

The View from Europe
By David Jessop

Ganja and legalisation: the pros and cons

Two weeks ago, after a fierce debate, the lower house of the Uruguay Parliament took the first step towards legalising the production and possession of ganja/marijuana for domestic personal use. If, as expected, the decision is endorsed by the country's Senate in October, Uruguay will be the first nation in the world to have decriminalised the narcotic.

Uruguay's objective is to create a regulated market in ganja, end local user's dependence on the illegal production, and halt associated domestic criminality. It intends doing so by having the state control a legal local industry in ways that its President, Jose Mujica, says will recognise that marijuana is widely consumed in Uruguay - reportedly 200 tonnes per annum - while seeking to tackle what he describes as a mafia monopoly making huge profits enforced through murder and extortion.

Under the new law, Uruguay's government would license growers, sellers and consumers and maintain a confidential registry to stop people from buying more than 40g a month at pharmacies. Groups of growers of up to 45 members would be encouraged, while licensed consumers could grow up to six plants at home all overseen by an Institute for Regulation and Control of Cannabis. The growing of the crop for export would remain illegal and all unlicensed activities could bring prison terms. The aim is also to fix the potency, price and purity, generate a new tax income and remove the value of the industry from criminal gangs.

The approach to the use of ganja - the detrimental or beneficial effects of which physicians and scientists remain divided over - reflects a growing sense across Latin America that new approaches to decriminalisation are required. Although the Organisation of American States (OAS) and the Presidents of Guatemala and Colombia are also supportive and have praised the initiative ahead of the house vote, unsurprisingly it has split opinion elsewhere.

The US administration has taken a low key approach, perhaps recognising that the legislation reflects what has already happened in the states of Washington and Colorado. In contrast, during his recent visit to Brazil, Pope Francis, spoke out against the liberalisation of drugs, and the United Nations' International Narcotics Control Board has said that Uruguay's approach violates the country's international treaty obligations which require cannabis, to be exclusively used for medical and scientific purposes.

For the Caribbean, Uruguay's new policy presents a number of challenges.

Although not much spoken about the relationship between ganja production, consumption, export and economic and political stability has become something of a paradox in some of the more fragile economies of the Caribbean. There are two main reasons for this.

Firstly, ganja remains a cash crop in demand in the region and beyond. It acquires a high value because it is illegal and its cultivation theoretically clandestine. Because of this, if grown and traded, some of the income derived directly stimulates economic growth, especially within less diversified or small economies.

However, the same crop is also associated with violent crime syndicates who operate in other ways and whose actions threaten to subvert states and introduce individuals who believe they can be, and sometimes are, above the law. It together with other narcotics shipped through the region has fostered an enormous international security industry dedicated to tracking down the traffickers and maintaining its own existence, which also puts money into local economies.

What this means is that if the industry ceased to be illegal, government would see a rapid withdrawal of cash from the economy and the slowing of economic growth, to say nothing of the instability it would create if those who control the industry are displaced to other areas of criminal endeavour.

Secondly, marijuana cultivation for export in the region looks likely to increase, become more sophisticated and a growing challenge as greater interest is taken in its development by global crime networks.

As Daurius Figueira, an academic and author in the criminology unit at UWI's, St Augustine campus pointed out in a recent paper, as the Caribbean ganja industry diversifies and attempts to establish a pan regional integrated production involving high quality hybrids and high potency organics selling at between US\$3,000 to US\$5,000 per pound in the US, the region will become an offshore platform for a highly valuable illegal commodity.

The narcotic is, he observes, now being produced in ways that make Guyana, with its large areas of available land and the opportunity to scale up production, increasingly attractive as a location. He notes too, the links between Haiti and Jamaica and how the product is exchanged for a range of commodities including guns which are then trafficked into the US, and how Jamaican interests, because of their early start in the ganja industry, are thriving. He makes the point too the prices at which new hybrids and organic product sells is causing the industry to thrive and breeding 'graphic gun violence'.

What this demonstrates is an industry in the Caribbean that is not quite what it seems: one that some argue is benign and that is related to domestic consumption, and another that will enforce by any means the growth of an export crop central to the international narcotics trade and the interests of organised crime

There is of course a legitimate debate in the region and internationally involving those who view the decriminalisation of ganja for personal use as the way forward and who regard President Mujica's approach as commendable.

However, if the region becomes as Mr Figueira suggests a significant producer of new cannabis products, past experience shows that these will not only be used to finance other forms of crime, slavery, and even terrorism, but may also come to corrupt, control and destabilise society.

Uruguay's experiment, though interesting, needs to be carefully considered before being pronounced relevant to the Caribbean

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