

Cannabis Social Clubs in Belgium: recent developments

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1. Introduction

Cannabis Social Clubs (CSCs) are a proposal of self-production and self-distribution of cannabis for the personal use of adults, which are organized in non-profit systems of shared responsibility with the goal of reducing the risks and harms associated with cannabis bought on the black market (Room et al., 2010; Barriuso, 2005; 2011). CSCs are legal non-profit associations whose members are adult cannabis users, most of whom use it recreationally, although others use cannabis medicinally. The CSCs organize a professional, collective cultivation of limited quantities of cannabis to cover the personal needs of their members and the system is regulated by security and quality checks.

‘Cannabis social clubs’ can be found in many countries, but the label often covers very different empirical realities. Uruguay, the first country in the world that has recently legalized cannabis, allows - next to regulated production and sale of cannabis in pharmacies and home production (up to six plants for personal use) - cannabis production by collectives (Bewley-Taylor, Blickman & Jelsma, 2014). These ‘clubs’ may have 15 to 45 members and are allowed to cultivate up to 99 plants (proportionally to the number of members). On the other hand, 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 (Potter, 2010; Decorte, 2010a). In Latin America informal clubs have appeared in Argentina, Colombia and Chile, in each case adapting to local laws, de facto decriminalizations conditions and court rulings or the blind eye of the authorities (Bewley-Taylor, Blickman & Jelsma, 2014). In many European countries, ‘cannabis social clubs’ can easily be identified with a simple internet search, but it usually is unclear whether these are only groups of cannabis activists, or whether these ‘clubs’ are also producing and distributing cannabis behind the scene. In the United Kingdom, the UKCSC (*United Kingdom Cannabis Social Clubs*) unites more than 70 ‘cannabis social clubs’ (www.ukcsc.co.uk) (Bewley-Taylor, Blickman & Jelsma, 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 cannabis social clubs (Maribor, Ljubljana) that actively produce and distribute cannabis among their members. Finally, there seem to be medical cannabis social clubs in several countries, such as *Die Grüne Blume* in Switzerland, *LaPiantiamo* in Italy, or *The Daktory* in New Zealand.

In Spain, a grey area in drug legislation and subsequent jurisprudence has led to a legal interpretation that permits 'shared consumption' and cultivation for personal use when grown in a private place (Muñoz & Soto, 2011; Room et al., 2010; Arana & Sanchez, 2011). The Spanish cannabis movement has sought to explore this legal space by reasoning that cultivation of cannabis for personal use in a collective manner is allowed as well (Bewley-Taylor, Blickman & Jelsma, 2014). Although there are currently more than 400 CSCs active in Spain, legal uncertainty around the issue of production continues (Kilmer et al., 2013). Inspired by the Spanish CSC model, and again taking advantage of a grey area in the Belgian drug legislation (a 2005 joint guideline issued by the Minister of Justice and the College of Public Prosecutors pointed out that the possession of 3 grams or 1 cultivated plant was to be given the lowest prosecution priority; see: Gelders & Vander Laenen, 2007) Belgian activists reasoned that if one is allowed to cultivate one female plant for personal use, then one should be able to do this collectively, if there are no aggravating circumstances or public nuisance. The first Belgian cannabis social club – *Trekt Uw Plant* (TUP) - was initiated in 2006, and after unsuccessful attempts in 2006 and 2008 to criminalize this club, several other CSCs were established in 2013 (Louis, 2014).

The focus of this paper, however, is on the *cannabis social clubs in Belgium*, that were modelled after the initial CSCs in Spain, and which operate very openly. They are legally established non-profit organisations, and 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 daily basis, and to describe different social responses in Belgium to the 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 as a strategy that aims at nudging the cannabis market towards its least unacceptable form (in other words, offering as few possibilities to criminal entrepreneurs as possible).

Our paper draws on a review of international literature, and extensive efforts to collect qualitative, rich data on the Belgian cannabis social clubs. In February 2014 we have contacted the five established cannabis social clubs, and conducted interviews with the board of directors at each club. In one club we interviewed the president, in the four other clubs we interviewed several board members. The topic list for the interviews addressed 12 topics: general characteristics of the club, house rules and membership criteria, financial aspects, cannabis production techniques, (relations) with growers, quality controls, contacts with the police and the judiciary, responses from policy makers, the media, treatment and prevention professionals and third parties, and opinions on cannabis policy. We collected and analysed all internal documents of the clubs: membership application forms, cultivation protocols and contracts with growers, cannabis ownership certificate of members, 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 only used as a secretariat). 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, nor did we talk to local policymakers or representatives of local police authorities, treatment or prevention centres, or public prosecutors.

2. The genesis of cannabis social clubs in Spain and in Belgium

The first cannabis social clubs began to appear throughout Spain in 2002, due to a grey area in Spanish legislation (Bewley-Taylor, Blickman & Jelsma, 2014). Following several Supreme Court rulings, the possession and consumption of cannabis was no longer considered a criminal offence, especially when involving small quantities and

used in a private place, as it is not destined for trafficking (Room et al., 2010). The jurisprudence in the field has tended to interpret the existing legislation in a way that permits 'shared consumption' and cultivation for personal use when grown in a private place (Arana & Sanchez, 2011). There is no additional regulation defining the scale and particulars under which cultivation could be permitted, and the cannabis movement has sought to explore this legal space reasoning that if one is allowed to cultivate cannabis for personal use and if 'shared consumption' is allowed, then one should also be able to do this in a collective manner (Kilmer et al., 2013). 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 Cannabis Associations or CSCs active in the country particularly in the Basque Country and in Catalonia. However, legal uncertainty around the issue of production 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; Kilmer et al., 2013; Bewley-Taylor, Blickman & Jelsma, 2014).

The genesis of cannabis social clubs in Belgium shows important similarities with the birth of the model in Spain. In Belgium, cannabis production or possession is not allowed by national law and is therefore considered a criminal offence for which a fine or prison sentence can be given. In 1997 a parliamentary working group made recommendations to the House of Representatives following several hearings regarding drug problems in the Belgian society. In 2001 the Federal Drug Note inventoried the state of implementation of the recommendations made by the parliamentary working group and translated unrealised recommendations into concrete policy measures (Kilmer et al., 2013). Following the guidelines of the Federal Drug Note of 2001, the Belgian drug law was amended in 2003. The Drug Law now distinguished between cannabis and other illegal drugs, and criminal intervention with regard to the drug user was seen as the "ultimum remedium". 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 the possession of cannabis (Gelders & Vander

Laenen, 2007). This refers to possession by adults of an amount suitable for personal use, which is to say quantities not exceeding 3 grams or 1 cultivated cannabis plant and without aggravating circumstances (such as committed in presence of a minor, committed in the activity of a criminal organisation, causing harm to or resulting in death of another individual) or disturbance of the public order (i.e. possession of cannabis in prison or youth protection institute, possession of cannabis in an educational institute or in its immediate vicinity; possession of cannabis in a public place or place that is accessible for the public).

Directly inspired by the Spanish cannabis social club movement, Belgian activists have sought to explore this legal grey zone, reasoning that if one is allowed to cultivate one female plant for personal use, then one should be able to do this collectively, if there are no aggravating circumstances or public nuisance. The first Belgian cannabis social club – *Trekt Uw Plant* (TUP) - was initiated in 2006, with the purpose of demonstrating that cannabis production for personal use by adults could be regulated. Between 2006 and 2008 the club (officially seated in the city of Antwerp) held several demonstrations, during which members each cropped a cutting of one female cannabis plant, and place that cutting in a pot (X., 2006).

The club explicitly sought media attention for these manifestations, and *Trekt Uw Plant* has been involved in two court cases (Kilmer et al., 2013). Both court cases did not lead to a formal conviction (we will describe the court rulings more in detail below), and in 2010 the club cultivated and harvested cannabis for its members for the first time. The net result of these cases was that while (collective) cannabis production is not allowed by Belgian law, *Trekt Uw Plant* had in fact been growing cannabis without law enforcement interference in the following years. In April 2013 a subdivision of *Trekt Uw Plant* 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, 2013a). 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, 2014).

3. Formal organization of CSCs in Belgium

The typical evolution of a cannabis social club starts with it being founded by at least three individuals (they usually form the ‘board of directors’, including a president and a treasurer) and recorded in the registry of associations. In the most recently established and smallest clubs almost all administrative, organizational and financial management tasks are carried out by one or more founding members; the oldest and largest club (*Trekt Uw Plant*) has delegated certain tasks (administration and supervision of growers) to working groups.

Membership criteria and house rules

All Belgian clubs demand a yearly membership fee of 25 euro to cover the administrative and organizational costs of the club. To become a member individuals need to sign a membership form to confirm that they were cannabis users prior to their membership, that they know the Belgian drug law, and that they are signing up voluntarily. Members must reside in Belgium. All clubs apply a minimum age limit to their members, but there are differences (see **table 1**): members of *CSC Trekt Uw Plant* and *CSC Sativa* must be 18 or older, members of *Mambo Social Club*, *WeedOut* and *MaWeedPerso* must be at least 21 years old. *WeedOut* makes an exception for medicinal users: they must be at least 18 years old. Staff members of several clubs are still discussing the requirement of the minimum age: some want to raise the age limit from 18 to 21 years, others want to lower the age limit from 21 to 18 years.

Several clubs have recently added an extra requisite for membership: candidates cannot be a member of another CSC. Several clubs have been discussing the possibility to compare membership lists on a regular basis, to detect individuals trying to register in more than one club. This seems logical, as the 2005 joint guideline states an adult can only have 1 female plant. On the other hand, the practice of exchange of privacy-sensitive information between clubs should be compliant with Belgian privacy protection laws.

Table 1 – General characteristics of 5 Belgian CSCs (as of February 2014)

| | CSC Trekt uw Plant | CSC Mambo Social Club | CSC WeedOut | CSC MaWeedPerso | CSC Sativa | | | | | |
|-----------------------------------|--|----------------------------------|--|----------------------------|---|------------------|--|--|--|--|
| Location | Antwerp | Hasselt | Andenne | Liège | Namur | | | | | |
| Date of foundation | 15 September 2006 | April 2013 | 4 November 2013 | 6 November 2013 | 16 November 2013 | | | | | |
| Number of members | N = 237 | | N = 84 | | N = 13 | | N = 35 | | N = 81 | |
| | Male | N = 194 81,9% | N = 64 76,2% | N = 10 76,9% | N = 29 82,9% | N = 57 70,4% | | | | |
| | Female | N = 43 18,1% | N = 20 23,8% | N = 3 13,1% | N = 6 17,1% | N = 24 29,6% | | | | |
| | 'Recreational' users | N = 224 94,5% | N = 71 84,5% | N = 12 92,3% | N = 30 85,7% | N = 81 100,0% | | | | |
| | 'Medicinal' users | N = 13 5,5% | N = 13 15,5% | N = 1 7,7% | N = 5 14,3% | N = 0 0,0% | | | | |
| Waiting list | N = 25 | | N = 233 | | N = 5 | | No waiting list | | N = 30 | |
| Minimum age limit | 18 yrs | | 21 yrs | | 21 yrs (recreational users) 18 yrs (medicinal users) | | 21 yrs | | 18 yrs | |
| Age range | | | | | | | | | | |
| | Age range | 19 – 83 yrs | 24 – 78 yrs | 22 – 32 yrs | 21 - 65 yrs | 19 - 52 yrs | | | | |
| | Mean age | 40,4 yrs | 38,7 yrs | n.a. | 35,3 yrs | 32,3 yrs | | | | |
| Membership fee (per year) | 25 Euro | | 25 Euro | | 25 Euro | | 25 Euro | | 25 Euro | |
| Price per gram for members | 7 or 8 Euro (depending on the varieties) | | 7 Euro | | 6 Euro | | 7 Euro | | 6,05 Euro | |
| Maximum consumption limit | 60 grams / 2 months | | 15 grams / 6 weeks | | 20 grams / month | | 40 grams / 2 months | | Not decided yet | |
| URL | www.trektuwplant.be | | www.mambosocialclub.be | | www.weedout.be | | www.maweedperso.be | | www.sensigreen.wix.com/csc-namur | |

n.a. = not available

In order to become a member, individuals are also invited for some sort of intake interview, usually carried out by one of the board members. During the interview, candidate members are informed about the three most important house rules: members will be excluded if they sell (part of) their cannabis to non-members, if they cause public nuisance in and around the club's premises, or if they abuse the name or the objectives of the club, or cause any other damage to the club.

During the intake interview, some clubs try to map the cannabis consumption pattern of the candidates, in order to avoid recruiting 'junkies'. Other clubs ask explicitly whether a doctor has strongly advised the candidate not to use cannabis. One club asks candidates whether they have been arrested or convicted for producing large quantities of cannabis or selling of other illegal drugs.

Clubs have refused candidate members for several reasons: because applicants were minors or residing in another country, because they were suspected of selling cannabis on the street, or because they wanted to buy cannabis immediately without awaiting the next 'exchange fair' (see below). One club refused an applicant with laryngotomy, because he could not prove his doctor advised him to use cannabis. In some cases, clubs have excluded members for not respecting the house rules: one club member tried to register his father in order to be able to possess two plants; in another club a member was excluded because he was abusing the Facebook-account of the club to spread certain political ideas (and the club's policy is to remain politically neutral). In other clubs certain incidents led to internal discussions, but not to the exclusion of that member. For example, one member brought his 9-year old son to a lecture on cannabis policy; other members found this very disturbing and potentially harmful for the reputation of the club.

Members' profile

There are currently two larger clubs in Flanders (*Trekt Uw Plant* and *Mambo Social Club*) and three smaller clubs in the Walloon region (*MaWeedPerso*, *WeedOut* and *Sativa*). Together these 5 clubs count 450 members. Most clubs have a sex ratio of approximately 4 male members to 1 female member (see **table 1**).

The majority of the members of all Belgian clubs are recreational users. We asked clubs how many members could be considered as ‘medicinal’ users, and we made clear we used the term to indicate users that suffer a serious medical condition, diagnosed by a professional doctor, and recognised by the medical-scientific world as a disease or medical condition for which the use of cannabis could be beneficial. *Trekt Uw Plant* uses the list of conditions recognized by the *International Association for Cannabinoid Medicines* (IACM) to identify ‘medicinal’ users. The proportion of ‘medicinal’ users ranges from 0% (*Sativa*) to 15,5% (*Mambo Social Club*) (see **table 1**), and includes medical conditions such as multiple sclerosis, polyneuropathy, serious arthrosis or articular degeneration, epilepsy, cancer, sleep disorders, chronic pain patients, Crohn’s disease, and fibromyalgia. One club offers its members the possibility to have an appointment with a doctor or a psychiatrist, who are both members of the club as well.

The geographical area of recruitment of all clubs is mostly within a 30 kilometre radius, but clubs also recruit members in other cities. *Trekt Uw Plant* currently has 25 members residing in Brussels; *Mambo Social Club*, *WeedOut* and *CSC Sativa* have members residing in Brussels as well. *Mambo Social Club* has a few members in Antwerp, and around one third of the members of *MaWeedPerso* reside in Charleroi. *CSC Sativa* recruits its members in Brussels, Liège, Mons, the Ardennes, and Charleroi.

Some individuals are infrequent cannabis users and become member of a club primarily because they want to support the model for activist or ideological reasons. Clubs are also frequently confronted with users who would like to become a member, but who refrain from doing so, because they are afraid their parents or their employer could find out, or because they fear being a member of a CSC could be a factor that works against them given their personal situation (e.g. in a divorce, in a co-parenthood procedure). Negative media articles (e.g. about police interventions or negative court rulings) have caused members to leave the club or retreat their membership application; positive media coverage usually boosts new membership applications. *CSC Trekt Uw Plant* also claims the (temporary) decision of the Dutch government to introduce a ‘weed pass’ (between 1 May 2012 and 19 November 2012 individuals could only by cannabis in the Dutch coffeeshops if they formally registered as a club member) led to a

spectacular increase of membership applications (Borgelioen, 2012; Van Damme, 2012; Vervaeke, 2012).

Cannabis production

The number of plants a club grows is of course limited to the number of members: one plant per person. However, the organisation of the cannabis production shows considerable differences. Some clubs grow all the plants *synchronous*, and distribute the total amount of harvested cannabis among their members, for example every three months. Other clubs grow plants *asynchronous*, in order to provide their members more frequently, with smaller amounts. The latter procedure secures a more steady supply of cannabis, and ensures that members have to pay smaller amounts of money when they pick up their cannabis.

The choice of varieties being cultivated primarily depends on the preferences of the growers. Relations with growers are often delicate, and the club feel they need to respect the growers' autonomy. Sometimes clubs ask seed producing companies for free samples, and invite growers to cultivate these. One club has a gamma of 40 to 50 varieties, from which the growers can choose. In smaller clubs evaluations of quality, taste and effects of cannabis and subsequent decisions on which varieties to produce are taken by the general assembly of members, the large clubs use more formal on-line survey techniques to monitor the members' satisfaction with the various varieties the club offers.

Some clubs require growers – the clubs often call them 'caretakers of the plants' – to be a regular member of the club, others do not. Some clubs require growers cultivate in their own private house (renting another location is not allowed). The larger the club, the more growers are employed: the smallest CSC employs one grower, the largest CSC employs more than 12 'caretakers'. Larger clubs (*Trekt Uw Plant*, *Mambo Social Club*) make up a formal contract with each grower for each growing cycle. The grower must subscribe to the house rules and protocols of the CSC, and to all guidelines related to the growing process. Growers should respect the joint ministerial guideline (2005), they should be discrete and cause no nuisance. Growers are allowed to grow

one plant for their personal consumption, but they are not allowed to sell cannabis or genetic materials to third parties. The contract further stipulates the maximum number of plants per m², the maximum number of plants per cultivation site, and the exact number of plants that can be grown. The cultivation site must be a private and closed space, inaccessible to third parties and minors, fireproof, and not causing any nuisance (smell or noise). If growers are caught stealing electricity, the contract is immediately terminated. The setup of the technical equipment is certified by the club, and growers must commit to the club's standards of biological growing (no use of chemical nutrients or pesticides). The size of the yield is estimated by a representative of the club at three stages: during the third week of the flowering period, two to three weeks before harvesting, and at harvest (wet and cut), in order to avoid fraud by the grower. The contract further stipulates the post-processing of the cannabis (drying process), the communication procedures between the grower and the club, and a protocol in case of a police intervention (what the grower ought to declare, and who he/she needs to inform immediately). For every plant the grower cultivates, he/she receives a 'grow card': a statement of ownership signed by a member, with a copy of his/her identity card, which is attached to a plant. Every grower receives a unique code, and every plant is identifiable through a unique barcode.

None of the clubs was growing cannabis outdoor when we interviewed them, but the possibility of growing outdoor is not ruled out. One club has rented a house that serves both as the administrative domicile and the cultivation site. Many clubs produce cannabis in the private houses of members; the larger clubs outsource some of their cannabis production to external growers. The size of grow-ops varies from 2 plants up to a maximum of 49 plants. This upper limit is maintained intentionally, because Belgian police considers plantations up to 49 plants as 'micro-' or 'mini-plantations' whereas larger plantations are classified as 'small' (50-249 plants), 'medium' (250-499 plants), 'large' (500-1000 plants) or 'industrial' (> 1000 plants) scale. Clubs also prefer several smaller cultivation sites over one large grow-op to minimize the risks of a 'period of drought' (not enough yield to cover the members' needs, due to plant diseases or theft of plants).

In most clubs the growers finance their own cultivation equipment (lamps, odour filters, ventilation systems, etc.), and they receive a fixed price per gram (ranging from 2 to 4,5 euro) covering their costs and labour. One club does provide a 'green loan' to its growers, once they have proven to be reliable and loyal to the club: the club then pre-finances the growing equipment and costs related to the cultivation. One club owns its own equipment, reasoning that no individual will suffer any loss if the police would confiscate all growing materials. All electricity and water meters, and other invoices stand in the name of the club; growers are not contracted, but operate as volunteer caretakers. Another club has a 'cultivation set' that can be lent to an individual that wants to grow for the club. Members pay a fixed price per gram, and the growers are paid a fixed price per cultivation cycle. Several clubs receive free seed samples from seed producing companies (*Sensi Seeds, Dutch Passion, Royal Queen Seeds, etc.*); in return they place the companies' logo's and acknowledge them explicitly on their website. Some growers have their own genetic materials, and one club holds a seed collection of over 60 varieties.

All clubs offer their members marijuana, and some deliver the remains of the plants (leaves, stems) in a separate bag. Staff members of two clubs suspect some members try to produce hash oil at home. Some clubs would like to offer their members hash or oil in the future, but they haven't done so yet. Clubs do not offer their members other products such as alcohol, cream, oils, tinctures, sweets, etc. so as to promote alternative consumption methods to smoking. One club offers its members vaporizers at wholesale price.

Most clubs have been solicited by candidate growers that appeared to be less trustworthy. Clubs have been confronted with growers who 'see things big', growers that wanted to grow for several clubs, or people that offer to deliver kilos of cannabis instantly. Clubs have experienced problems with growers who did not adhere to the standards of biological cultivation, who did not allow inspection of the cultivation site. In one case the club found out the grower was selling cuttings, or was selling the surplus of the harvest elsewhere. Some growers eventually prove to be inexperienced or unskilled, and deliver bad quality cannabis; others proved to be too sloppy with the administrative obligations (e.g. they did not attach the individual 'grow cards' to the plants, or did not

take the identification documents with them when transporting cannabis to the club). Clubs claim they judge the quality of the harvested cannabis, by looking at different parameters: odour, the look, the taste, the effect, the presence of insects, fungi and traces of chemical nutrients. It remains unclear how these parameters are checked in practice. Some clubs use digital microscopes to inspect the cannabis. One club is undertaking steps to have their cannabis tested (for THC, CBD, CBN, pesticides, fungi, etc.) in a Dutch laboratory, but until now no club is assessing the exact THC-content in the cannabis they produce. Until the moment of distribution the harvested cannabis temporarily stocked at members' houses or so-called 'safe houses'.

Distribution of cannabis: 'exchange fairs'

Distribution is usually done at a rented location, at so-called 'exchange fairs'. Clubs with synchronous cultivation cycles organize these fairs every two or three months; clubs with asynchronous production cycles have exchange fairs every month or six weeks. Only club members and accompanying adults can attend. The larger clubs have no consumption area for members, and do not allow immediate consumption on the spot (to provide a location for consumption of illegal drugs is punishable according to the Belgian legislation). The smallest club organizes distribution of cannabis in a member's private house, where shared consumption is possible, and where members discuss the quality of the product. In most clubs members can only pick up cannabis at the exchange fairs; there is no constant availability of cannabis. Most clubs, however, make exceptions for users with medical needs that require higher doses.

In the smaller clubs, the total yield of cannabis available at an exchange fair is equally distributed among the members, in the larger clubs members need to indicate in advance how many grams (and of which variety) they want, and cannabis is distributed in sealed bags of maximum 20 grams. At the fair, members are allowed to swap cannabis with other members. Most clubs apply maximum consumption limits for members, but the differences between clubs are considerable: 10 grams per month in one club versus 30 grams per month in another. The larger clubs keep records of the

quantities received by members. Again, maximum consumption limits can be exceeded in the case of users with medical needs that require higher doses.

On receipt of their cannabis, members of the larger clubs also receive a leaflet with a description of the variety (genetic composition, description of the smell, and the specific physical and mental effects) and – if available – the average score given by members previously. Members also receive a leaflet, highlighting again the house rules of the club and with instructions for sensible use. The leaflet also refers to the general practitioner and a prevention centre, in case members experience health or other problems in relation to their cannabis use. Smaller clubs do not offer their members these leaflets.

Members pay a fee of 5 to 8 euro per gram of cannabis they receive. The fee is supposed to cover production costs (the grower), storage and daily management of the club. Being non-profit organisations, any economic profit is reinvested in the association. In larger clubs, part of the profit is used for various social activities such as courses and conferences, for legal and medical consultancy, for protests and political lobbying activities to promote normalization of cannabis use. Some clubs are considering offering medicinal users cannabis at production price (4,5 euro/gram).

Administrative situation

All clubs have official bank accounts where members can deposit their membership fee. Some clubs have had some trouble finding a bank that wanted to give them an account, but two banks in particular raised no objections at all. In some clubs members also pay their cannabis electronically, in other clubs members pay cash. Growers are always paid in cash.

Most clubs keep records of all their members, with all their identification data (name, sex, date of birth, official address). They have different registration systems to monitor the production (grower identification and codes, number of plants, unique identification code of plants, and yield per plant) and to monitor consumption by members (names of members, code of the plant owned by a member at a given date,

quantities of cannabis ordered and received by members). One club takes photographs of every cultivation site, to use as evidence in a court case.

The largest club has one half-time staff member paid by the CSC; the other clubs had no contract staff at the time of our interviews. Most clubs thrive on the work of a handful of volunteers. All but one club seemed to have the ambition to develop into larger clubs, and would like to be able to have one or more officially paid staff members. Most clubs officially rent (parts of) buildings, and one club sets apart 1,05 euro per gram (sold at 6,05 euro), in case the income tax authorities would charge Value Added Tax on the distribution of CSC products in the future.

Contacts with other cannabis social clubs

Four CSCs are member of ENCOD, the *European Coalition for Just and Effective Drug Policies*, a platform of 150 members, organizations, companies and citizens who want an end to the war on drugs. These four clubs are hatching a plan to create a Belgian Federation of CSCs, a stronger networks of clubs that adhere to a standard of practice and operate according to a similar set of standards. It is unsure whether the fifth club will be interested in joining this future federation, because of its staff has a different view on the most adequate strategies to stimulate the cannabis policy debate in Belgium. Some clubs are already modelled after the first Belgian CSC (*Trekt Uw Plant*), and *Mambo Social Club* is in fact a former branch of *Trekt Uw Plant*. Most clubs refer to the other clubs on their website. Staff members of these four CSCs meet each other once a month. When the president of the *Mambo Social Club* was arrested in December 2013 with the first harvest of his club (Van Mechelen, 2013), all clubs showed their solidarity (through messages of support via social media, through sharing the cost of a lawyer, and by offering cannabis to cover the most urgent needs of members).

Staff members of most clubs tell stories about people they have met, that want to start a new CSC in the near future. Two clubs organize workshops to instruct other activists how to establish and run a CSC (BELGA, 2012). If side-branches of CSCs become too large, the possibilities of establishing an autonomous CSC are carefully considered. On the basis of these stories, It is highly likely the number of CSCs in

Belgium will continue to grow, with possibly CSCs in Brussels, Mons, Charleroi, Ghent, Ostend and in the German speaking part of the country.

Some clubs have little or no contact with other CSCs abroad. One club has a friendly relation with a CSC at the Canary Islands (Spain). When they are on a holiday there, members can become a member for free, and can buy a small quantity for personal consumption. The same is true for the members of this Spanish club that are travelling in Belgium. Another club has infrequent contacts in with groups of cannabis activists in Italy, the United Kingdom and France.

Contacts with the local authorities, the drug sector and the media

One CSC chooses to keep a very low profile, but the other four CSCs have explicitly tried to make contact with local authorities (police, public prosecutor, the mayor or local policymakers). At least three clubs went to tell the local police that they were growing cannabis for their members. One club talked to local politicians, but they were told to contact a local treatment agency. Another club was advised by the mayor himself to keep a low profile. Yet another club has repeatedly sent letters to the mayor and to the public prosecutor, but staff never received a reply (Flament, 2014).

CSCs differ a lot in terms of their media strategies. Two clubs explicitly want to avoid any media attention, either because they first want to perfect the daily practices of the club, or because they do not want to agitate on a (local) political level. Three other clubs have explicitly sought the attention of the media, to stir up the political debate on cannabis decriminalization and to advocate legal protection for their alternative to the black market (Somers, 2011; Belga, 2012; Baeten, 2013a; Flament, 2014; Louis, 2014). One club in particular is perceived as being too provocative by the other clubs.

Clubs – although in some cases very careful in selecting the more ‘serious’ journalists – are happy with the way they have been represented in the local and national media. When media publicity focuses on the club’s intentions and daily functioning, it usually gives membership application figures a boost. When newspapers or documentaries are reporting on police interventions or legal charges against a club,

the publicity frightens potential members, and has led to some members to leave the club.

Some clubs have occasional contacts with local prevention and treatment centres, although these centres are rejecting any formal type of collaboration. Two clubs were advised by practitioners to keep a low profile in order to be able to continue. Other clubs have tried to connect with local prevention centres, but were rejected immediately. Most clubs express the desire to be able to collaborate with prevention and treatment experts, harm reduction services, and medical practitioners.

4. A modest SWOT-analysis

An important question in policy discussions on prohibition versus legalization of cannabis relates to whether it is possible to move a meaningful distance along the spectrum towards legalization without crossing over to full commercial availability (Decorte, 2010b; Kilmer et al., 2013). When it comes to the middle ground between cannabis prohibition and commercial legalization, several models have been suggested (Bewley-Taylor, Blickman & Jelsma, 2014). The model of cannabis social clubs is a very interesting model that deserves academic and political attention. In this section we analyse the (internal) strengths and weaknesses and the (external) threats and opportunities of the (Belgian version of the) CSC model as it exists today.

Strengths

In principle, the Belgian CSCs are not profit-driven; they only distribute cannabis to their registered members, who must be regular users before they become a member. Clubs apply maximum consumption limits, and any economic profit is reinvested in the association. Clubs are only open to national residents and the clubs are relatively successful in reducing the risk of re-distribution to non-members (including minors) or even of drug tourism (a problem that the Dutch coffee shops near the neighbouring countries have experienced). In Barcelona, several CSCs are known to recruit tourists,

whereas Belgian clubs claim this practice would run counter the basic principles of the model.

Furthermore, most Belgian CSCs operate as a system in which cannabis is not too easily available. They require members to go through a registration procedure with some checks and balances. Members cannot attend on a daily or weekly basis, but need to wait for the next 'exchange fair', while new members usually have to wait several weeks or even months before they receive their first cannabis through the club. The clubs offer an alternative to the Dutch coffee shops, that are too visible or too inviting according to critical opponents.

We have argued elsewhere that the desire to have more control over the production process and the final product is an important driver of the overall increase in local (small scale, non-profit driven) cannabis cultivation (Decorte, 2010a; 2010b). Most, if not all Belgian CSCs cultivate cannabis according to a protocol that oblige growers to cultivate the cannabis biologically. In an open legal market (as for example is the case with alcohol, tobacco and caffeine) dominated by multinational companies, consumers are often reduced to a passive role where their only possible decision is to buy or not to buy. In a black market this is even more true, as consumers have no control over the production process, and consequently over the quality, the potency or the price of the substances (Decorte, 2010b). CSCs have fairly direct control over the varieties that are grown, the growing techniques, and the quality and the potency of the cannabis distributed via the club. Depending on the level of democracy in the club, members may participate in the decision-making process on all these aspects.

Opportunities

The CSC model also offers some important potential opportunities. A regulated and generalized systems of CSCs could have several economic advantages (Bewley-Taylor, Blickman & Jelsma, 2014). All clubs already pay their growers, and the largest club can afford to pay one half-time staff member for the organizational and administrative tasks. Most clubs aspire to increase the number of members, and several staff members hope they can earn a living with it in the future. Regulating the CSC-model could make it

possible to create direct jobs (employees responsible for cannabis production, and for organizational and administrative tasks), but that would only work if they can be sizeable enough, or if they would be allowed to grow more than one plant per person. Legal employment would also generate more social security contributions. Furthermore the CSCs indirectly generate activity in economic sectors which provide services, equipment and supplies to the clubs (such as fertilizers, cultivation material, greenhouses, transport, legal consultancy, etc.). Most of the money that cannabis users currently spend to buy cannabis on the black market would end up in other expenses taxed by the state and generate more VAT income (Somers, 2011). Finally, the CSC-model might help to reduce public expenditures on policing the cannabis market and on sentencing those who produce or sell for profit.

The 5 Belgian CSCs (with together around 450 members) do not really weaken the black market by removing potential clients from it. However, it must be kept in mind that CSCs have a high growth potential: all clubs experience a growth in membership applications, especially at times of heightened (neutral or positive) media attention. It is reasonable to expect that the number of CSCs in Belgium will continue to rise in the next few years. As the CSC-movement in Belgium expands, and if CSCs would become a regulated alternative, a significant impact on the black cannabis market could be expected. Furthermore, the CSCs may help to diminish many of the problems related to the illegal market: the increase of THC content, the adulteration or pollution of cannabis, the prices, systemic violence, street dealing and other forms of illegal trade.

Cannabis activists claim CSCs are already playing an important role in the prevention and early detection of problematic use and diversion of problem cannabis users to treatment and prevention structures (Somers, 2011). Cannabis social clubs are already monitoring consumption patterns; and in some cases they have sought contact with treatment or prevention centres. However, in the current Belgian legal context these professionals remain very reluctant to join forces. CSCs could become a important partner in targeted prevention campaigns, for example in anti-smoking campaigns or actions related to other medical or social topics.

Threats

The main threats for the Belgian CSCs consist of attempts to criminalize the model, the emergence of profit-driven clubs and systemic violence from criminal entrepreneurs.

In 2006, members of *Trekt Uw Plant* were charged with possession of cannabis with the aggravating circumstance of participation in a criminal organization (Belga, 2007). Although the defendants were initially condemned for the former and acquitted for the latter by a Local Court, the Court of Appeal could not pronounce itself in 2008 as the criminal prosecution had become time-barred (X., 2007; Aerts, 2008). The second court case focused on two public protest demonstrations of *Trekt Uw Plant* in 2008 for which the organization was accused of encouraging drug use (X., 2008). In 2010, the Court of Appeal acquitted the defendants, as, although their acts were provocative, they did not encourage drug use (Belga, 2009; Belga, 2010). The net result of these cases was that while (collective) cannabis production is not allowed by Belgian law, *Trekt Uw Plant* had in fact been growing cannabis without law enforcement interference in the following years. After the subsequent court rulings, *Trekt Uw Plant* saw a steady increase in its membership applications, and four new cannabis social clubs were established in 2013. In December 2013, the president of the *Mambo Social Club* was arrested when he was transporting the first harvest to the members; the police confiscated 1.100 grams of cannabis, and seized 27 plants at his house (Van Mechelen, 2013; Baeten, 2013b; De Schrijver, 2013). At the time of writing this article, it is unclear how the club or the president will be charged, and how the courts will rule in this case.

Another club (*MaWeedperso*) fears they will be prosecuted for misuse of company property (when board members of an association abuse assets or goods of the organization for personal interests and against the interest of the organization). At least three clubs suspect they have been infiltrated at one time or another by a police informant. A formal and final conviction might discourage users to apply for membership, but it is not unthinkable that clubs would disappear underground. It is also difficult to predict the effect of the final court ruling in the latter case on the future development of the Belgian CSC movement. However, the recent history of the Belgian CSCs has

shown that the clubs have never ceased to be operational, despite police interventions or court rulings (Vandenbergh, 2013; Spoomakers, 2013).

Another threat for the model is the emergence of 'shadow clubs': individuals or groups of individuals that consciously use the label and outward appearance of a social club, as a front for criminal entrepreneurs that try to produce and sell cannabis (for similar developments in Spain, see for example: Bewley-Taylor, Blickman & Jelsma, 2014). In august 2013 the CSC *Eureca* was set up in the north of Antwerp, but when the police discovered their cultivation site, there were 60 plants but only 16 registered members. Another company, *Werrapova*, was recently set up by a former member of a CSC to grow cannabis for any club that wants to order it.

Finally, most clubs are more afraid of systemic violence from criminal entrepreneurs than of police interventions (Spoomakers, 2013). One harvest was stolen from a club, but the staff has reasons to believe the grower was involved in that theft. All clubs take several measures to prevent theft of the plants or the harvest, and most clubs only notify their members when and where an exchange fair will take place just before the fair. Some clubs set up observation posts during an exchange fair to reduce the risks of theft or robbery. Fear of theft of cannabis is also one of the reasons why some clubs prefer to grow their plants synchronous: it is easier to guard one or a few cultivation sites, than to monitor many sites. One club excluded a member after suspicions arose he was selling the cannabis he received from the club to others, including minors. Another club was verbally threatened by a local dealer that they should not recruit members in a certain area of the city; once he damaged the front door of the club's premises. One club experienced a mysterious burglary in their premises, although nothing appeared to have been stolen. A member of this club received a thrashing by two 'Moroccan guys who thought they had to teach the social club a lesson'. All in all, there have been very few incidences of threats, theft of plants and intimidation, but as the CSCs become a more important competitor with other cannabis suppliers, the incidence of violent acts might increase.

Weaknesses

Finally, our research also revealed a number of weaknesses of the Belgian CSC-model. A first element is the differences in house rules, structures and organization. Clubs apply different age limits (18 and 21 years) and consumption limits. Some clubs are (still) very small (13 members), others have become large (237 members), and the cannabis production and distribution is organized differently. Clearly, between members of a club and between different clubs, vibrant discussions are held about the house rules, about membership criteria, about the goals of the organisation, and the most appropriate (media) strategies and actions to reach them. These discussions sometimes result in conflicts, such as the exclusion of members, or a separation of groups. The unstable or fleeting nature of certain CSCs hampers the development of a joint protocol (and a united federation), and may contribute to a sense of distrust in the general population and to negative media attention.

Most clubs advocate themselves as being very democratic. They may use various models, horizontal or hierarchical, but they often claim the ultimate decision making body is always the general assembly of members. In practice however, some clubs resemble a one-man business. The smaller the club, the easier it is to maintain democratic decision making procedures and personal relations with all members.

Although the clubs have been very open to the author, a lot of questions remain open and would need more in-depth research. These topics include the personal histories and consumption patterns of the members, the backgrounds and (criminal) careers of growers, the details of the cultivation techniques, the delicate relations between the clubs and the growers, and the relations between clubs and other cannabis-related businesses, such as grow shops, seed companies, etc.

Whether or not the cultivation procedures applied by the CSCs are a sufficient guarantee for quality and potency control, can only be checked through independent toxicological analyses. The CSCs admit that not all their growers are experienced and 'professional' growers, and quality control procedures seem to be superficial and rather subjective. However, CSCs ask for assistance from medical and toxicological

professionals, and one club will have its cannabis products tested regularly by a toxicological laboratory in the near future.

Most clubs serve a small number of ‘medicinal users’, and they often apply less stringent rules (for example no maximum consumption limit) for members who can present a medical statement that confirms that they are suffering from an illness for which cannabis use is recommended. In the absence of solid collaboration and information exchange between the CSCs and medical specialists, it remains an open question whether it is a good idea to mix up medical marijuana and recreational cannabis.

Finally, as clubs become larger, and as some staff members express their desire to expand their number of members, there is a certain risk of CSCs morphing into marketing enterprises (again, compare with the developments in Spain, see Bewley-Taylor, Blickman & Jelsma, 2014). Most clubs have been solicited by at least some growers that dream of growing on a large scale, and some staff members hope that one day they could be on the pay-roll of their own CSC.

6. Conclusion

In this paper we have tried to describe how Belgian CSCs are organized and structured, and how they function on a day to day basis. Based on interviews with staff members and analysis of the websites, documents and internal protocols of the clubs, we illustrated the membership criteria, the house rules, some characteristics of the members, the production and distribution procedures, administrative aspects and contacts between the Belgian CSCs and with other clubs or groups abroad. We described different social responses in Belgium to the emerging CSCs, and made a modest attempt to analyse the weaknesses, strengths, threats and opportunities of the CSC model as a feasible option to move a meaningful distance along the spectrum towards legalization without crossing over to full commercial availability.

An issue that needs to be addressed, is the question whether the CSC model could operate within the limits of UN Conventions and the EU framework on drug

trafficking. According to some, the cannabis social club model is compatible with the international legal framework, because this type of cultivation – even when it is done collectively in an association – is related to personal consumption, and not to for commercial distribution (Barriuso, 2011; 2012; Bewley-Taylor, Blickman & Jelsma, 2014). In a very recent multinational overview of cannabis production regimes, Kilmer et al. (2013) did not identify any official statements, from either the Belgian government or the INCB, about whether or how the CSCs fit within the existing international drug conventions.

An more important issue relevant for academics and policymakers is whether or not the weaknesses of and threats to the CSC model could be converted through governmental regulation into strengths and opportunities. Government regulation could offer CSCs legal protection, and provide a framework for quality control, safe and reliable cannabis production, transportation, and distribution (Barriuso, 2012). Regulation could also shape favourable conditions for an improvement of transparency and to professionalization of cannabis production in clubs, and it could allow for more standardization of structures, organization and house rules. By implementing clear norms (such as a maximum number of members, maximum production capacity and/or THC-contents, or limits to the amount of money a staff member can earn) and sanctions, the government might stimulate stability and reliability of CSCs, prevent CSCs to morph into profit-driven organizations, and create an interesting experiment in alternative cannabis supply tailored to the local context. On the other hand, CSCs must be open to professionalize their protocols and organization, and accept legal restrictions and sanctions. If Belgian authorities choose not to regulate this model, the Belgian CSCs might sooner or later disappear under the radar, or the model might dilute and evolve in a similar way as the Spanish version of the model did recently...

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