

CRIMINALISATION AND CITIZENSHIP

Thematic Seminar
22-23 February 2023
Kraków, Poland
and online

The CrimScapes project is pleased to invite criminalisation scholars to a two-day transdisciplinary seminar, 'Criminalisation and Citizenship,' which will take place at the Institute of Sociology of Jagiellonian University, and online.

Extending beyond narrow, legal conceptualisations of citizenship, this seminar offers a critical reflection on citizenship in terms of responsibilities, subjectivities and the logics regulating access to, and the content of, rights and entitlements. It asks about shifting forms of belonging and state-citizen relations in the context of expanding criminalisation - understood broadly as the application of criminal law, crime control measures and imaginaries of (il)legality in the management of discourses, practices and populations. With such a framing in mind, the seminar invites in-depth elaborations on how different communities and individuals navigate and respond to various criminalising laws and regulations, and the social, political and economic implications of such modes of responding.

It will explore complex relationships between processes of criminalisation and citizenship by asking: What citizenship models emerge in relation to European landscapes of criminalisation? What are their commonalities and differences? How do different forms of criminalisation enable or limit possibilities for activists' mobilisation or claim-making practices?

Together with distinguished guests, the CrimScapes project invites a closer look at the emergent dynamics of citizenship and criminalisation by discussing ongoing research in different landscapes of criminalisation. In particular, **we spotlight entanglements of criminalisation with borders and migration, sexual politics, and the politics of emotions.**

- Event venue: Jagiellonian University, Institute of Sociology, ul. Grodzka 52, room 79
- Online - a link will be provided upon registration. [Please register here](#)
- For more information on the CrimScapes project: [visit our website](#)



PROGRAM OF OPEN EVENTS

Day 1, Wednesday, 22nd February

16.00-16.30 Opening: **Beate Binder**, Humboldt University

16.30-18.00 Key-note speech

FROM 'SODOMY' TO 'GAY PROPAGANDA': THE GOVERNANCE OF QUEER SEX IN RUSSIA

Alexander Sasha Kondakov

This presentation discusses the work that regulation of queer sexuality does in Russian society. The analysis suggests that the regulatory efforts have taken the trajectory from criminalisation of homosexual acts in the early Modernity to regulation of LGBTQ-related information in the current digital age. This shift reflects more general societal transformations and the transformations in law. However, it also demonstrates continuities in terms of endless attempts to manage population by regulating queer sexualities. In particular, homosexuality was criminalised in the Russian Empire and then re-criminalised in the USSR after a brief period of revolutionary sexual freedom. The fall of the Soviet Union marked another decriminalisation of same-sex desire. Yet, as authoritarian tendencies re-emerged, the Russian legislature introduced a censorship law on 'propaganda' of homosexuality in 2013. In 2022, this law was strengthened as Putin's government turned more despotic after the launch of full-scale war on Ukraine. The paper is the analysis of legal developments of regulation of sexuality that uncovers a particular regime of governance: the governance of appearance which makes it possible to impose regulatory powers of the law on the populace.

Alexander Sasha Kondakov, PhD, is an assistant professor at the School of Sociology, University College Dublin, Ireland. His truly international experience includes holding positions in the University of Helsinki, European University at St. Petersburg Russia, Woow Wilson Center for Scholars in Washington DC, and the University of Wisconsin-Madison in the United States. Kondakov's work is primarily focused on law and sexuality studies, more specifically on queer sexualities. His latest research on anti-queer violence concluded with an open-access book 'Violent Affections: Queer sexuality, techniques of power, and law in Russia'.

Moderation: **Agata Dziuban**, Jagiellonian University



Day 2, Thursday, 23rd February
10.00-11.30 Key-note speech

BROTHERS IN CRIME?

OCCIDENTALIST CITIZENSHIP POLICIES IN UNEQUAL EUROPE

Manuela Boatcă

Citizenship is a core mechanism for the maintenance of global inequalities in a world capitalist system. It is on the basis of citizenship that the reproduction of global inequalities in the postcolonial present, i.e., their coloniality, is being enacted. The commodification of citizenship to the benefit of non-Western wealthy investors on the one hand, and its policing and restriction for labor migrants on the other, currently signal an economic and epistemic renegotiation of citizenship, respectively. The paper focuses on the role of the European East in these negotiations, arguing that, as often in its history, the region is a geopolitical and epistemic buffer zone that often withstands pressure from the Western core by passing it on to non-European others and thus reproducing Occidentalist premises.

Manuela Boatcă is Professor of Sociology and Head of School of the Global Studies Programme at the University of Freiburg, Germany. She has a degree in English and German languages and literatures and a PhD in sociology. She was Visiting Professor at IUPERJ, Rio de Janeiro in 2007/08 and Professor of Sociology of Global Inequalities at the Latin American Institute of the Freie Universität Berlin from 2012 to 2015. She has published widely on world-systems analysis, decolonial perspectives on global inequalities, gender and citizenship in modernity/coloniality, and the geopolitics of knowledge in Eastern Europe, Latin America, and the Caribbean. Together with literary scholar Anca Parvulescu, she has recently co-authored the book "Creolizing the Modern. Transylvania Across Empires" (Cornell 2022), which is also forthcoming in German, and Romanian translation.

Moderation: **Justyna Struzik**, Jagiellonian University

11.30-12.00 - coffee break



Day 2, Thursday, 23rd February
12.00-13.30 Open session

CITIZENSHIP AND SOCIAL MOVEMENTS IN THE CONTEXT OF CRIMINALIZATION OF MIGRATION AND MOBILITIES

In this open session, we will explore how the criminalization of migration and mobilities acts upon and transforms modes of democratic citizenship and social movements. Beyond its common understanding as a legal or political status, citizenship has been conceptualized in the social sciences and humanities to include practices and narratives of social, cultural, and economic inclusion and exclusion, often described through the lens of participation, belonging, subjectivity and normalization.

Based on case studies, invited speakers are invited to reflect on the following questions: How must citizenship analysis at the nexus of morality, security, and agency be expanded to account for the transnational dynamics of criminalization migration and mobilities as a governance strategy in Europe? How are figures selectively inhabited, modified, or rejected to enable access to rights and recognition, and how do navigational practices come to enact modes of citizenship in unexpected, pre-existing, or novel ways? How do these forms of existence enable or limit possibilities for mobilization or maneuvering during times of turbulence?

Invited speakers:

Jens Adam (University of Bremen, Excellence Chair Research Group „Soft Authoritarianisms“): *On moral community and difference. Majoritarian identity politics as soft authoritarian mode of governance*

Agata Dziuban (Institute of Sociology, Jagiellonian University): *Navigating criminalisation: sex work, mobility and contested citizenship*

Jérémy Geeraert (Université Paris Saclay, Césdip/CNRS): *Impacts of criminalisation on activism. The case of search and rescue in the Mediterranean Sea.*

Moderation: Juulia Kela, Helsinki University

13.30-14.30 Lunch break



Day 2, Thursday, 23rd February
14.30-16.00 Open session

POLITICS OF EMOTION, USES OF AFFECT

In fields of criminalisation, the emergence or mobilisation of indignation, hatred, and disgust, but also hope, empathy and compassion, are crucial to the formation, connecting and relating of bodies - i.e. to divisions, alliances, collective actions and acts of governance. Indeed, mobilisations of affects in the forming of social movements, the shared navigation of uncertainty, or other collective responses to criminalisation are not obvious or immovable in that they are often dependent on particular forms of strategising or life conditions, and can change across time and space. With the notion 'affective governance', Nitzan Shoshan (2016) documents affects as possible targets, products and stimuli of governance, thereby pointing to connections between affect, citizenship and the nation. Is a certain political response or intervention organized around anger? fear? empathy? (Gould 2009) Whether these are strategic choices or shared products of lived experience, the forces of affect in the production, maintenance and also destruction of collective social and state actions need careful discernment and theorization.

While some forms of criminalisation are relatively recent, others have existed for centuries. If we take both cases together, a sense of doom on the one hand, or continuity on the other, either could contribute to a sense of indifference, unfeeling, expressionlessness or numbness - i.e. the draining of emotion that has been described as a flatness of affect (Berlant 2015). Hence, in order to respond to the growing appeal to criminalisation, one must take into consideration, not only the social or government mobilising of, through or in response to emotions, but also a possible fatigue in feeling, a sense of being overwhelmed and a consequent individual or shared sense of numbness. While the development or appearance of flatness in feeling might be experienced or perceived to be a protective mechanism, this panel opens a possibility to document its emergence, and investigate its origins, manifestations and implications.

Invited speakers:

Todd Sekuler: *Acts of Citizenship in Cleansing the Internet of Online Hate*

Agata Chełstowska: *Politics of emotion in the new abortion movement in Poland*

Justyna Struzik: *You want it darker? On the sense of hopelessness in research among people who use opioids in the context of the criminalisation of Poland*

Moderation: **Friederike Faust**, Humboldt University

16.00-16.30 - coffee break



16.30-18.00 - Closing session

CRIMINALISATION AND THE BORDER

Witold Klaus: Illegalization of people crossing the Polish-Belarusian border as an example of bureaucratization of barbarism

Since mid-2021 we have witnessed intensified movement of people seeking international protection who have been trying to cross the Polish-Belarusian border, mostly in an unauthorized manner. The response of Polish authorities to this mobility reflects the concept of Fortress Europe: the border had been closed – both physically (by building a fence and pushing people back to Belarus) and legally (by illegalizing people who crossed into the Polish territory and attempts of legalizing illegal practices of Polish authorities). In my presentation I would like to outline legal actions undertaken by Polish government accompanied by the implementation of the 'closed door' policy by law enforcement agencies and their consequences. In this journey I will use the concept of 'bureaucratization of barbarism' as coined by Abram de Swaan (2001) to theorize those practices.

Kamila Fiałkowska: All quiet at the EU-Eastern border. Everyday bordering, othering, and racializing practices at the Poland-Belarus border.

It has been more than a year since the humanitarian crisis began on the Polish-Belarusian border. Since then, numerous reports of violence against refugees, but also local communities and activists, have surfaced. As I will discuss, the local population not only witnesses an increase in violence against clearly defined 'others' but also experiences various forms of violence and oppression themselves (which are in no way comparable). In Podlasie, these processes have become practices of everyday life, either witnessed or experienced by the local population. Beyond intrusive, disruptive, and oppressive, these acts subconsciously legitimize the racial hierarchy at the Eastern border of the EU. The everyday bordering is cumulated in the bodily experience of delivering humanitarian aid in the forest of Białowieża under conditions established by the authorities, which is when whiteness and its associated privileges are constantly and systematically verified and reproduced. Violence against local communities in the borderlands, and society as a whole, bears consequences, as its everydayness and subsequent normalisation facilitate the construction of an even more hostile environment for people seeking asylum. Juxtaposed with the arrival of hundreds of thousands of refugees from Ukraine it begs the questions of inequalities, racializations, and hierarchies of citizenship (among many others). This paper is based on extended stays and frequent returns to the borderland area (since October 2021), observations



and talks with locals and activists as well as experience of delivering humanitarian aid in the Białowieża forest.

Moderation: **Agata Chelstowska**, Jagiellonian University

Witold Klaus – a professor at the Institute of Law Studies, Polish Academy of Sciences (head of the Department of Criminology and of the Migration Law Research Centre) and a research fellow in the Centre of Migration Studies at the University of Warsaw. He is a lawyer, criminologist, migration researcher and NGO activist. He serves as editor-in-chief to the oldest Polish criminological journal “Archiwum Kryminologii” (Archives of Criminology). He held scholarships from: the British Academy (UK), the Max Planck Institute for the Study of Crime, Security and Law (Germany) and the US government. He is a co-president of Migration Consortium (a coalition of Polish NGOs working for migrants and social integration). His main areas of academic interests include: refugee and immigrant rights, deportation studies, crimmigration, victimology and victimisation of marginalised groups in society.

Kamila Fiałkowska is a researcher at the Centre of Migration Research, University of Warsaw. Her research focuses on migration from Poland, inequalities, gender, religion, and national and ethnic identities of migrants from Poland. Since the beginning of the border and humanitarian crisis on the Polish-Belarussian border, she has been involved in the work of the research collective, Researchers on the Border.

