

From Punishment to Markets: Social Movements, the State, and Legal Marijuana in Uruguay*

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Abstract

On December 2013, Uruguay became the first country in the world with a legal, state-controlled cannabis market. Beyond allowing the growth of up to six plants for personal consumption and creating the figure of “cannabis clubs,” the law conceives an unprecedented governmental activity: it places the power to regulate the entire chain of import-export, production, distribution, and commercialization of cannabis in the hands of the state. After decades of “drug wars,” Uruguay took a step towards a radically new way of regulating drugs: one in which citizen's behavior is regulated not through punitive criminality but by using legalized market techniques.

Why did marijuana regulation move from “war” to market? Drawing on interviews, textual analysis, and ethnographic work, this paper argues that drug regulation was transformed because marijuana lost relevance as a “social problem,” while becoming part of the solution for more pressing dilemmas. This development was not natural or expected in any way, but the result of a complex set of processes that re-articulated the relational properties that drugs hold as material and symbolic commodities. Marginal actors embodied in a movement for the legalization of cannabis ignited an “episode of contention” that delegitimized the established order while widening the space of possible alternatives to a “war on marijuana.” Puzzlingly, the most radical challenge to punitive-prohibitionism came from the state -the same institution that four decades ago installed a war on drugs. I argue that the convergence between the process initiated by cannabis movements and a crisis of crime and violence explains why the state decided to replace dealers with its own bureaucrats

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That Saturday afternoon the air felt different at the *Canteras del Parque Rodó* -a park in downtown Montevideo. It was May 2005 and around three hundred people had gathered to smoke pot. The event, neither random nor just about enjoying the psychoactive effects of cannabis, was organized under a call “to walk down the path of marijuana liberalization.”¹ The intense aroma of hundreds of marijuana cigarettes was signaling the beginning of a new chapter in the history of drug regulation in Uruguay. Smoking as a form of contentious politics, an innovative performance at the time, would soon become part of a larger repertoire for the fledgling cannabic movement.

As a challenge to the established order in drug regulation, smoking pot was an intervention in an uncertain and risky space. Marijuana was still central to Uruguay's own “war on drugs.” Its consumers -“junkies” and anti-social elements to the public eye- were marginalized and recurrently targeted by the Police. Repression and social stigmatization weighted heavily on those present at the first *fumata* -activists' own word to refer to smoking as contentious politics. Not surprisingly, the event was characterized by anonymity, pseudonyms, covered faces, and timid participation from a safe distance.

Fast-forward to December 10th 2013. In the Senate tribunes, National Drug Board (NDB)² Secretary-General, Julio Calzada, awaits the final vote on a law that would radically transform drug regulation. Law 19.172 would allow the growth of up to six plants for personal consumption, legalize “cannabis clubs” as a cooperative form of cultivation, and conceive an unprecedented governmental activity: the state will provide recreational marijuana to its own citizens. The organization Calzada commands has been pivotal in designing the blueprint for this unique policy experiment.

Meters away from Calzada, a group of cannabic activists -many of whom participated in the 2005 event- are also ready to celebrate the approval of law 19.172. Thousands await outside the Parliament. Cannabic activists have been mobilizing to reform marijuana legislation for eight years. Moreover, in a surprising turn of events, they have been key in crafting the law and promoting the government's project across a skeptical society.³ Cannabic movements, in other words, colluded with

1 “En el Parque Rodó, con tamboriles y payasos, se reclamó legalizar consumo de marihuana,” *La República*, May 08, 2005.

2 The NDB, presided by the Prosecretary of the Presidency, was created with the “objective of effectively fighting drug trafficking and the abusive use of drugs” (Executive decree No. 463/988, July 1988).

3 As of December 2013, more than 65% percent of Uruguayans were estimated to be against the law; see: http://www.equipos.com.uy/noticias_despliegue.php?i=135

the same institutions that, during decades of drug wars, demonized, stigmatized, and brutally punished them. State-officials, on the other hand, allied with citizens that the state itself had marginalized through repression, medical internment, and stigmatization. After more than ten hours of Parliamentary debate the Senate approves the law. Uruguay is now the first country in the world with a legal, state-controlled cannabis market.

How did marijuana regulation move from “war” to market? I argue that cannabic movements installed conflict and uncertainty in a previously stable field. They delegitimized the foundations at the genesis of marijuana prohibitionism and offered a blueprint for an alternative order. However, the state -the prohibitionist institution *per excellence*- was the one who made possible a project as radical as Uruguay's. I argue that the unexpected convergence between the process initiated by cannabic movements and a crisis of crime and violence explains why the Uruguayan government became a lethal challenger to the established order.

This paper is divided in four sections. First, I locate the argument in two bodies of literature and develop a theoretical framework to understand change in drug regulation. Secondly, I trace the rise of cannabic movements and locate the processes of transformation they ignited. Next, I re-construct the emergence of a crime and violence crisis and its convergence with relatively autonomous processes occurring in marijuana regulation. Finally, I explain the puzzling formation of a legalizing coalition between the state and cannabic activists. I conclude by reiterating the general argument and offering some thoughts on the importance of Uruguay to think about the broader evolution of drug regulation.

Empirical and Theoretical Significance

The “war on drugs” has been a central element in the global topography of social control for several decades. Its salience in constituting a “punitive state,” whose mass incarceration techniques are disproportionately connected to drug offenses, is undeniable (Wacquant 2009, Harcourt 2011). In Latin America, where it has served as an engine for the scourge of organized crime, its costs are incalculable (Gootenberg, 2012). The story of how a war on drugs became a “normal” condition has been the focus of increasingly sophisticated work being done in the field of “drug studies” (Gootenberg, 2005). More recent, and still under-explored and under-theorized, are the impending

cracks in punitive-prohibitionism -with proposals to legalize cannabis and an expanding discourse on the failure of the war on drugs being the most salient examples (Sanchez et al. 2013, LACDD 2009).

Uruguay's case is, up to date, the most radical attempt to reconstruct the mechanisms, techniques, and social arrangements through which the state regulates drugs. It is also a “model case,” avidly explored and commented upon by journalists, policy-makers, politicians, and drug scholars around the world.⁴ The potential for emulation being significant, its study presents a unique opportunity to develop the analytical tools that will allow us to better understand the prospects for drug reform (or lack thereof) in Latin America.

This article intervenes in two scholarly literatures and argues for the potential of cross-fertilization among them. The first one is the blossoming field of “drug studies.” Drug scholars have been increasingly interested in the institutional and cultural practices constructed around drugs. A common theme in the literature has been the relational nature of drug regulation. More specifically, how the emergence and institutionalization of social arrangements to regulate drugs hinge on their relation to something other than drugs: international politics (Nadelmann, 1993, Frydl 2013, Keefer & Loayza, 2010, Reasons, 1974) the disciplining and control of marginalized groups (Wacquant 2009), neoliberal economic thought (Harcourt 2011), changes in criminal justice and socio-cultural perceptions on crime and violence (Garland, 2002), or everyday bureaucratic problem-solving (Kim, 2013).

The second body of literature lies at the intersection of institutional, organizational, and field theory. This paper argues that drug regulation can be usefully seen through the lenses of field theory. That is, as a mesolevel order, in which “actors [individual or collective] are attuned to and interact with one another on the basis of shared (which is not to say consensual) understandings about the purposes of the field, relationships to others in the field (including who has power and why), and the rules governing legitimate action in the field” (Fligstein, 2012:8-9). In these socially constructed spaces, actors compete for advantages wielding varying endowments of resources or capitals that give

4 For examples see: <http://www.bbc.com/news/magazine-26436094> ; <http://www.theguardian.com/world/2013/nov/18/uruguay-cannabis-law-war-on-drugs-marijuana> ; <https://www.youtube.com/watch?v=UMpc0BVuBeg> ; <http://www.infobae.com/2014/03/23/1551675-chile-vuelve-encender-el-debate-la-marihuana-america-latina>. For an academic/policy example see: (e.g. Bewley-Taylor, Blickman and Jelsma 2013).

them a certain position in the field -i.e. dominant and dominated or incumbents and challengers (ibid., Bourdieu, 1992, Emirbayer & Johnson, 2008). Social scientists close to this line of thought have been paying close attention to the interaction among different “domains of activities” (Padgett and Powell 2013), institutions (Mahoney & Thelen, 2009), or fields (Fligstein and MacAdam 2012, Bourdieu, 1996, Wacquant 1998) as a source of stability and change. Their wager -one I share- is that social phenomena cannot be explained “by analyzing only one domain at a time, as if the other domains...did not exist” (Padgett, 2012:5). I argue that the relational nature of drugs makes the study of drug regulation as a field with deep connections to other social spaces (political, cultural, economic, and social) a promising research avenue. This paper takes a first step in that direction by specifying the processes and mechanisms that explain change in the socio-political arrangements through which drugs are regulated.

Theorizing The Ebbs and Flows of Drug Regulation

In order to explain Uruguay's transformation I explore the role of dominated actors in subverting the established order and widening the set of possible alternatives to arrange a given social field. Drug prohibitionism hinges on the relational properties that drugs hold as material and symbolic commodities. These properties constitute the connecting tissue that ties drug regulation to other social spaces (economic, social, political, and cultural). For example, marijuana prohibitionism in Uruguay (and the rest of Latin America for that matter) was built on medicalized interpretations of the substance as a cause of schizophrenia, depression, “anti-social” behavior, and the well-known stories of “reefer-madness.” Moreover, during a hot period of Latin America's Cold War, at the beginning of the 1970s, the “problem of marijuana” became one of “communist students,” and therefore a threat for “national security” (Garat, 2012, Manzano forthcoming). This is why doctors, the Police, and conservative politicians gained a “policy-monopoly” that privileged prohibition and punishment (Meyer, Jenness, & Ingram, 2005). I argue that under certain conditions, the possibilities for dominated actors to break down these relational properties expand, allowing for the emergence of blueprints for an alternative order.

In Uruguay's case, Law 19.172 would not have been possible without the labor of marginalized

actors embodied in cannabic social movements. Cannabic activism's importance rested in the institutionalization of conflict in a previously stable field.⁵ Their contention challenged a “common-sense” on marijuana and its social and health effects; defied the accepted positions and dispositions of consumers in the field; disputed marijuana's place in the world of psychoactive substances; questioned its relation to the always complicated cause-effect arguments between drugs and violence; and established new networks to the political field. By 2012, after seven years of activism, not only had the discourse around marijuana shifted dramatically, but a law that legalized the cultivation of up to eight plants for personal consumption was about to be passed through Parliament.

But Law 19.172, approved in December 2013, was significantly more complex. Cannabic movements and Parliamentarians close to their struggle had never thought of going as far as building a state-controlled market of marijuana where dealers would be replaced by state bureaucrats. This radical project was -and probably could only be- the initiative of the Executive Power -which, up to June 2012, had stayed on the margins of the marijuana debate. This is not theoretically surprising. In the case of fields such as drug regulation -highly dependent on the state for their genesis and reproduction- radical change is difficult without a crisis or shock that transforms the “institutional logics” under which the state operates (MacAdam and Fligstein 2012, Thornton, 2012). How, then, did the state, the prohibitionist actor *per excellence*, become the most radical challenger to the established order? I argue that state did not act out of a concern with the “right to smoke.” Its behavior was the result of a contingent collision between two relatively autonomous processes. On the one hand, the process ignited by social movements in 2005. On the other, the emergence and institutionalization of a crime and violence crisis.

Since mid-2000s crime has been a central (if not *the* central) “social problem” in Uruguay (Spector, 1987). A “crisis” of crime, however, is constituted by much more than objective conditions. The “diagnosis as to what a crisis actually is and when a given situation constitutes a crisis...[or] 'what has gone wrong' and 'what is to be done'” is a political process that needs to be explained, not assumed (Blyth, 2002:10). In Uruguay, crime and violence were framed as inextricably related to the

⁵ As David Laitin argues, cultural change should not be seen as new “values to be upheld but rather [as new] points of concern to be debated” (Laitin, 1988:589).

emergence of new drugs and the rise of drug cartels. Once this frame was institutionalized, addressing a crime crisis became unthinkable without intervening in the field of drug regulation. In June 2012, after a paradigmatic case of violence that took the “discourse of panic” to a peak -and with it, the pressure on the government to “do something about crime”- the Executive decided to implement a comprehensive response to the problem of violence -and consequently, to the problem of drugs and *narcos*. However, the field of drug regulation in which the state would intervene had been drastically transformed by the “episode of contention” (Tilly, 2008) ignited in 2005 by cannabic movements. This unexpected collision between the politics of marijuana and a crime crisis explains why the state went from “war” to market in drug regulation.

In order to develop these arguments I follow an approach that privileges an understanding of causality as the identification of socially contingent causal mechanisms and processes (Tilly, 2007, Falletti & Lynch, 2009). I am not interested in testing hypotheses cross-nationally, but in finding robust mechanisms that can inform future work (George & Bennett, 2005). I conducted research in Uruguay for five months during 2013-2014, where I interview politicians; bureaucrats; NDB *técnicos*; Senators and Deputies; cannabic activists, growers, and consumers; pasta base consumers; journalists; academics; lawyers; and doctors. I also analyzed Parliamentary debates, Presidential documents, cannabic movements archives, and conducted an extensive media analysis for the years 2002 to 2014.

The Rise of Cannabic Movements: Contending Drug Regulation From the Margins

The 2005 *fumata* was critical for the genesis of a cannabic movement. It was also an unexpected occurrence. Punitive-prohibitionism, as a framework to control drugs, has been constructed on fear -fear of repression, imprisonment, stigmatization, and marginalization. Smoking in public as a political performance, therefore, was an intrinsically risky affair. The dominant aesthetic of covered faces and the unanimous use of pseudonyms during the event point to the perceived potential high costs of collective action within punitive-prohibitionism. Juan, who had his face covered and little girl in shoulders, told me: “I took my little girl to avoid going to jail. We were afraid. And I had many things to lose. If they searched my house they would have found marijuana plants!” (Juan 2014).⁶ Why, then,

⁶ According to Leticia: “We were so stigmatized that we went with our faces covered...we could not go to the press and openly tell them ‘I grow cannabis’” (Leticia, 2013). **With the exception of those that became very public, all**

did these people gather on that Saturday afternoon?

The event was spontaneous and decentralized in character. It arose from exchanged and forwarded e-mails of unclear origin among growers and consumers. Its more immediate trigger is therefore a somewhat un-theorizable *occurrence* (Falleti and Mahoney forthcoming). We can, however, locate theoretically significant social and political conditions that made it possible and even probable.

State violence, as a shared grievance, operated as a structural motivation to mobilize (Han 2009). Activists saw the state -particularly when embodied in the Police- as a most feared enemy.⁷ As one participant commented at the time: “I’ve been smoking marijuana for 30 years and have suffered the unimaginable at the hands of an uninformed and inconsiderate Police: squatting, being hooded, everything...for years. My husband went to prison for cannabis possession while there is no law that allows his imprisonment. I spent a lot of money to save him and that was not fair” (La República 2005). But while state violence will be the glue for cannabis activists through the whole “episode of contention,” until December 2013, repression alone cannot account for the timing of the event. Identifying other *permissive* and *productive* conditions will give us a better understanding of the event and its aftermath (Soifer, 2012).⁸

In November 2004 the *Frente Amplio* (or “Broad Front;” FA from now on), a coalition of leftist parties, won the national elections for the first time. Tabaré Vázquez, candidate for the FA and long-time leader of the socialist party, was sworn in as President in March 2005 -two months before the first fumata. Though nothing in the FA top echelons signaled a pro-legalization approach to marijuana, since the end of the 1990s a handful of youth groups within the party had been demanding a debate on

other activists were given pseudonyms.

⁷ This was particularly true for those old enough to remember the brutally repressive police “razzias” (or raids) of the 1980s and 1990s, when Narcotics Brigade officers arrested, beat, and terrorized youth for the most diverse and arbitrary reasons on a daily basis. Marijuana, of course, was a police favorite (Bayce 1988).

⁸ It is important to mention that Uruguay was already an exceptional case in drug regulation. Possession for personal consumption had been decriminalized in 1974, at the same time that a war on drugs approach was being institutionalized. This apparent paradox can be explained by the gap between the law and the actual practices of the state. Though consumption was not legally penalized, commercialization and cultivation -and therefore *any* form of acquisition, obviously a precondition to consume- were prohibited and punished. Moreover, Judges had the power to draw the line between possession for personal use and for commercial purposes -a norm that was used, too often, in an arbitrary and repressive way. Law 14.294, Article 31 states: “There will be no punishment for those who possess a reasonable quantity destined exclusively for their personal consumption, in *accordance with the Judge’s moral conviction*” (my translation and italics). Therefore, while Uruguay was formally an exception, in practice drug regulation still fell on the category of punitive-prohibitionism.

cannabis regulation -a demand that was tolerated, but invariably dismissed.⁹ Many of those among the first fumata participants were part of these FA groups. The rest of them were overwhelmingly to the left of the political spectrum -which in Uruguay means, almost inevitably, FA voters. Therefore, FA's electoral victory shifted activists' perception of the “opportunity structure:” their expectations on the openness of the state to new types of claims and collective actors, of its willingness to repress, and of the availability of governmental allies and supporters (McAdam et al. 2001).¹⁰ The FA in power, in other words, was a permissive condition for the event.

But a loosening of structural constraints cannot fully explain politically meaningful agency. Two other elements operated as productive conditions. The first one is related to the expansion of the Global Marijuana March (GMM) -a mobilization for marijuana legalization organized around the world every May since 1999.¹¹ Uruguay's first GMM -the *Canteras* fumata- happened only two years after Buenos Aires' first one. While we cannot speak of a cannabic movement before 2005, a small group of growers and consumers did interact through Internet forums -almost exclusively to discuss technical aspects of growing and the flower, not unlike wine sommeliers would do. These forums, not exclusively Uruguayan, connected them to more experienced cannabic communities: Spanish, Chilean, and Argentinian. The closeness of GMM examples, their demonstration effects, offered an easily available model to emulate.

The second productive condition was the emergence of a crisis of “pasta base” (or basic paste of cocaine) around 2001-2002.¹² Within two or three years of its appearance *pasta base consumption* had

9 From 2004 to 2009 party leadership denied, once and again, these demands to incorporate a marijuana debate into its program (Garat 2013: 167-171). It is important to notice that the “traditional left” can be as anti-drugs as the most conservative right. For many of those raised politically in the 1960s and 1970s, as most of the FA's leaders, drugs interfere with political activism by diminishing citizens capacity to think clearly about their social condition. In other words, drugs, reactionary and bourgeois, hamper class consciousness. (ibid: 74-82).

10 As a participant commented during the event: “[Marijuana] would be a good topic for a progressive government to show if they are really progressive.” According to another one: “It is time for us to create a movement, particularly now with the new government, to check if they will be more flexible and receptive to a rationalization of drug consumption.” La República, op cit.

11 See: www.globalmarijuanamarch.org

12 Pasta base results from an incomplete process of cocaine elaboration. Coca leaves are macerated and mixed with solvents such as kerosene, sulfuric acid, and ammoniac. The final product, in the form of white powder, has intense and rapidly felt effects that decline in potency in a couple of minutes, making the substance highly addictive and harmful (Junta Nacional de Drogas, 2011). Argentina, Brazil, and Chile have had their own pasta base crises -though the name and components of the drug might differ from country to country.

become an “epidemic,” a “social alarm.” Its impact was not necessarily based on how widespread consumption was, but on the particular structural conditions on which pasta base landed and the semiotic construction of the substance. Not coincidentally, pasta base emerged during the worst economic crisis in Uruguay's history. A cheap, tough drug spread like a wildfire among society's most disadvantaged, those that received the hardest blow from the crisis. In this context, pasta base became the epicenter of a bigger social crisis, constituted by the formula “drugs, youth, poverty, crime and violence,” and *pastabaseros*, or pasta base “addicts,” were consecrated as the most feared, marginalized, and stigmatized elements in society (Suarez et al., 2014).

Many of the participants in the first fumata lived in peripheral *barrios* (neighborhoods) where pasta base had taken hold. “I had small children” Juan tells me; “when I woke up to take them to school, before going to work, it was a *pastabaseros* parade. Kids whose brothers or parents I was friends with. Eight in the morning, like insects...pasta base was killing them” (Juan 2014).¹³ Pasta base gave them a personal motivation, the opportunity to be part of the solution to an impending social crisis that was also affecting them.¹⁴ On the other hand, it was a strategic opportunity for them to initiate the difficult labor of re-drawing the social classifications around drug consumption, a unique opportunity to show that marijuana consumers were not society's “sick element.”

The 2005 Fumata as a Transformative Event

As an *event* -that is, as “a relatively rare subclass of happenings that significantly transforms structures” (Sewell, 2005:100)– the first fumata was critical for two reasons. First, because it offered a glimpse into what a collective, organized around a common grievance, could look like. The event became a site of organizational innovation (Padgett and Powell 2012). Second, because of the Police's reaction -or better, the absence of a reaction.¹⁵ Police tolerance did more than just protect participants'

¹³ According to Fede: “Pasta base entered the country in 2002-2003, so in 2006 people were overwhelmed, no one knew what pasta was really about, and things were getting violent... crime was rising, people were stealing to buy drugs. To stop having these problems we decided to do a fumata.”

¹⁴ Many of the participants were close to the militant left and therefore close to social work. “My participation was visceral,” Juan tells me while revisiting his memories of the event; “Shit, if *pastabaseros* could each have a marijuana plant in their houses they would not be smoking pasta base, destroying themselves...the brothers of my friends, man.”

¹⁵ This does not refute the argument that activists did perceive a fumata as a dangerous affair. The counterfactual of some kind of police repression was not a far-fetched scenario. Milton Romani, Director of National Drug Board at that time, told me: “In that first gathering the Police was very nervous (*se puso muy nerviosa*) and they asked for

physical integrity and freedom. It operated as a highly symbolic moment that changed (or updated) activists' expectations about the “rules of the game.” It generated uncertainty as to *what was possible* and *what existed* in the field of drug regulation (Sewell 2005). After May 2005, publicly contending cannabis legislation through performances on the verge of illegality seemed to be less risky than previously thought.

There was no uruguayan GMM in May 2006. There was, however, a *fumata* in November 2006 at the *Plaza Independencia* -one of Montevideo's most centric square. Fede and his group of friends, emulating the 2005 event, organized the November one. “I heard about the 2005 event two weeks after it happened,” Fede told me. “I really wanted to go to a *fumata*. Next year they did not organized it in May. So in 2006 I told my friends I wanted to legalize marijuana...and we organized a *fumata*” (Fede 2014). Between six and seven hundred people assisted. Covered faces, disorganization, and participation from a cautious distance characterized this event too. The Police stopped people outside the *Plaza* to make sure they carried amounts appropriate for personal consumption, not commercialization (see fn. 8). But once again, Police repression was noteworthy for its absence. This was enough to motivate activists to aim for something bigger.

Three organizations emerged: *Plantatuplanta* (or Plant-your-own-plant), *La Placita* (or Small Plaza), and *Pro-legal*. *Plantatuplanta* was created as a collective of middle-aged growers with technical experience on cannabis cultivation who knew each other through online cannabic forums since 2003-4. However, it was only after May 2005 that the group developed a political side. Juan Vaz, the founder of *Plantatutplanta*, was the one carrying his young daughter on shoulders. He was among the many protestors with covered faces and pseudonyms (his was “*el Jardinero*” or “the Gardener”), but was the only one carrying a sign: “*Plantatuplanta, Bastalapasta*” (“Grow-your-own-plant, stop-pasta base”); and one of the most eager to talk to the press. In 2005 he became a public figure for the fledgling cannabic movement.

La Placita emerged from the group of friends that organized the November 2006 *fumata*. Though

instructions. But Juan Faropa [Subsecretary of Interior] and myself called them; we were blunt: 'the law does not prohibit personal consumption, so keep your distance. Moreover, the law protects freedom of expression. Do-not-intervene!'...The police had to be far away. If they were close things could have gotten nasty” (Romani 2014).

important during the first stages of activating a public debate on marijuana, La Placita would lose leverage and visibility with time. Part of the explanation lies in their politico-ideological dispositions: their distrust of politics, politicians, and party militants. Their unwillingness to funnel their demands through traditional political channels (e.g. lobbying) would eventually push them to the sidelines of cannabis activism (Aguiar and Muñoz 2007:7-8).¹⁶

Prolegal was composed of activists in their 20s with a traditional political background. Exclusively on the left -and mainly an intellectual left- they all have a history of either militancy in FA youth groups or student unions at the public university. Their political and cultural capital and their organizational capacity will put them at the center of cannabis activism further down the road.

Meeting somewhat regularly after November 2006, these three groups created the *Coordinadora por la Legalización del Cannabis* (“Coordinator for Cannabis Legalization”). The Coordinadora's exclusive focus was the organization of a rupturist event, a foundational moment for the cannabis movement. That moment came on May 5th 2007. Their call to march at the *Molino de Pérez* -a park in Montevideo's seaside- for Uruguay's second GMM, rallied between seven and ten thousand people -more than forty times the number of the first fumata.¹⁷ No political mobilization since the return of democracy in 1984 had gathered as many people.¹⁸ As of May 2007 the cannabis movement had visible and organized representatives and an extraordinary capacity to mobilize people -at least once a year.¹⁹ Their successes notwithstanding, cannabis activists were confronting a prohibitionist field that, though weakened, was far from dead.

Anemic But Resistant: Institutional Reproduction and the Limits of Activism

Established social fields tend to reproduce themselves: dominant groups intervene for the status quo to

16 Commenting on Deputies that eventually became interested in participating in the marijuana debate and suggested to channel it through the Parliament (more on this below), a member of La Placita remarked: “[T]hat's why politicians support us [referencing electoral votes]...that's why they accumulate votes with this, it's all the marketing of marijuana legalization, and that's why there are sectors of the political parties that are in favor of this...in the same way that some sectors of the political parties work for the retired...they want votes” (Aguiar y Muñoz 2007:19).

17 The flyers promised “A day of cultural activities such as music, theater, juggling, and crafts” to “demand the right to use marijuana.” For an example: http://laplantita.blogspot.com/2007_04_01_archive.html.

18 The reader should keep in mind that Uruguay is a small country, with a population of 3.400.000.

19 Its success was also a boost for activists' confidence in the power of mobilization. As Leticia, a member of Plantatuplanta, told me: “It was a social earthquake...we gathered more people than May 1st [in reference to Labor Day]...we were like 10.000...families with kids!” (Leticia 2013).

remain unchanged (Fligstein and MacAdam 2012, Thelen and Mahoney 2009), *doxic* worldviews reinforce institutional inertia (Bourdieu 1996), and “wars of movement” appear as unthinkable (Gramsci, 1971). The emergence of new actors, innovative forms of contention, and alternative discourses, therefore, can very well fail to generate any change at all without an “institutionalization of anomie” in the field (Bourdieu 1996:132). This was the main challenge for cannabic activism.

Police reactions to the 2007 GMM, in their mild but symbolically significant contrast to those of 2005 and 2006, reveal the degree of institutional continuity. A local newspaper reports that “[t]he Police organized an important surveillance operation during the march 'in case there is any alteration to the public order,' as Selson Sosa, Police's public relations director, told *El Pais*. The Police will arrest anyone implicated with the commercialization of marijuana or other substances -though consumption will not be repressed.”²⁰ Moreover, state officials were adamant in making clear that “marijuana legalization was not in the agenda.”²¹ In this context, “asking for marijuana legalization was a utopia, something that would never happen,” as Juan told me (Juan 2014).

Decades of drug wars had constructed and reified clear dividing lines between the forces of prohibitionism and punishment and those suffering the consequences of a war on drugs. “The National Drug Board,” a member of Plantatuplanta remarked in 2007, “is an organization whose basic objective is to keep prohibitionism alive.” “The police,” an activist from La Placita commented, “will arrest us for having a plant, they are animals who would put us in jail for anything” (Aguiar & Muñoz, 2007).

A clear example of prohibitionism's resilience came soon after the 2007 GMM. Juan Vaz had a history of bitter experiences with the Police for cannabis possession. None of them, however, was remotely as disturbing as the one he would have in 2007. After a complaint filed by a neighbor, Juan was arrested for owning cannabis plants. He had forty five plants: twenty six were small cuts from other plants -called “*esquejes*” and used for reproductive purposes; several of them were male -which cannot be used for consumption; others were too young to be smoked. Only five of his plants were ready for consumption. But nuances and technical details are useless for the punitive state. He was

20 See: http://historico.elpais.com.uy/07/05/05/ultmo_278965.asp

21The National Drug Secretariat keeps an electronic archive of news and articles related to drugs that goes as far back as 2001. The 2005 and 2006 mobilizations are covered by several articles stored in this archive. It is therefore puzzling that the 2007 march, huge and widely covered, does not appear in their records.

sentenced to two years and fourth months in jail -though he would get out under parole after eleven months. Sent to *Santiago Vazquez*, Uruguay's toughest prison, he witnessed a mutiny and two homicides, slept (when it was his turn) with 10 other inmates in a cell with six beds, and got stabbed...twice. He also read a lot about genetics and the art of growing cannabis, to the point that he became somewhat of an expert in a field where, largely due to the prohibition, there was a dearth of knowledge on cannabic matters. Though this expertise would eventually put him in a very different situation vis a vis the state, for the time being, Juan was another victim of Uruguay's war of drugs.

Juan's case illustrates a larger pattern of field reproduction. Data on police procedures and punished offenses shows an increase in the relative and absolute number of drug-related crimes from 2006 to 2009 (see Table 1). Cannabis occupied the largest part of drug “control” activities. Almost half of all marijuana seizures were for quantities between zero and nine grams -less than nine marijuana cigarettes- an amount that very implausibly signals commercialization (see Table 2). On the other hand, almost 90% of the Police procedures for plant possession were for less than nine plants -a number that could not possibly suggest trafficking. Police ignorance on the technical aspects of growing marijuana was the perfect companion to repression and brutality. As long as Article 30, Law No. 17.016 was in force “anyone who, without legal authorization, produces in any form the raw material or substances capable to generate mental or physical dependence...will be punished with a penalty from twenty months to ten years of prison.” This was the case even when cultivation was for personal consumption, which, supposedly, was not penalized since 1974. Any serious attempt at transforming Uruguay's drug regime would have to overcome the state's punishing whims and the institutional and cultural inertia from an enduring war on drugs.

Table 1. People involved in drug-related police procedures

Year	Total Number	Charged with Prison	Indicted without Prison
2006	1601	447 (27.9%)	21 (1.3%)
2007	2211	542 (24.5%)	66 (3%)
2008	2406	624 (25.9%)	64 (2.7%)
2009	1647	662 (40.2%)	40 (2.4%)
Total	7883	2275 (28.9%)	192 (2.4%)

Source: Garibotto (2010) and National Drug Board

Table 2. Substances, Procedures and Quantities (2006-2009)

Quantity	Procedures for Marihuana (grams)	Procedures for Cannabis Plants (units)	Procedures for Cocaine (grams)	Procedures for <i>Pasta Base</i> (grams)
Total	1574	72	499	979
Between 0 and 9	681 (43.3%)	63 (87.5%)	176 (35.3%)	540 (55.2%)

Source: Garibotto (2010) and National Drug Board

First Strategy: Cannabic Activists as Norm Entrepreneurs

Since their first gatherings, activists had a deep, long-term objective in mind: a cultural normalization of marijuana. This strategy can be understood as an attempt to re-compose and re-articulate the cultural tissue that connects marijuana, as a symbolic and material commodity, to a variety of social spaces. Through marches, press coverage, and participation in multi-media platforms, cannabic movements turned marijuana into a public agenda issue. They re-opened the “marijuana question,” and offered new answers to the “problem of marijuana.” Activism was not *just* about changing people's opinions on legalization vs. prohibition, but about offering new epistemic frameworks from which to re-think the “problem of marijuana.”

The reproduction of stigmatized stereotypes has been one of prohibitionism's most effective tools. Marijuana smokers have been classified as addicts, junkies, irresponsible and useless, politically and socially dangerous, and a long etc. These classifications reflect but also reinforce arrangements for social control. Cannabic activists, therefore, had to re-signify marijuana consumption and offer an alternative social classification of consumers, one that could sustain new practices and alternative formal rules in the field of drug regulation.²² They did so in several ways. First, by framing themselves as the exact opposite of what common-sensical prohibitionist stereotypes suggested. Under the master frame of “responsibility” they presented themselves as responsible consumers, students and workers, and law-abiding and socially conscious citizens (Tarrow, 1998; 117). They also

²²“We had a good analysis of the situation in 2007” Juan told me, “We saw that it was not possible to have an impact in formal politics. We needed to work on public opinion not on politics; politicians would never pay the cost of supporting marijuana legalization. So we begun to work on decriminalizing consumers.” (Juan 2014).

pushed new ways of talking about marijuana as a commodity. For example, substituting “marijuana,” or *porro* (“pot”), which “immediately suggested something bad” (Fede 2014), for the more neutral and scientific “cannabis.”

Another form of reclassification was the done through the introduction of the *auto-cultivador* (someone that grows for personal consumption). Auto-cultivadores were either unknown -given that the wide majority of marijuana smokers bought in the illegal market- or feared. “Until that moment,” Juan tells me, “we were more dangerous than the dealer, since we had the capacity and knowledge to produce cannabis.” Activists wanted to frame auto-cultivadores as “someone who breaks free from the illegal market. Not the 'proto-narco' people used to imagine.” Even more, auto-cultivadores could be an ally against drug-trafficking -an argument that, later on, will gain a lot of track with state-officials.

The symbolic use of pasta base to re-signify marijuana was also a prominent strategy. It is not random that one of the three main organizations was called Plantatuplanta, name that came out of the sign Juan Vaz took to the first fumata, which read “Bastalapasta, Plantatuplanta” (Stop-pasta-base, Plant-your-own-plant). Cannabic movements, therefore, ignited a campaign to reclassify marijuana as a “soft drug” relative to the “scourge” of pasta base -but also to other “normalized” drugs such as alcohol and tobacco.

There were several other elements that composed the strategy of re-classification of marijuana. I will mention only one more. Uruguay’s field of drug regulation had a significant *critical antecedent* (Simmons and Slater 2010): a law decriminalizing all drug consumption in 1974. I have made the case before for why this formal deviance from punitive-prohibitionism was not mirrored in state control practices (see fn. 8). As an antecedent, however, the law would have unintended consequences during the process of institutionalization of field “anomie.” A 2008 cannabic pamphlet read:

Consumption and possession for personal consumption are protected by the law. The problem emerges when one needs to procure the substance the law allows us to have, given that production and commercialization are typified as crimes. Then something is not right. The only legal way to get marijuana is if it falls from the sky!

The purpose was to “let everyone know that smoking was legal, so legal that one could possess a

reasonable amount for personal consumption” (Juan 2014). The law, though not completely ignored by the population, had been largely nullified by the actual practices of Judges and the Police. Pushing for a strict interpretation of the law was a way of claiming rights consumers already had. It was also a way of highlighting the paradox on which the law was created and applied: consumption was legal, but there was no way to obtain marijuana legally. The only ones that could solve this contradiction were Parliamentarians, which leads us to cannabic movements' second strategy.

Second Strategy: Building Networks to the Political Field

Successful movements usually combine social strategies aiming at cultural change, with political ones that target institutions and governmental policies (Rochon 1998). To accomplish the latter, activists can implement a wide variety of strategies -electoral organizing, referendums, lobbying, among others. For the cannabic movement, it took the form of weaving and thickening connections to political actors and targeting Parliamentarians (through lobbying) and the Supreme Court through mobilizations.

Activists' closeness to the FA facilitated the labor. However, their political capital was concentrated with youth groups, not with the established leadership that dominates the party's agenda-setting. The 2009 electoral cycle was critical in turning this around. As Deputy Nicolás Nuñez told me:²³

“Until the last electoral campaign, in 2009, few political actors were taking the issue seriously. But the pre-2009 process of political accumulation [through social mobilization] that begun in 2005 pressured FA presidential candidates, José Mujica and Danilo Astori, to the point that they promised to incorporate a marijuana debate in their governmental agendas in case they were elected. There was a lot of talk about marijuana during the 2009 electoral campaign...it was an electoral topic” (Nicolás 2013).

José Mujica won the elections in November 2009 and was sworn in President in March 2010. The promised debate, however, was largely absent during the first year of the Mujica administration. The political costs of going against a prohibitionist status quo were still favoring institutional inertia. The summer of 2011 gave activists a perfect opportunity to increase the pace of change.

²³ Nuñez case that shows the importance of generational change. Member of the socialist youth and close to the cannabic movement, he was elected Deputy in 2010. With him, cannabic causes had a voice inside the Legislature.

First as Tragedy, Then as Farce: In January 2011, in the department of Canelones, Alicia Castilla was arrested for marihuana possession. Alicia, a 66 year old argentinian residing in Uruguay, had 29 small plants in her backyard and 20 grams of marijuana. She is a well-known cannabis activist and expert, author of a popular book on the matter, *Cultura Cannabis*. Those 29 plants -most of them not apt for consumption- were part of a project she was conducting for a Dutch publication. But the Police -notified, as in Juan's case, by a neighbor- could only see a dealer in her. She spent more than three “nightmarish” months in jail.²⁴

Alicia was, according to activists themselves, a “perfect martyr” for the cause. Her case presented an opportunity to show the contradictions of state power: namely, a state claiming to be almost exclusively focused in fighting a war against the scourge of pasta base and organized crime (more on this in the next section) was at the same time spending precious resources punishing a 66 years old woman that smoked cannabis as a way to get better sleep.²⁵

Cannabic movements capitalized on the powerfully disquieting image of Alicia in jail, a case that gained a lot of visibility in public media. They organized several marches to the Supreme Court to demand Alicia's immediate release (and that of other “350 uruguayans in jail for marijuana possession”). The 2011 GMM, for example, had Alicia as a central theme -even though she was liberated two days before the march.²⁶ Significantly, group of young FA Parliamentarians, among them Sebastián Sabini from the *Movimiento de Participación Popular* (President José Mujica's group) and Nicolás Nuñez from the Socialist Party, participated in a march for Alicia in February 2011. Both of them were close to cannabic activists, and had expressed their willingness to re-think drug policies.²⁷ The episode of contention around Alicia's case lowered the costs of stepping up to present a formal project to reform marijuana legislation in Parliament. Sabini and Nuñez, with the political support of two other young deputies from the *Colorado* Party and the *Independiente* Party, and the technical

24 For an informative video on Alicia's case see: https://www.youtube.com/watch?v=5du7ERYcs_Y

25 It was difficult to argue with this contradiction flagged by activists. Even NDB Director, Milton Romani, had to acknowledge that, “That a 66 years old woman, that clearly presents no danger to citizen security, is currently imprisoned seem unwise and delegitimizes our drug policies.”

26 See: <http://plantatuplanta.net/2011/05/marcha-mundial-2011-montevideo-7-de-mayo-15-hs-parque-rodo/>

27 See for example Sabini's 2010 article, “*Quitate el Esmalte*,” arguing for marijuana legalization: <http://www.desdeelmarmol.com/2011/02/quitate-el-esmalte.html>

assistance of growers -particularly Juan Vaz from Plantatuplanta- wrote and presented a law project to legalize the cultivation of marijuana in July 2011.²⁸ By May 2012 they had the Legislative support to approve the project. After years of activism, it seemed that Uruguay was close to legalize cannabis cultivation.

This project was abruptly interrupted by Presidential order in June 2012 -which would not have unusual if the President's motive was not, as with Mujica, to outdo Parliament and movements by taking the reform a step further. The story of how and why the state decided to regulate citizens through legal market mechanisms, instead of repression and prohibition, is next section's theme. But the fact that by May 2012 legal cultivation was about to be approved shows that Uruguay had come a long way since 2005. The conditions of possibility had been dramatically expanded. Parliamentarians' reform initiative cannot be understood outside a context transformed by years of social mobilization. Activists re-visited the "marijuana question;" introduced and conceptualized the figure of the grower (especially in relation to pasta base and drug trafficking);²⁹ shifted the discourse on consumers' social positions and dispositions; and lobbied and informed young deputies while also lowering the costs of being "heterodox" on marijuana policy. For June 2012, the field of drug regulation was already very different from the one into which cannabic movements had bursted in seven years earlier.

Pasta Base, Narcos, Insecurity: Governmental Dilemmas and The Paradoxes of State Power

Ten years after its arrival, Uruguay feels the effects of pasta base. Many things have changed from the first doses in 2001: crime against private property has risen, the concept of "family" has been disintegrated, prison population has surged, the gap between "barrios" and classes has deepened.
Fabián Muro for *El Pais* (2011)

Uruguay is suffering a process of feudalization -particularly some neighborhoods in Montevideo where criminals are trying to remove the Police.
Minister of Interior, Eduardo Bonomi (2011)

Drugs destroy people physically, but drug trafficking destroys society...morally and ethically.
President José Mujica (2014)

Every national media outlet was present at the Presidency building on that Wednesday, June 20th 2012. Under the title "Strategy for Life and Coexistence," the Security Cabinet was presenting its plan to

²⁸ The proposal legalized cultivation of up to eight plants per household.

<http://www.parlamento.gub.uy/repartidos/AccesoRepartidos.asp?url=/repartidos/camara/d2011070629-00.htm>

²⁹ It is difficult to comprehend a law for marijuana cultivation without public, visible, and numerous growers.

confront the “unavoidable fact that we have been, for many years now, under the emergence of violence as a primary problem for the population,” as President Mujica himself remarked.³⁰ Even though the “Strategy...” was planned to be a highly publicized text, it was its content that drew so much attention. Four of the fifteen measures proposed were related to drugs. One of them, to the surprise of every Uruguayan outside the Security Cabinet, exhorted the Parliament to nationalize marijuana production and commercialization under a legal, state-controlled market for cannabis. How did a radical marijuana re-regulation plan come to be part of a strategy to fight crime and violence?

In this section I argue that the framing of a crime and violence crisis connected it to, and enabled the transformation of, the field of drug regulation. The emergence of what I call a *narco/pasta base/insecurity* governmental dilemma (N/PB/I from now on) placed drugs at the center of the problem of crime. Talking about crime in Uruguay became synonymous with talking about the “scourge of pasta base” and organized narco crime. The hegemonic position gained by this dilemma (at the expense of other possible frames) gave drugs an unusual prominence in public and governmental agendas.³¹ Since crime and violence were, to a large extent, explained as the result of pasta base consumption and narco activity, any solution to criminality had to address the issue of drugs. These novel connections plotted between drugs and crime transformed the field of drug regulation itself. Key among these changes was the government's decision to build a legal, state-controlled market for cannabis.

Crime as a “Social Problem”

In 2002, Uruguay was struck by what would turn out to be its worst economic crisis. Its impact on the country's social tissue -still being felt in terms of poverty and inequality- set the ground for the emergence of novel and complex “social problems.” At the height of the crisis -roughly from 2002 to 2005- deteriorating economic conditions such as unemployment dominated the agenda. Consistently,

30 The Cabinet was created during the Mujica Administration to coordinate governmental measures to fight insecurity. It is composed by the Ministries of Interior, Defense, and Social Security. See the document online: <http://www.espectador.com/documentos/120621seguridad.pdf>

31 Pasta base was not the first drug crisis in Uruguay. During the second half of the 1980s there was a social alarm around “injectable cocaine.” The debate that emerged around it, however, lacked the frame that made pasta base so scary for Uruguay's middle and upper classes: “young males, geographically marginal and poor, committing any type of crime with unusual violence to satiate their addiction to an unusually strong drug.”

however, crime and violence started climbing the hierarchy of social problems.³² By 2012, insecurity was an omnipresent -and increasingly perceived as overwhelming- social crisis.

Crime -particularly robberies- saw a sharp increase since the economic crisis (see graph 1). However, objective crime and a feeling of insecurity are related but discrete phenomena (Trajtenberg 2009). Perceptions of insecurity will (almost) always have some kind of correlate in real manifestations of crime and violence. But insecurity is always constructed, and this construction is never *just* the mirror of objective/material determinants (Paternain 2012).³³ A variety of social processes intervene in the formation of insecurity as a social problem, including: political strategy, the influence of the media, links among networks of social problematics, and transnational phenomena. Thus, we need to excavate the processes through which crime was framed as a N/PB/I dilemma -or, as Vesla Weaver aptly puts it, how and why crime “became politicized” in the way it did (Weaver, 2007:234). This analytic move, however, is not meant to underestimate the power of criminality as a material fact. Understanding objective changes is a first step to studying symbolic ones (Gorski, 2012:329-334).

Official figures suggest a context of rising criminality and violence as measured by consummated homicides (the most reliable data to assess violence) and robberies per year, at a national level, and for the last ten years (Chart 1 and 2 below). The trend for robberies is clear: an increase of around 100 percent from 2003 to 2012. While the evolution of homicides is more ambiguous, the decade of 2003-2012 shows historically high peaks. Particularly important is the record peak of 265 homicides in 2012.

32 Crime crises are not exceptional social phenomena in modern societies. Actually, as David Garland (2001) and others have shown, they have been a key element in a changing political and social landscape since the 1970s.

33 Not everyone agrees with this theoretical claim. Sociologist Rafael Bayce (2010), exponent of the “hyperreality” school, argues that current Uruguayan discourses around insecurity are characterized by a *complete* lack of correspondence between objective-real violence and everyday perceptions of insecurity. Though actual criminality does present a trend on the rise in the last decades, the perception of insecurity, Bayce argues, has risen disproportionately. Perception and actual insecurity, therefore, are independent realms. See also Paternain (2012) for an excellent summary of the different theoretical approaches to the study of insecurity.

Homicides

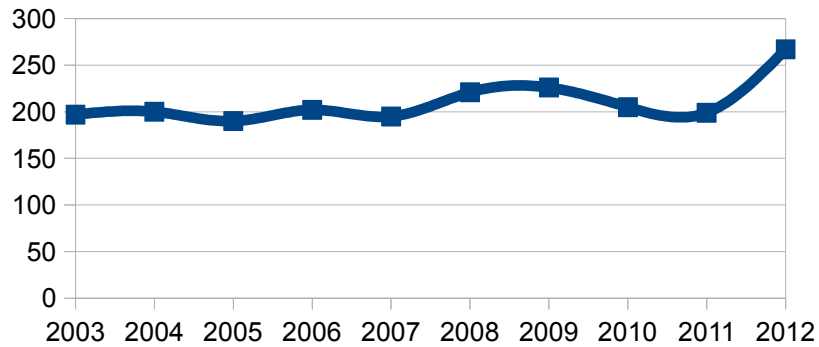


Chart 1. Data source: Ministry of Interior.

<https://www.minterior.gub.uy/observatorio/index.php/estadisticas>

Robberies

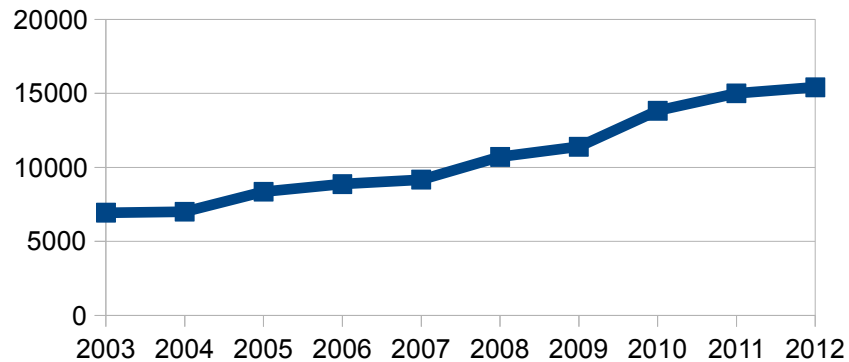


Chart 2. Data source: Ministry of Interior.

<https://www.minterior.gub.uy/observatorio/index.php/estadisticas>

But there is only so much that objective conditions can say about the place of crime in the larger field of politics. For example, while robberies had been rising since the 1990s, it was only during second half of the 2000s that crime became a social alarm. Uruguayan public opinion echoes this gap between objective and subjective elements of a crisis. Until 2009 Uruguayans identified economic conditions -more specifically, unemployment- as the country's “principal problem.” As the economy resumed a growing trajectory, however, insecurity rapidly became perceived as Uruguay's “principal problem” (see Chart 3).³⁴

³⁴According to sociologist Rafael Paternain, arguably Uruguay's principal authority in matters of insecurity:

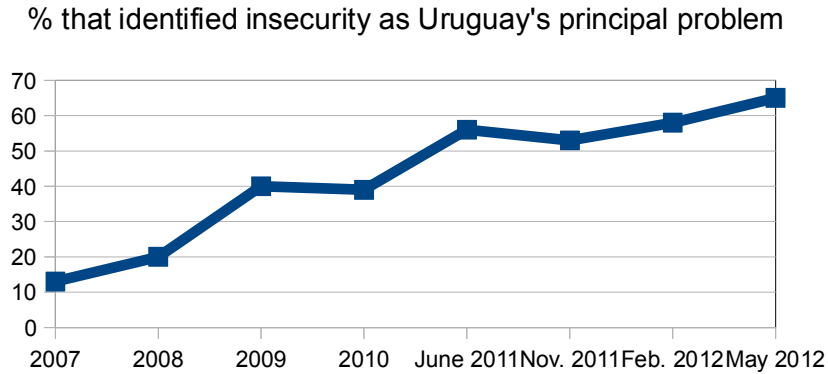


Chart 3. Source: CIFRA national poll, 4-13 May, 2012 www.cifra.com.uy ³⁵

A similar story of mismatch between rising crime and perceptions of insecurity can be observed if we take the budget allocation for the Ministry of Interior as a thermometer for a government's concern about crime and insecurity.

Five Years' Budget – Ministry of Interior

Budget/Years	Dollars/Millions
1995-2000	44
2000-2005	181
2005-2010	241
2010-2015	766

Table 1. Source: Ministry of Interior

If objective conditions of rising criminality were present well before we could talk of an insecurity crisis, how can we make sense of the timing of the politicization of crime? Two interrelated processes can go a long way in doing the explanatory labor: higher issue salience and distrust in government (Zimring & Johnson, 2006, Paternain 2012). Mass media played an important role in giving crime a place of privilege in the hierarchy of social problems. From 2005 to 2009 the total number of robberies per year increased 36 percent. However, the total TV time allotted for police

“Insecurity has been transformed into an absolute principle that penetrates the public and the private” (2010:2).

³⁵Alternative techniques to grasp perceptions of insecurity throw the same results. One of these is the “Victimization Index” produced by CIFRA. The index is constructed by asking two questions: (a) “Was your house robbed during the past year?” (b) “Was any member of your house victim of theft outside the house during the past year?”. For Montevideo (c. half of the national population) the index jumped from 35% in 2011 to 43% in 2012. See the study online: <http://www.cifra.com.uy/novedades.php?idNoticia=187>

related news for the same period rose 100 percent (Silveira and Natalevich 2011). The case for newspapers is even clearer. Sklenka has compared the number of insecurity-related news in 2004 and 2009 -both Presidential election years. He notices that there was an increase of 200 percent from one year to the other (Sklenka 2012). Mass media did not create insecurity from thin air. Rather, it “tapped into, then dramatized and reinforced, a new public experience -an experience with profound psychological resonance- and in doing so it institutionalized that experience” (Garland 2001:158). Media's tireless reproduction of violent images, its enshrinement of the victim of a crime and her experience, and the privileging of fast, superficial, tabloid-like comment on crime has provided the material for the construction of generalizations about violence as a social problem. Media coverage is also generally anti-system in its emphasis on the lack of capacity of state institutions to address the crime problem (Paternain 2012).

Political actors have also been key in increasing the salience of crime and delegitimizing state institutions. Opposition parties and organizations on the center-right have taken their demands to the street. Marches to demand citizen security -invariably under the banner of more repression- have been a visible and novel way to put crime in the agenda during the Mujica Administration.³⁶ A concern with crime has also been translated into specific policy proposals that, as in the case of Colorado party's project to lower the age of criminal responsibility from 18 to 16, have become banners in opposition campaigns.³⁷ The opposition's discourse on insecurity is always formulated around a two-sided argument. While attempting to create and reinforce the idea of a crime and violence crisis that has gone out of control, it also blames a state that, as presidential candidate for the Colorados said in 2011, “is not listening to the people shouting: do something, protect us!”³⁸

When Mujica was sworn in President in 2010, crime and violence were firmly installed as a

³⁶See: <http://www.elobservador.com.uy/noticia/257106/marcha-por-seguridad-en-el-centro-de-montevideo/> and <https://www.elobservador.com.uy/noticia/250904/marcha-por-la-seguridad-en-portones-de-carrasco/>

³⁷ The argument is that this measure will help to curb youth-crime. Though it lacks any scientific precision and responds more to the politicized and populist way in which crime is used, it has proven to be a powerful electoral tool. Having collected the signatures of ten percent of eligible voters, the issue will be decided via plebiscite during the national elections to be held in November 2014. In 2012, 56 percent of the population expressed their intention to vote favorably, 12 percent said they still were undecided, while only 34 percent said they would vote against the initiative. CIFRA national poll: <http://www.cifra.com.uy/novedades.php?idNoticia=162>

³⁸ <https://www.youtube.com/watch?v=ieBTVL0UvNU>

almost omnipresent social problem. However, the extent to which it would become a governmental dilemma, or the type of dilemma it would become, was not pre-determined. Thinking counterfactually, the Mujica administration could have tried to deny the existence of an insecurity crisis.³⁹ But even if, as eventually happened, state officials did incorporate insecurity as a governmental dilemma, there was not one pre-determined frame to understand and address it.

Making Sense of Insecurity in Times of Abundance: From Poverty to Pasta Base and Narcos

Crime and violence are the result of poverty and inequality. Or so the Uruguayan Left used to think. When the FA won the elections in 2004, Uruguay's economy was entering an upward, post-crisis trajectory. Since then, the economy grew at an unprecedented pace, while poverty and unemployment plummeted to historic low levels.⁴⁰ A growing economy, however, was posing a difficult puzzle for FA officials: crime and violence were not, as expected under these economic conditions, decreasing. Even worse, it was still on an upward trajectory with perceptions of insecurity that were not only rising but ballooning. The causal argument between poverty and crime seemed increasingly unsound. As Director of the National Drug Board, Julio Calzada, told me during an interview:

There was a paradigmatic change in the Left. Our discourse used to correlate insecurity with poverty and marginality. However, in the last 7 or 8 years poverty collapses, from 40 to 11.8 percent, while indigence goes from 3 to 0.5 percent; redistribution improves; migration patterns are reversed...all these elements change, but there is one thing that deepens: the aspects related to violence and criminality...*and drug consumption surges.*

Calzada was not only describing the logic of epistemic failure that delegitimized traditional leftist explanations, but, at the same time, enacting what became a new way of understanding the problem of crime: a narco/pasta base/insecurity governmental dilemma. My argument is not that government officials came up with this epistemic framework from scratch. Pasta base and narcos were already related to insecurity in social representations of crime. What the Mujica Administration did

³⁹A strategy the previous FA Administration had used much more profusely, and a plausible counterfactual given Uruguay's position as one of the safest countries in Latin America (UNDP 2013). Notwithstanding this relative position in the region, in 2013 Uruguayans ranked second in the region (behind Venezuela) in terms of citizen's perception of insecurity (Latinbarometro 2013).

⁴⁰Social perceptions have evolved with these indicators. According to Latinbarometro 2013, 65 percent of Uruguayans are "satisfied" with current economic conditions. This puts the country in the first place in terms of "economic satisfaction" compared to the rest of the region.

was to gather these loosely structured arguments and organize them under an epistemic shelter: one that enjoys the legitimacy of the state's symbolic power (Bourdieu 2014).

Framing Pasta Base: Pasta base was largely unknown in Uruguay until 2001-2002 (Garat 2013:163). Even though its health consequences are difficult to assess -due to variance in composition- there is a consensus that it is highly addictive, extremely harmful, and with intense withdrawal symptoms.⁴¹ Produced in Peru, Colombia, and Bolivia, its spread during the first years of the 21st century had an economic rationale: ranging from 1 to 2 dollars a dose, pasta base is a very strong drug that can be bought at a relatively cheap price -particularly in comparison to cocaine.⁴² The economic crisis and the soaring numbers of unemployment and poverty it led to provided a fertile ground for the expansion of *la droga de los pobres* -the drug of the poor- as it became known.

The “problem of pasta base” was (and is) very real. What seems puzzling, however, is the discursive salience it gained. On the one hand, Uruguay had lived through other “drug crises,” such as the 1980s-90s “injectable cocaine” and “sniffed cement” ones, but none was nearly as visible as pasta base. On the other hand, there was always a large gap between pasta base's place in the drug market and its place in social and governmental discourses. The drug was never consumed by more than 1 percent of the population -though it has reached levels of up to 8 percent in marginal *barrios* of Montevideo.⁴³ However, as early as 2005, former NDB Director, Milton Romani, was arguing that “the NDB's priority on repressive matters is the fight against pasta base.”⁴⁴ President Mujica would even characterize pasta base as “a drug that is rotting the youth.”⁴⁵ How did a marginal drug used by a marginal(ized) population gain so much notoriety? Part of the explanation lies in the undeniably

41 Studies have detected extraneous elements such as pesticides, light pipes shred, and caffeine -that purportedly make it cheaper and stronger (NDB 2011).

42 Pasta base's cheapness, however, has been exaggerated. As a highly addictive substance with effects that, though attained almost immediately, last only a couple of minutes, pasta base can become quite expensive for those under heavy consumption (Suárez et al. 2014). Another factor explaining its spread was the lack of cocaine and marijuana in the Uruguayan market during the early 2000s due to developments in regional drug control that, for example, caused a shortage in the chemical components needed to turn pasta base into actual cocaine.

43 Numbers that pale in comparison with marijuana consumption (see Chart 4 in Appendix).

44 <http://www.lr21.com.uy/comunidad/175036-convocan-a-una-inedita-movida-manana-sabado-en-las-canteras-del-parque-rodo>

45 http://www.bbc.co.uk/mundo/ultimas_noticias/2012/12/121218_ulnnot_mujica_pide_frenar_proyecto_legalizacion_marihuana_uruguay_msd.shtml

exceptional characteristics of pasta base as a material commodity. But to fully understand why pasta base became almost an obsession for Uruguayans we need to account for the symbolic properties of the commodity, those that enabled pasta base to be a signifier for much more than drugs.

The *pastabasero* was typically profiled as a young male, marginalized and living in the streets, dirty, maniac-depressive, out of himself, and willing to do anything to consume (Suárez et al. 2014).⁴⁶ Pasta base became a chronic disease, if not a chronic sin: “De la pasta no se sale” (“you can't get out from pasta base”) read a widespread ad by a local NGO. Poverty and a purportedly unmanageable addiction would “immediately turn those that consume pasta base into an antisocial being...given the necessity of obtaining money to consume,” as *Blanco* party Deputy Luis Alberto Lacalle Pou argued in Parliament. They would steal to consume, from anyone and everyone, and through any means available. Pastabaseros were thus consecrated as the most feared and marginal figure in society, embodying Uruguayans' worst anxieties -crime and violence above all.

Insecurity has both quantitative and qualitative components. Quantitatively, instances of crime, for example, might be happening (and perceived as happening) more often -insecurity as a routinized experience. Qualitatively, insecurity can be (and be perceived as being) more violent -insecurity as an intense experience. Pasta base was seen as responsible for the rise of both. On the one hand, the argument goes, pastabaseros need to be constantly stealing. The strong effects of the drug last only a couple of minutes, making consumption, and the attendant robberies that afford the means to consume, much more assiduous. On the other hand, pasta base affected crime qualitatively by increasing its violence. Images of a pastabaseros ferociously attacking those seen as most vulnerable (usually old ladies) or killing a member of their family due to their addiction became a common trope facilitated by mass media.⁴⁷ The idea that, as First Lady and Senator Lucía Topolansky has commented, “pasta base is the cause behind the rise in crime,” was well entrenched during the Mujica administration.

⁴⁶These frames around drugs are not new. In 1976, an article in the Police's official magazine argued that in order to obtain drugs a consumer would “become evil, a prostitute if she is a woman, and a thief if he is a man, he/she will not doubt to commit a crime in order to sate his/her desperate need to get the drug” (Garat 2013:72).

⁴⁷For an example see: <http://www.lr21.com.uy/justicia/466939-mato-a-su-abuela-a-machetazos-por-no-darle-dinero-para-comprar-droga>

And Narcos: The problem of drugs, however, went beyond pasta base consumption. Criminal networks, organized around illegal drug markets as in the rest of Latin America, have turned Uruguay into “an infinitely more violent society,” President Mujica has commented.⁴⁸ This argument, already present during the first FA administration, became dominant during the Mujica Administration.⁴⁹ Two characteristics of narco crime were key in governmental assessments of narcos' role in generalized insecurity.

The first one is related to violence *within* the criminal world. Intra-narco violence -classified by governmental statistics as *ajuste de cuentas*- became the main culprit of homicides per year in the country.⁵⁰ But it was not only the numbers that mattered. The visibility of homicides carried out with a violence unheard of in Uruguay shocked both the government and society in general. Moreover, as Minister of Interior Bonomi told me, there was also a suspicious “rise in people being shot in their legs,” a practice that government officials adjudicate to narcos (Bonomi 2014). Organized crime was even accused of having “pulverized an old criminal culture...a criminal world which used to have values, limits, and borders. The emergence of narcos was the endpoint of all those moral barriers the field of crime used to have.”⁵¹

The second characteristic is related to the organizational logics of drug syndicates. Narcos, as “patrimonial organizations” that challenge the state's monopoly of violence (Collins, 2011:21), present an acute problem for governance. Eduardo Bonomi, Minister of Interior, has repeatedly explained the dangers of territorial “feudalization” -a story taken from the Latin American example.⁵² Police Director, Julio Guarteche, has even offered a typology of narcos in Uruguay: “Territorial

48In 2012, after leaving the country in 1994, the DEA reopened its office in Montevideo for “considering that organizations connected to drug trafficking were increasing their presence in the country.” <http://www.americaeconomia.com/politica-sociedad/politica/la-dea-vuelve-uruguay-por-aumento-del-narcotrafico>
49See: http://www.montevideo.com.uy/noticias/222719_1.html

50According to the Ministry of Interior, in 2013, 32 percent of homicides were “ajustes de cuentas” -followed by “robberies and theft” with 22 percent. https://www.minterior.gub.uy/observatorio/images/stories/primersem_4.pdf
In a recent interview, President Mujica commented “the number of deaths from 'ajustes de cuentas' connected to drug trafficking is one of Uruguay's biggest problems”. <http://www.republica.com.uy/basura-bajo-la-alfombra/>
51 <http://mpp.org.uy/2011-12-07-22-57-14/todas-las-noticias/954-mujica-y-la-legalizacion-de-la-marihuana>

52 As Director of NBD, Julio Calzada told me: “We had lots of exchanges and interviews with people across the region with very different experiences from ours. For example, people in Rio de Janeiro's “favelas” would tell you that they started a long time ago with groups and territories where the entrance of ambulances, police cars, and general state control became difficult. Until one day the narco came and said: 'I give you security, I give you health services and education, therefore I am in charge.’ For analogous (and more complex) processes in Latin America see: <http://www.insightcrime.org/news-analysis/the-benefits-of-organized-crime-in-the-caribbean>

narcos,” according to Guarteche, are those that challenge the state “by using youth as hit-men [and] women for public mobilization against the authorities...they even impede the entrance of ambulances because the local narco demands it.”⁵³ Narcos were so embedded in governmental stories about crime that in 2010 Minister Bonomi remarked, that “Insecurity is bred from organized crime.”⁵⁴

Why is the formation of a N/PB/I governmental dilemma important for understanding transformations in the field of drug regulation? Because addressing the problem of crime became synonymous to addressing the (new) “problem(s) of drugs.” Even more, a N/PB/I dilemma, under the pressures of a society “sick of violence,” was actually pushing the state to intervene in the field of drug regulation.⁵⁵

“A Brutal Crime” and Its Response: The Eventful Convergence of Marijuana and Crime

The organizational core that maintains the infrastructure of drug regulation had no role (or a very marginal one) in the process of transformation around marijuana between 2005-2012 -i.e. the Presidency; Ministries of Interior, Defense, Foreign Affairs, Social Development, and Health; the NDB; and the Police.⁵⁶ Incumbent or dominant actors -as we know from institutional, organizational, and field theory- are not the usual candidates to challenge the status quo. This was the case with marijuana legalization in Uruguay. As former NDB Director, Milton Romani, told me: “Marijuana was not in the government's agenda. Neither the President nor the NDB had any intention in moving these issues. There were other basic priorities...money laundry related to drugs was one of the gravest drug problems...and pasta base, which exploded in our faces and became an agenda issue” (Romani 2014). As the fifteen security measures make plainly clear, this absenteeism disappeared in June 2012. The Executive and the NDB would not only support cannabis reform, they would push their own project, one more innovative and radical than anything social movements would have imagined. I

⁵³Which, either paradoxically or very logically, allows the government to counteract the argument that crime results from government inefficiency. <http://www.republica.com.uy/policia-aseguran-que-bajo-consumo-de-pasta-base-y-aumento-el-de-cocaina/>

⁵⁴<http://historico.elpais.com.uy/100716/pnacio-502165/politica/-inseguridad-nace-en-crimen-organizado-/>

⁵⁵The Mujica administration would offer a stronger response than the previous FA government to these pressures. As Rafael Paternain argues, during Mujica's government there was a “turn -not without conflicts- towards positions, strategies, and discourses in line with the imperatives of a 'feeling of insecurity'” (Paternain 2012).

⁵⁶This is a tricky statement. The Executive and the Police actually did a lot by not doing anything; that is, by not obstructing the developments in cannabis regulation. My point, however, is that they did not actively promote alternatives to the status quo.

argue that this new project resulted from the collision of two processes that, until June 2012, had been transiting on relatively autonomous tracks. On one hand, the process ignited by social movements in 2005; on the other, the institutionalization of a N/PB/I governmental dilemma.⁵⁷

May 2012 was a violent month: two women were murdered in horrifying cases of domestic violence; a young man killed in a “duel”; another one found dead with a bullet in his head; a policeman killed; a 94 years old murdered while being robbed; and a woman decapitated by her lover (a drug dealer). The icing on the cake was a homicide in *La Pasiva*, a famous restaurant in Montevideo, in which a young man killed one of the cooks in cold blood. The images of the assassination, captured by security cameras, were shown *ad nauseum* in mass media. A large manifestation was immediately organized in front at the Presidency building. The discourse of panic was at its peak.

A day after the “La Pasiva assassination” -as it soon became known- President Mujica called the Council of Ministers to discuss the problem of insecurity. On June 20th the fifteenth measures were presented. Three of them were related to pasta base and drug trafficking -two of which had punitive objectives, while one dealt with “rehabilitation and treatment.” In a context where a N/PB/I dilemma dominated governmental discussions, these measures are not completely unexpected. A fourth drug measure, to be sent for Parliamentary discussion, read: “Regulated and controlled legalization of marijuana, with a strong role for the state in its production.” How did this radically innovative measure get included in a more classical response to a crime and violence crisis?

An answer to this question should start with the Executive's own arguments for marijuana re-regulation and, more specifically, on how a N/PB/I dilemma re-arranged interests, preferences, and perceptions. The “social evil” of pasta base enabled a clear re-classification of drugs according to their danger. Juxtaposed to the feared *pastabasero*, marijuana smokers -whose profile had already been re-framed through the work of cannabic movements- became a relatively innocuous social group. In the face of a pasta base expansion, the “threat” of pot, of an Alicia Castilla or a Juan Vaz, seemed like a

57 According to Sewell (2005:221): "What makes possible the peculiar dynamic that characterizes events is the conjoining in a given situation of structures that previously either had been entirely disjoint or had been connected only in substantially different ways."

bad joke. Consequently, one of the Security Cabinet project's main goals was to drive a wedge between the pasta base and marijuana markets. “The largest market for drugs in Uruguay” Minister Bonomi argues, “is marijuana. But to get it, people have to access the illegal market -where pasta base is sold. If someone wants to buy cannabis and there isn't none, they can end up buying pasta base instead.”⁵⁸ By legalizing/nationalizing marijuana, the Security Cabinet reasoned, the threat of pot consumers becoming *pastabaseros* would be radically curtailed.

Moreover, if eradicating pasta base was a priority, spending resources in chasing marijuana traffic seemed increasingly unwise. Former Director of Illicit Traffic Repression, Julio Guarteche, was expressing a soft version of this line of thought as early as 2005: “We are fighting the traffic of marijuana, like every other drug. It is what the law requests and we cannot do something different...although it would be preferable to have more marijuana and less pasta base.”⁵⁹ Suppressing the illegal marijuana market -by far the largest drug market- was, as President Mujica has repeatedly pointed out, a “waste of resources.”⁶⁰

A narco threat operated in similar ways. “We have more deaths due to drug trafficking than drug consumption;” President Mujica has argued, “80 homicides last year for 'ajuste de cuentas,' and three or four dead for overdose -but zero for an inappropriate use of marijuana. Thus, what is worse, drugs or drug trafficking?” If narcos, and the violence they generate, are the main problem, the concern about people smoking marijuana was misplaced. Moreover, narcos have proven tough enemies for the state, as the Latin American case shows. In this context, taking control over the 40-50 million dollars a year that the marijuana market is estimated to produce became a creative way to deal with new dilemmas of governance.

In a word, a N/PB/I dilemma, by connecting the field of drug regulation to a crime crisis made marijuana and the practice of smoking marijuana relatively unimportant. It is not the case that the Executive became “pro-drug” (whatever that means) in any way. The securitized approach to drugs was still very much alive, but concentrated on pasta base and organized crime.

58<http://www.bbc.com/news/magazine-26436094>

59http://historico.elpais.com.uy/05/05/08/pciuda_151655.asp

60<http://www.republica.com.uy/combatar-el-narcotrafico/>

But this explanation, though backed by the data on the context in which the decision was made, is an incomplete one. These arguments cannot just be the “natural” result of the conditions under which the government was operating. Under the politico-electoral pressures of a crime crisis, why not just keep marijuana regulation as it was? Or why not just adopt a “broken windows” approach punishing every “drug” more? The answer lies in the timing (Pierson, 2004). The fifteenth measures to curb crime and violence came at a time when the field of drug regulation was already undergoing significant changes. A law for self-cultivation was about to be approved, with the support of the FA legislature but also Parliamentarians from the Blanco and Colorado parties. This was a context in which, after years of cannabis activism, people knew that smoking was legal and growers were not going to jail anymore.⁶¹ A context in which growers were working shoulder to shoulder with Parliamentarians to write laws! In 2012 a whole new discourse on marijuana, a legitimate alternative to punitive prohibitionism, had already been established. Therefore, the June measures, as an event that made possible the construction of a legal, state-controlled market of marijuana, was possible due the collision, at a particular time, of the process initiated by cannabis movements and a N/PB/I governmental dilemma.

A Cannabis Coalition: Field Transformation and the Limits of State Power

In this paper I have demonstrated how the government's *decision* to legalize marijuana and monopolize its production can be explained by the convergence of the process initiated by cannabis movements and the institutionalization of a N/PB/I dilemma. But a decision to reform is not -at least not yet- the same as the *concretion* of a reform project. An intention to regulate or regulate differently does not presuppose the *capacity* to do so. “Projects that [appear] perfectly reasonable on paper,” Mara Loveman argues, “regularly hit up against the realities of local conditions and popular understandings of how things ought to be” (2007:34). These social limits to state capacity can be particularly burdensome if the state lacks the sufficient capital -economic, cultural/technical, political, and symbolic (ibid; and Bourdieu 2014)- to impose its authority.

⁶¹ People were still going to jail for marijuana offenses, given that the law remained ambiguous. However, after Alicia’s case, AECU implemented a system by which growers, paying a fee, could rest assured that they would have a lawyer at their disposition if they were arrested.

Sent to Parliament in June 2012, the Executive's project had one article: the creation of a state monopoly of marijuana. Cultivation for personal consumption and cannabis clubs -the core of cannabic movements' struggle- were to be strictly prohibited.⁶² A year and a half later, law 19.172 was approved with forty-four articles. Personal cultivation of up to six plants and “cannabis clubs” were, once again, central components of the project. Moreover, breaking a history of antagonism, violence, and mutual suspicion, the law's metamorphoses were accompanied and enabled by the emergence of a legalizing coalition formed between cannabic movements and state officials. In this section I argue that the transformations suffered by the field of drug regulation had altered the type of capitals needed to regulate marijuana, *from punishment to markets*. Medical and repressive resources (owned by doctors and the police) became increasingly unimportant. State officials' recognition of their precarious resource endowment opened a window of opportunity for social movements to assume a strategic position in a cannabic coalition. Bargaining within this coalition, on the other hand, explains the project's metamorphoses.

Knowledge and Mobilization: An Offer You Can't Refuse

In the months that followed the June announcement, public debate around marijuana legalization was dominated by state officials' inability to inform the public about the technical specificities behind the project. In August 2012 President Mujica announced that a hundred and fifty hectares of marijuana would be cultivated in land owned by the Armed Forces; this was actually fifteen times the land needed to supply Uruguay's demand.⁶³ Questioned about the price of “state-pot,” government responses fluctuated, back and forth, between 0,50 cents to 5 dollars a joint. There was even talk about placing an electronic chip on the tip of each cigarette in order to control their whereabouts -a delusional idea, of course. Moreover, it became very difficult to get any information on the type of seeds and plants to be cultivated. Governmental opacity (and clumsiness) had an unmistakable origin. “Bureaucratic administration,” Max Weber wrote, “means fundamentally domination through

62 When the project was presented, Minister of Defense, Eleuterio Fernandez Huidobro “explained” the Security Cabinet's opposition to cultivation and clubs: “If we allow legal cultivation for one or two, we have to make it legal for everyone. How would we control that?” <http://historico.elpais.com.uy/120621/pnacio-647510/nacional/legalizacion-de-marihuana-sera-parte-de-nueva-politica-exterior/>

63 <http://www.elobservador.com.uy/noticia/230699/para-mujica-150-hectareas-para-plantar-marihuana-es-suficiente-/>

knowledge” (Weber, 1978:25). The problem with the Uruguayan state was that decades of prohibitionism had made expertise on the plant and its production a very rare capital. Only a small group of outcasts, marginalized citizens, many of whom had suffered the state's long romance with punitive-prohibitionism, were in possession of this knowledge. I am talking, of course, about marijuana growers and activists, the ones with experiential knowledge or *métis* in Scott's words (Scott, 1998).

Activists soon realized that a dearth of expertise opened a window of opportunity. As Leticia from Plantatuplanta, one of the cannabic organizations, told me:

“There was a lot of improvisation [in those first months]...and this was the result of them [the government] not knowing what they were talking about...When we asked in what stage of the process they were, they said they were still doing the literature review. And they were reading books on cannabis from 1908! That's when we realized we had to move this people forward.” (Leticia 2013)

But so did those in charge of getting the law through Parliament. Deputies Sebastián Sabini and Nicolás Nuñez knew activists well. They had worked together for the 2011 project. As such, they understood that designing a technically sophisticated project without activists' advice would be difficult, to say the least. They were also aware of the political and symbolic dimensions of expertise. As Sabini told me:

“Social movements were key in their role as advisors. They know about this issue, they have people that have studied, cultivated, and many of whom lost their freedom for doing so. They also have international connections...They have been very important allies. We could have approved this without the social movements, but it would have been a strategic mistake...Their support was key to give the project political legitimacy (Sabini 2013).

Support from these Deputies enabled activists to move closer to a project they had deeply invested in. But it was also the NDB's acknowledgement of their precarious capital that gave them an opportunity to participate in policy-making. An anecdote narrated to me by a member of AECU (ex-Plantatuplanta) illustrates this point. On September 26th 2012, Tamar Todd, lawyer for New York based Drug Policy Alliance, was invited to talk about regulation models around the world. Cannabic

activists and NDB technocrats were present. During the Q & A, a high level NDB representative asked Todd a question on matters of cultivation. Todd's answer was blunt: she could not answer this question...cannabic growers were the only ones that could. That same afternoon AECU received an invitation to join a working group to design the law (Leticia 2013). Juan Vaz went from being a victim of the war on drugs to a key architect of the law that would kill marijuana prohibitionism. In December 2012, after three months of regular meetings, the final project was sent to the Lower House. The law had gone from a single article to a complex forty four-article project.

Technical support from experienced growers could solve some of the state's problems. It did not, however, change the fact that more than 60 percent of the population were against the project. Under pressure, in December 2012 President Mujica decided to halt the process “until 60 percent of the population backs the project.”⁶⁴ But the NDB, pro-legalization Parliamentarians, and cannabic movements knew that with elections approaching in 2014, missing the opportunity to pass the law during 2013 was too risky. The project had to be “sold” to a skeptical society. However, after decades of actively confining marijuana to a space of “vice” and illegality, the state was not in the best position to put up this fight. State regulation required non-state mobilization.

Given their history of successful mobilization, cannabic movements had a strategic potential. Prolegal would be at the forefront of the fight for the project using a diverse set of platforms -from the traditional marches, to a multi-media campaign on television, radio, and newspapers, to academic conferences. Part of the strategy was to create a new organization, one as wide and diverse as possible. *Regulación Responsable* (“Responsible Regulation”) was born as a nexus between a wide array of social organizations: Prolegal, other cannabic movements such as *Movimiento Canábico de Florida*, *PIT-CNT* (the national workers union), *Ovejas Negras* (an LGBT collective), environmental organizations, student unions, and a long list of public figures including intellectuals, lawyers, singers, writers, and *fútbol* players.⁶⁵

The organization's name is suggestive. With more than 60 percent of the population against it, the

⁶⁴[HTTP://ELOBSERVADOR.COM.UY/NOTICIA/227947/MUJICA-SE-VA-AL-MAZO-SI-EL-60-NO-RESPALDA-LIBERALIZAR-LA-MARIHUANA/](http://elobservador.com.uy/noticia/227947/mujica-se-va-al-mazo-si-el-60-no-respalda-liberalizar-la-marihuana/)

⁶⁵ www.regulacionresponsable.org.uy

project could not be sold as a matter of the “right to smoke.” Order, regulation, and responsibility had a better chance or would resonate better with an otherwise skeptical audience. Regulación Responsable was key for this framing of the law. As Deputy Nicolás Nuñez told me: “Regulación Responsable emerges as a necessary shift in the campaign. To show that this project was a regulatory one. Regulación Responsable is basically a marketing platform” (2013).

Colluding with the state was not without its costs for social movements. Particularly in relation to that same “responsibility” frame they were helping to construct. As a member of Prolegal told me:

“Our objective was very clear: to try to get legalization passed in the best way possible...We did something that was very tough for us: moving our campaign to the center of the political spectrum, appealing to doctors, lawyers, and mothers. We gave people a feeling of security, but at the cost of marginalizing the discourse of rights and freedoms, which, even though central to us, would not help for the main objective: accumulating supporters” (Matías 2013).

The coalition was thus built on two pillars: technical cooperation and social mobilization. Interaction between the two parts, however, was not entirely harmonious. State officials were worried about control over the substance and its use. One of the *sine qua non* conditions for the state was to implement a consumer register.⁶⁶ Cannabic movements, by and large belonging to the left, were aware of the authoritarian flavor of a register. But they could not reject it. As Matías from Prolegal told me: “We don't like the register. And we think that it will have to disappear eventually. However, in the current context, this register is tolerable...even though philosophically we do not like the marijuana consumer having to register” (Matías 2013). The state, however, was not the only one bargaining. In the process of designing the law, cannabic movements were able to re-introduce legal cultivation and cannabis clubs, redeeming years of struggle.

Conclusion

Why, then, did marijuana regulation move from “war” to market? In this paper I have demonstrated

⁶⁶The register alienated prominent activists. Alicia Castilla's estrangement, for example, was paradigmatic. Her fundamental discrepancies with the idea of a register made her a staunch opponent to the project. See: http://cannabischile.cl/cosas-que-no-son-lo-que-parecen/?fb_comment_id=fbc_373664696102223_1806531_373855952749764

that the field of drug regulation was radically transformed because marijuana and its practices lost relevance as a “social problem,” while becoming part of the solution for more pressing dilemmas. This was not a natural or even expected outcome, but the result of a complex set of processes that re-articulated the relational properties that drugs hold as material and symbolic commodities. Marginal and dominated actors were able to ignite an “episode of contention” that offered an alternative to punitive-prohibitionism. But the radicalism of the final project would not have been possible without an inter-field crisis: namely, without a collision between processes of change in marijuana regulation and the institutionalization of a narco/pasta base/insecurity dilemma. New dilemmas of crime and drugs re-articulated the logics under which the state intervenes in the field of drug regulation, enabling the appropriation by the state of a legalizing project. However, the state lacked the necessary resources to intervene in a transformed field, opening the opportunity for new coalitional politics.

The complexity of the Uruguayan case suggests that radical change in marijuana regulation might not spread easily. However, there is not one “recipe” for how a re-articulation of the relational properties of drugs might happen, as the Colorado and Washington cases in the U.S. demonstrate. Interestingly, the fate of Uruguay's project could alter the conditions under which marijuana re-regulation becomes possible if, for example, the untapped economic potential of a legal marijuana market proves to be significant. If legal cannabis “changes Uruguay's productive matrix,” as Prosecretary of the Presidency, Diego Cánepa, has recurrently promised, moving marijuana regulation from war to market might turn out to be easier in other countries in the near future.

The War on Drugs, crafted in the North and endured in the South, has been very costly for Latin America. Recent moves to legalize cannabis and an expanding discourse on the failure of the war on drugs signal a deep frustration with the consequences of drug prohibitionism (Andreas & Nadelmann, 2008). Thus, it is not at all utopian to expect further change in the proximate future and the Uruguayan case has been a first radical move in that direction. But we should also bear in mind that drugs have been very effective symbolic repositories for a diverse set of social anxieties. They have provided heuristic shortcuts -most of the times completely unsubstantiated- to explain, or better, to reduce complex social phenomena such as crime and violence through the “problem of drugs.” They have

also enabled elites to use these “legitimate impostures” or collective beliefs and “misrecognitions,” in Bourdieu's terms, for their own ends of social control. Drug regulation, therefore, will probably evolve in non-linear ways. The dialectics of drug re-classification in Uruguay, where marijuana moved into a legal and tolerated space while other drugs such as pasta base drifted into increasingly punitive and stigmatized spaces, show that non-punitive approaches can coexist with a sustained “war on (other) drugs.” Unfortunately, it might even be the case that the former depends on the latter.

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Appendix 1

Marijuana Consumption

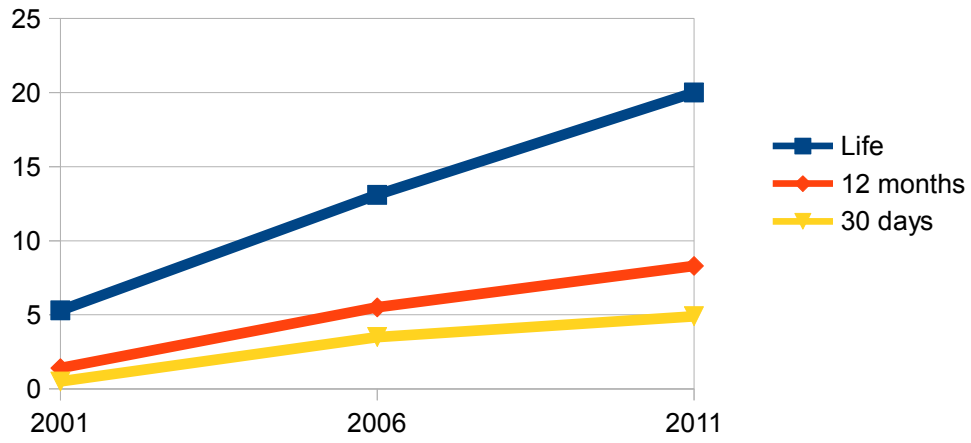


Chart 4. Source: Fifth national poll on drug consumption (NDB, May 2012)