

Issue 4

As one of the flagship issues of the Libertarian Party since its inception and perhaps the most well-known and sympathized-with Libertarian issue in political discourse today, one may expect the legalization of recreational cannabis to be a unifying issue for Libertarians. However, Issue 4 has been bitterly divisive among those in the Libertarian and pro-cannabis legalization communities due to shortcomings in the language of the proposed amendment. Whether one generally falls more on the perfectionist side or incrementalist side of the issue, it is important to be aware of the specifics of Issue 4 before making a decision.

The upsides of Issue 4 are mostly self-evident. Most importantly, if passed, it would end further incarceration of adults (21+) for possessing up to 1 ounce of Arkansas-grown cannabis, a naturally occurring plant with few if any negative side effects, and which any adult has the unalienable right to consume, regardless of risk. While an end to incarceration over a non-violent offense is an unambiguous good, Issue 4 does not allow growing cannabis at home for personal use and does not provide for the expungement of records for those previously convicted of cannabis-related offenses, two shortfalls which many criminal justice advocates consider unacceptable. Additionally, the language of the initiative expands the size and scope of the Alcoholic Beverage Control division (ABC) and provides for further funding of police departments, both of which may lead to harsher enforcement of remaining cannabis laws and other laws on controlled substances.

Any time restrictions are loosened around a market, we can expect to see an increase in economic activity around that market, and cannabis is no exception. A recent study by the Arkansas Economic Development Institute, led by esteemed economist Dr. Michael Pakko, recently forecasted that the adoption of Issue 4 would add nearly 6,400 new jobs and increase Arkansas GDP by \$2.36 billion over the next five years. Of concern is the estimated \$300 million increase in tax revenue associated with this growth, 15% of which will be earmarked to fund law enforcement statewide. 10% of the tax revenue will go to the University of Arkansas for Medical Sciences (UAMS), 5% will fund Arkansas drug courts, and the remaining 70% will go toward "general revenue." Fortunately, Issue 4 will repeal the existing tax on medical cannabis sales and ban the imposition of other taxes on medical cannabis, increasing the purchasing power of medical cannabis patients.

As the traditionally black market of recreational cannabis transitions to a legal market, we can expect to see a more consistent product and hopefully a decrease in the accidental fentanyl overdoses among cannabis users as victims gain the ability to seek damages for negative effects of a faulty product. Unfortunately, high quality may not necessarily be guaranteed either, as the language of Issue 4 serves to maintain the current oligopoly in cannabis production by issuing licenses to the current holders of medical cannabis licenses, and by strictly limiting the number of new licenses awarded. The high barriers to entry in the

cannabis market serve to ensure that if enacted, the new law will keep cannabis production in the hands of select few corporate interests, which carries the potential for corruption, price collusion, and decrease in product quality due to lack of competition. Additionally, the proposed amendment would put the hemp market and the booming CBD market under the control of this same oligopoly by requiring that all products of the cannabis plant be sold only by licensed dispensaries.

A traditional libertarian rule of thumb has been to support any increase in liberty, no matter how small, as long as it does not decrease liberty elsewhere. While no libertarian claims that Issue 4 is ideal, many libertarian incrementalists believe that this may be the best option we will ever have, given the disorganized nature of the cannabis legalization movement in Arkansas as well as the looming presence of Issue 2 on our ballots, which if passed would likely set back the effort for recreational cannabis several years. However, the complaints of the pro-cannabis, anti-Issue 4 demographic come not primarily from an opposition to compromise on the issue, but from a concern that elements of the initiative fail to address some of their basic demands and pave the way for the political establishment to control the cannabis market in Arkansas for the foreseeable future. With such a bitter split among Libertarians on Issue 4, the Libertarian Party of Arkansas acknowledges that both sides hold their opposing views in good faith out of a concern for human liberty, and will decline to issue a definite "Vote Yes" or "Vote No" recommendation. All decision-making is made using a subjective weighing of trade-offs, and we encourage voters to consider these concerns when making their decision.