in all categories. However, those in favor of only expunging charges for possession used this appeal the most. These individuals see a stark difference between possessing marijuana and distributing it despite including progressive components to their argument. For example, graduate student Miranda said, "If you are going to make something legal in the eyes of the law, whatever law, why are they still being punished for something that is legal. Like logically to me, it doesn't make sense. Especially people who are serving time for like a gram bag which is legal to carry around in Colorado. I don't get it." However, when asked if there is a difference between possession and distribution charges she replied: "yes that is completely different."

The difference between someone who used marijuana but did not sell it in comparison to those involved in the distribution process is typically characterized through a description of the stereotypical drug trafficker with malignant intents that comes over the southern border to stir the pot. Ryan, a 24-year-old architect, describes this line of thought best: “if someone was just caught with a joint and they are serving like 5-10 years-- yeah definitely expunge that shit. Um, but... if someone was like trafficking pounds and sneaking through U.S customs, like higher level crimes, those should be looked at for those higher-level crimes like drug trafficking in general.” All but one individual who indicated support for expunging possession charges reported marijuana use prior to legalization. Despite being complicit in supporting the pre-legalization marijuana industry, these individuals firmly believe distribution is a crime in the highest degree. Beth summarizes it this way, “I think going against the law and finessing the system in a way you know you shouldn’t... whether it is weed or a harder drug you are selling is criminal.”

### *Summary*

This chapter focused on how White marijuana users separate themselves from the illegal marijuana user and the criminal other (People of Color). This centered primarily around the perceived level of morality of those who participated in the distribution sector of the market prior to legalization in comparison to those who work in that space legally now. Despite the majority of interviewees indicating that they used marijuana prior to legalization, they consciously separate themselves from the “criminal other” through the use of racially coded appeals in the form of dog whistles. By using dog whistles, they were able to speak about race without ever having to be explicitly racist. It is important to consider white marijuana users’ opinions on expunging past marijuana convictions because retaining an individual’s record is a tactic used by

society to maintain the status quo and prevent those that are considered deviant from participation in the marijuana industry and the workforce as a whole. Further, because communities of color were disproportionately impacted by marijuana prohibition, retaining their past convictions actively works to maintain the legal marijuana industry as a white space and the racial wealth gap.

## CONCLUSION

This study is constructed around the ways in which the legal marijuana industry has been repackaged to appeal to the white mainstream consumer base thus spurring the process of gentrification. The analysis of legal marijuana advertisements and interviews with white marijuana users highlighted a number of ways in which the legal marijuana industry in Colorado is reaffirmed as a white space. The advertisements supplied this study with the themes used to repackage and present a revitalized motif to the legal marijuana industry. The advertising themes of the commodification of cool, soccer mom chic, professionalism/ trust, and upscale work in tandem to form an intuitive separation between legal marijuana and illegal marijuana in the eyes of the mainstream consumer and investor. The dissection of racial, gender, and socioeconomic representations within the advertisements provided a fruitful discussion on the way that historically rooted stereotypes of marijuana use have been both reinforced and reformulated to fit the modern-day needs of the legal marijuana industry. This includes the use of “acceptable diversity” in appeals to middle class whiteness, the transformation of white women as victims of the racialized other to the primary representation of a legal consumer, and the bolstering of white men as the “expert” pioneers of the legal marijuana user, distributor, and producer. Further, this analysis highlighted the ways that neoliberal appeals to individual responsibility, which carried legalization goals to fruition, are reinforced and perpetuated in modern-day legal marijuana advertisements. In concert with the examination of advertisements, the discussion of racial dog whistles used by my interviewees underscored the whiteness project taking place market-wide that justifies the exclusion of those with former marijuana records from participation in the industry.

*Key Take Aways*

Schulman's (2012) definition of gentrification as the act of appropriating the space of the working class, communities of color, and formerly undesirable social movements helps to unpack the whitening project taking place through the four advertising themes of commodification of cool, soccer mom chic, professionalism and trust, and upscale. The use of coolness in advertisements directly appropriates a defense behavior historically used by communities of color to shield themselves from the extortion of dangerous stereotypes used by whites to paint People of Color as dangerous marijuana users. The themes of soccer mom chic and upscale purposefully place white women at the center to destigmatize the industry. By using representations of white women's femininity, the industry is painted as docile in association and effectively masks the historical role of the white women victim trope in marijuana criminalization. The use of white men in advertisements under the theme of professionalism and trust reinforces the stereotype of white men as the face of big business and experts within their field. This act further perpetuates the mainstream belief of white men as the brave "pioneers" of the legal marijuana industry. Each of these themes work in unison to whiten the mainstream perception of the legal marijuana industry.

Harris' (1993) whiteness as property helps to illuminate justifications for white control over the legal marijuana space. The antiquated notion of property rights as a means of determining freedom and legal status can be connected to the modern-day loss of many, but not all, people of color's freedom to own and operate capital in the legal marijuana industry due to disproportionate levels of arrests and conviction during its prohibition. As a result of historical inequities in income distribution and conviction statistics favoring whites, affluent white capitalists are free to stake intellectual and capital claims to property ownership within the

industry at disproportionately high rates. Further, whites are able to utilize historically disproportionate policing practices to their advantage by capitalizing off of the slow-start to marijuana record expunging initiatives which provided whites with a 6-year head start in securing the rights to owning and operating a legal marijuana business.

The employment of coded racialized dog whistles, like those presented by my interviewees, allow whites to erase their role in supporting pre-legalized marijuana markets and the violence associated with bringing illegal marijuana to their location. This form of racial boundary making is done by diminishing their part in the illegal trade as merely docile consumers and painting their white dealers as having only a small role in the distribution process. Through this process, my interviewees were able to intuitively differentiate between the “good” people who should have their records expunged (their white dealers) and the violence of “bad” “gangbangers” and Latin American drug smugglers. This belief allows whites the ability to purify their conscious so they might sleep well at night, ignorant of their complicity in supporting the illegal trade of marijuana.

The act of racial boundary making that is exhibited in both the interview and content analysis portions of this study provide a strategy for maintaining the association between illegal marijuana trade with poor “violent” communities of color and legal marijuana as associated with “deserving” whites in the eyes of the mainstream marijuana consumer base. Racial boundary making through the use of coded dog whistles and whitened appeals to middle classness work to whitewash the legal marijuana industry and further legitimize the belief that legal marijuana is a reward for those who successfully preform the standards of whiteness. Moreover, this practice allows whites to allude to dangerous racialized stereotypes without the need to outwardly call out race.

The space in which the legal and illegal industry meet in the eyes of mainstream consumers and investors constitutes Smith's (1996) "combative zone". This "combative zone" is at a constant tug-of-war between rationalizations of equating illegal marijuana to "violent" poor communities of color and public relation tactics aiming to revitalize and destigmatize the industry through the gentrification of legal marijuana as corresponding to successful performances of whiteness, and therefore safety. The advertisement's use of "acceptable diversity," through the inclusion of middle-class-associated People of Color, works to reinforce the narrative of neoliberal praise in adherences to personal responsibility as means of proving deserved participation in legal marijuana by allowing representations of People of Color who have successfully assimilated into the values of middle-class whiteness to be included in images. This is most notably the case when a White woman is also included in the image. Successful assimilation into the values of whiteness signals safety to the mainstream consumer base, as poorness is often synonymized with violence and, likewise, violence is associated with poor communities of color. Successful assimilation into middle classness signifies adherence to inherent safety, and therefore whiteness.

Shulman's (2012) definition of gentrification was of further importance to this study when considering gentrification as not solely situated within physical manifestations of space, but also within cultural and political ideologies of the mind. Schulman (2012: 36) argues that "the key to the gentrification mentality is the replacement of complex realities with simplistic ones." This understanding of gentrification as taking place within the mind is connected to the ways that legal marijuana is whitewashed in the hopes of erasing its historical and present-day relationship to the horrible reality of racialized demonization of illegal marijuana users, distributors, and producers that fed the War on Drugs and mass incarceration. A reality that's



impacts will be felt for generations to come in the working class and Communities of Color. Whitewashing in effect replaces the complex historical reality of marijuana prohibition with a more simplistic, beautified appeal to the benefits of neoliberal adherences to personal responsibility and the prize of increased autonomy through the choice to use marijuana products. Further, Schulman (2012) put forth that the act of gentrification removes the dynamic mix of people with many different backgrounds putting new ideas together that in turn defines their experiences within a space and social movement. The experiences of the social movement are then homogenized to fit the values of the dominant culture. The success of marijuana legalization can be understood in this light, as the stories of struggle, reliance, and ingenuity of the people most impacted by its prohibition are erased in favor of presenting a narrative of the movement as the achievement of a few White and affluent “pioneers” paving the way for powerful corporate mainstream investment. Schulman’s definition helped me to expand my own understanding of this process of gentrification. I began this project viewing gentrification as something that only affects the physical make up of the space, but I now understand that it transcends deep within the confines of the soul. For example, my research further developed Schulman’s idea by showing the ways that agents of the gentrified marijuana market seek to erase the history of the legalization movement and the War on Drugs and ultimately change the way mainstream consumers understand the social place and status of the product. Future research on gentrification should test Schulman’s definition on a greater spectrum of non-physical spaces, like social movements and common understandings, to test and refine her theory to see if this assumption continues to hold true, and to garner a more complete understanding of the agents of change and their impacts on these spaces.

These findings are significant because they help to further reinforce the argument that the agents of legal marijuana industry are seeking to establish the industry as a “safe” white space for wealthy potential investors and mainstream consumers. This subsequently fails to atone for the racist past of criminalization. This in effect allows for the racist history of marijuana criminalization to be naturalized as whites “take back” the heavily stigmatized industry. This naturalization is shown through my interviewee’s justifications for excluding those most impacted by prohibition from participation in the legal industry, such as Beth stating, “it sucks for them” and believing that “following the law when it was the law is important.” despite the reality of her illegal use of marijuana prior to legalization.

### *Policy Implications*

My hope is that this study sheds much needed light on to the urgency of implementing programs that would work to pardon those most impacted by marijuana criminalization and provide pathways for inclusion into the legal industry. It is my belief that simply sealing or expunging past marijuana records is not enough to atone for the disproportionate damages that criminalization had onto Communities of Color. Not only do marijuana records prevent access to participation in the legal industry, drug convictions in general actively work to black list people from opportunities for integration into all sectors of the workforce. Further, by not addressing these inequities and, in effect, whitewashing the history and modern-day presentation of the industry, we are allowing white wealthy capitalists and big-name corporations like Marlboro and other agencies of Big Tobacco and Alcohol to take over and further gentrify the industry.

Most importantly, using and distributing marijuana is still extremely illegal in many US states, and at the Federal Level. It is crucial to note that almost all of the states that still criminalize marijuana use have significantly higher demographic proportions of Whites to

People of Color than all of the states that have legal marijuana. For example, Black Americans make up 20.5% of Alabamans, 30.5% of Georgians, 37.3% Mississippians, and 32.4% Louisianans (US Census 2010). Not only is marijuana still heavily criminalized in these states, they also have some of the most strict and disproportionate arrest and sentencing practices for simple marijuana possession in the nation. To put things into perspective a study conducted by the ACLU (2016) found that Black Americans were four times as likely to be arrested for marijuana possession than Whites in these states. A simple first-time possession charge in Alabama (in 2019) will get you a max of one year in prison and up to a \$15,000 fine. A second time offence presents the possibility of 5 years in prison and a \$7500 fine, and the penalty for a third time offence is 10 years and a fine of up to \$30,000 (Segal and Segal LLC 2019). Furthermore, each year since legalization, well over 1 million people have been arrested and sentenced for marijuana possession across all of these states (Lewis 2019) All of this for an act that is perfectly legal in 10 states and in the *capital* of this country.

It is time for White people to wake up to this hypocrisy. Race-neutral legalization practices are a cop-out and fail to address the larger, historical picture. Race-neutral approaches to legalization only work to perpetuate and reinforce the neoliberalist narrative of rugged individualism which allows whites to ignore their privileged ability to participate freely in this industry and provides a comfy distortion of reality that disguises their complicity in this act under the guise of “hard work” and “dedication.” The creation of a brand-new sector of industry that allows for a fresh start unhindered by historical inequities in workforce inclusion is not a common occurrence. This industry *has* the ability to break the status quo and provide a chance for minoritized populations to have a seat at the table in one of the fastest growing markets of our time. The legal marijuana industry provides a site for economic empowerment that must be open

to all. As of late, there are already a handful of interest groups and policy makers that recognize this opportunity. These people working on the front lines of this fight include The Minority Cannabis Business Association (2017), who put forth a model intended for state legislatures that would in effect extend guidance to the ways that legalization can be coupled with initiatives that would provide modes for reinvestment and reconciliation for the communities and people that were most impacted by marijuana criminalization.

### *Directions for Future Research*

Future research on this topic should include a more in depth look at zoning laws and how they regulate the location and total amount of marijuana retail and production locations in counties and regions. Through this course of this research, it was brought to my attention that places like Denver only allow warehouse production of marijuana in industrial zones. These industrial zones overlap with neighborhoods historically linked to the working-class and communities of color. The high influx of marijuana production agencies flocking to these locations has been linked to sky-rocket increases in the rental prices and the cost of living in these locations. Further, if time had permitted, I would have liked to include a focus on interviewing people who work directly in the legal marijuana market. This includes retail clerks, managers and owners of retail stores, growers, packers, executives and more. These interviews could provide even greater insight into the ways that marijuana gentrification is another way to create affluent White spaces out of formerly poor Communities of Color, both figuratively and literally.

*Final Note*

There are a number of things that can be done to fight gentrification and the act of whitewashing legal marijuana. The first step is researching and identifying small business marijuana companies owned by People of Color to support and boycotting Big Marijuana brands and franchises. Further, support legislation initiatives that work to provide retribution and reconciliation for people most impacted by marijuana criminalization. Advocate for approaches to federal and states marijuana legalization that calls out the racial implications of criminalization and does not hide behind race-neutral rhetoric. This industry has the opportunity to be revolutionary. It is time we all look reflexively at our own actions to identify the ways we have been complicit in whitewashing marijuana legalization. Finally, we must all ask ourselves: What can **I** do to be an ally in this fight?

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