

## **International Colloquium**

Royal Museum for Central Africa (Tervuren)  
Université Libre de Bruxelles  
Katholieke Universiteit Leuven

### **Norms in the Margins and Margins of the Norm The Social Construction of Illegality**

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Norms and their codification are central to the organization of human societies. From its inception, sociology has construed the creation of norms and the embeddedness of law in social practices as an object of study, as illustrated by the work of Emile Durkheim. Anthropologists, historians, and philosophers have pointed out the processes at work in the production, the implementation and the transformations of law, as well as the diverse appropriations of rules in contexts of legal pluralism.

The international conference “Norms in the Margins and Margins of the Norm” will scrutinize relations to norms and to the law as a process of negotiation in line with globalization. Within the current neoliberal configuration of the world, powerful multinational corporations and supra- and international institutions impinge on the role of States, producing blurred spaces where informal norms thrive. The intricate fabric that shapes and reshapes norms involves actors in quest for profit at the interfaces left open by legislative gaps. In contemporary societies, then, the codification of norms has reached a hitherto unknown degree of complexity and scope. Yet, never before has social and technical upheaval produced such a proliferation of norms on the fringes of legality.

Studies on the production of illegality in the social sciences are probably best known when bearing on the macroeconomics of transnational trafficking and war economies, in contexts of economic liberalization, of “criminalization of the state” and of growing synergy between politics and business through both legal and illegal networks. Most media attention focuses on drugs and arms, which are only the most visible elements in the multi-trafficking system structured around transnational hubs.

Without denying the relevance of “macro”, totalizing and generalizing approaches, the present colloquium aims at articulating these with an approach to illegality viewed “from below”. Seminal landmarks in this perspective include the Chicago school of urban sociology, which theorized the empirical approach to “deviance”, gangs, rackets, and corruption (with R. E. Park and W. F. Whyte) as well as research based on the notion of the “moral economy” (Thompson) and aimed at developing an anthropology of ethics. Studies will therefore pertain both to the production of the categories of illegality and to the production of ethical categories in the underworld, while stressing the intertwining and ambiguous entanglements of legal and illegal networks in so many fields. Analysis will articulate the political construction of criminality by States and supra- and international agencies on the one hand, with the social and geographic organization of

crime and the development of criminal habitus, as well as everyday practices and poetic heroizing (Herzfeld) in informal and illegal circles, on the other hand.

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The above considerations suggest various potential tracks for analysis. How do State and supra-national criminalization activities construct landscapes of illegality? How are the legal and illegal sides of global capitalism's underground economies intertwined? What are the ethical justifications given for the legal and illegal constructions? How are norms inhabited, legitimized and challenged in the marginal spheres of today's illegal and criminal worlds? How are the legality and legitimacy of the illegality-producing societal spheres maintained and perpetuated?

Another area of inquiry would bear on our practice as researchers. How can we, as researchers, circulate in the spaces created by penal policies, between the analysis of state-led coercive processes and the observation of criminal trajectories? What ethical, political and epistemological issues are raised by investigation of the illegal and criminal spheres? Faced with objects of this sort, what positions and reflexive policies can research advance?

This conference therefore proposes to reflect on the relations between the dynamics of criminalization and the construction of State powers, on the one hand, and on criminal strategies – legal or not –, moral economies in the illegal spheres, the ploys and tactics of “deviant” groups on the other hand. Law and the informal norms tied to its various uses are viewed as processes seized upon and retailed by actors for their own purposes and strategies, in a context where penal policies commanding conformity in collective behavior are not necessarily aimed at eliminating crime and illegalism (Foucault), but essentially broaden the areas of intersection and interaction between State coercion, criminal trajectories, and the management of norms.

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