

In The News

# Joshua Mandell Advocates to Stop Use of Common Cannabis Industry Terms in *Law360* Article

July 13, 2020

Joshua Mandell co-wrote an article for *Law360* advocating for the stop of the use of certain words within the cannabis industry, particularly those that connote negative racial and ethnic overtones to imply criminality, illegality, shame, and ill-repute.

“Adopting the industry-preferred alternatives will help practitioners show that they are both up-to-speed on current terminology but also mindful and sensitive to historic negative connotations associated with some terms used to refer to aspects of the industry. Adopting the preferred new terminology honors the work being done to remedy the historical and systemic harm done by the war on drugs, particularly against people of color.”

“For over two centuries, medicinal cannabis use was permitted in the U.S. without significant restriction. However, the American government became increasingly hostile to cannabis, which it began referring to as ‘marihuana’ following the surge of Mexican refugees who fled to the U.S. around 1910, following the Mexican Revolution.”

“Against this backdrop, many cannabis industry stakeholders now reject the term ‘black market.’ Although the term ‘black market’ has been used in myriad circumstances without reference to race, including within the cannabis industry, today

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Joshua R. Mandell

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industry stakeholders reject the black-white dualism of the term as connoting negative racial and ethnic overtones to imply criminality, illegality, shame, and ill-repute.”

“The words we use are full of symbolic meaning. Using preferred terminology costs nothing and communicates that you understand or have heard those voices calling for change and equity. Continuing to use disfavored terminology in a new era may very well communicate that you are stuck in the past and unwilling to confront the historic racism that has disproportionately impacted people of color.”

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