



Research paper

Cannabis social clubs in Belgium: Organizational strengths and weaknesses, and threats to the model



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ABSTRACT

Background: Cannabis Social Clubs (CSCs) are private organizations or clubs of users that produce cannabis for non-profit distribution to adult members to meet their personal needs without having to turn to the black market. CSCs can be found in many countries, but the term often covers very different empirical realities. Inspired by the Spanish CSCs and similarly taking advantage of a grey area in the Belgian cannabis legislation, Belgian cannabis activists set up the first Belgian CSC in 2006, and there are now at least 5 Belgian CSCs. The paper's main objective is to analyse the (internal) strengths and weaknesses and the (external) opportunities and threats of the model, as it exists today.

Methods: The paper draws on a review of international literature and qualitative data on the Belgian cannabis social clubs. Field visits and interviews were conducted with each club. We analysed membership application forms, cultivation protocols and contracts with growers, cannabis ownership certificates of members, information leaflets, the clubs' websites, and all media articles and documentaries on the clubs in the Belgian media.

Results: The paper describes the membership criteria and house rules, the members' profile, the organization and protocols for cannabis production, the distribution of cannabis through 'exchange fairs', the administrative features of the clubs and their contacts with other CSCs and with local authorities, the drug sector and the media. Belgian CSCs seem not profit-driven, and operate as a system in which cannabis is not too easily available. The clubs have fairly direct control over the quality and the potency of the cannabis they distribute. The model offers important potential opportunities, in terms of economic advantages and monitoring consumption patterns. The main threats to Belgian CSCs consist of attempts to criminalize the model, the emergence of profit-driven clubs and systemic violence from criminal entrepreneurs. Weaknesses of the model relate to the unstable or transient nature of the clubs, the transparency of their operational procedures, the superficiality of their quality control strategies, and the risk of morphing into marketing enterprises.

Conclusions: The CSC model could be a safe and feasible option for policymakers to move a meaningful distance along the spectrum towards legally regulated cannabis markets without crossing over to full commercial availability. Governmental regulation could convert weaknesses and threats to the model into strengths and opportunities to ensure best practice. If authorities refrain from action, the model might dilute and evolve in a similar way as the Spanish CSCs did recently, with the establishment of large, commercial clubs.

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Introduction

CSCs are legal private organizations of users that collectively produce cannabis for non-profit distribution to adult members to

meet their personal needs without having to turn to the black market (Barriuso, 2005, 2011; Room, Fischer, Hall, Lenton, & Reuter, 2010). CSCs can be found in many countries, but the term often covers very different empirical realities. For example, in addition – to regulated production and sale of cannabis in pharmacies and home production (up to six plants for personal use) Uruguay allows cannabis production by collectives (Bewley-Taylor, Blickman, & Jelsma, 2014). These clubs may have 15–45 members and are allowed to cultivate up to 99 plants (proportional to the number of members). Elsewhere in Latin America, informal clubs have

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appeared in Argentina, Colombia and Chile, in each case adapting to local laws, *de facto* decriminalization conditions and court rulings, or the blind eye of the authorities (Bewley-Taylor et al., 2014). Studies on domestic cannabis cultivation have shown repeatedly that even in an illegal context, users and growers can be part of informal networks or co-operatives of cannabis producers (Decorte, 2010a; Potter, 2010; Decorte, Potter & Bouchard, 2011).

In many European countries, CSCs can easily be identified by a simple internet search but it is usually not clear whether the latter are just groups of cannabis activists, or whether they are also producing and distributing cannabis behind the scenes. In the United Kingdom, the *United Kingdom Cannabis Social Clubs* (UKCSC) unites more than 70 CSCs (www.ukcsc.co.uk) (Bewley-Taylor et al., 2014). In France, the *Cannabis Social Clubs Français* (CSCF) was a federation of French CSCs, but it was dissolved by a court decision on 20 June 2013. Another association, 'Les amis de CSCF' (The friends of CSCF) still operates, and there are many stories about underground cannabis clubs that are cultivating and distributing cannabis. In Slovenia, there are at least a few CSCs (Maribor, Ljubljana) which actively produce and distribute cannabis among their members. Finally, there seem to be medical CSCs in a number of countries, such as *Die Grüne Blume* in Switzerland, *LaPiantiamo* in Italy, or *The Daktory* in New Zealand.

The Dutch city of Utrecht has sought to experiment with the CSC production model in order to solve the 'back-door problem' in The Netherlands (Bennett-Smith, 2013). The local government has asked for an exemption from Dutch drug laws that would allow it to establish a closed-membership CSC consisting of 100 people who wish to produce the drug for personal use (Transform, 2013).

International treaty requirements do not differentiate between possession and cultivation for personal use (Bewley-Taylor et al., 2014). In Spain – a jurisdiction with established decriminalization practices and following several Supreme Court rulings – legal interpretation allows for collective cultivation for personal use in the form of CSCs (Arana & Sanchez, 2011; Kilmer, Kruithof, Pardal, Caulkins, & Rubin, 2013; Muñoz & Soto, 2001; Room et al., 2010). Since the early 1990s, hundreds of cannabis associations have been established in Spain (Arana & Sanchez, 2011). According to data from the Federation of Cannabis Clubs (FAC), there are currently more than 400 Spanish Cannabis Associations or CSCs active, particularly in the Basque region and in Catalonia. However, legal uncertainty around the production issue continues and has led to the seizure of cannabis crops and to the arrest of some CSC members (Kilmer et al., 2013). Several clubs – ARSEC (Barcelona), *Kalamudia* (Bilbao), *Pannagh* (Bilbao), ARSECSE (Sevilla) and *Ganjazz* (Donosti) – have been involved in criminal procedures (Arana & Sanchez, 2011; Bewley-Taylor et al., 2014; Kilmer et al., 2013).

The origin of cannabis social clubs in Belgium shows significant similarities with that of the Spanish model. In Belgium, cannabis production or possession is not allowed by law and is therefore considered a criminal offence, for which a fine or prison sentence can be imposed (Kilmer et al., 2013; *Belgische Kamer van Volksvertegenwoordigers en Senaat*, 2011). However, a 2005 joint guideline issued by the Minister of Justice and the College of Public Prosecutors set out that the lowest prosecution priority was to be given to cannabis possession (Gelders & Vander Laenen, 2007). This refers to possession by adults of an amount appropriate for personal use, i.e. quantities not exceeding 3 g or 1 cultivated cannabis plant. Furthermore, there should be no aggravating circumstances. These include the presence of a minor, involvement of a criminal organisation, causing harm to or resulting in death of another individual or a public-order disturbance. The latter comprises cannabis possession in prison or a youth-protection institute, cannabis possession in an educational institute or in its immediate vicinity; or cannabis possession in a public place or place that is accessible to the public. Inspired by the Spanish

CSCs, Belgian activists reasoned that if cultivation of one female plant for personal use is allowed, this should be possible on a collective basis if there are no aggravating circumstances or public nuisance.

The first Belgian cannabis social club – *Trekt Uw Plant* (TUP) [Plan(t) yourself] – was initiated in 2006 in Antwerp (X, 2006). TUP was involved in two court cases (Kilmer et al., 2013). Both court cases did not lead to a formal conviction (the court rulings will be described in more detail below). In 2010 the club cultivated and harvested cannabis for its members for the first time, and TUP has in fact been growing cannabis without law-enforcement interference since. In April 2013 a subdivision of TUP with mainly members from the northeast province of Limburg became an independent cannabis social club: the *Mambo Social Club*, officially located in the city of Hasselt (Baeten, 2013b). Both clubs organized workshops to inform other cannabis activists about the CSC model and to help them set up their own clubs. In November 2013 three cannabis clubs were established in the French-speaking community of Belgium: *Ma Weed Perso* (in the city of Liège), *WeedOut* (Andenne) and *Sativa* (Namur) (Louis, 2014; Flament, 2014a, 2014b, 2014c).

Objective and methods

The focus of this paper is on CSCs in Belgium. They are legally established non-profit organizations, which are very explicit on their websites (and in the media) about their cannabis-producing and distributing activities. We aim to describe how Belgian CSCs are organized and structured, how they function on a day-to-day basis, and the different social responses in Belgium to emerging CSCs. In current policy discussions on prohibition versus legalization of cannabis, the CSC model has been suggested as a meaningful middle ground between cannabis prohibition and commercial legalization. Although our study is explorative, we want to make a modest attempt to analyse the weaknesses, strengths, threats and opportunities of the Belgian CSC model in the context of a strategy that aims at nudging the cannabis market towards its least unacceptable form (i.e. offering criminal entrepreneurs as few possibilities as possible).

Our paper draws on a review of international literature and extensive efforts to collect qualitative rich data on Belgian CSCs. In February 2014 we contacted the five established CSCs and conducted interviews with the board of directors of each club. In one club we interviewed the president, and in the four other clubs several board members. The topic list for the interviews addressed the following issues: (1) general characteristics of the club; (2) house rules and membership criteria; (3) financial aspects; (4) cannabis production techniques; (5) relations with growers; (6) quality controls; (7) contacts with the police and judiciary; (8) responses from policymakers, the media, treatment and prevention professionals and third parties, and (9) opinions on cannabis policy.

We collected and analysed all the club's internal documents: membership application forms, cultivation protocols and contracts with growers, members' cannabis-ownership certificates, information leaflets, etc. We also made field visits to the clubs. Three clubs have their own premises (in one case this space is used for administrative purposes and cultivating plants; in two clubs the premises are used only as an office). We analysed the content of the clubs' websites, and collected (with the help of the CSCs) all media articles and documentaries on the clubs in the Belgian media. For the purpose of this paper, we did not interview individual club members, or talk to local policymakers or representatives of local police authorities, treatment or prevention centres, or public prosecutors.

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