

SHORT SUMMARY OF THESIS

State control and marginalisation

Criminalisation of homelessness, regulation of street prostitution and the renewal of slums

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Short summary of doctoral thesis
ELTE School of Law Doctoral School
Budapest, 2020

Manuscript completed: 30 April 2020

SHORT SUMMARY

1. High-level findings

1. In the case of activities that are deemed dangerous by the state, prohibiting legal regulations mostly talk of a particular action but in reality work similarly to the ‘hidden curriculum’¹ in public education. In certain cases these laws create the possibility to sanction a particular, well identifiable group in society. Both homelessness and street prostitution result in the conflict between different interests regarding the use of public spaces. In my thesis I pointed out that when it comes to the rhetoric regarding the criminalisation of the aforementioned two phenomena, legislators use arguments that are about the use of public space or are criminological, moral and public-health-related in nature.

2. When analysing homelessness in Hungary I discovered that the Hungarian processes fit into a particular trend. By the turn of the 20th century in some cases the boundaries between civil/administrative and criminal law started to blur and it became more and more common to handle issues that are non-criminological in a modern sense with the tools of criminal law or the law of infractions. With this the boundaries between the regulatory differences in crimes and antisocial behaviour become blurred as well and the set of tools used by criminal policies and social policies get mixed up with each other. How legislators and powerful groups in general react to visible poverty shows how they view questions regarding social policies and state responsibility (for example the forceful banishment of homelessness and prostitution from the streets or the “rehabilitation” of slums).

3. Historically the views states and cities took on homelessness were characterised by a dichotomy where they separated the “deserving poor” from the “undeserving poor”. The aforementioned group was made up by people who were perceived as ones that wanted to change their lives or were not able to work out of no fault of their own. The second group consisted of those who did not fit these often arbitrarily or very strictly designed criteria of being deserving. Homelessness, vagrancy and “work avoidance” was viewed as a failing in morality of character and if liability was established it could become legally sanctionable. At the end of the 19th century and the beginning of the 20th century people who were deemed vagabonds were treated as risks to public security. This mentality never disappeared completely from the Hungarian legal system, although during the socialist era, much like

¹ For more on the ‘hidden curriculum’ see: Szabó, L. T. (1988) A „rejtett tanterv”

extreme poverty, it became less visible. The open and dominating return of this viewpoint can be tied to the 21st century criminalisation of homelessness. During my study I found similar patterns in the intentions of the legislators at the end of the 19th and beginning of the 20th century and today.

4. Next to the banishment of visible poverty, public morality plays a considerable role in the regulation of street prostitution. We cannot understand, study and manage prostitution without considering the issues that arise from the topic of gender. Therefore, my findings are mirroring these discussions and peculiarities of the current position of women in society.

I determined that the regulation of prostitution has four basic types based on what values and interests are considered worthy of protection and endorsement by the state. In my research I found why the regulation of prostitution was not discussed widely in Hungarian politics and why in the debates on related pieces of legislation there were only a handful of references to prostitution and the New York Convention. The explanation for this is the politically sensitive nature of this topic. The study I undertook confirmed that it is visible prostitution that bothers the legislators since it does not fit the urban landscape the powerful prefer.

5. Urban rehabilitation is one of the most invasive and largest-scale forms of the shaping of urban space. Its aim is not only to restore buildings but also the complete renewal and regeneration of the neighbourhood which is often categorised as a slum. The rhetoric of urban rehabilitation usually is built around the economical and physical renewal and the enhancement of the levels of services and public safety but it inherently comes with the pushing out of original residents and unwanted users of public space. The reason for this is to gain and keep control over the area which became valuable after the investments.

6. The reactions by the state and local governments regarding the studied phenomena can be understood as punishments in the Foucauldian sense. Based on Foucault's work, the tools used to control societal groups deemed dangerous and unwanted have similar characteristics to traditional criminal sanctions.

New punishments have to fulfil several criteria (Foucault 1995:104). For example, they have to seem as a natural need because this way the powerful can present the sanctions that fit their interests as unbiased reactions (Foucault 1995:105-106, 109). The criminal sanctions and other tools that are used to control marginalised groups need to appear as measures to protect society or the group itself. This can be observed in cases of all of the studied phenomena.

7. The analysis of societal discourse regarding the studied phenomena revealed that in today's Hungary the most public interest is shown in homelessness out of the three topics researched. This was probably fuelled by the radical legislative process that is the criminalisation of homelessness. The discourse and where it was possible, the analysis of public attitudes showed that the Hungarian society is distant but solidary towards homeless people. They consider homelessness a problem and they desire a solution for it, but they do not support criminalisation or measures such as the destruction of the property of homeless people. The analysis revealed a general disinterest regarding prostitution, similar to the one found in the political discourse. This could be caused by the fact that prostitution still qualifies as somewhat a societal taboo or the views according to which prostitution is a private affair. In the discourse on Hős street the dominating views were on the dangerous and problematic nature of the issue which did not show solidarity with the inhabitants of the neighbourhood.

2. Detailed findings

1. During the analysis of the underlying interests and societal processes connected to the studied phenomena I created a typology which assists in the understanding of the findings. The aim of these categories is to bring the correlations behind the implementation of legal measures that result in the further marginalisation of particular groups to light.

2. I analysed the three phenomena using the following four dimensions: a) fear of crime, b) the politics of urban space, c) the aim for order and control, d) using tools of criminal policies to manage social problems.

2.1. Fear of crime

1. The powerful are characterised by binary thinking in which the world can be divided into harmless and dangerous people (Foucault 1977:1999). The research conducted on the three phenomena confirmed that the physical exclusion of the unwanted groups and people is caused by perceived interests regarding the protection of society and the gaining and reinforcing of control over the excluded groups. In this approach the centre of power is the ability/right to free movement (Bauman 2000:18), therefore the ones who are deprived of the ability/right to free movement are also excluded from power.

In the analysis of the criminalisation of homelessness and regulation of prostitution it became visible that in the binary thinking of the powerful the people who are deemed dangerous pose

a risk. In order to gain or keep power and also to protect the dominance of their own values and interests the powerful try to manage these risks. In the risk society the main task is to eliminate, minimise or divert the risk (Beck 1992) to another area or societal group. These potential consequences became the most important underlying causes behind state and societal reactions by the end of the 20th century (Beck 1992:22). The concept of security in this context means the lack of risks (Zedner 2009a:21). In most Western democracies risks and their management take up a considerable place. In the neoliberal approach risk management is the task of the individual since they are responsible people who are capable of decisions. From the neoconservative perspective risks are meant to be eliminated by a centrally shaped society that shares a homogenous set of values and the risks that appear despite this have to be handled with strict and forceful measures. As society becomes more conscious of risks it is also becoming more and more determined by them and therefore characterised mainly by uncertainty. One way to manage this uncertainty is to eliminate risks in which process people are willing to sacrifice elements of their freedom.

2. In the past few decades uncertainty and anxiety became more and more prominent in society and most of their causes cannot be easily or at all influenced by governments. Therefore governments try to divert fear towards phenomena that can be managed by them (Bauman 2004:66). As my studies revealed, an underlying reason behind deeming homelessness, street prostitution and slums dangerous is that they can be managed on the symptomatic level. When they are deemed so, it generates or enforces prejudices in members of mainstream society regarding the phenomenon or urban area in question. In case of the studied three phenomena, the cause behind the “dangerous” qualification is also that they do not fit the urban landscape dreamt of by state and local leaders. After this criminalisation makes homeless people and prostitutes invisible and simply displaces the social and societal problems that were present in the area of urban rehabilitation.

3. One of the most important ways to minimise risks is their early identification to which technique policing, the criminal justice system and criminal law are particularly receptive. In criminal law an example of this is the criminalisation of certain petty offences with the argument that in the case they become widespread that will inevitably lead to serious crimes and large-scale societal damage. This was supported by the analysis conducted in the thesis where for example I showed that street prostitution is criminalised to protect public morals, the criminalisation of homelessness is supported by arguments that it is “typical” of homeless people to commit crimes or the renewal of complete urban neighbourhoods stating that they

are too dangerous. This essentially follows the logic of the broken windows theory (Wilson *et al.* 1982). In the criminal justice system such an example is the risk-evaluation of offenders before release or sanctioning practices based on said risk assessment. In the field of policing the risk-approach appears for instance in zero tolerance policing and predictive policing. As it was revealed in the research regarding the criminalisation of homelessness or the regulation of prostitution the most prominent fallacy of these approaches is that they subject people, groups or phenomena to criminal sanctions based on empirically unproven theories, risk-assessment models or predictions made by underdeveloped computer programmes.

It is not only the state that has measures for risk-minimising as the private sector realised the potential too. This further increases the inequality that exists in the field of risks where lower classes face more adversities already since in the world of private risk management the access to a higher level of security is ensured by financial tools.

4. The analysis of the legislative processes supported the widely accepted view in literature according to which society's fear of crime affects legislation, policy making and the use of urban space. Behind the societal fear of crime regarding acts that are deemed non-conformist, deviant or downright illegal such as homelessness or street prostitution there is a complex structure of correlations. This is true of abandoned neighbourhoods as well.

5. Fear of crime became a key question for political leaders by the last decades of the 20th century (Gönczöl 2002) since if the fear of crime is high, people can conclude that the political and police leaders are not managing their duties well. The largest effect on people's fear of crime is made not by crime statistics but by the orderliness of their immediate environment. The management of visible disorders such as homelessness and street prostitution and also the rehabilitation of neighbourhoods that are in deteriorated physical condition promises a simple, visible and quick solution to phenomena that affects personal feelings of safety and security.

6. As is was shown from the correlations discovered, a moderate level of fear of crime in society can even be useful for political decisionmakers as it can create a context for measures that even limit freedoms and rights. Counterproductively the strict measures studied in this thesis can also result in the increase of fear of crime. While the aforementioned solutions have the ability to decrease general fear of crime, the fear regarding the particular phenomenon can increase since the tools of criminal law traditionally used against behaviour that poses a serious and real threat to society and its members.

7. In the case of prostitution fear often is not tied to the providing of sexual services but to the phenomena that can come with it such as fears regarding organised crime, human trafficking, human smuggling, drug trafficking and sexual abuse of children.

In case of street prostitution certain accompanying phenomena can increase the feelings of public disorderliness in members of mainstream society (such as littering, public drugtaking and drinking, verbal and physical fights, public sexual acts). Certain accompanying phenomena mostly affects female users of public space (harassment, unwanted sexual offers and comments) but most of them can negatively affect all other (non-sexual) users of public space (such as increased noise levels and car traffic). These can contribute to the visibility of street prostitution and also can create a rhetorical context for the necessity of state/local-level measures to eliminate prostitution because of the potential to increase fear of crime.

8. The fear of crime studied in the thesis is partially due to the stigmas and false associations tied to behaviours and places. As was shown, these can be caused by basic lack of knowledge, the media, the attitudes of state/local leadership and rhetoric. Stigmas can have many forms: they can be attached to the moral or the public health related arguments, the accompanying phenomena of the behaviour, the idea of individuals' responsibility over their own lives, the system of symbols transmitted through the physical environment or even fear of particular concrete crimes. The common trait of stigmas is that through them people who behave in a certain way or live in a certain place will be reduced to this negative characteristic in the eyes of mainstream society.

9. Homeless people, street prostitutes and slums all represent visible poverty. Through the study of the chosen phenomena it became apparent that visible poverty draws attention to the inequalities existing in society, the disfunctions of the societal and economical system and that the state's policies are not able to give an appropriate response to these problems. Through the deployment of adequate social, economic, educational, employment and healthcare policies the improvement of the situation would happen in the long term which would not be rewarding in the field of daily politics in societies where societal responsibility and solidarity is not integrated into the everyday discourse on poverty and similar matters. Thus, instead of managing the structural causes of poverty it is a simpler and quicker solution to banish it from public spaces, in some cases to store it in a closed facility and hide it from mainstream society (for example through imprisonment).

10. It was concluded that one negative consequence of criminalisation and other policies that aim to make prostitution invisible is that they push the phenomena to the invisible and uncontrollable black market where providers of sexual services are even more vulnerable.

2.2. The politics of urban space

1. Urban space due to its limited quantity, especially in strategic areas, is extremely valuable in the financial sense and also since cultural, human, service and market resources are concentrated here. Thus, between people and groups who live, work, wish to have fun or make an investment there is a constant struggle for urban space and its use due to contrast between the different ways of the use of urban public space. This, however, is not limited to differences arising from the frequent incompatibility of these forms of use as the inequality and differences between various societal groups can play an important part in it as well. The study confirmed that this struggle is between unequal parties as the powerful groups have a considerable upper hand in this field too, both in the financial sense and in the ability to make their interests heard.

2. Cities have long been the symbols of heterogeneity and the meeting of different cultures but this colourfulness, the emancipating and accepting city often becomes exclusive towards lower classes in society. As my research showed, this is caused by the fact that in public but often in private spaces as well, the determination of the range of acceptable behaviours is made with the values and interests of the powerful in mind, who hold the economic, political, cultural and societal capital. Thus, the groups who are not able to channel their interests into this process will be excluded not only from the making of the formal and informal societal norms but also from shared spaces.

3. According to the critical approach of the thesis in the politics of urban space, space holds value in both a financial and a symbolic sense, and therefore to gain control over it is important. This can happen not only by simple purchase or renting but also by pushing out the unwanted groups. The analysis of the legislative process revealed that one method of this is to deem behaviour that is conducted by the members of the group in question illegal. Criminalisation makes it obvious that the particular behaviour is not viewed as acceptable and valuable use of space by the legislator. Similar to this, the use of space by the low-income inhabitants of slums is not valuable use that deserves protection in the eyes of the leaders of urban rehabilitation as a key goal of the renewal is always to change the user profile of the area.

In the rhetoric analysed in Chapter III behaviour of homeless people that is born out of need, such as rough sleeping endanger the use of public spaces by law-abiding citizens. The shaping of public spaces is important for making the control over the space visible since only those forms of behaviour can appear that are deemed acceptable by the legislator.

It was pointed out by the study that the political sphere has an interest in making visible poverty invisible as visible poverty can transmit the message towards voters that the elected leaders are not managing economic and social problems properly. Criminalisation of rough sleeping enhances social distancing since firstly it results in physical exclusion, secondly it gives an excuse to members of mainstream society to keep distance from homeless people who are now portrayed as a criminal group. Physical exclusion can not only be achieved by legislative measures but also through the shaping of the physical environment.

4. According to my study the place of street prostitution in the aforementioned struggle for urban spaces is also determined by public morality supported by the state and mainstream society. While other forms of use of space such as for living, entertainment or business usually stay within the defined limits of public morality, street prostitution and other visible forms of prostitution, such as openly advertised brothels cross it.

Use of space in the urban space is almost always an artificial and constantly changing dynamic state which is determined by the interests and power of the people and groups who participate in the struggle for it. Thus, prostitution is the subject of spatial control even in the most lenient model of regulation as its visible forms usually cannot be done in any public space or in any part of the city. On top of that, the control of advertisement of sexual services is typical as well with the use of arguments for public morals and the protection of children.

Such spatial control reinforces the stigma attached to the behaviour. This stigma can, amongst other things can decrease the chances of quitting (for example it makes finding other employment and residence more difficult), can increase victimisation, can play a part in addictions and multiple changes in personality, and it can also discourage the members of the stigmatised group from asking for help (for example from the police, healthcare or social services).

Behind the regulation of prostitution we can often find arguments that arise from a patriarchal and heteronormative context. An example for this is a regulation where the provision of sexual services is criminalised but the use of such services is sanctioned much more lightly or not at all.

5. Gentrification is a process where higher income people replace former, lower income and social status residents in a particular area of the city. While studying gentrification it was concluded that it has a strong connection to the increase of real estate prices and the increase in the condition of the physical environment, the renewal of services and infrastructure, certain changes in the local labour market and the change of local population. The change of the local population is mainly caused by factors such as the increase of real estate prices and that the area in question becomes fashionable amongst higher income people. The research conducted showed that these processes that accompany gentrification contribute to the enhancement and finalisation of the marginalised position of the original residents. The increase of real estate and renting prices, the increase in the level and quality of services and infrastructure intensify the financial difficulties. The restructuring of the local labour market can mean the loss of jobs and the new workplaces often require higher qualifications. Moving out of the area means the elimination of most existing social relationships within the local community. As to date no conclusive studies on the crime prevention effects of gentrification and urban rehabilitation have been published.

6. Despite the fact that in the postmodern era cities no longer fit the concentric model created by the Chicago School, the spreading of higher-status parts of the city and the formation of slums can still be explained within the theoretical framework of the School. On top of that in the politics of urban space a determining factor is the reclaiming of public spaces from the lower classes (see Smith on the revanchist city and the broken windows theory by Wilson and Kelling). The cohabitation of different classes is realised with the harm of the interests of the lower classes (Lees 2008), since even in cases when through the eyes of middle- and upper-class people spaces look inclusive and colourful, the original inhabitants who often belong to ethnic and other minorities are pushed to the side (de Oliver 2016:1300).

7. Slums that nowadays appear in both inner-city environments and also in the outskirts of cities represent segregation even if their formation was not the result of direct urban politics. This is because the concentrated poverty puts their residents into a position of cumulative disadvantage in the areas of social services, society, labour market, education and culture amongst other things as well as enhancing the subjective feelings of marginalisation. As the study showed, the measures undertaken to eliminate slums are usually tied to financial and aesthetic factors and they almost never aim to manage the disadvantages in a way that helps the absolute and relative societal position of the inhabitants. Due to this most urban renewal programmes do not contain elements that aim for this. The appearance of neglected

neighbourhoods is not a natural phenomenon but an active process (Slater 2016) and the gentrification that takes place in these areas does not create an emancipating and inclusive space since in reality the space is only open for the middle and upper classes (Lees 2000:392-401).

2.3. The aim for order and control

1. The characteristics of urban space are not only determined by economic factors and the struggle for space but also the view the legislators and the shapers of the urban landscape take on order. In this context legislation related to order and policing work has a central role in the everyday life of the city.

2. The research conducted on homelessness and prostitution revealed that the centralised perspective on order and making control a central element makes it obvious that the people whose behaviour or person does not fit this picture will be deemed unwanted in the area in question. This results in the division of society, to law-abiding people and law-breakers where the former can have access to space but the latter have to leave it. In a society that is characterised by the undividable dichotomy of freedom and control groups take part in those in different proportions and excluded groups only experience control (Garland 2002:198). As it was mentioned in the thesis, in the rhetoric of the criminalisation of homelessness the presence of homeless people endangers public safety. This represents the viewpoint of military urbanism (see for example Graham 2010, Walby *et al.* 2013:219-210) where elements and people in the environment are judged based on the risk they pose to public safety.

3. The role of order and control plays a central part in the studied legislation regarding street prostitution and homelessness.

Both phenomena belong to the group of visible disorders which symbolises the loss of control in the eyes of the legislator, law enforcement and the criminal justice system. Criminalisation creates the opportunity for law enforcement and the criminal justice system to act. Both homeless people and street prostitutes are easy to identify and police in a very visible way (visible policing). In this type of policing homeless people and prostitutes are not members of the community for which the police provide services since the criminalising measures turn them into criminals that need to be apprehended.

4. The role of aesthetics was also studied and it was found that it plays an important part in the arguments for and the societal acceptance of measures and projects such as the criminalisation of homelessness or prostitution and the rehabilitation of slums. In this context aesthetics is understood as being centrally determined by the powerful. It was concluded that elements which do not fit into this can be eliminated in multiple different ways, for example direct forbidding measures (e.g. the qualification of a behaviour as illegal), the shaping of the physical environment (e.g. benches that make lying down impossible) and complex urban renewal projects. An important trait of methods that make aesthetics a central element is that they are aiming for changes that will be favoured by the mainstream society and that look like aesthetic improvements rather exclusive measures.

5. The most important studies related to the effects of changing the urban space on crime are written on the topics of informal control, the symbolic meanings of the physical environment, the consequences of banishing antisocial behaviour from space and the prevention of crime situations. The correlations between crime and informal control showed that through the design of urban space it is possible to influence the presence of the community in public spaces and with this enhance or decrease the level of informal control. The study of the connection between crime and the symbolic meanings of the physical environment created CPTED where the aim is to deter offenders through the use of these symbols. The central element here is territoriality which has to be broadcast towards the members of the community from the physical environment. The broken windows theory aims to prevent serious crime with the exclusion of antisocial behaviour from the area. The goal of situational crime prevention is to prevent the appearance of crime situation through changing the environment.

Visuality and visibility are central elements of situational crime prevention and zero tolerance policing since in both methods the messages transmitted by the environment play a key role.

6. As was stated in Chapter IV, crime prevention methods that are based on situational crime prevention or the broken windows theory do not take into account the structural, societal, social and cultural causes behind crime. This approach brings with it the danger of a crime policy and crime prevention strategy that is solely based on these principles. The causal relationship stated in the broken windows theory was not empirically proven to date and the tools of situational crime prevention can be effective in the short term but they do not show effectiveness in the long term when it comes to decreasing crime.

7. Technological development creates opportunities for the use of cameras and smart technologies in the design, development and management of cities. The crime prevention effects of CCTV cameras used in public spaces could not be conclusively proven to date. On top of this, the use of cameras and smart technologies introduce such a high level of surveillance and control on members of society that it seriously endangers the right to privacy. Private security is rapidly gaining territory both in this field and on the field of crime prevention. This comes with the responsabilisation of individuals and the exclusion of marginalised groups from the promise of safety.

2.4. Using tools of criminal policies to manage social problems

1. According to the correlation-structure discovered in the thesis the problem of poverty is being managed with the use of tools of criminal policies instead of social policies. Drawing social problems into the area of criminal policies does not only give a solution to the issue of visibility but it also enforces prejudices about the phenomena in question since measures of crime policies or policies of law of infractions are usually used to counter behaviours that are pose a real threat or can cause real damage to society.

2. The views of a given society or political viewpoint on poverty and exclusion are clearly shown by to what extent they wish to use measures of social or criminal policies to solve problems of social origin. As it was revealed in Chapter III, deeming particular behaviours that are tied to visible poverty a threat to society is a clear decision to deploy tools of criminal policies in this field.

3. The criminalisation of homelessness – which can be understood as Garlandian punitive segregation (Garland 2002:142) – does not only exclude homeless people from urban space but also creates an opportunity for their complete removal from society through prison sentences. The study of homelessness showed that this already excluded group is further marginalised by this through the strong stigma that is attached to prison sentences. The criminalisation of acts such as rough sleeping or “dumpster diving” reaches a level of the responsabilisation of the individual that endangers societal solidarity as it carries the message that the criminalised behaviour was a wilful act that could have been avoided by making the right choices.

4. In the literature on prostitution the most divisive issue is whether sexual services can be provided voluntarily. In my research I concluded that the regulatory attempts, the discussion and the phenomenon itself show that the complete equality of all genders (or sexes) is not realised even in the most developed democracies. There is a feminist viewpoint according to which prostitution is an example of the practice of right to self-determination and both the state and society should respect this. In this line of argument women should not be viewed as people without the ability to give consent and free will who cannot responsibly make a choice regarding their own lives. My research however showed that as long as the complete equality of all genders is reached in the legal system, in everyday life and in terms of opportunities and as long as people's lives are influenced by sex-based stereotypes from birth, we cannot be sure that the decision to engage in prostitution is really out of free will.

Regulations that criminalise the provision of sexual services punish people who are in need and the stigma that is attached to being a prostitute and having been subjected to a punishment further enhances their marginalisation.

5. The inclusion of the requirement of social sustainability can help urban renewal projects to really incorporate social factors, to avoid the unwanted change of population and to aim for the elimination of marginalising effect in affected areas. In the thesis it was pointed out that it is debatable whether such strategic programs have the right to influence the organic development of the city or communities. This issue can be resolved by social sustainability where development cannot come with the price that certain regions are left behind and people who live there become marginalised and excluded. Where this situation has already happened, it has to be changed in the name of societal solidarity and responsibility. This however has to be achieved by using tools that do not simply result in the displacement of poverty that existed in the area and tools that do not come with the harm or further segregation of the inhabitants. It also has to be considered that clearly organic urban-development does not exist as it is always affected by the priorities and interests of central and local authorities.

3. Summary

1. The study on the three phenomena showed that these can be tools in the struggle to gain and keep power over urban space. The framework of the struggle is shaped by those who have economic power, societal capital and other privileges according to their own interests and values.

2. Through the analysis it was discovered that the legal system can serve the preservation of the existing power and privilege structures in different ways. Firstly, it can happen through the creation of crime categories if those are determined according to the interests and values of the powerful. Secondly, it can serve the aforementioned purpose through the application of existing regulations. For example when act of “dumpster diving” becomes illegal, the chances of police action seem much lower in case of a person who appears to be middle class.

3. The study revealed that the control of the underclass firstly is a tool of gaining power over public space. It is however also a primary goal as well since it helps to preserve the existing power structure. Trying to make visible poverty invisible is a unique approach neither in time nor in space as both historically and even in the most developed democracies we can find examples for this in the neoconservative and in the neoliberal approaches. The research also showed that criminalisation is an effective tool when it comes to control and making these phenomena invisible. When inclusivity, the support of vulnerable people and groups and societal solidarity are not parts of the societal system of values then tools belonging to the field of criminal policies will be met with political and societal support or at least indifference. This will lead to the further use of such policies.

4. Exclusion, marginalisation and the appearance of concentrated poverty cannot be perceived as consequences of free choices, defects in individual character or personality, or the lack of success due to individual lifestyles. In the environment shaped by societal inequalities those at the edges of society only have limited options and this is caused by the disfunctions of the system and policies. In the thesis it is argued that the appropriate response to these issues is not the deployment of criminal policies but the application of social sustainability.

5. The solution in the long term is to tear down the institutionalised structures of societal influence and advancement which are based on advantages that come from privileges, in the mid-term it is to focus on social, educational, healthcare and employment policies, and in the short term it is to increase the availability of benefits and the forms of individual help and support.

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