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## Talking Marijuana at Vanderbilt Law School

By Betsy Phillips in [Law and Order, Phillips](#)

Wed., Sep. 30 2009 @ 11:00AM

Last night I went to see friend of the *Scene* [Roger Abramson](#) moderate a panel made up of the CATO institute's David Boaz, [NORML's Paul Kuhn](#) and [Vanderbilt Law School's Robert Mikos](#) talking about legal issues surrounding marijuana and the potential for pot legalization. (In the process, I got to meet Roger's dad, who is cuter than most babies.)



**DEA, as a Federal Agency, You Can't Copyright Things (Title 17, Chapter 1, Section 105), So Your Watermark Fails to Intimidate**

Unfortunately, there were no Twinkie breaks, but the panel members talked thoughtfully and eloquently about eventual marijuana legalization and what the market and regulatory mechanisms for pot might look like.

Boaz noted how hard it is to predict and analyze emerging markets because public policy is made to protect interests that already exist, not to encourage potentially new ones. We don't know for sure what a legal marijuana market might look like, but he guesses that, when the inevitable happens, it will be set up and regulated like the alcohol and tobacco markets.

Meanwhile, the tax benefits of legalizing pot represent only part of the argument in favor, Boaz said, because as much revenue as levies would generate, there would be even more savings in enforcement.

NORML's Kuhn, next at the mic, expressed an optimism about the legalization movement in Tennessee. Even though the medical marijuana bill died in legislative committee, it advanced farther this year than it ever has, he noted. In the coming session, NORML and its legislative supporters will submit another bill, one that takes into account the lessons learned from different regulations in other states.

Robert Mikos started his portion of the talk by saying he's "thoroughly agnostic"


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Kuhn noted that legalizing marijuana -- even just medical marijuana -- could help tobacco farmers earn a decent wage again.

Both Mikos and Boaz spoke to the fact that the DEA and the attorney general could, right now, without congressional intervention, reschedule marijuana. They doubt there is the political will at this point to do that, but the federal government will feel increasing pressure as more states pass medical marijuana laws.

Boaz ended the evening by reminding attendees that the last three presidents have admitted past drug use. Assuming Presidents Barack Obama, George W. Bush and Bill Clinton believed they didn't deserve to be incarcerated for those indiscretions, how then, Boaz asked, do/did they justify arresting others for the same "crime"?

(I would like to say, too, that in trying to find an image appropriate for this post, I stumbled upon [this gem of a site created by the DEA](#), which I am sharing with you just in case you were wondering if drug enforcement is still as square as it's always been. Yes, yes it is. First of all, "blubbers"? I allegedly know a lot of alleged pot users and I have never heard this term. Second, how can I get smart about anything on a site that uses "affect" when it means "effect"?)

Tags: [CATO Institute](#), [NORML](#), [Roger Abramson](#), [Vanderbilt Law School](#)

18 comment(s) / [Post a Comment](#)



[Savannah](#) says:

On that ending note, how can you mock a website for such an error when in the very same paragraph you forgot to close your parentheses?

Posted On: [Wednesday, Sep. 30 2009 @ 11:31AM](#)

[Aunt B.](#) says:

Ha, I was just thinking that same thing right this second! It's the instant karmic curse that affects anyone trying to mock someone else's grammar, that's for sure.

Also, I should point out that, even though there weren't Twinkies, there were cookies, though they remained mostly uneaten.

Posted On: [Wednesday, Sep. 30 2009 @ 11:41AM](#)

[Pithmaster](#) says:

Head bowed. Pithmaster, not Betsy, is to blame for parenthetical lapse. Adding now....

Posted On: [Wednesday, Sep. 30 2009 @ 12:02PM](#)

[Sarcastro](#) says:

Did you get Boaz to sign your copy of Libertarianism: A Primer?

Posted On: [Wednesday, Sep. 30 2009 @ 3:20PM](#)



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**PERSONAL OF THE DAY**

Aunt B. says:

No, it was all I could do to not scream, "Oh my god, you know Radley Balko!"

Posted On: [Wednesday, Sep. 30 2009 @ 5:23PM](#)

Jose says:

Why did the government use a constitutional amendment to make alcohol illegal but not have to do the same for marijuana?

Some of the reasons:

1. The paper industry saw hemp as a threat.
2. The tobacco industry wasn't happy that smokers would smoke one or two marijuana cigarettes instead of one or two packs of nicotine cigarettes.
3. The alcohol industry didn't like the idea that an easy to grow weed could serve as a way to derive pleasure.

You could put alcohol and tobacco down as schedule 1 narcotics and make them illegal, but the public wouldn't stand for it.

\*Scheduling\* marijuana to be illegal was unconstitutional.

Posted On: [Wednesday, Sep. 30 2009 @ 8:37PM](#)

Bubba says:

And as a further sidebar to the "Blubbers" comment [never heard it either, allegedly of course]... You'd think the DEA could get a better picture of some pot, what with them being in the "seizure" business. That's some nice low-end downtown brown there.

At least put a picture of some of the vaunted "super-skunk" up there.

They so love to say it is nothing like your father's pot, but they never show us the EVIL green sticky stuff!

[And mate the it's-not-your-father's-pot argument is like saying your Macallen 18 is nothing like your father's Budweiser... you're right, but I also don't sit down and drink 12oz or more of fine scotch in one sitting either!]

Posted On: [Wednesday, Sep. 30 2009 @ 10:37PM](#)

Ashley Spurgeon says:

I generally think of Bush and Obama as cokeheads, not potheads.

Posted On: [Thursday, Oct. 1 2009 @ 9:32AM](#)

Aunt B. says:

Bubba, I know. I laughed so hard when I saw that. Ooo, no, scary ditch weed! Don't show us the evil scary ditch weed.

Posted On: [Thursday, Oct. 1 2009 @ 9:53AM](#)

Emily Evans  
In Session  
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Newscoma  
David Oatney  
Say Uncle  
Michael Silence  
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The New York Times



[pipedream1138](#)

Why you should get to know me: "I give the phrase 'dripping with sarcasm' new meanings."

[More Personals >>](#)

[Blubbering Fool](#) says:

Bubba: Maybe it's brown because they took the pic after they vaped it? Stooges. They didn't grind it first.

Posted On: [Thursday, Oct. 1 2009 @ 10:10AM](#)

[Engrish](#) says:

The DEA is using the term "Affect" correctly. The drug, marijuana, is causing something else to occur. According to the DEA, it causes physical and psychological responses.

If marijuana were the result of something else, then you would use the word effect. Such as, the effect of smoking marijuana is drowsiness. It would be wrong, though, to say, "marijuana effects the body in multiple ways; blah, blah, blah and blah" because marijuana is the cause; the body exists independently of the drug.

Posted On: [Thursday, Oct. 1 2009 @ 10:12AM](#)

[Jose](#) says:

I don't think it would be difficult to find an expert to say TAXES cause physical and psychological responses.

How many health problems can be attributed to stress caused by tax compliance?

The government has a weak argument that has stood for a very long time. Anti pot laws are unconstitutional.

Posted On: [Thursday, Oct. 1 2009 @ 10:32AM](#)

[Aunt B.](#) says:

Nope, Engrish, I'm not buying it. That word (whichever one is correct) is clearly functioning as a noun there. And the phrase clearly means "the way marijuana use works on" either the mind or the body, so you want "effect" not "affect."

Posted On: [Thursday, Oct. 1 2009 @ 10:43AM](#)

[Chelsea](#) says:

Legalize it!! How is it not legal?? Life would be horrible without being able to use pot a couple times a month. Why do I have to break the law and go to a dealer and risk having my weed tampered with or be a fake patient and pay \$300 a year to use it?

Posted On: [Thursday, Oct. 1 2009 @ 1:26PM](#)

[Anonymous](#) says:

stand up and be heard pot smokers!!spread the word about l.e.a.p. legalize marijuana and send the cops after the real crooks ie thieves murders and rapists that run free and get of easy ! whats with that people! violent criminals do less time than dope smokers

Posted On: [Thursday, Oct. 1 2009 @ 3:01PM](#)

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Jose says:

If you sent the cops after real crooks and thieves you could start with Congress.

Posted On: [Friday, Oct. 2 2009 @ 7:09AM](#)

[Electric Larry](#) says:

Oh hell. Cops can't take time away from traffic citations. That's where the money is. And when the odor of a little toke is noted they get a double-dip citation. Now that's a real money-maker.

Posted On: [Friday, Oct. 2 2009 @ 11:10AM](#)

[Ingleweird](#) says:

I vote for "Affect" being used incorrectly. If I'm wrong, it wouldn't affect me none; that is to say, the effect would be negligible.

Posted On: [Friday, Oct. 2 2009 @ 10:42PM](#)

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