

I previously wrote to advocate legalizing marijuana, since keeping it illegal has accomplished nothing good, while breeding an assortment of evils: [1] overcrowded prisons, [2] criminal records for possessing a drug no more dangerous than legal alcohol or tobacco, and [3] disrespect for law and order arising from irrational and unjust laws. But now I must address another aspect of the issue, which Ohio voters may soon be called upon to decide.

Various groups have proposed measures to legalize marijuana. This might seem a positive step toward ending an injustice that has endured for nearly a century on the basis of scare propaganda. However, a spokesman for one of these groups, “Ohio Rights,” reportedly claims, “the body requires and needs this herb” (*Journal-News*, 11 June 2015)—an assertion that immediately calls his own credibility into question.

Two other groups appear more serious. They propose amendments to the Ohio Constitution, granting high-dollar contributors exclusive rights to grow cannabis commercially at designated sites. “ResponsibleOhio” proposes ten such sites; “Better for Ohio,” forty. In a nation that prides itself on free markets, such schemes might well raise more eyebrows than crops! Apparently, free-market capitalism, which some contend is the solution to all problems, is unacceptable for marijuana growing. Why? Consider the implications:

Each of these two plans would establish an oligopoly in commercial cannabis farming. Entrepreneurship by any other Ohio farmers, who might want to diversify some of their own acreage with this potentially lucrative crop, would be prohibited, lest they increase supply and drive down the price, thus reducing both market share and profit to the designated few who want the game skewed in their favor. In other words, these few seek essentially the same competition-free advantages that criminal drug cartels carve out for themselves, but with constitutional backing (instead of intimidation and violence) to enforce their exclusivity.

Probably all truly responsible Ohioans acknowledge some government oversight and regulation as necessary for all legal products susceptible to abuse, including marijuana. But is establishing a cartel under the Ohio Constitution the way to do it? That would infringe the interests of small business entrepreneurs (farmers), and might be judged an unfair restriction of free trade.

So, the Ohio General Assembly plans to introduce its own amendment, forbidding any amendment establishing a monopoly. If either the ResponsibleOhio or the Better for Ohio measure passes, as well as the legislature's amendment, the latter would presumably nullify the former. (It would also block legalization for now, which we might plausibly assume is legislators' underlying intent.)

Enough already! If a majority of Ohio's lawmakers are persuaded that legalizing marijuana is in the best interest of their constituents, then neither a cartel nor an amendment establishing it is necessary. Simply rescind any existing laws barring the way, and establish any new standards, regulations, and licensing required.

Then let the regulated free market take its course. Let entrepreneurs who can compete fairly in this environment succeed on their own merits, let those who cannot compete without contrived advantage leave the market, and let supply and demand in legal marijuana find a natural equilibrium. And whatever the magnitude of the business turns out to be, hire and train enough inspectors to cover it. We shouldn't need state-designated growers for cannabis, any more than we need them for hops, grapes, grain, or tobacco.

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