

Anarchist library  
Anti-Copyright



Hakim Bey  
Against “Legalization”

Retrieved April 18<sup>th</sup>, 2009 from [www.hermetic.com](http://www.hermetic.com)  
No publication date found at source.

[en.anarchistlibraries.net](http://en.anarchistlibraries.net)

## Against “Legalization”

Hakim Bey

As a writer, I am distressed and depressed by the suspicion that “dissident media” has become a contradiction in terms — an impossibility. Not because of any triumph of censorship however, but the reverse. There is no real censorship in our society, as Chomsky points out. Suppression of dissent is instead paradoxically achieved by allowing media to absorb (or “co-opt”) all dissent as *image*.

Once processed as commodity, all rebellion is reduced to the image of rebellion, first as spectacle, and last as simulation. (See Debord, Baudrillard, etc.) The more powerful the dissent as art (or “discourse”) the more powerless it becomes as commodity. In a world of Global Capital, where all media function collectively as the perfect mirror of Capital, we can recognize a global Image or universal *imaginaire*, universally mediated, lacking any outside or margin. All Image has undergone Enclosure, and as a result it seems that all art is rendered powerless in the sphere of the social. In fact, we can no longer even assume the existence of any “sphere of the social. All human relations can be — and are — expressed as commodity relations.

In this situation, it would seem “reform” has also become an impossibility, since all partial ameliorizations of society will be trans-

formed (by the same paradox that determines the global Image) into means of sustaining and enhancing the power of the commodity. For example, “reform” and “democracy” have now become code-words for the forcible imposition of commodity relations on the former Second and Third Worlds. “Freedom” means freedom of corporations, not of human societies.

From this point of view, I have grave reservations about the reform program of the anti-Drug-Warriors and legalizationists. I would even go so far as to say that I am “against legalization.”

Needless to add that I consider the Drug War an abomination, and that I would demand immediate unconditional amnesty for all “prisoners of consciousness” — assuming that I had any power to make demands! But in a world where all reform can be instantaneously turned into new means of control, according to the “paradox” sketched in the above paragraphs, it makes no sense to go on demanding legalization simply because it seems rational and humane.

For example, consider what might result from the legalization of “medical marijuana” — clearly the will of the people in at least six states. The herb would instantly fall under drastic new regulations from “Above” (the AMA, the courts, insurance companies, etc.). Monsanto would probably acquire the DNA patents and “intellectual ownership” of the plant’s genetic structure. Laws would probably be tightened against illegal marijuana for “recreational uses.” Smokers would be defined (by law) as “sick.” As a commodity, *Cannabis* would soon be *denatured* like other legal psychotropics such as coffee, tobacco, or chocolate.

Terence McKenna once pointed out that virtually all useful research on psychotropics is carried out illegally and is often largely funded from underground. Legalization would make possible a much tighter control from above over *all* drug research. The valuable contributions of the entheogenic underground would probably diminish or cease altogether. Terence suggested that we stop wast-

galization movement has never won a single battle. Not in America anyway — and America is the “sole superpower” of Global Capital. We boast of our outlaw status as outsiders or marginals, as guerilla ontologists; why then, do we continually beg for authenticity and validation (either as “reward” or as “punishment”) from authority? What good would it do us if we were to be granted this status, this “legality”?

The Reform movement has upheld true rationality and it has championed real human values. Honor where honor is due. Given the profound failure of the movement however, might it not be timely to say a few words for the irrational, for the irreducible wildness of shamanism, and even a single word for the values of the warrior? “Not peace, but a sword.”

ing time and energy petitioning the authorities for permission to do what we’re doing, and simply get on with it.

Yes, the Drug War is evil and irrational. Let us not forget, however, that as an economic activity, the War makes quite good sense. I’m not even going to mention the booming “corrections industry,” the bloated police and intelligence budgets, or the interests of the pharmaceutical cartels. Economists estimate that some ten percent of circulating capital in the world is “gray money” derived from illegal activity (largely drug and weapon sales). This gray area is actually a kind of free-floating frontier for Global Capital itself, a small wave that precedes the big wave and provides its “sense of direction.” (For example gray money or “offshore” capital is always the first to migrate from depressed markets to thriving markets.) “War is the health of the State” as Randolph Bourne once said — but war is no longer so profitable as in the old days of booty, tribute and chattel slavery. Economic war increasingly takes its place, and the Drug War is an almost “pure” form of economic war. And since the Neo-liberal State has given up so much power to corporations and “markets” since 1989, it might justly be said that the War on Drugs constitutes the “health” of Capital itself.

From this perspective, reform and legalization would clearly be doomed to failure for deep “infrastructural” reasons, and therefore all agitation for reform would constitute wasted effort — a tragedy of misdirected idealism. Global Capital cannot be “reformed” because all reformation is deformed when the form itself is distorted in its very essence. Agitation for reform is allowed so that an image of free speech and permitted dissidence can be maintained, but reform itself is never permitted. Anarchists and Marxists were right to maintain that the structure itself must be changed, not merely its secondary characteristics. Unfortunately the “movement of the social” itself seems to have failed, and even its deep underlying structures must now be “re-invented” almost from scratch. The War on Drugs is going to go on. Perhaps we should consider how to act as warriors rather than reformers. Nietzsche says somewhere that he

has no interest in overthrowing the stupidity of the law, since such reform would leave nothing for the “free spirit” to accomplish — nothing to “overcome.” I wouldn’t go so far as to recommend such an “immoral” and starkly existentialist position. But I do think we could do with a dose of stoicism.

Beyond (or aside from) economic considerations, the ban on (some) psychotropics can also be considered from a “shamanic” perspective. Global Capital and universal Image seem able to absorb almost any “outside” and transform it into an area of commodification and control. But somehow, for some strange reason, Capital appears unable or unwilling to absorb the entheogenic dimension. It *persists* in making war on mind-altering or transformative substance, rather than attempting to “co-opt” and hegemonize their power.

In other words it would seem that some sort of authentic power is at stake here. Global Capital reacts to this power with the same basic strategy as the Inquisition — by attempting to suppress it from the outside rather than control it from within. (“Project MKULTRA” was the government’s secret attempt to penetrate the occult interior of psychotropism- — it appears to have failed miserably.) In a world that has abolished the Outside by the triumph of the Image, it seems that at least one “outside” nevertheless persists. Power can deal with this outside only as a form of the unconscious, i.e., by suppression rather than realization. But this leaves open the possibility that those who manage to attain “direct awareness” of this power might actually be able to wield it and implement it. If “entheogenic neo-shamanism” (or whatever you want to call it) *cannot* be betrayed and absorbed into the power-structure of the Image, then we may hypothesize that it represents a genuine Other, a viable alternative to the “one world” of triumphant Capital. It is (or could be) *our* source of power.

The “Magic of the State” (as M. Taussig calls it), which is also the magic of Capital itself, consists of social control through the manipulation of symbols. This is attained through mediation, including

the ultimate medium, money as hieroglyphic text, money as pure Imagination as “social fiction” or mass hallucination. This *real illusion* has taken the place of both religion and ideology as delusory sources of social power. This power therefore possesses (or is possessed by) a secret goal; that *all* human relations be defined according to this hieroglyphic mediation, this “magic.” But neo-shamanism proposes with all seriousness that *another* magic may exist, an effective mode of consciousness that cannot be hexed by the sign of the commodity. If this were so, it would help explain why the Image appears unable or unwilling to deal “rationally” with the “issue of drugs.” In fact, a *magical analysis of power* might emerge from the observed fact of this radical incompatibility of the Global Imaginaire and shamanic consciousness.

In such a case, what could *our* power consist of in actual empirical terms? I am far from proposing that “winning” the War on Drugs would somehow constitute The Revolution — or even that “shamanic power” could contest the magic of the State in any strategic manner. Clearly however the very existence of entheogenism as a true *difference* — in a world where true difference is denied — marks the historic validity of an Other, of an authentic Outside. In the (unlikely) event of legalization, this Outside would be breached, entered, colonized, betrayed, and turned into sheer simulation. A major source of *initiation*, still accessible in a world apparently devoid of mystery and of will, would be dissolved into empty representation, a pseudo-rite of passage into the timeless/spaceless enclosure of the Image. In short, we would have sacrificed our potential power to the ersatz reform of legalization, and we would win nothing thereby but the simulacrum of tolerance at the expense of the triumph of Control.

Again: I have no idea what our strategy *shall be*. I believe however that the time has come to admit that a tactics of mere contingency can no longer sustain us. “Permitted dissent” has become an empty category, and reform merely a mask for recuperation. The more we struggle on “their” terms the more we lose. The drug le-