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Proposition 19: Harvard Economist Says Marijuana Should Be Legal

November 4th, 2010.

[Carlo Gabriel Simbajon](#).

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A professor at **Harvard University** recently shared his thoughts in the aftermath of **Proposition 19's** defeat at the polls. **Jeffrey A. Miron**, an economist who is also a senior fellow at Cato Institute, wrote: "*Marijuana can and should be legal, Prop 19's failure notwithstanding.*"

Miron also emphasized that "the strategy for achieving that end must change."

Writing as a "Special to CNN," Miron outlined a set of strategies that will pave the way for the **legalization of pot**. Earlier we reported that the defeat of Proposition 19 did not dampen the spirits of its advocates, who are in fact looking at another [shot](#) at legalization in 2012.

Proposition 19 would have made it legal for adults 21 and over to possess up to an ounce of **marijuana**, smoke it in non-public areas, and cultivate it in private plots. Prop 19 would have also granted local authorities control over commercial cultivation and sales of marijuana.

Miron, who is currently director for undergraduate studies of **Harvard's economics department**, said the proponents did not present the right reasons for pot legalization. He thinks Prop 19 advocates **"emphasized the wrong arguments for legalization."**

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Supporters were claiming that legalization of marijuana would bring down law enforcement costs on marijuana prohibition, bring in tax revenue, and make it harder for children to get marijuana. On the first two claims, Miron said these are "overblown," citing that the potential budgetary benefits would have been small compared to the budget deficit that California is facing.

Miron disagreed with the claim of Prop 19 supporters that pot legalization will address **Mexican drug violence**. He said the violence is mainly associated with **cocaine and methamphetamine** and not with marijuana.

For a better chance at pot legalization in 2012, Miron outlined the following strategies for **Prop 19 advocates**:

1. **Emphasize on making more people agree** *"that government should not interfere in the private decision to consume marijuana."* Miron writes that advocates must argue that prohibitionists must carry the burden of proof to justify interference on an individual's liberty to use pot. Prop 19 advocates, he says, can *"argue compellingly that no reasonable interpretation of the Constitution justifies federal imposition of a marijuana ban."*
2. **Focus on federal law, aside from or in addition to state law.** Since federal law bans marijuana, passage of Proposition 19 would have created a legal limbo as U.S. Attorney General Eric Holder had announced that the administration would enforce the federal ban fully even if the measure was passed.
3. **Get conservatives and liberals more involved.** Marijuana legalization can appeal to conservatives, Miron argues. Advocates should *"emphasize freedom, personal responsibility, and the Constitution, along with up-front clarity about the goal: legal production and use of marijuana for adults, whatever their motivations."* Miron adds pushing for efforts such as medical marijuana, *"invite charges of hypocrisy and weaken support."*

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