

Cannabis Hemp: The Invisible Prohibition Revealed

By R. William Davis

Dedicated to Major Donnie Holland, USMC:
Shot down and listed as Missing in Action,
Operation Desert Storm, Iraq, January 1991.

This one's for you, Cousin...

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Introduction to the 1991 Original Edition

No one will deny that the Marijuana Prohibition has recently become a subject of increased public debate.

There is, however, considerable misunderstanding on both sides of the current debate, especially in the Media, over the reason for this growing interest in the Cannabis Hemp plant's potential as an alternative source of energy, fuel oil and industrial raw materials. Press coverage of the Gatewood Galbraith for Governor Campaign, for example, only refers to the "Marijuana" smoking issue, intentionally suppressing all information about the Cannabis Hemp plant's other uses.

At the core of this new movement to re-examine the historical, political and economic roots of the 54 year old Marijuana / Cannabis Hemp Prohibition is the book, "The Emperor Wears No Clothes," by Jack Herer, a California writer and 20 year veteran of Hemp research.

In "The Emperor," Herer makes some amazing claims about the potential of the Cannabis Hemp plant to "replace all fossil fuels and their derivatives...provide the overall majority of our paper, textiles," and "meet all the world's transportation,

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home and industrial energy needs, reduce pollution, rebuild the soil and clean the atmosphere -- all at the same time..."

Herer documents these claims in "The Emperor" and has offered \$10,000 to anyone who can "prove him wrong."

You're probably smiling to yourself and thinking "no way, it couldn't be that easy," right? After all, Cannabis Hemp grows like a weed. No more oil shortage, because gasoline would be growing on trees. The Big Oil companies would finally have some real competition instead of leading us all around by our noses. The American economy would stabilize and the Family Farmer would replace the Robber Barons of Wall Street and the Middle Eastern Sheiks.

How could something like this have been overlooked for so long? All our science, our technology...our "experts" couldn't have missed something this important. Could they?

I believe that no matter where you stand on the Marijuana issue, after reading this you will agree that there are some questions that need to be answered.

This debate has only just begun.

R. William Davis
Louisville, Kentucky
7 May 1991

Historical Perspective: America at the Crossroads

In 1929, the bottom dropped out of the Stock Market, throwing the nation into economic turmoil. The Great Depression was a time of hardship, massive unemployment and starvation for millions. Farmers, workers and businessmen lost everything they had worked for years to achieve.

Then, in 1935, an event occurred that had the potential to help America recover. It was the invention of the equipment needed to mechanize the once-vital Cannabis Hemp industry which, since around the turn of the century, had been displaced by foreign imports of Hemp products from countries where labor was cheap.

In February, 1938, Popular Mechanics published an article which described the significance of a reborn American Hemp industry in these terms:

"Billion Dollar Crop"

"American farmers are promised a new cash crop with an annual value of several million dollars, all because a machine has been invented...it will provide thousands of jobs for American workers throughout the land.

"Hemp is the standard fiber of the world. It has great tensile strength and durability...and can be used to produce 25,000 products, ranging from dynamite to Cellophane.

"The natural materials in Hemp make it an economical source of pulp for any grade of paper manufactured, and the high percentage of alpha cellulose promises an unlimited supply of raw material for the thousands of cellulose (plastic) products our chemists have developed.

"All of these products, now imported, can be produced from home-grown Hemp. Fish nets, bow strings, canvas, strong rope, overalls, damask tablecloths, fine linen garments, towels, bed linen and thousands of other everyday items can be grown on American farms...all of this income can be made available to Americans.

"The paper industry offers even greater possibilities. As an industry, it amounts to over \$1,000,000,000 a year, and of that, eighty percent is imported. But Hemp will produce every grade of paper, and government

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figures estimate that 10,000 acres devoted to Hemp will produce as much paper as 40,000 acres of average (timber) pulp land.

"The connection of Hemp as a crop and Marijuana seems to be exaggerated. If federal regulations can be drawn to protect the public without preventing the legitimate culture of Hemp, this crop can add immeasurably to American agriculture and industry."

Ok, so what happened to the 25,000 non-Marijuana products that were offered by this re-vitalized American Hemp industry? Who finally did take over domestic production of all those foreign Hemp imports?

Looking in the stores today it's pretty clear who took over those and almost every other market, around that same time. Paper is made from wood-pulp using a chemical process patented by the DuPont Chemical Corporation in the mid-1930's. Cloth is made from cotton or synthetic fibers, both of which are dependent on the Petrochemical industry: cotton for the tons of fertilizers and pesticides required for its cultivation; and synthetic fibers for the cellulose which is the raw material from which all plastics are produced.

All the potential Hemp products have, in some way, been replaced by Oil-Petrochemical raw materials or chemical processes.

Today, people are shocked to learn that the Cannabis Hemp plant is useful for anything other than smoking the flower tops and leaves known as Marijuana. All other uses of Hemp have been removed from the public records, especially its potential as an alternative source of paper, cloth and plastic.

But we can now see that, in the 1930's, people were just as surprised to discover that many things could be made from Oil that had, till then, only been made with Hemp. We've come full circle.

Paper, cloth and plastics were not the only markets that Oil took over from Cannabis Hemp. Hemp seed oil was used in paints and varnishes, lacquers and oil lamps, and had been refined into a high-grade diesel fuel and precision machine oil for years.

These non-Marijuana by-products of Cannabis Hemp are ignored by the established Media. For the best example consider the fact that the Louisville news organizations have given little, if any, press coverage that the Pro-Hemp candidate

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Gatewood Galbraith drives a station wagon that is powered by a Hemp-oil mixture.

Gas that literally grows on trees is News. Why is it not reported?

It is clear from the historical record that America stood at the crossroads in the mid-1930's. One path led to a revived American Hemp industry; thousands of high quality, low cost consumer products, an abundant, agriculturally-renewable source of energy, fuel and industrial raw materials; and a broad-based regional economy that would enrich the farmer, laborer and small businessman, and the communities in which they lived and worked.

The other path, the one that was chosen for us, protected the established Paper, Textile and Oil industries from marketplace competition by creating Marijuana Prohibition. This action crushed the hopes and dreams of millions of American family farmers, laborers and small businessmen by effectively criminalizing the cultivation of Cannabis Hemp for any purpose, even those products that had no relation to Marijuana.

The origin of the present Marijuana Prohibition can be traced back to passage of the Marijuana Tax Act by Congress in 1937. This bill was written by U.S. Treasury Department officials who claimed that Marijuana posed an unreasonable threat to society, and that the world would be a better, safer place to live and raise children in without it.

Today, over 50 years later, we can see that this policy is directly responsible for creating our present addiction to Oil and its Petrochemical derivatives, the domination of our economy, marketplace and the American political process by a few major industries, and the rampant destruction of the Environment all over the world, all in the name of Corporate Profit.

Marijuana Prohibition has not protected anyone. The established and well-documented deadly side-effects of Petrochemical by-products, processes and toxic waste fill literally thousands of scientific journals, textbooks and official government reports, while the proclaimed hazards of Marijuana smoking are still a matter of professional speculation and debate. Americans have died, and others are still at risk in Iraq to protect a source of foreign Oil that we need only because American farmers are not allowed to grow Cannabis Hemp for the production of alternative fuel. (And if you don't think this was an Oil War, ask a Kurd.) It's time we faced reality.

In "The Emperor," author Jack Herer charges that the true purpose of the Marijuana Prohibition was to eliminate the domestic Hemp industry. After several years of extensive research, Herer writes that "a bigger picture of Cannabis Hemp and its suppression came together . . . a malicious conspiracy to suppress, not a 'killer weed' but the world's premier renewable natural resource, for the benefit of a handful of wealthy and powerful individuals and corporations."

Is this possible? It certainly would explain why it's legal for the Petrochemical industry to produce enough toxic waste every year to fill the Louisiana Superdome 15,000 times, but a Felony to grow a plant that could put that industry out of business.

Marijuana Prohibition: A Study in Unconstitutional Law

"In the full enjoyment of the gifts of Heaven and the fruits of superior industry . . . every man is equally entitled to protection by law; but when laws undertake to add to these natural and just advantages artificial distinctions . . . and exclusive privileges, to make the rich richer and the potent more powerful, the humble members of society - the farmers, mechanics, and laborers, - have neither the time nor the means for securing like favors to themselves, have a right to complain of the injustice of their government." -- President Andrew Jackson (1)

Texas, in 1914, became the first state to request Federal control of Marijuana. The Federal Government responded by outlawing importation of Mexican Marijuana that was not for medical use, but refused to regulate domestic Cannabis for 21 years, until the equipment needed to mechanize the Hemp industry became available in 1935. (2)

The Marijuana Tax Act was prepared during two years of secret meetings, held by Treasury Department officials between 1935 and 1937. At no time was the American Medical Association consulted for an opinion on the health effects of Marijuana smoking and were not even informed that the meetings were taking place. (3)

Harry J. Anslinger, head of the Treasury Department's Federal Bureau of Narcotics (and former Assistant Commissioner of Alcohol Prohibition), personally led the debate for passage of the bill through Congress. No expert medical or scientific evidence was introduced to establish that Marijuana represented a threat

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to its users or to society. Anslinger's testimony consisted mainly of reading sensational articles from tabloids which, for years, had fanned the flames of "Reefer Madness" to sell more newspapers. (4)

Dr. William C. Woodward, who represented the AMA during the hearings, dismissed Anslinger's testimony as being "factually inaccurate" and complained that the AMA had not been consulted earlier. Woodward stated for the record that the AMA opposed passage of the Marijuana Tax Act and would have done so earlier but the medical community was not aware "until two days" before the hearings that the "killer weed from Mexico" that the Government was planning to outlaw was actually Cannabis, which had been safely prescribed by doctors for over 100 years. (5)

Ralph Loziers, general counsel for the National Oil Seed Institute, also opposed the Marijuana Tax Act. Speaking before the House Ways and Means Committee Loziers stated that "this bill brings the activities – the crushing of this great industry under the supervision of a bureau – which may mean its suppression." (6)

Loziers' statement raises a very important point. Historically and legally, the Marijuana Tax Act did not authorize any Federal regulation or restriction of the Cannabis Hemp industry. When Senator Prentiss M. Brown, chairman of the subcommittee, asked "what dangers, if any, does this bill have for persons engaged in the legitimate uses of the Hemp plant?" Anslinger replied "I would say that they are not only amply protected under this Act, but that they can go ahead and raise Hemp just as they have always done it." This assurance was also given by C.M. Hester, Assistant General Counsel for the Treasury Department, who testified for the record that "the production and sale of Hemp and its products for industrial purposes will not be adversely affected by this bill." (7)

Brown, Anslinger and Hester knew these assurances were critical to the passage of the Marijuana Tax Act of 1937. Why? Because, just a few months earlier, on January 6, 1936, the Supreme Court had ruled the Agricultural Adjustment Act unconstitutional because agriculture was "not a matter of interstate commerce and beyond the powers of Congress to regulate, even under the General Welfare clause" (*United States vs. Butler*). (8)

Clearly, the policy to create a Marijuana Prohibition based on the Marijuana Tax Act of 1937, and extend its provisions to restrict all cultivation of Cannabis Hemp, was outside the Constitutional authority of the Federal Government. Congress could not regulate agriculture. Alcohol Prohibition required a Constitutional

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Amendment (18th) and, even then, applied only to the improper use of grains, etc. It did not criminalize the cultivation or possession of corn or barley. To have done so would have been not only illegal, but ridiculous.

The deceptions involved in the creation of our present Marijuana Prohibition indicate that Anslinger and other Federal officials knew that this policy was illegal and improper, otherwise, such deceptions would have been unnecessary. Herer's charges cannot be dismissed.

It is interesting to remember that both Federal Prohibitions have been against agriculturally renewable alternative fuel sources.

Whether the Marijuana Prohibition was born from conspiracy or simply the ignorance of the "Reefer Madness" hysteria that existed in the 1930's, the re-legalization of the Cannabis Hemp industry must become an American priority in the 1990's. Hemp is of vital interest to our National Security, the stabilization of our economy, and the preservation of the Environment.

Victory for Hemp: Heretics and Inquisition

"But I also know, that laws and institutions must go hand in hand with the progress of the human mind. As that becomes more developed, more enlightened, as new discoveries are made, new truths are disclosed and manners and opinions change with the change of circumstances, institutions must advance also, and keep pace with the times..." -- Thomas Jefferson, 40 years after ratification of the Constitution.

The World is not flat, but round like a ball.

No surprise there. Of course it's round, and everyone knows it. It is one of the "accepted truths" of our society. Like most "accepted truths," this no longer requires justification.

A few hundred years ago, however, the flat shape of the earth was just as much an "accepted truth" of that society. People who said otherwise in public often disappeared in the middle of the night. They were arrested and brought before the Inquisition for trial. The charge was Heresy. If these Heretics did not publicly

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admit that they were wrong, that the world was, after all, flat like a pancake, they were thrown into the dungeon, tortured and executed.

Heretics have always had to be silenced by an Inquisition, not because they were wrong, but because they challenged the "accepted truths" of the Society, upon which the Church and State had built their foundations.

History is a progression of these truths, heretics and the Inquisitions created to protect the interests of those few individuals whose power and authority were threatened. Millions of people have suffered and died for their religious, scientific or political beliefs despite the fact that within the heresy they spoke was the seed of one of the "accepted truths" of the next, often better, society.

A great thinker once said something to the effect that: never has the power of the State, nor the cruelty of the Inquisition, ever withstood the force of change from an idea whose time has come.

As we approach the final years of the 20th Century, our society has new "accepted truths" upon which the modern State has built its foundations. We have our own heretics, Herer, Galbraith and others, who offer us the seed of another idea.

We have a new Inquisition also, and if this society allows the cycle to continue, we will certainly have a new Revolution.

Change is inevitable. We must re-evaluate the wisdom of both the Cannabis Hemp Prohibition and our deadly addiction to the Oil-based Petrochemicals that are poisoning our planet. Only by facing reality now, in the 1990's, can we avoid great hardship in the future.

The public interest will only be served when the Cannabis Hemp issue is openly explored and debated in the media, the courts and by our elected representatives in local, state and federal government.

Cannabis Hemp is, like everything else, no more and no less than we choose to make it. It is one more tool for our mutual survival and the survival of our children.

Hemp is not a drug issue, it is a consumer and environmental issue.

We must all, smoker and non-smoker alike, agree to disagree on the question of Marijuana smoking and join together to demand an immediate investigation into

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the apparent conflict of interest involved in the creation and continued enforcement of the Cannabis Hemp Prohibition. Every day we fail to communicate is a victory for those Special Interests who count their profits as they rape the Planet Earth.

The potential use of Cannabis Hemp as an alternative source of energy, fuel and industrial raw materials, of paper, cloth and plastics, has been known and intentionally suppressed for over 50 years by key government, corporate and education officials.

Get angry. Ask questions. Write letters. Demand answers. Join the fight for our survival. Join the Free Hemp Movement. Support your local Freedom Fighters.

Hemp for Victory!

Closing Thoughts

"Suppose you go to Washington and try to get at your Government. You will always find that while you are politely listened to, the men really consulted are the men who have the biggest stake - the big bankers, the big manufacturers, the big masters of commerce...The Government of the United States at present is a foster child of Special Interests." -- **President Woodrow Wilson**

"The only way that democracy can be made bearable is by developing and cherishing a class of men sufficiently honest and disinterested to challenge the prevailing quacks. No such class has ever appeared in strength in the United States. Thus the business of harassing the quacks devolves upon the newspapers. When they fail in their duty, which is usually, we are at the quacks' mercy." -- **H.L. Mencken**

"The end of the institution, maintenance and administration of government is to secure the existence of the body politic: to protect it, and to furnish the individuals who compose it with the power of enjoying, in safety and tranquility, their natural rights and the blessings of life; and whenever these great objects are not ordained, the people have a right to alter the government and to take measures necessary for their safety, happiness and prosperity." -- **President John Adams**

Notes

*** Introduction:**

The Emperor Wears No Clothes, back cover

*** Historical Perspective:**

Popular Mechanics, February, 1938 (Reprinted in The Emperor, ppg. 16-18)

*** Marijuana Prohibition:**

1. The Irony of Democracy, p. 66
2. Marijuana Conviction, (Reprinted in The Emperor, p. 116)
3. The Emperor, ppg. 20-25
4. Senate Transcripts, (Reprinted in The Emperor, ppg. 126-131)
5. The Emperor, p. 25
6. Ibid., ppg. 25-26
7. Senate Transcripts, (Reprinted in The Emperor. p. 129)
8. War and Troubled Peace, 1917-1939, p. 234

*** Heretics and Inquisition:**

Power, Inc., p. 10

*** Closing Quotes:**

Who Runs Congress?, p. 29

Power, Inc., p. 422

Ibid., p. 763

Acknowledgements

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Morton Mintz and Jerry S. Cohen, "Power, Inc.," (New York: Bantam Books, 1977)

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Thomas R. Dye and L. Harmon Zeigler, "The Irony of Democracy: an Uncommon Introduction to American Politics," (California: Wadsworth Publishing, 1972)

Mark J. Green, James M. Fallows and David R. Zwick, "Who Runs Congress? The President, Big Business, or You?" the Ralph Nader Congress Project, (New York: Bantam Books, 1972)

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