

AUTHORIZED CONSUMPTION WITHOUT AUTHORIZED CULTIVATION: EFFECTS OF THE

ABSENCE OF REGULATORY STRUCTURE IN THE CONSERVATION OF *LOPHOPHORA WILLIAMSII*

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Abstract

Lophophora williamsii (peyote), a cactus of the Chihuahuan Desert, is utilized for medicinal and ceremonial purposes in indigenous cultures of Mexico and the United States. The plant is currently considered “Vulnerable” in terms of its conservation status, due in large part to the overharvesting of wild populations for the last several decades. The situation is exacerbated by the fact that the wild populations constitute the only source of peyote for all the uses by all the groups of legal consumers. Peyote, a binational cactus, is subject to the different laws and regulations of the two countries. Up until now, the focus of those legal instruments has been the consumption of peyote — either to prohibit it or to create exceptions to the prohibition in order not to interfere with the traditional customs of the indigenous cultures that use peyote. But there has been practically no governmental concern about the absence of cultivation of peyote to sustain the authorized consumption, despite the clear language in U.S. legislation (AIRFA 1994 Amendments) authorizing rule-making to enable it. Here we present a brief summary of the conservation problems affecting peyote, plus an inventory of the techniques now available for the propagation of peyote. Finally we proffer a rationale for promoting governmental action — preferably in both the U.S. and Mexico — to promulgate the appropriate regulations that would provide regulatory structure for cultivation of peyote on a scale appropriate to actual levels of authorized use. The eventual objective is that enough peyote would be produced through regulated cultivation to satisfy the demands of legal consumption. That would likewise make possible the recovery of the decimated wild populations of peyote, as well as the restoration of extinct populations.