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# 'Mo fire' than Smoke: Liberating the Politics and Development of Cannabis in South Africa

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## ABSTRACT

This article tells a story about cannabis that illuminates two dimensions of its development that are often overlooked for a truly liberating development plan post legalization for the majority of people in South Africa. Firstly, by its nature cannabis is political and has a black revolutionary history that is not being adequately acknowledged in the contemporary literature, even though it is deeply embedded in how the plant is understood in the geographic diaspora of the Global South. Secondly, any serious social scientific analysis of contemporary cannabis development must think through how the ways of knowing and work, produced during prohibition, will become a part of the plant's future. Innovative and alternative models of practical development are agencies of the marginalized majority that should become a standard part of the geographies of all work economies.

*Keywords:* cannabis; just development; political geography; contemporary south african history.

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# 'Mo fire' than Smoke: Liberating the Politics and Development of Cannabis in South Africa

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## ABSTRACT

*This article tells a story about cannabis that illuminates two dimensions of its development that are often overlooked for a truly liberating development plan post legalization for the majority of people in South Africa. Firstly, by its nature cannabis is political and has a black revolutionary history that is not being adequately acknowledged in the contemporary literature, even though it is deeply embedded in how the plant is understood in the geographic diaspora of the Global South. Secondly, any serious social scientific analysis of contemporary cannabis development must think through how the ways of knowing and work, produced during prohibition, will become a part of the plant's future. Innovative and alternative models of practical development are agencies of the marginalized majority that should become a standard part of the geographies of all work economies.*

*The article shows that because prohibition narratives, particularly regarding recreational usage, continue to hold substantial power over how societies understand cannabis, delinking from these inscriptions onto the plant is essential for its future development. The article argues further that the current trend towards the medicalisation of cannabis is not fully transformative for Global South development because it reforms rather than stamp out gatekeeping models. Lastly, it exposes the realities of gaining access into the industry for black people, the poor working class and women. It argues that ownership, just employment and leadership of cannabis industries in South Africa must also be performed by ordinary people for a truly sustainable contemporary development.*

**Keywords:** cannabis; just development; political geography; contemporary south african history.

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## I. INTRODUCTION

There is new literature that is being produced that is forging ahead and giving a new sense of direction to the discourse about cannabis from a South African, African and Global South perspective (see for instance Chattopadhyaya 2019; Coogan, MA dissertation 2016; Duvall 2016; Duvall 2019; Moore, PhD thesis, forthcoming; Nkosi, MA dissertation 2019; Nkosi, Devey & Waetjen 2020; Patterson, MA dissertation 2009; Singh, MA dissertation 2019; Waetjen 2019; 2022). This literature is – as the intention of this article also illuminates – beginning to show that cannabis can exist and has existed as a more complex feature of development and political geography than is popularly acknowledged. Offering a critical discussion of cannabis, applicable to more than just its recreational <sup>1</sup> part, is imperative to reimagining the role the plant will play in contemporary development.

This means also providing new theoretical and methodological ways of understanding the plant.<sup>2</sup> These must illuminate the often-conspicuous historiography and theories of black revolution and resistance that are nonetheless encompassed in the study of cannabis. Regrettably, the lessons

<sup>1</sup> Recreational goods including tobacco, alcohol and cannabis have long been a part of most societies. Western development particularly made use of them to maintain control over labour regimes and people. For example, the 'tot system' in the Cape Province, as well as the opium trade of the British Empire in Asia. See for example Mills (2005) discussion of Great Britain's trade and prohibition of cannabis in the 19<sup>th</sup> century.

<sup>2</sup> In forthcoming articles these theoretical and methodological aspects will be dealt with fully and respectively. This article only provides an overview of the importance of cannabis studies to emancipatory politics and development more generally.

from such activities are often far too easily dismissed in most disciplines in the academic institute (see Morris 2015). By arguing for a theoretical, yet practical pedagogy for cannabis studies produces a more tangible output that calls out the concerns of the Global South. A micro-analysis of a plant and its interaction with bigger forces that influence it offers fresh methods with which to positively critique the analysis of agrarian transformation in post-apartheid South Africa. By using cannabis as a conduit through which to understand various aspects of South Africa's contemporary politics and socioeconomics is an innovative method of assessing the ongoing challenges of development. These include the need to increase black ownership, access to just pro-poor employment opportunities for the poor working class and ensuring women occupy real leadership positions (see for instance Buxton et.al. 2020; Clarke & Riboulet-Zemouli 2021; Dills et.al. 2021; Jelsma et.al.2021; Kay et.al. 2020; Manu et.al. 2021; Riboulet-Zemouli et.al 2019). Similarly, this article points to a new world of cannabis development that could be used to bolster a country, continent and diaspora and add original solutions to political, economic and social woes.

## II. MORE TO CANNABIS STUDIES THAN SMOKE

There is much more fire to cannabis<sup>3</sup> than smoke! Nevertheless, all the uses of the plant (recreational, medicinal or industrial – and even spiritual and cultural usages) are generally ostracized in South Africa based on colonial and post-colonial stereotypes about its psychedelic abilities. Moreover, South Africa in the main still adheres to 'Prohibitionist drug policy' (Scheibe, Shelly & Versfeld in Buxton et.al. 2020). These negative narratives continue to have great

<sup>3</sup> Cannabis describes the entire range of uses of the plant; industrial, medicinal, recreational and spiritual (see Chouvy 2019 for the continued confusions about classifying the plant). Moreover, there is significant interrelationship between all these uses of the plant that highlights that cannabis is more than just a psychoactive substance. To provide distinction, the term hemp is used to describe industrial cannabis. Marijuana (more commonly called dagga in South Africa), when used, will be in reference to recreational but also medicinal cannabis.

resonance over the plant's contemporary and future development.<sup>4</sup> So even though cannabis is a potentially useful agricultural crop, the obstructive link to smoking recreational marijuana to get high warrants, for regulators and the public alike, that the entire uses of the plant's development are kept separated and side-lined, rather than unified and consolidated. Illuminating new ways of thinking through the legacy's prohibition geographies inscribed onto the plant is thus essential to the plant's future.

Honing the skills learnt while labouring for cannabis during prohibition so that they become a permanent feature of its contemporary development is one way to rethink the plants future. Ordinary people's struggles have created ways to exist that are progressive because they tend to be labour centered and viewed from a lens that reveals the emancipation and 'rebellion of the poor' (see Alexander 2010; Neocosmos 2016). In this way, legal contemporary cannabis development is not solely about entering 'the market' or gaining liberal democratic capitalist consent. In fact, the international cannabis movement<sup>5</sup> is generally disconcerted that the parameters of the current development program for the plant are still largely being decided upon by those with wealth and power. While those without, continue to struggle, unethically, to have ownership, just employment and influence in legalized cannabis industries (Bewley-Taylor et.al., in Buxton et.al 2020; Clarke & Riboulet-Zemouli 2021; Jelsma et.al., 2021; Kay et.al., 2020; Riboulet-Zemouli et.al., 2019). Critiquing such development challenges the authority of inadequate contemporary liberal

<sup>4</sup> Narratives are framed in history and produced, reproduced, repackaged and changed over time (see London 2009). The notion of 'narratives' is a leitmotif that can also be used to explore broader issues of contemporary South Africa such race and identity or gender and sexuality. Michel Foucault understood narratives as genealogy whose concern, (and in terms of this understanding of Cannabis), is clearly not history, but trying to understand the present by using 'historical materials to rethink the present' to reconstruct how these are produced (Garland 2014: 373).

<sup>5</sup> The cannabis movement is defined as those people and ideas who have supported the plant even during prohibition rather than those who are only advocating for the plant since the start of global legalization.

democratic capital expansion. It further scrutinizes how it is possible that the system (politics) that prohibited cannabis, for various legal, moral and economic reasons, remains in control of the contours of the plants development in the legalization era.

Such a critical view of cannabis development rehabilitates ‘other’ discourses about the plant to initiate their use in a post-legalization era that seems to be side-lining them. Firstly, cannabis has political ideas steeped in slave and colonial history, pan-Africanism, and black consciousness that are often not referenced in its mainstream development.<sup>6</sup> Secondly, the important labour agency black people, the poor working class and women have given to the plants global recognition are being dispossessed in the plant’s contemporary development plans. Contemporary South African cannabis development illustrates how ordinary people’s history and labour is flouted when policies are written.<sup>7</sup>

Much more inspired academic inquiry is thus needed to direct the process of cannabis development since the landmark South African Constitutional Court judgement that legalized cannabis for private use on 18 September 2018.<sup>8</sup> Essentially cannabis is now able to mingle with free-market economies; which is a positive development. However, it also allows capital the enterprise to maintain ‘power over’ merchandises; even those it formally dismissed. What is more, party politics, the state, as well as broader neoliberal agendas remain reliant on free market economic planning that have benefited a minority, rather than most black people (Chatterjee, Czajka & Gethin 2020; Gordan 2008; Neocosmos 2016;

Schneider 2003).<sup>9</sup> Cannabis development in South Africa therefore has to escape the capital limitation of materialism if it wants to include the lessons of its history into its contemporary drive. Innovative approaches to (cannabis) development enhance more inspired forms of positive change because “We must look for solutions and a way of life elsewhere” (Sinwell 2022: 6), so (South Africa) the world can make it through its current quagmire.

### III. SOME BACKGROUND TO UNDERSTANDING CANNABIS

Cannabis has been cultivated for thousands of years, this accentuates the close relationship this plant has had to human societies and agrarian development (Paterson MA Dissertation 2009: 16).<sup>10</sup> Plants are cultivated because the goods they produce add intrinsic value to the society in which they are being farmed. Hemp cannabis for example has been and still is renowned throughout the world for its multiple product capabilities. These include, “agro-industrial fields such as agriculture, textile, bio composite, paper-making, automotive, construction, bio-fuel, functional food, oil, cosmetics, personal care, and [the] pharmaceutical industry” (Boulloc, Allegret and Arnaud eds., 2013; Salentijn et.al., 2015). Cannabis also has, besides its recreational usage, significant medicinal properties for critically ill patients, pain relief, multiple sclerosis, nausea and epilepsy for instance (Chapkis & Webb 2008; Crowther, Reynolds, Tansey eds., 2010).

However, it is the chemical compounds found in cannabis that have caused much of this plant’s controversy. The two primary chemical components found in cannabis are Tetrahydrocannabinol (THC) the principal psychoactive constituent of recreational marijuana (Agricultural Research Council 2014) and CBD (Cannabidiol) that is not psychedelic (i.e., it cannot make a person high). Both THC and CBD have health benefits and work to improve the

<sup>6</sup> See particularly reggae music that has long conceptualized cannabis within a black revolutionary historic framework.

<sup>7</sup> See Jeremy Acton’s verbal submission to the South African Ministry of Justice and Parliament and to the Public, in regard to the proposed Cannabis for Private Purposes Bill 2021 (See <https://daggaparty.org.za/2021/08/31/cannabis-for-private-purposes-bill-2021/or>, the Cannabis for Private Purposes Bill 2020).

<sup>8</sup> However, the Constitutional Court Ruling is not very clear about cannabis use in public spaces or when ordinary citizens want to sell it privately (Schindlers Attorneys, 29 Nov 2018, <https://www.youtube.com/watch?v=YV1cs7iETRk> Accessed 28 September 2021).

<sup>9</sup> The cannabis literature that recognizes this include for instance (Bewley-Taylor, Jelsma & Kay in Buxton et.al. 2020; Clarke & Riboulet-Zemouli 2021; Jelsma et.al. 2021).

<sup>10</sup> See (Pollio 2016 or Chouvy 2019) for more about the taxonomy of Cannabis.



bodies endocannabinoid system that has an important “... role in regulating many functions and processes, including, sleep, mood, appetite, memory, reproduction, and fertility” (First Crop, Accessed 05 January 2022). Warf (2014: 433) therefore surmises that “While it has been accepted and tolerated more often than not, cannabis has also been repeatedly demonized in different historical contexts; attempts to restrict its usage have invariably reflected political and moral agendas rather than established science.”

The cycle of victimizing cannabis eventually resulted, in the 20<sup>th</sup> century, in the total and global prohibition of even those parts of the plant that could not be used for psychedelic purposes.<sup>11</sup> South Africa had a very important part to play in the scheduling of cannabis as a ‘dangerous drug’ by the League of Nations in 1925 (Chattopadhyaya 2019; Duvall 2016; Duvall 2019; Nkosi et.al.,2020; Waetjen 2022). The plant was so heavily ‘demonized’ because it was regarded as a leading cause of the ‘breakdown in racial and cultural boundaries’ (Nkosi et.al., 2020: 73). Prohibition therefore had a definite racial slant and was portrayed as a means of preventing black men from coming into physical contact with white women during the interwar years in South Africa as well as in the United States of America and Great Britain (see Cross in Manning (ed) 2007).<sup>12</sup>

Popular (mostly American) discourse argued that the plant was prohibited because textile, paper and plastic industries supported by bankers and politicians, as well as a growing medical industrial complex more interested in synthetic drugs, wanted to remove its products’ commercial threat from the marketplace. To do this, politicians and big business linked the psychedelic and recreational use of marijuana to all cannabis products. According to this narrative, it was this combination of power and wealth that eventually saw to it that the entire plant was scheduled as a

‘hard drug’ almost throughout the world (Herer (1985 [2010]); London 2009).

Relating cannabis to ‘otherness’, drugs and criminal behaviour became a useful leverage tool for politicians throughout the cold war, reaching its apex in the 1980s (London 2009: 83-89). However, since the 1990s increasing societal pressure has forced many policy makers to reevaluate recreational and medicinal marijuana regulations. Today, legal, essentially legal, or decriminalized cannabis policies are now fully fledged in many countries of the world as well as in several American states (Amaducci et.al., 2015; Bouchard et.al., in Decorate et al. 2011; Dills et.al.,2021; Fijnaut & De Ruyver 2015). For Warf (2014: 433) this reappraisal shows that “As the historical record of this drug makes clear, the open, legal use of marijuana is less a matter of moral equivalency than a return to the historical norm.”

South Africans also began to challenge the legal basis for cannabis prohibition after establishing a majority government in 1994. These challenges were set in motion by Gareth Prince in the late 1990s and through the 2000s all of which were dismissed by the courts (see Mia 2020). However, since the 2010’s the legality of cannabis in South Africa has begun to gain ground much more swiftly. The 31 March, 2017 Western High Court judgement declared “the prohibition of the cultivation, use and possession of cannabis within the privacy of the home, unconstitutional” (Myrtle Clarke, Accessed 05 January 2022). And finally, on 18 September 2018, the Constitutional Court of South Africa made it a citizen’s right to use recreational cannabis in their private space.

However, many African countries continue to maintain the prohibition of recreational, medicinal and industrial cannabis regardless of the current international debates surrounding the plant have illuminated (Adebisi & Olaoye 2022). African countries inherited colonial prohibitionist policies towards not just marijuana, but also alcohol and khat for example. Khat is prominent in East Africa and when chewed acts as a stimulant for recreational and work contexts (Carrier p. 105-123 in Klantschnig et.al. 2014). The

<sup>11</sup> For more detailed discussion about the criminalization of cannabis see London (2009: 63-67), also Decorate Potter & Bouchard (2011) and Fijnaut & De Ruyver (2015).

<sup>12</sup> Linking drug use to minority groups occurred also in the history of cannabis in Nigeria in the early twentieth century (see Klantschnig in Klantschnig, Carrier & Ambler 2014).

legacies of colonial agrarian agricultural development therefore still have influence in South Africa, Africa and the black diaspora. Some of the most prominent crops that have directly aided ‘colonial accumulation’ in Africa and former slave economies have been maize, sugar cane and cotton but also opium, cocoa and cannabis (Mills 2003). The debate about the various relationships that specific products or crops have (had) in the development of societies, economies and politics therefore cannot be ignored. These include for example, Kurlasky’s (2003) presentation of the multiple and global linkages of salt. Beinart & Wotshela’s (2011) localized social agrarian history of the prickly pear in South Africa’s Eastern Cape region. Or, McCann’s (2005) important discussion about the encounter and production of maize in Africa from the sixteenth century.<sup>13</sup> Likening cannabis to other plants and agrarian products is important because it is always viewed out of the context of nature due to the persistent framing of the plant as a drug substance. These agrarian frameworks that decide which plants can and cannot be used continue to hold substantial power over ‘developing’ countries agricultures (see Duvall 2016). They also present a challenge to ‘emergent economies’ to rethink how they participate in the global economy, and, with what products they will base their development plans on.<sup>14</sup>

#### IV. THE WEAKNESSES IN CONTEMPORARY CANNABIS DEVELOPMENT

Development is defined here as how societies create and sustain progressive change, including economically and politically, within and without.<sup>15</sup>

<sup>13</sup> Interestingly, “Maize is so widespread, and so widely considered by Africans as an African crop, that it is difficult to see its adoption, and subsequent infiltration to the heart of many production systems, as enforced” (Beinart & Middleton 2004: 20).

<sup>14</sup> The terms ‘lean’ and ‘fat’ is a noteworthy terminology for describing ‘developing’ and ‘developed’ nations (see Olopade 2014).

<sup>15</sup> Development is defined as many things. It has been defined as a simple process of progress of society and the attainment of basic needs such as food, water, shelter, health care and education. It has also been argued to be about fundamental change of social, economic and political institutes and the

Unfortunately the term development is also associated to the negative discourses created by over half a millennium of hegemonic liberal democratic capitalism (Willis 2005). As a result, global mainstream cannabis expansion is using this Eurocentric development discourse and steering the plants future towards being just another commodity. As such apolitical recreational and medicinal categorizations that are disassociated from the plants natural agrarian labour setting are being ushered into the plant’s development. Such cannabis development is flawed for three fundamental reasons:

- They still rely on prohibition era accounts of the plant that remain heavily attendant to the false association to drugs and criminality (Scheibe, Shelly & Versfeld in Buxton et.al. 2020).
- The discourse of cannabis medicalization remains the preserve of a problematic liberal democratic capitalism and big pharmacies attempt to get a slice of the lucrative cannabis market (see London 2009).
- They rarely promote black people, the poor working class and women as the driving force behind the development of a labour centred cannabis sector (see Transform Drug Policy, Accessed September 30, 2021).

Thus, cannabis is being included into liberal democratic capitalism’s vision for development more broadly. Such development practice is *prima facie* the dominant motivation behind contemporary South African and African agrarian policy regarding cannabis (see Adebisi & Olaoye 2022). Under a liberal capital democratic development model cannabis is becoming just another commodity to be incorporated into capital markets. Changing how cannabis development occurs therefore is an important part of progressive cannabis movement’s agenda (Bewley-Taylor et.al., in Buxton, Chinery-Hesse & Tinasti eds. 2020; Clarke & Riboulet-Zemouli 2021; Jelsma et.al.,2021). Nonetheless, many cannabis companies throughout the world are already participating within the development

conscious activity of people in order to ensure the continuation of such ideals for the future generations (Emeh 2013: 116-117; see also Willis 2005).

framework that liberal democratic capitalism has shaped (Kay et.al., 2020). The archeology and genealogy, in a Foucauldian sense, of 20<sup>th</sup> century prohibition therefore still exists and functions within liberal democratic capital development which is furthermore built on difference rather than unity. Essentially, this type of development has historically been designed to let only a few people ever own, lead or labour freely.

As a result of this exclusionary process, it is possible to view cannabis development in South Africa as a microcosm of the unequal reality of the countries contemporary economic geography. Cannabis research then becomes a conduit through which critique of the various sets of relations that continue to have influence over South Africa's history, political geography and development can be made. Once problems such as unemployment and poverty are exposed alternative forms of development may be stimulated into practice (see Clarke & Riboulet-Zemouli 2021). Cannabis is an important member of this deliberation because its usages neatly fit into the vital spaces occupied by agriculture, the medical industrial complex and the functional goods produced by non-food crops, besides the spiritual and traditional healing practices the plant also has meaning for.<sup>16</sup> Cannabis development, if managed correctly, can arguably become a potentially valuable non-food crop for South Africa that can be used to the countries advantage (Clarke & Riboulet-Zemouli 2021).

African development must insert itself into the global discussion about cannabis because of the impact this plant already has for social, economic and political systems, that is besides its proven track record of providing an income for black people, the poor working class and women. Cannabis also feeds directly into the highly charged agrarian questions related to food security; the domination of the largely Western medical industrial complex over medicines and

the practice of medicine; land; as well as the development of practical, innovative, and productive solutions for African and South African socio-economic change.

## V. REARRANGING CONCEPTUAL AND THEORETICAL DESIGNS

Making sense of the complex interactions that are incorporated in the study of cannabis in South Africa requires a multifaceted conceptual approach. The study of cannabis is dominated by Western discourse, so any discussion of it in South Africa requires historical and theoretical frameworks able to interpret these to fit the circumstances faced in Africa.<sup>17</sup> Although some authors such as Bewley-Taylor, Jelsma & Kay (2020); Buxton, Chinery-Hesse & Tinasti (Eds.). (2020); or Clarke & Riboulet-Zemouli (2021) do offer more radical alternatives for cannabis they do not express these in the black revolutionary experience.

The work of James (1984) as well as Gilroy (1993) for example pay special attention to assembling a history of blacks in the diaspora that is not separate to world history but necessarily a part of it.<sup>18</sup> Likewise, the "international herb"<sup>19</sup> is infused into the wider geopolitics of oppressed people's history from the end of slavery, through the anti-colonial nationalist struggles, to the contemporary struggles of the new millennium.

Rodney's (1973) analysis of black historiography can be used to understand prohibition histories as

<sup>17</sup> Important international cannabis literature has little discussion of the plant from the point of view of Africans, see for instance, (Decorate, Potter & Bouchard 2011; Fijnaut & De Ruyver 2015; London 2009). Furthermore, the more limited literature of the plant in Africa is mostly concerned with recreational marijuana, see for instance, (Legget 2002; Klantschnig, Carrier & Ambler 2014; Clarke & Riboulet-Zemouli 2021). But new scholarship is emerging that is challenging popular Americanized discourses of cannabis and its prohibition (see Chattopadhyaya 2019; Duvall 2016; 2019; Moore, PhD thesis (forthcoming); Nkosi et.al., 2020; Waetjen 2019; 2022).

<sup>18</sup> Archille Mbembe ideas about the 'Postcolony' can perhaps also be included here for his explanation of Africans place in the world (see Mbembe 1992; 2005; Mbembe & Balakrishnan 2016).

<sup>19</sup> Culture, 'The international herb' *International herb*, Virgin Records: 1979.



well as the continuation of ‘underdevelopment’ in contemporary development more generally. Revisiting the notion of underdevelopment, makes it possible to pose the argument that development consciously removed what it did not want from participation in its imperial efforts. Thus, it became taboo for black revolutionary history and action, past and present, to affect how economic development proceeds. The terms and conditions of underdevelopment remain deeply engraved onto the lexicon of peoples understanding of marijuana. Dependency schools of thought therefore proposed that delinking from capitalist ‘world systems’ was a means of correcting such entrenched underdevelopment.<sup>20</sup> Similarly, cannabis development needs to delink from flawed prohibition standards if it is to propose a way forward for the entire plant’s usages.

C.L.R. James (1938 [1980]; 1984) work can also be used to understand cannabis because he emphasised a black Marxist perspective that remained principally about the revolutionary worker and the usefulness of revolutionary action to the world. Gordon (2008: 165) states that “James’s intellectual contributions consisted of his continuous production of oppositional histories and diagnoses of political phenomena through which he articulated his notion of ‘the creative universal,’ which, he argued, manifested itself in the resilience of the working classes and the peasantry”. This perspective is essential to the critique that a truly equitable and sustainable development future not only for cannabis, but also other commodities, ideas and inventions, must be labour centred and include black revolutionary thought and action into its strategies. Proposing methods of action designed by and for the Global South is what both Rodney (1969 [1996]; 1973) and James (1938 [1980]; 1984) as well as Fanon offered in their “...alternative models of revolution with shared premises [with Marxism] but

different conclusions” (Gordon 2008: 165). Such theoretical positioning’s provide a grounding with which to plant critiques of prohibition geographies conceptualization of cannabis as first and foremost a deviant recreational good.

Following from the ‘groundings’ provided by Rodney (1969 [1996]; 1973) and James (1938 [1980]; 1984), an updated version of Cooper’s (2002) notion of gatekeeping problematizes contemporary cannabis medicalization. Using the ‘gatekeeper thesis’ for understanding cannabis highlights how the otherwise useful contemporary drive towards the medicalization of cannabis operates as just another effort aimed at ensuring the gate to liberal democratic capitalism is kept intact. The medicalization of cannabis therefore still does not do enough to consolidate all the plant’s usages or combat failed development ideals. Thus, the acceptance of a medicinal categorization of cannabis is welcomed but still constrains and controls what can and cannot be incorporated into the plant’s development (see also London 2009). It likely also means access to ownership of cannabis industries, will still largely be the prerogative of the elite over the marginalized.

London (2009) emphasizes that the drive towards the medicalization of cannabis does little to rearrange who controls the development design for the plant. As such, formerly prohibited goods such as cannabis remain regulated by the very same liberal paradigms that made them illegal in the first place. The medicalization of cannabis is only acceptable now because the liberal capital system has been able to decide the extent to which the boundaries of their system can be pushed. Therefore, the relatively recent ‘medicalization of society’ (Conrad 2008) fashions new boundaries for formerly criminalized practices such as alcoholism or gambling, rather than deal with the root causes of their persistence. Extrapolating from this idea illustrates how political goods, particularly black revolutionary history, or black ownership of key labour markets, are allowed access to legalized capital markets only once new boundaries for their reach are configured. Black revolutionary practices that continue to challenge the basis of liberal capitalism and its

<sup>20</sup> Immanuel Wallerstein coined the notion of a ‘world-system’ to explain how leading (core) countries interacted in an unequal basis with middle income (semi-periphery) and poorer (periphery) countries. Ultimately, this ‘world system’ maintained the power of the few (core countries) particularly over the majority (periphery regions of the world).

developmental paradigms remain excluded. Thus, even with the medicalization of cannabis, inaccessibility exists. Povinelli (2011) offers that these non-inclusions are a way that 'late liberalism' continues to manage global economic development through political, economic and social control mechanisms.

And more importantly than that, what Alcock (2018) and Povinelli (2011) as well as the arguments being made here introduce, is how access to employment opportunities also means extending these to include the ideals and designs of work that the most marginalized groups have energized.<sup>21</sup> This can reduce the apathy inherent in the alienated labour force created by liberal democratic capitalist paradigms. It also makes work, labour and employment an ethical necessity of life rather than an arrangement people only engage in to survive the money driven lifestyle of contemporary society.

## VI. ESTABLISHING A NEW ETHICS FOR CANNABIS STUDIES

The South African Constitutional Courts decision on 18 September, 2018, birthed a new ethical standard for industrial, medicinal and more especially recreational cannabis. Nonetheless, the Constitutional Courts judgement is still fragile in terms of what is and what is not legal for cannabis.<sup>22</sup> Hence, Povinelli's (2011: 13) notion of 'quasi-events' that "They neither happen nor not happen" is useful to understanding the uncertainty still surrounding cannabis in South Africa. A similar notion is noted by Carrier & Klantschnig (2018) who use the term 'quasilegality' in their discussion of Cannabis and khat. Carrier & Klantschnig (2018: 3) use this term because of "... its ability to capture a key aspect of not just drugs like khat and cannabis,

<sup>21</sup> Buju Banton ('Destiny' *Inna Heights*, Germain Records: 1997) therefore sings defiantly, "I wanna rule my destiny".

<sup>22</sup> Until the Cannabis for Private Purposes Bill (2020) is passed into law there is effectively no blueprint for what is and is not permissible for cannabis. It is for this reason that multi-million-dollar cannabis companies have not rushed into South Africa's opening market. Legally it is only the decision of the Constitutional Court that has set the precedent for cannabis, but it has no legislative ability, thus making its ruling ambiguous.

but other commodities, activities and even people whose relationship to the state and law is ambiguous." Like 'other' things and groups Cannabis remains 'ambiguous' to the law and the state. The debate about cannabis is therefore still highly polarised between those for or against.

However, Fijnaut & De Ruyver (2015) argue that rather than explaining these two extremes a 'third way' must be found that takes account of both polarized views. Such a 'third way' is a more ethical positioning to take than the two extremities, either for or against the plant. Consequently, it would be unethical for cannabis research not to concern themselves with how the benefits of a legal cannabis market will accrue to the marginalized. Bewley-Taylor, Jelsma & Kay (2020) for example speak about this new ethics as an issue of igniting fair trade practices to benefit the most marginalized cannabis producer. As such, questions of ethics have everything to do with the practical effort they seek to achieve. If development increases the economic, as well as social and political well-being of those already with these capabilities then it has done a disservice, ethically speaking. Producing engaged, political and black understandings about cannabis is therefore an ethical necessity and a new positive way of conceiving cannabis; even if these face a daunting uphill travail.

## VII. CONCLUSION

It is essential that black people, the poor working class and women have a say in the designs of contemporary development. At the moment these groups still do not have enough power to decide the parameters of developments that directly affect them. This is also true for contemporary cannabis development which is failing to ensure all those who worked with the plant even during prohibition are justly incorporated into its future sites of trade. These people will likely be left out of key decision or implementation practices regarding the plant.

Legalizing cannabis has not meant that marginalized people who seek access to the industry will be duly accommodated. As such the process of development itself must be at fault and

it is the academics obligation to critique its system and seek viable alternatives. This article argued that when development includes a) black revolutionary history and b) the labour creation that informal economies have made functional, its pursuit will benefit the most marginalized in society.

South Africa is at a crossroads that requires every bit of help it can from all sectors. Continuing to do development in a way that benefits the few rather than the majority will only breed more faults rather than solve the various crises that plague South Africa, Africa and the Global South. Getting the contemporary development of cannabis right can offer to people of colour some certainty (even if it is miniscule) that their history and labour were for a just cause.

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