

# **MAYBE WE CAN LEARN SOMETHING FROM THE MARIJUANA EXPERIENCE?**

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I've been a full time practicing criminal defense attorney in Arizona since 1994. For that entire time, I've been arguing, as publicly as possible, that laws criminalizing peaceful marijuana use by competent adults should be immediately repealed. Indeed, they are entirely inconsistent with a free society.

In 1994, my arguments to legalize marijuana were dismissed by most people as crazy fringe ramblings. For the next two and a half decades, I witnessed judges and prosecutors work together to imprison countless peaceful people, our brothers and sisters, for possessing, transporting, selling or growing a plant that countless competent and peaceful adults wanted. We the taxpayers have financially supported that hugely expensive effort the entire time. We can only guess at how many real criminals remain on the streets because precious law enforcement resources were wasted chasing down and prosecuting such peaceful people then often ruining their lives.

Merely singing songs about freedom and waving flags is irrelevant to a free society. We need to walk the walk. Especially if you don't use marijuana, you should enthusiastically support marijuana legalization for competent adults. Until we accept that competent adults have a right to do peaceful things we personally find immoral, unhealthy or unwise, we will never truly have a free society. We need to think much bigger.

Arizona should have led on this issue. Instead, we waited to see how marijuana legalization would work out in other states first. We cowardly watched other states legalize marijuana without experiencing any of the claimed horrors loudly trumpeted by the anti-freedom crowd. Without learning the lessons of alcohol prohibition, we were doomed to repeat the same mistakes and we did.

The lesson here isn't simply that marijuana should be legal for competent adults. There is a much bigger lesson for us to finally learn. If we actually want a free society, we need to urgently adopt a live and let live attitude towards our fellow competent and peaceful adult brothers and sisters on all issues. We simply can't continue to tolerate an endless struggle between different groups each attempting to impose their particular moral views on us all through the mechanisms of law. Aren't you tired of this endless political struggle?

Reasonable people should be able to agree that nobody has a right to initiate force, fraud or coercion against another. Even creating a substantial risk of such an aggression should be legally prohibited. But if a person is not engaging in this type of conduct, they should be left alone. We could call this the, "Live and Let Live Rule."

It is indeed a simple pro-freedom and pro-peace rule. If you had a good mom, she taught you at kindergarten age to keep your hands to yourself and don't take other kids' toys. This remains a good rule for adults too. It should apply to the government as well.

If you use marijuana then drive your vehicle recklessly, you are violating the Rule by putting others at risk of harm. As I often say to the pro-gun crowd, "Don't be an idiot with a gun." The same can be said about marijuana. There are countless ways to violate the Live and Let Live Rule. They are, and should all remain, illegal.

Our country made a giant mistake by prosecuting a drug war against peaceful people. This war ruined countless lives, wasted billions of dollars, enriched many bad guys, weakened our constitutional rights, created lots of tension between police officers and citizens, and likely allowed many real criminals to escape prosecution. The best reason to end the drug war is simply because it punishes people who didn't violate the Live and Let Live Rule.

We need to learn from our mistakes. If we actually want to be the land of the free, we need to tolerate the rights of other people to live their lives as they choose so long as they are peaceful. Arguments about morality should reside in the domain of persuasion not legality. Cheers to the people of Arizona for finally waking up on this issue! Now, let's learn the bigger and more important lesson so we can move towards a more free, peaceful and civilized society and world.