

Danish cannabis policy in practice: the closing of 'Pusher Street' and the cannabis market in Copenhagen

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During the last three or four years, Danish drug policy has been reversed from liberal to more repressive, especially in 2003, when the Danish liberal-conservative government that had been in office since 2001 launched their official policy on drugs, *The Fight Against Drugs: action plan against drug misuse*.¹ This action plan emphasised a more repressive drug policy in which priority was given to law enforcement, although an expansion of treatment facilities and prevention initiatives was also planned. The overall aim was to tighten the laws on drug dealing and drug use and to increase the penalties for these offences. The plan explicitly stated that the policy was to take a zero tolerance approach towards any kind of drug dealing.

The fact that the liberal-conservative wing of the Danish parliament holds this attitude is not new. Storgaard² argues that the different drug control policies of this wing (which do not differentiate between users and dealers, or between 'hard' and 'soft' drugs) and the centre-left (which do) have been a battlefield in Danish drug policy for the past 30 years. The centre-left wing, headed by the Social Democratic Party, dominated Danish drug policy until 2001, when the present liberal-conservative government came into office. Although the Social Democratic Party did tighten some aspects of their drug policy, whether they would have continued to do so to the extent that the liberal-conservatives subsequently did is a matter for speculation.

One aspect of the present government's more repressive drug policy was to crack down on cannabis dealing as well as cannabis use. The focus of this chapter is the closing of 'Pusher Street', one of the most well-

known places for buying cannabis in Copenhagen, the capital of Denmark. Pusher Street, named by the government as Northern Europe's largest open cannabis market, has been situated in the Free City of Christiania from the mid-1970s. In 2003, it consisted of about 40 decorated stalls where different kinds of cannabis were sold. Over the years, there have been police actions, raids and arrests of dealers in Pusher Street,³⁻⁵ but there had never been a political decision or an organised operation to close it. However, in March 2004 the stalls were removed in a massive police action, and 50 cannabis dealers and 'security guards' (lookouts to warn the dealers of approaching police) were arrested.⁶

Studies of cannabis policy^{7,8} show that repressive policies do not have an effect on the consumption of cannabis or, it can be deduced from this, on its supply. When investigating the effect of police actions and raids, the question of where and how cannabis dealing emerges again is raised, although research into locations, the size of the market, personnel and turnover is hampered, as it is with any criminal activity, by the hidden nature of the activity.⁹ In Copenhagen, cannabis was sold from Pusher Street, from 'hash clubs' (which can be compared to Dutch coffee shops where cannabis is sold and consumed, but are totally illegal in Denmark¹⁰), in the street, from cars and homes, and via the telephone and the Internet.

This chapter outlines the drug-related legal changes that have recently been made in Denmark, and describes how their implementation supports the government's more repressive drug policy. Pusher Street is then contextualised and a short history of Christiania is provided, demonstrating how both have become thorns in the government's side. The chapter continues with an analysis of how Pusher Street was closed and kept closed, how cannabis dealing was then dispersed across Copenhagen, and how two methods of dealing (hash clubs and street dealing) in particular were brought to public attention by the newspapers. The chapter ends with a discussion of why some parts of the dispersed cannabis market were brought to public attention and others were not.

Newspapers and claim makers

The description and analysis of the situation is based on newspaper articles from three national Danish newspapers from March 2004 to April 2005,¹¹ the year after Pusher Street was closed. The political perspective of these newspapers can be broadly characterised as liberal-conservative (*Jyllands-Posten*), conservative (*Berlingske Tidende*) and centre-left (*Politiken*). The papers differed in the amount of coverage they gave to Pusher Street and the cannabis market in Copenhagen. *Jyllands-Posten* printed 42 articles in the period (23 articles about the

closing of Pusher Street and how it was kept closed, and 19 articles about the cannabis market in Copenhagen). *Berlingske Tidende* printed 25 articles (15 articles about the closing of Pusher Street and aftermath, eight about the cannabis market in Copenhagen, and two on other cannabis-related issues). *Politiken* printed 24 articles (seven on the closing of Pusher Street and the aftermath, and 17 articles on the cannabis market in Copenhagen). *Jyllands-Posten* in particular followed the efforts by the police to keep cannabis dealing out of Pusher Street, and *Berlingske Tidende* covered this aspect, too, but less extensively. *Politiken* covered the dispersed cannabis market in more detail than the other two papers.

The papers differed in their sources of information, and therefore differed in the groups to whom they gave a voice as a claim maker.¹² The claim makers used can be categorised as the police, politicians, cannabis users, cannabis dealers, citizens (neighbours, parents, and inhabitants of Christiania) and professionals (researchers, social workers and lawyers). Some articles used more than one category of claim maker, while others did not use any. It is clear from the articles based on quotes from claim makers (see Table 2.1) that the police were used most often by all three newspapers, and that *Politiken* used a wider variety of claim makers than the other two papers.

The individual categories of claim maker did not always speak with a common voice, apart from the police, who always presented a particular perspective in all three newspapers, namely that the police actions against cannabis dealing were necessary, that the actions on Pusher Street were a success, and that police intervention is the only way to

Table 2.1: Quotes on cannabis and the cannabis market from claim makers in the three Danish newspapers during the period March 2004 to April 2005

<i>Claim maker</i>	<i>Jyllands-Posten</i>	<i>Berlingske Tidende</i>	<i>Politiken</i>
Police	34	16	11
Politicians	1	1	2
Cannabis users	3	–	4
Cannabis dealers	–	1	4
Citizens	10	1	3
Professionals	2	1	4
Total number of articles using claim makers	39	18	17
Total numbers of articles using two or more categories of claim maker	7	2	9
Total number of published articles on the cannabis market	42	25	24

combat drug crime. All of the categories of claim makers stated that the cannabis market is difficult to remove permanently, but held different opinions as to whether a repressive drug policy is constructive or not. Professionals, cannabis dealers and citizens were often used as claim makers to represent different perceptions and experiences from those of the police. The police were used particularly often when the papers reported on the situation in Pusher Street, while other claim makers were more often used when the relocated cannabis market was discussed.

In reporting on the situation, the three newspapers presented not only the claim makers' points of view, but also their own, according to their political agenda and when pursuing a 'good story.' The newspapers' viewpoints on cannabis policy were expressed in their editorials, which during March 2004 all supported the closing of Pusher Street and the new drug policy. A year later, the editorials differed, and although they all considered that the cannabis market could not be removed completely, they argued this from different angles. *Jyllands-Posten* supported the police actions, and argued that Pusher Street should have been closed many years ago. *Berlingske Tidende* emphasised that the police should do everything they can to obstruct the cannabis market. *Politiken*, on the other hand, interpreted the police action not only against Pusher Street, but also against the cannabis market in general in Copenhagen, as a complete fiasco, since no real change in cannabis distribution in Copenhagen had occurred following the police actions. However, none of the newspapers argued for the legalisation of cannabis. The 'good story' that the newspapers pursued was, for example, exposing police failure to control the cannabis market, or basing reports on the anxiety – or panic – related to drugs that has made them society's 'Enemy Number One',¹³ especially in relation to young people and the risk of them becoming addicts. The point here is that the attention that the cannabis market in Copenhagen received in the three newspapers after the closing of Pusher Street is related to specific views and perceptions of drugs in general and drug policy in particular. The analysis of the cannabis market presented here is therefore only a partial analysis, as it focuses on the aspects that the newspapers brought to public attention.

Legal changes during the period 2001–2005

The more repressive approach in Danish drug policy has been implemented by the tightening of several legal issues over the past few years. The first of these, which came in 2001, was the Law Prohibiting Visitors to Designated Places, popularly referred to as the Hash Club Law.¹⁴ This law was initiated in response to a media debate – with a tendency towards moral panic – concerning young people and their use of hash clubs,¹⁰ and was implemented to enable the police to close them down,

which had been impossible under the previous drug laws. The law was reinterpreted by the new government in 2005 so as to make it even easier to implement. The number of offences that had to have been committed by a hash club for it to be closed down (such as the presence of cannabis, or people using it, on the premises) was reduced from 10 to 15 offences to three to five.

In 2004, two areas of the Law on Euphoria-Inducing Substances were revised.¹⁵ First, possession of cannabis for personal use is now punishable with a minimum of a fine. Before the revision, possession of up to 10 grams of cannabis for personal use would not result in prosecution. Since the revision it has been illegal to possess any amount of any illegal drug, and the former differentiation between users (who were not criminalised) and dealers (who were) has been eliminated. Secondly, the penalties for selling drugs to children and young people under the age of 18 years were increased from a fine to a prison term. Other penalties for drug-related crimes were also increased when the Prison Law was amended in 2004.¹⁶ The maximum prison sentence for drug possession offences was raised from 6 to 10 years, and for trafficking and dealing it was raised from 10 to 16 years (or up to 24 years for very large amounts).² At the same time, the opposition parties (including the Social Democratic Party) proposed the legalisation of cannabis, the provision of safe injection rooms, and trials of heroin prescribing for heroin users in treatment. All of these proposals were outvoted in parliament.¹⁷

The tightening of the drug laws means that a control policy that differs between users and dealers and between 'soft' and 'hard' drugs is no longer at the heart of Danish drug policy, and it is a radical change that the use of cannabis is now a crime. Given that cannabis is the most widely used illegal drug in Denmark (as elsewhere), a large number of people have been criminalised by these legal changes.² In *The Fight Against Drugs: action plan against drug misuse*,¹ one of the government's arguments for enhancing law enforcement and increasing penalties for drug offences is to prevent drug use among young people, and the legal changes reflect this. Young people are protected by the revision, since the penalty for dealing drugs to young people has been raised from a fine to a prison term. However, cannabis users – many of whom are young people¹⁸⁻²⁰ – are now criminalised for the possession of cannabis for personal use.

Christiania and Pusher Street

Christiania was founded in 1971, when the government closed barracks located on around 34 hectares of land, and the old military area was almost immediately occupied by young squatters. Soon more than several hundred young people had begun to establish their vision of an

‘alternative’ society based on values such as autonomy, community, freedom, love and sustainability. Many of the first squatters were hippies, and they were anti-authoritarian and anti-bourgeois. The occupation must be seen as a child of its time and in relation to the youth revolt in the 1960s, and the new movements such as the peace movement, the sexual revolution and the women’s liberation movement.⁵ The Free City of Christiania has become the second largest tourist attraction in Copenhagen after Tivoli, and today has about 600 inhabitants and contains more than 80 different kinds of businesses, art studios, restaurants, bars and cafés.^{21,22} Many cultural events are arranged in Christiania, including rock concerts, theatre performances and art exhibitions.

From the inception of Christiania, cannabis use was part of life there, as it was part of the youth revolt in general in the 1960s and 1970s. Christiania thus became synonymous with cannabis and arguments about legalising the drug. For example, from 1997 to 2001, yearly ‘Hearings about hash, hemp and culture’ were arranged in Christiania to discuss the current cannabis policy and situation in Denmark, with different experts being invited to participate. The conclusions of the debates were that legalisation of cannabis was the only constructive way to solve the dilemmas with regard to cannabis.²² The relationship between cannabis dealing and Christiania has been debated intensely in Parliament over the years, and has resulted in regular police interventions and raids in Pusher Street and the rest of Christiania.^{3–5,23}

Many Members of Parliament have strongly objected to the existence of Christiania, but it has survived through changes of government, and different plans and strategies have been put forward for its development. In 1991, an agreement was made that the government accepted Christiania but did not legalise it. This agreement was renegotiated every year, and in 1998 it was signed for a five-year period. However, in 2003 the present liberal–conservative government did not renew the agreement, and instead it initiated plans to ‘legalise’ Christiania. A parliamentary committee has been working on this issue, and reported on it in 2004.²⁴ Christiania has also produced a plan for its future,²² as has Copenhagen’s building and housing administration.²⁵ In its ‘legalisation’ plans, the present government wants to address not only the illegal activities in Christiania (the illegal use and occupation of military property, cannabis dealing and the cannabis market) but also governance, by switching Christiania’s communal management of housing to the regulations for public and private housing that govern the rest of Denmark (Christiania is well placed in the centre of Copenhagen, and in recent years the surrounding areas have developed into an attractive neighbourhood with expensive housing).

The government’s plans to legalise Christiania have significant implications for Christiania’s basis of governance, which has always been a

participatory democracy. Every inhabitant of Christiania can participate in any forum or meeting, including the Communal Meeting, which is Christiania's supreme authority, and decisions are only taken when consensus has been reached. The structure of government has developed during the past 35 years, but Christiania is now divided into 14 areas, each with 10 to 80 inhabitants and their own autonomous forum. This means that, for example, rules for the assignment of houses differ according to each area. Housing in Christiania consists of the old military buildings and newly built houses. Many of the new houses are built in alternative styles, using unconventional material, painted in bright colours, and built according to ideas of sustainable development for society. The inhabitants cannot own the house where they live, because it is on military property. If they move away, the area forum decides who will take over the house.²² This collective governing of housing will disappear with the government's plans to legalise the area. Instead, other forms of ownership or administration of ownership are planned, such as selling the area at its market price or allowing organisations based on representative democracy and elected boards to administer it. Therefore Christiania as an alternative society with an alternative form of governing will disappear.

Implementation of the zero tolerance policy

A historical date in Danish drug policy is 16 March 2004. On this date, the police action to close down Pusher Street began at 5 a.m. Bulldozers and several hundred armed police officers entered Christiania and removed all the stalls from which cannabis was sold. Simultaneously, over 50 cannabis dealers and security guards were arrested in Christiania and elsewhere in Copenhagen and remanded in custody.⁶ Within a few hours, a cannabis market that had existed for over 30 years was closed. The police action was peaceful in the sense that neither the cannabis dealers nor the inhabitants of Christiania made any attempts to resist the action.

The police action was thoroughly planned. A press release was used by the three newspapers that were analysed for this study, and this made it clear that Pusher Street had been under police surveillance for the previous six months, that radio communication and telephone calls had been tapped, that undercover police officers had bought cannabis there (the use of undercover police officers in Denmark is exceptional and requires a court's permission), and that Swedish and Norwegian police officers had joined the Danish police for the operation. The press release gave these detailed accounts of the police work in order to expose the fact that the cannabis market in Pusher Street was well organised.

All three newspapers supported the closure of Pusher Street. They all covered the closure and the immediate aftermath in detail for up to two

weeks, and used the police as the major claim makers. During this period, only one article in each newspaper used other claim makers. *Jyllands-Posten* interviewed a cannabis user and regular customer in Pusher Street on where to buy cannabis now that Pusher Street was closed, *Berlingske Tidende* quoted a representative from Christiania about his view of the police action, and *Politiken* reported on the distribution of cannabis in Christiania immediately after the police action, using investigative reporting. The newspapers all reported the police action as a success and a necessary step, but also began to speculate about where the cannabis market would resurface, suggesting that it would be in hash clubs and via telephone-based delivery services.

During the following year, the level of police presence in Christiania varied from armed police constantly patrolling Christiania and Pusher Street, to patrols a few times a day, to random patrols. Constant patrolling was reinstated for a period if there had been clashes between the police and cannabis dealers, cannabis users and/or inhabitants of Christiania. For example, between December 2004 and June 2005, several of those arrested in the police raids on Pusher Street in March 2004 were released,⁶ and the papers described clashes between them and the dealers who had taken over the cannabis market. In April 2005, it was reported that a young man was shot in Christiania and several others were wounded in a fight between these groups of dealers.

The inhabitants of Christiania felt that the constant presence of armed police disrupted their lives, and cannabis smokers in Christiania felt that they were being monitored by the police.²⁶ The relationship between the police and cannabis smokers and inhabitants of Christiania was therefore often tense, particularly when the revision of the Law on Euphoria-Inducing Substances came into force in June 2004, and possession of cannabis for personal use became a crime. *Jyllands-Posten* in particular reported on how, in June and July 2004, the police implemented a policy of zero tolerance towards cannabis smokers in Christiania, by searching them and imposing fines for smoking cannabis as well as for possession of small amounts of the drug (several offences have to be recorded before an individual is taken to court for possession of cannabis). As discussed earlier, there is a historical connection between cannabis smoking and life in Christiania, and Pusher Street and cannabis dealing were often discussed there in the context of government plans to close down the Free City. Many of the inhabitants did not therefore publicly oppose the closure of Pusher Street or the zero tolerance policy towards cannabis smokers, not only because they did not support the existence of Pusher Street, but also in an attempt to save Christiania as an alternative society.²⁷

One year later: the cannabis market in Copenhagen

In Christiania, one year after the closing down of Pusher Street and despite the subsequent police activity, cannabis dealing and use – according to all three newspapers, press releases from the police and the author’s observations – continue. However, dealing does not take place in public, and those who smoke cannabis hide it when the police are in the neighbourhood. Yet Pusher Street was only one of a number of places where cannabis could be bought in Copenhagen, and after it was closed, the cannabis market dispersed to other parts of the city, and some new sales methods were reported, such as dealing from cars or via the Internet. Previous dealing methods, especially hash clubs and street-level dealing, were given renewed attention by the three newspapers.

In September 2004, the head of the drug squad in Copenhagen reported that, of an estimated 30 hash clubs in the city, about 17 clubs had opened since the closing down of Pusher Street.²⁸ He added that the zero tolerance policy not only applied to Pusher Street, but would also be implemented for hash clubs.^{29–30} In February 2005, the newspapers reported that the police had begun organised actions against hash clubs, and in early March the head of the drug squad stated that there were less than ten such clubs left in Copenhagen.³¹ Less than two weeks later, on the first anniversary of the closing down of Pusher Street, *Politiken* demolished the police perception of the hash club situation. On the front page of the paper there was a map of Copenhagen, with the addresses of more than 30 hash clubs, and two full pages were used to describe the situation, including the fact that over 20 of these clubs were unknown to the police.³² *Politiken*’s aim was to show that the cannabis market remains well established, even though Pusher Street had been closed. Its editorial published on the same day described Denmark’s drug policy as a ‘fiasco’, and maintained that cannabis dealing was now dispersed all over Copenhagen, rather than being concentrated on Pusher Street.

Politiken became a player in the drug policy debate by running an article that overtly criticised the work of the police and the basis for the present government’s drug policy for tackling the cannabis market in Copenhagen. The article attracted so much attention that politicians from different parties asked the Minister of Justice for a review of the situation. The other two newspapers considered in this chapter found it necessary to state their opinion on the situation in their editorials. *Jyllands-Posten* emphasised that the present drug policy was necessary and must be continued, that the development of hash clubs after the closing down of Pusher Street was predictable, and that the police must now take actions against these clubs.^{33,34} *Berlingske Tidende* also supported the drug policy and asked the police to destroy any cannabis

market with all the means they had at their disposal.³⁵ In the aftermath of *Politiken's* article, in an interview with the paper, the head of the drug squad in Copenhagen explained that raids and other actions had been made regularly by the police since the implementation of the Hash Club Law in 2001, and over 100 clubs had been closed.³⁶

New and dispersed street-level cannabis dealing in Copenhagen first received newspaper attention in *Jyllands-Posten* in February 2005,^{31,37} followed by *Politiken* in March of that year.^{38,39} Street-level dealing was reported as a new phenomenon in areas across the city, although the papers' attention was focused on Enghave Plads, because in February 2005 a group of 150 citizens established the 'Night Owls', who organised patrols around their neighbourhood in areas where cannabis dealing had emerged since the closure of Pusher Street. The Night Owls' aim was to protect their teenage children from contact with cannabis dealers, whose dealing methods were described as pushy and aggressive. The group was especially worried about their children getting into debt with the dealers and therefore becoming dependent upon them. One of the founders of the Night Owls was interviewed in *Jyllands-Posten*³⁷ and said that he had lived in the area for 30 years, but had never before experienced such open cannabis dealing. He directly related this development to the closure of Pusher Street.

One of the themes relating to street-level cannabis dealing that was most often raised by all three newspapers was that it was conducted close to schools and youth clubs, so that schoolchildren and young teenagers were exposed to the drug and could easily obtain it. *Politiken* emphasised that the increased availability of cannabis to young teenagers was one of the harmful consequences that the new drug policy and the closure of Pusher Street had for ordinary citizens.³¹ *Jyllands-Posten*, on the other hand, used the situation to call for more community policing.⁴⁰

There are two main reasons why two forms of cannabis dealing – hash clubs and street-level dealing – were given special attention in the newspapers. First, hash clubs were portrayed by all three newspapers as the means by which a large proportion of cannabis is sold in Copenhagen. Thus when *Politiken* wanted to criticise Danish drug policy, it published a map of the locations of these hash clubs in the city, thereby drawing further attention to what was already perceived to be important. Secondly, street-level dealing and hash clubs are overt and visible, and therefore young children and teenagers are exposed to them and their parents cannot control this exposure. Concern about the possibility of children and young people becoming addicts is frequently used to argue for more repressive drug policies,⁴ and it was shown earlier that the government's action plan on drug use¹ and the tightening and revision of relevant laws were based on this concern.

Conclusion

Drug policies, whether they are liberal or repressive, are interpretations of how drugs in general and drug problems in particular are understood. They are political declarations of intent and how this should be put into practice in law, as well as in more specific initiatives related to drug problems, such as treatment facilities and prevention strategies. Drug policies are also expressions of morality – what we will tolerate as a society, what we can accept, and what we will offer drug users, such as punishment or treatment. One of the primary intentions of the recent changes in Danish drug policy was to remove the distinction between ‘soft’ and ‘hard’ drugs, in order to ‘tidy up’ the cannabis market and thereby decrease the accessibility of cannabis. This aim was put into practice by closing Pusher Street in Christiania. The cannabis dealing that had been tolerated there for more than 30 years is now deemed intolerable. The Free City of Christiania is also no longer tolerated, and negotiations between Christiania and the government on ‘legalisation’ of the area are currently taking place.

One year after the closure of Pusher Street, there are disagreements about the cannabis market in Copenhagen. Community police, social workers and outreach workers claim that there is just as much cannabis circulating in Copenhagen as there was before the closure of Pusher Street, but that it has now dispersed to other and new locations.^{41–43} They are the ‘street-level bureaucrats’²⁶ whose job includes, among other things, remaining in contact with young people and keeping an eye on new trends in the drug market. Statistics from the Danish Board of Health also show that cannabis use did not decrease between 2004 and 2005^{19,20} and, in an internal memo, Copenhagen Municipality concluded that up to 60% of the 16- to 19-year-olds in the city have tried the drug.⁴³ When interviewed in the three newspapers reviewed here, both cannabis users and dealers also claimed that cannabis remained easily accessible.^{27,44} On the other hand, representatives of the Copenhagen drug squad – the police department that planned and implemented the closure of Pusher Street – have continued to claim that there is less distribution of cannabis in Copenhagen now than previously, although their main evidence for this is a decrease in the sale of cannabis to tourists.⁴²

Of the different kinds of claim makers represented in the three newspapers, the police were most often used. Other claim makers (e.g. professionals, cannabis users and cannabis dealers) have experience and knowledge of the cannabis market in Copenhagen, but their voices were used relatively less often. With their choice of claim makers, the three newspapers also provide a particular view of the cannabis situation in Copenhagen. Although *Politiken* used the widest variety of claim

makers and took an active political stand by criticising the work of the police one year after the closure of Pusher Street, it – like *Jyllands-Posten* and *Berlingske Tidende* – both initially supported the closure of Pusher Street and brought hash clubs and street-level dealing to public attention using the same issue as the other two newspapers, namely concern about the possibility of young people being exposed to drugs. In that sense, the three newspapers report on the case from the same standpoint – that drugs, including cannabis, are society’s ‘enemy’,¹³ and that young people in particular can become victims of them. They also put forward the same perception of drug policy, in particular that there is no difference between ‘hard’ and ‘soft’ drugs, or between users and dealers. Since the three newspapers represent different political perspectives, one could conclude that the dominant discourse on drugs in Denmark in general has moved towards a less liberal understanding of drug problems. The morality that forms the basis of repressive drug policies therefore seems to be more generally accepted in Danish society at large, and is not just the perspective of the present government.

Other studies have shown that repressive drug policies have little effect on drug markets, despite increased police efforts to eliminate those markets.^{7,8} In relation to the cannabis market in Copenhagen, the conclusion must be that the intended aim of the changes to a more repressive drug policy has failed. The police actions have had little effect on the size of the cannabis market, and have only dispersed it to new locations in the city.

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