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Relationships with Cannabis: Chicanx and Indigenous Feminisms Disrupting Settler Colonial Politics

Magaly Ordoñez

This project departs from a queer Chicana's relationships to the land. Chicana and Indigenous onto-epistemological and pedagogical practices inform this project's broader discourse on cannabis (in its many complexities) to recognize relationships to land as politically invaluable. Current national, and oftentimes state, cannabis legislation continues to perpetuate state violence against Indigenous, Chicanx/Latinx, and Black communities, while allowing white cisgender men and corporations to profit through enforcement, or at times, lack of enforcement, of this same legislation. Through a careful analysis situated at the intersections of race, class, gender, and indigeneity, I explore how cannabis functions as a tool of sociocultural and political structures of oppression against Chicanx, Latinx, and Indigenous communities. More specifically, I put into conversation Chicana and Indigenous feminisms with the current state of affairs against cannabis in the U.S. and tribal sovereignty. While some legal scholars advocate for "intergovernmental agreements" that "allow" for tribal cannabis policies on reservations (Ramirez, 2018), such as those established in the states of Washington and Nevada, this project contests such settler colonial politics, and instead moves toward anti-colonial and decolonial methodologies (Calderon et al. 2012; Arvin, M., Tuck, E., Morrill, A., 2013). Although tribal nations have autonomy and jurisdiction on tribal lands, the federal government continues to coercively intrude on legislative measures enacted by Tribal councils that attempt to legalize hemp (non-psychoactive cannabis). Through an analysis of recent news articles highlighting the altercations between tribal nations and U.S. federal agents, I intend to provoke critical discourse regarding cannabis politics within this particular nation-state but also well beyond its borders.

The qualitative theoretical framework guiding this project builds from Chicana and Indigenous feminist theory to imagine a decolonial politics as it concerns cannabis potentiality for tribal sovereignty. I broadly outline settler colonial cannabis politics to contextualize the continuous systemic oppression on

tribal lands followed by an exploration of cannabis geographies and sovereignty. I conclude by proposing anti-colonial and decolonial cannabis politics building from Indigenous and Chicana feminist scholars.

ONTO-EPISTEMOLOGICAL POSITIONALITY

It is important to bring Chicana and Indigenous feminisms into conversation as they both challenge Eurocentric knowledges and ways of understanding gender, spiritually, relations and kinship violently institutionalized through a logics of settler colonialism.¹ While these feminisms attempt to deconstruct hierarchical colonial ideologies of marginalized communities, Indigenous feminisms augment a critical place-based approach to Chicana feminisms. *Y al revés*, a Chicana feminist perspective allows and attempts to situate this project as a reciprocal relationship between cannabis users and academic research. Through a place-based critical feminist lens, I intend to highlight the precarity of cannabis geopolitics across the U.S. by which capitalist settler logics manipulate the plants' cultivation on tribal lands in particular. I engage with feminist models in general, to address politics of cannabis in order to challenge common capitalist romanticism of the growing industry, and expose embedded structures of oppressions through an intersectional lens. Although useful, previous research in sociology, agriculture, history, political science, and white gender and sexuality studies have embarked on categorical cannabis research that superficially situates one aspect of tyranny over another. Additionally, throughout this paper I challenge colonial logics of Indigenous people's eventual assimilation (Duarte & Lewis, 2015, p. 685) into a white cannabis industry.

Chicana and Indigenous feminist epistemologies disrupt western colonial politics that institutionally contain knowledge production in academia, and by which the production of this very project exceeds the boundaries of academic validity given the "precarious" or "risky" topic of cannabis research, specifically in the Midwest. Here I want to echo political geographers Lindsay Naylor, Michelle Daigle, Sofia Zaragocin, Margaret Marietta Ramírez, and Mary Gilmartin (2018), who offer alternative body-land based epistemologies,

¹ Throughout this paper I use *Chicana* and *Chicana* interchangeably, the first to keep the author's original use and the latter to intervene in and to disrupt embedded binary language and ideologies.

ontologies and geopolitics as a collaborative intervention that speaks to their commitment to a decolonial praxis/project beyond theoretical confines in academia and embodies,

[a] radical and transformative politics that actively ruptures the colonial political geographies that shape our everyday lives within and beyond the confines of the academy... only then [can] the decolonial be constructively and radically taken up (p.201).

Naylor et al., (2018) provide insights to this cannabis project given the academic precarity with hierarchical knowledge productions, even within disciplines claiming to be “progressive” and “flexible.” My own body-land based onto-epistemology as a Chicana scholar from California engaging with research on cannabis in the Midwest simultaneously disrupts the colonial politics of academia. To center my experiences as a queer, working-class, first generation brown individual prioritizing cannabis as a field of study challenges the erasure, and further marginalization, of communities of color who continuously maintain relationships with cannabis. Narratives of profit and so-called opportunities in the cannabis industry perpetuate racist, sexist, classist, and nationalist understandings institutionally reproduced within academe. My positionality as a graduate student at an R1 public institution places a responsibility of funneling resources and tools hoarded by academia towards communities of color continuing to be systemically persecuted for having a history with cannabis, while heterosexual white men and corporations continue to reap profits.²

In an attempt to disrupt stereotypical assumptions of Chicana and Indigenous relationships with cannabis, I ground my own experiences with family, friends, colleagues, and non-human relations, both cannabis users and non-users alike, that motivate and shape my ideological theorizations of cannabis. My intention is to unpack the ways in which communities of color are persecuted for having relationships with cannabis. I ground part of this project from my own lived experiences with cannabis as a queer Chicana. So, I build upon Chicana feminists such as Calderón, D., Delgado Bernal, D., Pérez Huber, L., Malagón,

² In January of 2018, for example, *USA Today* reported that John Lord, CEO of LivWell Enlightened Health, was able to donate nearly \$23,000 to federal lawmakers in an attempt to influence federal policy.

M. C., Vélez, V. N. (2012) whose Chicana feminist epistemologies (CFE) center lived experiences of Chicanas. CFE is grounded in Anzaldúan and third world feminisms as a means to resist epistemological racism by foregrounding the life experiences and knowledge of Chicanas embodying “a sense of political urgency to engage in a decolonizing process ...and this decolonizing work is never separate from spiritual activism” (Calderon et al., 2012, p. 516). Critical to the decolonization process in Indigenous feminisms is the demand of tribal land stolen by the settler state. I recognize the overlaps and differences in genealogies of “decolonization” among Chicanx and Indigenous feminisms, however my intentions are to foster a dialogical relationship that cultivates a decolonial cannabis potentiality.

At the intersection of Indigenous and Chicana feminist onto-epistemologies, pedagogical models demand that issues of patriarchy, sexuality, race, class, indigeneity and colonial notions of nationality be acknowledged, specifically in a cannabis industry shaped by settler colonial capitalist logics. I embrace critical feminist frameworks to critique heteronormative hegemonic settler narratives molding the development of a growing “legal” cannabis production. By embracing Indigenous and Chicanx feminist decolonial onto-epistemologies to begin sketching how settler colonial logics shape relationships with cannabis, I contribute a queer “radical decolonizing and tolerance for ambiguity—of how body and place can be rearticulated to expose mechanisms of oppression, such as homophobia, and offer liberatory alternatives,” (Calderon et al., 2012, p. 520-521) within a growing white heteronormative dominant cannabis industry.

SETTLER COLONIAL LOGICS: CANNABIS POLITICS

Audra Simpson has demonstrated how settler colonialism, as a governance project and as an ideological and material structure of dispossession foregrounds heteropatriarchal whiteness as the norm. Here I note that this same governance project manipulates, exploits, and appropriates cannabis knowledges with capitalist logics. With this in mind I ask: how have settler colonial logics usurped cannabis politics? how have Chicanx and indigenous communities been affected by such politics and in turn, how are they disrupting and/or resisting imposed cannabis politics? I contribute to the limited scholarship addressing institutional oppression and persecution of tribal lands attempting to cultivate cannabis and

hemp. Canada and United States are settler nation-states that are accountable for violence leveled against tribal nations; both nation-states continue to perpetuate violence toward the people and the land. Canada's federal 'Indian' policies were directed towards "assimilation and eradication of Indian culture and thus get rid of the "Indian problem" (Cote, 2001, p.17). In the U.S. however, because of tribe's "dependent" status, "they cannot exercise powers that belong to or conflict with those of the dominant sovereign... the U.S. government" (Cote, 2001, p. 21). I bring these two colonial powers into conversation given their pretentious cannabis politics and their settler colonial histories – geographically many native nations straddle the border.

Within this context of colonial violence recent attempts at cannabis legalization become problematic. This includes Canada's most recent legislation to federally re-schedule cannabis allowing for its recreational use, and U.S.'s December 2018 removal of cultivation of industrial hemp from the Schedule 1 controlled substances list, which was lobbied for by conservative farmers. Canada and the U.S. built their cannabis legislation on the mass incarceration of Indigenous, African American, and Latinx people, for the same plant they are now trying to legalize. The criminalization of cannabis illustrates the logics of the prison industrial complex that supports white supremacy and the white settler project. We see how the imposition of criminality works to invalidate indigenous claims to land and sovereignty as well as the ways that our communities are funneled to a punishment complex that feeds the capitalist system. The same capitalist system now intends decriminalize marijuana and redirect profits towards whites, elites, and settlers.

Here I build upon Audra Simpson's (2016) scholarship outlining settler colonial techniques of elimination and violence by Canadian government on Indigenous communities by which the dispossession of land functioned against through the Indian Act of 1876.³ In the U.S. similar dispossession took place through treaties, including theft-treaties and through the Allotment Act of 1887 (Greenwald, 2002). Indigenous dispossession as a technique of elimination is generative for contextualizing broader settler colonial techniques on cannabis

³ The Indian Act, enacted in 1876 and since been amended, allows the government to control most aspects of aboriginal life: Indian status, land, resources, wills, education, band administration and more.
<https://www.cbc.ca/news/canada/background-the-indian-act-1.1056988>

legislation, specifically on tribal lands in the U.S. whose hemp plots have been burned down. This is a clear representation of colonial logics controlling who cannot partake in a cannabis economy and also that tribal land is disposable within U.S. colonial projects of dispossession. Additionally, instances of sexual violence and rape, a fundamental violence of settler coloniality, against women in trimming jobs in cannabis fields are also obscured within discourse in cannabis legislation. Such instances, I instigate, are considered “obstacles” and “scandals” to white capitalist sponsoring legislation and shaping the growing face of the cannabis industry. The logics behind obscuring the violence producing cannabis as a commodity

within settler colonialism, is [the] exploitation of land that yields supreme value. In order for settlers to usurp the land and extract its value, Indigenous peoples [and women in particular] must be destroyed, removed, and made into ghosts. Extracting value from the land also often requires systems of slavery and other forms of labor exploitation. (Arvin, M. et al., 2013, pp.12).

Thus, when women in Northern California working as trimmers across cannabis fields go to local authorities to report cases of rape, assault, and trafficking, they are dismissed and blamed for the violence because they chose to work in an “illegal” business. The coloniality of cannabis politics are strategically embedded to benefit the state as is vivid in the violence’s against women of color and migrant communities working in the state of California, notoriously known for growing most and top strains of cannabis across the nation.

Settler colonial politics shape the relationships Indigenous and communities of color continue to have with cannabis given the persecution and consequences strictly imposed on the marginalized communities. Ramirez (2018), a legal scholar from New Mexico conducted a systemic review of law and policy surrounding cannabis cultivation, possession, and use in Indian country. He maps the federal raids in California, Wisconsin, and South Dakota where authorities justified their actions claiming that tribes did not obtain “permission” from the federal government to cultivate, possess, and use cannabis on tribal lands. Native tribes stand in the maze of cannabis business, law, and policy. Thus Ramirez advocates for intergovernmental agreements that “allow” for tribal cannabis policies within a state-tribal cannabis relations framework. Some tribal leaders are seeking a legal approach that, as Collene Keane writes for the *Navajo Times*

(2015), initiates involvement in the medical cannabis business. For instance, tribal leaders hosted presentations at the 2015 National Cannabis Summit in Denver, Colorado to talk and educate one another about business opportunities for Native nations.

I have briefly outlined above ways in which settler colonial politics shape current affairs with cannabis. I depart with a critique of the colonial power/knowledge dynamics embedded in Ramirez' scholarly work to challenge the very settler colonial logics of cannabis policies it advocates for tribal nations. I instead seek to propose "an encounter and dialogue which reconfigures knowledge production," (Naylor et al., 2018, p.199) and a decolonial politics for a transformation of the cannabis industry.

CANNABIS GEOGRAPHIES, TEMPORALITY AND SOVEREIGNTY

The racist heteropatriarchal settler colonial state enables violence against indigenous communities, women of color, queers, and others who contest institutional land exploitation. The solution, then, lies in prioritizing Chicax, Latinx, Black and Indigenous people's attempts to reclaim and participate in cannabis productions. Indigenous scholar Mishuana Goeman (2017), in her article "Ongoing storms and struggles: Gendered violence and resource exploitation" sketches spatial injustices and situates Native feminist practices to unpack how gendered and sexualized violence spread on vertical and horizontal scales that enable colonial control of space. Similarly, on the topic of political spatiality, Mary Pat Brady (2002) in *Extinct Lands, Temporal Geographies* explores spatial temporalities in the manipulation of space within the context of Chicana subjectivities by which, she argues, power is accrued by those who exercise control over the environment. Both Goeman's (2017) and Pat Brady's temporal gestures of space point to the current political perpetuation of marginality for Indigenous and Chicax communities confined to geopolitical borders to yet another ostracized relationship: our relationships with cannabis.

An embodiment of Indigenous feminist praxis that connects humans, nonhumans, and land in symbolic relationships is helpful for understanding Indigenous dispossession and spatial injustices committed on tribal nations whose hemp (non-psychoactive cannabis) crops have been destroyed by federal agents to ultimately signify state power in the growing cannabis business. Cannabis cultivation, possession, and use on tribal lands represents an embodiment of sovereignty and an act of resistance to U.S. federal jurisdiction over tribal law, by

which the authority of U.S. government is contested (Smith, 2018). Spatial temporalities of cannabis at the intersection of race, class, gender, and sexuality in Chicana and Latina identities remind us of a stigmatized relationship to cannabis relegated to “narcos” and “cholos.” This “narcotics” discourse still prevails in the ways in which we formulate language around, for example, absolving incarcerated and formerly incarcerated Black, Brown, and Indigenous people.

In December of 2018 congress approved an amended “Farm Bill” legalizing hemp cultivation at the federal level; this, while tribal nations attempting to grow their own hemp were persecuted by federal agents. Steve Smith (2008) contextualizes Cannabis and/or hemp agriculture on tribal lands as an embodiment of sovereignty, currently being denied by the U.S. Although Smith is neither Chicano or Indigenous, he contextualizes the action of planting and growing hemp on the Pine Ridge Reservation in South Dakota as an act of protest against U.S. federal jurisdiction. The authority of the U.S. government is contested. The Oglala Lakota Nation strategically “illegally” planted hemp seeds by which they call into question the sovereignty of the U.S. government along with its institutions and territory. The U.S. filed an injunction on the tribes and destroyed hemp plots on the reservation, not once, or twice, but three times: in 2000, 2001, and 2002.

A second example the relationship between settler-colonial violence and land sovereignty is the federal raid on Menominee tribal lands in eastern Wisconsin that destroyed hemp plots, even though the Tribal nation had themselves legalized the growing of industrial hemp with low THC non-psychoactive and notified the United States Attorney Office for the Eastern District of Wisconsin of the licensees. Chairman Besaw stated his discontent with the administration’s actions to raid their communities for growing industrial hemp with research purposes while permitting recreational marijuana in states like Colorado, and not allowing the Tribe to take differences to court. The Menominee Nation was following regulations under the Farm Bill of 2014 that allows the growth of industrial hemp.

In contrast, *Indian Country* (2015) reports the first recreational pot dispensary with a drive-thru is open by the Paiute Tribe in Las Vegas, Nevada. The Tribe Chairman Benny Tso notes that the drive-thru is designed for elderly and disabled people for whom it is difficult to leave their vehicles to make a purchase. Not only is this the only dispensary to have a recreational drive-thru, it is also the largest in the nation.

ANTI-COLONIAL AND DECOLONIAL CANNABIS POLITICS

Throughout this paper I engaged with Indigenous and Chicana feminist onto-epistemologies to unpack settler colonial politics shaping a cannabis ‘industry’ that is being built on the backs of Native, African American, and Latinx people’s incarceration. The relationships being cultivated with the cannabis industry are premised on historical and contemporary forms of state violence traced to the exploitation of the land and Indigenous people. Cannabis in its many complexities entered mainstream legislative initiatives as a commodity ready to be exploited and profited from without regard for its healing characteristics. I build upon Chicana and Indigenous feminisms to expose legacies and contemporary manifestations of coloniality shaping how we understand our relationships to other human and non-human beings within the context of cannabis. I want to close with possibilities for further research.

I am excited to look at eco-eroticism for a potentiality of cannabis ideological, social, and political understandings embodying a sense of utopian futurity and disturbing heteronormative western temporalities and relationalities. Here I invoke Melissa Nelson’s (2017) generative approach to by which she builds from both ecology and Indigenous queer theory to propose a “greening” of Indigenous queer theory. I take this in its literal and epistemological sense to be useful in thinking about the superficial and intimate relationships fostered with cannabis beyond its known affects to get people “high.” Cannabis is green. Contextualizing the relationships between human and not-humans allows our selves to feel and experience desire and prompts me to ask: how can “greening” Chicana queer theory be helpful for understanding or beginning to decolonize cannabis? Duarte and Belarde-Lewis (2015) offer us the act of imagining as a decolonial methodology to rethink the systemic colonial marginalization in the cataloging of Indigenous sacred knowledges and materiality; here, I seek to refuse the colonial logics of cataloguing cannabis as just another ‘recreational drug.’

REFERENCES

- Arvin, M., Tuck, E., & Morrill, A. (2013). Decolonizing Feminism: Challenging connections between settler colonialism and heteropatriarchy. *Feminist Formations*, 25(1): 8-34.
- Brady, M. P. (2002). *Extinct Lands, Temporal Geographies: Chicana Literature and the Urgency of Space*. Durham, NC: Duke University Press.
- Calderon, D. (2014). Anticolonial methodologies in education: Embodying land and indigeneity in Chicana feminisms. *Journal of Latino/Latin American Studies*. 6(2): 81-96.
- Calderón, D., Delgado Bernal, D., Pérez Huber, L., Malagón, M. C., Vélez, V. N. (2012). A Chicana feminist epistemology revisited: Cultivating ideas a generation later. *Harvard Educational Review* Vol. 82(4): 513-529.
- Cote, C. (2001). Historical foundations of Indian Sovereignty in Canada and the United States: A brief overview. *American Review of Canadian Studies*, 31(1/2): 15-23.
- Duarte, M. E., & Belarde-Lewis, M. (2015). Imagining: Creating spaces for Indigenous ontologies. *Cataloging and Classification Quarterly* (53): 677-702.
- Feds raid Menominee tribal lands and destroy tribe's industrial hemp crop. (23 October 2015) <https://nativenewsonline.net/currents/feds-raid-menominee-tribal-lands-and-destroy-tribes-industrial-hemp-crop/>
- Goeman, M. R. (2017). Ongoing storms and struggles: Gendered violence and resource exploitation. In Joanne Barker (Ed.) *Critically sovereign: Indigenous gender, sexuality, and feminist studies* (99-126). Durham, NC: Duke University Press.
- Greenwald E. (2002). *Reconfiguring the Reservation : the Nez Perces, Jicarilla Apaches, and the Dawes Act*. Albuquerque: University of New Mexico Press.
- Keane, C. (October 2015). Consider the pot-sibilities: Tribes mull marijuana as economic driver. *Navajo Times*.
- Naylor, L., Michelle Daigle, M., Zaragocin, S., Ramírez, M. M., & Gilmartin, M. (2018). Interventions: Bringing the decolonial to political geography. *Political Geography*, 66,199-209.

- Nelson, M. K. (2017). Getting Dirty: The eco-eroticism of women in Indigenous oral literatures. In Joanne Barker (Ed.) *Critically sovereign: Indigenous gender, sexuality, and feminist studies* (229-260). Durham, NC: Duke University Press.
- Paute open recreational pot dispensary drive-thru. (November 2015) *News from Indian Country*.
- Ramirez, M. (2018). New Mexico tribal cannabis: Policy, politics, and guidance for government-to-government cooperation in state-tribal cannabis compacting. *Natural Resource Journal*, 58, 75-124.
- Simpson, A. (2016). The state is a man: Theresa Spence, Loretta Saunders and the gender of settler sovereignty. *Theory and Event* 19(4).
- Smith, S (2008). Hemp for sovereignty: Sale, territory, and the struggle for Native American sovereignty. *Space and Polity* 12(2): 231–249.