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In 2009, the Mexican Congress approved legislation that decriminalizes possession of a small amount of narcotics (SourceMex, Aug. 26, 2009). The idea of further loosening up Mexican laws on drug-related issues has been very much alive since that time. In 2010, ex-President Felipe Calderón offered to initiate a debate on legalizing drugs in Mexico (SourceMex, Aug. 11, 2010), but nothing came from the proposal.

The issue has resurfaced in 2013, with new proposals focusing on further decriminalizing or fully legalizing marijuana. Some proposals center on the entire country, while other initiatives would apply to specific locations like Mexico City and Morelos state.

Proponents point to trends in other countries in the hemisphere, particularly Uruguay, where lawmakers are expected to approve an initiative by President José Mujica to legalize and sell pot (NotiSur, Aug. 3, 2012, and Feb. 1, 2013). In the US, the states of Colorado and Washington have approved the use of marijuana for recreational purposes. And in Central America, Guatemalan President Otto Pérez Molina has proposed legalizing drugs in Central America as a way to address the regional problem of drug trafficking (NotiCen, March 1, 2012). Chile, Brazil, and Colombia have also taken steps toward decriminalizing marijuana (NotiCen, Aug. 8, 2013).

While the proposals vary on how far Mexico should go with new drug laws, analysts say there is agreement that the punishment-based system is not working. "Everyone seems to agree that the punitive focus has failed and that now is the time to start looking for solutions," columnist Julio Trujillo wrote in the Mexico City daily newspaper Reforma.

In his column, Trujillo disputed arguments from opponents of legalizing marijuana, including the suggestion that violence would increase with looser laws. "On the contrary, I tend to believe that decriminalization would result in less violence," said Trujillo.

Others agree that restrictions on marijuana have not worked in Mexico. "There are many arguments in favor of legalization," Olga Pellicer wrote in a piece published in the weekly news magazine Proceso. "First and foremost is the inefficiency of the prohibitionist policies to reduce production and consumption."

Pellicer pointed to several problems associated with prohibition, including the creation of a black market and the overcrowding of jails with people detained for drug consumption.

Some experts go as far as to suggest that Mexican drug cartels would lose significant revenues if marijuana were decriminalized in Mexico. One study by the US-based Rand Corporation estimates that losses could amount to about US$1.3 billion, or about one-fifth of the traffickers' annual earnings.

Others are not as certain about quantifying the losses for the drug organizations. In a recent analysis, Juan Carlos Garzón, a researcher at Georgetown University in Washington, DC, said it
would be difficult to measure the exact economic impact of decriminalization in Mexico. He said the only "certain" conclusion is that the size of the underground economy would contract.

In addition, other skeptics suggested that the drug cartels would simply find other ways to maintain and expand their income. "If we are talking about ending violence by reducing the earnings of the cartels, we are mistaken," Francisco Zea wrote in the Mexico City daily newspaper Excélsior. "It is impossible to convert the cartels to legal retail operations for marijuana, when we all know that they will continue to sell other illegal substances such as cocaine and synthetic drugs."

**Polls show public does not support legalization**

Pellicer acknowledged that legalization faces an uphill battle because public opinion does not support such a move. "The public-opinion polls do not point to a population that collectively is ready to support legalization," said the Proceso columnist. "In some polls, slightly more than 50% are opposed."

In one recent survey by the polling organization Gabinete de Comunicación Estratégica, 49.6% of respondents said they oppose marijuana legalization, while only 13.4% said they favored such a measure. The survey, released in early August, also found that 59% of participants said that decriminalizing marijuana would be harmful for Mexico, while only about 29.9% said the move would be beneficial.

The Catholic Church is among the most vocal opponents of legalizing marijuana. Cardinal Francisco Robles Ortega, archbishop of the Diocese of Guadalajara, expressed an opinion that is typical of Catholic Church leaders—that legalizing marijuana would hurt Mexican families, since it would not end the problem of addiction. "Legalizing the consumption of drugs does not solve the true problem, which is addiction and the harm that these chemicals can cause to the human body," said Robles Ortega.

Others wonder what the hoopla is all about. "I am having a hard time understanding what we are debating," Zea wrote in Excélsior. "There is talk about decriminalizing marijuana, but the truth is that current laws allow consumption and possession of up to five grams. You can easily roll five large joints with that amount."

**Ex-President Vicente Fox leads the charge**

A paradox exists among politicians, with some of the most conservative figures—such as ex-President Vicente Fox (2000-2006)—fully supporting legalization. Conversely, some leftist leaders who seemingly should embrace the issue, such as former presidential candidate Andrés Manuel López Obrador, have declined to support the proposal.

Fox has long advocated for legalization of marijuana, but he has been more vocal about his position this summer. In controversial comments a few weeks ago, Fox said that he would grow marijuana if it were legalized. "I'm a farmer," said the ex-president, adding that he would like to see pot sold in convenience stores.

Fox used his comments about growing marijuana to promote a legalization symposium at his presidential library, the Centro Fox in Guanajuato. The symposium sparked a national debate that has made headlines in Mexico all summer.
"This prohibition is the last frontier of prohibitions," Fox said in an interview with the Los Angeles Times. "The issue of abortion. The issue of same-sex marriage. The issue of gays. The issue of alcohol. These arbitrarily imposed prohibitions have ended. And they have ended because they don't work."

Some politicians on the left recently said they are open to at least holding public discussions on the issue. For example, Mexico City Mayor Miguel Angel Mancera, a member of the center-left Partido de la Revolución Democrática (PRD), in early August repeated his promise to debate legalization of marijuana, saying that Mexico City is obligated to learn as much as possible about the issue "to determine whether we are on the right path." The Mexican capital has not been reluctant to address other controversial issues such as legalizing gay marriage (SourceMex, Feb. 17, 2010, and Aug. 25, 2010).

Similarly, Morelos Gov. Graco Ramírez, also a member of the PRD, pledged in early August to push to ease restrictions on marijuana in his state. "Current legislation penalizes youth and field producers but does nothing to reduce violence," the governor said in justifying his proposal earlier this month.

Holding a different opinion on the left is López Obrador, who recently left the PRD to form Movimiento Regeneración Nacional (Morena). Without offering his view on legalization of marijuana, López Obrador suggested that the debate promoted by Fox is a nonissue and "a smoke screen" detracting from more important issues including the economy and corruption.

Jorge Castañeda, who served for two years as Fox’s foreign relations secretary, is also pushing for full legalization of marijuana. In an interview published by the Brazilian newspaper Folha de São Paulo, Castañeda said Mexico should enact a marijuana law like the one discussed in Uruguay. "I believe the law should be brought to Mexico, and the country’s political sectors are already debating it because it is undeniable that the prohibition policies did not have an effect," Castañeda said.

**Peña Nieto government opposes legalization**

Even though Mexico’s President Enrique Peña Nieto has in the past said he opposes fully legalizing marijuana, some members of his administration are at least open to discussing loosening marijuana laws.

"It’s important to make it clear that decriminalizing is not the same as legalizing: decriminalizing implies a benefit for the consumer, for the addict, not for the supplier, for the trafficker," said deputy interior secretary Roberto Campa Cifrián.

Campa, who heads the office of prevention and citizen participation at the Secretaría de Gobernación (SEGOB), said a debate on the legalization of marijuana in Mexico must take into account the levels of consumption because "many people could be affected" by such a step.

"In Mexico, consumption levels remain relatively low," Campa said following testimony before a joint committee of the Chamber of Deputies and the Senate. "The danger of a legalization scheme in societies with low levels of consumption is that consumption will increase; it's a very serious issue that must be analyzed very deeply."

Campa said the Peña Nieto government believes that the issue of marijuana legalization is best addressed at the international level.
Others concurred with the notion of a global solution, since legalizing marijuana in Mexico would violate the country’s international treaties on health. "A health system cannot incorporate or legalize any substance that produces toxic effects," Leoncio Lara Sáenz, an official with the government’s drug prevention council (Consejo Nacional contra las Drogas), said in a forum in Mexico City. "Therefore, it is not possible to develop legislation related to production, cultivation, consumption, distribution, marketing, and use of marijuana." Lara Sáenz is also a researcher at the Instituto de Investigaciones Jurídicas (IIJ) at the Universidad Nacional Autónoma de México (UNAM).

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