

THEMATIC SEMINARS (ONLINE)

GENEALOGICAL PERSPECTIVES ON CRIMINALISATION AND FIGURES OF CRIME

MAY 27TH/ JUNE 11TH/ JUNE 14TH

In three online seminars, the project "[CrimScapes](#) – Navigating Citizenship through European Landscapes of Criminalisation" invites attendees to explore the increasingly documented trend towards criminalisation in Western democracies. Understood broadly as the application of criminal law, crime control measures and imaginaries of (il)legality in the management of discourses, practices and populations, the increasing reliance on criminalisation is interconnected with the production and restructuring of moral orders and perceptions of threat and vulnerability. This trend is characterised by fortified framings of particular groups, practices and social conditions as threat necessitating action, especially legal regulation.

In three sessions, we explore the political and legal genealogies of what is marked and governed as crime and criminal, and the production of condensed figures of threat. It grasps social categories of crimes and criminality as produced and negotiated through laws, policies, administrative categories, political debates, imaginaries and practices. We ask: Through which historical trajectories does criminalisation emerge as an instrument to govern groups and practices seen as a threat for moral and social orders? How do legal and crime control policies, and political debates, imaginaries and practices, frame criminalised spaces and re-shape particular figures of crime?

✘ THURSDAY, MAY 27TH, 3-6PM (CEST): KICK-OFF SESSION

3 PM | KEYNOTE BY AYA GRUBER: "POLICING AND BLUELINING"

Abstract: In this keynote, Gruber explores the increasingly popular claim that racialised brutality is not a malfunction of policing, but its function. Or, as Paul Butler counsels, "Don't get it twisted—the criminal justice system ain't broke. It's working just the way it's supposed to." This claim contradicts the conventional narrative, which remains largely accepted, that the police exist to vindicate the community's interest in solving, reducing, and preventing crime. A perusal of the history of organised policing in the United States, however, reveals that it was never mainly about interdicting crime. While policing's crime-reduction success is questionable, one obvious tremendous success has been its control of race, space, and place. Police draw blue lines around Black neighborhoods—just as banks drew their red lines—designating them as high-risk, pathological spaces. Police use aggressive stop and frisks, intense surveillance, and military-style home raids to keep the people in their spatial and social place. Brutality is the business of policing, reinforced in recruitment, training, and practice. Gruber concludes that because racialised brutality is integral to policing, reformers should not primarily focus on incarcerating specific bad cops who draw headlines. The "bad apple" narrative casts racist violence as individual and deviant rather than institutional and structural and undermines the current promising, if glacial, movement toward dismantling policing as we know it.

Bio: Aya Gruber is a law professor at the University of Colorado and an expert on criminal law, legal feminism, violence against women, and critical theory. She has previously taught at the University of Iowa Law School and Harvard Law School. Gruber graduated from U.C. Berkeley and Harvard Law School, after which she served as a public defender in Washington, DC and Miami, Florida. Her frequently cited scholarly articles combine insights from practice with extensive research to articulate a feminist and critical race critique of carceral approaches to gender violence. In 2020, Gruber published her debut monograph, [The Feminist War on Crime: The Unexpected Role of Women's Liberation in Mass Incarceration](#).

4 PM | PRESENTATION OF THE CRIMSCAPES PROJECT BY PROF. DR. BEATE BINDER AND DR. AGATA DZIUBAN

Abstract: This presentation introduces the aims and theoretical perspectives of the newly started European research project, CrimScapes. Bringing together researchers from Cultural Anthropology, Sociology and Gender Studies, the project explores the expanding application of criminal law, crime control measures and imaginaries of (il)legality as both responses to, and producers of, the politics of threat and uncertainty that are currently expanding across the European region. Given the inherent tensions between democratic processes and ever-expanding legal regulations, the project investigates this growing reliance on criminal technologies and institutions as a challenge to the participatory nature of democratic societies, and as possible symptoms and causes of the general sense of turbulence that has come to dominate much of economic, social and political life. It works to analytically grasp the motivations behind, and challenges and implications of, criminalisation for the variety of actors and practices that (re-)shape entangled crimscales - i.e. landscapes of criminalisation.

Bio: Beate Binder is professor for European Ethnology and Gender Studies at Humboldt-Universität zu Berlin since 2008. She studied Empirical Cultural Studies (Empirische Kulturwissenschaft) and History with emphasis on Eastern European History at the University of Tübingen, where she received her MA in 1988 and her PhD in 1997 with a study on the everyday history of electrification ("Elektrifizierung als Vision: Symbolgeschichte einer Technik", Tübingen 1999). In 2006 she habilitated in European Ethnology with the study "Streitfall Stadtmitte: Der Berliner Schlossplatz" (Köln 2009). A list of publications can be found [here](#).

Bio: Agata Dziuban is assistant professor at the Institute of Sociology of the Jagiellonian University. Her research projects focus on sex workers' self-organisation in Europe, working conditions of migrant sex workers in Poland and the making of European HIV-related policies. Within the CrimScapes project, she looks at the ways in which entanglements of sex work, migration and labour policies shape sex workers' lived realities in Poland. A list of publications can be found [here](#).

4:45 PM | DISCUSSION

✘ FRIDAY, JUNE 11TH, 12AM-3PM (CEST): WORKING SESSION I

12AM-1PM | PRESENTATION BY JOHANNA NICKELS: "ALWAYS MORE AND NEVER ENOUGH? A FRENCH- GERMAN COMPARISON OF LEGISLATIVE DYNAMICS IN CRIMINAL LAW"

Abstract: Both punishment & society researchers as well as criminal law scholars observed seemingly fundamental changes in Western democracies' criminal policies throughout the last decades. This is especially true for a possible increase in harsh punishment or an expansion of criminal law, respectively. However, encompassing and comparative data on the evolution of criminal legislation is scarce, as social science research traditionally focuses on imprisonment rates and legal scholars usually opt for comparative in-depth analyses of very specific legal provisions impeding large-scale longitudinal approaches. This holds true for France and Germany, too. Deemed as rather moderate and stable in international comparisons, both countries have not been in the spotlight of international comparative research. This presentation aims to present an innovative and interdisciplinary perspective in introducing new comparative data from French and German criminal legislation throughout the last 25 years. With the help of a newly developed coding tool that integrates comparative law and social science

approaches to systematically track and quantify legislative changes, a more refined picture of tendencies in the evolution of criminal legislation in both countries is painted. After a brief reflection on methodological challenges, key findings will be presented and compared that show changes in legislative activity throughout time and address a possible rise in harsher legislation, relevant differences between both countries as well as important nuances between different areas of criminal law.

Bio: Nickels' PhD project is part of the interdisciplinary French-German research project "[Strafkulturen auf dem Kontinent](#)" ("Penal Cultures on the Continent"). She is currently a Fox International Fellow at Yale University. Her research interests revolve around the intersection of criminal law and society in general, comparative criminal law and innovative socio-legal research approaches.

1-3PM | WORKING GROUPS

- A. CRIME AND MEDIA: REPRESENTATIONS OF CRIME AND CRIMINALITY IN THE MEDIA,
PROF. DR. NICOLAS HUBÉ, PROF. DR. NITZAN SHOSHAN, DR. JÉRÉMY GEERAERT, DR. CLAIRE
RUFFIO, DR. TODD SEKULER

The growing reliance on criminal law and crime control measures as both responses to, and producers of, the politics of threat and uncertainty in Western democracies has greatly contributed to, and is shaped by, spreading imaginaries of (il)legality and moral norms. Investigating the representation of crime and criminals in the media, together with their constituent figurations, enables reflection on the place and role of those imaginaries and norms in contemporary society. In this workshop, we will critically discuss representations of crime and criminality in the media.

It will begin with a short presentation by N. Hubé and C. Ruffio about the evolution of representations of crime in French and German newspapers between 1981 and 2011, followed by brief inputs addressing representations of crime in the fields of hate speech and sea rescue in the Mediterranean.

- B. VULNERABILISING CRIMINALISED SUBJECTS: ENTANGLEMENTS OF GENDER AND CRIME,
DR. AGATA CHEŁSTOWSKA, DR. AGATA DZIUBAN, DR. FRIEDERIKE FAUST, DR. JUSTYNA STRUZIŁ

Scholars have pointed to the politics of criminalisation and securitisation as a tool for managing societies in modern democracies across the European region. These politics frame certain populations and individuals as threats and risks to social order and security that need to be governed through measures of crime control and punishment. However, these trends have been accompanied, and partly challenged, by efforts to highlight the vulnerability of criminalised groups and individuals, and by constituting them primarily as victims.

This workshop aims to critically reflect on the entanglements of gender with notions of crime, victimhood and vulnerability. Four brief inputs addressing migrant sex work, abortion, drug use and women's prison will stimulate a discussion on the intersections of threat and vulnerability, punishment, control and care.

✘ **MONDAY, JUNE 14TH, 10AM-1PM (CEST): WORKING SESSION II**

10 AM | PRESENTATION BY DR. MATHILDE DARLEY: "JUDGING HUMAN TRAFFICKING IN FRANCE AND GERMANY: THE CRIMINAL PRODUCTION OF THE VICTIM OF SEXUAL EXPLOITATION"

Abstract: Various works have already addressed the policies for controlling trafficking in human beings and assisting its victims based on an analysis of their implementation by the police and associations. However, trials for trafficking for sexual exploitation, the ultimate authority for qualifying the facts, has remained relatively under-explored, despite its central character in the production of a "legal truth" and the identification of victims and perpetrators. Based on an ethnography conducted in French and German courts, the aim here is to examine the criminal production of the figure of the victim of sexual exploitation within two different legislative models regarding the regulation of prostitution and pimping. Beyond the contrasts, I will develop the idea that the figure of the victim of trafficking for the purpose of sexual exploitation, because of the sexualised and racialised projections to which she is subjected, tells above all the story of a certain idea of women and their relationship to the nation.

Bio: Mathilde Darley is a researcher in political sciences at the National Center for Scientific Research (CNRS) in Paris and vice-director of the Center for Sociological Research on Law and Criminal Justice Institutions (Cesdip) in Guyancourt. She has been working on different research areas including Germany, France, Austria and the Czech Republic. Her research interests are migration control and detention centers for irregular migrants, the role of race and gender in policing strategies, the regulation of prostitution as well as the implementation of policies dedicated to the fight against trafficking for sexual exploitation.

11 AM | DISCUSSION

12 PM | LAUNCH OF CRIMSCAPES' TIMELINES OF CRIMINALISATION (CRIMLINES)

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