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Drug policing assemblages: Repressive drug policies and the zonal banning of drug users in Denmark's club land

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Abstract

Background: Zonal banning of disorderly and intoxicated young people has moved to centre stage in debates about nightlife governance. Whereas existing research has primarily focused on the use of zonal banning orders to address problems of alcohol-related harm and disorder, this article highlights how zonal banning is also used to target drug-using clubbers in Denmark.

Methods and focus: Based on ethnographic observations and interviews with nightlife control agents in two Danish cities, the article aims to provide new insights into how the enforcement of national drug policies on drug-using clubbers, is shaped by plural nightlife policing complexes.

Results: The paper demonstrates how the policing of drug-using clubbers is a growing priority for both police and private security agents. The article also demonstrates how the enforcement of zonal bans on drug-using clubbers involves complex collaborative relations between police, venue owners and private security agents.

Conclusion: The paper argues that a third-party policing perspective combined with assemblage theory is useful for highlighting how the enforcement of national drug policies and nightlife banning systems is shaped by their embeddedness in local ‘drug policing assemblages’ characterized by inter-agency relation-building, the creative combination of public and private (legal) resources and internal power struggles. It also provides evidence of how drug policing assemblages give rise to many different, and often surprising, forms of jurisdiction involving divergent performances of spaces-, objects- and authorities of governance.

Keywords: Drug policy, nightlife, drug policing, zonal banning, assemblages, qualitative research.

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Introduction

In post-industrial cities, nightlife districts have gained governmental prominence, as they are often associated with public drunkenness, disorder and young adults' use of 'club drugs' such as ecstasy, amphetamine and cocaine (Measham, Aldrige, & Parker, 2001; Hunt, Moloney, & Evans, 2010). While existing research has suggested that the cultural normalization of clubbers' drug use (Duff, 2005) has been coupled with a relative relaxation in the regulation of drug activities inside venues (Sanders, 2005; Ward, 2011), this article challenges such assumptions by arguing for the need for more nuanced understandings of drug policing in nightlife spaces. The article points to a growing governmental intolerance of drugs in Danish nightlife spaces, and analyses how drug-using clubbers are targets of inter-related police and club security banning measures aimed at excluding them from entire nightlife districts.

Similar to developments in other western countries (Duke, 2006), discourses of zero tolerance have gained a growing influence on Danish drug policy. As an indication of this, in 2003 the Danish government presented a whitepaper called *The Fight against Drugs* (Government, 2003). The whitepaper articulated a shift toward law-and-order politics and, couched in the rhetoric of 'zero tolerance', 'tough on drugs' and 'deterrence', it aimed to re-penalize possession of drugs for personal consumption (which had been de-penalized since 1969) (Frank, 2008). In 2004 this change of policy resulted in an amendment of the drug legislation that introduced a zero-tolerance policy on all possession of illicit drugs (Houborg, 2010).

In this article we explore how the development of a more repressive national policy towards recreational drug users has been implemented in Danish nightlife districts through the use of zonal bans and the formation of collaborative ties between police, venue owners and security staff (bouncers). Though the police continue to play a central role in the enforcement of drug laws, we

demonstrate how Danish authorities' ambition to ban drug users have included attempts to get venue owners and bouncers to use their resources and legal powers to detect and exclude drug offenders from entire nightlife districts. Others have pointed to the growing importance of public-private collaboration and administrative and civil law in the regulation of nightlife spaces (Hadfield, Lister, & Traynor, 2009; Palmer, & Warren, 2014). However, little is known about how the internal dynamics of partnership policing affect the establishment of nightlife order and the enforcement of nightlife zonal bans (van Liempt, 2015). In this article we use the concept of 'third-party policing' (Mazerolle, & Ransley, 2006) to highlight how the police attempts to encourage or coerce private actors to assume responsibility for controlling drugs in nightlife districts. We furthermore draw on assemblage theory (Deleuze, & Guattari, 1987; Delanda, 2006) to suggest that public-private policing collaborations can best be understood as dynamic assemblages of heterogeneous components that change over time and vary from place to place. The assemblage perspective also helps us to show how public-private drug policing involves ongoing 'games of jurisdiction' (Valverde, 2014).

Analytical framework

The policing of nightlife districts is undergoing significant changes in many western countries. Among the most important is the emergence of local coalitions between public authorities, venue owners and bouncers. Within these networks public and private actors are expected to collaborate and take responsibility for nightlife safety (Hadfield et al., 2009; Hadfield, & Measham, 2015; van Liempt, 2015; Søgaaard, Houborg, & Tutenges, 2016). Recent studies have also argued that spatial bans, such as private club bans (Hobbs et al., 2003; Room, 2012) and police-issued (zonal) banning orders, have gained prominence in the regulation of unruly drinkers (Hadfield et al., 2009; Palmer,

& Warren, 2014). In this article, we argue that such spatial measures aimed at controlling people by controlling territory (Sack, 1986) are also increasingly used to regulate and deter clubbers' use of drugs.

Nightlife zonal banning is often hailed for its presumed crime-preventing effects. However, relatively little is known about the actual enforcement of such bans and the role public-private partnerships play in this. The research that exists suggests that although the police hold a monopoly on the issuing of legal zonal bans, the actual enforcement of such 'police bans' often rely on collaboration with venue owners and bouncers. This can include police distribution of information to licensees, such as photos of banned individuals (Room, 2012), to encourage them to exercise their legal right to exclude those individuals from their venues (Hadfield et al., 2009; van Liempt, 2015). Furthermore, in some western cities, police-issued zonal bans are supplemented by collective 'private zonal bans', like the British Pubwatch scheme (Room, 2012). Such private zonal bans should not be seen as being opposed to public measures, but rather as part of an effort to outsource nightlife control (Hadfield, & Measham, 2015). In such outsourcing, state actors often play a key role in facilitating 'voluntary' collaboration between licensees to construct collective private bans through coordinated use of civil laws against trespassing (Room, 2012). As this indicates, the enforcement of nightlife zonal bans can at times be seen as the outcome of policing networks that bring together different control agents, legal resources and governmental measures.

The existing research on nightlife zonal banning has not made much use of the notion of 'third-party policing' (Mazerolle, & Ransley, 2006). However, we think this concept is valuable in highlighting how nightlife policing and zonal bans often involve police attempts to harness the legal powers of third-parties. Third-party policing involves police efforts to persuade or coerce non-offending third parties to collaborate and take responsibility for controlling or preventing crime. A central component of third-party policing is therefore the use and combination of different

legislations (civil and criminal), rules and regulations to regulate specific areas or populations (Mazerolle, & Ransley, 2006, p. 3). In the case of private zonal bans this could involve venue owners' exercise of private property rights to exclude certain individuals from their premises. Since third-party policing involves attempt to 'enrol' (Callon, 1986) third parties to take action in relation to persons, situations and spaces over which they have authority, third-party policing can also be seen as involving what Valverde (2014) calls 'games of jurisdiction'. This term highlights how network-based security governance involves ongoing negotiations and struggles for the distribution of spaces, objects and not least the (legal) authority to decide who governs where and what. However, in order to explain the complexities and dynamics of such games of jurisdiction we need to move beyond the focus on formal structures and the hierarchical power relationship between police and third parties that the original idea of third-party policing implies.

The 'third-party policing perspective' tends to focus on how formal structures of authority and legal governance. The police is the dominant actor, harnessing the legal powers of third parties, and thus the primary locus of power in the analysis (Mazerolle, & Ransley, 2006). While this perspective is useful to understand the development of public-private nightlife policing, we also need analytical tools that enable an understanding of less formal and extra-legal instruments and practices which also play an important role in policing arrangements. Similarly, we need a conception of power that focuses on the reciprocal and mutually constitutive relations between actors, and how their practical interactions establish particular (and sometimes precarious) power relations, rather than assuming a hierarchical power relation beforehand.

Inspired by the work of van Liempt (2015), we argue that assemblage theory (Deleuze, & Guattari, 1987; Delanda, 2006) can provide analytical tools that can help incorporate the more complex power relations, dynamics and informal aspects of third-party policing arrangements and how these affect the everyday enforcement of drug policies. Assemblages are constellations of

heterogeneous human and nonhuman components that have particular emergent properties and capacities (Delanda, 2006). This could for example be a specific composition of policing assemblages that involves different actors, technologies, material environments and legislation that constitutes and distributes spaces-, objects- and authorities of governance, and hence makes particular ways to control possible. In assemblage theory the components that make up an assemblage are not defined by what they are (for example public or private actors) but by what they do, that is, the roles and functions they assume in the assemblage (such as enacting different public and private roles or public-private hybrids). This relates to another important feature of assemblages, which is that they should be seen as processes rather than as static entities. Components come and go and relations change, which results in changes of the assemblages' properties and capacities, making assemblages emerge and fall apart. In the language of assemblage theory this is called the ongoing 'territorializations' and 'deterritorializations' of assemblages (Delanda, 2006). These twin concepts are particularly relevant to our investigation of third-party policing because they can help us understand the games of jurisdiction mentioned above as ongoing stabilisations and destabilisations of governance. It is by studying the interaction and relations between *human actors* (such as police officers, bouncers, venue owners, patrons and municipal authorities), *material objects and artefacts* (such as built environments and geography) and *immaterial and symbolic components* such as legal resources and news stories, that we can understand how zonal bans are enacted. In this study we particularly highlight how differences in the geographical compositions of local nightlife districts in Aalborg and Aarhus have implications for territorializations of nightlife governance in the two cities. In Aalborg, efforts to ban drug offenders have largely been organized through police-issued zonal bans and attempts to make venue owners and bouncers collaborate in the enforcement of these. In Aarhus, the police's inability to

issue zonal bans has led to attempts to build a collective private zonal banning system by strengthening the collaborative relations between venue owners and security companies.

Background and method

Study context

Until the late 1990s, Danish drug policy was dominated by a view of young peoples' drug use as mainly a social problem to be addressed through welfare policy and preventive measures. A central component of this policy was a de facto decriminalization of possession of illicit drugs for personal consumption (Frank, 2008; Houborg, 2010). In the early 2000s this policy started to change. An important contributing factor to this was reports about widespread use of ecstasy among young people. While young people's use of illegal drugs had previously been seen as a symptom of social marginalization, it was increasingly constructed as an individual choice made by deviant consumers (Houborg, 2010). Furthermore, club-based recreational drug use was problematized due to its perceived health risks and its role in creating a market for more illicit drugs. In response, the Danish government presented a whitepaper called *The Fight against Drugs* (Government, 2003) to advance a zero-tolerance policy on the possession of drugs (Frank, 2008; Houborg, 2010).

The whitepaper (2003) highlighted urban nightlife as a primary site for the implementation of the zero-tolerance policy. It stated that venue owners, bar staff and bouncers were to take responsibility, and that local authorities were to use license regulations to ensure the collaboration of reluctant venue owners. The Union of Police Chiefs also published several whitepapers recommending that the police should strengthen its collaboration with venue owners and bouncers (Union of Police Chiefs, 1998, 2002). Since the early 2000s local authorities have invested a great deal of energy in establishing Safe Nightlife Partnerships between municipalities, the police and venue owners

(Danish Council of Crime Prevention, 2005), as well as informal police-bouncer networks (Søgaard, Houborg, & Tutenges, 2016). From the early 2000s the Union of Police Chiefs (2002) also recommended that the police should make increased use of ‘drinking banning orders’ as means to reduce violence, disorder and illegal drug use in Danish nightlife. In Denmark, official drinking banning orders are based on administrative law rather than criminal law, and the police can issue these on the basis of an individual’s criminal behaviour either inside or in connection with a visit at a venue. The order can be imposed by a judge or by an officer at the time of arrest. Whereas a ‘*specific* drinking banning order’ restricts an offender from entering a specific venue, a police-issued ‘*zonal* drinking banning order’ bans an individual from entering venues within a specified area for a period of up to 24 months (Ministry of Justice, 2006a, 2009). In Denmark, police-issued zonal bans are sometimes supplemented by collective but legally unofficial private zonal bans issued by venue owners or bouncers. The criteria for an informal collective private ban are often more vaguely defined than their official counterparts, and can include abusive talk (for a similar finding see Room, 2012), violent behaviour, being gang-related as showed by Søgaard et al. (2006), or being under the influence of illegal drugs, as we demonstrate in this article.

Data collection

The data used for this article was drawn from two ethnographic studies of nightlife partnership policing in the Danish cities of Aalborg (210.000 inhabitants) and Aarhus (300.000 inhabitants). Aarhus and Aalborg were chosen as field sites because local authorities there have invested a great deal of energy and resources in securitizing their inner-city nightlife over the past decades. Furthermore, though the cities are relatively similar in size, the geographical composition of their respective nightlife districts is very different. From the outset we suspected that this would have implications for the organization and dynamics of local policing complexes.

The Aalborg study was conducted from early to late 2015. In this study we conducted a total of 48 interviews with key stakeholders and nightlife control agents, including interviews with 14 venue owners, 15 bouncers, eight police officers, one representative of the police legal department, two representatives of the alcohol licensing authority and two organizing members of a newly founded official Safe Nightlife Partnership. All interviews lasted between one and two hours and were recorded and transcribed. They were used to generate data about the regulatory practices of the stakeholders and nightlife control agents, as well as their concerns and perspectives on drug-related issues, disorderly youth, local gangs and their collaborative relationships. We conducted 160 hours of observational studies of officers' nightlife patrols and bouncers' regulatory practices in Aalborg. Observations were carried out on weekend nights over a time period of four months. The observational sessions lasted between four and six hours and focused primarily on the activities of police and club security staff in Aalborg's main nightlife district. The nightly observations were undertaken by two of the authors and two research assistants. During nightly observations, the researchers made scratch notes which were later used to reconstruct field notes containing in-depth descriptions of officers' and bouncers' verbal exchanges, informal collaboration and efforts to identify and exclude troublesome patrons, including drug-using clubbers. One of the authors also participated in two meetings in the official Safe Nightlife Partnership in Aalborg. Lastly, we collected statistical data on police interventions and use of banning orders in Aalborg nightlife from 2011 to mid-2015 using POLSAS, the official police database, where all cases and verdicts are registered. The database contains a description of the incident leading to the ban, which was used to establish different categories of offences (drugs, violence, weapons possession, theft and unspecified). For drug offenses the descriptions were also used to determine the quantity in the offender's possession. The analysis is based on cases rather than persons, meaning that one case may involve more than one person.

The Aarhus study draws on data generated by Søgaaard in 2010-2011 as part of his PhD, which explored the intertwining of bouncers' embodied masculinity and the political economy of security in Aarhus. This study included interviews with 54 bouncers, seven venue owners, five police officers and four municipal members of the local Safe Nightlife Partnership. All interviews lasted between one and two hours. All were recorded and most were transcribed. Søgaaard spent 163 nights observing the nightly work of bouncers and their collaboration with the police. Søgaaard also participated in five meetings of the Safe Nightlife Partnership, four meetings of the local police-bouncer network, and one meeting in which most of the local security company owners and a representative from the municipality discussed the possibility of establishing a private drug patrol in Aarhus. In both the Aalborg study and the Aarhus study we also mapped out local media accounts about nightlife drug use/dealing and the use of banning measures. Furthermore, we collected relevant government documents. This was done in order to contextualize our ethnographic findings in the respective cities. Both studies have been approved by the Danish Data Protection Agency, which functions as the ethical board for Danish social science research. Interviews and field notes were thematically coded and analyzed using an inductive approach to identify salient themes and identify key components, tensions and configurations in local policing assemblages. To maintain participant anonymity, pseudonyms are used throughout the article.

In the following we draw on media accounts, government documents and statistical data from the police database to outline key governmental developments in Aalborg nightlife. Later we use ethnographic data to provide insights into the everyday dynamics of local policing assemblages.

Results

The case of Aalborg: police-centred zonal banning

In Aalborg the main nightlife district is made up of about 30 venues located along a 150-metre-long pedestrianized street, known as ‘the Street’. Every weekend, this concentrated nightlife district attracts thousands of young people from the wider Aalborg area, as well as tourists from Norway and Sweden. In the media the Street has often been synonymous with reports of violence, disorder and young peoples’ use of ecstasy (see for instance Askvig, 2000). Since the early 2000s, the police in Aalborg have therefore been at the forefront of using banning orders to implement a ‘zero-tolerance policy’ on illicit drugs. The police initially used ‘single-venue banning orders’ restricting drug offenders from accessing specific venues, but due to concerns that these only had limited effects in a nightlife district with a high concentration of venues, the police began to experiment with ‘zonal banning orders’.

In Danish nightlife districts the use of zonal banning orders is still rather limited. One key reason for this is that the Ministry of Justice has decided that zonal banning orders may only be issued if venues are located in a way that makes up a delimited and unified nightlife district (Ministry of Justice, 2006a). While these criteria have limited the police’s ability to issue zonal nightlife bans in many Danish towns and cities, government reports have often highlighted the Street as a nightlife district where police-issued zonal banning orders can be used effectively (Ministry of Justice, 2009). To be under a zonal drinking order ban in Aalborg means to be banished for up to 24 months from 44 venues, including all of the venues in the Street as well as 17 venues located in the neighbouring streets. Though private bans issued by bouncers or venue owners are still used to exclude troublesome customers from specific venues, in Aalborg police-issued zonal bans play a key role in attempts to enforce a systematic exclusion of drug offenders. Data from official police registers in Aalborg shows that the police issued a total of 388 zonal bans from 2011 to mid-2015. More than two-thirds of these (70.6 percent) were issued based on drug-related offences.

Though media accounts have suggested that zonal banning orders are primarily used to target drug dealers in Aalborg's nightlife (Andersen, 2009), police registers show that the majority of zonal bans are issued based on individuals' possession of very limited quantities of illegal drugs. Case descriptions in the police database show that 73 percent of drug offences involved possession of one gram or less of the drug in question, and an additional 13 percent involved possession of one to two grams. Two cases involved individuals caught in possession of large quantities of drugs (one concerned 885 grams of cannabis, the other 23 rohypnol tablets), and two cases involved a person who was either identified by the police as a drug dealer or admitted to possession with intent to distribute. It should be added that in 64 cases the specific amount was not noted; however, most of those cases were prosecuted as drug possession for personal use. This indicates that the group most likely to be targeted by zonal bans are clubbers who are caught in possession of drugs for personal consumption.

Identifying drug users: de- and reterritorializing policing assemblages and nightlife spaces

While the police hold the power to monitor, fine and ban drug offenders, officers' ability to detect drug users is limited, since the use and sharing of drugs often takes place inside venues. We describe how efforts to implement a repressive drug policy in Aalborg's nightlife have been coupled with police attempts to enrol venue owners and bouncers in detecting and policing drug users. We argue that such efforts have involved processes of both de- and reterritorialization – that is, processes of stabilization and destabilization of local policing assemblages – and resulted in reconfigurations of the roles and functions of private control actors.

During the early 2000s, recurring reports about revellers' use of ecstasy made the fight against club drugs a top priority for police in Aalborg. According to a police inspector we interviewed, the

widespread use of illegal drugs was partly made possible by the fact that some venue owners and bouncers practiced a *laissez faire* approach towards illegal drugs. In order to change this situation, the police set up an anonymous ‘ecstasy hotline’ that nightlife users could use to tip off the police about drug-use hotspots and the identity of dealers. Based on tips from the hotline, the police made several raids on selected venues in the Street resulting in seizures of rather large quantities of ecstasy pills inside a number of venues. One of these venues was first temporarily closed by the police and later sanctioned by the licensing authorities to a period of restricted opening hours (Sønnichsen, 2000). The police and licensing authorities also demanded that targeted venues presented plans for how to alter their physical interiors to make it easier to detect drug users.

Some [venue owners] thought it would have a negative effect on the atmosphere, but we [the police] said: ‘Put up more lamps, it’s almost pitch-black inside’. It was hard for us to do checks when we couldn’t see people’s faces or what they were doing. In the dark you can do anything (Interview with Police Inspector).

In Aalborg, a game of jurisdiction was played out in which the police and venue owners struggled over who should govern where and what, and through this struggle nightlife spaces-, objects- and authorities of drug governance were reconfigured. The police initially used the ecstasy hotline, the drug legislation and licensing regulations to deterritorialize venues as spaces of (more or less) unregulated drug use and then reterritorialized them as spaces of drug governance. This was done by altering the material layout of the venues and making owners and bouncers assume responsibility for controlling these spaces. The police used different tactics of enrolment (Callon 1986). Apart from nightly raids and the legal closure of troublesome venues, the police used the media to communicate the message that venue owners would face sanctions if they did not contribute to the enforcement of a repressive drug policy.

[We] would like to see the venue owners demonstrate a will to cooperate. If they do, of course they shouldn't be punished, but if they cross the line they will be punished by the licensing authorities (Police inspector, cited in a national newspaper, BT, 2000).

The emerging public-private policing assemblage was not just gradually folded into the physical design of targeted venues. Interviews with bouncers also show that it manifested itself in the regulatory practices of some bouncers, who used their civil legal powers to arrest, retain and hand over apprehended drug users to the police.

Drugs are not acceptable at *any time*. That's where I show no tolerance. I just can't stand it. If I see an empty bag [of cocaine] that someone just dropped, I take him down immediately and restrain him until the police can come and pick him up (Interview with a head bouncer, the Street).

In Aalborg the threat of police and licensing sanctions has played an important role in the process of assembling more collaborative relations between public authorities, venue owners and bouncers. These tactics of enrolment performed a clear hierarchical relationship between public and private authorities. However, more informal and less hierarchical interactions have also contributed to establishing third-party policing of the nightlife in Aalborg. These interactions include regular meetings between local authorities and venue owners as well as police use of a persuasive rhetoric emphasizing the importance of public-private collaboration, common interests, responsibility and joint fronts against drug dealers and users. To sum up, alarming media accounts about young people's use of ecstasy, police raids, the threat of licence revocation and persuasive rhetoric have worked as territorializing components of an emerging public-private policing assemblage aimed at fighting the nightlife drug problem in Aalborg.

Managing banned individuals

In Aalborg, the police do not just rely on private actors to identify drug users. They also rely on them to manage and exclude individuals who have been given zonal bans. We demonstrate how the enforcement of zonal bans often involved knowledge-sharing between public and private control agents. We argue that a focus on the street-level management of banned individuals can provide insights into the non-linear developments of policing assemblages and the enforcement of repressive drug policies.

Banned individuals in Aalborg are listed in official police registers. In order to enable patrolling officers to identify individuals violating a ban, officers have set up a large board at the police station showing pictures of individuals holding a ban. However, since the local nightlife district includes dozens of venues and is densely populated on weekend nights, individuals often slip under the radar of police patrols. As a consequence, the police in Aalborg have come to rely on collaborating with venue owners and bouncers to enforce zonal bans. For instance, until 2008 the police used network meetings to show pictures of banned individuals to venue owners and bouncers (see also Ministry of Justice, 2006b), often with the expectation that bouncers would use this information and their civil powers to keep these individuals out. In 2008 this practice officially ended when the Danish Data Protection Agency (Ministry of Justice, 2009) ruled that the police could not show or distribute pictures of banned individuals to other citizens without the banned individuals' consent. Today, venue owners and bouncers are officially only informed about the names and addresses of individuals who have been banned.

While the intervention from the Data Protection Agency represented a source of de-territorialization of the policing assemblage by setting limits on how officers and bouncers can share information, it has also given rise to creative processes of partial network re-assembling or re-

territorialization. For instance, interviews with bouncers and venue owners indicated that officers in rare cases still show pictures of banned high-risk individuals. More importantly, however, nightly conversations with one group of bouncers revealed that they had developed a procedure whereby, based on information (names and addresses) provided by the police, they sometimes used Facebook to collect pictures of individuals who had been given police bans. These pictures were then stored alongside pictures of individuals who had been given private bans – issued by the bouncers – in a shared Facebook folder, making up an informal *private* database. While the establishment of private Facebook registers is a violation of the Danish Data Protection Act, during nightly observations we recorded one incident in which a bouncer accessed the informal ‘database’ via his mobile phone because he suspected that a banned individual was trying to get in. We also recorded incidents when bouncers contacted the police because they suspected that an individual who had been given an official police ban had entered the venue.

The foregoing indicates how the practical enforcement of repressive drug policies in Danish nightlife has involved different forms of unauthorized combinations and integrations of police and private registers, making up larger amorphous administrative wholes.

Policing assemblages and internal power struggles

One key advantage of using an assemblage perspective in the analysis of public-private drug policy enforcement is that rather than assuming the existence of specific power relations between key actors, it enables us to explore how relations between assemblage components are only ‘contingently obligatory’ (Delanda, 2006), meaning that they are subject to power struggles, reorganizations and transformations.

Though the police have invested considerable resources in convincing venue owners and bouncers to collaborate, interviews revealed that these were not always convinced of the added value of a collective ban issued by the police. As with the findings of van Liempt (2015), some of the venue owners and bouncers we interviewed described how the administrative process of detaining a suspected drug user and waiting for the police to arrive demanded too much time and resources on busy nights, why they were happy just to evict the person. One bouncer also described how he was reluctant to hand over certain drug users to the police because he felt that a two-year ban was too severe a punishment.

We have some [patrons] who just try it [drugs] one night, and of course they shouldn't be banned for a long time just because they screwed up once (Interview with bouncer).

Some bouncers also took the position that since the police were no longer allowed to show them pictures of banned individuals, it was no longer their job to keep out individuals with a police ban. As they saw it, this should now solely be the job of the police. This demonstrates how the legally conditioned change in the flow of information between public and private control agents also led some bouncers to redraw distinctions between public and private responsibilities, making them less engaged in enforcing police-issued zonal bans. Through such moves in the jurisdiction game, bouncers reconfigured objects, spaces and authorities in relation to policing drugs in the nightlife.

Even for bouncers who expressed a strong intolerance of illegal drugs, the very organization of the private security structure in the Street seemed to mitigate the detection of drug users. In the Street, venues are located side by side and many are only manned by a single bouncer. The reason for this is an agreement between venue owners – partly to keep security expenses low – that all bouncers, regardless of company boundaries, should assist each other in emergency situations. While the establishment of a collective alarm system, based on the sounding of a loud siren and a

red emergency signal outside venues, enables bouncers to get quick assistance in violent situations, during quiet periods it creates a situation where individual bouncers are often working more or less on their own. During such periods, bouncers often feel that their sparse resources are better spent at the door, ensuring that potentially violent troublemakers are not allowed access, rather than monitoring suspected but well-behaving drug users inside venues. Furthermore, many of the bouncers we interviewed reported that since most venue owners in Aalborg did not want to invest in drug tests, they often felt they had to let in individuals that they suspected, but could not prove, were under the influence of drugs.

I can't say that you can't get in because you're on drugs. If I can't prove he's on drugs, then it would be harassment, right. So actually we sometimes let in people who are totally high on something, that's the worst part [of the job]. But the venue owners are often too stingy to buy DrugWipes¹ (Interview with bouncer).

As shown above, the practical enforcement of a repressive drug policy in Aalborg's nightlife is shaped by street-level collaborations and by different control agents' perspectives and concerns as they make moves in the jurisdiction game that continuously de- and reterritorialize the objects-, spaces- and authorities of governance. Whereas the policing assemblage in Aalborg has primarily been organized around efforts to sanction drug dealers and young people in *possession* of illegal drugs, in the following we show how the policing assemblage in Aarhus has involved collective attempts to also ban patrons *intoxicated* by illegal drugs.

The case of Aarhus: private drug patrols and the criminalization of drug intoxication

¹ A DrugWipe is a test used to check surfaces for traces of drug residue, and can also be used to test sweat and saliva.

On a general level, authorities in Aalborg and Aarhus share the ambition of establishing a drug-free nightlife, but the measures taken to realize this ambition differ. One of the main reasons for this is that the geographical distribution of the nightlife in Aarhus makes it difficult to issue official zonal banning orders. The nightlife scene in Aarhus is scattered across a large geographical area that does not qualify as a ‘unified nightlife district’, which is the basic legal requirement for the police to be able to issue zonal drinking banning orders (Ministry of Justice, 2006a). In Aarhus, attempts to systematically exclude drug users have therefore revolved around efforts to construct and enforce a collective *private* zonal ban.

The nightlife scene in Aarhus is dominated by a number of small and large security companies providing security in many different venues. Most security companies have their own collective banning systems whereby individuals who misbehave in one venue are banned from all of the venues where a particular company provides security. In order to enforce company-based bans, many security companies use different forms of administrative systems, ranging from hardcopy books containing photos of troublemakers to Facebook registers, as revealed by the local media in 2014 (Christensen, & Madsen, 2014).

In 2010 authorities in Aarhus raised concerns about how to enforce a more effective ‘zero-tolerance approach’ to nightlife drug users. Since the police in Aarhus was unable to use official zonal bans to any significant extent, the suggestion was made to create a private zonal banning system whereby drug users would be excluded from all of the 22 venues participating in the Safe Nightlife Partnership. In order to realize this, local authorities and venue owners came to the conclusion that it was crucial to strengthen the collaborative relationships between the different security companies. The hope was that this could facilitate a transformation of the company-based banning systems into a large network between security companies in which information and private quarantine lists could flow more freely across company boundaries. In 2010, representatives from

the different local security companies were therefore invited to a meeting of the Safe Nightlife Partnership. There the chairman, a representative of the municipality, outlined the purpose of the meeting and why the security company owners had been invited:

The idea is, can we make it more difficult for people who want to make trouble or who have taken drugs to get in? At the last meeting we discussed whether we could build up a shared quarantine system. If a person gets caught under the influence of drugs in one bar or a person has been violent – well then that person is banned from all the venues in the network. It was suggested that we should talk to the bouncers to see what they can do to strengthen the collaboration between the venues. That's why we have invited the big boys today (From field notes).

In Aarhus, network partners were very concerned about how to target and collectively ban patrons 'under the influence of drugs'. This ambition was also underlined by the fact that a municipal member of the Safe Nightlife Partnership was successful in applying for the equivalent of 12,000 GBP from a private funding agency to buy DrugWipe tests to be used at venues participating in the partnership. In Denmark, it is not in itself a criminal offence to be under the influence of drugs. However, the above-mentioned meeting can be seen as a de facto attempt to criminalize individuals intoxicated by drugs, not by using the legal authority of the police, but through bouncers' coordinated use of civil law against trespassing. However, in the meeting it soon became clear that the owner of the largest security company in Aarhus refused to collaborate with the other security companies because he did not trust them. In the aftermath of the meeting, a less sceptical security company owner however came up with the idea of establishing a private 'drug patrol' that could circulate between venues controlled by security companies that were willing to collaborate with each other. This private drug patrol could help the regular bouncers at venues conduct drug tests and spot and exclude patrons who had been given either an official police ban or a private

quarantine from another venue. It was decided that the different participating security companies should take turns providing bouncers for the drug patrol. Though the initiative gained support from local public authorities because it had the potential to ensure a more systematic exclusion of drug users (not through official police measures, but informal private measures), the private drug patrol only operated for about three months. The initiative stranded on a lack of funding, since venue owners did not feel that the patrol provided added value compared to the extra expenses it required. Furthermore, some of the participating security companies grew increasingly reluctant to allow other bouncers to enter ‘their’ venues because they suspected that the patrol was used as a cover to ‘steal’ venue owners as clients.

The case of Aarhus represents a jurisdiction game that differs significantly from the one in Aalborg. In Aarhus it was not a matter of enrolling private actors as agents to enforce a public zonal banning order. To realize public drug control ambitions, it was rather a matter of reterritorializing an existing private policing assemblage to make it city-wide. This policing assemblage involved a territorialization of governance whereby possession of illicit drugs as well as intoxication were the objects of governance. It also enacted a much less clear distinction between public and private policing than in Aalborg. In the case of Aarhus it was as much enrolment in between private actors as it was enrolment of private actors by the police that was key to the assemblage’s capacity to control drugs in the nightlife.

Concluding discussion

In recent years a number of researchers have argued that the cultural normalization of clubbers’ drug use in the UK has been coupled with a relative relaxation in the regulation of drug activities inside bars and nightclubs. As an example of this, Sanders (2005) has described how club security

staff often display a ‘blind-eye’ attitude or are even complicit in the selling and use of drugs (see also Hobbs et al., 2003). Complementing these findings, Ward (2011) argues that, contrary to the hard-line approaches used to target visible hard-end drug users in public spaces in London, recreational drug use hidden within the private domains of bars and nightclubs has generated little public debate and police attention.

While existing research has provided valuable insights into potential discrepancies between the official zero-tolerance rhetoric and the way clubbers’ drug use is at times partially overlooked by private and public control agents (Sanders, 2005), we hold that it is equally important to avoid uniform and reductionist accounts of nightlife spaces as domains which by definition are characterized by tolerant governmental approaches towards drugs. Instead we argue for the need for a more nuanced focus on the differences in drug policing of bar and club spaces. This article can be read as an attempt to promote such a perspective. By outlining how many of the bouncers we studied collaborate with the police and contribute to the enforcement of zonal bans on drug-using clubbers, this article has also provided insights into current developments of a gradually professionalizing door trade that seem to contradict existing research on bouncers, which has often emphasized their distrustful or antagonistic relationship with the police (Hobbs, 2003).

To provide a nuanced account of collaborative nightlife drug policing we took our point of departure in the concept of third-party policing, but found it necessary to add further analytical tools to account for the dynamics of plural nightlife policing. As Hadfield et al. (2009) have argued, attempts to create order in nightlife districts are often riddled with tensions and ambiguities, reflecting the ad-hoc nature and rapid escalation of public-private regulatory architectures. In this article we have therefore argued that assemblage theory is useful for exploring how nightlife drug policing and related zonal banning measures are outcomes of distributed policing assemblages involving the bringing together of different control agents, (legal) resources, as well as subtle

organizational and interpersonal power plays. While it is still the case that national legislations tend to distinguish clearly between police and private authorities, jurisdictions and banning systems, we hold that a key advantage of an assemblage perspective is that it enables us to highlight how drug-policing assemblages and their ability to target and exclude drug users are the outcome of localized processes of public-private network formations. From this perspective no single actor is solely responsible for the enforcement of zonal bans on drug users in Danish nightlife. Rather, exclusionary drug-policing assemblages are best understood as consisting of heterogeneous components (public/private, human/non-human) whose specific and locally grounded configurations create the properties and capacities of the assemblage. This perspective also helps draw attention to the precarious nature of such assemblages and their ongoing changes as they are assembled, disassembled and reassembled. Since components are not defined by what they are, but rather take on roles and functions in the assemblage depending on the relations they are part of. This perspective also makes the analysis sensitive to the performance of new kinds of relations between public and private jurisdictions as well as hybrid jurisdictions. A very clear example of this is the somewhat surprising role played by Aarhus-based bouncers in the construction of a collective private ban on drug-using clubbers. Contrary to existing research on bouncers, emphasized how they sometimes prey on drug markets inside clubs (Sanders, 2005, see also Hobbs et al., 2003), we demonstrated how emerging collaboration between venue owners, local authorities' eagerness to exclude drug users, the staging of a meeting, and not least an entrepreneurial bouncer's hope to secure a new source of income created a situation in which security companies came to run a private drug patrol with the aim of apprehending and excluding drug users from most of the venues in inner-city Aarhus. By accounting for performances of jurisdiction in this manner, that is, the performances of spaces-, objects- and authorities of governance, we believe the assemblage perspective can also add new dimensions to our understanding of third-party policing. An important

limitation of the research presented in this article is the lack of a patrons' perspective. The addition of such a perspective should be an important element of future research on nightlife policing assemblages, because, just as the relationship between police and third parties are dynamic, so are the relations between patrons and policing actors. This in turn points to an important legal implication of this form of nightlife policing, which concerns the legal rights of those who are policed through such assemblages. Again this should be an important part of future research.

Declaration of interest

The authors declare no conflicts of interest.

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