Sober North Dakotans Hope to Legalize Hemp

Dan Koeck for The New York Times

David C. Monson of North Dakota, who wants to grow hemp, says, "This is not any subversive thing like trying to legalize marijuana or whatever."

By MONICA DAVEY
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OSNABROCK, N.D. — David C. Monson seems an improbable soul to find at the leading edge of a national movement to legalize growing hemp, a plant that shares a species name, a genus type and, in many circles, a reputation, with marijuana.

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Dan Koeck for The New York Times

David C. Monson, a farmer, high school principal and Republican state legislator in North Dakota, calls his effort to grow industrial hemp to be used in items like clothing and lotions "practical agriculture."

As Mr. Monson rolls past his wheat, barley and shimmering yellow fields of canola, he listens to Rush Limbaugh in his tractor. When he is not farming, he is the high school principal in nearby Edinburg, population 252. When he is not teaching, he is a Republican representative in Bismarck, the state capital, where his party dominates both houses of the legislature and the governor is a Republican.

"Look at me — do I look shady?" Mr. Monson, 56, asked, as he stood in work boots and a ball cap in the rocky, black dirt that spans mile after mile of North Dakota's nearly empty northern edge. "This is not any subversive thing like trying to legalize marijuana or whatever. This is just practical agriculture. We're desperate for something that can make us some money."

The rocks, the dirt, the cool, wet climate and a devastating crop fungus known as scab are part of what has landed North Dakota, of all states, at the forefront of a political battle more likely to have emerged somewhere "a little more rebellious," as one farmer here put it, like California or Massachusetts.

Though federal authorities ban the growing of hemp, saying it contains tetrahydrocannabinol, the psychoactive substance better known as THC in marijuana, six states this year considered

legislation to allow farmers to grow industrial hemp, and Representative Ron Paul, Republican of Texas, introduced a bill in Washington that would let states allow such crops. In state legislatures, the advocates of hemp note that it contains mere traces of THC, and that hemp (grown in other countries) is already found here in clothes, lotions, snack bars, car door panels, insulation and more.

But no place has challenged the government as fiercely as North Dakota. Its legislature has passed a bill allowing farmers to grow industrial hemp and created an official licensing process to fingerprint such farmers and a global positioning system to track their fields. This year, Mr. Monson and another North Dakota farmer, with the support of the state's agriculture commissioner, applied to the Drug Enforcement Administration for permission to plant fields of hemp immediately.

"North Dakota is really pushing the envelope on this one," said Doug Farquhar, the program director for agriculture and rural development at the National Conference of State Legislatures. Legislatures in Maine, Montana, West Virginia and other states have passed bills allowing farmers to grow industrial hemp, said Alexis Baden-Mayer, the director of government relations for Vote Hemp, a group that presses for legalization, but those laws have not been carried out given federal drug law.

The Controlled Substances Act, federal authorities say, is unambiguous. "Basically hemp is considered the same as marijuana," said Steve Robertson, a special agent for the D.E.A. at its Washington headquarters. "We're an enforcement agency. We're sworn to uphold the law."

In the wide-open spaces of this state, an independent streak often runs through the politics, especially when it comes to federal mandates. But the fight over hemp is not political or philosophical, people here say. It lacks any counterculture wink, any hint of the fear some hemp opponents express that those trying to legalize hemp secretly hope to open the door to the plant's more potent cousin.

This battle is decidedly, and Midwesternly, pragmatic. In 1993, scab, a fungus also known as Fusarium head blight, tore through this region, wiping out thousands of acres of wheat, a prized crop in North Dakota, where agriculture remains the largest element of the economy. Hard rains left water pooling in fields, giving scab an opening. The fungus has turned up in varying degrees ever since, even as farmers searched for a cure. On a recent afternoon, as rain pounded his 710 acres, Mr. Monson gloomily yanked the head off a stalk of his wheat, revealing for a visitor whitish, shriveled seeds — the telltale signs of scab.

When Mr. Monson began his efforts in the late 1990s, some here balked. He remembered John Dorso, a former Republican leader, rolling his eyes and asking Mr. Monson if he knew what he was getting mixed up in.

But hemp, Mr. Monson argued, offered an alternative for North Dakota's crop rotation. Its tall stalks survive similarly cool and wet conditions in Canada, just 25 miles north of here, where it is legal. And it suits the rocky soil left behind here by glaciers, soil that threatens to tear up farm equipment for anyone who dares to plant crops like beets or potatoes beneath ground.

Years and studies and hearings later, few here have much to say against hemp — a reflection, it seems, of the state's urgent wish to improve its economy. Recent hemp votes have passed the legislature with ease, though some questions linger. How big a market would there really be for hemp? What about the worries of drug enforcement officials, who say someone might sneak into a farmer's field of harmless hemp and plant a batch of (similar-looking) marijuana?

Such fears, Mr. Monson insisted, are silly in North Dakota, which is the third least-populous state, with fewer than 640,000 people. This is the only state where voter registration is not required. (Everyone would know, the logic goes, if someone who did not belong tried to vote.) "You can't go down to get the mail around here without someone knowing," Mr. Monson said.

But Blair Thoreson, a Republican state representative who has voted against hemp measures, is less sure. "Everyone here knows everyone," Mr. Thoreson said, "and yet we've had a huge problem

here with homegrown methamphetamine labs, too."

Roger Johnson, the state's agriculture commissioner, said hemp fields would be the worst places to hide marijuana. Under state rules, Mr. Johnson said, such fields must be accessible for unannounced searches, day or night, and crops would be tested by the state. Also, he said, a field of hemp and marijuana would cross-pollinate, leaving the drug less potent.

"We're not wide-eyed liberals," Mr. Johnson said. "The D.E.A., they're the crazy ones on this. This sort of illogical, indefensible position is not going to prevail forever."

After receiving the first state licenses to grow hemp this year, Mr. Monson and Wayne Hauge, a farmer from Ray, on the opposite side of the state, filed applications with the D.E.A. in February.

Since then, the drug agency has not said yes or no. Given North Dakota's growing season, it is too late to plant anything new this year. So in June, the two men— with financial help from Vote Hemp, the advocacy group — filed a lawsuit against the agency.

Mr. Robertson said in July that the agency was still reviewing the applications, but that he could not say much beyond that because of the litigation.

Like Mr. Monson, Mr. Hauge, who is 49 and farms barley, chickpeas and lentils on land his great-grandfather homesteaded in 1903, said his efforts were about economics, not politics — or drugs.

"I don't advocate smoking anything," said Mr. Hauge, who, when he is not farming, is a certified public accountant.

"I guess I'm not really known as much of a joker," he added.

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