



## When Tod Met Merle (Or, One Man’s Closure is Another Man’s Torture)



When Merle Haggard and the Strangers were coming to the Oakland Paramount in the Spring of ‘05, I asked Tod if his 11-year-old daughter might want to go. “Maybe,” he said. “She’s currently into Elvis.” Then he added, to my surprise, “I met Merle once.”

Their paths had crossed outside the Redding airport one Sunday afternoon in 1997 or ‘98. “It was not long after Prop 215 passed,” Mikuriya recollected. “I was flying up there quite frequently to conduct weekend clinics in Red Bluff,” i.e. to see patients who were afraid to discuss their cannabis use with their own doctors, or whose doctors were afraid to issue approvals.

Tod recognized and introduced himself to the musician and the woman he was with, who turned out to be Haggard’s wife and manager. Tod explained what he had been doing in Red Bluff — “conferring legality on medical marijuana users.” And then, Tod said, “I asked him why he was stand-offish on the issue while his buddy Willie Nelson spoke out.”

How did the Haggards respond?

“They indicated that self-censorship was necessary in order not to endanger his career.”

Tod decided not to push it. He told the Haggards that when “Okie From Muskogee” had come out in the early ‘70s, he’d written “an answer song.” And then, a *capella* on the sidewalk outside the terminal, Tod sang for them his old expression of outrage and retaliation:

*They rot their minds and bodies with white lightning  
Strewing highways with slaughter of the drunks  
While the cops are raiding bedrooms  
Of the marijuana smoking leftist punks.*

*Refrain: I’m glad I’m not an okie from Muskogee  
Where the mind and the conscience are asleep  
Frightened and kept ignorant from childhood  
Is it any wonder that they act like sheep?*

*The local campus hero is the jock strap.  
Scholarship and brand new shiny car  
Making business for the abortionist  
who pays the sheriff who runs the local bar*

*American Legion and VFW veterans  
March down the flag-draped Main street twice a year  
Then sit around drinking beer and watching pornos  
Just in case you’d wonder if they’re queer.*

*Nixon, Mitchell, Agnew are their heroes  
And the Indo China war’s a holy cause  
The widow’s flags on our sons’ pine boxes,  
Repay us for a war outside the laws.*

*Sex education was sent here by the devil  
We hear an aging pious preacher bray.  
Keep our children ignorant as we are  
And the welfare rolls keep rising day by day*

*Refrain*

And how, I asked, did Mr. and Mrs. Haggard respond to the sidewalk serenade? “They seemed a little taken aback,” said Tod, matter-of-factly. “Not particularly amused. But it was some closure for me.”

Although Merle Haggard may have been reluctant to talk politics outside the Redding airport with a stranger — a singer-songwriter-psychiatrist — he certainly had his own reasons for deploring the marijuana prohibition.

In April, 1999, Haggard explained to a *Boston Globe* reporter that Canada used to be part of his New England tour, but by 1990 the indignity of crossing the border had become unacceptable. “If they find a seed of marijuana in your car or bus, they’ll run it all over the news,” Haggard said.

“I’ve got 30 people working for me. There is liable to be a seed of marijuana. So it makes it very uninviting to go into Canada, knowing that the United States is going to harass you coming back.

“They snatched some buses from people I won’t name, and buses are not cheap. It costs us seven or eight years of our lives to pay for these buses, and they just take ‘em. Like I say, you can’t personally shake people down that work for you. I’m not going to do that. You don’t know who’s doing what and who isn’t, but this ‘zero tolerance’ thing they’ve got going is really amazing. They’ve got private enterprise building prisons now. It’s scary. It’s overkill.”

—Fred Gardner

## The Doctor Who Believed His Patients

By Michael R. Aldrich, Ph.D.

When I first met Tod Mikuriya in February 1969, I was already an activist — the occasion was the “New Worlds Drug Symposium,” an event I organized in Buffalo, NY, that brought together 2,000 would-be reformers from around the world — yet I was unaware that cannabis had been widely, safely, and effectively used as medicine! It was Tod who educated me in this area.

It’s no exaggeration to say that Tod educated the whole country in this area. Eighty percent of the American people now know that marijuana has medical uses — and they didn’t learn it in school.

Tod resurrected the best cannabis-therapy papers of the pre-prohibition era, published them, and brought the old wisdom straight back into contemporary clinical practice.

Cannabis had been made illegal by a government bought out by a pharmaceutical industry that reaped greater profits from patented synthetics. Centuries of knowledge had been not merely forgotten but maligned as “drug abuse.” Tod saw that the medical establishment chose to ignore cannabis, and personally took it upon himself to re-introduce it.

For many years he was the *only* source of education about cannabis as medicine. And his steadfast campaign grew and grew — many of us joined in to help carry the message — and now there are thousands of doctors using cannabis in clinical practice and researchers studying its mechanism of action in laboratories.

Tod and I arrived in Northern California within a year of each other and soon started working together on various projects. I was co-director and Tod was on the board of advisors to Amorphia, a reform group that sold Acapulco Gold rolling papers to finance the first California Marijuana Initiative in 1972.

When CMI garnered 33% of the

statewide vote in 1972 without using paid signature gatherers — it was a signal to politicians that a genuine constituency existed for marijuana-law reform.

Tod and I worked with Gordon Brownell, the first head of California NORML, to urge State Senate Majority Leader George Moscone to hold hearings on decriminalization in 1974. Tod hired me to gather statistics on how much was being spent by the state to enforce the marijuana laws. At the time, possession of any amount — even a couple seeds in your pocket — was a felony. Moscone needed this information to open the eyes of Republicans in the legislature.

We were able to prove that more than \$100 million was being spent on marijuana arrests, prosecutions, trials, and incarcerations, each year. As a result, Moscone was able to get the votes needed to pass Senate Bill 95, which made possession of an ounce or less a “citable misdemeanor” (a whole new offense category in state law) with a maximum \$100 fine — our present California marijuana law.

Ten years later, Tod and I did a study published in the *Journal of Psychoactive Drugs* (vol. 20, #1, January-March 1988) confirming that California had saved a billion dollars in police, court, prison, probation and parole costs in the decade since the Moscone Act — SB95 — took effect Jan. 1, 1996.

In the 1980s, the federal government under Reagan claimed that marijuana had become much stronger than strains available in the 1960s and 1970s. Tod and I collaborated on an article (published in the same 1988 issue of *Journal of Psychoactive Drugs*) showing that marijuana itself had not changed its potency since its introduction to western medicine in 1839, though high-potency sinsemilla was now more available.

We went decade by decade through

the history of medical cannabis showing that highly potent preparations had been used throughout the pre-prohibition era. The government’s potency comparison was based on police seizures of samples that had decayed in evidence lockers for years; it simply was not true that the potency had increased either for the plant itself or the tinctures and other medications made from it.

Another project Dr. Tod and I worked on intermittently for decades was a biography of W.B. O’Shaughnessy, the physician who brought cannabis to the attention of European doctors. O’Shaughnessy was a genius in several fields (he built the first telegraph system in Asia, among other achievements) and we wrote to many sources in the UK and India to gather the facts. Tod visited the UK twice to carry out this research, but died before we could finish the book.

Another hero of Tod’s was Dr. William Woodward, the American Medical Association spokesman who tried vainly to stop the prohibition of marijuana in the 1930s. Tod lived up to Woodward’s example, helping to roll back the prohibition in California.

**Dr. Tod’s legacy**

Dr. Tod was involved in the drafting of Proposition 215 (as he had been with Proposition 19 in 1972). He was responsible for the all-important clause in the first sentence that says “...or any other illness for which marijuana provides relief.”

*He wanted the wording to reflect the medical reality.*

He had listened to his patients respectfully, believed their individual reports, and could back up them up with his own profound knowledge of history. He wanted California law to reflect medical reality: cannabis is used to treat an astonishingly wide range of conditions. He accurately surmised that government bureaucrats would try to define (and limit) the medical conditions for which marijuana use could be approved.

Michele and I think of him every day. He was funny, provocative, extremely intelligent, interested in everything. He was our doctor, our colleague, and our friend.



MICHELE AND MICHAEL ALDRICH, TOD MIKURIYA, AND DENNIS PERON at Dennis’s premature farewell party for Tod in April 2006.