

EUROPEAN GROUP FOR THE STUDY OF DEVIANCE AND SOCIAL CONTROL

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REFUGEEES



WELCOME



An international network working towards social justice, state accountability and decarceration

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TABLE OF CONTENTS

I.	(p. 2)	Editorial
II.	(p. 3)	“Don’t Be Poor”: From banishment to the modern policing of immigrants
III.	(p. 9)	Syrian refugees in Athens
IV.	(p. 12)	From Malmö to Lesbos: Tracing a Trans-European Network of Voluntary Work and Activism for Refugees
V.	(p. 19)	EG-Conference 2016
VI.	(p. 22)	News from Europe and around the world
VII.	(p. 26)	Resolution

I. Editorial

With the so-called refugee crisis, or sometimes better formulated as a crisis of political leadership or will, on Europeans' hearts and minds, we thought it important to devote this November newsletter to migration. Two PhD students and a photographer have contributed to this. Sigmund Book Mohn, from the Department of Criminology and Sociology of Law in Oslo, takes a historical approach in order to identify some current tendencies in Norwegian immigration policing, while Martin Joormann, from the Sociology of Law Department at Lund, contributes with his perspectives on the incongruity between the talk and action of European political leadership as well as on refugee resistance and organization in Sweden. We have also been lucky to get permission from photographer [Stavros Habakis](#), documenting the crisis in Athens, to publish some of his pictures.

Our thoughts go to all persons fleeing their homes for various reasons, and to those who are welcoming and supporting them on their journey and destination.

**In solidarity
Ida and Per**

II. “Don’t be Poor”: From banishment to the modern policing of immigrants

Sigmund Book Mohn

How did Norwegian immigration policing come to be what it is today? How did its organization and its legal powers take form through the years?

If investigative police work and political policing are the neglected children of police studies, immigration police work is the child that was put out in the forest. So is also the case within historical studies of the police, where there at best are found some anecdotes on immigration control. The short sketch that I will present here is not based on a thorough and systematic historical study, but rather on snippets of information gathered from historical studies of immigration and law. Still, I think it might open up thinking about the social, legal, and professional origins and heritage of immigration control within the field of policing.

If we define immigration policing as the police work based on immigration law, the Norwegian form follows the continental European tradition, with immigration police as special branch within the National police. Overall, immigration policing is integrated within the local police districts. This includes both tasks such as the administrative registering and handling of applications, as well as border control and immigration law enforcement. Although a national centralized unit, mainly concerned with asylum seekers, have existed since 2004, this integrated model differs from Anglo-American model, where federal police (-like) units have responsibility for immigration enforcement. Thus, the history of the Norwegian immigration police is one of a specialized field within the broader police institution.

The foundations for the modern Norwegian immigration police were put in place with the introduction of the Alien Act [fremmedloven] in 1901. The Alien Act was originally a “contribution” from the Norwegian trade union, commenting on a suggested article within the recently established Vagrancy Act. The Alien Act made it possible to expel foreign vagrants. The trade union thought it needed to develop a complete act for this, including a mandate for all travelers and foreigners to be registered in hotels, and for anyone settling to register with the police. The resulting act would also authorize the arrest of persons to be expelled, and criminalized certain offences against the act, most importantly, illegal re-entry after expulsion. The act was controversial and seen as breaching the liberal zeitgeist. From 1860 there had been a total elimination of immigration control in Norway - even passport laws. The political establishment and elite were influenced by the liberal US-American immigration regime. Beside, emigration was at that time considered the real threat for the young nation-state. Nevertheless, the act was seen as necessary, not only because other countries had introduced similar measures long ago, but it also seemed pressing to keep “unwanted elements” out, most prominently vagrants which were considered a major crime problem. This view was also supported by the police. The Police Chief in Oslo had written to the Ministry to call for stricter laws to handle foreigners seen as a burden. Hence, from the parliamentary and ministerial preparatory work of this alien act, one can find the oldest

example, at least that I have seen, of Norwegian crime statistics showing an overrepresentation in the representation of foreigners. At the time, the foreigners in question consisted mainly of Swedish citizens.

There was of course immigration regulation before the Alien Act of 1901. And, like most other government tasks, enforced by the police. There had been such regulation for centuries, mostly directed at religious groups and nomadic travelers. The role of the police could also be quite visible, as with the notorious case of a Jew on board a ship that went down just outside Bergen in 1817. The police in Bergen were eager to enforce the recently updated ban on Jews from entering Norway to the extent that local police officers escorted the Jewish castaway all the way from Bergen to Gothenburg in Sweden. This was a trip which was no small journey at the time, across the mountains during winter time.

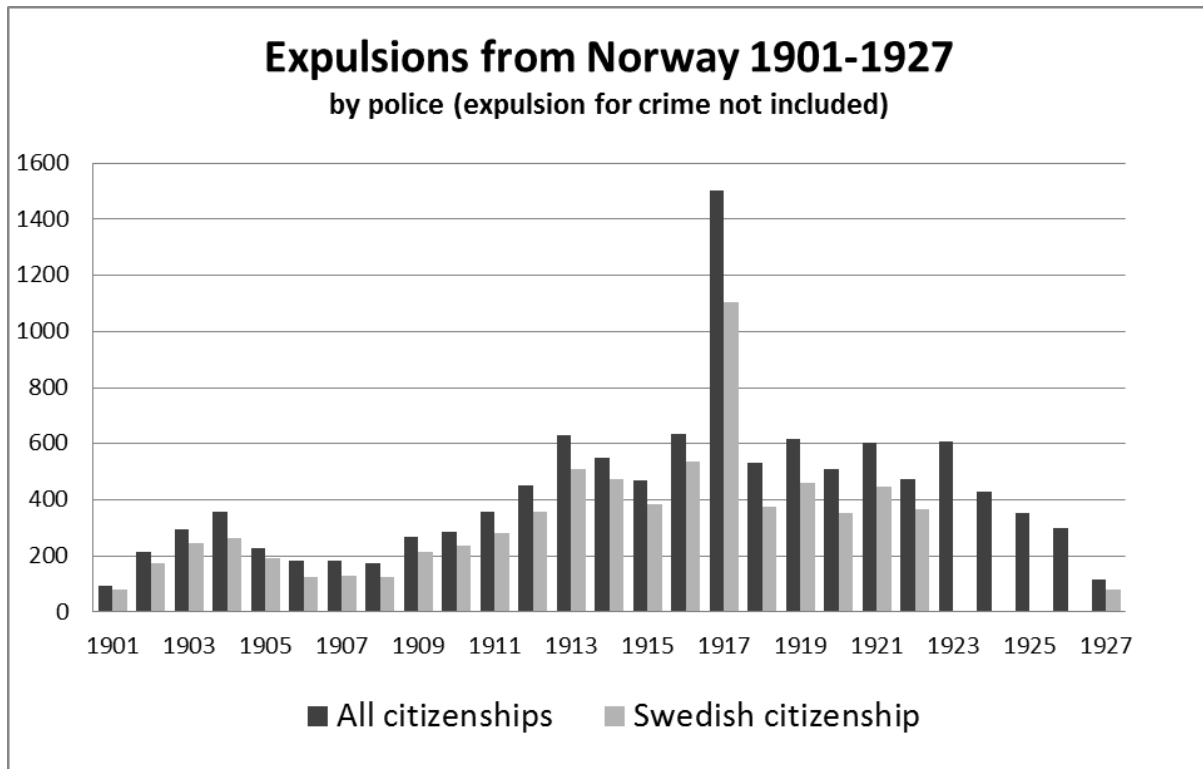
Another possibility to expel foreigners had been banishment as a form of punishment, also against persons born in the country. But during the 18th century this practice had little by little declined. With the new criminal code of 1846 this type of punishment was also eliminated in written law. Instead a bill passed in 1805 kept open the possibility for the expulsion of foreigners who had been sentenced to forced labor. When the Norwegian Penal Code of 1902 was decided, just a year later than the Alien Act, the clause for expulsion as a result of a conviction was transferred into the penal law, and labeled an 'additional punishment' and therefore still decided by the Prosecution and the Courts, not by the Police.

In the first half of the 19th century however there was not a clear line between expulsion from the country/kingdom and expulsion from a city or a county. One important trait seems to be that it was a control of travelers of all sorts, of strangers, not necessarily only foreign nationals. The first Norwegian Citizenship Act came as late as in 1888. Prior to 1860 a travel passport (one could perhaps rather call it a visa) was not only needed for international travel, but for intra-national travel as well, such as between cities. And people could be expelled or banished locally, from cities or regions. The police were locally run and financed at this time, and expenses for poor relief was a major concern for the local districts. Conviction was not needed for expulsion, but in general poverty, homelessness and vagrancy was seen as the problem. This also was the case for Jews in some way, as permission to stay could be given to wealthier individuals of western European origin.

The immigration act of 1901 where thus an introduction of mobility control as first and foremost a state responsibility. The first suggestion by the trade union to the Alien Act of 1901 did discuss the possibility of putting Norwegians under the same control regime, but considered this unnecessary and too costly. What they did suggest instead was to let the unions handle the control. This led to a big debate in parliament, but was not adopted by government. Thus, in 1902 the first immigration police office for registration was opened in the Oslo police district, with two full-time, state employed officers, and in close cooperation with the Political Surveillance Police.

If we look at the official statistics from this time period, they show that the Alien Act was not just a symbol law. Between 1901 and 1927 about 11 000 expulsion orders were given, in

addition to a few expulsions because of crime. First and foremost, these expulsions were given for vagrancy, and targeted Swedish immigrants. The causes behind the slow waves of expulsion (with one extreme spike in 1917) are not known for sure, but the political tensions in Europe seem to have played a large part. Any way it stands at quite a high level during this period, even compared to the end of the 20th century.



The system of residence books and hotel registration was also developed, and became more and more centralized throughout the twentieth century, with the establishment of a Central Administration Office [Centralpasskontoret] which later became the contemporary foreigner register and the Immigration Directorate [Utlendingsdirektoratet].

Different types of non-criminal and non-police enforcement law has developed through the modernization of policing, as independent control agencies outside of the police. Such civil and highly specialized control agencies (termed "tilsyn", supervision or inspection, in Norwegian) are numerous, and have their own civil enforcement laws, developed as additions to the criminal code and procedure. Except for customs, most of these agencies differ from immigration enforcement in the sense that they mainly are set to control more established firms and businesses, not private persons. The thing to note is therefore what did not happen to the immigration enforcement: that is, it was NOT taken out of the hands of the police.

During the First World War, a stricter immigration regime was introduced, and the first comprehensive immigration act, not only regulating the policing aspects, came into force in 1927. With this act, the clause for expulsion in connection to punishment was taken out of the penal code and incorporated into the new Alien Act. Simultaneously, all clauses for punishment of immigration offences were put into the penal code. This clearer division of

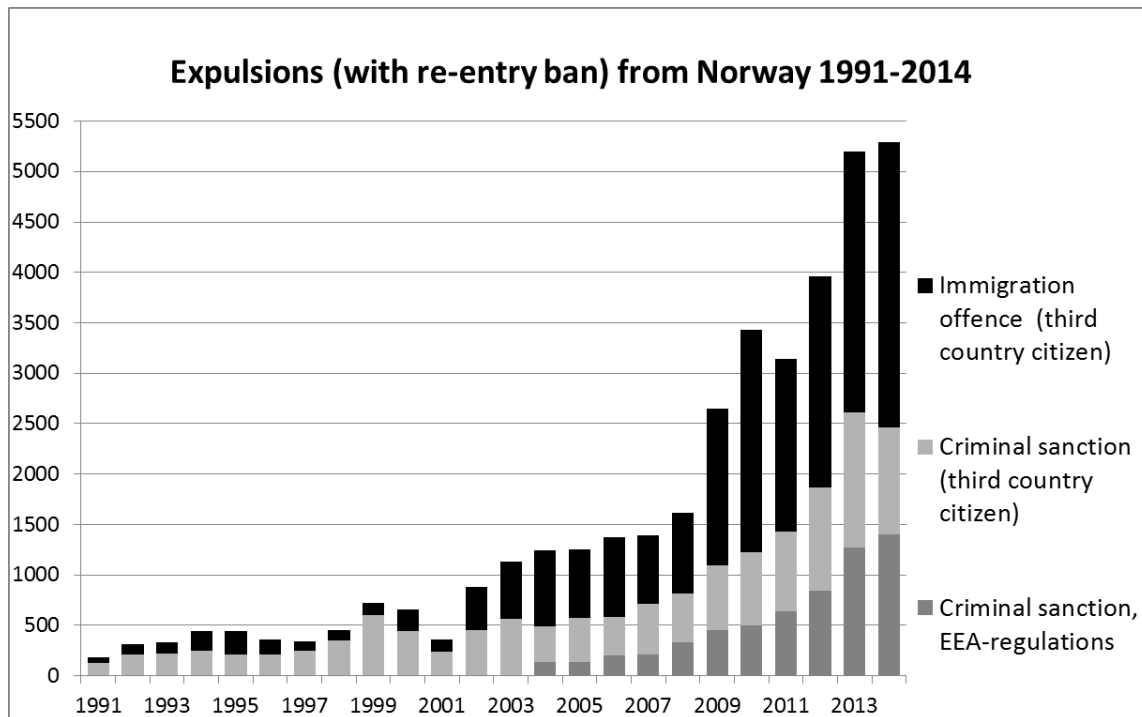
legal labor was kept until a revision of the Alien Act in 1956, when a new section in the alien law criminalized all offences against the act, as well as the aiding and abetting of such. The reason for this was, amongst others, an initiative from the Oslo Police that specifically asked for a means to criminalize aiding illegal stays in the country. It is known that the Police had been eager to catch people, most prominently some Communists groups, helping Jews to enter Norway illegally in the 1930's. In the years before the Second World War, the police had in one instance been praised by the conservative newspaper Aftenposten for taking this type of control seriously and being able to stop Jews and Gypsies at the border (with fatal consequences), as these were seen as 'bogus' or at least 'non-political' refugees. This implies that direct at-border control might not have been very usual at the time. When the Nordic passport union was implemented in 1958, and later the Schengen-agreement in 2001, this wasn't really a de-bordering as much as it was a continuation from previous periods of the quite lax border enforcement at many border points.

There was in the latter part of the 20th century of course a growing complexity of the immigration law, with the notorious "immigration stop" introduced after the oil crisis, and the civil immigration administration taking over more and more of the decision making in immigration cases. And the technological advancements of the different registers grew stronger. However, the coercive measures inherent in immigration law had been standing still. The 1901 Act had stated that persons can be arrested and jailed whilst waiting for their expulsion. However, a legal thesis from 1978 gives the impression that the police at this point had started using the whole range of coercive measures found in the criminal procedure (house searches etc). And there wasn't really a written legal basis for this, except the reference to the criminal procedure conserving arrest, and the fact that all breaches of the immigration act were also criminalized. This, however, was amended with a new immigration act introduced in the 1990's, with a more detailed provision of measures to be used.

A big change in the scale of immigration policing came during the 1990s, with the growing number of asylum seekers, and around the turn of the new century, with a growing number of rejected asylum seekers not leaving the country voluntarily. This 'deportation gap' then gave rise to the 'deportation turn' in immigration politics, as in other European countries. This resulted in what some police officers refer to as the "cowboy"-era for the deportation police, with little regulation and a lot of funding going outside of the normal police district budgets. It was this situation that resulted in the establishment of the a national task force called "Asytrans" in 2003, and made permanent as the National Police Immigration Service (PU) in 2004. Since then, its numbers have grown steadily, from 135 employed at the start, to 532 in 2014.

This also made the deportation practices more visible to the public. Especially a lot of criticism was made of the immigration detention center "utlendingsinternat" run by the PU, and its lack of legal regulation. In one journalistic account, it was even called Norway's Guantanamo. As late as 2007, the detention center was forced to comply with regulations concerning the daily routines, the use of coercive measures etc. The detention center regulation was however only one of many changes made in the police powers of

immigration control through this later period, with almost yearly changes, most of them widening police powers. With regard to criminalization, the maximum punishment for illegal re-entry after expulsion quadrupled in 2014, something the police had been pushing. This again must be seen in relation to the rise in expulsion as a tool for crime fighting becoming more and more popular within the police in general. The sharp increase is partly a result of the increasing number of criminally charged foreign citizens, but it is evidentially also a result of a much desired policy, pushed by, among others, the PU.



So, how to wrap up this 100-year tale about Norwegian immigration policing? Given my somewhat anecdotal material, definite conclusions might be hard to draw. Still, some trends seem to emerge.

Firstly there is a somewhat mutual process between police praxis and legal development. New laws make it possible for the police to work in new manners. Much of the lawmaking, however, can also be seen as codification of police practices. In my fieldwork I could for example be told that the recent lower thresholds for detention under immigration law was actually more about making the law correspond to current policing praxis. This can be seen in light of the dismantling of what has been known as the general authority of the police, the power to do what they need to do to enforce the laws. Also, the police organizations are often quite active in the law making processes.

Further, immigration law has been used at different points in history as a tool for what was seen as the most pressing concerns for the police at that time. At the beginning of the 20th century, it was vagrancy. 100 years later the shift was more in the direction of crime fighting. However, the social background of the population controlled remains much the same.

Thus, the Norwegian historian Knut Kjeldstadli has summed up Norway's (and Europe's) last centuries of immigration control in the following manner: even though there have been,

and are, different rationalities behind different immigration regimes, race and religion also playing big parts, one piece of advice remains the same: Don't be poor! This might also be why the police have held on to immigration control throughout history, while the regulation of businesses has been outsourced to other agencies. In the case of immigration control, the police is first and foremost set to control the lower classes.

Concerning the academic interest in the intersection of immigration and the criminal law, the case of Norway shows that these fields were always intertwined in different ways. Although "something" has happened in recent years, both quantitatively and qualitatively, one could in fact argue that these fields have become more separated through the years in a strict legal technical sense.

Another slogan of today's immigration policing studies is that borders are now everywhere, whereas earlier there were only border posts at the physical border. While these analyses have certainly some merits, pointing to understudied aspects of border work, this brief historical outline informs us that in-country immigration policing actually came first in Norway, even before any real restriction on immigration. That the internal borders were suddenly at once all opened with the Schengen-agreement is simply not correct. The borders were never closed. (And considering that Norway is mainly just a border along Sweden, to close it down would be quite unmanageable.) And they were never all opened. Instead, these borders always were, and still are, highly selective.

About the author: [Sigmund Mohn](#) is a PhD student at the Department of Criminology and Sociology of Law, Oslo, Norway. Mohn's Ph.D. project, Policing Immigrants, aims to analyze the impact of immigration control on the police, in a national and local context. The Ph.D. project is a sub-project of *Crime Control in the Borderlands of Europe*, headed by Professor Katja Franko and funded by the European Research Council (ERC).

III. Syrian refugees in Athens

By permission from photographer [Stavros Habakis](#)







IV. From Malmö to Lesbos: Tracing a Trans-European Network of Voluntary Work and Activism for Refugees

Martin Joormann

This short text shall provide the reader with a somewhat personal account of meetings and conversations with, as well as following the social and mass media reports about (e.g. Snöbohm 2015-09-20), the solidarity engagement for and of refugees during the last years and up to the summer and fall of the 2015. Meanwhile, I want to link this discussion about political protest and voluntary work to the policing and policies that European law enforcement organs and national governments are employing in response to refugee migration and activism. In this context, I want to shed some light on the gap between rhetoric of inclusion and integration, which continuously stresses the importance of civil society involvement, and practices of policy making and policing, which time and again impede and criminalize refugee migration and activism.

Moreover, even though a clear-cut distinction seems impossible, I will try to differentiate between charity and voluntary work for refugees on the one hand, and political activism *of and for* refugees on the other. With charity I am in the first place thinking of the rather impersonal giving that many have engaged in during the last weeks and months, going through wardrobes, cupboards and shelves at home, preparing bags and boxes with gifts to be given to refugees by NGO- or individual voluntary aid workers. And it was precisely when leaving such a collection of old clothes and shoes in Malmö that I could have a brief chat with a locally influential activist, and who is a young refugee and one key-representative of self-organized refugee activism in Sweden. The complex significance and symbolic value of gifts, which he and a couple of others would pack into a van and drive down to a refugee camp in Hungary, may thus be hint at an unclear *scale*. Such a 'scale of engagement' ranges from rather apolitical charity, over personally engaged voluntary work, to the *contentious politics* that the *social movement* of and for refugees is maintaining through a *network of activists* who are often engaged in more than one *social movement organization*. Also in the Swedish context, this social movement of and for refugees is made up of precisely such organizations, activist networks and individual engagement, all of which are concentrated around the *social movement base* in Malmö¹.

¹ For the interested reader who is not familiar with Social Movement Theory and the Dynamics of Contention Approach, I can clarify that the (US-based) concept of *contentious politics* (Tilly & Tarrow 2007: 36) refers to a broader understanding of mobilization, protest and extra-parliamentarian politics which can include social movements, however not necessarily. In *European social movement theory* (i.e. in contrast to US-American, see e.g. Della Porta & Diani 2006), among other key aspects of mobilization, the importance of (collective) identity formation as well as of *activist networks* (Passy & Giugni 2001; Diani 2013) is conceptualized. *Social movement organizations* (SMOs, see Della Porta &

This being said, it is important to put the phenomenon of refugees organizing themselves, and acting up for their rights, into a more historical and less national perspective. The roots of a post-WWII and self-organized refugee activism in Europe, which is sustained through activist networks and social movement organizations, go back at least to the 1990s and protests made by the *sans papiers* in France (Meynaud 2011; Bernardot 2008; Lindemann 2001). The phenomenon then entered German-speaking mass media focus during the *Refugee Protest March* from Wurzburg to Berlin in 2012, upon which the less-known *Congress of Protesting Refugees in Europe* (CPRE 2013) was held in Munich in March 2013. The Congress was followed by the *Freedom March* (or: 'march4freedom') which, in the summer of 2014, departed from Kehl and went across the French-German border to Strasbourg and, via the small town Schengen in Luxembourg, to its final destination Brussels. The main aim of this 'European' protest was highlighting the transnational scope of the social movement as well as the political responsibility of the European *border and asylum regimes*, i.e. 'Schengen' and 'Dublin' (Walters 2010).

During the late summer of 2015, from what I got to know when speaking with and following social media posts of those refugee-activists and activist-scholars who went down from Sweden to Hungary, the humanitarian engagement for refugees was immediately affected by the German and Austrian chancellors' decisions to *de jure* suspend the current Dublin Regulation². *De facto*, a politics of open borders from Budapest via Vienna to Munich existed during this short period of time. The spontaneous decision of hundreds of EU citizens to thereupon drive refugees across the Hungarian-Austrian and Austrian-German borders became internationally known via the image of a 'convoy of hope' which, escorted by the Viennese police, was comprised more than a hundred private cars (Greiner 2015-09-06; Al Jazeera 2015-09-06; SPIEGEL TV 2015).

During these few days of an inclusive freedom of movement it was thus 'statesmen' who used their national legal right³ to suspend those inner-EU border controls that target *irregular migration* - which includes almost the entire refugee migration into and through the EU. Hence a *state of exception* (Schmitt 1922) came into being which, ironically, illustrates the famous formula that had once been coined by "the Nazis' crown jurist" who defined the *sovereign* to be the one "[...] who decides on the state of exception" (Schmitt 1922: 13)⁴. The arbitrary legal situation that meanwhile emerges when such a state of exception is decided upon by political leaders, becomes apparent when reading about German law enforcement's

Diani 2006: 140), meanwhile, refer to more formalized and stable collectivities of engagement, which tend to follow upon intense *episodes of contentious politics* (Tilly & Tarrow 2007: 36), and which are often developing from within a geographically defined *social movement base* (Tilly & Tarrow 2007: 192).
² EU legal text 604/2013, so-called Dublin III, is the latest version of the Dublin Regulations which give every member state *the right* to deport an asylum seeker to the member state where she or he had been registered in the first place. While such a registration in practice refers to fingerprints being taken and the European data-system in which those are saved, it is important to stress that the Dublin Regulations are precisely a right (and not a duty). This implies that every member states can decide to process an asylum application, even if it is registered that the applicant 'entered Europe' in another member state.

³ See footnote 2.

⁴ In German original: "*Souverän ist, wer über den Ausnahmezustand entscheidet.*" (It was Waldemar Gurian who called Carl Schmitt "the Nazis' Crown Jurist").

approach to the people who, during those days of *de facto* open borders, drove refugees from Hungary to Germany. If viewed as a politically encouraged form of direct action, the term *Fluchthilfe* ('escape aid') is used – which in German tends to bear the historical connotation of helping people to escape from either Nazi Germany or the German Democratic Republic (DDR). Discursively, this word thus relates to actions that are, for instance in German schools and their history books, presented as universally legitimate and therefore not to be criminalized, even though they could result in being shot according to the laws of NS- or DDR-border policing. On the contrary, the term "*Menschenschmuggel*" ("human smuggling") – in the context of recent refugee activism referring to an act of civil disobedience without financial interests – functions in a different way. Such discourse criminalizes the "smuggling" of undocumented, and often unwanted, migrants. Hence, and only in Bavaria, around 800 people are currently "in custody awaiting trial" ("*in Untersuchungshaft*") facing criminal charges of "smuggling" people across borders (Knaul 2015-09-24).



Asylum Relay Sweden 2013 (Photo: Martin Joorman)

Less covered by mainstream media, however not less repressive, is much of the policing response that self-organized refugee activism in Germany has been facing since 2012 until 2015. When I visited a hunger strike that was kept alive for several wet, cold days and nights in the fall of 2012 right in front of the Brandenburg Gate, i.e. only a few minutes' walk from the *Reichstag* building and the German Federal Chancellery (*Bundeskanzleramt*), the conditions for extra-parliamentarian and pro-refugee politics seemed dire. The authorities did not allow the protesters to put up tents and sleeping bags were confiscated by the police. This resulted in the image of about a dozen of hungry and freezing protesters who were seeking shelter from the icy drizzle rain that grey November day when we, as a part of a graduate course on nationalism and racism, walked by our way from Humboldt

University's Social Science Institute to the Memorial to the Sinti and Roma Victims of National Socialism.

Almost precisely a year later, together with a friend whom I had met in the summer during the 2013 'Asylum Relay' (*Asylstafetten*) from Malmö to Stockholm, I sat by an open fire at the *Refugee Protest Camp* in Berlin-Kreuzberg. Again refugees-activists were freezing and yet there and then the protest, which had emerged during the above-mentioned march from Würzburg to Berlin in the summer of 2012, was able to maintain a more permanent *episode of contentious politics*⁵. The refugee-activists not only occupied with *Oranienplatz* a significant part of the German capital's public space but they also provided some living space in tents. A story that was told to us by one of the men sitting by the fire reflected this political, as well as practical, importance of the Refugee Protest Camp at Oranienplatz: He had travelled across the Sahara to Spain. There, as an undocumented migrant, he had initially been able to sell his labor, until the Euro-crisis hit the Spanish economy. Now in Germany - he hoped - there would be some way for him to find work, housing and eventually a way to re-unite with his family.

Again two years later in the fall of 2015 - right in the middle of what is about to be labelled 'the most significant refugee migration in Europe since WWII'⁶ - I called the same friend with whom I had been sitting at the fire in Kreuzberg. As an aid worker, he now helped refugees on the Greek island of Lesbos (see also Domoney et al. 2015-09-18). More than once, as he witnessed, refugees had arrived to the island only in the form of dead bodies. In several cases when he was present, the identity of these corpses washed ashore remained unknown. More than once, the volunteers therefore became grave diggers; laying to rest the bodily remains of unknown migrants (see also Asplund 2015-09-03). When the volunteers suspected that it was the body of a Muslim whom they were burying, they would say some short prayer in Arabic. When the unknown dead refugee was likely to have been Christian, a local Greek-Orthodox priest would hold an improvised funeral.

Yet another form of voluntary engagement I could observe in mid-September when arriving to Copenhagen Airport. Young voluntary aid workers dressed in reflecting security vests had occupied a considerable part of the train station platform with boxes filled with clothes, food and other goods. These voluntary aid workers - many of them apparently from migrant families living in Denmark - then suddenly rushed towards the halting train that was bound for Sweden. Some of them then entered the train in order to offer their charity, specifically addressing 'refugee-looking' passengers. Now, when re-considering this observation, two questions arise: How could I identify the youngsters as 'apparently from migrant families living in Denmark' and how, in turn, could they identify those passengers

⁵ See footnote 1.

⁶ Historian R. M. Douglas relates the current (European) focus on forced migration to the situation after WWII and argues the following: "During the immediate postwar years, the Allies thus devoted themselves to the expulsion from their homes of between 12 and 14 million people: the largest single episode of ethnic cleansing in human history. Not all of those targeted waited to be physically removed. Millions fled westward as the Red Army swept into Germany in early 1945, becoming permanently displaced when the Allies forbade their return." <https://theconversation.com/europes-refugee-crisis-the-last-time-round-it-was-much-much-worse-47621>

who were likely to be ‘refugees in need of charity’? The fact that migrants in general and refugees in particular are often imagined in the form of racialized, gendered and classed stereotypes is reflected also in such attempts to identify based on outer appearance.

Finally, the above-mentioned ‘scale’ that ranges from apolitical charity to heavily politicized (and often criminalized) direct action and civil disobedience can be empirically exemplified when looking at the legally as well as politically shifting responses which pro-refugee engagement currently has to deal with. Locally, at Sweden’s social movement base in Malmö, where many refugees set their feet on Swedish territory for the first time, two hubs of refugee welcome activism and voluntary aid work are *Kontrapunkt*⁷, an alternative culture center in an industrial part at the fringes of Malmö’s inner city, as well as *Muslimska Församlingen*, a local Islamic congregation. A joint call written by those organizations, published in the evening press outlet *Aftonbladet* (2015-10-15), lists the following key points of criticism directed at local law enforcement, migration bureaucracy and parliamentarian politics: While the national government called for help from “civil society” (“*civilsamhället*”), it frequently happened that the engagement to practically assist refugees arriving in Malmö would lead to charges of “human smuggling” (“*människosmuggel*”), temporary detainment by the police, body searches, or the threat of being charged with human smuggling for buying train tickets and giving them to refugees who want to continue their travel onwards from Malmö.

Moving upwards from this rather micro perspective based on everyday experiences locally in Malmö, also the macro level of international politics reflects the gap between rhetoric and actual policy making that the executive branch of European politics is displaying towards those actors who are often collected under the term ‘civil society’. A recent example is the German chancellor’s (and almost-Nobel Peace Prize-winner’s) visit to Ankara. Merkel was received in a presidential palace that had been built without a legal permit by a president who is, at least since the last national elections in June 2015, *de facto* ruling Turkey as an autocrat, heading a party that is *de jure* without democratic legitimation to govern. Turkish opposition leaders have therefore slammed the timing as well as the message of Merkel’s demands to stop and to encamp refugees on their way to Europe in Turkey as largely counterproductive to the efforts and struggles of those democratic forces that can be called ‘Turkish civil society’ (BBC World Service 2015-10-18; Başaran 2015-10-20). The non-legal ‘solution’ to prevent refugees from being able to exercise their legal right to file an asylum application within Europe for instance in Germany is in this way, and once more, ‘outsourced’ by relegating it to an anti-democratic regime that shall increase its repressive policing efforts in order to function as a ‘gatekeeper’ at the borders of Europe. That such European policies are nothing new is well-known through the example of EU cooperation with Ghaddafi’s Libya – yet less well-known are the controversial deals and practices that come along with such ‘solutions’⁸.

⁷ See, in Swedish, <http://www.kontrapunktmalmo.net/>.

⁸ Before the so-called Arab Spring led to a revolution also in Libya, so still under the rule of Muammar al-Gaddafi, many migrants (who were on their way from Africa to Europe) were imprisoned in Libya. The *EU-Libya cooperation on migration* was EU-funded and focused “on border

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About the author: Martin Joormann is currently a PhD student at the Department of Sociology of Law, Lund University. Previously, with an ethnographic study of the Asylum Relay Walk through Sweden in 2013, he completed a dual degree MA in Social Sciences that was taught jointly at HU Berlin and METU Ankara. For his PhD project, he is studying legal decisions of precedent value that are formulated by the judges of the Swedish Migration Court of Appeal. His doctoral studies are thereby focused on the discursive legitimization of deportation decisions.

For further reading, we recommend EG-member Phil Scraton's article on the Belfast Telegraph social justice blog: **From refugee crisis to Stormont, unacceptable language of intolerance breeds hatred:** *Refugees fleeing persecution in their homelands have brought the evils of sectarianism to an international audience. Meanwhile within the Northern Ireland Assembly similar attitudes are entrenching division and bringing Northern Ireland to the brink of direct rule.* <http://www.belfasttelegraph.co.uk/opinion/debateni/from-refugee-crisis-to-stormont-unacceptable-language-of-intolerance-breeds-hatred-31535917.html>

V. EG-Conference 2016



Economic Crisis and Crime: From Global North to Global South

44th Annual Conference of the European Group for the Study of Deviance and Social Control

University of Minho

Braga, Portugal

1th, 2nd and 3rd September 2016

Although economic crisis is a global phenomenon, southern countries of Europe have been particularly affected. In Portugal, for example, quality of life has considerably decreased and the crisis has intensified exclusion, homelessness, emigration and enforced poverty.

Taking into account the different realities of the crisis in the countries of the global north and south, this conference calls for papers exploring various manifestations of the crisis in different sectors of the criminal justice system and other public services. The conference will seek to address the following questions:

Are patterns of crisis different in northern and southern Europe? Are state control and forms of resistance to the crisis different between the north and the south of Europe? How can we promote social justice in times of crisis? How can scholars contribute to reducing social inequality and the policies that promote social exclusion? How are activists and social movements dealing with the crisis in different countries? How can we involve citizens in the fight against state violence?

We welcome papers on the themes below which reflect the general values and principles of the European Group. Please forward short abstracts of 150-300 words to the relevant stream coordinators by **31st March 2016**.

Streams

Fear and looting in the periphery: Approaching global crime and harm in (and from) the south(s) [*Working group in progress*]

- Theoretical development of state-corporate crime and social harm on / from the south(s)
- Complex relations and connections between north and south.
- International financial agencies, debt and the production of crime and harm.
- Geographical production of crime and harm
- Resistance from the south(s)
- What is to be done about state-corporate crime?
- Post-colonial criminology

Contact: aleforeror@ub.edu & djf@unizar.es & ignasi.bernat@udg.edu

Crimes of the Powerful Working Group Stream

- Corporate and State crimes/harms/violence
- Resistance, contestation and class war
- Economic, physical, emotional and social costs of crimes of the powerful
- Power, harm, corruption and violence in institutions
- Eco-harms and green criminology
- Criminal justice, civil law, critical legal perspectives and social justice

Contact: Samantha.Fletcher@staffs.ac.uk

Social harm/Zemiology [*Working group in progress*]

- Social harms of the financial crisis, recession and austerity
- Social harms of neo-liberalism and other forms of social organization
- Social harms of criminalization
- Social harms of 'war on terror' (criminal justice and social policy interventions)
- Social harms of border control
- Social harms relating to gender, sexuality, age, ethnicity etc.
- Methodological, epistemological, theoretical issues

Contact: C.Pantazis@bristol.ac.uk & S.Pemberton.1@bham.ac.uk

Prison, Punishment and Detention Working Group Stream

- Resistance to control and prison
- Immigration detention and forced removal
- Prison and surveillance
- Surveillance outside the prison
- Semi-penal institutions
- Punishment and structural violence
- Genderisation of practices between prisons
- The institutional genderisation of inmates
- Gendered Violence in Prison

Contact: Victoria.Canning@open.ac.uk

Policing and Security Working Group Stream

Post-crash policing: developments, implications and possibilities for resistance

- Post-crash intensification of coercion and surveillance: criminalizing resistance
- Policing the crisis in southern Europe: developments and comparisons
- Capitalism, pacification and post-crash policing
- Containing the police counterattack: problems and prospects for police accountability
- Citizens, activists, communities, movements: possibilities for resistance and alternative political programs

Contact: g.papanicolaou@tees.ac.uk

Criminalizing children and young people

- From marginalization to crime
- Institutional violence in the care system for children and young people
- Regulating the behavior of youth
- Comparative perspectives in youth justice

Contact: pcmartins@psi.uminho.pt

VI. News from Europe and around the world

Norway

Boklansering: Woman and war/Kvinner i krig

Please see: <http://www.jus.uio.no/ikrs/om/aktuelt/arrangementer/2015/women-in-war-ericsson.html>

Spain

Last September has been published the latest issue of *Critica Penal y Poder* (Criminal Critique and Power) a journal edited by the Observatory of the Penal System and Human Rights at the University of Barcelona. We have dedicated the introduction to Prof. Massimo Pavarini, who recently passes away. We invite all members of the EG to publish in the next numbers. We accept articles also in English, Italian and Portuguese.

See: www.criticapenaly poder.com

UK

Can Corbyn's radicalism extend to criminal justice policy?

Emma Bell in *Open Democracy*, UK: Corbyn's focus on protecting victims of national insecurity may be a means of leading criminal justice policy in a more progressive direction.

Read the article on: <https://www.opendemocracy.net/uk/emma-bell/can-corbyn's-radicalism-extend-to-criminal-justice-policy>

Justice Matters - A three-year strategic initiative

This is the latest update on Justice Matters, the Centre for Crime and Justice Studies' three-year initiative promoting radical alternatives to criminal justice.

What would you build in place of criminal justice?

Justice Matters Event: Alternatives to criminal justice: Building social justice solutions - 19 January 2015 1 pm to 4 pm

This workshop will take as its starting point that we need to look beyond criminal justice to find ways of preventing, reducing and repairing harm. Join us to discuss the available policy and practice solutions to harm that do not rely on punishment and exclusion. The Centre is developing a workshop toolkit to facilitate discussion about short and long term solutions to a range of social harms. Participants will be

invited to test out the toolkit, offer feedback and introduce their own ideas. You can register [here](#).

New publication: discussing alternatives to criminal justice.

We asked you to tell us what you would build in place of criminal justice and received a number of insightful pieces with a suitably broad set of ideas and initiatives. [Discussing alternatives to criminal justice](#) brings the articles together in one place. This is the beginning of a debate and we want more contributions, whether 100 or 1,000 words, to develop this theme. Join the discussion by emailing your suggestion here to will.mcmahon@crimeandjustice.org.uk

A quick reminder of three upcoming events that might be of interest

How might social policy help downsize criminal justice? A Justice Matters seminar: Criminal justice and young people with clinical disorders on 13 November 2015 from 12:30 pm to 3:00 pm.

A highly disproportionate number of young people with neurodevelopmental impairments and clinical disorders are in criminal justice. This event will consider how systems can better respond and radically reduce criminal justice intervention. Register for this event [here](#). If you have a proposal about what policy or practices you would build in place of criminal justice then please send us an [e-mail](#).

Criminal justice reform or abolition? Perspectives from Australia and the United States.

The Centre will be hosting an [academic roundtable seminar](#) on 19 November 2015 from 1 pm to 4 pm with Dr Bree Carlton of Monash University, Australia and Dr Erica Meiners of Northeastern Illinois University, Chicago, USA on the theme of 'Is criminal justice reform obsolete?'. Respondents include Dr Sarah Lamble (Birkbeck University), Andrew Neilson (Howard League) and Prof Joe Sim (Liverpool John Moores University). Later that day Bree and Erica will be joining a panel at an event organised by the Reclaim Justice Network and The Open University, details [available here](#).

Some reforms might be hurting more than they are helping...

Catherine Heard, the Centre's Research and Policy Associate, has described how community sentences have failed to cut prisoner numbers. In a [guest blog](#) on the CLINKS website, Catherine outlines the findings of our latest research report *Community sentences since 2000: How they work and why they have not cut prisoner numbers*. You can read the [report in full here](#).

That's all for this month...like what Justice Matters is doing? Then support the initiative.

Join us by [becoming a member](#) of the Centre, or you could [make a donation](#) to support the Justice Matters initiative. If this update has been forwarded to you and has been of interest then please [sign up](#) for future mailings.

With best wishes,

The Justice Matters Team

New publication

An edited collection by Scott Poynting, where members of the EG have contributed <https://www.crimejusticejournal.com/index>.

News from the Prisons, Punishment and Detention Working Group

Publications

Bhatia, M. (2015), 'Turning Asylum Seekers into 'Dangerous Criminals': Experiences of the Criminal Justice System of Those Seeking Sanctuary', International Journal For Crime, Justice And Social Democracy, Vol. 4, No.3.

Canning, V. (2015) 'Unsilencing Sexual Torture: Responses to Refugees and Asylum Seekers in Denmark', British Journal of Criminology, advance access available here: <http://bjc.oxfordjournals.org/content/early/2015/08/14/bjc.azv079.abstract>

Carlton, B. (2015), 'I would build... Radical Strategies for Resisting the Harms of Reform', Centre for Crime and Justice Studies, available at <http://www.crimeandjustice.org.uk/resources/i-would-build%E2%80%A6-radical-strategies-resisting-harms-reform>

Scraton, P. (forthcoming), 'Bearing Witness to the 'Pain of Others': Researching Power, Violence and Resistance in a Women's Prison', International Journal of Crime, Justice and Social Democracy, (forthcoming). Please email Phil Scraton on p.scraton@qub.ac.uk<<mailto:p.scraton@qub.ac.uk>> if you would like a copy.

Please also find attached an article just published in A-M McAlinden and C Dwyer 2015 Criminal Justice in Transition: The Northern Ireland Context Hart/ Bloomsbury: London. Also in this text is Linda Moore and Azrini Wahidin's article 'Transition, Women and Criminal Justice in NI' and Deena Haydon and Siobhán McAlister's 'Young People Crime and Justice in NI'. Again, should you want copies of those articles please email Phil<<mailto:p.scraton@qub.ac.uk>> Scraton on the above address.

Events

Launch - The Palgrave Handbook of Prison Ethnography; 19 October 2015: 6-8pm, Centre for Crime and Justice Studies, London, SW8 1GB
Please refer to details below for the book launch of Handbook of Prison Ethnography, edited by Dr Deborah Drake, Dr Rod Earle and Dr Jennifer Sloan on 19 October 2015: 6-8pm at the Centre for Crime and Justice Studies, SW8 1GB, if you would like to attend, please register via the following link given below:-
<http://www.crimeandjustice.org.uk/civicrm/event/info?reset=1&id=77>

Hearing the Hidden Voice: Researching Prisoners' Lives and Perspectives";
University of Dundee, Friday, 23 October 2015

This one-day workshop seeks to bring together researchers from across the disciplines whose work involves "hearing the hidden voice" of those held in institutions of confinement (including immigration prisons). This may be done in a historical or contemporary context; it may involve working directly with prisoners, their families, or the reading of textual records in ways that give a voice to the incarcerated. In doing so, researchers can face many theoretical, practical, ethical, and political challenges, most especially when seeking to counter the views held by policy makers, the press and public.

Attendance at the workshop is free, but spaces are limited. If you would like to attend, or need further information, please contact the organiser, Dr Zoe Colley, z.a.colley@dundee.ac.uk<<mailto:z.a.colley@dundee.ac.uk>>

Roundtable: Is criminal justice reform obsolete? November 19th, 2015 1:00 PM to 4:00 PM, Centre for Crime and Justice Studies, London, SW8 1GB
At this roundtable event Dr Bree Carlton (Monash University, Australia) and Dr Erica Meiners (Northeastern Illinois University, USA) will speak about local abolitionist struggles in Australia and the USA to consider the relationships between reform, decarceration and the longer term goals of achieving structural change and ending the use of imprisonment and criminal justice.

Respondents include:

Dr Deborah Drake, The Open University

Dr Sarah Lamb, Birkbeck University

Andrew Neilson, Campaigns Director, The Howard League for Penal Reform

Professor Joe Sim, Liverpool John Moores University

For registration and further details:

<http://www.crimeandjustice.org.uk/civicrm/event/info?reset=1&id=90>

VII. Resolution



European Group for the Study of Deviance & Social Control

An international network working towards social justice, state accountability and decarceration

European Group Statement in Support of the Jerusalemite Women's Coalition

The women of occupied East Jerusalem call for immediate protection from the widespread and serious violations of Palestinian human rights, including physical attacks and injuries, severe psychological threats, and persecution by the Israeli state and settlers. We, the members of the European Group for the Study of Deviance and Social Control are deeply concerned about the situation for Palestinians in Jerusalem and the rest of Palestine, and support the call from the Jerusalemite Women's Coalition for protection and urgent actions to prevent further suffering. We condemn the excessive and indiscriminate oppression and use of force, and the breaches of human rights conducted by the Israeli state and settlers.

التجمع
النسوي
المقدس



Jerusalemite
Women's
Coalition

A **BIG THANKS** to all the European Group members for making this newsletter successful.



(Flying. Photo: Per J. Ystehede)

Please feel free to contribute to this newsletter by sending any information that you think might be of interest to the Group to Ida/Per/Kevin at : europiangroupcoordinator@gmail.com

Please send it in before the 25th of each month if you wish to have it included in the following month's newsletter. Please provide a web link (wherever possible).