

Smoked Out

The great enclosure of the marijuana commons

June Thunderstorm

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The marijuana legalizers say they will kindly not imprison our dear pot workers anymore, and perhaps clear their records of past marijuana-related charges. That is not enough. The new marijuana tycoons and their lackey politicians must do much more than promise not to throw pot workers in jail. They must also pay unemployment benefits to all traditional-sector pot workers who are laid off and suffer other economic losses on account of their predation. They must also offer them scholarships, trust funds, and real estate in recognition of their many decades of underpaid service in developing the strains of marijuana now sold as medicine. They must also hand them prizes and jobs in high office for successfully constituting the welfare state when everyone else has failed. All pot workers should be ceremoniously receiving oversized checks in front of a thirty-foot statue erected to “The Unknown Grower.” Instead they’re smeared as “organized crime.”

The legalizers must also grant old-school growers full intellectual property rights to all strains of marijuana and pot-derived craft products that they have developed (including hashish). This would be in accordance with statutes of the World Trade Organization’s Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS). These were the entrepreneurs, after all, who created “Cheese” and “Girl Scout Cookies,” not the new cohort of big-market pot speculators. If a corporation happens to rename a Pink Kush strain “Tranquillamen,” this does not make it that company’s invention.

It is no more just for legal pot companies to patent existing products, muscling the smaller-scale pot cultivators out of the market, than it is for Monsanto to patent the indigenous rice or beans of Cambodia or Mexico; but of course these things happen all the time. The difference is simply that in this case there has been virtually no moral outrage about corporate control of legal marijuana as colonial capitalism, because the traditional small-scale producers in question have historically been denied rights and personhood as “criminals.” This, for producing the wonder substance that everyone and their alternative health practitioner is now raving about—and cashing in on.

Trimming the Truth

Casting traditional marijuana producers as “dangerous criminals” is a key rhetorical maneuver employed by State and Capital to justify appropriating the livelihoods of existing pot cultivators. In a gesture, they dismiss old-school pot growers’ claim to rights, and distract public attention from what would otherwise be lauded as growers’ “local traditional knowledge.”

At least those who identify with left politics should notice that recent media shit-shows around pot workers as “mafia rapists” and “killer cartels” are part and parcel of a vast sweep of “primitive accumulation”—a key aspect of capitalist development. As Marx famously explained, capitalists rip people off in two main ways: the first, and perhaps most obvious, is by not paying the worker the true value of her labor (profit),

and the second is by way of primitive accumulation: this strategy involves creating markets where none existed before by finding something previously held in common, privatizing it, commodifying it, and then selling it back to the people who were using it for free the day before. When Nestlé “buys” the rivers of Bolivia in order to sell indigenous peasants the water they had been drinking for free, for example, Marxists are upset. Yet so far North American leftists, who normally pride themselves on their virtuous support of locally driven, small-scale, and ecologically sustainable agriculture, have been all too quiet about the depiction of pot workers as “violent criminals.” Today’s bourgeois leftists apparently want to smoke pot in the park so very badly that they scramble, rather embarrassingly, for the heavy artillery: they try to cast their own pro-legalization position as “anti-racist”—as if buying corporate weed means that fewer black Americans and indigenous people will be put in jail, and the war in Mexico will magically evaporate.

Intoxicating Power

The great love affair between imperial conquest and trade in intoxicating substances goes back at least as far as the sixteenth century, when African slaves were bought with English guns, and sold in the Caribbean for so much “white gold”—sugar—that was pumped into England’s workhouses. The first industrial workers were kept alive on sugar and opium, while conquistadors of the New World poured whiskey over America’s indigenous people and transformed their tobacco into a profitable transnational commodity.

From these unsightly origins, colonial capitalism has continually thrived on cultivating and controlling trade in addictive and mind-altering substances for the purpose of racialized social control. Colonial states have never tried to stifle trade in such substances. Instead, they work to monopolize the trade, regulating it to maximize their own profit, and creating shifting zones of illegality around the marketing and treatment of certain plants in order to stifle their economic competitors, criminalize racialized groups, and intoxicate law-abiding citizens all at the same time.

It should be no surprise, for example, to hear that the Central Intelligence Agency would have cocaine flown into the United States while supposedly fighting the “War on Drugs” in Colombia. This sort of thing has been going on since the British smuggled opium into China while fighting the “Opium Wars” during the nineteenth century. Cocaine was invented by American and German pharmaceutical companies, and when it was later made “illegal,” this simply meant that every coca grower in Peru should be conscripted into sweated labor for those companies.

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Laws regulating marijuana likewise remained tax and licensing affairs until granting residency rights to laboring Mexicans became inconvenient during the Depression. Criminalizing Mexicans then became a priority instead. It was also in the 1930s that at least one state government (Georgia) whipped up a death penalty for selling weed to minors, while other states specifically targeted Mexicans as marijuana vendors. The pulp and paper lobby against hemp production may have also worked hard to keep pot illegal, but narcotics laws have always been useful to make people illegal as well, and are generally managed for this specific purpose.

It's by now well established that the U.S.-sponsored "War on Drugs" related to the military offensive Plan Colombia, for example, has functioned as a cover to scatter peasantry for the purposes of oil extraction. Similarly, the "narcotrafficking war" going on in Mexico right now is related to the strangulation of the Mexican economy under the North American Free Trade Agreement (NAFTA) as well as the more recent Merida Initiative, a massive infrastructure and "security" project supporting resource extraction. The Mexican "drug cartels" we always hear about do profit nicely from moving weed around. But they are making the vast majority of their money from smuggling migrants over the border, selling women and children into sex slavery, moving cocaine from Colombia that used to arrive by air, cooking meth, and "taxing" Canadian and American mining companies. Indeed these "cartels" must be understood as mercenary armies facilitating resource extraction for multinational corporations. The mining companies pay their dues, and in return, the cartels dispatch men with machine guns to scatter people wherever necessary. Villages located on mountains where corporations are planning to site open pit mines are annoying obstacles, of course. But it takes just a few rhetorical sleights of hand to deem all these people "narcotraffickers," and to proclaim it our moral duty to wipe them out.

In Mexico one might say *que nadie se haga pendejo*—let no one play the idiot: the United States government's growing allowance of marijuana consumption has nothing to do with wanting to stop violence on the Mexican border. A bunch of legal, heavily taxed hydroponic Kindbud isn't going to bring down the leaders of even the wimpiest cartel, because it's hardly even going to cut into their (relatively unimportant) weed market. The people who buy Mexican cess generally can't afford the legal hydro Kind any more than they can afford the illegal hydro Kind, and everyone who sells cess is still going to need to make a living tomorrow. Not a single one of them has access to the new legal sector (despite their hard-won seniority in this particular area), so let's just all do the math.

Neither does marijuana legalization relate to any new and enlightened approach to the "health" of the American public. During the same period, the Drug Enforcement Agency attempted to criminalize Kratom—a plant that thousands of Americans have been ordering from Thailand in their efforts to kick government-approved pharmaceutical opiates. Obviously if state governments are now approving of medical and recreational marijuana, it's because they surmise that at this moment in history they can make a fuckload of money from legalization, while still continuing to effectively

control all the racialized and impoverished populations that provide the materials and labor to make all the stuff people buy. Young black men can easily be thrown in jail for some other hackjob charge like “disturbing the peace,” while Mexicans will still live in fear of getting shot. After all, some of the scariest new “cartels” in Mexico are apparently made up of men who were given special training in torture by U.S. military at the School of the Americas—they know their stuff. It’s time to clean up on the Marijuana Commons.

The Tragedy of the Marijuana Commons

The social relationships that currently exist around illegal marijuana production and distribution are more consonant with the values of mutual aid, cooperation, reciprocity, self-management, re-distribution of wealth, and other nominal goals of the left than anything you’ll find within the new legal marijuana sector. Of course it becomes hard to sustain such an argument with respect to murderous “cartels,” which is why their stereotypically evil images are constantly waved in our faces. In reality, the only bud that actually competes with the legal gringo Kind comes from Canada, where the border is patrolled only by pine trees and marijuana workers are not organized into armies. In Mexico as well as Canada, most people who work in marijuana cultivation have never touched a machine gun in their lives—they grow and trim weed, and the people they sell it to wouldn’t have nearly as many machine guns themselves if the Americans didn’t provide so much training, equipment, and motivation to wield violence.

Viewed in the light of their actual historical functions, the Canadian and American governments are themselves murderous cartels that rely, in turn, on Mexican cartels to protect their murderous colonial mines. Furthermore, these state governments simply don’t provide social, medical and community services as effectively as the traditional neighborhood pot delivery network. It is the State that requires, say, a dyslexic laid-off worker to fill out a seventeen-page webform in her second language to receive access to food. It is the State that asks the poor to continually re-live, narrate, and fetishize in proper form the traumatic violence they have experienced in order to convince food-bearing-authorities that their lives might actually have value. It is certainly not underground pot workers who demand such dehumanizing performances of the “deserving poor” in order to acquire a job or a loan. It is the State that offers a cruel minimum wage, demands student interns work for free, and offers welfare checks so small they should come in an envelope saying “Please die as soon as possible.”

Marijuana work, on the other hand, has provided indispensable flexible employment that has allowed untold thousands, indeed surely millions, to make ends meet. No doubt most members of the working class have at least one laid-off friend or acquaintance who has been intermittently sustained by pot work. Of course non-privatized resources left in common, historically known as “the Commons,” have always been the invisible

cushion of the State (including that of the Welfare State), and the many marijuana Commons parcels now on the frontier of enclosure are no different. They have been sustaining entire demographics. Did you know that when the weed-trimming season is over, the very same workers constitute the flexible labor force that provides affordable Christmas trees to the residents of New York City? Anyone who considers it appropriate to dub these people “violent criminals” surely has a heart two sizes too small.

It is also pot workers, not the State, who consistently provide interest-free loans (the “fronting” of an ounce, say) to those with no credit at banks, whose only other recourse is the treachery of payday lenders. It is the pot-peddlers, not the State, who provide daily home-check-ups for unemployed youths suffering mental health challenges, and who run errands for seniors when the streets get icy. (Not all pot delivery guys pick up prescriptions for their elderly clients, but most will at least pass by the corner store as they make their rounds.) Various logics of reciprocity prevail throughout this social network—favors, tips, loyalties and affective bonds are cultivated. Indeed, a great many people who struggle with anxiety and mobility problems find that their only reliable weekly visitor is their pot delivery person. This emissary from the outside world will, it’s true, only talk to you if you buy pot, but he makes house calls, and doesn’t pro-rate all conversation such that the experience alone costs you fifty bucks. (There is nothing a bourgeois therapist can possibly offer a minimum-wage worker when weekly sessions cost more than her monthly rent.)

Self-organized pot providers still remain a shining example of moral economy in comparison with state police forces who murder men simply for being black.

But we are not only concerned with the question of customer experience. Crucially, the traditional marijuana sector is one of the last remaining realms of commercial activity wherein the people who come into contact with one another are not consigned to categories of mere “consumer” and “producer.” Throughout the underground pot trade “producers” and “consumers” still often look each other in the face, and know each other as people, wherein one’s relevant “credit” relates to one’s true character and reputation. Precisely because police and lawyers cannot be counted on to mediate work disputes, it’s vital to actually know something about your colleagues’ honesty and history of treating other people. Mainstream sectors rather extend credit via a “rating” fabricated by a bank, one that suggests people are trustworthy based exclusively on how much money they or their family have had in the past—i.e., purely on the basis of social class.

It’s true that when the pot economy’s protocols of trust and mutual aid are breached, the price can be high: you can have your legs broken, or worse, if you steal something that doesn’t belong to you. But self-organized pot providers still remain a shining example of moral economy in comparison with state police forces who murder men simply for being black.

Traditional marijuana workers also constitute the last remaining examples north of Mexico of self-organized small-scale agriculture and autonomous workers collectives,

ones that organize group insurance schemes, like the “rider funds” that bike delivery guys often maintain in case anyone gets injured or has to deal with legal fees. *The Many-Headed Hydra*, Peter Linebaugh and Marcus Rediker’s popular history of cooperating sailors, slaves, and pirates of the seventeenth-century Atlantic, has all but captivated the current generation of educated leftists: Do they really not see that the Motley Crew has continued to exist in the shadows all along? Linebaugh and Rediker’s depiction of the “Hewers of Wood and Drawers of Water” comes vividly to life in the pot-growing interior of North America, where cannabis cultivators trudge up mountains carrying ten-gallon cubes every forty-eight hours to irrigate hidden pot fields—always in the middle of some forest that needed hewing, and with tools so rough and readily concealable that they may as well be living in the seventeenth century. That these workers have provided us healing marijuana despite such conditions should be regarded as nothing less than heroic. Instead, authorities dub them “violent” and even some who would call themselves anarchists *indeavour to sett the rich people to plunder the poore by selling their Soules to the great Leviathan of Legall Marijuana* .

Capitalist, Heal Thyself

The rich white corporate drug traffickers known as “licensed producers” do not bike over to Mary Jane’s house to bring her a joint when she’s dry and her PTSD is going to keep her up with nightmares. Instead, they field prescriptions online, where they provide a standard-issue dialog box that says “Orders will be processed within 48 hours.” Of course, these same soulless websites are a caricature of meaningless neoliberal consumer “choice.” They display pretty online pictures of marijuana varieties complete with scientific-looking THC and CBD percentages, but any peasant knows that when they label a product “Special for Vaping!” it’s just because they saved time and money by not bothering to flush all of the fertilizer out of the buds. State-sponsored marijuana corporations say “Vape-Friendly!” when they mean “Shitty Weed That’s Actually Dangerous to Smoke!” and hope the public is stupid enough to feel empowered because they are invited to fill out a sleekly designed web survey.

Consider further the plight of our typical legal-pot patient, Mary Jane. One reason she originally wanted her marijuana prescription was to avoid buying the typical purchase of a “quarter” (seven grams) from delivery, so she doesn’t smoke more than she needs. But the Licensed Producer was worse: she was told she had to buy her entire thirty-day prescription in one massive load, because the website commands that the next order be thirty days after the *last* purchase (rather than within a given thirty-day time period). Such a system serves no practical purpose except to mobilize patients’ anxiety disorders—which they are supposedly trying to heal—so that they buy more overpriced product than necessary at any given time. No responsible doctor forces a patient to pocket a whack of Oxys every month “just in case,” yet this is how most state-sanctioned medical marijuana in Mary Jane’s region was originally organized. No

wonder authorities feel the need to paint machine guns onto the faces of their traditional competitors—it’s the only way they can convince any reasonable person that getting the poisonous profit-driven pharmaceutical industry involved in the marijuana trade will actually make it “safer.”

Meanwhile, the friendly neighborhood marijuana clinic invites long-time aficionado Bud to participate in “skillshares” where he’s not allowed to sell or even *share* his homemade marijuana ointments with other patients with chronic pain. But as part of the “community,” he is encouraged to “share his story” of the “healing journey” with Research and Development hawks hovering to harvest his intellectual property. And still we are all expected to swallow some story about marijuana legalization being primarily about “healing”—together with the holy mandate of “fighting crime,” even though the “crime” in question turns out to be producing medicinal marijuana while not being a wealthy, white-owned state-sanctioned corporation.

Indeed some very fancy rhetorical footwork is inevitably required by anyone who wishes to rationalize spending money on government-sanctioned weed—especially anyone who protests oil pipelines, critiques imperialism, practices political vegetarianism, buys “fair trade” coffee, receives baskets from community-supported agriculture, or enjoys using the word “organic.” The lifestyle leftists never cease to amaze. They ferment their own kombucha, fetishize wild mushrooms, buy micro-brewed beer, and throw marijuana into the pocket of Monsanto in a fury of enthusiasm.

Not that protecting biodiverse “ancestral grains” of marijuana is sufficient reason to keep pot illegal: if Mexicans, black Americans, indigenous peoples, and the impoverished white working class could all be saved by everybody smoking the same shitty strain of M-39 for the rest of our lives, this would of course be a small price to pay. Unfortunately, however, when the “wildcrafting” liberals realize they’ve tanked the only remaining cottage industry in North America that’s actually “DIY” to have Heritage Marijuana be replaced with the THC Kraft Single, their weepy blog posts will be the only thing left to laugh about.

The fact is that people grow, traffic, and sell pot outside of the economic mainstream for a reason—the pot sector actually grants living wages whereas legal employment options do not. Everyone who currently makes a living off pot will still be poor and needing to make a living tomorrow when Monsanto buys the DNA sequence for Skunk. For this reason, there will continue to be an underground pot trade, and there is every reason to think that pre-existing pot workers will be persecuted even more heavily than before. Already we see pot workers of color getting arrested for “posing as” providers of medicinal marijuana, simply because only white (“regulated”) marijuana is considered “medicinal.” Clearly, if we’re now being told that legalizing marijuana will help poor people, or people of color, or both, it’s simply because rich white people always like to moralize about stuff they want to do anyway, and aim to insulate themselves from any discussion of their own race and class privileges, and the relation of these privileges to their neoliberal marijuana desire.

In conclusion, we must destroy their privileges, their desire, and their neoliberal marijuana as well. We must not lose sight of so much hypocrisy in a fog of corporate-sweetened weed smoke. A principled left would start working now against the enclosure of marijuana in diverse arenas. The traditional diversity of tactics could be considered, including letter-writing campaigns, boycotts, art installations, and even street theatre. Meanwhile, traditional crafters will resist sharing their recipes with corporate parasites, like so many colonized subjects forced to privatize a parcel only to watch the whole Commons disappear. And if politicians say crafters are “hurting cancer patients” by reserving their knowledge, we will all remain steadfastly unfazed by the Newspeak. It is traditional crafters who have been providing Baby Boomers with tumor-reducing gel capsules of organic hash oil all along.

Respectable researchers ought to approach the International Narcotics Control Board to argue that if marijuana is legal, then due to the North American Free Trade Agreement or concern for climate change (whichever one prefers), all citizens of the United States must buy their weed from Mexican and Canadian outfits because they clearly have a “natural comparative advantage.” Indeed, let us see the critical academics “intervene in discourses”—they do claim to be good at this. Let us see them mobilize some Gramsci to actually articulate some principles, unless of course they prefer to cite Foucault instead. Let the researchers explain to the public in meticulous and compelling detail how the THC and CBD percentages on legal marijuana labels are being invented, why they are not the best measure of healing potential, and how they rather serve to lull suffering subjects with false notions of control and the soothing aesthetics of legitimacy. And let us see today’s student activists wield their preferred weapons of Shame and Exile against all of their friends who buy government weed. Let there be no “safe space” for white heteronormative colonial capitalist marijuana.

Meanwhile, environmentalists of the professional class will continue growing fruitless tomato plants in yogurt containers (they call it “permaculture”) while weed workers actually succeed at growing shit in locally appropriate ways every day, and can build and rewire structures in twenty-four hours. Clearly, any effective social movement would find one pot grower more useful than all “anarchoprimitivists” combined. Are not today’s leftists interested in appealing to the vast emergent class of disgruntled workers displaced by corporate marijuana? Let’s maybe try to come up with a project that actually appeals to Mexicans, as well as black Americans, as well as working-class whites, as well as indigenous people, because pot workers are all of these things and obviously they all consider their lives to matter. Indeed, let us all heal together and pray the professional left will not rather seize another historical Moment to suggest we all praise Black Lives Matter on Facebook while supporting Hillary Clinton, or else swell the ranks of white militia partying in Trump’s America. That plan only makes sense if you make a living off “critique”—or if you’re fucking stoned.

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