

VOLUME 1 AND ISSUE 1 OF 2023
INSTITUTE OF LEGAL EDUCATION



### **ILE Journal of Equity and Justice**

(Free Publication and Open Access Journal)

Journal's Home Page - https://jej.iledu.in/

Journal's Editorial Page - <a href="https://jej.iledu.in/editorial-board/">https://jej.iledu.in/editorial-board/</a>

Volume 1 and Issue 1 (Access Full Issue on - <a href="https://jej.iledu.in/category/volume-1-and-issue-1-of-2023/">https://jej.iledu.in/category/volume-1-and-issue-1-of-2023/</a>)

### **Publisher**

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# ILE JOURNAL OF EQUITY AND JUSTICE Volume I and Issue I of 2023

ISBN - 978-81-961791-3-7

# Published by

Institute of Legal Education

https://iledu.in

### **LEGALIZATION OF MARIJUANA**

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**Best Citation** - Akash G, LEGALIZATION OF MARIJUANA, *ILE Journal of Equity and Justice*, 1 (1) of 2023, Pg. 101-106, ISBN - 978-81-961791-3-7.

### Abstract

The legalization of marijuana has been a topic of debate for many years. Supporters argue that it has numerous medical benefits and can significant generate tax revenue governments, while opponents believe that it poses a significant risk to public health and safety. Advocates for marijuana legalization point to the drug's potential medical benefits, such as its ability to alleviate symptoms of chronic pain and nausea, and its potential to treat conditions like epilepsy and PTSD. They also argue that legalizing marijuana can generate significant tax revenue governments, create jobs in the cannabis industry, and reduce the burden on law enforcement agencies. Opponents of marijuana legalization argue that the drug is addictive and can have negative effects on mental health, cognitive function, and lung function. They also express concerns about the potential for increased use among youth, and the impact of marijuana use on driving and workplace safety. While there are risks associated with the legalization of marijuana, many of these can be mitigated through regulation and education. For example, policymakers can implement age limits, restrict advertising, and provide public education campaigns about the risks of marijuana use. the legalization of marijuana has the potential to provide significant benefits, improved including access to medical marijuana, reduced incarceration rates, and increased tax revenue. However, it is important for policymakers to weigh the potential benefits and risks before making any policy changes. Any legalization effort should also include

regulations and guidelines to ensure public health and safety.

### I. <u>INTRODUCTION:</u>

Marijuana is a plant-based drug that is used recreationally and medicinally. It has been illegal in many countries for many years, with possession and sale often carrying severe penalties. The legalization of marijuana refers to the process of allowing the possession, use, cultivation, and sale of marijuana for medical or recreational purposes under certain regulations and restrictions. Marijuana, also known as cannabis, has been a topic of debate for many years due to its controversial status as a controlled substance. Supporters of legalization argue that it could have various benefits, such as reducing crime rates, generating tax revenue, and providing medical benefits to those in need. They also argue that the criminalization of marijuana has disproportionately affected certain communities, leading to issues such as racial discrimination and mass incarceration. Opponents of legalization, on the other hand, argue that it could lead to an increase in drug use and dependency, as well as potentially harmful effects on public health and safety. They also argue that the drug's legalization could send the wrong message to young people and contribute to a decline in overall societal values. Currently, the status of marijuana legalization varies widely between countries and regions, with some jurisdictions allowing it for medical or recreational use, while others continue to prohibit it outright. As the debate continues, policymakers and citizens will need to weigh the potential benefits and drawbacks of legalization to make informed



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decisions about its future. This article will explore the arguments for and against legalization, including medical benefits, potential revenue, social implications, and negative effects on health and well-being.

### II. BENEFITS OF LEGALISING MARIJUANA:

### A. Medical benefits of marijuana:

Marijuana has been shown to have several medical benefits, particularly in treating chronic pain and certain medical conditions. Research has shown that marijuana has several medical benefits, including the ability to alleviate chronic pain, reduce anxiety and depression, and even improve symptoms of PTSD. In addition, marijuana has been shown to be effective in treating several medical conditions, such as epilepsy, multiple sclerosis, and cancer. Here are some of the most well-documented medical benefits of marijuana:

**Pain relief:** Marijuana has been used for centuries to alleviate pain, and research has confirmed its effectiveness in treating chronic pain caused by conditions such as arthritis, multiple sclerosis, and neuropathy.<sup>159</sup>

**Nausea and vomiting**: Marijuana has been found to reduce nausea and vomiting caused by chemotherapy, and is often used to alleviate these side effects.<sup>160</sup>

**Muscle spasms:** Marijuana has been shown to reduce muscle spasms in people with multiple sclerosis, which can be particularly debilitating.<sup>161</sup>

**Seizures**: Some studies have found that marijuana can help reduce the frequency and severity of seizures in people with epilepsy.

**Anxiety and depression:** While the evidence is mixed, some research has suggested that marijuana can alleviate symptoms of anxiety and depression.

159 Hill KP. Medical Marijuana for Treatment of Chronic Pain and Other Medical and Psychiatric Problems: A Clinical Review. **Inflammation**: Marijuana has been shown to have anti-inflammatory properties, which can be beneficial in treating conditions such as Crohn's disease and rheumatoid arthritis.<sup>162</sup>

Legalizing marijuana would allow patients to access the marijuana legally and safely, without having to resort to illegal means to obtain it and It's worth noting that while marijuana has been shown to have medical benefits, it also carries some risks, particularly when used recreationally. Like any medication, it should only be used under the guidance of a healthcare professional.

# B. Economic benefits of legalization of marijuana:

**Increased tax revenue**: Legalizing marijuana could result in increased tax revenue for governments at both the state and federal level. 163 As a legal product, marijuana could be taxed similarly to other consumer goods, generating revenue that could be used to fund public services such as education, healthcare, and infrastructure.

**Job creation:** The legalization of marijuana could create new job opportunities in a variety of sectors, including agriculture, manufacturing, retail, and distribution.<sup>164</sup> The marijuana industry has already created tens of thousands of jobs in states where it is legal, and further growth is expected as more states legalize and regulate the industry.

**Economic growth:** The marijuana industry could become a significant contributor to economic growth in the United States, particularly as more states legalize and regulate the industry. <sup>165</sup>Legal marijuana sales in the U.S. are expected to

<sup>&</sup>lt;sup>160</sup> Maida V, Corban J. Medical cannabis. Can Fam Physician. 2018;64(2):111-118.

<sup>&</sup>lt;sup>161</sup> Zajicek JP, Hobart JC, Slade A, et al. Multiple sclerosis and extract of cannabis: results of the MUSEC trial. J Neurol Neurosurg Psychiatry. 2012;83(11):1125-1132.

<sup>&</sup>lt;sup>162</sup> Naftali T, Mechulam R, Lev LB, et al. Cannabis for inflammatory bowel disease. Dig Dis. 2014;32(4):468-474.

<sup>&</sup>lt;sup>163</sup> Caulkins JP, Kilmer B, Kleiman MA, MacCoun RJ, Midgette G, Oglesby P, Pacula RL, Reuter PH. Considering Marijuana Legalization: Insights for Vermont and Other Jurisdictions. Santa Monica, CA: RAND Corporation, 2015. <a href="https://www.rand.org/pubs/research\_reports/RR864.html">https://www.rand.org/pubs/research\_reports/RR864.html</a>

<sup>&</sup>lt;sup>164</sup> Anderson DM, Hansen B, Rees DI. Medical Marijuana Laws, Traffic Fatalities, and Alcohol Consumption. J Law Econ. 2013;56(2):333-369. doi:10.1086/670026

Pacula RL, Kilmer B, Wagenaar AC, Chaloupka FJ, Caulkins JP. Developing Public Health Regulations for Marijuana: Lessons from Alcohol and Tobacco. Am J Public Health. 2014;104(6):1021-1028. doi:10.2105/AJPH.2013.301766



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reach nearly \$41 billion by 2025, making it one of the fastest-growing industries in the country.<sup>166</sup>

**Reduced criminal justice costs:** Legalizing marijuana could result in reduced costs for law enforcement, courts, and prisons, as fewer resources would be needed to enforce and prosecute marijuana-related crimes. This could free up resources to be used for other law enforcement priorities, such as combating violent crime.

It's worth noting that not all economists agree on the potential economic benefits of legalizing marijuana, and there are also potential downsides to consider. However, the potential economic benefits are often cited as a major reason to consider legalization.

### C. Social implications of legalization:

One argument for legalizing marijuana is that it can lead to reduced crime rates. This argument is based on the premise that legalizing marijuana can reduce the incentive for people to engage in illegal activities associated with the production, sale, and use of marijuana. Here are some potential ways that legalizing marijuana can reduce crime rates:

**Reducing illegal drug trade**: Legalizing marijuana can reduce the size of the illegal drug trade, which can have a ripple effect on associated crimes, such as theft, violence, and organized crime.

Freeing up law enforcement resources: Legalizing marijuana can free up law enforcement resources that can be redirected towards more serious crimes, such as violent crimes and property crimes.

**Reducing drug-related arrests and convictions:** Legalizing marijuana can reduce drug-related arrests and convictions, which can reduce the burden on the criminal justice system and reduce the number of people incarcerated for drug offenses.

**Reducing gang activity:** The illegal drug trade is often associated with gang activity, which can lead to violence and other criminal activities. Legalizing marijuana can reduce the incentive for gangs to engage in illegal activities associated with the drug trade.

Overall, the argument for reduced crime rates as a result of legalizing marijuana is based on the belief that legalizing marijuana can reduce the incentive for people to engage in illegal activities associated with the drug trade. However, this argument is not without controversy and is subject to debate.

# III. CONCERNS AND CRITICISMS OF LEGALISING MARIJUANA:

# A. Adverse effects on well-being and health:

Opponents of legalization argue that marijuana is a harmful drug that can have negative effects on physical and mental health. They argue that legalizing marijuana would lead to an increase in use, particularly among young people, and that this could have long-term consequences on their development and well-being. The health risks and concerns mentioned above in the context of legalizing marijuana refer to the potential negative effects that marijuana use can have on an individual's physical and mental health. Here are some of the health risks and concerns associated with marijuana use:

**Respiratory problems:** Smoking marijuana can cause respiratory problems, similar to those associated with smoking tobacco. These can include chronic bronchitis, coughing, and wheezing.

**Cardiovascular risks:** Marijuana use can increase heart rate and blood pressure, which can be dangerous for people with pre-existing cardiovascular conditions.

**Impaired driving:** Marijuana use can impair driving ability and increase the risk of motor vehicle accidents, similar to alcohol impairment.

<sup>166</sup> New Frontier Data. "Cannabis Industry Annual Report: 2021 Edition."
2021. <a href="https://newfrontierdata.com/product/cannabis-industry-annual-report-2021-edition/">https://newfrontierdata.com/product/cannabis-industry-annual-report-2021-edition/</a>



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**Mental health**: Marijuana use has been linked to an increased risk of mental health problems, such as depression, anxiety, and psychosis. It can also worsen symptoms in people with existing mental health conditions.

**Pregnancy and breastfeeding:** Marijuana use during pregnancy and breastfeeding can have negative effects on the developing fetus or infant.

Overall, the health risks and concerns associated with marijuana use are an important consideration in the debate around legalizing marijuana. While some argue that legalizing marijuana can reduce harm by providing regulated and safe access to the drug, others are concerned about the potential negative health consequences of increased marijuana use. It is important to carefully consider these risks and take steps to minimize.

### B. Negative impact on youth:

**Brain development:** Marijuana use can have negative effects on brain development, which continues until the mid-20s. Heavy marijuana use during adolescence can lead to impaired cognitive function, including memory, attention, and decision-making skills.

**Educational outcomes**: Marijuana use can negatively impact educational outcomes, including lower grades, lower achievement, and reduced likelihood of completing high school or pursuing higher education.

**Increased use**: Legalizing marijuana may lead to increased use among youth, as they may perceive the drug as less harmful or more socially acceptable.

Overall, the negative impact on youth is an important consideration in the debate around legalizing marijuana. While some argue that legalizing marijuana can help to regulate its use and reduce harm, others are concerned about the potential negative effects on young people

### C. Addiction and abuse potential:

Opponents also argue that legalization could lead to an increase in drug addiction and

dependency. While some proponents argue that marijuana is not physically addictive, opponents argue that it can be psychologically addictive and can lead to a dependency on the drug. Addiction is characterized by compulsive drug-seeking behaviour and continued use despite negative consequences. The risk of developing an addiction to marijuana varies depending on factors such as genetics, age of onset, and frequency of use. Research suggests that up to 1 in 10 people who use marijuana will become addicted to it. In addition to addiction, the abuse potential of marijuana is also a concern. Abusing marijuana involves using it in ways that are harmful to one's physical and mental health. For example, using marijuana in large amounts or over a prolonged period can lead to impaired cognitive function, memory attention problems, and and reduced academic and social achievement. It can also lead to a number of negative physical health consequences, such as respiratory problems, cardiovascular risks, and a weakened immune system. Considering the addiction and abuse potential of marijuana is important when debating its legalization. While proponents of legalization argue that it can provide regulated and safe access to the drug and reduce harm associated its use, opponents are with about the potential negative concerned consequences of increased use. It is important to take steps to minimize the risks associated with addiction and abuse potential, such as providing education and prevention programs, regulating promotion marketing and marijuana products, implementing and measures to prevent youth access.

# IV. <u>IMPACT ON LEGALISATION OF</u> MARIJUANA:

The impact of marijuana legalization on society is multifaceted and varies depending on the specific legal framework and cultural context in which it takes place. Here are some potential impacts:

**Changes in public perception:** Legalizing marijuana can lead to a shift in public



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perception of the drug from being seen as a criminal substance to being considered a legitimate product for medical or recreational use.

Health consequences: The health consequences of marijuana legalization can be both positive and negative. For example, while marijuana may have therapeutic benefits, it may also lead to increased use and abuse, and may have negative effects on mental health.

Changes in drug policy: Legalizing marijuana may have implications for broader drug policy, including decriminalization and regulation of other drugs.

Social equity: Legalizing marijuana may provide an opportunity to address social equity issues, including the disproportionate impact of drug laws on marginalized communities.

Overall, the impact of marijuana legalization on society is complex and requires careful consideration of both potential benefits and risks. It is important for policymakers to weigh these factors when considering whether or not to legalize marijuana

#### V. **CONCLUSION:**

Marijuana legalisation is a controversial topic that has been debated for years. Supporters argue that it has numerous medical benefits and can generate significant tax revenue for governments, while opponents believe that it poses a significant risk to public health and safety. The debate on the legalization of marijuana is complex and multifaceted, with valid arguments on both sides. After analysing the evidence, it can be concluded that the legalization of marijuana can have both positive and negative effects. On one hand, it can lead to increased tax revenue, reduced incarceration rates, and improved access to medical marijuana for those who need it. On the other hand, it can also lead to increased use among impaired driving, and addiction. Therefore, it is important for policymakers to carefully consider the potential benefits and risks before deciding to legalize marijuana. Any

legalization effort should also include regulations and guidelines to ensure public health and safety, such as age limits, restrictions on advertising, and measures to prevent impaired driving. Overall, while the legalization of marijuana is not without risks, it has the potential to provide significant benefits if done responsibly. Ultimately, the decision to legalize marijuana should be based on a thorough examination of the available evidence and the potential benefits and risks.

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