

the law against marijuana is immoral in principle and unworkable in practice

"All laws which can be violated without doing anyone any injury are laughed at. Nay, so far are they from doing anything to control the desires and passions of man that, on the contrary, they direct and incite men's thoughts toward these very objects; for we always strive toward what is forbidden and desire the things we are not allowed to have. And men of leisure are never deficient in the ingenuity needed to enable them to outwit laws framed to regulate things which cannot be entirely forbidden. ...He who tries to determine everything by law will foment crime rather than lessen it."- Spinoza

The herb *Cannabis sativa*, known as 'Marihuana' or 'Hashish', is prohibited under the Dangerous Drugs Act (1965). The maximum penalty for smoking cannabis is ten years' imprisonment and a fine of £1,000. Yet informed medical opinion supports the view that cannabis is the least harmful of pleasure-giving drugs, and is, in particular, far less harmful than alcohol. Cannabis is non-addictive, and prosecutions for disorderly behaviour under its influence are unknown.

The use of cannabis is increasing, and the rate of increase is accelerating. Cannabis smoking is widespread in the universities, and the custom has been taken up by writers, teachers, doctors, businessmen, musicians, scientists, and priests. Such persons do not fit the stereotype of the unemployed criminal dope fiend. Smoking the herb also forms a traditional part of the social and religious life of hundreds of thousands of immigrants to Britain.

A leading article in *The Lancet* (9 November, 1963) has suggested that it is "worth considering ... giving cannabis the same status as alcohol by legalising its import and consumption ... Besides the undoubted attraction of reducing, for once, the number of crimes that a member of our society can commit, and of allowing the wider spread of something that can give pleasure, a greater revenue would certainly come to the State from taxation than from fines. ...Additional gains might be the reduction of inter-racial tension, as well as that between generations."

The main justification for the prohibition of cannabis has been the contention that its use leads to heroin addiction. This contention does not seem to be supported by any documented evidence, and has been specifically refuted by several authoritative studies. It is almost certainly correct to state that the risk to cannabis smokers of becoming heroin addicts is far less than the risk to drinkers of becoming alcoholics.

Cannabis is usually taken by normal persons for the purpose of enhancing sensory experience. Heroin is taken almost exclusively by weak and disturbed individuals for the purpose of withdrawing from reality. By prohibiting cannabis Parliament has created a black market where heroin could occasionally be offered to persons who would not otherwise have had access to it.

Potential addicts, having found cannabis to be a poor escape route, have doubtless been tempted to try heroin; and it is probable that their experience of the harmlessness and non-addictive quality of cannabis has led them to underestimate the dangers of heroin. It is the prohibition of cannabis, and not cannabis itself, which may contribute to heroin addiction.

The present system of controls has strongly discouraged the use of cannabis preparations in medicine. It is arguable that claims which were formerly made for the effectiveness of cannabis in psychiatric treatment might now bear re-examination in the light of modern views on drug therapy; and a case could also be made out for further investigation of the antibiotic properties of cannabidiolic acid, one of the constituents of the herb. The possibility of alleviating suffering through the medical use of cannabis preparations should not be dismissed because of prejudice

concerning the social effects of 'drugs'.

The Government ought to welcome and encourage research into all aspects of cannabis smoking, but according to the law as it stands no one is permitted to smoke cannabis under any circumstances, and exceptions cannot be made for scientific and medical research. It is a scandal that doctors who are entitled to prescribe heroin, cocaine, amphetamines and barbiturates risk being sent to prison for personally investigating a drug which is known to be less damaging than alcohol or even tobacco.

A recent leader in The Times called attention to the great danger of the "deliberate sensationalism" which underlies the present campaign against 'drugs' and cautioned that: "Past cases have shown what can happen when press, police and public all join in a manhunt at a moment of national anxiety". In recent months the persecution of cannabis smokers has been intensified. Much larger fines and an increasing proportion of unreasonable prison sentences suggest that, the crime at issue is not so much drug abuse as heresy.

The prohibition of cannabis has brought the law into disrepute and has demoralized police officers faced with the necessity of enforcing an unjust law. Uncounted thousands of frightened persons have been arbitrarily classified as criminals and threatened with arrest, victimisation and loss of livelihood. Many of them have been exposed to public contempt in the courts, insulted by uninformed magistrates and sent to suffer in prison. They have been hunted down with Alsatian dogs or stopped on the street at random and improperly searched. The National Council for Civil Liberties has called attention to instances where drugs have apparently been 'planted' on suspected cannabis smokers. Chief Constables have appealed to the public to inform on their neighbours and children. Yet despite these gross impositions and the threat to civil liberties which they pose the police freely admit that they have been unable to prevent the spread of cannabis smoking.

Abuse of opiates, amphetamines and barbiturates has become a serious national problem, but very little can be done about it so long as the prohibition of cannabis remains in force. The police do not have the resources or the manpower to deal with both cannabis and the dangerous drugs at the same time. Furthermore prohibition provides a potential breeding ground for many forms of drug abuse and gangsterism. Similar legislation in America in the 'twenties brought the sale of both alcohol and heroin under the control of an immensely powerful criminal conspiracy which still thrives today. We in Britain must not lose sight of the parallel.

MEDICAL OPINION

"There are no lasting ill-effects from the acute use of marihuana and no fatalities have ever been recorded. ... The causal relationship between these two events (marihuana smoking and heroin addiction) has never been substantiated. In spite of the once heated interchanges among members of the medical profession and between the medical profession and law enforcement officers there seems to be a growing agreement within the medical community, at least, that marihuana does not directly cause criminal behaviour, juvenile delinquency, sexual excitement, or addiction."

Dr. J. H. Jaffe, in *The Pharmacological Basis of Therapeutics*,
L. Goodman and A. Gillman, Eds., 3rd Ed. 1965

"Certain specific myths require objective confrontation since otherwise they recurrently confuse the issue, and incidentally divert the energy and attention of police and customs and immigration authorities in directions which have very little to do with the facts and much more to do with prejudiced beliefs. The relative innocence of marijuana by comparison with alcohol is one such fact, its social denial a comparable myth."

Dr. David Stafford-Clark, Director of Psychological Medicine, Guy's Hospital. The Times, 12 April 1967.

"Marijuana is not a drug of addiction and is, medically speaking, far less harmful than alcohol or tobacco ... It is generally smoked in the company of others and its chief effect seems to be an enhanced appreciation of music and colour and together with a feeling of relaxation and peace. A mystical experience of being at one with the universe is common, which is why the drug has been highly valued in Eastern religions. Unlike alcohol, marijuana does not lead to aggressive behaviour, nor is it aphrodisiac. There is no hangover, nor, so far as it is known, any deleterious physical effect."

Dr. Anthony Storr, Sunday Times, 5 February 1967

"The available evidence shows that marijuana is not a drug of addiction and has no harmful effects ... (the problem of marijuana) has been created by an ill-informed society rather than the drug itself."

Guy's Hospital Gazette, 17, 1965

"I think we can now say that marijuana does not lead to degeneration, does not affect the brain cells, is not habit-forming, and does not lead to heroin addiction."

Dr James H. Fox, Director of the Bureau of Drug abuse Control, U.S. Food and Drug administration. Quoted Champaign, Illinois News-Gazette, 25 August 1966

"Cannabis is taken for euphoria, reduction of fatigue, and relief from tension, ... (it) is a valuable pleasure-giving drug, probably much safer than alcohol."

Dr. Joel Fort, Consultant on Drug Addiction to the World Health Organisation, Lecturer in School of Criminology, University of California. From Blum, Richard Ed., Utopias 1965

"(Smoking cannabis) only occasionally is followed by heroin use, probably in those who would have become heroin addicts as readily without the marijuana."

Dr L. Bender, Comprehens. Psychiat. 1963, 4, 181-94

The signatories to this petition suggest to the Home Secretary that he implement a five point programme of cannabis reform:

1. The government should permit and encourage research into all aspects of cannabis use, including its medical applications.
2. Allowing the smoking of cannabis on private premises should no longer constitute an offence.
3. Cannabis should be taken off the dangerous drugs list and controlled, rather than prohibited, by a new ad hoc instrument.
4. Possession of cannabis should either be legally permitted or at most be considered a misdemeanour, punishable by a fine of not more than £10 for a first offence and not more than £25 for any subsequent offence.
5. All persons now imprisoned for possession of cannabis or for allowing cannabis to be smoked on private premises should have their sentences commuted.

Jonathan Aitken

Tariq Ali

David Bailey

Humphrey Berkeley

Anthony Blond

Derek Boshier

Sidney Briskin

Peter Brook

Dr. David Cooper

Dr. Francis Crick, F.R.S.

David Dimbleby

Tom Driberg, M.P.

Dr. Ian Dunbar

Brian Epstein

Dr. Aaron Esterson

Peter Fryer

John Furnival

Tony Garnett

Clive Goodwin

Graham Greene

dsh

Richard Hamilton

George Harrison, M.B.E.

Michael Hastings

Dr. J.M. Heaton

David Hockney

Jeremy Hornsby

Dr. S. Hutt

Francis Huxley

Dr. Brian Inglis

The Revd. Dr. Victor E.S. Kenna, O.B.E.

George Kiloh

Herbert Kretzmer

Dr. R.D. Laing

Dr. Calvin Mark Lee

John Lennon, M.B.E.

Dr. D.M. Lewis

Paul McCartney, M.B.E.

David McEwen

Alasdair MacIntyre

Dr. O.D. Macrae-Gibson

Tom Mashler

Michael Abul Malik

George Melly

Dr. Jonathan Miller

Adrian Mitchell

Dr. Ann Mully

P.H. Nowell-Smith

Dr. Christopher Pallis

John Piper

Patrick Procktor

John Pudney

Alastair Reid

L. Jeffrey Selznick

Nathan Silver

Tony Smythe

Michael Schofield

Dr. David Stafford-Clark

Richard Starkey, M.B.E.

Dr. Anthony Storr

Kenneth Tynan

Dr. W. Grey Walter

Brian Walden, M.P.

Michael White

Pat Williams

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