

Parliament added marijuana to a list of proscribed drugs in 1923. No explanation was given for why they criminalized smoking pot, which some protesters did at the Fill the Hill marijuana rally on Parliament Hill in Ottawa on April 20. (Justin Tang/Canadian Press)

Pot activists in Canada who took part in the annual “Global Marijuana March” on May 3 demanded the decriminalization of marijuana.

They might also have asked why it became illegal in the first place.

That happened in 1923, and if there was any kind of parliamentary debate, historians have been unable to find a record of it.

When Parliament decided to add marijuana to the schedule of proscribed drugs that year, Canada became one of the first countries to make smoking pot illegal. The U.S. didn’t accomplish that until 14 years later, in the midst of the Great Depression.

In 1923, then prime minister William Lyon Mackenzie King’s Liberal government introduced an Act to Prohibit the Improper Use of Opium and other Drugs. The federal health minister at the time, Henri Beland, said the bill was a consolidation of other legislation that had been passed over the previous few years, with some changes.

At the time, the only drugs on the schedule were opium, morphine, cocaine and eucaïne (a local anesthetic first introduced as a substitute for cocaine).

The new bill added three drugs to the proscribed list: heroin, codeine and “cannabis indica (Indian hemp) or hasheesh.”

The only mention of the proposed changes to the schedule recorded in Hansard was on April 23, when Beland told the House of Commons, “There is a new drug in the schedule.”

In fact, there were actually three new drugs. Historian Catherine Carstairs says Beland was likely referring to cannabis when he said there was “a new drug,” because in the government’s view, “the other two are extensions of other products that had already been added to the schedule.”

Carstairs is the author of *J. A. P. C. : The History of the University of Guelph, 1827-1961* and chair of the University of Guelph’s history department.

The next month, on May 3, when it was the Senate’s

### *Heroin and codeine also proscribed*

One reason that no one in Parliament asked about or challenged the addition of marijuana to the schedule may be because little was known about the drug in Canada at the time, and very few people were smoking it.

We could find no references to marijuana in either the Toronto Star or the Globe and Mail in 1923. And there were no police seizures of marijuana until 1932.

Murphy herself is best remembered as one of the Famous Five, from the celebrated “persons case” — that women qualify as persons for the purpose of being appointed to the Senate — a suit that eventually won the day in the British Privy Council.

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