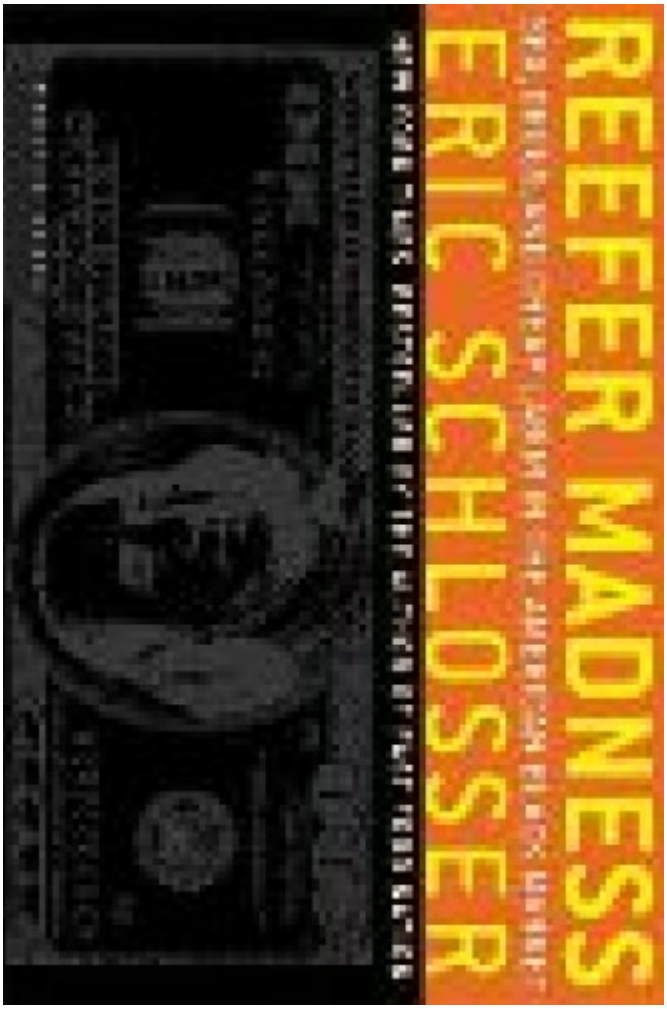
Hidden pursuits

By Lillian Daniel in the March 9, 2004 issue

In Review



Reefer Madness: Sex, Drugs and Cheap Labor in the American Black Market

Eric Schlosser
Houghton Mifflin

What do migrant strawberry pickers, marijuana growers and Internet pornography users have in common? According to Eric Schlosser, they are all part of America's black market economy, a massive system that contributes little to the tax base but keeps many Americans in business.

Schlosser, who skewered the meat industry in *Fast Food Nation*, takes a look at what Americans spend money on, and why or how they hide it. He begins by examining the growing of marijuana, a crop he believes is the nation's second largest after soy beans. Americans smoke more marijuana and imprison more people for marijuana possession than any other nation in the industrialized West. Schlosser, in this his strongest and longest section, takes a point of view: the imprisonment of nonviolent drug dealers is not winning the drug war, and massive injustices are committed in sentencing.

In a system that rewards those arrestees who can turn in others, the ones at the bottom of the system are often the ones who get the most severe punishments, since they have few resources and little information to trade. Mandatory minimum sentences mean that the "mule," who acts as a delivery person, is punished with the same severity as the person financing the entire deal. And any goal of uniformity falls apart in the differences between state and federal practices. Schlosser describes a capricious system in which a Michigan resident caught with the amount of marijuana found in one large joint is prosecuted in federal court and receives a sentence of 14 months in jail, whereas the penalty from a state court would be only a $100 fine.

Furthermore, those with access to private lawyers are treated very differently from the poor. Strange laws allow the government to seize the property of those who deal in drugs—with erratic enforcement and results. In one extraordinary story from Glastonbury, Connecticut, a federal prosecutor known as the Forfeiture Queen seized the home of grandparents in their 80s, who had owned their home for 40 years, after their 22-year-old resident grandson was caught selling marijuana. Prosecutor Leslie Ohta argued that the grandparents should have been aware of what was happening in their home. But when Ohta's own 18-year-old son was caught selling drugs from his mother's Chevrolet Blazer as well as from home, Ohta's family lost neither the car nor the home.

The strict enforcement of increasingly tough drug laws has resulted in a massive federal prison population that grows by 10,000 a year, while prisons grow more dangerous, overcrowded and less likely to be places of rehabilitation. Schlosser's stories of young men who go to jail for growing marijuana in between their rows of corn put a human face on the drug traders who, it turns out, look much less like the South American drug lords in the action movies and a lot more like struggling farmers.

Underground economies are nothing new in American history. Schlosser reminds us that the prohibition of alcohol from 1920 to 1933 led to the growth of organized crime and the rise of an underground economy that constituted about 5 percent of the gross national product. Later, during wartime rationing, 5 percent of the country's gasoline and 20 percent of its meat were purchased through the black market, so that by the end of the war, he estimates, Americans were not reporting 15 percent of their incomes. Strict laws and government control, often encouraged by churches, have a history not of thwarting the use of forbidden products but of driving that use underground and pulling those profits out of the tax base.

When other countries copy us, the results seem similar. In the drug war, England has followed America into positions that put it at odds with the rest of Europe. So today, despite having the most punitive marijuana laws in Europe, England also records the highest use among young people—higher than the Dutch, who can buy marijuana legally in a government-approved coffee house.

Americans seem to have two faces on the marijuana issue. We use privately, and we criticize publicly. But the tide may be turning on the issue. Since 1998 Americans in eight states have voted to permit the medical use of marijuana. Decriminalization, long associated with the liberal left, now has its conservative supporters, including William F. Buckley and former Secretary of State George Shultz. A recent poll found that 67 percent of Americans oppose denying marijuana for medical use, and 61 oppose the arrest and imprisonment of nonviolent pot smokers.

"Drug abuse should be treated like alcoholism or nicotine addiction," Schlosser says, "These are health problems suffered by Americans of every race, creed and political affiliation, not grounds for imprisonment or the denial of property rights. A society that can punish a marijuana offender more severely than a murderer is caught in the grip of a deep psychosis."

While I wish that Schlosser had engaged the dangers of marijuana use more seriously, he acutely describes the dangers of the war on drugs. As a pastor, I have seen the effect of strict sentencing measures on families of young people who have made a bad mistake and been caught. For the most part I see the legal system ensnaring young users in a justice system more successful in hardening criminals than reforming them. Furthermore, the maze of drug testing may catch someone who got high on vacation three weeks ago, but not someone who drives the school bus while drunk. The churches should have a voice in this debate, since they are often part of cleaning up the mess that “reefer madness” leaves behind.

Compared to marijuana, strawberries seem like a wholesome crop, but the strawberry fields have their own shadowy story. The strawberry is “risky and expensive to grow but it can yield more revenue per acre than virtually any other crop except marijuana,” Schlosser says, reminding us that “nearly every fruit and vegetable found in the diet of health-conscious, often high-minded consumers is still picked by hand.” In this case, the strawberry industry seems to bite the hand that feeds it.

Growers can most efficiently cut their costs by underpaying workers or simply keeping them off the books. The enormous numbers of illegal immigrants who do the picking are unlikely to report their bosses’ abuse to the IRS or the Labor Department. The fruits of immigrants’ labor go to the large growers, while the pickers’ economic life rots.

Is there no upward mobility for farmworkers? Schlosser exposes the false promises of sharecropping, in which a middle-aged picker might be invited by the grower to become a “partner” or a “farmer.” These sharecroppers end up as unfortunate middle men, who no longer receive wages but instead are promised a share of profits that may never materialize. They also assume debt and responsibility for the hiring and legal status of their workers, thus shielding the companies.

A picker named Felipe who turned sharecropper ended up after 16 years $50,000 in debt to the grower and $5,000 in debt to the IRS. He told Schlosser he is ready to return to picking, saying, “They use us all as slaves.” While some sharecroppers earn enough to become growers themselves, others end up making less than they would as farmworkers paid minimum wage.

For those who want to eat strawberries in good conscience, Schlosser commends the working conditions at Driscoll, Naturipe, Sweet Darling, CalBeri and Coastal Berry. Returning to his old chomping ground of *Fast Food Nation*, he reminds us that healthy choices in eating for individuals should be healthy for the community as well. Not all growers treat their workers poorly, but as long as some do, as long as immigrants are exploited, underpaid and kept off the books, we should all be watching what we eat.

In the book's final section, Schlosser turns from watching what we eat to watching what we watch. Again he focuses on the American heartland. He tells the story of Reuben Sturman, a Cleveland comic book salesman and son of Russian immigrant grocers, who built such a fortune through discreetly wrapped mail-order products that at one point he controlled the pornography industry.

In the 1970s Sturman lived in a mansion in Shaker Heights, dressed like a banker and was honored by the YMCA. In the end, it was not obscenity laws that got him into trouble but the black market. The IRS discovered a host of hidden Swiss bank accounts. After decades of investigation and trials, in 1992 Sturman finally went to jail where he died alone, having recognized decades earlier with his mail order business what today's Internet pornographers have grasped so well: in a society that publicly punishes obscenity, as pornography becomes easier and more anonymously attainable, people's appetite for it will grow, as will the profits.

Referring to another famous porn entrepreneur, Schlosser writes, "Larry Flynt imagines a future in which the television set and the computer will have merged. Americans will still lie in bed, he told me, cruising the Internet with their remote controls and ordering hard-core films at the push of a button. . . . In Flynt's view, the Internet would combine the video store's diversity of choice with the privacy of buying through the mail."

Though Schlosser usually writes out of a deep sense of right and wrong, even as he uses humor and subtlety to make his points, he steps back from any kind of moral judgment on pornography. Instead he takes us into the lives of purveyors, as if to show that they are just like us. When he considers the critics of pornography, it is generally to show that they are hypocrites like Father Bruce Ritter, whose campaign against homosexuality fell apart when his own penchant for male prostitutes was exposed. While Schlosser's footnotes refer to a number of feminist critiques of the sex industry, his text does not. For someone who writes so energetically about the

exploitation of strawberry pickers, his account of work in the sex industry is surprisingly tepid.

Missing from this book is the story of a compassionate character who questions the morality of pornography, or of a consumer whose life has suffered as a result of pornography use, not just its prosecution. Schlosser treats pornography as he does marijuana: he doesn't investigate the long-term health effects. (Many people can do that for themselves in the plethora of personal stories about crushing dependencies and secret obsessions.)

While Schlosser may shy away from a moral stand on pornography, he does a good job of pointing out the enormous growth of this black market. A 2000 survey found that 31.9 percent of American men and 10.5 percent of women had visited a sexually oriented Web site. A *Christianity Today* poll that same year revealed that 27 percent of U.S. pastors sought out Internet porn from "a few times a year" to "a couple of times a month or more."

"The current demand for marijuana and pornography is deeply revealing," Schlosser opines. "Here are two commodities that Americans publicly abhor, privately adore, and buy in astonishing amounts." While the Bush administration has moved toward stronger enforcement of obscenity laws, in many cases led by conservative Christians, Flynt, the contrarian *Penthouse* publisher, delights in the obscenity laws. According to Schlosser, Flynt predicts that if obscenity laws were ever overturned, "the amount of hardcore material would skyrocket but not for long. Once the taboo is lifted, once porn loses the aura of a forbidden vice, people will gradually lose interest in it. After a huge rise in popularity, Flynt argues, 'the whole bottom would drop out of the porn market.'"

Flynt's prediction seems to have some historical precedent. When Denmark rescinded obscenity laws in 1969, consumption rose at first but a steady decline has occurred ever since. Porn sales have remained high in the capital city, Copenhagen, but those sales are attributed mostly to foreigners. When Danes were surveyed after the rescinding of obscenity laws and after the wave of purchasing had peaked, a study found that most citizens thought of porn as either "repulsive" or "uninteresting." "The most common immediate reaction to a one-hour pornography simulation," a Danish researcher reported, "was boredom."

Schlosser ends this section by noting that early Christianity challenged the Roman world's obsession with both sex and violence. For 2,000 years, he claims, the West has wrestled with two rival views of the body, a tension between pagan and Christian traditions. "But the old systems of moral authority have been replaced by a new one. The rules that govern sexual behavior are no longer determined by the pronouncements of Stoic philosophers, high priests, martyrs and saints. Democracy has increasingly granted freedom of choice in matters of sexuality, while the free market ministers to consumer taste."

The saints and martyrs may not dictate behaviors today, but the tradition that shaped them can still shape us. Regarding the morality of the pornography industry, a topic on which Schlosser takes a pass, the church has plenty of ground upon which to step up and offer a different vision of sexuality. The Christian tradition of seeking justice for the oppressed surely includes those who are vulnerable and exploited in the sex trade as well as those in the strawberry fields. And while some pastors may be logging on to Internet porn, pastors also hear the sad stories of relationships wrenched out of their roots when one partner lusts after those images that are so slickly marketed as harmless fun.

Each Sunday when we gather, we hear texts and find rich sources with which to address these black market economies. If Christians are to be as wise as serpents and innocent as doves, some of that wise innocence may be used to critique what the market is selling, to expose its false promises and to return to practices of faith that offer more.

The 5 to 20 percent of our economy that cannot be officially accounted for is indeed worth examining for what it says about Americans. "If you truly want to know a person, you need to look beyond the public face, the jobs on the resume, the books on the shelves, the family pictures on the desk," Schlosser says. "You may learn more from what's hidden in the drawer. There is always more to us than we will admit."

People of faith might respond that there is always more to us than what is hidden in the drawer as well. As people who believe in repentance and grace, knowledge of the black market doesn't have to leave us only discouraged. For Christians, a frank look at the world's wounds is always a shot at new life.