

THE WAR ON DRUGS

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Cultivating Cannabis, Excepting Cannabis

MICHAEL POLSON

Cannabis is often framed as an exception to the War on Drugs. Legalization would simply remove “soft drugs” from prohibition while leaving the rest of the drug war apparatus in place. This “cannabis exceptionalism,” however, elides the centrality of cannabis in the global drug war. This chapter outlines the pivotal role of cannabis in global prohibition and how its supply-side tactics produced a modern, global, and illegalized peasantry. Relying on ethnographic data from California, this chapter illuminates the “exceptional” factors that shaped cultivation in the United States, leading toward the surprising advancement of legalization at the heart of the drug war empire. Despite its benefits, US legalization now marks US cannabis as an exception in a still-global drug war, perpetrated by the US, with consequences for illegalized farmers and market actors worldwide. A holistic perspective on (US) legalization thus requires a “de-prohibition” politics at a scale equal to that of the sweeping, global War on Drugs.

Cannabis Exceptionalism

The global War on Drugs could not exist in its broad scale and granular intensity without cannabis. The 2019 UN *World Drug Report* estimates that 188 million people (3.8 percent of the world’s population) used cannabis in the previous year. That’s 50 percent more than consume the four other most frequently used drugs combined. Cannabis is the most widely grown illegalized plant, covering 159 countries and 97 percent of the global population (unlike opium, which is grown in fifty countries, and coca, grown in a handful of Latin American countries). Even in 2017, when states and countries around the world were liberalizing cannabis, the plant accounted for approximately 50 percent of seizure cases globally and 60 percent of seized tonnage.¹ That is 60 percent more seized tonnage than 1998. In the United States, where most states have liberalized

cannabis, one person is still arrested for cannabis-related charges every forty-eight seconds (92 percent of them for simple possession) as late as 2018.² That's more than twice as many arrests as 1991.³ On the Southwest US border, the amount of cannabis seized is drastically larger than heroin, cocaine, and meth combined and continues to be the most common drug found in border stops.⁴ With global cultivation increasing between 2014 and 2017, these trends will likely continue.⁵ Cannabis remains the workhorse powering the global War on Drugs.⁶

And yet one would hardly know the power behind this seemingly innocuous, “soft” drug—and for good reason. President Bill Clinton winked, nudged and never inhaled, but cannabis arrests under his presidency more than doubled, partly a product of his epic expansion of policing and mass incarceration in the 1994 Violent Crime Control and Law Enforcement Act (commonly known as the “1994 crime bill”). President George W. Bush admitted he smoked cannabis, even as he vigorously blocked cannabis’ medicalization, escalated the militarization of police, and resuscitated anti-drug operations in the Andean region.⁷ Meanwhile, President Barack Obama inhaled and promised to not intervene in state cannabis laws, but then federal prosecutors did just that, sending the emerging medical sector into disarray, and prompting Congress to bar the use of federal funds to impede state medical laws in 2014.⁸ As an anthropologist doing fieldwork at that time, I narrowly missed a federal raid on Oaksterdam University, an early starter in cannabis education, where I was taking a course, and I watched as California medical dispensaries—particularly those with vocal, activist leaders—were shut down directly or indirectly through threats to landlords, local officials, or operators. Cannabis, it seems, is not a big deal. Until it is.

As the US led the global war on cannabis, and drugs more generally, its residents were taught to make light of cannabis in movies from *Dazed and Confused* and *The Big Lebowski* to *Up in Smoke*, *Friday*, and *Harold and Kumar Go to White Castle*. These cult favorites articulated a kind of subcultural resistance to the insidious pervasiveness of drug war culture, but something shifted in 2005, when Nancy Botwin, the single white mother and sympathetic widow of the award-winning, highly watched TV series *Weeds* (2005–12), accompanied the US through a period of transformation of public opinion, culminating in two legal-weed

states. What was so bad about people in the cannabis economy, anyhow, when the legal economy—from Enron and Bear Stearns to Cambridge Analytica and the roster of banks involved in embezzling drug money (e.g., Wachovia, HSBC, US Bank, Wells Fargo)—seemed to be just as criminal?⁹

Our collective fascination with the cannabis outlaw has been reflected back to us in documentaries, news specials, and confessional reality TV. In the circular fashion of the “Synopticon 2.0,” where “the many watch the many,”¹⁰ citizens watch criminals and criminals watch back, a viewing practice that peers across legal lines, uniting viewers through a binding neoliberal commonsense of entrepreneurialism and risk. Representation and reality intermingled when my study participants were recruited by reality shows, law enforcement officials became mini-celebrities, and cultivators, caught between fame and enforcement, stopped talking. The fascination with cannabis realms continues in shows like *Murder Mountain*, which reinjected moralizing concerns about criminality and (poor, rural, white) dysfunction in California, right at the moment when cannabis liberalization proffered an opportunity for substantive rural development and de-stigmatization. From crime thriller to quirky comedy, cannabis was there to entertain. Cannabis was the US’s open secret, its favorite primetime criminal indulgence.

For academics, those arbiters of the serious, cannabis has merited relatively little attention. In 2001, an anthropological review noted a “surprising” dearth of research on cannabis.¹¹ In 2019, geographer Pierre-Arnaud Chouvy could still note that opium and coca byproducts receive the lion’s share of academic attention. Outside of a significant wave of recent historical and ethnographic accounts (which I explore below), existing studies mostly focus on consumption (often termed, a priori, “abuse”), a priority of the US’s National Institute on Drug Abuse, which self-reportedly funds 85 percent of global research on “drugs of abuse.” This research explicitly focuses on negative effects, a focus clarified after the institute funded three ethnographic “natural experiments” in the 1970s (in Jamaica, Costa Rica, and Greece) that found cannabis use to be neutral in effect, if not beneficial.¹² Given the relative neglect of cannabis research and the primary focus on abusive consumption within the cannabis research that does exist, it is unsurprising that research on cannabis *production* in recent times is a rare endeavor, especially to

the degree it retains an openness to understanding its importance, even benefit, to society.

So, here we have a drug that is either laughed at or left understudied, yet has (tacitly) fueled the devastation of a global War on Drugs for the past fifty years. As cannabis liberalizes, we might think the plant is an exception to, rather than formative of, the War on Drugs. No need to stop that war when we can simply remove cannabis from the battle plans. After all, isn't cannabis the good, soft drug, bringing mirth, relaxation, even elevated consciousness, to its users?¹³ This argument is similar to one made in the US in the 1970s: as white youth began using and getting arrested for cannabis use, concerned voices rose to decriminalize the plant—for well-intended user-victims, but not dangerous dealers and producers. Today, wholesome (mostly white) farmers do for legalization, what the white, experimenting teenager did for decriminalization—legitimize cannabis in opposition to other shadowy entities, like Mexican cartels or Asian or Eastern European “drug trafficking organizations.” *Excepting* cannabis from the drug war enables the *accepting* of cannabis as legal.

This chapter unearths the fallacies behind “cannabis exceptionalism.” When we focus further up the commodity chain from the blissed-out consumer and further afield from US representations, we find that cannabis has been—and remains—part of a global drug war system. To see the ways cannabis is *unexceptional*, we must look beyond what we think we know of the (soft) drug and its (harmless) users, and instead take account of (to riff off of Timothy Leary) the drug, set, *and* historical-social “setting”¹⁴ or context, within which that drug exists. This chapter explores the US-led War on Drugs as the setting that instituted common constraints on cannabis globally and then analyzes how the particular setting of cannabis *inside* the US is playing a unique role in undermining supply-side criminalization—at least for US cultivators. By accounting for this setting, the purpose of legalization might be thought of not just as establishing a legal market like any other, but rather as a mechanism to account for and replace a global system that has caused many harms and, as I will explore, supported many people.

Cannabis cultivation looks different in Argentina than in Albania, yet the War on Drugs establishes similar constraints across places, especially since the US, that imperial hegemon, steered the world into harmonizing

with its prohibition regime. After tracing how cannabis became a central component of the international drug control system, I will argue that, since the 1970s, the drug war created a common economic architecture for cannabis cultivators worldwide through drug premiums—inflated prices generated by supply-side tactics and the risks they imposed. In doing so, I aim to counter the often exceptionalist, myopic focus in legalization debates on domestic matters by illuminating the latent, criminalized solidarities and common political lots of cultivators across borders. Then, drawing from fieldwork in Northern California, I explore what makes US cannabis cultivators *different* from (even exceptional to) cannabis producers around the world. Supply chain differences, legal citizenship status, and medicalized politics set US cultivators apart, affording them relative privileges as well as particular importance in challenging supply-side tactics and the War on Drugs “at home.” This unique position holds transformative political potentials and unfortunate perils, at least in regard to a just transition to legalization. The question then returns: will cannabis simply be excepted from the drug war or can we imagine a different future, one that challenges the extant drug war, addresses the fundamental inequalities it created and managed, and does all this across borders?

Colonialism, Bourgeois Nationalism, and the Rehearsals of US Empire

In a sign of things to come, the US delegation to the 1912 International Opium Convention was among the first to raise the prospect of international cannabis prohibition during negotiations.¹⁵ The convention, called by the US, aimed to address opium and coca products, two addictive drugs that were often allowed, even propagated, by other colonial powers. With neither data nor authorization to discuss, the matter was nonetheless pushed by morally enterprising delegates, who feared pollution of “our whites” and worried that “fiends” would hunt for cannabis once opium and coca were restricted.¹⁶

It would take another decade for cannabis¹⁷ to be revisited at the 1925 International Opium Convention, where the terms of cannabis debate were set for the next several decades. On one side were traditional colonial powers—Britain, the Netherlands and France, along with India

(under British rule), where cannabis use was historically rooted—opposing universal prohibition, arguing it was an unwarranted incursion on internal affairs. Colonial powers already profited from organized sales of opium and coca, fought for the ability to market them freely (as in the Opium Wars between Britain and China), and placated colonized populations by tolerating the plants' use.

Cannabis was no different. In Morocco and Tunisia, France required cannabis products to be sold through a French capitalized company. Spain, concerned with winning over Berber tribes to their Moroccan protectorate (1912–56), allowed cultivation, too. Both colonial powers would later, half-heartedly, attempt to ban cannabis in their colonies, but the *realpolitik* of colonial rule won out. Despite nominal prohibition, Spain and France designated areas of Morocco's Rif for cultivation and France allowed cannabis cultivation to persist in Lebanon's Beqaa Valley, where cannabis rents might subdue politically agitated chieftains.¹⁸

Colonial tolerance was not universal. While the colonial government of India (like British Guiana and Mauritius) saw cannabis regulation as key to maintaining order, British-colonized Jamaica implemented prohibition in 1913, fearing use among Indian laborers and disruptions to racializing systems of labor control and colonial extraction.¹⁹ Portuguese-occupied Angola implemented the world's first colonial prohibition in 1857, despite Portugal's earlier tolerance of cannabis in Brazil.²⁰ Angola was followed by other colonized nations like Gabon (France), Mozambique (Portugal), and the French Congo. Colonial prohibitions emerged as moral-civilizational reform projects and a means to increase labor control and productivity.²¹ With cannabis prohibited here, tolerated there, cannabis policy became a tool of colonial statecraft in pacifying and controlling populations through *either* tolerance or bans.²²

If colonial nations dragged their feet, it was emergent bourgeois republics—Egypt, Greece, Turkey, Brazil, the Union of South Africa—that advanced prohibition at the 1925 convention. Whether emerging from colonization (Egypt), wartime conflict and territorial reordering (Greece, Turkey), or into race-based self-rule (Union of South Africa), each nation resonated with the Wilsonian post-First World War spirit of self-determination. Rising national bourgeoisies latched onto cannabis prohibition as a mechanism of modernization, nation-state building,

and sociopolitical pacification, particularly of youth, urban workers, peasants, and the racialized poor.²³

While some theorize that the ensuing history of cannabis prohibition was simply “the international diffusion of a national policy,”²⁴ this theory elides the interstate competition emerging between European colonial powers and the US over the form of drug control. The US, a latecomer to colonialism, laid the bases of postcolonial but still imperial statecraft in its colonies, especially the Philippines. Via internally administered programs of drug prohibition and policing, the US could operate through and with moralizing national bourgeoisies, not over them, to discipline poorer, ethnic and rebellious populations and establish what Alfred McCoy calls a “nonterritorial American imperium.”²⁵ Its imperial ambitions would be frustrated for some time, however. It walked out of the 1925 and 1936 conventions, galled at not getting its preferred hardline policies and leaving the remaining nations to find compromise.²⁶ It would take many years, a second world war, and the establishment of a United Nations coordinating body for the US to be in position to transform its imperial stylings into a global system.

Harmonizing Prohibition, Globalizing Cannabis

The US failed in 1936 to institute an international prohibition on cannabis, a move that might have cleared the way for domestic cannabis prohibition.²⁷ Undeterred, the US delegate and head of the newly formed Federal Bureau of Narcotics (FBN), Harry Anslinger, furthered a racializing campaign against “marihuana” that has become a textbook (if overstated) case in moral entrepreneurialism.²⁸ The result: the Marihuana Tax Act of 1937, which effectively prohibited cannabis through the levying of nominal taxes,²⁹ astronomical violation fees, and draconian enforcement.

In the ensuing years, the US launched bilateral efforts to incrementally implement and enforce supply-side drug prohibition, thereby making an end run around colonial powers and compromise treaties. Through moralistic and often extralegal practices, the FBN’s efforts pre-saged the post-Nixon War on Drugs by acting preemptively and blurring lines between military and police, official and covert state action, and foreign and domestic jurisdictional provenance.³⁰ Anslinger fashioned

the FBN as “a cop at the crossroads of the world” and advocated for a new single convention to replace the multiple narcotics treaties signed since 1912. The UN resolved to do this in 1948 and the US flexed its post-war muscles by pushing total cannabis prohibition, discounting its medical and cultural value.³¹ The United Nations’ 1961 Single Convention on Narcotic Drugs established the world’s first coordinated prohibition regime and the first unambiguous international prohibition of cannabis (as opposed to mere trade controls). As a signatory, the US is still obligated to continue its criminalizing prohibitionist approach, which was domestically implemented through the Controlled Substances Act of 1970.

The Single Convention was an achievement in postwar international cooperation. It went beyond previous treaties, which had largely established rules of international trade, and instead implemented a global system of drug control, mandating that signatories—which included 95 percent of all nations by 2018—prohibit listed drugs, with few exceptions. As overseen by the UN, it follows a two-pronged strategy: prohibit and develop alternatives. In its first report, released in 1968, the International Narcotics Control Board (INCB), the treaty’s multilateral monitoring body, noted that drug producers depend on crops for their livelihoods and production takes root in “underdeveloped areas not under government control.” It called for a “long drawn out campaign” of economic and infrastructural investments (as opposed to a singular focus on punishment), which led to crop-substitution programs, such as the effort to replace cannabis production in Lebanon with sunflowers. By 1977, the INCB declared Lebanon a failed project, the first of many underfunded and ineffective crop substitution programs. Regardless, as late as 2014, the UN’s Secretary General was still advocating crop substitution, despite evidence of their inefficacy in altering farmer decision-making and inability to achieve substantive, long-term economic development with ecological safeguards.³²

In practice, prohibition contradicts the UN’s developmentalist vision as well as its ethical mission of protecting sovereignty and promoting security, human rights, and peace.³³ There is also a functional contradiction at work: prohibition generates risk-induced market premiums that make drug production lucrative. Few, if any, substituted crops could outperform “prohibition premiums,” but aspirational (and failing)

programs transformed the UN into a perpetual development machine, forever striving to develop further and intervene deeper.³⁴

For cannabis, the globally harmonized and instituted prohibition premium that emerges out of the Single Convention was transformative. By 1972, the INCB noted that cannabis commerce had jumped to a global scale, beyond its previous intraregional character. Soon, global cannabis seizures hit a historic high: in 1977, seizures from Mexico, Colombia, and the US alone exceeded the total amount that was seized globally in 1976. By 1979, cannabis had become, “quantitatively,” the most trafficked drug. Cannabis cultivation exploded not despite prohibition but *alongside* of it and its risk-based incentives to produce.

Expanding global production was also a response to an expanding consumer base. In industrialized nations, the INCB theorized, countercultural youth, in “revolt against the established order of things,”³⁵ provided just that mass base. The Single Convention originally obliged signatories to criminalize that consumption. For instance, California, which led the push toward draconian punishment for cannabis “pushers” in the 1950s, saw a twentyfold increase in cannabis arrests from 1962 to 1972, of which 95 percent were felony charges, mostly for possession.³⁶ With such high consumption and criminalization rates, cannabis had the potential to delegitimize drug prohibition broadly in developed nations, leading UN members to pass a 1972 amendment to the Single Convention that achieved two critical reforms. First, it allowed signatories to rehabilitate and treat (rather than incarcerate and punish) drug users—thus, in the US, easing the threat that middle-class, white consumption posed to prohibition. Second, it recommitted nations to punishing suppliers. The INCB called for upstream economic activities (production, trafficking, financing) to be “severely punished” and a “clear distinction” to be drawn between users and supply-side actors.³⁷

The US worked within the developmentalist UN process but it also pushed its militaristic, interventionist supply-side strategies through bilateral agreements with nations from Turkey to Burma, Colombia to Thailand to Mexico. The agreements became a critical part of the US foreign assistance apparatus and were codified in 1986 when President Reagan signed an order declaring drug trafficking and production a national security threat and requiring any foreign aid recipient to first be certified as cooperative or uncooperative with US anti-drug policy.³⁸

Drug policy harmonization was a requirement for receiving aid, while enforcement of drug policies facilitated the US economic aims of extraction, privatization, and investment,³⁹ and fiscally fortified and morally legitimated national bourgeoisies as they pursued inequitable market liberalization agendas.

The cannabis trade only expanded, coming to be the quantitative anchor for the ever-expanding global drug war in ways opium and coca never did. While the Single Convention created a unified global prohibition price premium for cannabis, thus inciting expanded production, US-led militarization of the trade heightened consequences, risks, and thus prices for supply chains. This led to two developments. First, the globalized trade in cannabis returned to an expanded, deepened “intra-regional” patterning as traffickers shortened risk-laden supply chains.⁴⁰ Long supply chains were not only riskier and more expensive; they were increasingly unnecessary since cannabis could be grown in almost any environment. Second, and correlatively, US militarization instigated a turn toward “import substitution,” or the global rise of domestic production, particularly in developed consumer nations.⁴¹

In short, by the mid-1980s the War on Drugs had fostered a global cannabis cultivation sector—a shadow economy into which developmentalist and militaristic-imperial interventions could be made. Though “hard” drugs (opium, then coca products) were the tip of the drug war spear, justifying its most intensely violent and invasive expressions, cannabis was the drug war’s shaft. Its quantitative heft and geographical ubiquity made it a truly global object of state interventions.

US legalization debates often occlude this global setting (and the US’s role in creating it): cannabis exceptionalism meets American exceptionalism as cannabis is parochially shorn of its global bearings. Is there a way to speak of what is common to cultivators globally? What, if anything, sets apart US cultivators (and cultivators in higher-income nations) from cultivators elsewhere? In the next two sections, I address these questions in turn. Rather than rely on state-generated statistics and data points, often seen as the only reliable data on illegalized realms, I turn instead to the ethnographic record, where the realities of cannabis cultivation are assembled from everyday lives.⁴² By centering lives lived under prohibition, something invaluable appears for the consideration of de-prohibitionist paths: we see not only the harms caused

by the drug war but how illegalized peoples forged ways of worth and life in illegalized realms.

Social Architectures, Prohibited Lives, and the Modern Peasantry

The drug war lent a coordinating economic logic to global cannabis cultivation, chiefly through a mechanism I call the *prohibition premium*.⁴³ Prohibition generates risks for cultivators, and these risks elevate the prices retrieved for product, which in turn draws more people into production. While cultivators may exhibit all kinds of motivations,⁴⁴ ranging from poverty to thrill-seeking to political-ethical commitments, all cultivators are placed in a criminalized relationship with the state. Being outside the law, however, does not mean being ungoverned.⁴⁵ Rather, as geographer Dominic Corva argues, criminalized realms are able to be governed differently. In terms set by liberal jurisprudence, criminals are regarded as free, choice-making individuals whose actions enable them to be governed illiberally, often through violent state interventions.⁴⁶ The drug war projected this illiberal interventionism to the global level, justifying all kinds of interventions into varied places and populations. Yet extralegality also allowed cultivators a certain kind of negative liberty, a freedom *from* liberal society and its norms, to craft other ways of life. Prohibition premiums facilitated and amplified that creative capacity, even if they imported a marketizing logic of supply, demand, and risk around which people were compelled to conceptualize themselves and their worlds. Borne of coercion, capitalism, and human creativity, the shadow economies generated by prohibition and its premiums were much more than abstractly criminal or tragically criminalized. They were, instead, lived spaces. If legalization proposes justice for drug war targets, it must account for these spaces. After all, legalization is not just the advent of new legal markets and social realms but the transformation and upheaval of prior ones.

The cannabis market provided livelihoods for cannabis cultivators globally. The prices one could retrieve far exceeded the costs of physical inputs and what one might earn with other crops. Members of the Nasa tribe in Colombia consistently earned more from cannabis than from food and specialty crops, like coffee, as did Mayan farmers in southern

Belize.⁴⁷ Residents in Morocco's Rif turned to cannabis when the state took over the forestry industry, seasonal work in Algeria evaporated, and emigration and remittances became the only other viable income option.⁴⁸ Declines in extractive industries in Lesotho and rural, mountainous regions of Kentucky and California made cannabis a key livelihood strategy.⁴⁹ Among farmers in post-socialist Kyrgyzstan and India's Himachal Pradesh state, cannabis was a way to stabilize an unstable transition to neoliberal capitalism.⁵⁰ At times, too great a dependence on cannabis cultivation has led to declines in traditional agricultural practices and food security, but more often cannabis has allowed cultivators to utilize lands otherwise unfit for food cultivation or cash crops, access cash to purchase supplemental food, and even use cannabis itself as currency.⁵¹

A "weed" after all, cannabis can be grown in many environments and requires relatively little capital to begin. Low barriers to entry enable all kinds of people to participate, from marginalized youth in Papua New Guinea to women seeking alternatives to welfare in California.⁵² Though some invest heavily in facilities to shield cannabis from detection, particularly in higher-income consumer nations, growers often avoid fixed capital investments for fear they may be destroyed in unstable environments, or seized and used as evidence in areas of intensive enforcement.⁵³ Land is a key capital input necessary for cultivation as well as protection, whether through the anonymity of growing on public lands or the seclusion of private property.⁵⁴ Knowledge of agronomy and access to land and markets can become axes along which cultivators are stratified, as, for example, in Sierra Leone, where those with land access (as well as knowledge of cultivation techniques) sat atop a system of labor tutelage, market access, and protection from police. Similar dynamics exist in Canada, where contact with mentors was key for advancement, or in the US and South Africa, where indigenous farmers have suffered for lack of market access.⁵⁵

High profits and low investments not only stabilized economic life but scaffolded spaces for new formations of subjectivity, community, and politics. Cultivation could be disruptive, whether of traditional agricultural practices in Nepal, caste orders in the Indian Himalayas, or conservative and racialized notions of agriculture and rurality in the US West.⁵⁶ It fostered countercultural notions of ecological consciousness

and conceptions of well-being among quasi-legal medical cultivators.⁵⁷ Conspicuous consumption, afforded by cannabis, often signaled independence and modernity and enabled status and identity shifts, as in Colombia, where youthful cultivators acquired motorcycles and mobility, or in Kyrgyzstan, where profits brought nicer foods and clothes, or in Northern California, where new trucks indexed success, or in Papua New Guinea, where cannabis growing became a vehicle for young men to insert themselves into the commodity flows promised by unrealized development.⁵⁸ Cultivators generated codes of professionalism (Canada), autonomous, safer spaces for cultivation (Spain, Belgium), communal systems of protection (Kentucky), ethical norms (Norway), leisure and passion (Florida), apprenticeship systems (Sierra Leone), and conflict resolution protocols (California), though cultivation scenes could be riddled with sexism, and racial-ethnic markers could pattern who one trusted and how networks formed.⁵⁹

Cannabis often took root amid war, economic transformations and crises, political unrest or other conditions that inhibit the state's politico-territorial control.⁶⁰ It figured centrally into radical political organization, whether of Kurdish separatists in Turkey, armed groups in central Africa, Rastafarian resistance to colonial rule in Jamaica, tribal struggles for autonomy from colonial or national governments, and Maoist rebellion.⁶¹ These political assemblages might cultivate cannabis themselves or reap revenue through taxation and protection fees, thus giving them financial bases of operation.⁶² People in Lebanon's Beqaa Valley turned to cannabis to compensate for an absence of infrastructural development and as an income strategy during periods of conflict.⁶³ This was also the case in the Democratic Republic of Congo, Nepal during the Maoist insurgency, and Afghanistan, particularly since the US invasion in 2001,⁶⁴ where periodic bouts of violence and political instability necessitated innovative livelihood strategies. In Northeast Brazil, cannabis cultivation grew amid instability caused by market liberalization and commodity price declines.⁶⁵ It grew in spaces of failed development, as in Colombia, extractive and agricultural decline in rural regions, and amid the decimation of social welfare systems.⁶⁶ For developing nations, it became an "alternative to development,"⁶⁷ while in industrialized nations it became a "shadow welfare state" and criminalizing successor to Keynesian policies of managing postindustrial poor and working classes.⁶⁸

Battling cultivators in unstable environments spawned state-formation activities—state-run extortion and protection rackets, institution-building funded by anti-drug foreign aid, federal transfers to local governments, or arrangements to ensure peace between national governments and unincorporated hinterlands.⁶⁹ By stabilizing marginal populations and building state capacities, prohibited cultivation produced a kind of “war system” in which cultivators and state actors were invested, often antagonistically, in maintaining the status quo.⁷⁰

In this whirlwind tour, I purposefully scrambled the geography of ethnographic citations with an aim to illuminate the social architecture generated by the drug war worldwide. As its coordinating mechanism, the prohibition premium lured people at the edge of market societies into production, structured semi-autonomous spaces of extralegal life, and justified illiberal interventions that policed those spaces and peoples.⁷¹ Out of the drug war’s architecture, a figure emerged in the shadows of market globalization, a ghost of developmentalism, welfarism, and industrialism haunting neoliberal society. This figure was an abject reminder of capitalism’s failures and, at times, a symbol of its core values—risk, unregulated markets, and the bending of law for profit. Cannabis cultivators were a distinctively modern global peasantry, produced from, yet marking the frontiers of, late capitalism.

At a moment when legalization is reintegrating this modern peasantry into national (agri)cultural orders, we might remember the common architecture constructed by the drug war—an architecture in which cultivators worldwide have lived, often adversely but always creatively. Legalization is much more than the lifting of prohibitive, punitive practices. It is the transformation of ways of life carved out in prohibition’s shadows. Without forethought, legalization may simply take away “economies that were largely imposed on [cultivators] and on which they have now become dependent,”⁷² and in doing so, double down on the drug war’s negative impacts for cultivating populations.

The Particular Qualities of US Cultivation: Supply Chains, Criminal-Citizens, and Medicalization

Despite the commonalities generated by prohibition globally, the world is not flat. The “globalization of cannabis cultivation” has occurred across

uneven geographies, particularly the unevenness between higher- and lower-income nations, or the global North and South, as geographer Chris Duvall has framed it.⁷³ This matter is particularly important for the US, which has played an outside role in generating drug war geographies and is now positioned at the helm of a new uneven geography of legalization. What, then, is particular to US cultivation?

When Gerri moved to Northern California's Lost Coast in 1968 with "some hippies" who had turned her on to Bob Dylan, she came with "an idea of self-reliance, self-sufficiency, with no intentions of coming up here to start a marijuana industry." Heeding Leary's call to "tune in, turn on, drop out," Gerri's move was part of an urban-to-rural migration of disaffected youth popularly dubbed the Back-to-the-Land movement, an offshoot of the general countercultural protest against middle-class orthodoxy and part of what the philosopher Herbert Marcuse would call the Great Refusal in industrialized nations. On the Lost Coast, a wind-swept, rugged, remote oceanfront at "the edge of the world," as Gerri, a single African American mother from the Jim Crow South has described it, people "came with cows and chickens and goats. And marijuana was always our little side project, our hidden medicine."

Gerri's medicine was just that for the first few years—a symbolic, consciousness-altering plant around which she and her neighbors communed and relaxed in this retreat from regulated society. Growing her own also meant she could eliminate another expense from her household balance sheet. With the introduction of cannabis seeds (reportedly imported from Afghanistan and suited to the Lost Coast's latitude and environment) and *sinsemilla* growing techniques (i.e., sorting males and females to produce more potent flowers) Gerri and her contemporaries soon realized they had a valuable crop on their hands. The green, freshly cured, seedless buds could not have looked or felt more different than the compressed bricks of Mexican brown weed, often full of seeds and stems, that dominated the US market at the time.

But the market for this crop did not exist. Gerri remembers, "We drove it by the pounds to the city and the cops didn't even know what it was. We had to introduce it to people so they would stop buying Mexican. We actually had to go to San Francisco and show people good herb, and create the need for it. I remember going to a bar and hustling little buds to people, slowly, getting numbers, introduc[ing] it like Campbell's

Soup.” While Mexican brown generally moved for a hundred dollars a pound, this new product eventually pulled \$1,500 a pound, Gerri remembers.

For Jim, a white marijuana broker from Marin County, north of San Francisco, this domestic product—and the price it retrieved—was transformative. As a kid, he would marvel at his friend’s parents as they sorted imported buds at their kitchen table, intrigued by this international market. When he became a cannabis broker as a college student in 1970s Humboldt County, he reveled in the increasingly cosmopolitan trade, the smells and varieties of plants from Colombia, Afghanistan, and Lebanon, the differences among African varieties and strains from Michoacán versus Zacatecas in Mexico, and his colorful suppliers, often Vietnam vets and private sailors who smuggled cannabis by plane and boat from Mexico, Thailand, and Vietnam. He fondly remembers \$400 Colombian brown, the splash that Hawaiian and Afghan strains made among connoisseurs. When the price of domestic pounds skyrocketed, his import business supplying students and locals turned to an export business. With packs of Humboldt cannabis streaming across the country, the county’s reputation as a weed epicenter grew.

The escalating price of cannabis helped back-to-the-landers achieve their utopic dreams of communal living, dis-alienated labor, and renewed connection to the land. Stevie, a white UC–Berkeley dropout, reminisced about restoring denuded timber lands, building yurts, and living off the grid with gardens for food and cannabis. Stevie came to the Lost Coast with five friends after having been fired from his substitute-teaching job in Colorado for sporting an “Afro” and a beard. Logged into ragged oblivion, his twenty acres of land were monetarily cheap but socially difficult to sustain in a rugged region averse to “newcomers.” With cannabis earnings, he and his neighbors built, volunteered for, and fiscally supported schools, fire departments, and community centers. They established watershed restoration programs, a radio station, and a community health center, and contributed funds to maintain roads. They invested in business ventures, like solar panels, mountain bikes, and sustainable agriculture technologies, that may not always have been profitable (cannabis made profitability somewhat incidental) but tended to materialize utopic ideals. To Stevie, this was the “golden era of marijuana,” a several-year window of time in which the price of cannabis was

increasing, making possible an efflorescence of community institutions and a rich cultural life.

This golden era, however, was short lived. Limited eradication efforts in the late 1970s grew into a full-grown eradication campaign in Northern California in 1983 under the tenure of President Ronald Reagan. As California's governor from 1967 to 1975, Reagan had squared off with the counterculture in struggles over UC–Berkeley funding and leadership, culminating in the notorious battle over People's Park (among other episodes). It seemed to Hannah, a white woman, that cannabis gave President Reagan a justification for pursuing that counterculture into the hills of California. A surfer from Laguna Beach, Hannah's first political awakening occurred with the police raid of the New Age Christmas Happening in 1970 thrown by the Brotherhood of Eternal Love, whose avatar Timothy Leary had successfully challenged the US Marihuana Tax Act the year prior. This raid may have been unsurprising, given that the Happening occurred mere miles from President Nixon's "Western White House," just as his advisor, John Ehrlichman, was postulating cannabis as an efficient means to criminalize anti-war activists.⁷⁴ In the early 1980s, Hannah fled Southern California for Humboldt when a Central American solidarity organization she was involved with crumbled under investigations and infiltration by the FBI's Counter Intelligence Program (COINTELPRO), as court documents later revealed. Adept at recognizing the characteristic white Ford driven by "the Narcs" and becoming increasingly paranoid in her Latin American solidarity activism, she packed up her car, "held together by bumper stickers," and headed north. Humboldt, she thought, would be a reprieve and cannabis cultivation a way to "keep off welfare." Nine months after her arrival, however, California, now governed through a bipartisan, anti-drug, tough-on-crime consensus, launched the federally supported Campaign Against Marijuana Planting (CAMP) to hunt and eradicate cannabis. Hannah regards these political pursuits as part of a war-making machine aimed at those who proposed to stop it: "They undermined a whole culture, and when we all ran away they chased us up here and keep trying to swat us down like ants." She maintains that "the War on Drugs is an arm of the War on Culture"—a *counterculture*, to be precise, which, in Humboldt County, had developed robust, if criminalized, networks, institutions, and modes of communication.⁷⁵

Though prohibitionist enforcement drove these off-grid communities deeper underground, they also drove cannabis prices to new heights. If \$1,500 had once been an unheard-of amount for a pound of homegrown, soon prices of \$5,000 to \$6,000 per pound were commonplace. With this shift in prices, domestic cultivators became differentiated from—and gained significant comparative advantages over—international suppliers. Imported brown (or red or gold) bricks were often packaged to ship across borders. They were easier to smuggle than fluffy, smelly bags of bud, but consumer preferences increasingly favored those fragrant buds. Easier to smuggle were cocaine and heroin, which packed more value per unit with less pungency. As international eradication (particularly in Mexico) and interdiction (particularly in the Caribbean) intensified, new routes and substances took the place of cannabis. Meanwhile, US cultivators continued to feed demand, driving that shift toward import substitution.

The most significant comparative advantage held by intensifying domestic supply chains was that they could avoid the costs of international traffic and smuggling—planes, boats, processing, packaging, personnel, bribes, and so on. While US producers paid for transport to market, those costs were significantly lower than for cultivators outside high-income consumer markets. Put differently, US cultivators were able to pocket a larger percentage of their earnings than their foreign cannabis-producing counterparts, who, if they took part in international trade, would generally pass it through the bottleneck of trafficking organizations. These intermediating organizations were necessitated, enriched, and empowered by supply-side interdiction strategies that made international movement especially risky, capital-intensive, and organized. Though foreign cultivators could turn to intraregional or domestic consumer markets in their own locales—after all, cannabis consumption was increasing virtually everywhere—the US and other industrialized nations were the highest-paying consumers. Weirdly, then, global prohibition, as a system that intensively policed international borders, served as a protectionist policy for higher-income countries and their cultivators, while often consigning cultivators elsewhere to subordinated participation in trafficking networks or lower-value intraregional trade.

With the shift to an increasingly valuable domestic supply chain, local cultivation also shifted, widening from a utopic hobby of countercultural

migrants to a common rural livelihood practice. Higher risks, bringing higher prices, had a transformative effect on the determination of who cultivated, in what ways, for what reasons. For many, these new conditions were a cue to leave. Stevie, the yurt-building Berkeley dropout, left the area when he began to worry it only offered his children a limited, precarious future. As a teacher, he noted, “a lot of the boys weren’t interested in studying because their attitude was, ‘Well, I’m going to be a millionaire when I’m twenty anyways.’” Once-rich interactions with his neighbors increasingly focused on growing techniques, gates appeared where none existed before, semi-automatic gunfire echoed in the watersheds, Rottweilers and four-wheelers roamed property perimeters, and Stevie’s roving hikes through the countryside became a thing of the past.

Another cultivator who grew up in the life confirmed Stevie’s fears, noting that he and his peers had grown up “in rundown houses with unreliable cars. No electricity. Cold water. It made those kids really yearn for the luxuries. For the amenities. You know, flip the switch and a light goes on, hot water. All suburban amenities. That was what people wanted.” Soon, another cultivator and environmentalist observed, the social solidarities hewed in the back-to-the-land migration suffered: “Maybe only one person had a chainsaw and it would be loaned around. Two persons would have a working vehicle and they would drive us around. It was far more convenient. First, then, people got a little bit of money and bought a chainsaw. This began the process of closing themselves off. It really wasn’t obvious. It was very gradual.” The escalating price, for one local dealer, debased the ethics and values that had drawn him into cannabis commerce—the cosmopolitanism, the trust, the low-stakes intrigue. “I knew the value of the experience people were getting from it, and it [was] not worth it,” he told me. He left the market behind.

Others, however, found new purpose in the transformed market. Cole, a white trafficker-turned-cultivator and back-to-the-lander from the agricultural Central Valley, stayed, relishing the thrills of international trafficking, even as he watched his compatriots face jail sentences and lose properties to seizure. Vince, another trafficker turned cultivator, came to California via an East Coast crime family, after being sent to juvenile corrections for drug dealing. For him, crime was not thrilling, per se, but was a matter of mundane money making and trust building. While he missed the simpler cosmopolitan commerce of the 1970s, he

adjusted to the higher stakes of the new cannabis economy by moving his life from an increasingly violent urban center, Oakland, to rural Humboldt, where he found a new vocation in cultivation.

Gerri, who had been building cannabis markets since 1968, felt she had no place in mainstream US society, a logical conclusion for someone who had directly experienced the terror of state-sanctioned racism and had now witnessed state-sanctioned violence against her neighbors in California and her other home, Jamaica, for growing cannabis. She acknowledged the dangers that the emerging high-stakes cannabis industry held—federal raids, robberies, an occasional murder—but she saw no less danger in living legally. For her, the answer was not to leave but to weave the threads of community tighter, even as she prepared her children to cultivate talents beyond cannabis. “Pot seeds,” she observed, “don’t grow feed.”

While the golden era of back-to-the-land communalism was drastically affected by prohibition, intensified drug warfare was generative of new cultural forms. Karyl, a white woman, had grown up on the Lost Coast. Born between two mid-century floods that devastated local communities and inaugurated the decline of the local timber industry, she regarded local life in seemingly timeless rhythms, where family names were “everything. Your last name—that’s who you are. [They] stuck not just in how people perceived you, but [how] you perceived yourself.” Regardless of local differences in status, though, one’s status as a “local” was “just a shorthand for ‘I know all the stuff.’” She explains, “People that weren’t here [before the 1970s] don’t know what it was like—you have a shorthand way of saying, if you’re an old-timer, ‘I know what it was like to think about the trees a certain way, going to church, and cussing.’” As the timber industry slowly deflated, this local culture was thrust back into history. The scapegoats for the ensuing ruination were back-to-the-landers, who found themselves as targets of discrimination, arson, vandalism, code enforcement actions, and law enforcement attentions. Karyl remembered how locals “united against the hippies. It was dramatic.” Karyl pantomimes her disgusted reactions as she recounts, “The patchouli oil smell at this market, their smells, everything—their smell was foreign! They got in the river nude! The horror! [. . .] It was beyond the pale!” When Karyl’s boyfriend in high school first smoked marijuana, she says, “I imagined his life was just destroyed!”

By the early 1980s, however, the timber industry was in freefall, with prices plummeting 48 percent between 1979 and 1982.⁷⁶ Amidst mergers, layoffs, and offshoring, cannabis became the shadow core industry of a region that was increasingly known as “the Emerald Triangle” in honor of its new crop. In this new economic realm, hippies, environmentalists, locals, loggers and rednecks began to find common cause. Karyl watched in high school as differences melted away and her “redneck friends” picked up tips from the kids of hippies and became successful pot growers, even if they didn’t get into “all that peace and love [stuff].” This all took on an intensely personal hue for Karyl, when she, the daughter of a church-going Republican Mormon family, married the son of former members of Students for a Democratic Society. “You can *see* the divisions,” she says, showing me a wedding picture, where she itemizes the stylistic differences between her father, the heavy equipment operator, and her husband’s father, the college drop-out. At their wedding, each set of parents poured a cup of water for their children-to-be, from which Karyl and her husband drank, symbolizing not only the coming together of two families but the union of two sides of a county long divided. By 2011, her husband was working highway construction, like Karyl’s father, and she tended the marijuana garden, like her husband’s parents. In cannabis, the spark of a new local society was born.

“Without marijuana, this community would be dead,” says Gerri. As prices spiked, cannabis employment absorbed unemployed timber workers, stabilized ranch incomes, continued supporting countercultural communities, cycled cash through ancillary, community-based businesses, and provided complementary incomes to teenagers, single mothers, welfare recipients, veterans, felons, tribal members and others whose relation to the formal market was already tenuous. Cannabis cultivation gave new, though covert, value to land, which was realized in shadowy transactions among a new array of industry actors into the cannabis industry—real estate professionals, property speculators, latter-day timber operators, and ranchers.

While cannabis premiums insinuated themselves throughout the region’s social hierarchies, as any core industry might, its economic presence had political ramifications for the region, where opposition to clear-cutting and logging of ancient redwood had catapulted Humboldt to the forefront of a burgeoning, radical environmentalist movement.

Hannah, the antinuke surfer, argues cannabis prohibition was an attack on that movement: “They’d identified [cannabis] as a source of large financial support for anti-clear cut, responsible harvesting, sustainable forestry movement. Pot was valuable and it was going to fund the environmental movement.”

Criminalization had the insidious effect of curtailing the emergent solidarities between (unemployed) loggers and environmentalists, locals and newcomers, rednecks and hippies. This nascent solidarity, built not only around cannabis but care for community and land, was pre-empted in 1990 when the Redwood Summer campaign, a grassroots effort to build unity among the rural white working class and environmentalists, was shattered. Judi Bari, the campaign organizer, was seriously injured by a mysterious car bomb, thus hobbling the campaign, and the US government launched a coincident military campaign, Operation Green Sweep, against the region’s cannabis cultivators. Facing criticism from Andean nations over the eagerness of US forces to implement supply-side tactics abroad but not at home, the US deployed the Army’s Seventh Infantry to Northern California to eradicate cannabis in the Emerald Triangle. This was a unique moment in drug war history, when US military capabilities abroad were brought to bear on US citizens using authorizations that loosened posse comitatus restrictions for domestic drug enforcement. Though environmentalists and many of the fifteen thousand Reggae on the River festival-goers protested the militaristic operations, Green Sweep had a chilling effect on cultivators. Domestic cultivators were momentarily branded not simply as criminals but as enemy combatants, a framing applied often to cultivators globally. Politically, anti-cannabis enforcement actions pressured cultivators who chose to engage in overt activism, environmental and otherwise, as it might endanger their economic livelihoods. Socially, punitive enforcement encouraged more insularity and the breakdown of networks that structured community life. Environmentally, the breakdown of community networks and norms fostered spaces within which egregious abuse of the land could occur.⁷⁷ Meanwhile, the timber industry clear-cut its way through remaining redwood stands, only slowing once the region’s forests had been wrung of most of their value.

In the end, however, the overt military enforcement against cannabis cultivation did not stick (even if domestic police forces became more

militarized).⁷⁸ Lawsuits were levied to contest the abrogation of civil rights, public outcry was vocal, funding for state eradication efforts declined in the ensuing five years, Humboldt County's sheriff pronounced military involvement to be counterproductive and ill-advised, and even military strategists agreed, questioning the wisdom of military operations on domestic soil.⁷⁹ US cultivators were criminals but also rights-bearing citizens whose status afforded them different treatment—and a different degree of political voice—than cultivators elsewhere. In addition to their relative power in the supply chain, cannabis cultivators were exceptional to the degree that they could claim US citizenship, albeit a criminalized citizenship, which protected them from some of the most intensive activities of the US-driven global War on Drugs.

It was a third kind of exception, the medicalization of cannabis in the US, that made it possible for cultivators to become legalized and proffer a domestic challenge to supply-side prohibitionism. The 1961 Single Convention left signatory nations some leeway to designate cannabis for medical-scientific research, provision, and use. This led, in the US, to a successful challenge in the late 1970s by a glaucoma patient who claimed cannabis as a “medical necessity.” The federal government subsequently cultivated and provided cannabis for this patient and others, but when the program faced being overwhelmed by HIV/AIDS patient-activists who had discovered the treatment potential of cannabis, the federal government closed cannabis access to patients. In San Francisco, patient-activists founded a medical buyers cooperative, won a city-wide ballot approving medical cannabis, and laid the groundwork for a statewide ballot initiative in 1996 making California the first state to adopt cannabis medicalization.⁸⁰

Patient-activists had primarily organized around the right to consume and access medicine, but someone, somewhere had to provision that medicine. Rights to cultivate were slower in the making, however. California legislators were especially nervous about regulating, and thereby legitimating, cannabis cultivation in light of the federal government's saber-rattling and fierce protection of supply-side controls. In 2004, eight years after voter passage of medical cannabis, the California legislature finally passed clarifying legislation allowing people to grow in legally-undefined medical “collectives,” though even this was not unequivocally recognized judicially until a 2015 ruling. In the absence

of state protection, cultivators acquired medical recommendations for themselves and often gathered recommendations of other patients in order to grow larger gardens. Cultivation, in other words, was medicalized. And it spread, becoming a ubiquitous, if controversial, activity even in the most conservative parts of the state.⁸¹ The medical exception, that Achilles' heel of the Single Convention, was undermining prohibition not just for consumers but producers, those universal targets of supply-side strategies.

By the late 2000s, amid an economic recession, initial signs of liberalization by the Obama administration, and a growing acceptance of cannabis, many new cultivators broke ground, contributing to a downward trend in wholesale prices (and, incidentally, marking a motion toward a new economic logic of supply–demand pricing rather than risk-induced pricing, given that risks and risk perceptions were significantly declining). A 2010 legalization ballot initiative, which would be defeated that year, threw the cultivation sector deeper into disarray. Anticipating legalization, some cultivators went for broke by planting more, flooding the market, and crashing prices. Economic anxiety dovetailed with geopolitical worries when it became clear that the man bankrolling and organizing the ballot was angling to open at least one of four proposed one-hundred-thousand-square-foot indoor cultivation facilities in Oakland. Much closer to consumers and capable of pumping out massive quantities of high-grade cannabis all year, competition of this sort would devastate rural growers. This perception likely led nearly two-thirds of southern Humboldt County, the epicenter of California cannabis growing, to vote against legalization. A much-discussed bumper sticker exhorted voters to “Save Humboldt County—Keep Pot Illegal.” Though growing acceptance had decreased risks, criminal-citizens depended on prohibition premiums and the benefits they gave to remote, consumer-distant cultivation locales. One might regard this as privilege and greed, or as the hard-earned caution of a rural population eager to avoid yet another bust in the boom-bust cycles that have defined the California hinterlands.

Though the 2010 legalization ballot initiative failed, many sensed that the “writing [was] on the wall,” as one cultivator expressed it. Growers needed to claim a “seat at the table” if they didn’t want to wind up “on the menu.” If underground growers wanted to survive in a legal market,

they needed to position themselves early and well. At a microeconomic level, positioning meant intensifying competition among cultivators. Growers dropped prices to retain business with increasingly choosy brokers, and cut the wages of trimmers or replaced them altogether with trimming machines. They chased the latest strains popular in dispensaries or the pages of *High Times* magazine, hoping they would still be popular at harvest time, implemented new horticultural methods, like light deprivation techniques that sped up outdoor growing cycles, and created derivative markets for otherwise-wasted plant matter, like the plant “trim” that fueled concentrates.

At a broader level, through the anticipatory machinations of cultivators in policy debates throughout the state, the discursive contours of a new, ready-for-legality cultivation sector took shape. Emerald Triangle cultivators, in some of the first efforts by US producers to build overt political organizations since the drug war began, auditioned new ways of conceptualizing cultivation for a legalizing era. One renowned environmentalist urged cultivators to recognize the legacy, or “heritas,” of pioneering, back-to-the-land cultivators and the ethical values they cherished: care for the land, community participation, and the struggle against Big Business and Big Government. In community meetings, legislative hearings, op-eds, and, increasingly, the speeches of politicians and even the comments of local law enforcement, people valorized “Mom and Pop,” “homestead,” and “small” farms, imbuing them with a righteousness that demanded protection in the transition out of illegality. These advocates generated a move toward “sun-grown” (rather than indoor) cannabis, an argument for “boutique,” appellation-protected cannabis, a demand for “sustainable,” “green,” “local,” and “organic” certifications, and a politics to insulate smaller farmers in California from the increasing pressure to increase farm size (even if people’s definition of “big” and “small” farms was contentious). All of these demands have shaped the development of local and statewide political geographies of legalization in enduring, yet still fragile, ways.⁸²

Seeking legitimacy and legibility as they were inducted into public and (agri)cultural life, growers went through a cleansing process to shed negative associations, much like white youth and medical consumers were cleansed of criminal intent in decriminalization debates in the 1970s and medicalization in the 2000s, respectively. This cleansing,

however, came at a price, namely the generation of new negative stigmas against which respectable cultivators would be defined. Discursive lines were drawn between environmentally sustainable, law-abiding, citizen cultivators and those labeled as polluting, law-flouting criminal cultivators, who were perceived as dealing in harder drugs, acting violently, polluting public parks, and violating community norms. What sutured this new imaginary of criminal cultivators together was their supposed foreignness and potential relation to international organized crime, whether it was Bulgarian human trafficking rings, violent Mexican cartels on public land, or deviant Hmong farmers flouting norms and laws.⁸³ The reality underlying these accusations of organized crime is debatable, if not dubious, yet one effect is undeniable: legal market involvement entails a moral sorting of domestic from foreign actors. This is yet another iteration of the historic work of the War on Drugs in generating criminalized and stigmatized populations. As some cultivators are granted a conditional exception to the drug war and disciplinarily ushered into legal markets defined by citizenship, legibility, and respectability, legalization politics are evacuated of their radical demand for global justice for all those ensnared by the drug war.

For those opposed to drug wars, US cultivation was importantly positioned to challenge the supply-side logic of the war in the very belly of the beast. The unique position of US cultivators in the supply chain, and in relation to political claims-making capabilities, made that challenge possible.

Exceptionalism, however, hinders the promise of legalization. Cannabis is simply miscategorized, the line goes, and need only be rescheduled and removed from prohibited status. Meanwhile, the apparatus of the drug war continues apace, applied with equal fervor to other substances. Exceptions to the drug war are crafted along national borders, producing an uneven geography of legality and illegality as the otherwise relatively even geography of global prohibition crumbles. Legalization becomes yet another form of US market capture. Political demands for legalization are shorn to a basic demand for integration into legal-domestic markets. This market focus not only sidesteps demands for repairing harms done by a century of prohibition, but also sidesteps the inequities created by markets themselves. Simply removing cannabis from national prohibitions will not alter the structural purpose that prohibition served

in managing inequality, and legal markets will not necessarily be more just. In fact, research I recently conducted with others demonstrates that current legalization may not even, as a baseline, consistently help the people who have labored under and been put at risk by prohibition.⁸⁴

Globalizing Legality, Dismantling Prohibition

Whether in Colombia, Africa, Canada, or California, legalization is, despite all of its improvements, eliminating livelihoods from marginalized people who have depended on prohibition premiums.⁸⁵ Without countervailing measures, legal profits will accumulate in more predictable ways to more predictable actors—presumably along the lines of larger-scale monocropping agribusiness, with devastating consequences for producers, workers, communities, and the environment.⁸⁶ Generating those countervailing measures, however, will require a robust role for the state in mediating markets. Curiously, this is not an impossibility for cannabis, a plant that is no stranger to intensive state intervention. In California currently, stringent, thorough regulations have been explicitly designed for environmental protection. Yet these are having adverse, perhaps unintended consequences for smaller-scale farming and economic development in producer communities.⁸⁷ The question in California and elsewhere, then, is, not just whether robust state actions exist, but rather in whose interests and for which public good(s) will cannabis cultivation regulation be designed? And how will multiple interests and goods be balanced?

A core issue requiring attention is how to distribute the common wealth created by criminalized people over the past century. Because it is unprotected by law, the properties—intellectual, social, biological, horticultural, epistemological, cultural—created by cannabis cultivators under the restraints of prohibition are turned by legalization into unclaimed common property waiting to be appropriated by those with the access, capital, and wherewithal. These properties, developed by illegalized cultivators, are bearers of the immense labor invested in cannabis: building networks, creating markets, accumulating knowledge, sharing resources, protecting each other, refining techniques, breeding seeds, forming medical collectives, generating a culture, protesting, building political relationships, challenging laws, debating neighbors, and publicizing the

plant's worth, not to mention taking risks, getting arrested, having property seized, and paying enormous fines. It is only through these historic and political labors taken by cannabis growers and activists that the plant, today, is valuable and legal. Without forethought, legalization may just be a legal sleight of hand to expropriate this collective labor.

So, is there a different path out of prohibition, not only in the US but around the world? One that does not merely expropriate but lifts up producers, communities, and the environment? One that does not merely extract cannabis from a broken prohibition system and render it legal without any regard for what is being taken away from already-marginalized peoples who took great risks to cultivate cannabis? Environmental scientists Liliana Dávalos, Karina Sanchez, and Dolores Armenteras have surveyed the destruction left by drug prohibition and resource extraction across Colombia, Peru, and Bolivia. They ask that we recommit society to substantive, thorough, and ecologically oriented development for rural communities. Duvall points to the need to recognize and protect cannabis seeds and genetics in Africa and elsewhere that are being pilfered by multinational corporations. In the US, as legalization progresses, advocates of equity policies, focused on people impacted by the drug war, attempt to ameliorate high costs and barriers to entry.⁸⁸ Activists also advocate for protective policies, like appellation designations, that generate market rents for cultivators to protect places, ecologies, styles of growing, cultural heritage, labor practices, and the like.⁸⁹ A broader protective policy would facilitate producer cooperatives, which allow cultivators to share material and intellectual resources, quell competition, and enable collective marketing efforts that make cultivation more affordable and economically sustainable.

More systemic policies would rework how cannabis cultivation meets markets. Looking to US tobacco leaf programs that have supported hundreds of thousands of small farmers for decades, policymakers might explore the potential of market-adjustable allotments, minimum prices, product grading, and cultivator-funded auctions to ensure that a maximum number of productive farmers can afford production costs, environmental protections, and fair farmworker wages. These programs are possible specifically because of cannabis' prohibition-elevated prices and they might be coupled with accountable distribution systems, like the not-for-profit collective systems that California had prior to 2019, which

can guard against price gouging, ensure access for the indigent and ill, and are guided by public health principles, not commercial ones. These systemic policies go beyond ameliorative and protective programs by recognizing and replacing what was (perversely) beneficial about prohibition, namely, its provision of small farmer livelihoods and economic development. Designed well, they may also assure the health of workers and the environment, as well as indigent and ill consumers.

These proposals, however, operate within domestic borders. No matter how just the proposals may be internally, they would still be haunted by an active global prohibitionism that prevents cultivators worldwide from participating in legal economies and sharing in the fruits of legalization. The result: market capture by the Global North and a new round of dispossession and marginalization of those in the Global South, that historic object of supply-side interventions. Can “we,” however constituted, generate a just legalization and collaboratively support it across the globe with the same gusto as the US did in the War on Drugs?

In this essay, I have illuminated the relationship of US cannabis cultivation with the world. Yet cannabis exceptionalism severs the connection of the plant with the drug war and its global provenance, myopically refocusing US Americans on domestic markets. It is here that cannabis exceptionalism lapses into American exceptionalism, tantalizing US Americans with fantasies of market achievements and divorcing them from the debts owed to one another and the world. It may be that cannabis is now allowed in that city upon a hill. Yet, as the War continues, one might be drawn to wonder who lies in the valleys below—and what it is they may be growing next.

NOTES

- 1 United Nations Office of Drug Control (UNODC), *World Drug Report* (Vienna: United Nations, 2019). In descending order, cannabis seizure cases were recorded in Paraguay, the US, Mexico, Spain, Pakistan, and Morocco. India reported the second highest number of plants eradicated, Guatemala reported the highest numbers of plants seized, and Brazil and Egypt reported high numbers seized.
- 2 Tom Angell, “Marijuana Arrests Increased Again Last Year despite More States Legalizing, FBI Data Shows,” *Forbes*, October 1, 2019, www.forbes.com.
- 3 Jacob Sullum, “Marijuana Arrests Hit a Two-Decade Low but Are Still an Outrage,” *Forbes*, September 29, 2019, www.forbes.com. Arrest numbers are down from 2010, when cannabis arrests accounted for 52 percent of the nation’s total, yet cannabis still comprises 40 percent of all arrests.

- 4 Drug Enforcement Administration (DEA), *National Drug Threat Assessment Summary* (DEA Strategic Intelligence Section, 2016), 120.
- 5 UNODC, *World Drug Report*.
- 6 I borrow the term “workhorse” from Kathleen Frydl, personal communication, July 20, 2020.
- 7 Arthur Rizer and Joseph Hartmann, “How the War on Terror Has Militarized the Police,” *Atlantic*, November 7, 2011, www.theatlantic.com; Winifred Tate, “Into the Andean Quagmire,” *NACLA*, September 25, 2007, <https://nacla.org>.
- 8 Russell Berman, “Why Congress Gave into Medical Marijuana,” *Atlantic*, December 17, 2014, www.theatlantic.com.
- 9 James Carrier, “Economy, Crime and Wrong in a Neoliberal Era,” in *Economy, Crime and Wrong in a Neoliberal Era*, ed. James Carrier (New York: Berghahn Books, 2018), 1–39.
- 10 Nicholas Gane, “The Governmentalities of Neoliberalism: Panopticism, Post-panopticism and Beyond,” *Sociological Review* 60, no. 2 (2012): 623.
- 11 Mac Marshall, Genevieve M. Ames, and Linda A. Bennett, “Anthropological Perspectives on Alcohol and drugs at the Turn of the New Millennium,” *Social Science & Medicine* 53, no. 2 (2001): 153–64.
- 12 Martin A. Lee, *Smoke Signals: A Social History of Marijuana* (New York: Simon and Schuster, 2012). On the National Institute on Drug Abuse and negative hypotheses, see also Donald I. Abrams, “Medical Marijuana: Tribulations and Trials,” *Journal of Psychoactive Drugs* 30, no. 2 (1998): 163–69; Clinton Werner, “Medical Marijuana and the AIDS Crisis,” *Journal of Cannabis Therapeutics* 1, nos. 3–4 (2001): 31. Recently, the Drug Enforcement Administration has issued rule changes to expand beyond the single authorized cannabis cultivation lab to multiple cultivators. Only one cannabis derivative has been approved for medical use.
- 13 The answer is “not necessarily,” according to drug historian Isaac Campos, who argues that the actual experience of cannabis use is significantly shaped by one’s social context. Isaac Campos, *Home Grown: Marijuana and the Origins of Mexico’s War on Drugs* (Chapel Hill: University of North Carolina Press, 2012).
- 14 Norman E. Zinberg, *Drug, Set, and Setting: The Basis for Controlled Intoxicant Use* (New Haven: Yale University Press, 1984).
- 15 UNODC, “The Cannabis Problem: A Note on the Problem and the History of International Action,” *UNODC*, January 1, 1962, www.unodc.org.
- 16 Dale Gieringer, “The Forgotten Origins of Cannabis Prohibition in California,” *Contemporary Drug Problems* 26, no. 2 (1999): 237–88. Italy also raised concerns over cannabis as it sought a tighter grip on its North African colonies after wresting them away from Turkey in 1911. Transnational Institute, *The Rise and Decline of Cannabis Prohibition*, March 7, 2014, www.tni.org.
- 17 For the purposes of this article, I do not distinguish between hashish, cannabis flower, and other psychotropic cannabis products directly derived from the plant, the definitions of which are repeatedly conflated and confused in drug policy debates. While there are important differences in the history of each product, I am

focused on the political histories that produced “cannabis” as a singular, dangerous, policed plant source.

- 18 Kenza Afsahi and Salem Darwich, “Hashish in Morocco and Lebanon: A Comparative Study,” *International Journal of Drug Policy* 31 (2016): 190–98. On French cannabis policy and colonialism, see David A. Guba, *Taming Cannabis: Drugs and Empire in Nineteenth-century France* (Montreal: McGill-Queen’s University Press, 2020).
- 19 James Mills, *Cannabis Britannica* (Oxford: Oxford University Press, 2004); Vera Rubin and Lambros Comitas, *Ganja in Jamaica: The Effects of Marijuana Use* (Norwell, MA: Anchor, 1976).
- 20 Transnational Institute, *Rise and Decline*.
- 21 Chris Duvall, “A Brief Agricultural History of Cannabis in Africa, from Prehistory to Canna-Colony,” *EchoGéo* 48 (2019), <https://doi.org/10.4000/echogeo.17599>.
- 22 For instance, Ram Haggai, *Intoxicating Zion: A Social History of Hashish in Mandatory Palestine and Israel* (Stanford: Stanford University Press, 2020).
- 23 Liat Kozma, “Cannabis Prohibition in Egypt, 1880–1939: From Local Ban to League of Nations Diplomacy,” *Middle Eastern Studies* 47, no. 3 (2011): 443–60; C. Stefanis, C. Ballas, and D. Madianou, “Sociocultural and Epidemiological Aspects of Hashish Use in Greece,” in *Cannabis and Culture*, ed. Vera Rubin (Mouton Publishers, The Hague, 1975), 303–26; Transnational Institute, *Rise and Decline*; Utathya Chattopadhyaya, “Dagga and Prohibition: Markets, Animals, and the Imperial Contexts of Knowledge, 1893–1925,” *South African Historical Journal* 71, no. 4 (2019): 587–613; Campos, *Home Grown*; Maziyar Ghiabi, *Drugs Politics: Managing Disorder in the Islamic Republic of Iran* (Cambridge: Cambridge University Press, 2019). This literature is part of a general historiographic move challenging unilateral notions that the War on Drugs was simply imposed by colonial or imperial forces. I share this assessment, though I am concerned here with outlining how cannabis (in particular) came to be integrated into international prohibition regimes.
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- 25 Alfred McCoy, *Policing America’s Empire: The United States, the Philippines, and the Rise of the Surveillance State* (Madison: University of Wisconsin Press, 2009), 19. On prohibition and morality, see Jessica Kuperavage, “Petitioning against the ‘Opium Evil’: Economic Policy as Humanitarian Intervention in Early Antidrug Rhetoric,” *Southern Communication Journal* 79, no. 5 (2014): 369–86.
- 26 David Musto, *American Disease: Origins of Narcotics Control*, rev. ed. (1973; repr., New York: Oxford University Press, 1999).
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- more central to national policy since the national economic reforms of the New Deal and Second World War eras. Even after an era of the expansive Commerce Clause utilization (from 1942's *Wickard v Filburn* to 1995's *US v Lopez*), the Commerce Clause is still used to justify federal cannabis prohibition. See David Crowell, "Gonzalez v. Raich and the Development of Commerce Clause Jurisprudence," *Rutgers Law Journal* 38 (2006): 251–320.
- 30 Matthew Pembleton, *Containing Addiction: The Federal Bureau of Narcotics and the Origins of America's Global Drug War* (Amherst: University of Massachusetts Press, 2017).
 - 31 UNODC, "The Cannabis Problem"; Transnational Institute, *Rise and Decline*.
 - 32 T. David Mason and Christopher Company, "Guerrillas, Drugs and Peasants: The Rational Peasant and the War on Drugs in Peru," *Terrorism and Political Violence* 7, no. 4 (1995): 140–70; Liliana Dávalos, Karina Sanchez, and Dolores Armenteras, "Deforestation and Coca Cultivation Rooted in Twentieth-Century Development Projects," *Bioscience* 66, no. 11 (2016): 974–82.
 - 33 David Bewley-Taylor, "Emerging Policy Contradictions between the United Nations Drug Control System and the Core Values of the United Nations," *International Journal of Drug Policy* 16, no. 6 (2005): 423–31.
 - 34 Teo Ballvé, *The Frontier Effect: State Formation and Violence in Colombia* (Ithaca: Cornell University Press, 2020).
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 - 36 Matthew Lassiter, "Pushers, Victims, and the Lost Innocence of White Suburbia: California's War on Narcotics during the 1950s," *Journal of Urban History* 41, no. 5 (2015): 787–807; Michael Aldrich and Tod Mikuriya, "Savings in California Marijuana Law Enforcement Costs Attributable to the Moscone Act of 1976: A Summary," *Journal of Psychoactive Drugs* 20, no. 1 (1988): 75–82.
 - 37 International Narcotics Control Board, *Report of the International Narcotics Control Board* (Geneva: UN, 1975), 7; International Narcotics Control Board, *Report of the International Narcotics Control Board* (Geneva: UN, 1977).
 - 38 William Walker III, "The Foreign Narcotics Policy of the United States since 1980: An End to the War on Drugs?" *International Journal* 49, no. 1 (1994): 37–65; Dominic Corva, "Neoliberal Globalization and the War on Drugs: Transnationalizing Illiberal Governance in the Americas," *Political Geography* 27, no. 2 (2008): 176–93.
 - 39 Paul Gootenberg, "Secret Ingredients: The Politics of Coca in US-Peruvian Relations, 1915–65," *Journal of Latin American Studies* 36, no. 2 (2004): 233–65; Julien Mercille, "Violent Narco-cartels or US Hegemony? The Political Economy of the 'War on Drugs' in Mexico," *Third World Quarterly* 32, no. 9 (2011): 1637–53; Nazih Richani, "Multinational Corporations, Rentier Capitalism, and the War System in Colombia," *Latin American Politics and Society* 47, no. 3 (2005): 113–44.
 - 40 UNODC, *World Drug Report*.
 - 41 Tom Decorte and Gary Potter, "The Globalisation of Cannabis Cultivation: A Growing Challenge," *International Journal of Drug Policy* 26, no. 3 (2015): 221–25.

- 42 Michael Polson, "Marketing Marijuana: Prohibition, Medicalization and the Commodity," in Carrier, *Economy, Crime and Wrong in a Neoliberal Era*, 140–71. While the truth claims that emerge from these accounts are also mediated, Jane Schneider and Peter Schneider remind us that ethnographic "revelations" of criminalized realms can impart critical insights that are otherwise made invisible through illegalization. Jane Schneider and Peter Schneider, "Is Transparency Possible? The Political-Economic and Epistemological Implications of Cold War Conspiracies and Subterfuge in Italy," in *States and Illegal Practices*, ed. Josiah Heyman (New York: Bloomsbury Academic, 1999), 169–98. Further, the act of learning *from* illegalized actors can constitute a de-prohibitionist praxis through which we can reconstruct what sources are considered valid.
- 43 See also Alfred W. McCoy, "The Stimulus of Prohibition: A Critical History of the Global Narcotics Trade," in *Dangerous Harvest: Drug Plants and the Transformation of Indigenous Landscapes*, ed. Michael Steinberg, Joseph Hobbs and Kent Mathewson (New York: Oxford University Press, 2004), 24–111; Ethan Nadelmann "The Case for Legalization," *Public Interest* 92 (1988): 3–31. This logic is *not* a supply and demand logic, where limiting supply through enforcement increases prices and, in turn, reduces consumption.
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- 45 Michael Polson, "Outlaw," *Journal for the Anthropology of North America* 22, no. 2 (2019): 128–30.
- 46 Corva, "Neoliberal Globalization."
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