

Legalizing Marijuana – a Good Idea?

Misha

The idea for this paper has been floating around in the back of my head for years, waiting for a reason to be written. As an aspiring historian, there are precious few opportunities to write a serious paper of contemporary social issues, so I decided to take this one. I must assure the reader that I am not a “pothead” championing the legalization issue simply because I do not want to have to worry about getting busted all of the time. I am a Law Enforcement Professional and do not use illegal drugs of any kind. The subject is one that is popular among my peers as we all have hundreds of stories of having to fight with belligerent drunks, yet never have I met or even heard of a belligerent stoner.

I was able to find some outstanding sources straight away as this controversial issue is one that seems to have a life of its own. However, I tried to avoid obviously partisan websites or studies. Nevertheless, one of my citations is decidedly pro-legalization, although their claims are clear, logical and well cited. I hope that the use of these nonpartisan sources helps persuade the reader that this paper stands outside of the fog of THC to which so many arguments of this kind are subject.

Legalizing Marijuana – a Good Idea?

The bouncer stalked through the club, his eyes, ears and antennae searching the throbbing crowd for the next sign of trouble. He smelled the residual odor of burnt Mary Jane as he slipped by several glassy eyed stoners slouched on the dais adjacent to the stairs to the dance floor. He glanced in their direction but kept moving knowing that they were of little concern, as long as they smoked their weed outside. He scanned the dance floor below and saw a group of twentysomethings “Whoo-Hooing” and holding their plastic cups half full of cheap beer aloft as they celebrated whatever it was that sounded cool right then. The resulting shower of beer around them generated more shouts and laughter from the group as bystanders scrambled out of the way. The bouncer made his way to the edge of the pit and keyed up his radio to give a heads up to the bouncers that worked in other areas. He was invisible to the group as they reveled, but the annoyed bystanders noticed him and gave the group of drunks a wide berth. The potheads giggled behind him about something innocuous and remained benign. The bouncer knew from experience that it was simply a matter of time before real trouble started with this group, and waited alert and patient.

This scene is one that the author has experienced thousands of times as both nightclub security, Police Officer and Investigator. It is a scene that brings question the legitimacy of the touted dangers of marijuana, especially when compared to other legal drugs. Anecdotal evidence and unscientific polling suggests that the Law Enforcement community at large is less concerned about the proliferation of marijuana when viewed as a dangerous drug and are more concerned with using the detection of marijuana as easy probable cause to affect a search for evidence of more serious crimes. It is possible that the legalization of marijuana in the United States could

boost tax revenue while reducing petty crime and decriminalizing a drug that is arguably no worse than alcohol or nicotine in vis-à-vis health and societal impact.

There are thousands of websites and several magazines dedicated to the idea of legalizing the production, sale and possession of marijuana. However, many of them provide only anecdotal evidence, pointless claims of usefulness or spurious “scientific” evidence to support the repeal of the anti-pot laws. The point of this effort is not to convince the reader of the amazing powers of cannabis or its derivatives, but to question the legitimacy of keeping the production, sale and possession of the drug criminal in the light of the impact of legal recreational drug when juxtaposed against the possible gains from legalization.

The idea of banning recreational drugs is not something new to the late 20th century. The temperance movement in the United States came to a crescendo in the earlier in the century leading to the ratification of the 18th Amendment to the US Constitution in 1920. This in turn led to what was arguably one of the most law-breaking eras in American History. Notwithstanding the famed organized crime syndicates that formed to support the alcohol markets that continued in spite of Prohibition, the law instantly made anyone who wanted a drink a criminal. While drinking was in a steady decline just prior to the passage of the 18th Amendment and indeed to an additional nosedive immediately after passage, by 1922 the consumption rate would steadily rise again, and was projected to continue to above pre-18th levels as the underground supply finally filled the void left by the ban (Thornton, 1991).

The act of drinking socially had not been affected by Prohibition and the business, no matter how illicit, thrived. The cost of alcohol increased between 270 and 700 percent, depending on what one’s drink of choice was. From 1920 to 1933, there was no revenue generated by the sale of this alcohol (Thornton, 1991). However, there were plenty of tax dollars

spent. An average of over \$26 million per annum was expended to stop the flow and consumption of booze in the United States (Thornton, 1991). Additionally, the alcohol produced was in the neighborhood of 150 percent more potent than that of the periods before or after Prohibition. Further, alcohol related deaths quadrupled in the same period (again, gang violence excluded).

Compare this to the staggering amount of tax revenue expended in the pursuit of illicit drugs today. The Federal Drug Enforcement Agency, for staffing salaries alone has spent an ever-climbing budget since 1972 – starting at \$65.2 million. The most recent figures released, those for 2009 are even more sobering, a whopping \$ 2.6 billion (DEA Staffing & Budget, 2010). All this with no revenue generated, and does not include the tax dollars spent by state and local agencies. Imagine if the tax rate applied to alcohol or cigarettes were applied to the sale of marijuana. The state of New York earns \$4.35 for every pack of cigarettes sold, compared to the national average of \$1.45 (Boonn, 2010). Alcohol is similarly taxed – with the highest rate in Alabama at \$18.78 per gallon of spirits (Multiple, 2011). If marijuana were regulated and taxed like cigarettes or alcohol, a similar scheme could be applied, offsetting the massive expenditure of DEA and other agencies in the pursuit of more harmful drugs.

Of course the idea of legalizing something as harmful as marijuana is shocking to some as it has been demonized repeatedly and often in the press and by the government. While the drug may or may not be good for the human body, as a recreational drug, its dangers seem to pale in comparison to the two legal recreational drugs in the US. The Lancet, a respected medical journal in the United Kingdom rates both of these drugs as much more dangerous than cannabis (David Nutt, 2007). Studies have shown that smoking marijuana is no more dangerous than smoking like amounts of tobacco and far less impairing on fine motor skills (such as driving)

than alcohol (Morgan, 1995). Additionally, both alcohol and tobacco are apparently a greater danger to the developing brains of teenagers than marijuana (L. M. Squeglia, 2009).

Regardless of the direct comparison of the health effects of the consumption of cannabis, many would then point to the relationship of illegal drugs to crime. While one could counter with the obvious statistics concerning driving while intoxicated, many do not consider that act as much criminal as it is stupid. Conversely, rape, sexual assault, spouse abuse, and violent crimes are far more likely to be committed intoxicated with alcohol than high on pot (Multiple, Facts on Cannabis and Alcohol, 2011). All of this adds up to a lopsided measurement when the two are compared and (perhaps not surprisingly) many in the Law Enforcement community are for legalization for many of the same reasons (Franklin, 2011)

The impact of legalization of the production, sale and consumption of marijuana has shown to be much less risky than maintaining the near universal ban of the drug in the US. If logically and reasonably implemented, the legalization of cannabis would instantly lead to a reduction in petty crime based on decriminalization alone – not to mention the elimination of a major sector of organized crime. Additionally, the revenue generated from taxation could very easily be comparable to that of tobacco or alcohol, not to mention the effect of saving tax dollars devoted to the capture and prosecution of cannabis criminals. The effects and danger of the drug have proven to be no greater – and in some cases far less than – alcohol and tobacco. Hence, the legalization of marijuana would have a positive effect on the economy, effectively reduce crime and be no more dangerous than the legal recreational drugs of today.

Bibliography

Boonn, A. (2010, August 3). *STATE CIGARETTE EXCISE TAX RATES & RANKINGS*. Retrieved May 25, 2011, from Campaign for Tobacco-Free Kids: <http://tobaccofreekids.org/reports/prices>

This document simply reflects the tax rates on tobacco per state.

David Nutt. (2007, March 24). *Development of a rational scale to assess the harm of drugs of potential misuse*. Retrieved May 25, 2011, from The Lancet: <http://download.thelancet.com/pdfs/journals/lancet/PIIS0140673607604644.pdf>

This article rates the UK's problem drugs from those with the most damaging effect to the least. The studies cited show that the use of marijuana is far less harmful than alcohol or tobacco.

DEA Staffing & Budget. (2010). Retrieved May 25, 2011, from Department of Justice: <http://www.justice.gov/dea/agency/staffing.htm>

This site shows the expenditures of the Drug Enforcement Agency as they relate to staffing.

Franklin, N. (2011). *Why Legalize Drugs?* Retrieved May 25, 2011, from Law Enforcement Against Prohibition: <http://www.leap.cc/about/why-legalize-drugs/#>

This website is for the Law Enforcement community and is dedicated to promotion of the legalization of all drugs. It sports many facts and figures as well as providing for lobbying legislative representatives.

L. M. Squeglia, J. J. (2009). The Influence of Substance Use on Adolescent Brain Development. *Journal of Clinical EEG & Neuroscience* , 31-38.

An interesting article that points to the relationship of drug use and brain development. The article is clear in relating that alcohol is much more dangerous than marijuana when looking at the cognitive development of teen agers.

Morgan, L. Z. (1995). *Exposing Marijuana Myths: A Review of the Scientific Evidence*. Retrieved May 25, 2011, from The Lindesmith Center: <http://www.lindesmith.org/>

This study is a scholarly effort to debunk the myths that surround the use of marijuana. The paper is organized by point and is well cited.

Multiple. (2011). *Facts on Cannabis and Alcohol*. Retrieved May 25, 2011, from SaferChoice.org: <http://www.saferchoice.org/content/view/24/53/#violence>

This website is a partisan effort aiming toward legalizing marijuana. However, the site is well written, makes their case well and shows good sourcing as needed.

Multiple. (2011). *State Sales, Gasoline, Cigarette, and Alcohol Tax Rates by State, 2000-2010*. Retrieved May 25, 2011, from TaxFoundation.org:
<http://www.taxfoundation.org/taxdata/show/245.html>

This website compiles the statistical data on taxation.

Thornton, M. (1991, Jul 17). *Cato Institute Policy Analysis No. 157:Alcohol Prohibition Was a Failure*. Retrieved May 26, 2011, from Cato Institute:
http://www.cato.org/pub_display.php?pub_id=1017

This paper is a well-written scholarly effort detailing why and how prohibition failed and the fallout of that failure. It is well cited and provides a font of statistical data as well.