A Marijuana Legalization Model Using Benefits, Opportunities, Costs and Risks (BOCR) Analysis

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ABSTRACT

Marijuana has been regarded as an evil in our society because of abuse and addiction. However, its legalization and use in several states have shown that from the standpoint of its benefits, opportunities, costs and risks (BOCR) the overall decision should be to legalize it in our greater society. This is an elementary application of the Analytic Hierarchy Process to analyze that decision that is now before Congress for action.

Keywords: Analytic Hierarchy Process, Benefits, Congress, Costs and Risks (BOCR), Drug Legalization, Marijuana, Opportunities

1. INTRODUCTION

Use of marijuana has been considered illegal by the US government and its use has sometimes exacted severe penalties including large fines and imprisonment. But the situation has changed. Its use is not well-regulated or understood, and states have done a poor job of tracking what, exactly is being doled out at dispensaries. Marijuana bears no resemblance to anything else in the medicine cabinets. It has been handed out to more than a million patients in 23 states. But the drug remains illegal under federal law. An old grandmother suffering badly from a serious illness asks her doctor what to do and thinks that marijuana might help her. Her neighbors overwhelmingly voted to give her the right to use it. She finds that smoking the weed lessens her suffering. Should the federal government be empowered to arrest her for consuming it?

Many in Congress think so. Federal agents are unlikely to intervene in this sort of case because the law allows for it. Exaggerated ideas of the harmfulness of marijuana cannot survive in a society where cancer patients consume it. The Republicans are divided on legislation to allow the use of marijuana. Senator Paul and his colleague Ted Cruz, and Governor Rick Perry of Texas, among others, have regard for the 10th Amendment, which states that “the powers not delegated to the United States by

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the Constitution, nor prohibited by the states, are reserved to the states respectively, or to the people.” They also believe that states can act as laboratories of democracy: People in different regions can live under a system of their liking while acting as a model for other Americans as they weigh the best approach.

That is not because marijuana is harmless. Regular use is bad for one’s health. Some users become psychologically addicted. Long-term use carries unknown risks. There are prohibitionists who have a very clear understanding of the drug’s costs and benefits, and continue to staunchly oppose legalization of any kind. But most people who see the costs and benefits of marijuana clearly conclude that preventing other Americans from smoking it at the point of a gun is deeply immoral. Most people are unwilling to send SWAT teams into family homes, lock humans in cages, and enrich drug cartels all in the hopes that a War on Drugs that has failed for decades will improbably turn out to be successful in the end.

The director of undergraduate studies for the Department of Economics at Harvard University notes that of the $48.7 billion spent by states and the federal government in 2008, $13.8 billion was strictly used for marijuana enforcement. Legalizing marijuana would reduce state expenses by $10.4 billion, federal government expenses by $3.4 billion.

Roughly half the Americans now favor outright legalization of recreational marijuana. The day isn’t far off when public opinion will have shifted enough to bring about a bill to that effect at the national level. That various states are experimenting with medicinal and recreational marijuana leaves us better prepared for that moment. Enabling those experiments is a step in a responsible direction.

Since California became the first state to permit the sale and possession of medicinal marijuana in 1996, 22 other states and the District of Columbia have passed similar legislation. More recently, recreational marijuana use has been legalized in four states — Alaska, Oregon, Washington and Colorado — as well as Washington, D.C.

As a result, employers with operations in states where marijuana prohibitions have been relaxed or vacated are challenged to enforce workplace anti-drug policies, experts said during Business Insurance’s 2015 Risk Management Summit in New York.

“Marijuana in the workplace is not going to be easy to deal with for any employer “It still has no accepted use as far as the federal government is concerned, and that is not going to change for quite some time. So you’re going to have this continuous conflict between the federal government and the states, and it’s going to give employers fits.”

“Right now, we think employers have an obligation to uphold state laws and federal laws; and under those circumstances, the best advice one could give would be to follow the law. So as long as you’ve got a valid, nondiscriminatory drug policy, apply it irrespective of the legality of marijuana in the workplace. The results of Colorado’s first year in which it regulated both a medical and a recreational use marijuana market may have a profound impact on the development of policies in other states and perhaps eventual national oversight.”

Marijuana is illegal under federal law, but Colorado and Washington became the first U.S. states to legalize recreational use by adults in landmark ballots in 2012. Voters in Oregon, Alaska and District of Columbia have since followed suit. See Figure 1 for an area example.

2. BENEFITS, OPPORTUNITIES, COSTS AND RISKS

This paper is about deciding nationwide and particularly by law makers as to whether to legalize marijuana or not. The decision is analyzed separately for Benefits, Opportunities, Costs and Risks as in Figure 2. Four models were created to determine the best outcome and then combined into a master model which contained strategic criteria which were pairwise compared to derive their priorities. These criteria were then used by thirty participants to evaluate the top alternative for each outcome thus obtaining
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