

# FEATURE

## Marijuana: the long arm of the law may ha

by Susan O'Donnell  
reprinted from the Impact  
by Canadian University Press

"I'm paranoid of cops," says Eric as he walks down the street, his eyes shifting in a constant and almost unconscious search for bi-coloured cars and men in uniform. Eric has been on the lookout since he was busted for marijuana possession almost nine years ago when he was 16.

"I obey the law in every respect but one," he says. "I smoke dope. Since I was arrested, all that's changed is that now I smoke it more discretely."

"There is no law that has created more disrespect for the system of justice and the government than the inclusion of marijuana

Association, the National Commission of Marijuana and Drug Abuse, the American Bar Association and the National Council of Churches.

"What each of these advocates of law reform have in common is their belief that the criminal prosecution of cannabis users is more harmful both to the user and to society than cannabis, itself," writes C. Michael Bryan, who was special assistance to the Le Dain Commission and former Senior Policy Officer for the federal department of Health and Welfare.

Ontario's Addiction Research Foundation (ARF), one of the most respected authorities on marijuana use in the world, questions society's acceptance of the light use of alcohol when "after all, the evidence for damage to health from heavy use of alcohol is much stronger than

"Those law students are today's young lawyers; they make a mockery of our marijuana laws. Their behavior loudly proclaims that the law is an ass," writes Neil Boyd, associate professor of criminology at Simon Fraser University.

More than 38,000 Canadians were convicted of importing, trafficking, cultivation and possession of narcotics in 1980. Ninety-five per cent of those convictions involved marijuana.

"Since Trudeau came into power in 1968, we have created over half a million criminal records for possession of marijuana," says Rapoch. "The people that started smoking marijuana when he was elected are now forty years old."

But 13 per cent of those convicted last year were under 18 years of age and only 17 per cent were 25 or older.

The present way of dealing with offenders is simply not feasible in the long run according to Rapoch. "A law which can only be enforced in a hazard and accidental manner is an unjust law. It falls with great unevenness upon the population of offenders," says the civil libertarian.

The Ouimet Committee (on criminal reform) found the public has little trouble learning that a person has a criminal record, as the information is kept on many files and widely disseminated. The committee regarded the difficulty of finding employment as "one of the debilitating social consequences of a criminal record."

A criminal record has been described by various witnesses at a senate hearing as a restriction or ban in connection with the formal study or practice of law, medicine or teaching, the operation of a taxi, employment by racetrack or liquor control commissions, and employment by numerous other businesses that require bonding or licensing.

The Le Dain Commission found in 1972 that apart from its impact on thousands of young lives, such a scale of law enforcement will place an intolerable strain upon our resources. "It is already overburdening the system very severely."

*Canada annually arrests more of its citizens per capita for cannabis possession than any other country in the world.*

under the narcotic control act," says Andy Rapoch, national president of NORML Canada (the National Organization for the Reform of Marijuana Laws).

Rapoch calls the marijuana laws "the most extreme example of injustice in the country."

Canada annually arrests more of its citizens per capita for cannabis possession than any other country in the world. During the past 10 years, criminal charges were brought against 300,000 young Canadians for possession of cannabis. The cost of enforcing the law against simple possession of cannabis is estimated at \$100 million per year.

The Le Dain Commission (into the non-medical use of drugs) in 1972, the Canadian Medical Association and the Canadian Bar Association have all called for the removal of criminal sanctions against simple possession of cannabis. American proponents of decriminalization of cannabis possession include Jimmy Carter, the American Medical

the evidence concerning cannabis."

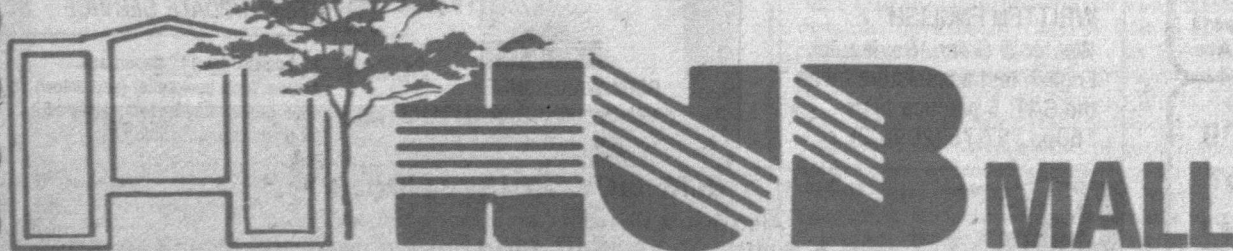
In her book Cannabis Criminals, Patricia Erickson, a criminologist with the ARF, finds that being criminalized for cannabis possession has no effect on a person's cannabis use. But it does have negative consequences in other aspects of the person's life.

"The implications of Erickson's findings is a stark indictment of the logic of our cannabis laws," says John Hagan, PhD, of the university of Toronto's sociology department. "The role laws have played in creating 'cannabis criminals' is a social embarrassment it may no longer be possible to ignore."

A federal survey estimates that more than four million Canadians have used marijuana. More than half of all Canadian high school graduates since 1970 have possessed marijuana. A 1977 survey revealed that more than 70 per cent of students at Toronto's Osgoode Hall Law School intended to continue to use marijuana after graduation.



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