

1 Introduction

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3 Grand narratives such as David Garland's *The Culture of Control* undoubtedly provided a much-needed re-  
4 imagination of the landscape of crime and social order at the turn of the millennium, accounting for both  
5 punitive 'non-adaptive' strategies and 'adaptation' to the 'policy predicament' facing high-crime societies  
6 (Garland 1996; Garland 2001). Whilst much of the focus had initially been premised upon developments  
7 in the UK and the USA, it seemed logical that just as other Western European countries were experiencing  
8 strains of late-modernity, so too they would experience the 'punitive turn' and a 'culture of control'.

9         However, criticism since developed concerning the usefulness of such meta-narratives in  
10 explaining divergence across different national and subnational settings (Young 2002; Matthews 2002;  
11 Edwards and Hughes 2005). Even where countries do exhibit apparent similarities which seem to indicate  
12 such 'determinedly dystopic' visions (Zedner 2002), there is a danger of masking much more complex  
13 processes and mechanisms which underpin how internal and external pressures are mediated and  
14 translated into policy responses. These points have been shown to be significant, as how national policy  
15 and legislation is generated and translated into local spheres of governance is not a homogeneous  
16 process, but rather is subject to negotiation and resistance (Edwards and Hughes 2005; Stenson and  
17 Edwards 2004).

18         Structural relations of governance and varying features of elected representation present  
19 bounded opportunities and constraints for policy change. The development and performance of policy is  
20 further shaped by contestations by social actors within positions of power who wrestle over how  
21 something ought to be defined and responded to. Political actors, keen to progress their vocational goals,  
22 attach themselves to conceptions which fit into their ideological schemas and which appeal to key  
23 electorates. Coalitions of actors, informal groups and agencies operating both within and outside the

1 policy machinery form loose policy communities, joining together at specific moments to advocate their  
2 preferred policy alternatives (Kingdon 1995).

3 How conceptualisations of, and responses to, particular problems emerge, then, is through a  
4 dynamic set of structure-agency relationships which over time have assumed new meanings and  
5 reaffirmed others, being mutually shaped by currents in late modernity and developments in broader  
6 signifying territories. Policy processes are by no means always linear or 'rational', with 'windows of  
7 opportunity' for policy communities to progress agendas and craft policy opening and closing within an  
8 inherently shifting and messy social landscape (Kingdon 1995).

9 Certainly, whilst Garland's work has added immense value in providing a map to the  
10 contemporary terrain of crime control, there is a lack of depth and empirical specificity concerning the  
11 interaction of political institutions, processes and cultures across different governable spaces. Indeed,  
12 Garland (2001:vii) notes this, with an overt brushing aside of the 'empirical particulars' to focus on a  
13 'sweeping account of the big picture'. Moreover, examinations of legislative processes have received  
14 relatively little attention within criminology as a whole, with preference usually to look at the *effects* of  
15 legislation (Jones and Newburn 2007). However, given the potential for variation across and within  
16 jurisdictions, it is an area which is growing in importance to understand how and why policy takes the  
17 direction it does within the broader constraints and possibilities presented under late modern conditions.

18 This is particularly pertinent in the area of illicit drug policy given the 'silence' of *The Culture of*  
19 *Control* in explicitly discussing drug policy beyond a handful of references to the 'war on drugs' (O'Malley  
20 2002). Certainly, despite the growth of global frameworks of control that emerged throughout the 20<sup>th</sup>  
21 century, there is evidence of continued variation in responses across different jurisdictions, particularly in  
22 relation to the most commonly used illicit substance, cannabis. This is particularly intriguing in the case of  
23 the Netherlands, where despite analyses advocating a shift towards a culture of control (e.g. Downes and

1 van Swaaningen 2007), the curious resilience of tolerated cannabis coffeeshops appears to contrast with  
2 the *de jure* criminalisation of all cannabis activities found in England & Wales.

3 Fifteen years on from *The Culture of Control*, the aim of this paper is to empirically test,  
4 corroborate and accumulate knowledge on how and why particular strategies of crime control are  
5 experienced and performed across and within England & Wales and the Netherlands with regards to a  
6 specific set of changes in cannabis policy.

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## 9 Cannabis Control in England & Wales and the Netherlands

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11 Trajectories of cannabis control in England & Wales and the Netherlands over the past fifty years show  
12 points of similarity and difference, but as a whole can be understood as differentiated outcomes of  
13 ‘structured ambivalence’ (Garland 2001). In respect of small-scale supply and use (possession), significant  
14 differences have emerged, whereby the Dutch employ a *de facto* legalised approach through tolerated  
15 ‘coffeeshops’ (MacCoun and Reuter 1997), in contrast to overt criminalisation found in England & Wales.  
16 However, the approach towards cultivation and large-scale supply has witnessed a mutually increasing  
17 law enforcement-led approach develop.

18 The explicit purpose of the Dutch approach is premised upon an attempt to separate the drug  
19 markets between cannabis, perceived as an ‘acceptable risk’, and ‘hard’ drugs, which are deemed to pose  
20 ‘unacceptable risks’. This became officially enshrined within the Opium Act 1976 which created a two-tier  
21 system of illicit drug control, with cannabis being placed in Schedule II. Through framing drugs as a health  
22 issue, and conceptualising cannabis as posing acceptable risks, the rationale behind the framework was  
23 based upon preventing marginalisation and stigmatisation (particularly of young people) that was

1 associated with criminalisation. As such, the Ministry of Health, Welfare and Sport assumed primary  
2 responsibility in the governance of drug policy, with support from the Ministry of Justice and the Ministry  
3 of Interior.

4 In conjunction with the development of guidelines for prosecution, known as the *gedoogbeleid*  
5 ('tolerance policy'), which arose initially from existing local practices, this allowed vendors and consumers  
6 to engage in small-scale supply and possession offences without facing police action (see Leuw 1994).  
7 Since the emergence of coffeeshops as a vehicle to deliver these health-driven aims, their numbers grew  
8 exponentially between the 1980s and early 1990s.

9 However, since their high point of an estimated 1500 in the early 1990s, the coffeeshops have  
10 more than halved in number and have seen a raft of stricter measures and approaches imposed (Bieleman  
11 and Goeree 2001; Bieleman et al. 2012). These have granted more powers to local municipalities and law  
12 enforcement agencies, largely under the guise of tackling coffeeshop-related 'nuisance'<sup>1</sup> and organised  
13 criminal networks involved in cultivation and supply (Van der Gouwe et al. 2009; Wouters et al. 2010;  
14 Boekhout van Solinge 1999; Bieleman et al. 2012). For example, this includes: reductions in the amount  
15 of cannabis that coffeeshops can sell per customer per day; powers to local municipalities to choose a  
16 'zero option' and to close premises that transgress local policy; greater powers to investigate the financial  
17 background of proprietors; multi-agency partnerships targeting cultivation; a voluntary distance criterion  
18 of 250m between coffeeshops and secondary schools; and the establishment of a national specialist  
19 Organised Cannabis Cultivation Taskforce. It is salient to note, however, that the fundamental role of the

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<sup>1</sup> 'Nuisance refers to a collective of public order incivilities. With regard to coffeeshops, this predominantly relates to parking, noise, and loitering, but can also be extended to include drug dealing and other illicit activities taking place in the vicinity of coffeeshops.

1 coffeeshops as a means to separate illicit drug markets, and thus reaffirming the central health-driven  
2 aim, has been constantly restated in policy documents.

3           The most recent policy changes seem to further confirm a shift towards a more risk averse  
4 security-conscious set of strategies with the Rutte I Government<sup>2</sup> announcing in 2011 the introduction of  
5 three new tougher measures aimed at reducing the number and size of coffeeshops (Tweede Kamer  
6 2011a). The three new measures involved restricting entrance to coffeeshops to residents of the  
7 Netherlands; requiring coffeeshops to become private member clubs with a maximum membership of  
8 2000; and closing all coffeeshops existing within 350 metres of secondary schools.

9           The first two of these measures (residency and closed club) were to be trialled in the three  
10 southern provinces from May 2012 with national introduction from January 2013; while the school  
11 distance criterion was to be applied nationally from January 2014. However, in 2012, while the trials were  
12 proceeding, a shift of government to Rutte II<sup>3</sup> saw the new measures revised. The closed club and school  
13 distance criteria were removed from the prosecutor's guidelines, leaving only the residency criterion  
14 intact, which was given greater flexibility in its enforcement.

15           In England & Wales, contemporary control of cannabis stems from the 1971 Misuse of Drugs Act  
16 which created a three-tier classification of illicit substances – A, B, and C – purportedly based upon the  
17 degree of harm and dangerousness. One of the principal purposes of the Act is to stipulate the types of  
18 criminal justice penalties available for different drug offences (e.g. possession; possession with intent to  
19 supply; production), with Class A substances attracting the most serious punishments and Class C the least

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<sup>2</sup> Rutte I was comprised of the VVD (Conservative Liberals), CDA (Christian Democrats) with parliamentary support by PVV (populist extreme-right).

<sup>3</sup> Rutte II was comprised of the VVD (Conservative Liberals) and PvdA (Social Democrats/Labour).

1 punitive. An implication of this system is that illicit drug control is *primarily* the remit of the Home Office  
2 (as opposed to the Department of Health or equivalent, as is the case in the Netherlands).

3 Initially, cannabis was categorised as a Class B drug, which carried with it a maximum of five years  
4 imprisonment and/or an unlimited fine for possession, and up to fourteen years and/or an unlimited fine  
5 for production or supply. The classification of cannabis remained the same until the issue came under the  
6 spotlight during the 2000s with the period witnessing two reclassifications in a space of five years. The  
7 initial reclassification in 2004 from Class B to Class C was shrouded in confusion. Whilst a predominant  
8 rationale was to reduce criminalisation of users and to allow greater freedom for police officers –  
9 seemingly illustrating adaptation to the pressures and ‘normality’ of increased prevalence (Garland 2001)  
10 – media and police-driven fears ultimately led to compromises being made. Sentences for production and  
11 supply were retained at the same levels as Class B drugs as was the power to arrest under ‘aggravating  
12 circumstances’<sup>4</sup>. In addition, the introduction of an out-of-court disposal, the Cannabis Warning, became  
13 tied to centralised performance indicators which consequently led to a massive growth in the numbers  
14 processed by the criminal justice system since 2004 (see Shiner 2015).

15 Following the 2004 reclassification, the same New Labour government reversed their own  
16 decision under the leadership of Gordon Brown a mere 5 years later in 2009. The return to Class B  
17 projected a tougher approach to ‘protect the public’ from a ‘clear and serious problem’ (House of  
18 Commons 2008a), with concerns cited particularly regarding domestic ‘commercial’ cultivation and the  
19 links between high-strength ‘skunk’ and mental health issues amongst young people. The decision to  
20 reclassify took place within the context of the New Labour Government having consulted the expert

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<sup>4</sup> Under the Criminal Justice Act 2003, the Police and Criminal Evidence Act was amended to make possession of cannabis (as a Class C drug) an arrestable offence as well as increasing the maximum penalties for Class C trafficking offences to 14 years, the same as Class B offences.

1 Advisory Council on the Misuse of Drugs (ACMD) over cannabis classification three times within the space  
2 of six years, ultimately choosing to reject their advice *not* to reclassify (ACMD 2008).

3 The result of this change in classification primarily affected the maximum penalties available for  
4 possession offences, raising them from 2 to 5 years imprisonment on indictment. Moreover, the  
5 Association of Chief Police Officers (ACPO) introduced new policing guidelines which formulated an  
6 escalated approach to possession offences, retaining Cannabis Warnings as well as introducing a Penalty  
7 Notice for Disorder (PND) (ACPO 2009). Overall, the reclassifications created widespread confusion whilst  
8 effectively granting the police much greater powers to flexibly deal with adult possession offences.

9 Changes in cannabis policy, particularly regarding low-level offences, indicate the frenetic nature  
10 of policy-making that has occurred in recent years in both England & Wales and the Netherlands. The  
11 broad trajectory shows signs of convergence, with the Netherlands employing more restrictive measures  
12 towards cannabis offences. Certainly, both of the most recent policy movements *prima facie* indicate the  
13 presence of non-adaptive strategies at a national level. However, the key point is that whilst both  
14 jurisdictions have experienced broadly similar societal insecurities surrounding cannabis over the past  
15 three decades, the genesis and unfolding of cannabis policy has not been experienced in a similar way  
16 across and within England & Wales and the Netherlands. Whilst surface changes may indeed highlight a  
17 degree of convergence, questions remain given continued differences in policy approaches towards small-  
18 scale supply and possession offences, and how policy changes unfold at a subnational level.

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21 Methodology

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1 This paper discusses the findings of an empirical study which explored the extent of policy convergence  
2 and divergence in cannabis control across and within England & Wales and the Netherlands.

3 The research adopted a comparative multiple-embedded case study design (Yin 2014). The  
4 overarching rationale behind the adoption of such a research design was to understand the 'diverse  
5 determinations' of social phenomena through illuminating the messy contingencies of policy  
6 development emanating in particular geo-historical contexts (Edwards and Hughes 2005). In this sense,  
7 whilst it was neither reasonably possible nor the objective of the research to extrapolate with certainty  
8 the role that particular factors play in policy formulation, a key element was to test, corroborate and  
9 clarify how strategies of crime control manifest themselves across and within contrasting regimes of  
10 cannabis control.

11 Such an 'intensive' design is well placed to indicatively identify a set of factors and mechanisms  
12 which played some role in how a set of events unfolded within the specific contexts under examination  
13 (Sayer 1992). The concern with generalisability is not with the applicability of the findings to other  
14 geographical or policy settings, but to question and build upon more generalised accounts of  
15 contemporary crime control strategies in late modernity. However, through conducting research of this  
16 kind, it is then possible to assess whether these same conditioning factors are relevant and perform similar  
17 functions in other settings, providing a springboard for future research programmes.

18 In order to provide a more in-depth analysis, the empirical focus concerned two specific policy  
19 movements across and within England & Wales (the 2009 reclassification of cannabis from Class C to Class  
20 B) and the Netherlands (modifications to the 'tolerance policy' of cannabis coffeeshops in 2012/13). The  
21 research utilised the analytical framework of Kingdon's (1995) Multiple Streams Model as an organising  
22 device to capture the constructions, processes and events by which policy change occurred at the levels  
23 of 'talk' and 'decisions' (Brunsson 1989; Pollitt 2001).



1 Case sites were explicitly selected on the basis of showing potential to be both ‘exemplary’ and  
2 ‘deviant’ in performing and reworking non-adaptive strategies. At a national level, England & Wales  
3 represented an ‘exemplary case’ of the culture of control (as used by David Garland), whilst the  
4 Netherlands, by virtue of a distinctly different approach to cannabis policy, was considered a *de facto*  
5 ‘deviant case’ (Pakes 2010). At the subnational level, two local sites (Cardiff and Utrecht) were selected  
6 by virtue of their potential to display resistance to shifts at the national level.

7 The methods involved two main components: first, an analysis of key policy documents  
8 pertaining to the policy changes; and second, a total of 62 semi-structured elite interviews with  
9 stakeholders in the cannabis policy network, situated at both national and local levels across both  
10 jurisdictions<sup>5</sup>.

11 The sampling strategy for the documentary analysis involved a mapping of published documents  
12 by state organisations which related to the policy changes under examination. A review of sources was  
13 conducted through online searches of government websites, initially using broad search terms such as  
14 ‘cannabis’, ‘reclassification’ and ‘coffeeshop’, and was further complemented through information and  
15 hard-copies provided by interview participants.

16 This included the most recent state drug strategies and official reports from advisory committees  
17 such as the ACMD in England & Wales, and the van der Donk and Garretsen Commissions in the  
18 Netherlands. In addition, a further set of specific published documents were selected for a more in-depth  
19 analysis<sup>6</sup>. Whilst recognising the somewhat overwhelming availability of documents that could be  
20 considered relevant, especially considering the vast array of readily available transcribed parliamentary

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<sup>5</sup> In England & Wales, there were 18 participants at the national level and 9 at the subnational level. In the Netherlands, there were 24 participants at the national level and 11 at the subnational level.

<sup>6</sup> Home Office (2008a); Home Office (2008b); Home Office (2009); House of Commons (2008a); ACPO (2009); Tweede Kamer (2011a); Tweede Kamer (2011b); Tweede Kamer (2011c); Tweede Kamer (2012).

1 debates, these particular documents were chosen on the basis that they originated from the actors and  
2 organisations responsible for implementing policy change (e.g. Home Office/ACPO) and were considered  
3 central in the dissemination of how and why the new measures were being introduced. This allowed the  
4 analysis to focus on how cannabis was officially constructed as a policy problem, the rationalisation for  
5 intervention, and the actual manifestations of the policy measures.

6 Interview participants were sampled through purposive and reputational methods followed by a  
7 process of snowballing. Across national and subnational levels, this included current and former  
8 politicians and civil servants from key departments<sup>7</sup>, senior police officers and health administrators,  
9 policy advocates from non-governmental organisations, expert committee members, and relevant  
10 academic specialists in the drug policy field.

11 All interviews shared common core components which were aligned to the organising framework  
12 of Kingdon's (1995) Multiple Streams Model. Indicatively, such common ground involved asking about  
13 problems associated with cannabis, how and why the policy changes had occurred, and the relationship  
14 between national and subnational levels of governance. However, given the breadth of participants,  
15 interview schedules were tailored to ensure that discussions generated data which most effectively  
16 elicited the particular expertise and situated perspective of the participant. For example, interviews with  
17 political actors at a subnational level were more focussed on the dynamics existing within the local council  
18 and amongst political parties and the relationship with other key agencies, such as the police and  
19 probation. Whereas interviews with an advisory committee member operating formally at a national level  
20 were asked more specific questions on their perceptions of the utility of evidence to policy formulation  
21 etc. This allowed various parts of a much larger puzzle to be pieced together, whilst simultaneously

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<sup>7</sup> In the Netherlands, this included the Ministry of Health, Welfare and Sport; the Ministry of Security and Justice; and the Public Prosecutor's Office. In England & Wales this included the Home Office.

1 allowing for a questioning and validation of participants' perspectives across different interviews and  
2 settings.

3           Utilising the principles of adaptive theory, data from both the interviews and the documents  
4 were thematically analysed to construct a representation of how the policy changes came into being and  
5 unfolded across national and subnational levels. The Multiple Streams Model was used as a middle-range  
6 analytic framework, with the data of each governance level, of each country, manually coded into three  
7 broad categories of 'problem', 'policy' and 'political' streams. Smaller meta-codes were also adapted from  
8 Kingdon's work, including, *inter alia*, 'political feasibility', 'changes in administration' and 'organised  
9 political forces'. Additionally, further codes were inductively generated and refined iteratively as the  
10 research progressed, allowing the themes of the data to not be constrained to the imposition of particular  
11 codes and to more accurately reflect the phenomena being investigated.

12           By using both a common set of analytical categories, as well as accounting for culturally and topic  
13 specific components, this allowed for an international and intra-national set of comparisons to be made.  
14 The findings of this analysis were then placed back into the broader theoretical propositions of the culture  
15 of control to delineate the extent to which such forces have been felt in this policy area and the nature of  
16 its existence across and within the geo-political contexts under examination.

17           Next, we examine the intimate interconnection between political institutions and policy-making  
18 cultures which were found to have presented particular bounded opportunities for policy change. In turn,  
19 it is argued that such facets shape the nature of the policy response, through facilitating and/or limiting  
20 the impact of various influences, notably that of expertise and the media and public opinion.

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22

23 Political Institutions and Cultures

1

2 *The Netherlands*

3

4 Under a system of proportional representation in the Netherlands, which facilitates a larger number of  
5 electable political parties, coalition rule ensures that a mixture of views is often represented in cabinets  
6 on all issues (Andeweg 2008). In spite of a more politicised and hostile environment, whereby a politics of  
7 accommodation has slowly been eroded away by a more adversarial style, the structural forms of political  
8 organisation have retained intact (ibid.).

9         The effect this has had with regards to cannabis and drug policy is that there is a significant  
10 difference in the availability of political positions. Parties lying on the centre-to-right side of the political  
11 spectrum (such as CDA and VVD) have shifted and become more supportive of punitive responses  
12 regarding cannabis, which can be partly accounted for due to pressure from the populist PVV in the  
13 broader fields of crime control, immigration and community safety (Van Swaaningen 2005). However,  
14 there are a multitude of parties on the centre-to-left which have become more aligned with responses  
15 which would further regulate the coffeeshop system, particularly regarding the back door of cultivation  
16 and supply (such as PvdA; D'66; GroenLinks; SP). Thus, preferable policy options are not constrained  
17 within the dominant model of prohibition. However, the importance is the combination of structured  
18 forms of elected representation with the particular constellations of power which has the potential to  
19 unlock or constrain particular policy preferences based upon necessary processes of 'wheeling and  
20 dealing' in forming coalitions and making governmental decisions.

21         This links to key 'changes in administration' which were important catalysts for the instigation  
22 and revision of cannabis policy (Kingdon 1995). The measures instigated under Rutte I were politically  
23 feasible due to the composition of the right-leaning coalition (comprised of VVD; CDA; and supported by

1 PVV). However, a second change of administration in 2012 brought in more balance with the coalition of  
2 VVD and PvdA. With the PvdA adopting a more progressive position towards cannabis, this facilitated  
3 pressure for greater leniency with the new measures:

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5 '...now there is a new government and they consist of left and right. The right-wing extremists [PVV] are  
6 smaller, the threat is less I think on that side of politics, and they [VVD] made a deal to govern and... by  
7 wheeling and dealing... part of the deal was, I think, more liberal, more tolerant approach of the coffeeshop  
8 policy.' (Policy Advisor to the Mayor, Utrecht)

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10 The suggestion here is that the constitutional system itself mediates the proliferation of different and  
11 multifaceted control strategies. Having to find consensus amongst differing parties is a necessity for a  
12 coalition government to rule, and so whilst politicisation and populism may have become more  
13 prominent, there is still a very pragmatic element involved in generating agreement. This is illustrated in  
14 the views of one VVD politician:

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16 'One thing, that is campaigning, and secondly, that is also negotiating. I was quite fierce in the media about,  
17 for instance, the *wietpas*, then you get a sort of pressure always that the others are getting fiercer and in  
18 the end I don't have to move this much but I only have to move this much because I already took a very  
19 radical position in the beginning.' (VVD Politician)

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21 Written in to this cultural code of negotiation and consensus-building is the idea of developing policy over  
22 time. So whilst the formation of Rutte I signalled a right-leaning cabinet, the origins of the recent policy  
23 measures – with the formation of the Van der Donk Commission – started in the Balkenende IV cabinet  
24 which also included PvdA. The same party then also returned in Rutte II. So whilst there has been voter

1 volatility and mobility in recent decades, a breadth of political parties come and go from national  
2 government (Andeweg 2008).

3 In this context, of needing to find agreement over time and across diverse political parties in a  
4 highly polarised policy area, the role of expert commissions has a heightened *potential* to play a significant  
5 role. Where decisions are difficult to make, commissions may provide legitimacy in decision-making  
6 through pragmatic advice. According to one politician, who in spite of representing a party which is  
7 ideologically against the use and tolerance of cannabis, suggested that this allows political parties to move  
8 from their original starting points:

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10 '...because a coalition system really needs to have a basis, someone will always have to move in their  
11 position to get a decision, that means they should have reason to change which they cannot get from their  
12 manifesto because they are changing from this. So there is some necessity for facts or expert judgement or  
13 something like that to support the moving of the political position.' (CDA Politician)

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15 This is not to suggest that there is always a secure relationship with scientific expertise, with participants  
16 highlighting, *inter alia*, the role of incident-driven events and media reporting in driving policy concerns,  
17 shifts in political rhetoric towards symbolic 'sound-bites', and the challenge of populist parties towards  
18 elitist forms of policy-making. However, examining the recent policy movements, it is clear that expert  
19 commissions had a key role in finding a 'golden angling' or 'middle ground'<sup>8</sup> which was acceptable for  
20 parties across the political spectrum.

21 Indicative of this consensus-finding and pragmatic-leaning style is the broad remit afforded to  
22 both the Van der Donk and Garretsen Commissions which considered options from complete prohibition

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<sup>8</sup> Member of Van der Donk Commission.

1 to full legalisation and an examination of the entire drug scheduling system. Moreover, it is significant  
2 that most of the key recommendations were accepted and introduced by the Rutte I and II governments,  
3 which reflects their influence in finding an acceptable policy shift in a contested policy domain. The  
4 continued influence of expert committees arguably reduces the influence of the public and media,  
5 thereby producing some insulation from populist punitive pressures. Thus, whilst the Dutch political  
6 landscape has undergone significant turbulence in recent years, it is clear that fundamental structural and  
7 cultural features remain intact which are highly significant in understanding policy change. In a similar,  
8 but differentiated way, such aspects were central in understanding the policy change in England & Wales,  
9 which is where we turn to next.

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11

## 12 *England & Wales*

13

14 In contrast to the Netherlands, there is a distinctly different political architecture and culture in England  
15 & Wales, which in its own way, conditions how cannabis policy is created and unfolds. An adversarial ‘first-  
16 past-the-post’ system, coupled with the historical culture of two large political parties, purposefully  
17 supports a strong one-party government.

18 Set within the broader context of heightened politicisation and the depolarisation of Labour and  
19 the Conservatives towards law and order issues, this facilitates a competitive imperative to criticise the  
20 opposition and reject accusations of being ‘too soft’. After all, the likelihood of having to directly work  
21 with other political parties in a ruling government in England & Wales is extremely rare in comparison to  
22 the constantly changing coalitions found in the Netherlands. However, a consequence of having a limited  
23 set of electable political parties is that this provides a narrow set of political positions.

1           Although polarised views and support for alternative approaches to prohibition do exist in a  
2 number of political parties in England & Wales (such as the Liberal Democrats; Plaid Cymru and the Green  
3 Party), such positions do not publicly feature within the two major parties, Labour and the Conservatives,  
4 and has had little influence in the overall direction of policy.

5           Indeed, if we look at the reclassification of cannabis back to Class B in 2009, there was little  
6 opposition to the Misuse of Drugs Act Amendment Order. 76.3% of the House supported the motion, with  
7 only a joint total of 6 MPs rebelling from the Conservative and Labour parties (see House of Commons  
8 2008b). Such dominant perspectives are partly conditioned by historical cultural values with both  
9 traditionally embracing a prohibitionist logic, but also by the type of environment in which political actors  
10 find themselves in with drug policy pertinently described as a ‘toxic third rail issue’<sup>9</sup>.

11           This is connected to what both observers and current political actors alluded to as the limited  
12 ‘political currency’ available with the issue being one which inhibits ‘sticking your head above the  
13 parapet’<sup>10</sup> due to political ‘perception, prejudice, and pressure’<sup>11</sup>. The need to be seen to be taking  
14 authoritative action on ‘existential threats’, such as illicit drugs, conditions the types of policy options  
15 considered rational to those in power (Crick 2012).

16           Importantly, the nature of political institutions and culture shapes these dynamics. Ruling,  
17 through what was once described as an ‘elective dictatorship’ (House of Lords 1953), facilitates strong  
18 governments with the ability to create policy as they see fit. In a competitive two-party system, there is a  
19 lot of pressure to be seen as more capable guardians than the main opposition, and this has been shaped  
20 and helps shape a more demanding public and rapacious media. A consequence is that policy has a greater

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<sup>9</sup> Academic Expert, Criminology

<sup>10</sup> Senior Political Figure.

<sup>11</sup> Labour MP.



1 potential than under the Dutch system to assume knee-jerk reactions and quick policy reversals, as was  
2 the case with the 2009 reclassification.

3 As with the Netherlands, an important 'change in administration' was an important conditioning  
4 factor in the genesis of the 2009 reclassification. In part it was facilitated and expedited through the rise  
5 of Gordon Brown as a new Prime Minister in 2007, who announced within a few months of coming to  
6 power that he intended to address the classification of cannabis.

7 The political desires and pressures placed upon Brown to reclassify occurred within a suitable  
8 window of opportunity, which had opened due to what one informed participant described as the 'media  
9 hysteria'<sup>12</sup> immediately following the 2004 reclassification. At the time, cannabis classification became an  
10 issue with heightened 'electoral anxieties' (Garland 2001), with insider fears that the 2004 reclassification  
11 confirmed the 'caricature' of New Labour as being 'soft', thereby 'giving the Tories their rightful position...  
12 as being tough on law and order issues'<sup>13</sup>.

13 The context in which Brown came to power provided an apt opportunity for the reclassification  
14 to occur at that moment. In particular, it was contended by critical observers that the 2009 reclassification  
15 served a political purpose for an incoming (non-elected) Prime Minister in need of support from a key,  
16 contested demographic who are more receptive and prone to fears of criminality and deviance:

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18 'It probably served the broader purpose of trying to connect with middle England or that base that Tony  
19 Blair had in his pocket, just by virtue of who he was and how he looked and came over. He had that  
20 constituency wrapped up, Brown never did.' (Academic Expert and Former BBC Home Affairs  
21 Correspondent)

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<sup>12</sup> Former Chair of the ACMD.

<sup>13</sup> Former Senior Civil Servant, Home Office

1

2 The importance then is that political decision-making is conditioned by the nature of the adversarial and  
3 majoritarian political system in which political actors draw upon a set of dominant values and act upon  
4 opportunities to further desirable goals. The implications of such structural and cultural features also offer  
5 a contrasting picture to the Netherlands in respect of the use of research and expertise. In England &  
6 Wales, the relationship is far less obvious (see Bennett and Holloway 2010; Monaghan 2011), with  
7 expertise more likely to be utilised where it is seen to progress ideological and political agendas but can  
8 also be more readily discarded. The culture of policy-making is one in which both politicians and civil  
9 servants are more amenable to reproducing and performing prevailing orthodoxies in a closed policy  
10 arena (see Stevens 2011; UKDPC 2012). This was further corroborated in this research through the  
11 account of a former senior Home Office Civil Servant:

12

13 'Sometimes, dare I say, you might have to marshal the evidence in such a way that it supports the decision,  
14 and I think over time that became more and more the scenario, that you got a decision and your task was  
15 to find the evidence to support that decision, rather than find the evidence which demonstrated what the  
16 most sensible way forward would be.' (Former Senior Civil Servant, Home Office)

17

18 An effect of such working cultures is that it limits the spaces in which 'counter-doxic' voices can gain  
19 legitimacy and challenge expressive, symbolic, and more objectively considered, irrational, policy shifts.  
20 The implications of this style of decision-making became clear in relation to the 2009 reclassification,  
21 which saw a rejection of the ACMD's central recommendation *not to reclassify* in favour of securing the  
22 political goal of projecting authority to key electorates. As a Former Chair of the ACMD noted:

23

1           ‘...he [Brown] sent his minders out on the street saying he is going to reclassify to B, even before we told  
2           him what the evidence was... I did actually write to the Home Secretary and I wrote to the Prime Minister,  
3           and said if you have already made your mind up what’s the point of asking our advice?’ (Former Chair of  
4           the ACMD)

5

6   In sum, the interconnection between political institutions and policy-making cultures in both jurisdictions,  
7   located within a broader social context seemingly favouring the politics of fear and law and order, and  
8   coupled with the specific constellations of power and actors involved at the time, moulded the policy  
9   process in particular directions and forms. In England & Wales, such conditions facilitated a quick policy  
10  reversal carrying significant symbolic function for New Labour, whilst in the Netherlands the process was  
11  drawn out over a longer period, seemingly assuming a more pragmatic set of policy changes which fitted  
12  the middle ground of involved groups. These arguments are further substantiated and bolstered through  
13  paying attention to the nature of organisational responsibilities and relations of power.

14

15

## 16   Organisational Responsibilities and Relations of Power

17

### 18   *The Netherlands*

19

20   In the Netherlands, cannabis policy is layered both across different national departments, and also within  
21   national and subnational levels, with local municipalities having significant powers to shape policy both  
22   locally and nationally. As a consequence of having multiple organised interests at stake, and set within a  
23   broader political culture stemming from processes of bargaining and negotiation, this has facilitated both

1 preservation of the coffeeshop system and more readily accommodates negotiation and resistance  
2 towards measures perceived to overly threaten the model.

3 The *gedoogbeleid* was deliberately developed to ensure that cannabis use would not be  
4 considered a criminal justice issue, and this is reflected in the organisational responsibilities and relations  
5 of power. As such, an important feature of Dutch drug policy is that it involves several departments, with  
6 the Ministry of Health taking the lead at a national level. A universal theme uncovered in the interviews  
7 was that the role and voice of the Ministry of Security & Justice has increased over the past decade,  
8 indicatively seen with most official correspondence on cannabis policy changes emanating from this  
9 department.

10 However, the involvement of other key departments, notably of Health and also the Public  
11 Prosecution, provides a powerful voice in raising objections to policies which are considered  
12 counterproductive or administratively burdensome. This can be seen with the reflections of a policy  
13 worker from the Public Prosecutor's Office:

14

15 '...we often say inside here that we are busy doing the prevention of new measures, policy prevention,  
16 instead of developing or formulating new policies, because there are so many new ideas and a lot of them  
17 don't make much sense so we try to stop them instead of further development.' (Policy Worker, Public  
18 Prosecutor's Office)

19

20 These dynamics continue to provide a strong space and voice for the rationalisation of coffeeshops, as  
21 they have largely been adjudged to be fulfilling their health objectives of separating the 'soft' and 'hard'  
22 drug markets (see Van Laar and Van Ooyen-Houben 2009). On the whole, the measures initiated under  
23 the Rutte I government were considered unsavoury, unworkable, and challenged the fundamental

1 essence of the health-oriented and liberally-inspired separation of markets philosophy. The trial of these  
2 measures in the southern provinces caused a huge backlash against the government, which were seen to  
3 be overstepping the mark in intruding into people's lives (by forcing people to register for an illicit activity).  
4 Moreover, they were felt to have generated a 'serious adverse side effect' by encouraging non-tolerated  
5 sources to flourish, thus threatening the market separation policy (WODC 2013).

6 In an available vacuum for competing narratives to be voiced, resistance to the new coffeeshop  
7 measures was also raised by the counter-voices of municipal leaders. This was due in part to the fact that  
8 municipalities, particularly of the *Grote Vier*<sup>14</sup>, have significant powers to resist and rework nationally-  
9 instigated policy changes whilst also having room to advance alternative agendas.

10 In part, this can be accounted for due to a degree of insulation from both national and local  
11 electoral anxieties and pressures. Executive power rests with the College of Mayor and Aldermen which  
12 consists of appointed individuals who are separate from the directly elected municipal council.  
13 Simultaneously, the responsibility of the Mayor and Aldermen is at first to the local council rather than  
14 the national government, and this provides a mechanism whereby support is fostered for policy  
15 development and resistance against unfavourable national measures, as was the case with the  
16 municipality of Utrecht. The new measures were perceived with hostility, addressing a problem which did  
17 not exist in serious proportion, whilst not dealing with the 'big problem' of organised cultivation:

18  
19 '...we don't have any problems with tourists in coffeeshops so we don't see the idea of installing permits or  
20 something, and 350m, we don't have any problems yet and we don't see the advantage of that, only that  
21 we have to close down a lot of coffeeshops and only a problem that we have too few coffeeshops' (D'66  
22 Alderman, Utrecht)

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<sup>14</sup> 'Big Four'. This refers to the four largest cities: Amsterdam, Den Haag, Rotterdam and Utrecht.

1

2 Such pressure from a number of municipalities substantially contributed to the school distance and closed  
3 club criteria being rescinded and greater flexibility given to enforcing the residency criterion. This was due  
4 to concerns that these measures would lead to greater nuisance problems and would lead to the closure  
5 of most coffeeshops; an effect which would be unwelcome in most urbanised municipalities who value  
6 the role of coffeeshops. Thus, the position of Utrecht towards the residency criterion is that it does not  
7 enforce it until a problem arises:

8

9 'As long as we don't have that problem [tourist nuisance] there is no duty to implement it.' (Policy Advisor  
10 to the Mayor, Utrecht)

11

12 As with the national level, empowerment to act and react at the local level must be considered in  
13 conjunction with geographical location and political representation as it not only affects how policy is  
14 translated from national to local spheres, but also in the propensity of the local in challenging national  
15 policy formation. This is not to suggest that this necessarily causes resistance to policy measures, lest we  
16 forget that it was local municipalities in afflicted border areas which called for national assistance to  
17 prevent foreigners from being able to enter coffeeshops; but rather that powers located in particular 'geo-  
18 historical' contexts present opportunities to rework policy in unique ways (Edwards and Hughes 2005).

19

20 Given the prominent role of some mayors in the larger municipalities, who often have political  
21 histories and continued influence at the national level, this places more bargaining power in their hands.  
22 The specific relationship between subnational authorities and central government during the period of  
policy change is of central importance in this regard. Most of the largest municipalities, which contain

1 most of the coffeeshops, are led by PvdA mayors and have 'progressive' municipal councils (see Wouters  
2 et al. 2010).

3 This component, combined with the fact that PvdA became a national coalition partner in Rutte  
4 II, created political pressure for greater flexibility with the new arrangements. The local case site under  
5 examination, Utrecht, is both a member of the *Grote Vier* and had a 'full' left-wing political  
6 representation<sup>15</sup>. It is these facets which granted more influence in shaping the debates on the new  
7 coffeeshop measures and continues to serve as a springboard for propelling concerns and alternative  
8 responses into the political sphere.

9 For example, in Utrecht (along with many other municipalities, see NRC 2014) there are plans to  
10 regulate the back door through a social cannabis club model (College van B&W 2011). Despite repeated  
11 statements by the Minister of Security and Justice that such experiments would contravene international  
12 frameworks of control (see Tweede Kamer 2011a), there is a drive to place the issue upon the policy  
13 agenda. At the very least, this represents a symbolic attempt to confront the national approach, with  
14 Utrecht serving as a 'spokesman' of resistance:

15  
16 '...we are the spokesman to at least put this on the table again and again and again, and even making  
17 progress in our own way to see if something could be done... I am responsible for health issues in my home  
18 town and there is nobody who can say if I have to do this or that. That is my way how I can go forward if I  
19 still have the majority in the city council who is supporting me.' (D'66 Alderman, Utrecht)

20

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<sup>15</sup> During the period of 2010-2014 the municipal coalition was comprised of GroenLinks (Green Party), D'66 (Social Liberals) and PvdA (Social Democrats/Labour).

1 Thus, the development and unfolding of cannabis policy in the Netherlands is rather complex, with a series  
2 of factors which grants the subnational level significant scope in contesting, resisting and advocating  
3 alternative policies. Importantly, whilst the ability to rework policy is related to the size and geo-political  
4 power of municipalities, the decision to do so is also related to a set of contingent relations such as  
5 political representation and gravity of perceived problems. However, it is important to reiterate that this  
6 does not automatically mean policy at the subnational level assumes a more 'tolerant' and lenient  
7 approach, but that there are greater options in how policy is contingently interpreted and performed.

8

9

#### 10 *England & Wales*

11

12 The spread of power and responsibility of the Netherlands contrasts somewhat with England & Wales  
13 where the control of cannabis and other illicit drugs is heavily centralised within the Home Office. This is  
14 not to ignore the fact that other departments are involved in the wider drugs strategy, such as the  
15 Department of Health and Department of Education, but that policy is primarily driven through a criminal  
16 justice lens in a notoriously stringent and centralised department which holds most of the power.

17 The closing off of alternative narratives is not only performed by actors and agencies operating  
18 at a national level, but was found to be apparent at a subnational level. Due to partially devolved  
19 governments and local authorities lacking fundamental ownership of the problem, this reduces their  
20 ability and willingness to officially negotiate and resist nationally-instigated criminal justice measures.

21 This signifies an important characteristic of subnational political culture in England & Wales. It  
22 has been described as 'hypercentralised' in comparison to European norms (Loughlin 2001; House of  
23 Commons 2009), with a 'history of distrust' between central and local governments (Chandler 2001).



1 Arguably, given the particular histories of the constituent members of the United Kingdom, the political  
2 influence and resistance of Wales towards Westminster has traditionally been more passive than Scotland  
3 or Northern Ireland.

4 Such factors are especially prevalent in the area of criminal justice where the Home Office  
5 remains a bastion of centralised control. Whilst efforts to decentralise and defer responsibilities were  
6 made during New Labour's tenure, most notably in the shape of statutory local partnerships, they still  
7 revolved around heavily centralised targets (Hughes 2007) which perversely incentivised the policing of  
8 minor cannabis offences in England & Wales (see Sosa 2012; Shiner 2015).

9 Since the removal of such targets in 2010, it is arguably more feasible for pragmatic strategies of  
10 cannabis control (at least for low-level offences) to flourish at the local level:

11

12 '...more focus then went on finding cannabis factories, finding who the farmers were, who was financing it,  
13 how the money was being laundered from it and tackling it that way... cannabis warnings are easy, they're  
14 easy pickings, whereas managers in the police would rather an officer properly and thoroughly investigate  
15 a burglary and get a detection with that.' (Inspector, South Wales Police)

16

17 Thus, these manifestations of policy at the subnational level, which evidence divergence from the national  
18 level through a form of pragmatic adaptation, are facilitated within the particular 'geo-historical contexts'  
19 in which it occurs (Edwards and Hughes 2005).

20 In the setting of the partially-devolved Wales, the use of cannabis and other illicit substances is  
21 officially constructed in a more 'sympathetic'<sup>16</sup> way than in England, with the emphasis of Welsh drug  
22 policy centring upon harm reduction through the dominant narratives of health (WAG 2008). Arguably,

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<sup>16</sup> Senior Political Figure, Wales.

1 this has been shaped by the technical inabilities in criminal justice matters which has led to the sharpening  
2 of those areas in which policy movement is attainable. Moreover, the emphasis on harm reduction also  
3 chimes with the social-welfarist political traditions of Wales which emphasise social inclusion (Drakeford  
4 and Gregory 2011).

5 In some ways, this policy rhetoric has become embedded at the local level, which in combination  
6 with varying degrees of centrally-driven pressures, has an impact on how practitioners conceptualise  
7 problems and mobilise resources. For example, without the burden of centrally-defined performance  
8 indicators, police participants articulated alternative narratives about suitable approaches, with  
9 preferences given to more humane and pragmatic responses:

10

11 '...in many areas drug policy can be murky, clear messages will always come out of the Home Office, stamp  
12 all over these people, and the reality is, how would you like your kids to be dealt with? And that's how we  
13 try to police.' (Inspector, South Wales Police and Welsh Government)

14

15 It is perhaps unsurprising then, that despite tough rhetoric surrounding the 2009 reclassification the  
16 perceived impact on police practitioners, at least in respect of users, is extremely minor. However, despite  
17 signs that policy does have the potential to be reworked through practitioner adaptations, the ability to  
18 shape policy at a subnational level in England & Wales is heavily conditioned and limited by broader sets  
19 of values and structural constraints. As noted earlier, the dominant articulation of problems and  
20 consequent formal manifestations of policy which occur at a national level take place within a broader  
21 structure and paradigm of prohibition. The findings suggest that there is little appetite to 'rock the boat'  
22 in this area, either by the local authority or by Welsh Government. In the latter case, there is an important

1 dynamic present in that the relatively newly established Welsh Government is seeking to prove to  
2 Westminster that it is a legitimate enterprise:

3

4 '...we have a series of difficult discussions that go on between ourselves and Westminster Government,  
5 would we choose to add this one [substance misuse] to the list?... you always worry that if you introduce  
6 another argument into that you will lose ground on some more important ones... How could you possibly  
7 give those people those powers to do that when they're asking for this mad thing over here?' (Senior  
8 Political Figure)

9

10 In this context, drug policy falls prey to the same fears and political pressures as it does in the wider UK  
11 context, with Welsh politicians unable and unwilling to look beyond policy changes determined in  
12 Westminster. In relation to the 2009 reclassification, there was no political appetite to challenge the  
13 decision.

14

15

16 Discussion

17

18 A key assertion of this paper is that the genesis and performance of cannabis policy is mitigated by a set  
19 of dynamics which are embedded within political institutions, organisational relations and cultural  
20 tendencies. In both England & Wales and the Netherlands, there has been some degree of convergence  
21 towards non-adaptive strategies in cannabis control.

22 However, this paper has endeavoured to illuminate the 'empirical particulars' of cannabis policy-  
23 making, demonstrating the (continued) influence of political institutions, cultures and relations that shape

1 policy processes in each jurisdiction at national and subnational levels. As such, policy responses are  
2 constantly performed and reproduced, diversifying and mutating across varying structure-agency  
3 relations.

4 Significant differences were found across a range of structural and cultural dynamics which either  
5 facilitate or off-set overly punitive manifestations at different policy levels to varying degrees. To reiterate  
6 these for clarity, this predominantly refers to the ownership of the problem; the (dis)empowerment of  
7 the local and political representation at this level; political institutions and culture which provides a more  
8 inclusive/exclusive and incremental/reactive policy environment; the role of expertise and the mass  
9 media; and relatedly, socio-historical values concerning cannabis which produce varying degrees of  
10 support and opposition towards cannabis (and coffeeshops).

11 It is pertinent to note that whilst these features facilitate divergence, there is also an element of  
12 'convergent-divergence', in the sense of a necessary 'structured ambivalence' in policy responses. In both  
13 jurisdictions, but for differentially experienced reasons, the policy process served to limit radical and  
14 meaningful change whilst reproducing existing approaches in modified forms. Within both contexts,  
15 political pressures, generated both internally and externally, and notwithstanding international  
16 frameworks, have constrained available policy choices and movements within existing templates.

17 In the Netherlands, desires to find a middle-ground between deeply polarised political positions  
18 has resulted in a broadly incremental style towards cannabis policy. Although this may have prevented  
19 dramatic knee-jerk reactions, it has led to the slow corrosion of coffeeshops. Politically available options  
20 to respond to increasing problems associated with cannabis have become largely constrained within an  
21 overriding framework of prohibition. Whilst there is no genuine dominant political desire to abolish the  
22 *gedoogbeleid*, in full wariness of the deficits of criminalisation, there is also little perceived feasibility or  
23 political attraction (for centre-right parties) to embrace more regulatory approaches, in full wariness of

1 the political ramifications of appearing soft on issues of law and order towards both internal and external  
2 opponents. The result is an enduring, but slightly more stringent, coffeeshop system, with relatively little  
3 changes experienced in most municipalities in comparison to the more punitive and symbolic policy talk.

4 In England & Wales, a major factor is the dominance of two political parties who share largely  
5 similar public values on drug policy. With the propensity and ability to quickly act upon emerging projected  
6 problems, this has led to the proliferation of reactive and symbolic policy expressions which call for more  
7 punitive action to be taken against cannabis offenders. However, such punitive tendencies are met with  
8 the outstanding reality that full application of the law would create an unrealistic administrative burden  
9 upon the criminal justice system. Alongside contingently-dependent factors which further facilitate  
10 adaptation in subnational settings, there are possibilities for negotiation and resistance of policy.

11 However, how the subnational level addresses problems and carves policy responses is  
12 dependent on a number of interlinking factors, both structural and cultural, which vary over time and  
13 space. The intersection of political values with relations of power are clear indicators of opportunities and  
14 constraints for meaningful policy activity. Although the local case site in England & Wales did exhibit  
15 signals that it was subtly adapting to the realisation that ‘...the fight in respect of cannabis is lost’<sup>17</sup>  
16 through a pragmatic shifting of resources away from possession offences, it is not clear whether such  
17 patterns exist in other subnational spheres. The waters become muddied in England & Wales given the  
18 apparent lack of governance capabilities in this area, whereas in the Netherlands there can be greater  
19 certainty that political representation at the subnational level is an important mechanism. When triggered  
20 (in this case from perceived counterproductive national policy initiation), the authority and power granted

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<sup>17</sup> Neighbourhood Team Supervisor, South Wales Police.

1 to the municipal level can react and rework policy in a more meaningful way than in England & Wales,  
2 where in the latter case it was somewhat of a submissive observer.

3 In sum, this piece of work has brought empirical attention to the motivations, pressures,  
4 negotiations and power manoeuvres involved in agenda-setting, policy development and their unfolding  
5 across different geo-political spaces. As demonstrated, these facets are necessary for producing a more  
6 nuanced account of the way in which different national and subnational policy spheres react to many of  
7 the same fundamental structural shifts associated with late-modernity.

8 The development of punitive responses is not something objectively determined, but is the result  
9 of particular interests and situated decisions within broader structural constraints. However, the  
10 illumination of divergence from such responses, and the identification of conditions which support  
11 alternative modalities of control, opens up possibilities for progressive change. Set within the broader  
12 context of increased liberalisation of Western states towards the particular issue of cannabis control, the  
13 findings of this study would suggest that the political dynamics present in the Netherlands would make it  
14 more amenable to adopting a more liberal framework than in England & Wales.

15

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## 17 References

18

19 ACMD (2008) *Cannabis: Classification and Public Health*. London: Home Office.

20

21 ACPO (2009) *ACPO Guidance on Cannabis Possession for Personal Use: Revised Intervention Framework*.

22 London: ACPO.

23

- 1 Andeweg R (2008) Coalition Politics in the Netherlands: From Accommodation to Politicization. *Acta*  
2 *Politica* 43, pp. 254-277.
- 3
- 4 Bennett T and Holloway K (2010) Is UK Drug Policy Evidence-based?. *International Journal of Drug Policy*  
5 21(5), pp. 411-417.
- 6
- 7 Bieleman B and Goeree P (2001) *Coffeeshops in Nederland: Aantallen en Gemeentelijk Beleid in 2000*.  
8 Groningen: IntraVal.
- 9
- 10 Bieleman B, Nijkamp R and Bak T (2012) *Coffeeshops in Nederland 2011: Aantallen Coffeeshops en*  
11 *Gemeentelijk Beleid 1999-2011*. Groningen: IntraVal.
- 12
- 13 Boekhout van Solinge T (1999) Dutch Drug Policy in a European Context. *Journal of Drug Issues* 29(3), pp.  
14 511-528.
- 15
- 16 Brunsson N (1989) *The Organization of Hypocrisy: Talk, Decisions and Actions in Organizations*. Chichester:  
17 John Wiley & Sons.
- 18
- 19 Chandler J (2001) *Local Government Today*. 3<sup>rd</sup> Ed. Manchester: Manchester University Press.
- 20
- 21 College van B&W (2011) *Brief Wetenschappelijke Experimenten Cannabisbeleid*. Utrecht: College van  
22 Burgermeester en Wethouders.
- 23

- 1 Daalder H (1955) Parties and Politics in the Netherlands. *Political Studies* 3(1), pp. 1-16.
- 2
- 3 Daalder H (1966) The Netherlands. In: Dahl, R, Ed, *Political Oppositions in Western Democracies*, New  
4 Haven: Yale University Press, pp. 188-236.
- 5
- 6 Downes D and van Swaaningen R (2007) The Road to Dystopia? Changes in the Penal Climate of the  
7 Netherlands. In: Tonry M and Bijleveld C (eds) *Crime and Justice: A Review of Research, Vol. 35. Crime and*  
8 *Justice in the Netherlands*. Chicago: University of Chicago Press, pp.31-72.
- 9
- 10 Drakeford M and Gregory L (2011) Governance and Social Policy in a Devolved Wales. In: Williams, C, Ed,  
11 *Social Policy for Social Welfare Practice in a Devolved Wales*, 2<sup>nd</sup> Ed, Birmingham: Venture Press.
- 12
- 13 Edwards A and Hughes G (2005) Comparing the Governance of Safety in Europe: A Geo-Historical  
14 Approach. *Theoretical Criminology* 9(3), pp. 345-363.
- 15
- 16 Garland D (1996) The Limits of the Sovereign State: Strategies of Crime Control in Contemporary Society.  
17 *The British Journal of Criminology* 36(4), pp. 445-471.
- 18
- 19 Garland D (2001) *The Culture of Control*. Oxford: Oxford University Press.
- 20
- 21 Home Office (2008a) *Explanatory Memorandum to the Misuse of Drugs Act 1971 (Amendment) Order*  
22 *2008*. London: Home Office.
- 23



1 Home Office (2008b) *Government response to the recommendations made by the Advisory Council on the*  
2 *Misuse of Drugs in its report Cannabis: Classification and Public Health*. London: Home Office.  
3  
4 Home Office (2009) *Home Office Circular 001/2009 - Controlled Drugs: Reclassification of Cannabis*.  
5 London: Home Office.  
6  
7 House of Commons (2008a) *Hansard* 475(89), 7<sup>th</sup> May. London: House of Commons.  
8  
9 House of Commons (2008b) *Hansard* 482(162), 12<sup>th</sup> November. London: House of Commons.  
10  
11 House of Commons. (2009) *Communities and Local Government Select Committee – Sixth Report of*  
12 *Session 2008-09: The Balance of Power: Central and Local Government*. London: House of Commons.  
13  
14 Hughes G (2007) *The Politics of Crime and Community*. Basingstoke: Palgrave Macmillan.  
15  
16 Jones T and Newburn T (2007) *Policy Transfer and Criminal Justice: Exploring US Influence over British*  
17 *Crime Control Policy*. Maidenhead: Open University Press.  
18  
19 Kingdon J (1995) *Agendas, Alternatives and Public Policies*. 2<sup>nd</sup> Ed, New York: Harper Collins.  
20  
21 Leuw E (1994) Initial Construction and Development of the Official Dutch Drug Policy. In Leuw E and  
22 Marshall I (eds) *Between Prohibition and Legalization: The Dutch Experiment in Drug Policy*. Amsterdam:  
23 Kugler, pp. 23-40.

1

2 Loughlin J (2001) *Subnational Democracy in the European Union: Challenges and Opportunities*. Oxford:  
3 Oxford University Press.

4

5 MacCoun R and Reuter P (1997) Interpreting Dutch Cannabis Policy: Reasoning by Analogy in the  
6 Legalization Debate. *Science* 278, pp. 47-52.

7

8 Matthews R (2002) Crime and Control in Late Modernity. *Theoretical Criminology* 6(2), pp. 217-226.

9

10 Monaghan M (2011) *Evidence Versus Politics: Exploiting Research in UK Drug Policy Making?*. Bristol:  
11 Policy Press.

12

13 NRC (2014) *35 Gemeenten Tekenen 'Wietmanifest' Joint Regulation*. Available at: <http://bit.ly/1n2BmYj>.  
14 Accessed: 19/03/2015.

15

16 O'Malley P (2002) Review Symposium: The Culture of Control. *Punishment and Society* 4(2), pp. 259-261.

17

18 Pakes F (2010) *Comparative Criminal Justice*. 2<sup>nd</sup> Ed. Oxon: Willan.

19

20 Pollitt C (2001) Convergence: The Useful Myth?. *Public Administration* 79(4), pp. 933-947.

21

22 Sayer A (1992) *Method in Social Science: A Realist Approach*. 2<sup>nd</sup> Ed. London: Routledge.

23

- 1 Sentencing Council (2011) *Drugs Offences*. London: Sentencing Council.
- 2
- 3 Shiner M (2015) Drug Policy Reform and the Reclassification of Cannabis in England & Wales: A Cautionary  
4 Tale. *International Journal of Drug Policy* 26(7), pp. 696-704.
- 5
- 6 Sosa K (2012) *Proceed with Caution: Use of Out-of Court Disposals in England and Wales*. London: Policy  
7 Exchange.
- 8
- 9 Stenson K and Edwards A (2004) Policy Transfer in Local Crime Control: Beyond Naïve Emulation. In:  
10 Newburn T and Sparks R (eds) *Criminal Justice and Political Cultures: National and International  
11 Dimensions of Crime Control*. Devon: Willan, pp. 209-233.
- 12
- 13 Stevens A (2011) *Drugs, Crime and Public Health: The Political Economy of Drug Policy*. Oxon: Routledge.
- 14
- 15 Tweede Kamer (2011a) *Vergaderjaar 2010-11, 24 077 (259)*. Den Haag: Tweede Kamer der Staten-  
16 Generaal.
- 17
- 18 Tweede Kamer (2011b) *Vergaderjaar 2011-12, 24 077 (265)*. Den Haag: Tweede Kamer der Staten-  
19 Generaal.
- 20
- 21 Tweede Kamer (2011c) *Vergaderjaar 2011-12, 24 077 (267)*. Den Haag: Tweede Kamer der Staten-  
22 Generaal.
- 23

- 1 Tweede Kamer (2012) *Vergaderjaar 2012-13*, 24 077 (293). Den Haag: Tweede Kamer der Staten-  
2 Generaal.
- 3
- 4 UKDPC (2012) *How to Make Drug Policy Better: Key Findings from UKDPC Research into Drug Policy*  
5 *Governance*. London: UKDPC.
- 6
- 7 Van der Gouwe D, Ehrlich E and Van Laar M (2009) *Drug Policies in the Netherlands*. Utrecht: Trimbos-  
8 Instituut.
- 9
- 10 Van Laar M and Van Ooyen-Houben M. Eds. (2009) *Evaluatie van het Nederlandse Drugsbeleid*.  
11 Utrecht/Den Haag: Trimbos Instituut/WODC.
- 12
- 13 Van Swanningen R (2005) Public Safety and the Management of Fear. *Theoretical Criminology* 9(3), pp.  
14 289-305.
- 15
- 16 WAG (2008) *Working Together to Reduce Harm: The Substance Misuse Strategy for Wales 2008-2018*.  
17 Cardiff: Welsh Assembly Government.
- 18
- 19 WODC (2013) *Het Besloten Club en het Ingezetenen criterium voor Coffeeshops: Evaluatie van de*  
20 *Implementatie en de Uitkomsten in de Periode Mei-November 2012, Tussenrapportage*. Den Haag:  
21 Wetenschappelijk Onderzoek en Documentatiecentrum.
- 22

- 1 Wouters M, Benschop A and Korf D (2010) Local Politics and Retail Cannabis Markets: The Case of Dutch
- 2 Coffeeshops. *International Journal of Drug Policy* 21(4), pp. 315-320.
- 3
- 4 Yin R (2014) *Case Study Research: Design and Methods*. 5<sup>th</sup> Ed. Thousand Oaks: Sage.
- 5
- 6 Young J (2002) Searching for a New Criminology of Everyday Life: A Review of 'The Culture of Control'.
- 7 *British Journal of Criminology* 43(1), pp.228-243.
- 8
- 9 Zedner L (2002) Dangers of Dystopias in Penal Theory. *Oxford Journal of Legal Studies* 22(2), pp. 341-366.