

University of Alaska Southeast

# The Whalesong

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## Pot's Legal!! Is it a Myth?

By Evelyn Cushing  
Whalesong Staff

Has our state somehow pulled a fast one on us? Has a shade been drawn over our eyes so skillfully that we are unsure of our own laws? Perhaps so. The truth of the law is that your right to smoke marijuana is completely protected under our very own precious Alaskan Constitution. This may be old news to the extremely well-informed, but the general population of Alaska is apparently clueless. The confusion began when back 1990 Alaskans voted in an initiative criminalizing marijuana, but here's the quick list of facts:

- 1972 – Alaska voters pass a constitutional amendment recognizing a right to privacy. (86 percent to 14 percent)
- 1975 – Alaska State Supreme Court unanimously rules, “This right to privacy would encompass the possession and ingestion of substances such as marijuana in a purely personal, non commercial context in the home...” (Ravin vs. State)
- 1990 – Alaska voters pass an initiative to criminalize marijuana. (54% percent-46 percent)
- 1993 – Alaska Supreme Court rules, “the initiative was inadequate to overrule Ravin and that case remains law.”



The Supreme Court ruling that first determined marijuana to be legal was based on a court case brought by Irwin Ravin charged with possession. Ravin's two main arguing points were that “there is no legitimate state interest in prohibiting possession of marijuana by adults for personal use, in view of the right to privacy and secondly, that the statutory classification of marijuana as a dangerous drug, while use of alcohol and tobacco is not prohibited, denies him due process and equal protection of law.”

Because of this case there is a constitutional clause through our right of privacy that protects us against prosecution for use of marijuana. That makes the criminalizing initiative completely unconstitutional, as confirmed later by the Alaska Supreme Court. The only way to overrule Ravin would be to make

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## V-Day gets support from UAS

By Sean Smith  
Whalesong Staff

The mission: It demands that the violence must end. It proclaims that Valentine's day as V-Day until the violence stops. When all women live in safety, no longer fearing violence or the threat of violence, V-Day will be known as Victory Over Violence Day. After 800 showings around the word, and over \$14 million raised, the V-Day production comes to Juneau for a one-time showing on Feb. 16. If you happen to make it to the benefit production of *The Vagina Monologues*, keep an eye out for some of UAS's very own students performing original pieces that they created in workshops that the students took part in on Feb. 6 and 7.

The men and women's workshops were an hour and a half each. Students worked in groups to come up with a couple original works of creative writing about the theme of the upcoming benefit production, “What does our community look like without violence against women and children?” The students decided on one of the writings, which was a series of poems and skits, to be performed at the end of *The Vagina Monologues*.

“I thought they (the workshops) were great,” said co-leader of the workshops and director of *The Vagina Monologues*, Anita Maynard-Losh. “It is great to have community members involved in the production.”

This will be a recurring theme of all the benefit productions that take place in the next few weeks. Community members in Bethel, Dillingham, Sitka and either Barrow or Kodiak will have a chance to get involved with the showing that will benefit the local charities in the communities.

Everyone was excited about getting involved in stopping violence against women in Alaska, where we suffer from the one and a half times the murder rate against women compared to the rest of the US.



Eve Ensler writer of *The Vagina Monologues*

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