

Cannabis is Not a Recreational Drug

A Position Paper By Dennis Peron

It's now just 10 days before the November 8, 2016 elections and as a long time cannabis activist I find myself contemplating what I have learned from the latest initiative, Prop 64: The Control, Regulate and Tax the Adult Use of Marijuana Act. First, the good. What Prop 64 has done well is prove that at the state level, the powers have endorsed an approach to the further mainstreaming of cannabis. The other thing Prop 64 has done is that it has brought spirited debate amongst those of us who have an interest in cannabis. Since it's a long and complex document, it has forced us to closely consider the details within it and decide if, on the whole, Prop 64 represents cannabis law that is right for us personally and for fellow citizens. Unfortunately those positives don't outweigh the fundamental problem with Prop 64 in that it attempts to make cannabis "recreational" which I have an issue with. What the rest of this paper will explore is why no law should exist that puts cannabis in a **non-medical** or **recreational** classification.

I co-authored Prop 215 back in 1996 which made it legal to use, possess and cultivate cannabis for medical reasons. I have never been an advocate of non-medical cannabis. I have always seen cannabis as a medicine. If we were to define medicine as a substance taken to provide **relief, repair or prevention** of an ailment or condition, cannabis would fit neatly within all three of those categories.

The implied definition of Cannabis as non-medical or recreational creates enormous problems when attempting to craft a regulatory framework that must provide equal protection under the law for both types of uses. So why wrestle with defining cannabis in either a medical or recreational context in the first place? Why spend all this time, money and energy to force the same plant being used for medical purposes into some type of legal framework that would it allow it to be marketed as recreational when it is no different in either form? It comes down to control and power over the plant and the control and power over the people who desire access to that plant. By creating a recreational classification for the same plant those who seek to control cannabis are gaining that control by invalidating the medical use of cannabis. The issue simply is that one substance cannot have two sets of laws applied to it and still claim equality when enforced.

The sad fact is that those globalists who refer to cannabis use as recreational, want to profit from it. Controlling cannabis in a recreational market provides the ruling class with a new vehicle for control of society and a new revenue stream. In spite of all the reasons that have been cited here to maintain a **medicinal use only** cannabis market, there may be a form of cannabis that could be distributed as an "over the counter" drug; one that has such a low percentage of THC that it would be in a class such as cough syrup; where certain genetics could be grown to meet that market? That I believe is an idea worth exploring and one that the 1% would quickly corner the market on. To that I say, "Have at it!"

Another thing to consider when attempting to classify cannabis as recreational is that it would be categorized association with other recreational drugs such as tobacco and alcohol. There is a fundamental disparity in that logic. Alcohol does not have any medicinal value. It only has a **recreational value** which, when taken in excess, that **value** deteriorates to addiction. By simply being over a certain age you are not limited to how much alcohol or tobacco you can buy. With medical cannabis, a physician interface is a legal requirement prior to being given the right to cultivate or possess. Since cannabis does not present toxic threats that might occur with overconsumption of alcohol or tobacco, then hypocrisy would exist if cannabis was accepted as “recreational” and in the same category as alcohol or tobacco where a physician's recommendation is not required.

Cannabis should never be categorized as “recreational” and treated equal to alcohol. For that precise reason I have long advocated that cannabis be treated as a medicine. The fact that since 1996, with the passing of Prop 215, in the eyes of the State of California cannabis has been seen as a legally beneficial medicinal drug which puts it in a category that alcohol can not rise to. It's not asking too much that cannabis remain a medically supervised drug with all the benefits realized under Prop 215. Under Prop 64, medicine to one person is seen as recreational to another. It makes no sense.

When considering the intent and purpose of any law that would **control, regulate and tax** cannabis, let's not forget in the past 80 years, we have been imprisoned, lost jobs, lost families and paid heavy dues for pursuing the benefits of cannabis. While the passage of Prop 215 was an early sign of the people and governments recognition on the value cannabis holds to those who need it, the reality is we have continued to suffer by a government and legal system that has not taken Prop 215 seriously. If they had we would have built upon Prop 215 with additional framework, standards and protocols, such as: determining allowable pesticide toxicity limits; create pathways for bringing cannabis cultivation out of the shadows and into a regulated framework for the protection of farmers, employees and patient, especially in municipalities with discriminatory zoning laws; provide sick, disabled and dying patients fundamental rights to cannabis without aggressive prosecution; and introduce legislation that reduces and expunges sentences for cannabis related charges. Instead, government inaction has led us to an “all or nothing” vote on a proposed draconian fix which is Prop 64 that if passed would disembowel the freedoms that we earned under Prop 215.

What can we do about our current situation and where do we go from here? We begin by stopping Prop 64 in its tracks. This symbolizes the voters desire to see Prop 215 protected and not be taken over by a new initiative that allows a 2/3 majority vote of the Assembly to change or amend the voter intent. Prop 64 has such language. That type of language in any initiative/law is dangerous. What stops the government from later taking that 2/3 majority rule and turning into a simple majority rule? Nothing! It's a slippery slope and one we as voters should never allow to happen, just because it seems convenient.

Once Prop 64 is defeated the next action would be a critical analysis of any bill subsequent to the passage of Prop 215 such as SB643, AB243, AB266 (MCRSA), as well as others to determine their constitutionality under Prop 215.

Once Prop 64 is defeated we must demand that legislators introduce a bill that would reduce and expunge cannabis related offenses. That has to stop now as it is morally and ethically wrong regardless of whether or not Prop 64 passes.

Once Prop 64 is defeated, we must eliminate the opportunity for family courts to use a medical card as ammunition against a parent who possesses or cultivates cannabis when seeking custodial rights. That has to stop now as it is morally and ethically wrong regardless of whether or not Prop 64 passes.

Once Prop 64 is defeated, the recognized medicinal value of cannabis would better serve the dialogue between countries with membership in signatory treaties (which prohibit the cultivation, possession or distribution of cannabis regardless of its use in any form), and might facilitate treaty compromises that don't exist in the recreational arena.

Once Prop 64 is defeated we need to demand legislation that addresses our commercial cannabis farmers and their employees. They are the backbone of our industry and they tend to be the poorest of the poor. Their love for cannabis is what keeps them coming back to the industry to work. Let's support them with a dignified livable wage, but in return they need to become trained and certified in best practices for water conservation, natural predator and/or organic pesticides, proper handling, storage and shipping of medical crops for patient safety and product purity.

Once Prop 64 is defeated we "the people" want to be invited to the table to draft laws and regulations that affect cannabis. This didn't happen with Prop 64. Instead it opened our eyes to issues that resonate with the common people who will be most affected by the new legislation.

Prop 64 is a perfect example of how to write a bad cannabis law. It is and will remain priceless information for those of us who seek to maintain our freedom, civil liberties, human rights and sanity when we actually consider the benefits, or lack thereof, from any law that would attempt to fit a square peg into a round hole by forcing a "recreational cannabis" model into the framework of our "medical cannabis" industry. It doesn't work for a very simple reason. Cannabis is not a "recreational" drug.

Respectfully,

Dennis Peron

I would like to express my sincere appreciation to all those seasoned activists who for years have worked tirelessly to help create and protect our rights under Prop 215. Your efforts have assisted me, either directly or indirectly, in the development of this paper. Much love and respect goes out to: Jack Herer, Steve Kubby, Ed Rosenthal, Wayne Justmann, Wolf Segal, Casper Leitch, Joe Hemp and to the many others who contributed, but I have missed crediting by name. Thank you all. Our world is a much better place because of warriors like you. Stay strong! Stay vigilant!

