Introduction: Minorities, Crime and (In) Justice

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Introduction

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Across Europe, categories of crime remain fixated upon a racialised criminal other. Consequently, public expressions of xeno- and anti-Muslim racism(s) are to the fore of political and popular discourse, driving an ever-increasing number of complex and yet concealed regulatory practices, designed to contain and exclude those who infringe imagined borders and second to pacify the populations of nation states in political and hegemonic crises. Such political expressions are epitomised within the deliberate imposition of harmful exclusionary strategies creating a ‘hostile environment’ against those marked as black, brown and ‘othered’ bodies dichotomised as ‘non’ or ‘failed’ citizens. Lest we forget however, Europe has long been a hostile environment for those who migrate between the peripheries and the Metropole transcending those imagined borders.

Within this special edition of *Justice, Power and Resistance*, contributions serve to make a critical intervention by revealing continuities in the utilisation of penal strategies to regulate minority groups. Through criminology’s fixation in servicing the knowledge production of ‘crimes and criminals,’ as state-defined, it informs the development of sanctions and (in)justice interventions which legitimises the indignity and pain-inflicted on the bodies of black and brown people across Europe. Despite this, mainstreamed criminologies lag behind our everyday realities and our everyday experiences of state racialised criminalisation by simplistically reaffirming negated traits and characteristics attributed to black and brown bodies. However, rather than being constrained by a criminology which obsesses racial or ethnic ‘disparity’ and/or ‘disproportionality’, this edition moves to resituate criminal injustice as a constituent of societal structures. Within this context, contributions focus upon the transmogrification of justice agencies and practitioners in response to perennial constructions of the offender. Beyond the United Kingdom, the pan-European project of dehumanising the migrant and refugee as produced through the enactment of (im)migration policies to engineer “hostile environments” highlights ‘the racialisation and criminalisation of immigration,
now (hegemonically) embedded within a political consciousness has become a legal and normative category’ (see Edmond-Pettitt, and Joorman this edition).

This theme is extended further where the precarity of ‘citizenship’ status is an intrinsic feature of colonialism(s) (see Swanson and Gamal). Whilst mediated as independent of each other, Burnett highlights how immigration enforcement and the administration of workfare ‘mutually reinforce’ one another as a feature of surplus labour regulation within neo-liberal societies. Added to this, Alexander highlights the damaging consequences of immigration enforcement and locking-up migrants indefinitely in detention centres. Potter returns us back to the hostile environment and immigration enforcement within the National Health Service (NHS). Martynowicz helps to broaden our understanding of non-national prisoners. She draws upon experiences of Polish male prisoners incarcerated in Northern Ireland to show how the pains of confinement are experienced differentially depending on citizenship, nationality and linguistic ability. In his chapter, Irwin-Rogers explores Black, Asian and Minority Ethnic men’s experiences and views of racism in England and Wales across several components of the criminal justice system including policing, the courts and imprisonment.

On the theme of Empire, and the historical remnants of colonialism, Clarke analyses the contemporary uses of collective punishments as realised through the doctrine of Joint Enterprise as a means through which to manage police-defined gangs. Whilst her findings remark upon the use of such powers waged predominantly against young black men in England and Wales, it is a reminder of the complexity emanating from new and old strategies of regulation across Europe that are invariably and consistently deployed against minority ethnic groups. In exploring the remnants of colonialism Bertolt’s article explores and uncovers homosexuality in Africa and ways in which homosexuals define themselves and construct their identities and how such constructions remain deeply rooted in the coloniality of the genre. Many of this edition’s contributions highlight the margins and spaces within which the activist can disrupt and make attempts to alleviate the harms endured by minority ethnic groups across Europe. From this position then, and in moving towards this goal, it is implausible for us to appreciate and make sense of contemporary European social regulation and crime control outside of the determining structures of colonialism(s) and its concomitant racism(s).