

THE RISKS OF LEGALIZING CANNABIS**Context:**

- ▶▶ There is a growing movement in the West to legalise cannabis, with rumblings of the same rising viciously in India.

What is Cannabis?

- ▶▶ Cannabis is a generic term used to denote the several psychoactive preparations of the plant *Cannabis sativa*.
- ▶▶ The Mexican term 'marijuana' is frequently used in referring to cannabis leaves or other crude plant material in many countries.
- ▶▶ The Marijuana has two major components CBD (cannabidiol) and THC (tetrahydrocannabinol)
- ▶▶ though cannabis contains more than 500 other chemicals.
- ▶▶ It is THC which is the primary psychoactive components of Marijuana, which is the major determinant of potency of marijuana.

Cannabis in India:

- ▶▶ In India, cannabis, also known as bhang, ganja, charas or hashish, is typically eaten (bhanga golis, thandai, pakoras, lassi, etc.) or smoked (chillum or cigarette).
- ▶▶ In India, there is a tradition of using cannabis in many religious contexts.
- ▶▶ But although Ayurvedic texts refer to cannabis as a treatment for several maladies, what is often overlooked is that it is categorised as Upavisha Varga (sub poisonous), and its recreational use has been described as toxic.
- ▶▶ Marijuana (or hemp), part of the cannabis super-family, is illegal for commercial cultivation though it grows as weed in several parts of the country.
- ▶▶ Uttarakhand, Jammu and — recently Uttar Pradesh — have allowed restricted cultivation of the plant for medical research.

Legal Framework in India:**1. The 1985 Narcotic Drugs and Psychoactive Substances Act**

- ▶▶ The NDPS Act 1985 bans commercial cultivation of cannabis.
- ▶▶ The bar does not apply to an edible preparation called bhang, which is allowed in some States.

2. 1961 UN Single Convention on Narcotics Drugs

- ▶▶ The Single Convention on Narcotic Drugs of 1961 is an international treaty to prohibit production and supply of specific (nominally narcotic) drugs and of drugs with similar effects except under licence for specific purposes, such as medical treatment and research.
- ▶▶ The Single Convention refers to drug addiction as “a serious evil for the individual [that] is fraught with social and economic danger to mankind”.

Busting Myths:

- ▶▶ There are many misconceptions about cannabis. Few among them are as below:

1. Cannabis is Harmless:

- ▶▶ First, it is not accurate that cannabis is harmless. In the U.S., cannabis is being incorrectly advertised as being “natural” and healthier than alcohol and tobacco.
- ▶▶ Its immediate effects include impairments in memory and in mental processes, including ones that are critical for driving.
- ▶▶ Long-term use of cannabis may lead to the development of addiction of the substance, persistent cognitive deficits, and of mental health problems like schizophrenia, depression and anxiety. Exposure to cannabis in adolescence can alter brain development.
- ▶▶ Commercial entities also understand that targeting the young assures them lifelong customers.
- ▶▶ A new array of cannabis products in the form of ice creams, sweets, and even soft-drinks are becoming available.

2. If Cannabis is Legalised and Regulated, its Harms can be Minimised:

- ▶▶ The other myth is that if cannabis is legalised and regulated, its harms can be minimised. With legalisation comes commercialisation. This comes at a cost which we have seen with tobacco and alcohol over the last century.
- ▶▶ The morbidity and mortality associated with tobacco and alcohol rank amongst the top 10 in terms of the global disease burden.
- ▶▶ The legal marijuana market is currently worth more than \$7 billion globally, and is expected to hit \$31 billion by 2021.
- ▶▶ Tobacco, too, was initially touted as a natural and harmless plant that had been “safely” used in South American religious ceremonies for centuries.
- ▶▶ The tobacco industry invented cigarettes for ease of use, altered the acidity of tobacco to make it less harsh, added other chemicals to improve its taste, mass-produced cigarettes, and sold them using sophisticated advertising.
- ▶▶ It manipulated knowledge about the adverse effects of tobacco despite being aware of these effects, and successfully staved off legal battles for decades.

- ▶▶ No amount of taxation of the tobacco industry can compensate for the health toll on billions of tobacco users over the last century.
- ▶▶ Despite knowledge of the risks of smoking, cigarettes remain legal and the tobacco industry continues to thrive. This also highlights the point that once out, the genie cannot be put back into the bottle.

3. Regulation can abolish Black markets

- ▶▶ The West also says that legalising and regulating cannabis will undermine criminal markets.
- ▶▶ This view has been echoed by few sitting MPs in parliament last year.
- ▶▶ Yet, as we have seen in Colorado, the black market has only increased.

Why Marijuana Should Remain Illegal?

1. Marijuana Causes Psychosis

- ▶▶ Marijuana can trigger mental health related issues in its users.
- ▶▶ THC (Tetrahydrocannabinol) in marijuana has been proved to cause psychosis.
- ▶▶ Those who use it as adolescents or younger may be more likely to develop mental health problems later in life.
- ▶▶ In some cases, it can also make people feel nauseous, lethargic, forgetful, anxious, or confused.

2. Marijuana is a Gateway Drug:

- ▶▶ Cannabis has been engineered to become much more potent addictive. Growers has decreased level of CBD (cannabidiol) and increased level of THC.
- ▶▶ A vulnerable person who will abuse it as a gateway drug before moving to more dangerous substances. In a study it was found that 45% who used marijuana also used other 'Hard' drugs.

3. Marijuana Damages Organs:

- ▶▶ The World Health Organization has listed a number of diseases associated with the consumption of marijuana, including impairment in cognitive functioning, airway injury, bronchitis and lung inflammation.

4. Regulations difficult to Enforce:

- ▶▶ If marijuana will be available at a pharmacy with a prescription (like in the US) how government will ensure that it's not bought for recreational purpose. Considering, cough syrups and inhalants are freely accessible and brought incessantly by addicts.

Legalisation, decriminalisation and commercialisation:

- ▶▶ It is important to make a distinction between legalisation, decriminalisation and commercialisation.
- ▶▶ While legalisation and decriminalisation are mostly used in a legal context, commercialisation relates to the business side of things.
- ▶▶ The goal of commercialisation is to sell as much of the product, and the cannabis industry is steadily growing in the U.S.
- ▶▶ In fact, as the sale of tobacco products have shown signs of a decline in the West, some tobacco companies have entered the cannabis market.
- ▶▶ These commercial entities will bring their wealth of experience navigating the law, their successful marketing, their well-oiled lobbying, and deep pockets to influence the government to maximise profit and minimise risk to their commercial enterprise.
- ▶▶ Recently a business giant in tobacco products, Altria has invested \$1.8 billion (₹12,400 crore) in the cannabis industry is notable.

Way Ahead:

- ▶▶ In 1961, driven by Western nations, the UN sponsored an international treaty to prohibit the production and supply of drugs including cannabis. India resisted and negotiated exceptions, loopholes, and deferrals.
- ▶▶ But it is ironic that the West is now legalising cannabis and other drugs. Given that some in India are clamouring for the same, the country should carefully consider all the risks, and consider alternatives.
- ▶▶ One, it could decriminalise cannabis but forbid commercialisation.
- ▶▶ Two, if India were to liberalise its policy on cannabis, it should ensure that there are enough protections for children, the young, and those with severe mental illnesses, who are most vulnerable to its effects.
- ▶▶ Finally, treatments for those who become addicted to cannabis should be offered.
- ▶▶ Having conducted medical research on cannabis at Yale University for several decades, India should carefully weigh the risks and benefits of cannabis before blindly following suit with the West.