

Marijuana prohibition canada argumentative essay bibliography

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The Controlled substance act pertaining to Marijuana has been a long on going battle as to whether marijuana should be legal in Canada and taken out of this act. The law behind the drug has a long history and many failed attempts at decriminalization. There are both positive and negative effects to this law, but I believe the positive effects weigh out the negative and that because of this marijuana will be legal in the near future.

The Marijuana laws in Canada today are unresolved, as superior courts have ruled all cannabis laws to be of "no force or effect". Although the federal level of courts have made this ruling it has not caused any changes to other Canadian jurisdictions, the Criminal Code or the Controlled Substances Act. ("Legal History of Cannabis in Canada") The Controlled Drugs and Substances Act was passed in 1996 by the government under Prime Minister John Cretien. It is Canada's federal drug control statute. This act outlines penalties for possession, trafficking and production of the substances established as illegal, including Marijuana. ("Controlled Drugs and Substances Act") Canadian laws pertaining to drugs began in 1908 with the opium act, which was replaced by the opium and narcotic drug act in 1920. Marijuana however was not added to the confidential restricted list until 1923. ("Legal History of Cannabis in Canada") Marijuana and the laws surrounding the issue only started to receive attention in the 1930's and even then it was very minimal. It wasn't until the 1960's where problems arose with the law. At this time the maximum penalty for possession of small amounts of cannabis was 6 months in prison and a \$1000 fine. A government inquiry was commissioned and public hearings were held to analyze the law over a period of three years. A report on the findings of this inquiry was

published in 1972. The “ La Dain Commission” suggested that penalties for cannabis possession be abolished, but to not legalize the substance. Of course this proposal was denied, along with other potential law reforms over the years. (“ here to help”) In Recent Years the fight for the decriminalization of Marijuana has been more persistent.

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Research showed that Marijuana for medical use could help a number of ailments and diseases. Medical Marijuana in Canada was made legal in 2001 for things such as HIV, AIDS, multiple sclerosis, spinal cord disease and injury, anorexia severe pain, seizures and persistent muscle spasms. (“ Legal History of Cannabis in Canada”) Along with the boost in medical use came a boost in personal use. According to a report from the United Nations Canada is the highest in marijuana use in the industrialized world and more than four times the global rate. “ Canadian Pot Use Four Time Global Rate”) In May 2002 Chretien introduced a bill to decriminalize marijuana for personal use. This bill was denied mainly because of pressure from the U. S and a threat to slow down border crossing between the two countries. Paul Martin in 2004 tried to pass an almost identical bill, which was also rejected. (“ Legal History of Cannabis in Canada”) It was in 2007 when Justice Minister Rob Nicholson and the conservative minority government introduced Bill C-26, which presented mandatory minimum sentences for drug offenders (“ Controlled Drugs and Substances Act”).

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A recent poll released by Toronto's Forum Research showed that majority of Canadians support relaxing marijuana laws. In fact it showed that 65 % of Canadians support either the decriminalization in small amounts or legalization and taxation of the substance. (Ballingall) Unfortunately with the new mandatory minimum sentences it seems our laws do not reflect societies views. (Wood, Antweiler) Although it seems Canadians and Americans are in favour of decriminalizing Marijuana it is important to understand the reason these laws are there in the first place.

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Marijuana is harmful to oneshealthand to youth. The president of the Canadian Police Association believes Canadians are trying to decriminalize marijuana prematurely. He says supporters of change are overlooking the risks. " We don't have the tools and the training available to us now to ensure that people aren't driving cars, for example, or operating machinery, while they're impaired by Marijuana" he said. " There are all kinds of implications that I don't think people are considering carefully enough... Its still a harmful substance ultimately" (Ballingall)

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That being said there are many negative effects to having the prohibition of Marijuana in place. The Union of B. C municipalities passed a resolution summoning research be done looking into the legalization of marijuana. They came to the conclusion that the prohibition has been ineffective in deterring youth use, and production of the plant. (Wood, Antweiler) It seems that other

measures need to be taken in order to ensure the youth of Canada don't use drugs recreationally, and criminalizing marijuana has little effect. Researchers from the University of British Columbia and Simon Fraser's university have estimated B. C's marijuana market would be worth more than \$500 million annually. Unfortunately most of the revenue goes to criminal organizations. (Wood, Antweiler) This number is based on one province alone, think of how much this number would go up if the whole country were involved in their research. The profiting of criminal organizations in turn causes more violence, guns and other illegal activity in the country. If Canada were to legalize and tax cannabis the government would then receive all the profits, this money could fund government programs such as health care, social assistance and education.

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It would also significantly decrease criminal activity, and save money in courts and jails. One of the main reasons in the past for the prohibition on marijuana was the negative response from the U. S, however there are now 12 states that have decriminalized Marijuana (Wood, Antweiler) meaning there is less pressure from our bordering Country. This and the obvious preference of legalization from Canadian citizens means it is only a matter of time before marijuana is officially decriminalized, taken out of the Controlled Drugs Act, the criminal code and consistent laws in all Canadian jurisdictions.

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This I believe will come first, and potentially government controlled sales and taxation shortly after. It would be insane for the government to not take seize the opportunity to bring in so much revenue for the country. It seems as though the prolonged struggle to legalize marijuana still needs time and The Controlled Substances Act will remain as it is for a while longer. Although there are potentially many positive effects to decriminalization and controlled sales for taxation It is clear Canada still need the time to prepare to ensure it is done safety, effectively and not detrimental to youth.

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Canadians may be ready for a change and the government will eventually have to surrender, regardless of minor health issues cannabis causes.

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