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The Belgian Cannabis Social Club landscape

Mafalda Pardal

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Abstract

Purpose – The purpose of this paper is to map the presence of the Cannabis Social Club (CSC) model in Belgium since its emergence in the country and to analyze the inter-organizational relations among CSCs and between the CSCs and other supportive actors engaged in the wider cannabis movement.

Design/methodology/approach – This analysis draws on qualitative interviews ($n = 42$) with directors of seven currently active and one former Belgian CSC(s), as well as with organizations or individuals reportedly collaborating with the Belgian CSCs. That data are complemented by fieldwork observations and a review of CSC internal documents.

Findings – Despite an uninterrupted presence in the country over the last decade, CSC presence in Belgium remains rather volatile and vulnerable to external control pressure. The CSC landscape is a somewhat segmented field as cooperation among CSCs remains limited. At the same time, the support base for the movement is diverse, encompassing different types of secondary organizations ranging from national and international advocacy groups, to cannabis industry entrepreneurs and other consultants.

Originality/value – This paper contributes to the yet limited body of knowledge on CSCs, by providing a first comprehensive overview of the presence of CSCs in one of the key settings associated with the model, by shedding light into the interplay between CSCs, and between other organizations supportive of the cannabis movement.

Keywords Qualitative research, Belgium, Cannabis, Cannabis movement, Cannabis Social Club, Supply model

Paper type Research paper

Introduction

Cannabis Social Clubs (CSCs) are registered non-profit associations that put forward a user-driven model for the supply of cannabis among adult users (Pardal, 2016b). Although CSC practices differ among CSCs and across countries (Decorte *et al.*, 2017; Decorte and Pardal, 2017), core to this model is the creation of a closed system of supply of cannabis, produced by and distributed to cover the personal use of the adult members of the associations – which are typically run in a non-profit way (Pardal, 2016b; Decorte and Pardal, 2017). The emergence of these associations can be traced back to Spain during the 1990s (Barriuso, 2011; Val, 2017), as cannabis activists sought to exploit a perceived grey zone in the domestic legal framework, which does not criminalize personal drug use (in private) and has tended to allow “shared consumption” (Kilmer *et al.*, 2013; Díez and Muñoz, 2013; Muñoz and Soto, 2000). The CSC presence in that country has grown since then, and currently an estimated 800-1000 CSCs are active across the different Spanish regions (Parés and Bouso, 2015; Decorte *et al.*, 2017).

Research into the Spanish CSC model noted that these associations are in fact part of a larger movement which comprises individual users and growers, grow shops and seed banks, specialist media (dedicated to the cannabis culture), other types of associations as well as umbrella organizations representing various CSCs – such as CSC Federations (Arana and Montañés, 2011; Marín, 2008; Marín, 2009; Marín and Hinojosa, 2017; Montañés, 2017). Such analyses have applied a social movement perspective, considering that the various actors active within this broader “cannabis movement” share the end goal of achieving reform of the

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current prohibitionist cannabis legal framework and advocate for a “cultural change that would imply the toleration of the use of cannabis in everyday’s life” (Marín and Hinojosa, 2017, p. 124, own translation).

The Spanish grassroots efforts were followed with attention by activists in other settings, who sought to develop similar experiments in their own countries (Bewley-Taylor *et al.*, 2014; Blickman, 2014; Decorte and Pardal, 2017). In Belgium, while domestic legislation prohibits the cultivation and/or distribution of cannabis (Pardal, 2016a), the model has emerged as well. Previous research documented some of the Belgian CSCs’ practices (Decorte, 2015), but little is known about how the model developed in the country, as well as whether and how the Belgian CSCs have interacted and gathered the support of other like-minded actors. This paper contributes to filling that knowledge gap by mapping the evolution of the CSC presence in the country, and the nature of the relationships between Belgian CSCs. In addition, we aim to explore the broader landscape of the movement, by identifying and discussing the role of other secondary actors which engage with the Belgian CSCs.

Methods

This analysis draws primarily on semi-structured interviews with key actors within the CSC landscape in Belgium. First, we interviewed 21 members of the Board of Directors of the seven active Belgian CSCs participating in the study (see Figure 3)[1]. An interview session was organized at each CSC, in which at least one director participated. Second, we conducted interviews with two directors of a former CSC. The CSCs were identified first on the basis of a previous account by Decorte (2015). Drawing on that initial group of CSC contacts, through snowballing and ongoing fieldwork, we were able to map and reach the other CSCs in the country, both active and inactive. The interview questionnaire was adapted from instruments developed for interviews with CSC representatives by both Decorte (2015) and Queirolo *et al.* (2016). We draw particularly on the interview data concerning CSC foundation and general background, and on CSCs’ relationships with other actors. Finally, we interviewed organizations or individuals with whom the Belgian CSCs reported having a collaborative tie ($n = 19$). These interviews focused mainly on the goals of those actors and their relationship with the Belgian CSCs. All interviews took place between February 2016 and August 2017, and were conducted in Dutch, English or French, in accordance to the language preference of each interviewee. With three exceptions, all interviews were recorded and transcribed as close to verbatim as possible. These data were analyzed using NVIVO software. Each CSC and other organization interviewed received a random identifier (CSC1-CSC7 and O1-O19). When directly citing interview data we add a -D (for interviews with CSC directors) or -R (for interviews with other actors) suffix per respondent, numbered consecutively.

To complement these materials, we conducted additional fieldwork, during which we were able to observe several moments of internal as well as public CSC activity, and hold informal conversations with different participants. Key documents produced by the CSCs (e.g. CSC bylaws) were also analyzed.

Results

The Belgian CSC landscape since its inception

The introduction of the CSC model in Belgium (2006-2012). The first Belgian CSC emerged in 2006 in Antwerp (Decorte, 2015), marking the beginning of the movement in the country (Figure 1). The founders of this CSC had previously participated in local drug user groups’ initiatives (e.g. the Support Center for Antwerp Drug Users), as well as in other international initiatives such as the European Coalition for Just and Effective Drug Policies (ENCOD), and closely followed the development of the CSC model in Spain.

Key to the onset of this initiative in Belgium seems to have been the publication of the 2005 Ministerial Guideline, which indicated that the possession of one cannabis plant or three grams of cannabis should receive the lowest priority for prosecution. This policy document was

Figure 1 A snapshot of the Belgian CSC landscape, 2006-2012



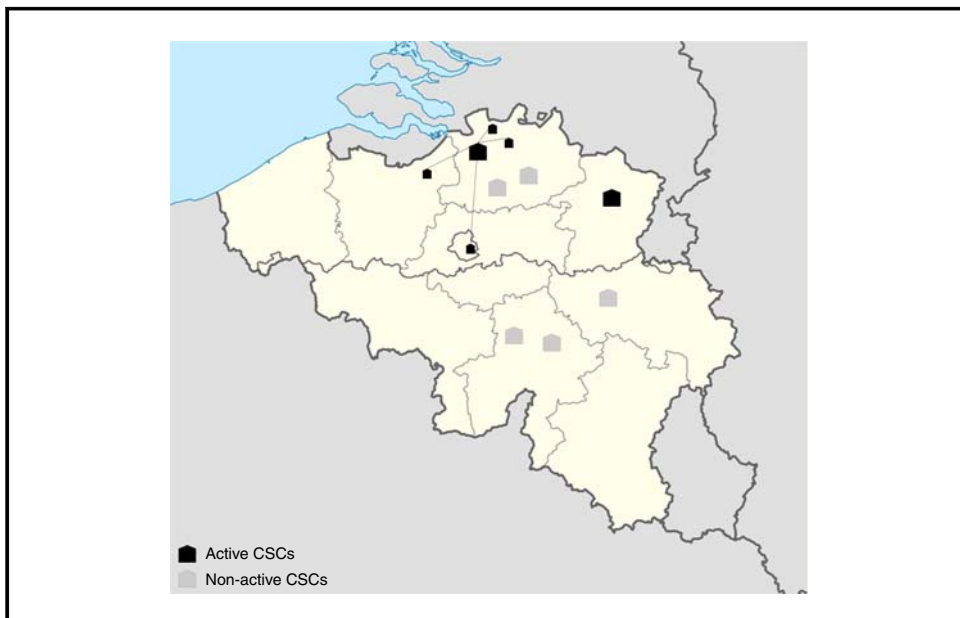
perceived by Belgian activists as providing the opening to introduce the model in the country, as one of our interviewees explained:

From this it started, like “hey, it’s a good idea in Spain, it’s possible there, these are the expectations, these are the experiences with the judges, with the law, with so on and so on.” How can we implement this in other countries in Europe? And suddenly, because of this Ministerial Guideline we saw a possibility (CSC3-D21).

The first CSC thus devised a working system (which is followed by all other Belgian CSCs) based on the allocation and cultivation of one plant per member – arguing that by doing so, the association would respect the threshold introduced by the 2005 Ministerial Guideline. At the same time, the CSC representatives behind this first initiative were aware of the limitations and uncertainty imposed by that policy, and thus sought to “test” it (CSC3-D21), to provoke a reaction from policy-makers and obtain more clarity as to what was allowed under the new policy. In 2006 and later in 2008 the CSC representatives thus organized several public initiatives and demonstrations to introduce themselves and “present the model” (CSC3-D6), during some of which the police intervened, leading to two court cases (Pardal and Tieberghien, 2017; Kilmer *et al.*, 2013). While initially condemned by a lower court in both cases, the Court of Appeal dismissed the first case in 2008 as the criminal prosecution had become time-barred. In 2010, the CSC representatives were acquitted in the Court of Appeal with regards to the second case, as that court considered that the public demonstrations organized by the CSC had been provocative but did not encourage drug use (Kilmer *et al.*, 2013; Pardal, 2016a). Although in those cases the Courts did not (directly) examine issues pertaining to CSCs’ supply function (i.e. cultivation and distribution of cannabis among the members), these first legal proceedings constituted a positive result for this CSC, as well as for the initial development of the model in the country. It is only after these court decisions that the first CSC’s collective cultivation took place.

The first wave of Belgian CSCs (2013-2014). Another important milestone for the growth of CSC presence in the country was the change of policy in the Netherlands in 2012, which imposed additional restrictions for Belgian users seeking to purchase cannabis in Dutch coffee shops (Grund and Breeksema, 2017; Ooyen-Houben *et al.*, 2014). One of our interviewees noted a quick increase in the number of CSC members and candidate members following that change. In 2013, six other CSCs were established in Belgium. Most of these new CSCs did, however, soon after encountered legal problems ($n = 5$). Following a police intervention or court decision ($n = 4$) or due to other reasons ($n = 1$) five of the new CSCs closed down, as illustrated in Figure 2 (Pardal, 2016a; Nève, 2015).

Figure 2 A snapshot of the Belgian CSC landscape, 2013-2014



Nevertheless, this phase was characterized by experimentation in a number of aspects. First, this phase saw the appearance of the first CSCs in the French-speaking region of the country ($n = 3$). In addition, during this time-period, the first attempt to establish a “medical” CSC (i.e. a CSC admitting only members using cannabis for medical reasons) was made. During this phase, the first known case of a “shadow club” occurred in Belgium. This phenomenon was described by Decorte (2015) as follows: “individuals or groups of individuals who consciously use a CSC’s name and outward appearance as a front for criminal entrepreneurs who try to produce and sell cannabis” (p. 128). The CSC at stake was uncovered during a police check, during which significantly more cannabis plants were found than the number of members of that CSC (Decorte, 2015; Pardal and Tieberghien, 2017). Finally, another innovation is that the oldest CSC started developing a structure of sub-divisions. Two different types of sub-divisions emerged: the first type seeks to gather the members of the CSC who use cannabis for medical reasons ($n = 1$); the second type corresponds to regional chapters of the primary CSC, located in other cities for the convenience of a group of members ($n = 4$). While the long-term goal is for these sub-units to become fully independent CSCs in the future, as it was the case of one of the regional chapters during this phase, the ambiguous legal framework has discouraged most managers from moving into that direction, as the following illustrates:

We have discussed becoming independent in several occasions. I always see our lawyer for this kind of questions, and he told me it was safer to stay under the umbrella [...] I really call it the legal umbrella of [CSC3]. That’s what we have decided (CSC3-D18).

Although these sub-divisions are formally part of the primary CSC, they have some degree of independence in terms of its day-to-day running and the arrangements concerning the supply of cannabis.

The second wave of Belgian CSCs (2015-present). A second wave of CSC initiatives took place since 2015, when four new CSCs were established in the country, and one other appeared in 2016. The outcome of two court proceedings involving one of the CSCs active in this phase had, again, repercussions for the development of the model. First, a 2016 Court of Appeal decision acquitted two CSC representatives for the charge of inciting the use of others, but concluded that the quantity of cannabis being transported to the distribution point could not be equated with possession for personal use (Pardal, 2016a). In addition, in the context of a separate civil proceeding involving the same CSC, in which the public prosecutor asked for the dissolution of

the association (based on the claim that the CSC's self-defined goals, as per its bylaws – which clearly refer to the supply of cannabis, were in breach of domestic laws), the CSC decided to change its bylaws, removing supply of cannabis from the core activities pursued by the organization. The CSC at stake remains active as an organization representing cannabis users – but not playing a supply function. One other CSC which was established in 2015 has also decided to postpone the start of the first collective cultivation, while seeking contacts with local public authorities to explain their goals, and reach some form of agreement to fully initiate their supply activities.

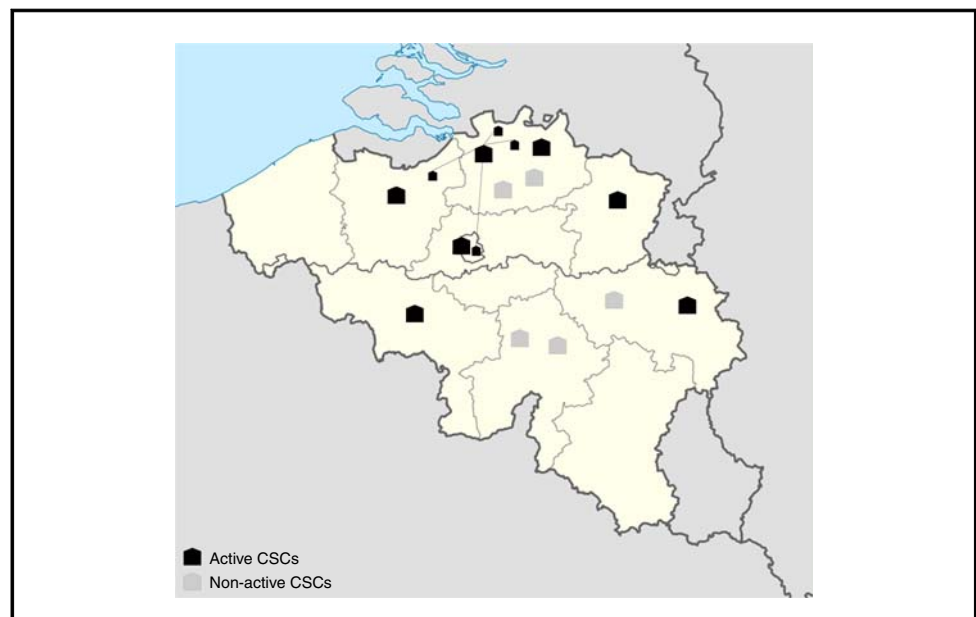
Throughout this phase some of the previous developments were consolidated. For instance, as illustrated in Figure 3, the CSC model remains present in both the Flemish as well as the French-speaking regions of the country (Flanders and Wallonia, respectively). In addition, some of the new CSCs appearing during this second wave were formed by individuals who had acquired experience (as members or growers) within the oldest Belgian CSC. A second “medical” CSC was also established during this period. At the time, new legislation allowing the distribution of Sativex (for the treatment of spasticity associated with multiple sclerosis) had been introduced (see also: Pardal and Tieberghien, 2017)[2].

Bearing in mind how volatile the CSC landscape has remained since its inception, it is expected that the present landscape depicted in Figure 3 might continue to change in the future. In fact, we are aware that other groups are trying to form CSCs at the moment. At the same time, recent police interventions affecting two of the active CSCs (and resulting in the preventive detention of several CSC representatives) might have an impact to their future functioning and the wider Belgian CSC landscape.

Of “brothers in arms” (CSC2-D3) and “war on drugs between the Clubs” (CSC1-D1)

Now focusing particularly on the current group of active CSCs (Figure 3), we found one case of close and mutual collaboration between two CSCs (one was a former sub-unit of the other CSC). The nature of the relationship was confirmed by the directors of both Clubs. For instance, a CSC3 director commented that: “we are one” (CSC3-D7), and a CSC2 director told us that: “we have a very close cooperation” (CSC2-D3). Examples of this collaborative relationship include the shared design and dissemination of a proposal for cannabis legislation. CSC3 has also financially helped

Figure 3 A snapshot of the Belgian CSC landscape, 2015-present



CSC2 to cover some of its legal costs during a court proceeding – this was possible in part due to an increase on the price of the cannabis distributed to CSC3's members (a decision that CSC termed as the "CSC2-tax"). Two other CSCs, despite not having any collaborative tie with each other, were somewhat aligned with CSC2 and CSC3. For example, one of these CSCs planned to collaborate with CSC3 in the organization of social events in the future, such as the Cannabis Liberation Day.

Three other CSCs seem to be working somewhat independently, with little or no collaboration among themselves or in relation to other active CSCs. One of such CSC directors told us that: "everybody is building his own organization. You feel that. Even if they want [to collaborate] now it's one for oneself, it's difficult" (CSC1-D2). Although many of those currently managing CSCs have previously been members and/or growers of the oldest Belgian CSC, that earlier involvement has not always evolved into collaborative relationships between the emerging organizations. Generally, the limited collaboration among Belgian CSCs was associated with general distrust of the working methods and goals of other CSC representatives which were described as being "too amateuristic," or not "serious" enough, or simply "different". Personal conflicts between these activists were also an important factor, as the following illustrates:

There are some people that I don't want to be in the room with, end of the line. Let them do their thing. I wish them all the luck but I think I operate from a different moral and a different point of view, and as far as I'm concerned that's it, good luck to them and good luck to us [...] live and let live, you know? (CSC2-D3).

The CSC landscape in Belgium thus seems to be characterized by some divisiveness, as an interviewee put it: "it's actually a little bit of war on drugs between the Clubs" (CSC1-D1). In fact, in several instances accusations of theft of cannabis plants, or of foul play by some Belgian CSCs' representatives were reported to us during fieldwork. While wider collaboration among all CSCs was not seen as a real possibility by those involved, there was nevertheless some agreement that building closer ties would be helpful, by for instance setting up a coordinating unit or organization, similar to the CSC Federations active in Spain (Decorte *et al.*, 2017; Montañés, 2017).

Beyond the CSCs: other actors in the movement?

During our interviews with CSC directors we sought to find out more about the Belgian CSCs' engagement with other organizations or individuals. The following is not a comprehensive overview of the actors involved in the movement in Belgium nor does it list CSCs' (one-way) efforts in reaching out to key stakeholders such as policy-makers, health professionals, or others (as these have not necessarily evolved into actual collaboration or regular interaction). It nevertheless provides important insights into a complex landscape where multiple players meet, as one of the CSC directors explained:

It's a whole spectrum of people that play in that playfield. You have the bona fide entrepreneurs, also the male fide entrepreneurs who are running businesses for criminal activities, you know. You have naive activism in there, you have money-making people, then you have normal businesses like lawyers and renting services and whatever runs in between that [...] (CSC2-D3).

A first group of actors with whom the Belgian CSCs have built ties with have been other CSCs outside of Belgium. As discussed earlier, the introduction of the CSC model in Belgium was inspired by earlier Spanish grassroots initiatives. In turn, the Belgian CSCs have now informed and supported other activists, for instance in the Netherlands (but in Italy too), seeking to set up similar associations, as a representative of a Dutch CSC admitted: "that [Belgian CSC] was a bit of an inspiration in the beginning" (O11-R14). More generally, several CSC representatives maintain informal contacts with representatives of other CSCs abroad. To some extent there seems to be both awareness and willingness to exchange information among some of those directly involved in the CSC model across different countries.

In addition, some of the Belgian CSCs have joined larger organizations that share information and lobby for the legalization of cannabis, such as ENCOD – at the European level, or the Alliance for the Abolition of Cannabis Prohibition (*Verbond voor Opheffing van het Cannabisverbod*, VOC) at a more regional level. ENCOD, while active beyond representing and promoting the CSC

model, gathers CSCs from different European countries (e.g. Belgium, the Netherlands, Slovenia, Spain) (ENCOD, 2015a). It has issued a Code of Conduct for European CSCs highlighting that those should be set up “to protect the rights of cannabis consumers and producers and help establish cannabis policies that benefit society as a whole” (ENCOD, 2011). The Netherlands-based VOC represents “organizations and individuals who oppose the ban on cannabis” (VOC, 2017). While both Belgian and Dutch CSCs are VOC members, the organization represents also Dutch coffee shops and other cannabis entrepreneurs. There have been noteworthy relations between some of the Belgian CSCs and organizations focusing specifically on cannabis for medical purposes. For instance, Medcan, an organization seeking to represent medical users of cannabis in Belgium, and to support and liaise with health professionals, collaborated for some time with one of the Belgian “medical” CSCs.

Grow shops and seed banks in Belgium and abroad have played an important role too, engaging both with the CSCs as well as with a number of its individual members (mostly with CSC growers). In particular, the Belgian CSCs were able to obtain discounts, and often received products or materials for free (which they were asked to review). In some cases, the grow shops and seed banks offered advice (in relation to growing practices), as well as financial support (in particular when the CSCs faced court proceedings). A representative of one of these seed banks described the collaboration in terms of contributing to a common goal, noting that:

We are also in a bit of a luxury position of course, because we are able to support other initiatives. It is very hard for people to break through, especially given the law. And again, it is our main objective as well, but you can't do that on your own, so it's a group effort (O10-R12).

Laboratories or organizations providing some form of cannabis testing or selling test kits form another group of actors which have ongoing collaborations with some of the Belgian CSCs. The involvement of this sector is closely linked to the CSCs' supply function and the (limited) quality control procedures they currently have in place (Decorte *et al.*, 2017). A representative of one of the laboratories explained its participation in the field as fulfilling a need felt by the CSCs:

This request came from the Clubs. They want to show that their product is good, they are proud of their product, and they want to show it's good, that it's better than the street product (O1-R1).

Finally, another group of individuals with whom the CSCs had built ties with were the lawyers representing them. Taking into account the vulnerable legal context in which the CSCs operate (Pardal, 2016a), it is not surprising that a number of legal experts have been called upon to support the CSCs from the outset of the initiatives and in the events of criminal prosecution. Two lawyers (one based in Flanders and one other in Wallonia) represented most Belgian CSCs.

Discussion and conclusions

This paper offers an overview of the Belgian CSC landscape since the onset of the movement, exploring the inter-organizational relations among the Clubs, as well as their engagement with other actors supportive of the model. The results of this mapping exercise show that the first CSC initiative in Belgium emerged shortly after the publication of the 2005 Ministerial Guideline – which can be described as a precipitating factor, despite its applicability to the CSC model remaining disputed (EMCDDA, 2013; Pardal, 2016a). In Spain, the introduction of new legislation foreseeing fines for public consumption of cannabis has to some extent ignited the establishment of the first CSCs (Marín and Hinojosa, 2017; Marín, 2008; Marín, 2009). While in Spain the emergence of the movement was something of a counter-response to that new legislation, in Belgium the new policy was perceived by CSC activists as increasing the room for manoeuvre and experimentation.

Since its emergence, the Belgian CSC model has had an uninterrupted presence in the country, with (at least) three phases of renewed activity. Nevertheless, the CSC landscape has been populated by a relatively small number of associations – especially in comparison to the expansion in number of CSCs in Spain (Parés and Bouso, 2015; Decorte *et al.*, 2017). While the Belgian CSCs have managed to exploit the perceived opportunities (such as the 2005 Ministerial Guideline or the changes to the Dutch coffee shop policy), no significant legislative

reform in this area has taken place in Belgium. The fact that nearly all CSCs have faced legal issues at some point might thus help explain the limited and unstable growth of the movement in Belgium. This “criminalization” of the model has curtailed CSC development in other ways too. For instance, we noted that the CSC sub-divisions have put off transitioning into fully independent CSCs for fear of criminal prosecution. In addition, one of the CSCs has suspended its supply function, and one other has not initiated production as a way to avoid further sanctions. Taking into account a recent public statement by the Belgian College of Public Prosecutors (College van Procureurs-Generaal, 2017), rejecting the interpretation of the 2005 Ministerial Guideline as permissive of CSC activities, as well as the ongoing police investigations affecting several CSCs, it becomes clear that the CSC presence in the country remains very vulnerable to external control forces.

While previous analyses of social movement inter-organizational relations suggest that “the recognition or perception of an external opposition helps diverse movement groups to unite” (Gerlach, 2001, p. 299, Porta and Diani, 2014; Zald and McCarthy, 1980), we only found a few instances of collaborative efforts among the Belgian CSCs. What is more, a number of CSCs are operating somewhat isolated from one another, and there is some degree of tension among several CSC representatives. This lack of cooperation (common to other drug user organizations too – Anker *et al.*, 2008; Montañés and Oomen, 2009; Pardal, 2016b) is primarily a result of personal conflicts, as well as distrust with regards to the “true” motivations (e.g. non-profit vs profit oriented) and tactics employed by other activists. A “supra-organization” (Zald and McCarthy, 1980), such as a CSC Federation (a form of alliance-building tried in Spain and, more recently, in the UK [3]– see, for instance: Belackova *et al.*, 2016; Decorte *et al.*, 2017), which would congregate and represent the Belgian CSCs in pursuing their goals, has not yet been created. At the same time, the segmentary nature of the CSC landscape in Belgium can nevertheless be a protective factor for the movement in the sense that if the CSCs are indeed separate and autonomous associations some “are likely to survive the destruction of others” (Gerlach, 2001, p. 303). To some extent, it helps explaining the successive cycles of new CSC upsurge, once the previous associations closed down.

Porta and Diani (2014) noted that a myriad of supportive organizations may integrate “the social movement organizational structure” (p. 144), contributing to the movement goals while often operating in the open market. Earlier research into the Spanish cannabis movement highlighted the co-existence of different secondary actors, ranging from grow shops, to specialized media, or political parties with a focus on cannabis (Marín, 2008, 2009; Marín and Hinojosa, 2017; Montañés, 2017). Our analysis shows that also the Belgian CSC landscape is interconnected with different types of supportive organizations. The CSCs have benefited from regular contacts with the cannabis industry (e.g. grow shops, cannabis testing facilities, etc.), and secured legal counseling and representation. In addition, the Belgian CSCs built ties with organizations directly active in the cannabis movement, such as other CSCs abroad, as well as advocacy groups with a broader agenda (e.g. ENCOD, VOC) or focusing on a specific aspect related to the CSC model (e.g. the case of associations representing medical cannabis users). The involvement of Belgian CSCs with these actors is in line with ENCOD’s proposed principles for European CSCs, which should stimulate and support (inter)national platforms of cannabis activism (ENCOD, 2015b). It points to the potential development of transnational networks of activism in this field (analyzed for instance in the context of Uruguayan drug reform by Hoffmann, 2016).

In conclusion, although weakened by domestic divisions among activists and external forces seeking to suppress its presence, the CSC model is entering its second decade of development in Belgium, and has gathered the support of various other national and international actors which may play an important role in supporting the model going forward. At the moment, and although this and other research (Pardal and Tieberghien, 2017) suggest that there has been little opening of the “political opportunity structure” (Tarrow, 1998), it remains unclear how the groundwork laid by the Belgian CSC activists has been perceived by domestic policy-makers. Additional research capturing the views of those stakeholders could complement this analysis and provide useful indications concerning the potential for future development of the CSC model in the country.

Notes

1. Including heads of CSC sub-divisions ($n = 4$) and one former director of a currently active CSC.
2. Royal Decree legalizing the sale of Sativex for pain alleviation was signed by Health Minister Maggie De Block, B.S., June 25, 2015.
3. While the CSC movement in the UK remains a relatively new (the first known initiatives occurred in 2011) and scarcely documented phenomenon, many of the active CSCs in that country have also been drawn together by a platform called UKCSC (UKCSC, 2017).

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