

**Tod Mikuriya, 1933-2007**

# The Doctor of Last Resort

**By Fred Gardner**

When the Medical Marijuana Patients Union held a symposium in Fort Bragg in August, 2004, Sheriff Tony Craver asked an organizer to please introduce him to Dr. Tod Mikuriya. It turned out that Mikuriya had left after participating in a morning panel. “That’s one man I’ve always wanted to meet,” said Craver, looking down in disappointment.

The Mendocino County sheriff knew there was something extraordinary about Tod Mikuriya, and so did half the cops and prosecutors in California, who, unlike Tony Craver, fiercely resented him for conferring legitimacy on people previously defined as criminals.

Mikuriya died May 20 at his home in the Berkeley Hills. He was 73. The cause was complications of cancer. In the final days he had been in the care of his sisters, Beverly, an MD from Bucks County, Pennsylvania, and Mary Jane of San Francisco, and his longtime assistant, John Trapp.

Cancer had been diagnosed originally in his lungs, and as of March 2006 it had been detected in his liver, too. Dennis Peron and Dale Gieringer threw farewell parties for him. Tod canceled a trip to Hungary where he was to present a paper at the International Cannabinoid Research Society meeting. His office began steering patients to other doctors.

And then his condition improved. In late May 2006 Mikuriya attended his 50th reunion at Reed College and sang rounds with his old madrigal group. His office geared up again. He was the lead author of an article reviewing what California doctors had learned in the 10 years since the passage of Prop 215 (“Medical Marijuana in California, 1996-2006,” *O’Shaughnessy’s*, Winter/Spring 2007). He held discussions with his son Tada (Sean) Mikuriya about reissuing “Marijuana Medical Papers,” his 1973 anthology of pre-prohibition medical literature—the new edition to include a CD containing eight more articles that had come to light over the years. He enjoyed many visits with his 12-year-old daughter, Hero, the apple of his eye; they even went cross-country skiing one weekend.

As recently as this March Mikuriya played a key role organizing a symposium at which retired colonel James Ketchum, MD, discussed the Army’s secret search for a cannabinoid-based incapacitating agent.

Mikuriya had begun assembling the contents for a new anthology, “Cannabis Clinical Papers,” that would include studies by colleagues and three major papers of his own: “Cannabis as a Substitute for Alcohol;” “Cannabis as a First-Line Treatment for Mental Disorders;” and “Cannabis Eases Post-Traumatic Stress.” (The titles alone reflect the relevance of Mikuriya’s concerns.)

**“Back to the Future!”**

Mikuriya liked to use the slogans “Grandfather it in!” and “Back to the future!” in discussing the legalization of cannabis for medical use. The generations of Americans who discovered cannabis in social settings in the 1960s and the decades that followed had no idea that it had been widely used in this country between the Civil War and the Great Depression, with tinctures manufactured by Eli Lilly, Parke, Davis and other major pharmaceutical companies available by prescription. For decades Mikuriya was the only MD among the small group of activists and scholars who collected the bottles and labels and sought to unearth and publicize the history that our educational system had erased so systematically.

Mikuriya was given to creating polysyllabic phrases that forced one to puzzle over their meaning. For example, America’s cultural preference

for the modern he called “temporal chauvinism.” Cannabis clubs, he said, showed the efficacy of “proactive structuralism;” by which he meant, “People can create something and, by doing so, set a precedent.”

Tod Hiro Mikuriya was born in Eastern Pennsylvania in 1933 to Anna (Schwenk) and Tadafumi Mikuriya. His father was a Japanese Samurai who converted to Christianity, his mother a German immigrant and practicing Baha’i. Tod and his two younger sisters went to Quaker schools. “The Quakers were proprietors of the underground railway,” Tod noted. “The cannabis prohibition has the same dynamics as the bigotry and racism my family and I experienced starting on December 7, 1941, when we were transformed from normal-but-different people into war-criminal surrogates.”

He graduated from Reed College in 1956, served as a medic in the U.S. Army, and then attended Temple University School of Medicine. It was at Temple that a reference in a pharmacology text to the medical utility of marijuana triggered the interest that would define his career.



**Dr. Tod at the ICRS Meeting, 1999. The “lab wonks” would explain why cannabis moderates the symptoms of so many conditions.**

After getting his medical degree, Mikuriya served an internship at Southern Pacific General Hospital in San Francisco, specialized in psychiatry at the Oregon State Hospital in Salem, and completed his training at Mendocino State Hospital. In 1967 he became director of non-classified marijuana research for the National Institute of Mental Health Center for Narcotics and Drug Abuse. He left the position after several months, he said, “When it became clear they only wanted research into damaging effects, not helpful ones.”

Mikuriya moved to Berkeley in 1970 and entered private practice. He was active in Amorphia, a West Coast reform group that eventually folded into NORML. He helped organize a 1972 marijuana legalization initiative, working alongside Michael and Michelle Aldrich, Pebbles Trippet, and others who would stay with the struggle through decades of cultural and political rollback.

“Western medicine has forgotten almost all it once knew about the therapeutic properties of marijuana,” Mikuriya lamented to a UCSF medical student interviewing him in 1996. “Hemp-based tinctures and preparations were prescribed for myriad purposes - analgesic and hypnotic; appetite stimulant; anti-epileptic and antispasmodic; for the prevention and treatment of the neuralgias, including migraine and tic doloureux; antidepressant and tranquilizer; oxytocic (to induce uterine contractions); topical anesthetic; withdrawal agent for opiate, chloral and alcohol addiction; intraocular hypotensive; childbirth analgesic; hypothermogenic.” Cannabis is also an anti-asthmatic and antitussive (cough suppressant), Mikuriya told the med student. It went out of favor with doctors in the early decades of the 20th

century “not because it was deemed toxic or dangerous but because alternatives came on the market -injectable opiates and synthetics such as aspirin and barbiturates- that were quicker-acting and offered more consistency in dosage and patient response.”

When Dennis Peron launched the San Francisco Cannabis Buyers Club at the start of the ’90s, Mikuriya saw “a unique research opportunity.” He began interviewing club members seeking to confirm or add to descriptions in the pre-prohibition literature. When Prop 215 was being drafted, Mikuriya contributed the all-important phrase in the first sentence that allows doctors to approve marijuana use in treating “any...condition for which marijuana provides relief.” (Eleven other states have since passed laws allowing marijuana use to treat specific conditions. Mikuriya considered them all intellectually dishonest compromises.)

Mikuriya’s contention that marijuana alleviates an extremely wide range of symptoms was ridiculed by Drug Czar Barry McCaffrey and other federal officials at a press conference in December, 1996. Reform advocates promptly sued the drug czar’s office and obtained a federal injunction confirming the Constitutional right of doctors and patients to discuss marijuana as a treatment option.

Nevertheless, for several years following the passage of Prop 215, almost no California MDs were willing to risk the wrath of the government by putting in writing a recommendation for cannabis in the treatment of say, depression, or lower back pain. People all over the state were calling cannabis clubs to report that their doctors—many of whom had expressed their approval of marijuana previously— would not give them a written “letter of diagnosis” entitling them to join a club. Many of these people were given the name and phone number of Tod Mikuriya.

Thus Mikuriya became the doctor of last resort for thousands of California patients. He flew or drove with John Trapp to cities and towns around the state to preside at ad hoc clinics. “It’s one of the most satisfying experiences for me as a psychiatrist to be able to remove the stigma of criminality from an individual,” he said after testifying for an alcoholic Vietnam vet in Sonora in 1998. “Not just the self-perceived stigma, but removing the real danger of civil forfeiture and other kinds of state viciousness.”

Mikuriya was investigated by the California medical board on the basis of complaints from law enforcement officers (none from patients, and no allegations of harm to a patient). At a disciplinary hearing in 2003 all the patients named in the accusation praised and thanked Mikuriya. He was placed on probation by the board, but continued to practice until early May. Then his decline was rapid. He had issued some 9,000 approvals.

*“Tod was the mentor of every doctor working in the field,” says SCC president Philip A. Denney, MD.*

Mikuriya founded the Society of Cannabis Clinicians, a specialty group whose members have issued more than 160,000 approvals. “Tod was the mentor of every doctor working in the field,” says SCC president Philip A. Denney, MD. “His observation that cannabis alleviates so many seemingly disparate symptoms has been explained by recent research showing that its active ingredients modulate virtually every neurotransmission system in the body.” In other words, the finding the Drug Czar mocked as “a fraud” turned out to be a function of our physiology—reality itself.

## Analyzing Dr. Mikuriya's Obituaries:

# Prohibition Requires Ignorance

By Fred Gardner

When Tod Mikuriya's obituaries appeared in the papers in the days following his death, I kept expecting him to call and comment on them. He was not self-aggrandizing and I doubt he would have been grateful for the prominent placement. Not one of the major dailies described his achievement accurately.

The individual reporters are not to blame; it's the top editors, operating in what they take to be the interests of the corporate owners, who never made the medical marijuana movement a beat, i.e., never assigned anyone to make a thorough study of the subject. Ever since California's Prop 215 campaign in 1996, the occasional medical mj story has been given to whoever was available in the newsroom. Thus in 2007, writing Tod's obits fell to journalists who were, at best, only superficially conversant with the subject.

The point the obits all failed to convey was that **Tod's observation that cannabis is helpful to people suffering a wide range of ailments—the very thing Drug Czar Barry McCaffrey mocked him for in 1996—has been confirmed and explained in recent years by scientists studying the body's own cannabinoid messenger system.**

The endocannabinoid system is now known to function as a master modulator, setting the tone and tempo at which other neurotransmitters fire. It inhibits neurons firing too intensely and disinhibits neurons firing too sluggishly. Cannabinoids promote homeostasis (an even keel) in systems that regulate appetite, movement, learning and forgetting, perception of pain, immune response and inflammation, neuroprotection and other vital processes. That's why smoking or otherwise ingesting cannabis affects such a wide range of symptoms. Tod had deduced this much by listening to and trusting his patients. He proposed classifying cannabis as an "easement," because it's a relaxant both physically and psychologically. The discovery in the past decade that the endocannabinoid system works as the body's master modulator corroborates Tod's insight. But, as his obits attest, the discovery of the endocannabinoid system remains a suppressed story.

The *San Francisco Chronicle* obit by Henry Lee didn't even make reference to McCaffrey's infamous mockery of Mikuriya's findings. Lee focused on Tod's prosecution by the Medical Board of California, which he had reported on for the *Chronicle* after briefly looking in on the hearing in Oakland. "In 2003," Lee wrote in his obit, "Dr. Mikuriya was investigated by the Medical Board of California on allegations of unprofessional conduct and negligence in his handling of 16 cases since 1998. Supporters said the case was politically motivated and payback for his vocal support of medical marijuana."

The investigation really began in 1999 and hung like a sword of Damocles over Mikuriya's head for many years before the board decided to plunge it into his practice. Tod's allies had provided the *Chronicle* with specific, meaningful facts: that all the allegations of unprofessional conduct and negligence had come from law enforcement, none from patients. Nor had there ever been an allegation of harm to a patient by Mikuriya. Reporting those verifiable FACTS would have conveyed a lot more than "said the case was politically motivated," which is vague and whiney-sounding.

Lee redeemed himself by including interesting info from Tod's sisters. "His interests were varied, said his family, who called him a 'modern man for all seasons.' He enjoyed racing cars, flying airplanes, singing and playing traditional folk music, and singing choral music and Elizabethan materials. He collected tools, electronic gadgets, political newspaper cartoons and marijuana T-shirts and posters.

Valerie Nelson of the *LA Times* correctly reported that Tod "helped draft Proposition 215," and had approved marijuana use by some 9,000 patients. Nelson credited Tod with founding the Society of Cannabis Clinicians, but misleadingly added "to educate colleagues about the plant's medical uses." Although Tod had been monitoring its use for longer than his SCC colleagues, and he had many original insights to share about how cannabis worked, he never acted as if his understanding was superior to the other doctors's. He was an educator indeed, but his goal in organizing the SCC was not to enlighten disciples but to have a forum wherein medical specialists could share observa-

tions and findings. He considered it unfortunate that the SCC, which met quarterly, had to devote so much time and attention to legal problems stemming from harassment by the medical board. At one point nine of 15 SCC members had been investigated by the board—a costly, frightening process in itself whether or not it results in prosecution.

Nelson wrote that Tod "kept a list of conditions that had been eased by cannabis"—which is true but makes it sound like a personal rather than a collective project. The list of conditions was originally culled by Tod from journal articles in the pre-prohibition medical literature. In the early 1990s it was expanded based on reports from patients at Dennis Peron's San Francisco Cannabis Buyers' Club. After Prop 215 passed in '96, other doctors gradually began monitoring cannabis use by their patients and adding to the list, which Tod kept according to the numbering system used by insurance companies. He was a by-the-book doctor in many ways and delighted in employing these ICD-9 numbers and other trappings of establishment medicine. He used Latin words where English words would do. He belonged to the International Cannabinoid Research Society and reported his findings at their annual meetings. He referred to the ICRC as "the lab wonks," although he liked and respected many individual members. He called himself "a townie, not a gownie," but once when a professor invited us to lunch at the UC Berkeley faculty club he seemed especially pleased. Tod had his contradictions; he was a perfect example of a human being.

Getting back to the *LA Times*: "When then-White House drug czar Barry McCaffrey saw a version of the list at a 1996 press conference, it included 'recovering forgotten memories' and 'writer's cramp.' It moved him to assail Mikuriya's brand of medicine as a 'Cheech and Chong show.'" This implies that McCaffrey was thinking on his feet at the press conference in '96. In fact, it was McCaffrey who brought the blow-up of the list to the event (it had been found on the internet and edited by one of his aides) and proceeded to ridicule it with carefully rehearsed sound bites.

Tod, who watched the mockery from his house in the Berkeley Hills, said that cannabis as a treatment for "writer's cramp"—a common problem when clerks had to wield fountain pens 10 hours a day—had been described in a 19th century journal article. And it was one of his personal heroes, William Woodward, MD, of the American Medical Association, testifying before Congress in 1937 against the prohibition of marijuana, who said "Indian hemp has remarkable properties in revealing the subconscious... that use was recognized by John Stuart Mill in his work on psychology."

Nelson of the *LA Times* also included some input from Tod's family. "'He was eclectic and had an adventurer's spirit and was very, very curious,' said his sister Mary Jane Mikuriya. That spirit could extend to traveling, piloting his own plane, racing cars or experimenting with cooking.

"Dr. Tod, as his patients called him, had a gentle manner and wore a white lab coat with an embroidered logo that revealed his specialty. It showed the snake and staff of Asclepius, the Greek god of medicine, atop a marijuana leaf."

Margalit Fox of the *New York Times* wrote that Tod was "widely regarded as the grandfather of the medical marijuana movement in the United States"—a term I'd never heard applied to him. Tod once wrote an article for the SCC journal entitled "Grandfather It In," arguing that the Food and Drug Administration shouldn't require clinical trials of cannabis because its safety and efficacy had been established prior to prohibition in 1937. Maybe that's where Fox, doing fast research, picked up the "grandfather" bit.

"Elsewhere, however," Fox's piece goes on, "Dr. Mikuriya's work found little favor. In 1996, for instance, Gen. Barry R. McCaffrey, director of the Office of National Drug Control Policy under President Bill Clinton, publicly derided the doctor's medical philosophy as 'the Cheech and Chong show.'"

Give Fox credit for reminding readers that the Clinton Administration began the rollback of Prop 215 immediately after it passed; but like the other obit writers, she omitted the salient fact that Mikuriya has been proven right. It's not a matter of "Mikuriya said this,



the prohibitionists said that." Mikuriya's observation has been substantiated! Science is all about proving and disproving theories and findings. It is the responsibility of the editors of the major metropolitan dailies to understand the state of the science and to incorporate it into their coverage of events when relevant.

It's true that political and legal controversies still surround the medical use of cannabis, but there is no scientific controversy regarding the existence of the endocannabinoid system. It is an established FACT that the active ingredients in cannabis modulate many systems within the body and therefore alleviate seemingly disparate kinds of symptoms. It has been PROVEN. More will be learned about the mechanism of action, of course, and our present understanding will be refined and revised; but there is such a thing as "what scientists now know," and responsible journalists should refer to it when applicable.

### Time's Six Gaffes in One 'Graf

*Time's* terse Mikuriya obit, which reads like a self-parody, was lifted, crudely, from Margalit Fox's piece in the *New York Times*. Its sole paragraph contains six errors of varying magnitude—four in one sentence.

"MILESTONES. DIED. Like a lot of people who support marijuana use, psychiatrist Tod Mikuriya had detractors. (His work was called "the Cheech and Chong show" by Bill Clinton's drug czar, General Barry McCaffrey.) The longtime Republican (1) believed in (2) the therapeutic effects of the drug on more than 200 ailments (3) and in 1996 saw a bill he crafted (4), Proposition 215, pass in California, legalizing the use of pot for the seriously ill. The "grandfather" (5) of the medicinal-marijuana movement said his fight to "restore cannabis" stemmed from a backlash against its medical use following the late-'30s film *Reefer Madness*. (6) He was 73 and had cancer."

1. Fox's *NYT* obit had mentioned Tod's Republican affiliation, but it was only nominal after Wallace Johnson's tenure as mayor of Berkeley ended in 1971. Mikuriya despised Ronald Reagan and the George Bushes.

2. "Believed in" applies to matters of faith. "Observed and recorded" would have been accurate.

3. Drugs don't exert effects on ailments, they exert effects on people.

4. THM didn't "craft" Prop 215 and any implication that he was the prime mover is wrong. Tod supported the primary author, Dennis Peron, who wanted a law that would protect people who were using cannabis to treat any condition for which it provided relief and not just a finite list of fatal or extremely grave illnesses.

5. By putting "grandfather" in quotes, *Time* presents it as Tod's well known nickname, which it certainly wasn't. Expect Tod's biography (if the book publishing industry ever overcomes its ignorance) to be subtitled "Grandfather of America's Medical Marijuana Movement."

6. Fox of the *NYT* had written, "Dr. Mikuriya saw his work, he often said, as a means of righting a historical wrong, namely the backlash against medical marijuana that began in the 'Reefer Madness' era of the late 1930s." *Time's* inept copycat makes it seem as if the film established marijuana prohibition when in fact the prohibition was established in 1937 by an act of Congress orchestrated by the U.S. Treasury Department. The film "Reefer Madness" was just one element in a long p.r. campaign that included numerous articles in the print media. It didn't have much of an impact or attract an audience until the early 1970s when pot-smokers decided to laugh at its lurid, false depictions.