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Uruguayan President José Mujica Proposes that Government Produce, Sell Pot

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Uruguayan President José Mujica extended an "invitation to reflect on the value of life," which was followed by a document with certain fundamentals to give the country a "strategy for life and living together harmoniously." Mujica then added the broad outlines to facilitate the collective writing of a bill to establish "controlled and regulated legalization of the production and sale of marijuana." His proposal opened an internal debate and turned the eyes of the world toward Uruguay.

"The strategy we are proposing is based on state actions that aim to guarantee full respect for citizens' rights to bring about more harmonious social relations, but state action alone is not enough. It must be accompanied by all of society from the political leadership to the press," said the president of tiny Uruguay. Addressing all Uruguayans, he added, "Don't be misled. I know that you don't consume or sell [drugs], but the phenomenon is there and continues making us ill, sending people to jail, and poisoning adolescents and young people, becoming a social ill whose cost is borne by all. We have to be intelligent; this cannot divide us along party lines, we would be stupid if we allowed it to do so. It is the time for us, together, to think of alternatives."

The tip of the iceberg is the proposal regarding marijuana (cannabis). Legalizing the sale of this herb is aimed at preventing adolescents from becoming users of cocaine base paste (coca paste, similar to crack cocaine), a "hard and addictive" cheap drug, which is singled out as the cause of the virulence of child-juvenile crime.

Provisions of marijuana law still unknown

No one has said precisely what the law's provisions would be, but all accounts indicate that they would include setting up a state network for producing and distributing marijuana—with quality control and a prohibition on sales to minors—and creating a consumer registry. The price of each marijuana cigarette would be set by the state and include a tax to be used to fund rehabilitation treatment for addicts. Registered consumers would be able to buy up to a set maximum number of marijuana cigarettes per month.

The legislation could provide for compulsory hospitalization of addicts, the most controversial aspect of the proposal for diverse sectors of society.

Canal 10 TV station said on June 20 that it had "official information" confirming that, "although the form and the place for legal, controlled marijuana sales must still be determined, there will be an effort to prevent buyers from being enticed to go to outlets where they are also offered coca paste."

The measures, said the TV station, aim to "legalize the drug market, removing the huge profits for traffickers, and turning those addicted to coca paste toward a "soft drug."

Marijuana possession for personal consumption is legal in Uruguay, and the governing Frente Amplio (FA) last year presented a bill to decriminalize its cultivation, also for personal use. Existing although unreliable, statistics indicate that, in this country of just over 3.3 million people, between
150,000 and 300,000 users spend some US$50 million per year on drugs. Of that number, and in this there is agreement, 60,000 are daily users. Some 15,000 are defined as "troubled users," including the 5,000 who now use coca paste and who are causing the greatest concern because of the high danger and difficult recovery.

A 2010 study showed that almost one-fourth of crimes committed by adolescents were linked to alcohol or drug consumption or were committed to buy one or the other. Mujica explained that the underworld linked to drug trafficking "produces one of every three inmates housed in Uruguayan prisons," and the state Junta Nacional de Drogas (JND) says that 79% of marijuana-related police action between 2006 and 2009 was for quantities of less than 100 grams.

On July 21, Secretary of the Presidency Alberto Breccia said that the final bill will be sent to Congress no later than mid-August and that "it will set the terms for the collapse of the current paradigm on fighting drug trafficking." Breccia said it is "a new way to fight because what has been tried until now has failed the world over." The only hint Breccia gave regarding the content of the final bill was that, "under the new law, coca paste will no longer be considered a drug but will be put in the category of a poison, which will multiply the penalties for those who supply it."

The document that opened the debate said that "security policy cannot be built on fear or be a knee-jerk response to it." The statement was directed at certain political leaders and the major media, who, after each violent incident, respond with a call to reduce the age at which minors can be punished as adults and to adopt "hard-line" and "zero-tolerance" policies.

Perhaps that is why Mujica decided to address the issue publically, and perhaps that is also why the text released for public consideration has a specific chapter devoted to the media, who are asked, despite their unhelpful past performance, to "make a deliberate commitment" to what the president describes as the fight for life.

"The significant drop in poverty, the near eradication of indigence, the lowest unemployment level in history, the strong improvement in real wages, none of that is reflected in the mass media," says the document. "The same is not true for coverage of crime news. In 2006, television devoted more than 25,000 seconds [seven hours] each month to police news. In May 2011, such news consumed 35,000 seconds [almost 10 hours], and, in May of this year, it exceeded 50,000 seconds [almost 14 hours]. And it is not just a quantitative problem but also qualitative, because images are shown that end up encouraging violence."

It was with this reality that Mujica warned that his administration "does not rule out regulating the use of violent images in the media, especially during the hours set aside for the 'protection of minors.'"

The Sociedad Interamericana de Prensa (SIP) and the controversial Reporteros sin Fronteras (RSF) agreed, using the same words—"the proposal would threaten freedom of expression." The SIP said it was "authoritarian." RSF called it "dictatorial."

"We aren't interested in those voices with ignorant and malicious criticisms, but we must admit that they cause a lot of harm," said Breccia.

**International reaction mixed**

Among the critics is the entire political opposition—which reacts automatically against each and every proposal put forth by the progressive government—and the UN's International Narcotics
Control Board president Raymond Yans, who said, "Uruguay will suffer serious trade sanctions if it approves the marijuana bill."

On the other side, well-respected agencies such as the Washington Office on Latin America (WOLA) and the Transnational Institute (TNI) hailed the proposal in a joint commentary on July 17 titled "Cannabis Regulation: Someone has to be first..." The statement by Martin Jelsma, coordinator of TNI's Drugs & Democracy Program, and John Walsh, director of WOLA's Drug Policy program, said, "Announced on June 20, Uruguay’s brave proposal might indeed become the historical breakthrough in the drug policy stalemate that many around the world have been waiting and hoping for."

Peruvian Nobel laureate in literature Mario Vargas Llosa wrote eloquently in his weekly column, published in the Spanish daily El País and reprinted in dozens of publications throughout the world: "One must applaud the Uruguayan government's courageous decision to promote a law that legalizes the cultivation and sale of cannabis; the only way to fight corruption and trafficking is to begin by touching marijuana, even if it burns. Mujica has dared to do so; let's hope he succeeds."

In its June 26 edition, Time magazine gave a strong pat on the back to the Uruguayan proposal in an article titled, "Uruguay's Plan to Legalize Marijuana Sales: Should the Rest of the World Follow?"

Despite the foreign praise, more than a few from within the governing Frente Amplio parties are criticizing Mujica for caving in to the right's discourse, which raised the issue of insecurity multiplying many times over the level of real insecurity. The right has done this to justify its requests for hard-line and zero-tolerance policies and moved from there to the idea of compulsive hospitalization of addicts, which has brought strong responses.

Some opposition from the left

But supportive sectors have also challenged the government with what was perhaps the most accurate and, above all, well-intentioned and debate-enriching criticism, which was expressed by analyst Hoenir Sarthou. "The Uruguayan left begins with a partially true axiom: the causes of criminality are social, and poverty generates crime. From there, it reaches a false conclusion: if poverty is reduced, crime will be reduced. That is the error that has the left seeing reality slipping through its fingers and public insecurity out of control."

Sarthou then makes a significant contribution to the debate. "The relationship between material poverty and criminality is not direct. In the middle is the cultural-marginality factor. By ignoring that, the left is enunciating a discourse that does not consider reality, is not convincing, and in the short term will bring very painful consequences."

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