



## Debate on “Legalization of Cannabis (Marijuana)” in India

Two years ago, during the drug awareness drive initiated by NCB Ahmedabad, I was meeting students in college campuses and interacted with them. In that period, I met some students abusing marijuana (ganja/weed) with no guilt but had many justifications. Surprisingly, the number of those students was large and they were from premier colleges/institutions mostly. Majority of them were new to marijuana and looked to be normal and confident. They argued that marijuana had many health benefits and it should be legalized as its use had been their religious, cultural and spiritual tradition. I had heard about the movement for decriminalization of marijuana in US but wasn't expecting that type of behavior in a college campus of Ahmedabad.

They were partially right, Cannabis (Marijuana) has being believed as a magical plant in the traditions of Indian Sub-continent. The Atharva-Veda (1200-1000 BC) describes cannabis as the God shiva's drink that frees the soul from distress or anxiety and give health and pleasure.

“The five kingdoms of plants, having Soma as their chief, we address;  
the darbha, hemp, barley, saha — let them free us from distress”.<sup>(1)</sup>

The group was arguing that Cannabis had been mentioned in several Indian texts as medicinal plant. Not only in Indian traditions but also in Chinese Taoists, Tibetan Buddhists, Essenes of Judaism, Coptic Christianity, and Sufi and Ismaili traditions of Islam, the use of cannabis for spiritual and medicinal purposes had been reported. And therefore, it should be legalized and put it on to one's choice to use it or not.

Many such people who justify the recreational use quoting the above texts from Vedas and Indian tradition should understand the clear distinction between medicinal use and recreational use. When we go through some more Ancient Indian texts we can find many of them had prohibited consumption of Sura, the intoxication drink. The tradition of wisdom allowed use of any plant for medicinal or spiritual purposes but not for recreation. It should be understood that some religions had glorified various plants and herbs for their medicinal properties only but not for their recreational potentiality. Though cannabis has being used by some sadhus, fakirs, et cetera for suppressing hunger and sleep for their spiritual goals, all religions have strictly prohibited any contemporary intoxicants that was used for recreation purpose only. The below texts of various religions light upon the issue;

According to Vishnu Smriti, the sacred religious text of Hinduism, “eating of nutmeg or any other plants similar to intoxicating drinks in their effects upon system: Such are the crimes causing defilement.”<sup>(2)</sup> Manusmriti had made the clear distinction between Soma (healthy drinking) and Sura (contemporary intoxicant) and also compared consumption of the Sura as one of the worst crimes, as below;

- “He who possess (a supply of) food sufficient to maintain those dependant on him during three years or more than that, is worthy to drink the Soma-juice”<sup>(3)</sup>
- “Killing a Brahmana, drinking (the spirituous liquor called) Sura, Stealing (the gold a Brahmana), adultery with a Guru’s wife, and associating with such (offenders), they declare (to be) mortal sins”<sup>(4)</sup>
- “Forgetting the Veda, reviling the Vedas, giving false evidence, slaying a friend, eating forbidden food, or (swallowing substances) unfit for food, are six (offences) equal to drinking Sura.”<sup>(5)</sup>

The Bible, in both the Old and New Testament, condemns drunkenness.

- “Blessed are you, O land, whose king is of nobility and whose princes eat at the appropriate time--for strength and not for drunkenness.”<sup>(6)</sup>
- “Let us behave decently, as in the daytime, not in carousing and drunkenness, not in sexual immorality and debauchery, not in dissension and jealousy.”<sup>(7)</sup>
- “Not dependent on wine, not violent but gentle, peaceable, and free of the love of money.”<sup>(8)</sup>

Islam had prohibited “Khamr” (Alcohol) in three stages and Fikh (Islamic Clerics) interpret the word “khamr” as any intoxication (because there is no any evidence of cannabis, opium or any other drug use in 7th century, at the time of Quranic revelations, into the Islamic World).

- At first stage, the revelation suggested alcohol consumption as bad for health was as, “They question thee about strong drink and games of chance. Say: In both is great sin, and (some) utility for men; but the sin of them is greater than their usefulness. And they ask thee what they ought to spend. Say: that which is superfluous. Thus Allah maketh plain to you (this) revelations, that haply ye may reflect.”<sup>(9)</sup>
- The Second revelation had stopped the believers from entering into place of prayer while being intoxicated. It was as , “O you who believe! do not go near prayer when you are Intoxicated until you know (well) what you say”<sup>(10)</sup>
- And Finally the third revelation which had prohibited any intoxication was as, “O you who believe! intoxicants and games of chance and (sacrificing to) stones set up and (dividing by) arrows are only an uncleanness, the Shaitan's work; shun it therefore that you may be successful. The Shaitan only desires to cause enmity and hatred to spring in your midst by means of intoxicants and games of chance, and to keep you off from the remembrance of Allah and from prayer. Will you then desist?”<sup>(11)</sup>

In Sikhism alcohol, marijuana and even fish had been prohibited. Shree Guru Granth Sahib ji, the holy book of Sikhism has directed its followers as below;

- "Drinking wine, his intelligence departs, and madness enters his mind; He cannot distinguish between his own and others,He is struck down by his Lord and Master"<sup>(12)</sup>
- "Those who are deluded by sensual pleasures, are tempted by sexual delights and enjoy wine are corrupt."<sup>(13)</sup>
- “Kabeer, those mortals who consume marijuana, fish and wine - no matter what pilgrimages, fasts and rituals they follow, they will all go to hell.”<sup>(14)</sup>

In Buddhism also the fifth training rule or percept guides its believers to abstain from use of any intoxication. The quotation below from Tripitaka translated by a Bhikkhu from pali indicates the

Buddha's teaching to abstain from intoxicants ;

- "Furthermore, abandoning the use of intoxicants, the disciple of the noble ones abstains from taking intoxicants. In doing so, he gives freedom from danger, freedom from animosity, freedom from oppression to limitless numbers of beings."<sup>(15)</sup>

It is also very wrong to say that use of cannabis has been Indian tradition. In fact the recreational or so called spiritual use of the plant was a result of trade relations between India and Central Asia. Dr. Prain in his report had opined that the hemp plant was not indigenous to India.<sup>(16)</sup> Another Botanist Dr. Bossier mentioned, "Cannabis word is apparently derived from the Arabic "Kinnab", while "Bhanga" had ancestral home of the plant somewhere in central asia."<sup>(17)</sup> Moreover Dr. King (Director, Botanic Survey of India in British India) had given a significant statement to the commission that Kashmir had been on main line of trade between Central Asia and Hindustan and thus the cannabis plant was imported into Kashmir accidentally and later spread into all over India.<sup>(18)</sup> Almost all the researchers conducted by botanists in British period had the same opinion that the plant was not indigenous to Indian land. Recreational Use of cannabis except bhang never been socially accepted in Indian society. The Report on the Indian Hemp Drugs Commission, 1893-94 says that though moderate quantity of Charas and Ganja didn't harm; people had to consume it secretly because the recreation use of the drugs was believed as social evil and sin, only use of bhang was accepted and that too occasionally.<sup>(19)</sup> And therefore, The British Government continued to control the drug but not legalize it.

Then in Independent India, cannabis was clubbed with hard drugs in NDPS Act, 1985 after the 1961 international treaty Single Convention on Narcotic Drugs. But the act cannot have decreased the demand in the three decades. On the contrary, demand for cannabis (Ganja) has been increasing day by day. In 1997, Indian enforcement agencies had seized around 81,000 kg Ganja<sup>(20)</sup> and in 2002, the seizure was 40,113<sup>(21)</sup> kg while in 2009 it had raised to 2,08,764 kg,<sup>(22)</sup> and in 2015 it was 94,403 kg.<sup>(23)</sup> In Gujarat too the demand have increased as Gujarat Police seized 845 kg Ganja in 2014 and 6670 kg in 2016<sup>(24)</sup>

In 2004, the Ministry of Social Justice and Empowerment along with United Nations Office on Drugs and Crime conducted a study on the Extent, Pattern and Trends of Drug Abuse in India. It estimated 23 lakh (2.3 million) cannabis abusers were the drug dependent.<sup>(25)</sup> In 2016, a study conducted in a Medical College of North India to estimate the drug abuse in medical students revealed that 7.82% students used cannabis, the ratio was higher after tobacco and alcohol.<sup>(26)</sup> One more study conducted in 2016 in a slum population of Indore city, which estimated 8.19% of the slum people who used cannabis.<sup>(27)</sup> So, now question must arise here that why the demand for marijuana has been increasing in such way in spite of the strict law! The answer can be "the spreading misinformation" generated from the debate between "Prohibitionists" and "Liberals" on marijuana legalization. Till before a decade, the debate was underground in India but due to internet and social media it has come out and created an environment to speak in favor of use of marijuana. Actually people participating in the debate on drug abuse from all over the world can be divided into the three groups; Narco-Rightists, Narco-Leftists and Narco-Liberals.

Narco-Rightists are the people (also known as "prohibitionists") who see the use of any drug other than medicinal as deviant behavior and believe the behavior can destruct the social structure of a society. Mostly the rightists have very little or no scientific knowledge about drugs except some professionals

working in the field. Mostly they come to the judgment observing or listening about the drug addicts who create problems in the society. Their reaction to drug behavior is often called as “middle class mentality” by narco-liberals. The majority of the narco-rightists work on prevention of drug abuse through moral policing, social controlling and social bonding at some extent but blame only the individuals for their drug abuse behavior.

Narco-Leftists are the professionals having sufficient knowledge of drug abuse and its consequences. Though some of them support prohibitionist approach but having strong opinion that system is responsible for any deviant behavior of a person. They blame the unequal opportunity and distribution, injustice, religious and cultural hypocrisy, feudal and masculine system, oppressive policies or corruption of the system creates the environment of deviance and dependence due to which people indulge in different types of addictions. Majority of the narco-leftists work on cure of the addicts while some leftists work on correcting system through activism.

Narco-Liberals are the new group emerged powerfully defending drug abuse specially use of “Cannabis”. According to the wing, cannabis is a medicinal plant and has lot of health benefits in its use. They argue that cannabis has been a mean of achieving spirituality in almost all religious traditions of the world not having any side effects. They have been making allegations on alliance of corporate cartels, corrupt politicians and conservative social leaders for misleading people about the drug for their own vested interests. A USA based writer and narco-liberal Joan Bello in her book “The Benefits of Marijuana: Physical, Psychological and Spiritual” has argued as below;

“Cannabis was a uniquely useful survival resource to our prehistoric ancestors. Every part of the plant had important uses. Fibers, stripped from the stalks were twisted into twine for bows, fishing lines and snares, and were woven into fabric for clothing and canvas for shelter. The wood-like “hurds” inside the stalks were used as cooking and heating fuel. The seed, as well as providing sustaining food, was pressed for oil, providing light in our earliest earthenware lamps and pushing back the threatening shadows of night. The leaves and flowers were used as medicine- cannabis is mentioned in the earliest extant herbals- and were used by shamans and worshippers as aids to spiritual revelation. In more recent eras, the cannabis plant was used extensively industry for the manufacture of paper, plastics, fabrics, fuels, chemicals, cosmetics and literally thousands of other products. It was the economic value of these applications- and its competitive threat to the monopoly profits of petroleum based corporate cartels- that led to the imposition of cannabis prohibition in the twentieth century.”<sup>(28)</sup>

The narco-liberals claim to have scientific evidence that cannabis doesn’t harm but improves physical, psychological and spiritual well-being of a person, but the unnecessary prohibition has been portraying the members of civil society as criminals or deviants. These narco-liberals have been spreading their ideas through internet and social media and lots of youngsters have been convinced with their ideas. In India also, there is a movement called “The Great Legalization Movement - India” led by the narco-liberal group. It was started in Nov 2014; a young musician Viki Vaurora from Bangalore is the founder of the movement. He has been campaigning with his group by arranging seminars, blog writing and a website. He replied as below to a question regarding medicinal use of cannabis in an interview given to a website;

“Simply because now we know that Cannabinoid in the cannabis plants can mimic as an Anandamide (derived from the Sanskrit word Ananda Maya) which is produced in our brain. The science behind this is simple. These Anandamides gets produced in our brain which triggers all the Anandamide receptors and

activates the Endocannabinoid System. And the function of this system is to make sure our bodies internal functions are always in check and is in balance. So if our body is not functioning properly it means that the ECS is not getting triggered, because we are not producing enough Anandamide in our brain (Anandamaya). So if we are not happy in your mind (no yoga, no exercise, no nature, no sex, no freedom from over-thinking etc..) then we are stressed out which means we are letting the body's internal balance to fluctuate which means we are now gonna be diseased. What this really tells us is that, when we smoke cannabis(ganja), or even better, take the cannabis oil, we are taking these cannabinoids into our body, which acts as these anandamides and triggers our endocannabinoid system which gets activated and which in turn checks our body's functions and enzymes levels and immunity to be in complete order. Hence, by regular intake of cannabinoids in your body, we can remain disease free. But if we already have a disease, it can be cured by giving our body the most important dietary supplement for it to function properly again."<sup>(29)</sup>

In March 2015, a Lok Sabha MP from Odisha Mr. Tathagata Satpathy shared with a website that he supported the cannabis legalization movement and had consumed cannabis drug at several occasions in his college days. On 2nd Nov 2016 one more Lok Sabha MP; this time from Punjab Mr. Dharamvir Gandhi claimed that he had got green signal from parliament to table a Private Member's Bill seeking legalized, regulated, and medically supervised supply of all natural drugs by amendment in NDPS Act, 1985. Perhaps, the episodes have made a high impact on youngsters using internet and social media in India.

On the other had, the narco-leftists have the arguments which seem more logical and must be understood; first is that the positive benefits found in cannabis can be attained from the extracted compounds but not the smoked product.<sup>(30)</sup> The second is that not enough clinical trials have been conducted by researchers to claim the positive effects.<sup>(31)</sup> The NIDA accepts that some recent studies on animals showed that cannabis extracts may help in treating certain type of cancer and serious type of brain tumors but with purified extracts only.<sup>(32)</sup> Moreover, all the studies conducted on drug addiction in India, as mentioned above, concluded that marijuana addicts were in majority after tobacco and alcohol among all the other drug abuse and the addicts are suffered from physio-psycho-social problems. In addition, some researchers have concern that cannabis plant contains more than 100 cannabinoids and scientists or illegal manufacturer can produce some of the powerful cannabinoids which can lead to serious health effects if misused. Cannabinoids are related to delta-9-tetrahydrocannabinol (THC), marijuana's main mind-altering ingredient that makes people "high".<sup>(33)</sup>

Arguments from the narco-leftists seem more scientific than the liberals. Without sufficient or necessary clinical trials and measures of its social impacts, the demand of legalization is like haste. Moreover the liberals are having the dual standards; one side they talk about health benefits of the medicinal properties of cannabis and the other side demand for its recreational use by smoking it too, which can be injurious to health as smoke of anything affects lungs and respiratory tract negatively. And the most important question arises here that what is about society's health ? As the debate was underground before a decade but due to the legalization demand the illicit trafficking of Ganja and Weed has increased enormously as youth have started to consume it without any hesitation in campuses. Thus, the narco-liberals have been proven very insensitive in the issue.

Now, the Government has the responsibility to deal with the issue giving it priority. And for that it has to conduce the scientific information as soon as possible and move ahead accordingly. Many states of

Europe and America have legalized the medicinal use of cannabis and Cannabis Oil, THC Oil, Cakes, Chocolates etc. from cannabis plant are being produced and sold. Moreover Indian Government already controls and monitors the opium farming and its use as it has been used to prepare medicines, thus the Government can control and monitor the cannabis farming too. The debate should be closed by looking forward to find a scientific way by taking it in priority. Healthy living and scientific environment must be prevailed for the new generation out of the issue.

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