

SOCIAL CONTROL AND SECURITY IN
TIMES OF CRISIS:
THE CRIMINALIZATION OF THE
SEROPOSITIVE WOMEN IN GREECE

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In recent years, Greece has experienced an unprecedented economic crisis, with severe political and social implications. The intervention of three international organizations—the European Commission, the European Central Bank and the International Monetary Fund—brought about structural changes and the introduction of policies that continue to considerably lower living standards and produce societal divides. Unsurprisingly, the crisis creates conditions conducive for right-wing political groups to flourish (Mireanu and Gkresta 2013). Consequently, the political discourse has shifted and new paradigms of governance have emerged. Issues such as irregular immigration and public health have become prominent in Greek politics and public debates, and are subject of daily media attention.

Irregular immigration was a major preoccupation for the government before the May 2012

national elections, whilst crackdowns on illegalized migrants living in the center of Athens were and continue to be common practice. In spite of data suggesting that the numbers of undocumented migrants are much lower than usually believed,¹ controversial police operations, such as *Xenios Zeus*,² continue to enjoy public approval and are presented as highly successful by the government and the media at large.

The imposed austerity programs made inequalities sharper for the people living in Greece. The country currently has one of the highest unemployment rates in the EU (24.4% in June 2012, a 7.2% increase compared to the previous year). Youth unemployment figures were at 55.4% in June 2012, with women more likely to be unemployed than men³. According to a recent survey, sex trade in Greece increased by 1.500%.⁴ For the sex workers, the economic cri-

¹ According to a recent report of the Human Rights Watch, almost 85,000 foreigners were forcibly brought in to police stations to verify their immigration status between August 2012 (when Operation *Xenios Zeus* began) and February 2013. Out of them, fewer than 6 percent were found to be in Greece unlawfully. Human Rights Watch, *Unwelcome Guests*, June 12th 2013, <http://www.hrw.org/node/116082>, last accessed on 29 February 2016.

² *Xenios Zeus* is the name of an ongoing law enforcement program with the purpose to sweep off the streets irregular immigrants.

³ Eurostat, *Unemployment statistics (data up to August 2012)*, http://epp.eurostat.ec.europa.eu/statistics_explained/index.php/Unemployment_statistics

⁴ The data are the result of a research conducted by the National Centre for Social Research in collaboration with the Department of Criminology of the Panteion University of Athens and the Ombudsman. "Η κρίση απογειώνει την πορνεία," 03/10/2012,

sis has resulted in a shrinking client base. On the one hand, people have less money to spend on sexual services. On the other hand, in order to attract more clients, sex workers are pushed to take higher risks and have unprotected sex.

As part of the structural reforms imposed by the politics of austerity, the already over stretched social welfare programs are being crippled. Budget cuts greatly impacted outreach programs designed to counsel and treat the most vulnerable, which provide services such as needle exchange and condom distribution, along with spreading information on HIV prevention. The resources allocated to social welfare and the healthcare system have been reduced dramatically. To give a few examples a 40% cut in hospital budgets (Kentikelenis et al. 2011) that translates into shortages in personnel and supplies, the suspension of the needle exchange program in Athens, the suspension of payment of benefits to people with disabilities, and the introduction of a 5 euro fee per hospital visit, and so on. In other words, the access to services and preventive care is severely compromised. The impact of the crisis on health is reflected in the number of reported HIV cases, which in 2011 increased by 57% compared to 2010⁵, and also the growing numbers of drug

http://archive-gr-2013.com/gr/l/2013-01-08_1091660_128/Left-gr/
(see also <http://www.tovima.gr/vimagazino/views/article/?aid=618417>) (both links last accessed on 29 February 2016)

⁵ See “Global AIDS Response Progress Report 2012, Greece,” Reporting period: January – December 2011, pg.4, http://www.unaids.org/sites/default/files/en/dataanalysis/knownyoresponse/countryprogressreports/2012countries/ce_GR_Narrative_Report.pdf (last accessed: 29 February 2016)

users—in 2010 the number of heroin users grew by 20% compared to the previous year (Kentikelenis et al. 2011). As it happened with all vulnerable groups, the crisis increased the precariousness of persons using drugs, who might turn to sex work in order to sustain themselves.

In the mainstream political agenda, the cuts are presented as unavoidable, the only way to “save the country.” This has proven to be an efficient strategy to guarantee the approval of the society (loosely defined), since it capitalizes on xenophobia and nationalism. Since the urban environment is more vulnerable, the effects of the crisis are mostly felt and manifested in cities. The center of Athens has been significantly affected, and the transformations of the urban landscape are glaringly noticeable. Public spaces are being neglected, sanitation services have deteriorated, and commercial spaces in the city’s most expensive areas are now vacant. The only business that seems to be flourishing is that of pawnshops. Evictions have become regular, and the numbers of homeless people are on the rise. Although the “war against criminality” is part of the dominant political discourse, it has become hard to conceal activities such as drug trafficking and sex work. These activities and the rise in HIV cases are being linked by the authorities to undocumented immigration.

This article will describe how a government project that was initially targeting undocumented immigrants evolved into the castigation of a group of twenty-seven seropositive women. The women were detained by the Greek police

and forcibly tested for HIV, shortly before 2012's national elections. Their personal data were disclosed, their mug shots were published by the media, and they were charged with felony offences and imprisoned. Less than a year later, the initial charges against them collapsed and all of them were set free. We will look at this case through the lens of the literature on the securitization of HIV and we argue that the Greek authorities did not just present the seropositive women as a security threat, but, further to this, the women were framed and criminalized as sex workers, migrants, and non-citizens. In contrast to what the literature on risk and security suggests, we will then argue that there is *always* an exceptional moment that triggers the generalized panic.

Our methodology is a combination of interviews and discourse analysis. Maria conducted a series of interviews in the summer of 2013 in Athens: with doctor Chrysa Botsi from the NGO "Act Up Hellas," with Sissy Vovou from the "Solidarity Initiative for the Persecuted HIV-positive Women" and with a volunteer who wished to remain anonymous. Maria has also read the Greek press literature and has put together the timeline of the events, while Manuel helped with the overall analysis of the Greek authorities' discourse.

The case of the persecuted seropositive women in Greece can function as a vantage viewpoint to look at the way in which a perceived risk is used as a vehicle for social control and can shed light on the performative uses of a state of emergency. Social groups that are per-

ceived as somehow hostile or deviant (migrants, homeless, people who use intravenous drugs, transgender persons, sex workers, and even anarchists) exist in the margins of society, in what is presented as a state of disorder beyond legality. This logic legitimizes intervention and justifies the intensification of violent repression in the eyes of the public. This case is also an opportunity to show how debating crises can be a prelude to repressive state policies.

A CHRONICLE OF CASTIGATION

The 2012 parliamentary elections were due to be held in late April or early May. Already in early March, the Greek government had launched a crackdown on illegalized migrants living in the center of Athens. In the first days of April, the government announced (and, subsequently introduced) amendments⁶ according to which the law assumes the right to detain indefinitely third-country nationals, if they *pose a risk to public health*. For this to happen, it is enough to suspect that a person “belongs to groups vulnerable to infectious diseases, particularly because of the country of origin, or of the use of intravenous illegal substances or because a person is involved in prostitution [...] or a person resides in conditions that do not comply with minimum standards of hygiene.”⁷ According to the law, the illegalized migrants⁸ would

⁶ The amendments were made to the law 4075/2012 (Government Gazette Issue 89/A, 11-04-2012), article 59.

⁷ Ibid, pg. 2714.

⁸ It should be noted that the law extends also to a third-country national that ‘resides in conditions that do not comply with

be held in custody,⁹ whether they have applied for political asylum or not, for compulsory health checks, including tests for contagious diseases, such as HIV.

The law does not determine who can define which are the countries of origin whose nationals may pose a risk to public health. Neither are the criteria for selecting them stated. Needless to say, the law is discriminatory; it is just as likely that Greek nationals could “satisfy” criteria such as undertaking sex work and drug use or through living in unsanitary conditions. The text of the law reproduces wider racist discourses against migrants. It is worth noting at this point that the crisis years are characterized by an explosion in the intensity of legislative acts. Some were part of the reforms that Greece agreed to in order to receive financial aid, while others did not seem to cover any pressing social needs. Often these changes in the legal framework were met with protests, and the procedures followed were far from democratic.

The decision to introduce the above mentioned amendments was preceded by alarming statements of government officials regarding the imminence of a public health disaster caused by the presence of migrants in the city center. The Minister of Citizen Protection, Michalis Chrisochoidis, stated that the great

minimum standards of hygiene’, meaning that a person that resides lawfully in Greece can be detained as well.

⁹ Paragraph 3 of the article 59 (law 4075/2012, pg. 2715) reads: ‘The subjects [...] will be submitted to compulsory health examination and corresponding treatment. For the treatment areas detention regulations apply for the period that the reasons for the subjects’ detention apply.’

concentration of migrants at the center of Athens and other big cities creates severe threats for the public health, arguing that their unacceptable living standards cannot guarantee elementary hygiene standards¹⁰. He called the ensuing public issues “a time bomb with immeasurable consequences, if it explodes.”

The Minister for Health and Social Solidarity, Andreas Loverdos, sounded a note of warning on the consequences of contagious ailments for public health. He said that there has been a rise of more than 1000% in AIDS cases and talked about the reappearance of long forsaken diseases,¹¹ such as malaria and tuberculosis.¹² In the

¹⁰ “Λοβέρδος - Χρυσοχοϊδης:

Υποχρεωτικόπιστοποιητικόγείαςγιαμετανάστες”, *To Vima*, 01/04/2012, <http://www.tovima.gr/society/article/?aid=451357> (last accessed: 29 February 2016).

¹¹ Ibid.

¹² Note here that human-to-human transmission of malaria only occurs in the cases of congenital transmission and through unscreened blood transfusions. According to the Hellenic Center for Disease Control & Prevention (KEELPNO), during 2011 there have been recorded 27 cases in Greeks, 25 in migrants and 6 unconfirmed cases in Evrotas, a municipality in the Laconia regional unit (source: Ενεργητική αναζήτηση και θεραπεία κρουσμάτωνελονοσίας στη Λακωνία, 2011, <http://www.keelpno.gr/el-gr/δράσειςκεελπνο/γενικέςδράσειςκεελπνο/ενεργητικήαναζήτησηκρουσμάτων.aspx>). As for tuberculosis, KEELPNO reports that during the period 2004-2010 the cases have gradually decreased from 761 to 490 (source: ΕΠΙΔΗΜΙΟΛΟΓΙΚΑ ΔΕΔΟΜΕΝΑ ΦΥΜΑΤΙΩΣΗΣ ΣΤΗΝ ΕΛΛΑΔΑ, 2004-2010, <http://www.keelpno.gr/Portals/0/Αρχεία/Αναπνευστικού/Φυματίωση/Φυματίωση%202004-2010.pdf>). With regards to the HIV cases, there has indeed been recorded an increase of 1500% in the number of cases from 2010 to 2011 in the intravenous drug users (source: “HIV/AIDS Surveillance in Greece”, no 26, December 2011, pg. 15 <http://www.keelpno.gr/Portals/0/%CE%91%CF%81%CF>

same announcement, Loverdos said that out of the 600 brothels in Athens only seven had a permit and that it is not possible to perform health checks for the women working at undocumented brothels.¹³

The amendments gave the authorities the legal support to do so. On the 27th of April, just a few days after the healthcare provisions regarding the migrants were introduced, the Hellenic Centre for Disease Control & Prevention (KEELPNO) started performing controls in undocumented brothels.¹⁴ The first results appeared in the news one day later: the results of the HIV rapid tests ran by the experts had revealed one positive case. It was a 22 year old woman from Russia. The day after the police made public all her personal data: not just her full name, her place of birth and age, but also the date of birth, the names of her parents, the name of the neighbourhood where the woman was living in Athens, the address of the brothel she was working at the time, and of the one she

%87%CE%B5%CE%AF%CE%B1/HIV/EPIDIMIOLOGIKO
%20HIV_2011.pdf

¹³ Loverdos had already pointed out back in December 2011 that undocumented, unregistered prostitution was a big problem, closely related to the AIDS problem which is now a problem of the Greek family, since it is being transmitted “from the illegal immigrant to the Greek client to the Greek family.” See Aris Chatzigeorgiou and DaniVergou, “Να απελαθούν οι ιερόδουλες φορείς του AIDS” (Expel the AIDS-carrier prostitutes), *Eleutherotypia*, 11/12/2011, <http://www.enet.gr/?i=news.el.article&id=332267> (last accessed: 29 February 2016)

¹⁴ “Υγειονομικοί Ελεγχτοι Κε.Ελ.Π.Νο - Οροθετική Σε Παρانونο Οικο Ανοχησ”, n/d, <http://www.eumedline.eu/post/YGEIONOMIKOI-ELEGXOI-KEELPNO-OROTHETIKH-SE-PARANOMO-OIKO-ANOXHS> (last accessed: 29 February 2016)

had worked before. The information was accompanied by two pictures of her that went instantly viral. The woman has been prosecuted for “intentional gross bodily harm,” among other charges.¹⁵ According to the data given to the press, she was aware of her medical condition and continued nonetheless to have unprotected sex with clients. However, during her court testimony, the woman said that she did not know she was a carrier.¹⁶ The police, in its announcement, justified the disclosure of the woman’s data and pictures and the severe charges against her as a way of protecting society, and as means to legitimize the state’s further claims for the criminal punishment of such offences.¹⁷ The public exposure of the data aimed to persuade the men who had intercourse with her to get tested for HIV and to prevent men that have had intercourse with a woman with similar description from panicking. The police invited men who wished to get tested or receive instructions on HIV to contact the Hellenic Centre for Disease Control & Prevention (KEELPNO).

¹⁵ The brothel where she was working had been sealed three times in the past and had always resumed function illegally. The woman was charged for violating the sealing, for facilitating debauchery and other infringements of the legislation on sex workers.

¹⁶ Her statement is reproduced in this video:
http://www.youtube.com/watch?v=24lwt_POjFQ&feature=related

¹⁷ The police announcement has been reproduced by all media. See “Στη δημοσιότητα φωτογραφίες και στοιχεία της οροθετικής ιερόδουλης”, 29/04/2012,
<http://www.skai.gr/news/greece/article/201653/elas-ti-dimosiotita-fotografies-kai-stoiheia-tis-orothetikus-ierodoulis/> (last accessed: 29 February 2016)

During the following days the Greek media went on reproducing the story and presenting reports on the sex trade that was happening in the city center. This was done under telling titles, such as “This is the Russian prostitute who’s an AIDS carrier,”¹⁸ “Horror for hundreds of men who had sexual intercourse with the Russian,”¹⁹ “Panic in Athens because of the prostitute with HIV,”²⁰ “This is how the Russian prostitute- AIDS carrier advertised [her services] on the internet (images),”²¹ “Women-public men-ace.”²² The woman’s personal data and face were plastered all over not only domestic, but also in-

¹⁸ Title of the article published at the news website *newsbeast.gr*, “Αυτή είναι η ρωσίδα ιερόδουληφορέας του AIDS”, 29/04/2012, <http://www.newsbeast.gr/society/arthro/342666/auti-einai-i-rosida-ierodouli-foreas-tou-aids/> (last accessed: 29 February 2016)

¹⁹ Title of the article published on the newspaper “*Proto Thema*”, Τότα Καρλατήρα, “Τρόμος για εκατοντάδες άντρες που είχαν συννευρεθεί με τη Ρωσίδα!”, 30/04/2012, <http://www.protothema.gr/greece/article/?aid=193777> (last accessed: 29 February 2016)

²⁰ From the Greek social show “*Mila*” (Speak) with popular presenter Tatiana Stefanidou, running on STAR TV station (30/04/2012). The video can be watched on YouTube and it includes the “shocking testimony of the 21 year old man who had sexual intercourse with the prostitute with AIDS”.http://www.youtube.com/watch?feature=player_embedded&v=mZJhVqHTxrU(last accessed: 29 February 2016)

²¹ “Έτσι διαφημιζόταν στο Ίντερνετ η Ρωσίδα ιερόδουλη-φορέας του AIDS”, 01/05/2012, <http://www.iefimerida.gr/news/48440/έτσι-διαφημιζόταν-στο-ίντερνετ-η-ρωσίδα-ιερόδουλη-φορέας-του-aids-εικόνες> (last accessed: 29 February 2016)

²² A video from the news broadcast of Alpha TV, uploaded on 29/03/2012. The reporter is interviewing a Bulgarian sex worker who admits she has “no papers from a doctor in Greece.” <http://www.youtube.com/watch?v=5GTA3m7tnCM&feature=related>

ternational media.²³ The Hellenic Centre for Disease Control & Prevention (KEELPNO) and the AIDS-helpline received more than 600 calls in just a couple of days from men reporting that they had had unprotected sex with the Russian woman. The Minister for Health and Social Solidarity made almost triumphant statements:²⁴ “I’ve been saying these things for a long time and no one would listen, now unfortunately I was shown to be right. I had given fair warning that AIDS is increasing dramatically in our country and that part of the problem stems from illegal immigration and unregistered prostitution.”²⁵ He went on to stress the danger for Greek families: “I had said that the problem is entering Greek families since family guys are going to brothels and this way they carry the illness into their homes.”

Minister Loverdos reassured the citizens that he had instructed the employees of KEELPNO to continue implementing the health provisions with more intensive controls in undocumented

²³ See, for example “Active prostitute with AIDS was discovered in Athens”, *GRReporter* 30/04/2012, http://www.grreporter.info/en/active_prostitute_aids_was_discovered_athens/6678 (last accessed: 29 February 2016)

²⁴ The interview was initially given to a website dealing with health related topics and can be found in this link: <http://www.iatropedia.gr/articles/read/1738> (last accessed: 29 February 2016). It was, however, reproduced by all mainstream media.

²⁵ Loverdos went so far as to propose the deportation of foreign sex workers with HIV. See: Fragkiska Megaloudi, “Gay People Living in Fear in Greece,” *Huffington Post*, 25/11/2012, http://www.huffingtonpost.co.uk/fragkiska-megaloudi/greece-gay-people-living-in-fear_b_2175056.html, last accessed on 29 February 2016

brothels²⁶ all around the country: “In the following days, no brothel will go unchecked.” Faced with criticisms that the controls were just election populism substituting for the settlement of growing social and economic problems, the minister replied that the controls are not a pre-electoral fad. “Now that we receive a positive response from the Ministry of Public Order, we have all the tools [necessary] to protect public health,” he stated. One of the “tools” at the disposal of the authorities turned out to be the Hellenic Centre for Disease Control and Prevention (KEELPNO). KEELPNO’s control units comprised not only of administrative personnel, but also of health professionals. Although its stated primary concern is to support and protect “special” (vulnerable) populations (immigrant populations and human trafficking),²⁷ in this case KEELPNO became a regulatory apparatus in the hands of the authorities and was used in a repressive operation. Not only were the women forcibly tested, but also the notion of medical confidentiality was rendered impossible through the collaboration with the police.

²⁶ It is worth mentioning that controls were also being conducted in building at the centre of Athens in search of migrants whose living standards constituted a threat for public health. According to reports, 200 migrants were found in eleven apartments, 39 of them were undocumented. See: Παναγιώτα Καρλατήρα, “Ξεφεύγει η κατάσταση: Άλλες τρεις πόρνες με AIDS στην Αθήνα!” (“The situation is getting out of hand: Three more prostitutes with AIDS in Athens!”), ProtoThema, 30/04/2012, <http://www.protothema.gr/greece/article/?aid=193907> (last accessed on 29 February 2016)

²⁷ From the webpage of KEELPNO, “The purpose of the HCDCP,” <http://www.keelpno.gr/en-us/hcdcp/purposeofthehcdcpenus.aspx> (last accessed on 29 February 2016)

The controls continued and more and more women—all of them unregistered and working on the street—were found to be HIV-positive and were prosecuted for felony. Twelve women, most of them Greek nationals, some of them homeless, were also accused for “intentional gross bodily harm,” meaning that the prosecutor had concluded invariably that they were all aware of their condition. The women explained that they were not aware of their illness, but found few sympathetic ears. The police, following the same procedure as in the first case, published their private data, together with a short statement: “The publishing of the data [...] aims at protecting society. Whoever wishes to get tested [...] should call [...]”²⁸

The “success” of the controls made Minister Loverdos quite popular; he gave several interviews that were later on reproduced by various

²⁸The data were made public on the 01/05/2012 and the pictures can be seen in many different news websites even today. Indicatively, we provide one link from the news website *iefimerida.gr*: “Αυτές είναι οι 12 ιερόδουλες που βρέθηκαν θετικές στον ιό του AIDS”, 01.03.2012 (last accessed on 29 February 2016), <http://www.iefimerida.gr/news/48456/αυτές-είναι-οι-12-ιερόδουλες-που-βρέθηκαν-θετικές-στον-ιό-του-aids-εικόνες>. The images of the 12 women were shown on TV during the main news broadcast. A video from the news in one of the state TV stations can be watched here: <http://www.youtube.com/watch?v=Nm6upGbRI4o&feature=related> (last accessed on 29 February 2016) and an article on *The Independent*, Charlotte McDonald-Gibson, “The women Greece blames for its HIV crisis” <http://www.independent.co.uk/news/world/europe/the-women-greece-blames-for-its-hiv-crisis-7973313.html>, 25/07/2012 (last accessed on 29 February 2016)

media. Talking on a radio show of a Hellenic Broadcasting Corporation station²⁹ the Minister explained that, in the area where the women were arrested, “drugs and prostitution are one. [...] That’s why I’ve been shouting during the last months that you should not go with non-national illegal prostitutes.” The minister claimed that the issue with the undocumented sex workers had gotten out of hand in Greece and yet again he referred to the very first case saying that the clients of the Russian woman were “kids” (young men) that would go to the brothel she worked because they knew they could have sex with her without using condoms. “It is ‘cool’ not to use [protection]. That is, they [the clients] pay a bit more. They go to her because she accepts [to have sex] without [using] protection. And of course she would accept [to have sex] without protection because she knew she is sick. Because she was not afraid”—the Minister stated confidently. Loverdos even called for the penalization of unprotected sex as a way to make the clients act responsibly.

In just a few days, the Hellenic Centre for Disease Control and Prevention had received more than 1600 calls from men that after seeing the images of the women, realized that they had had unprotected sex with one of the HIV carriers. In the days that followed, the data of many more women were published: on the 3rd of May five women,³⁰ on the 5th of May another

²⁹ The parts of the interview discussed in this paper can be found in “Άλλες τρεις πόρνες με AIDS στην Αθήνα!”, *Protothema* 30/04/2012, <http://www.protothema.gr/greece/article/?aid=193907> (last accessed on 29 February 2016)

six,³¹ on the 10th of May five more.³² The format of the police announcements was always the same, mentioning that the women were prosecuted and that controls would continue and concluding by encouraging the clients to get tested for HIV-AIDS. In the meantime, various organizations were asking for the cessation of the castigation of HIV-positive women. As was mentioned before, divulging such sensitive information meant not only violating human rights and offending the women's dignity, but also breaking the rules of doctor-patient confidentiality.³³ The Greek League for Human Rights pointed out that the police action was violating Law 2472/1997 on the protection of personal data³⁴ and that, in any case, the publica-

³⁰ The names and birthdates of these five women can be seen here: <http://www.fimes.gr/2012/05/ierodoules-aids-3/> (last accessed on 29 February 2016)

³¹ The pictures of the six women can be seen here <http://www.tuned.gr/kosmos/kosmos/13049-aids> (last accessed on 29 February 2016)

³² The data of the five women arrested on 10/05/2012 can be seen here: <http://www.newsbeast.gr/society/arthro/349197/sti-dimosiotita-oi-fotografies-pede-akoma-ierodoulon/> (last accessed on 29 February 2016)

³³ One of the organizations that reacted to the data disclosure was KETHEA, the largest rehabilitation and social reintegration network in Greece. Their press release on the topic was issued on 03/05/2012 and can be read following this link: <http://www.kethea.gr/Νέα/ΔελτίαΤύπου/tabid/141/articleType/ArticleView/articleId/206/language/el-GR/Default.aspx> (last accessed on 29 February 2016)

³⁴ According to the law, the prosecutor could not disclose sensitive health data without the permission of the competent Authority for Personal Data Protection (Article 7, Government Gazette Issue 50/A, 10-05-1997. The law can be accessed following this link: <http://www.dpa.gr/pls/portal/docs/PAGE/APDPX/LAW/NOMOTH>

tion of pictures and the disclosure of their seropositivity was unreasonable.³⁵ Even UNAIDS released a press statement expressing “concerns about the inappropriate application of criminal law, particularly in a context where clients have the social and economic power to insist upon condom use.”³⁶

Despite all reactions, the Minister for Citizen Protection, Michalis Chrisochoidis, vindicated the decision to make the women’s personal data public as “absolutely legal.” Ignoring the issue of medical confidentiality, he said the backlash was “exaggerated”; he added that the point of an AIDS epidemic in the country should not be reached, and neither should those who are not at fault have to deal with the consequences.³⁷ By that point, it was clear that, since most of the women were Greek, the authorities’ rhetoric of the “criminal immigrant” was unsustainable, so HIV had become the main focus of the emergency and the object of criminalization.

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%20PROSOPIKA%20DEDOMENA_GREEK/2472_97_NOV
2011_FINALVERSION.PDF)

³⁵ The press release of the Hellenic League of Human Rights was issued on 02/05/2012 and can be accessed here <http://www.hlhr.gr/index.php?MDL=pages&SiteID=208> (last accessed on 29 February 2016)

³⁶ “UNAIDS calls on Greece to protect sex workers and their clients through comprehensive and voluntary HIV programmes,” 10/05/2012, <http://www.unaids.org/en/resources/presscentre/pressreleaseandstatementarchive/2012/may/20120510psgreece/>

³⁷ From an interview on SKAITV, “Μ. Χρυσοχοΐδης: Την Κυριακή η Ελλάδα πρέπει να έχει κυβέρνηση,” 04/05/2012, <http://www.skai.gr/news/politics/article/202164/m-hrusohoidis-tin-kuriaki-i-ellada-prepei-na-ehei-kubernisi/>, last accessed on 29 February 2016

After the last round of data disclosure on the 10th of May, the Hellenic Centre for Disease Control and Prevention (KEELPNO) issued an announcement warning that the institute would not make any more controls unless this practice would stop.³⁸ Eventually, because of the reaction, the Greek police removed from its webpage the images of the women. It is doubtful that the late decision of KEELPNO made a difference. The Solidarity Initiative with the Persecuted Seropositive Women, a group that was formed shortly after the first arrests, had a crucial role in having the mug shots removed from the police website. The group issued calls for protests and petitions and a bank account for donations was opened to help with covering the costs of the legal procedure and other expenses. Members of the group who were visiting the women in prison said that one of their first requests was the removal of their images.

Unfortunately, public shaming is just one of the tragic aspects of this story. The seropositive women were held in prison cells, not in a hospital. As a precaution, they were held separately from the rest of the prisoners, in the basement of the prison, in highly unsanitary conditions. They did not have adequate medical care during this time. Their prosecution for sex work was based on the information given by one police officer, who testified for all the women—190 approximately—were initially brought in to confirm their data. The charges for sex work

³⁸ Martha Kaitanidi, “Οι εργαζόμενοι του ΚΕΕΛΠΝΟ διαμαρτύρονται για τις ιερόδουλες,” 11/05/2012 <http://ygeia.tanea.gr/default.asp?pid=8&ct=1&articleID=14794&la=1>, last accessed on 29 February 2016

had to be dropped. It could be argued that these women were controlled because of their appearance and their drug addiction and were persecuted and imprisoned for being HIV-positive. By March 2013, all 27 seropositive women were out of prison. Their release, however, enjoyed little or no media coverage and no statements were made on behalf of the authorities.

SECURITY AND HIV

The ways in which the Greek authorities decided to deal with the issue of HIV-positive women in Athens suggests a logic of securitization, whereby a public threat is articulated as an issue of capital importance that deserves immediate treatment. Ole Waever and Barry Buzan have shown how security threats are discursively constructed through a process of verbal articulation that they coined the “security speech act.” An issue becomes a security threat when a social actor labels it as an existential danger that requires emergency measures. If such emergency measures are not taken right away, the threatening issue risks annihilating the political and social body of the community (Buzan et. al. 1998). The proponents of this theory suggest that in most cases the community can be the state or the society. If the issue is threatening the integrity and sovereignty of the state, then it is a case of national security, and it is dealt with by way of military interventions. If, on the other hand, the issue threatens the society, matters are slightly more complicated, because of the heterogeneity of what is called “the society” in comparison to the homogeneity of

the state, as a social actor (Waeber 1995). In other words, if the leaders of a state have the legitimacy to speak for the state and declare a state of emergency, the voices of a society are always competing with one another for prevalence and legitimacy. In the case of societal security, the threat is being posed to the identity of the community, which can be a nation, an ethnic group, or even supranational entities, such as “Europe” or “humanity.” If this identity is annihilated, then the entire group would cease to exist as a social actor.

However, it is difficult to see how the events of spring 2012 in Athens could be fully explained through the grid of the theory of securitization. Despite the fact that there is an obvious mechanism of discursively articulating an issue as a threat to the population, the threatened entity has not been the state or the identity of the population (despite the references to the Greek family—more on this issue later), but the health of the men who seem to have used the sexual services of the women living with HIV. The health of these women themselves was of no concern at any point. The measures taken by the Greek authorities do not pertain to a scenario where the gravity of the threat would justify a general mobilization of the population or the state. To put it in the terms of the securitization theory, the measures were *exceptional, but not urgent*. The securitization of HIV in Greece pertains to a less dramatic level. This is a securitizing move that aims at restoring and reinforcing a certain social order and the values that it represents.

Quite a few scholars have pointed out the ways in which such securitizing moves work. Bigo (2002) has shown that the state officials and the so-called “professionals of security” create and sustain a climate of “unease,” in which daily threats are exacerbated in order to justify a perpetual regime of surveillance and control. In this way, the authorities maintain a generalized feeling of insecurity among the population, by using data and expertise to point out the great degree of risk that a society is facing from certain threats such as immigration or terrorism (Bigo 2002; Aradau and Van Munster 2007 and 2008). Securitization is thus a process that involves as much scientific knowledge as political decision. It is not only a discursive articulation of an emergency, but a continuous mechanism of everyday assessments (Huysmans 2011). Securitization functions through technologies of surveillance, such as biometrics, CCTV cameras, fingerprints databases and so on, as much as through hard military defence. It functions through insidious and mundane objects such as mail correspondence, computers, or liquid recipients. In this way, anything can become a threat, including an invisible virus.

Stephan Elbe has analysed the patterns of HIV and AIDS securitizations in the last few years on a global scale. He shows how “population dynamics”—including levels of “disease”—have now become strategically significant’ at the international level (Elbe 2012, 321). The securitization of the HIV and of people living with AIDS is part of a shift in focus from a need to

defend the national territory to a need to defend and increase the population at large. Therefore, keeping populations secure from “deadly diseases” such as AIDS becomes a matter of high governmental priority. This results in a form of knowledge and power that targets bodies and behaviours. Elbe shows how this securitization of the HIV functions by articulating the diseased as “deviant,” and juxtaposing this category to the healthy norm of the population (Elbe 2005, 413). This deviance is applied especially in the realm of sexuality. The sexual behaviour of individuals is targeted by ‘strategic interventions’ aimed at eliminating any abnormal conduct (Elbe 2005, 414).

By constituting the category of the deviant, as the bearer of the deadly virus, the mechanism that articulates HIV and the people living with AIDS as security threats establishes a logic of exclusion whereby the diseased needs to be separated and quarantined from the rest of the society (Elbe 2005, 411). This exclusion is necessary for the threat to be contained and eventually destroyed; but it is also a normalizing and disciplining measure that aims at underlining the consequences of deviant (sexual) behaviour. As such, the person living with HIV becomes an outcast; she or he can transgress forcibly the boundaries of the social norm and quotidian life, only to be ostracised in the exterior, in the realm of the untouchables. In political terms, the person living with HIV loses any legitimacy as a human being and a citizen. AIDS becomes a stigma that exhibits characteristics of deviance, danger, and debauchery.

The underlining argument that Elbe puts forward is that the securitization of the HIV and of people living with AIDS constitutes the diseased as a “social and political problem that needs to be addressed, but without specifying” the means of solving it (Elbe 2005, 409). He uses the concept of “risk” to emphasize the long-term character of this problem. As a “security risk,” the issue of HIV is treated in a speculative way, as something that “may” cause instability and insecurity (Elbe 2008, 179). As such, it becomes a useful tool for maintaining the climate of “unease” that we have referred to before. Elbe uses Foucault’s thoughts on biopolitics to advance the argument that HIV is treated politically through a rationality of risk and security that is “used to analyse and manage a multitude of collective population dynamics at the level of population” (Elbe 2008, 191). The language of risk is used to devise and apply “biopolitical strategies” and securitizing logics in ways that are more dispersed, quotidian and insidious than those of a direct sovereign power.

In the next sections, we propose two arguments that diverge from this view. First, we argue that the events of spring 2012 in Athens point to a specific mode of dealing with HIV-positive people, which is a mode of criminalization. Thus, we suggest that securitizing the HIV is not an open-ended process as Elbe argues, but a concrete mechanism for rendering certain groups as being outside the law, and therefore outside the possibility of claiming citizenship rights. Second, we argue that the Athens case shows that the securitization of HIV and of peo-

ple living with AIDS cannot be read only through the language of biopolitical risk. Such a vocabulary emphasizes dispersed articulations of threat. Rather, the events of 2012 point to an exceptional moment of action and coercion against the women living with HIV. We argue that the securitization of HIV-positive women in Athens was primarily a way to criminalize them. In this section, we will show the two mechanisms of this criminalization, as well as the ways in which criminalizing sex workers is part of a series of moves from the Greek state against sex workers, immigrants, and asylum seekers in Greece.

MECHANISMS OF CRIMINALISATION

The first mechanism is the *criminalization of movement*. This is performed primarily through a discourse of perpetual suspicion towards immigrants. As one of our respondents argued, the action against HIV-positive women was devised from the outset as another step in the crack-down of illegalized immigrants in Athens. Immigration as the movement of people across borders was a main target of the Greek authorities. Moreover, this is not just movement of people, but also that of a virus considered to be deadly. Hence, the movement of the carriers is doubly incriminated: first for having illicitly arrived in Greece, and second for having transmitted the virus to Greek citizens.

The criminalization of movement is also transparent in the spatial logic that triggered the actions of the Greek authorities against women who were using drugs and undertaking

sex work in Athens. From the outset, these actions were focused in particular areas of the city—such as Omonoia, Vathi square and Athinas street—which were perceived as a focal point of the disease. As one respondent argued, there is a plan to “push” the areas of sex trade and drug use into specific places of the city, in order to have them out of sight, but at the same time close at hand. Loverdos, the Minister of Health, had confirmed this, by saying that HIV was an issue that belonged to “the ghetto of the illegal immigrants in Greece,” and that it spread from there because Greek men were using the services of “illegally prostituting outlanders.”³⁹ From there on, once the women who were living with HIV had been identified, a great deal of effort was made in order to contain and quarantine these women, and to block their movement into other areas of the city. Hence, the space where the women lived became at once an integral part of the stigma they were carrying along with the virus. Any attempt to move out, to escape the environment in which these tragic events happened brought again and again this stigma with it.⁴⁰ The spatial logic is also evident in the way that the women were treated during their arrest: they were imprisoned in a basement, in dire insanitary conditions and without any proper medical or psychological care.

³⁹ From an interview published on the personal webpage of Andreas Loverdos, <http://loverdos.gr/gr/index.php?Mid=68&art=2432> (last accessed: 15 September 2013; at the time of re-submission, this webpage is under reconstruction)

⁴⁰ It is telling that, as one respondent argued, this stigma was more powerful in the case of Greek women than for the migrants, since the former were more connected to their families and native places.

The second mechanism is related to the *politics of citizenship* and the discourses of inclusion and exclusion that pertain to them. As Andrijašević and collaborators (2012, 501) argue, “despite the emphasis on the free movement of workers within the Union and the importance of this to the development of citizenship in the EU, the legitimacy of EU citizens who are sex workers is put under question.” This is even more so for those people who are undocumented immigrants. As we have shown in the outset, the Greek government is waging a continuous war on undocumented immigration, and the operation against (alleged) sex workers in Athens has been a part of this war. Not having legal documents, not having a legitimate status within the country, becomes an additional crime and a reason to hunt down the women who were working on the streets of Athens.

Here the issue of the published photographs becomes of capital importance. Biber (2005, 21) argues that “photography has a close and awkward union with crime,” since it serves to identify and classify the suspects. Furthermore, suspicion can be turned into conviction with the help of the visual evidence provided by photographs. Photography illustrates deviance and disorder by “producing guilt from innocence” (Banks 2012, 4). This is a function that has been traditionally associated with the mug shot. By publishing their faces photographed frontally, and juxtaposing them to alarmist captions, the police framed the women as guilty before any trial has taken place. The role of the mug shot is

to elicit emotions, and in this case what was sought for was generalized panic. In this scenario, whether the women were guilty or not mattered less than the fact that the panic could have a recognizable face.

As Banks points out, the mug shot is “depicted as capturing the very essence of the individual” (Banks 2012, 15). In this case, this “essence” was supposed to illustrate deviance, drug-addiction and recklessness in regards to spreading a deadly disease. The photographs were meant to alarm the general public—the Greek families—about the spreading danger posed by the women. In this way, several lines of exclusion were being drawn: Greeks versus immigrants, healthy versus diseased, clean versus addicted, normal versus deviant and honest versus criminal. To this it should also be added the right of privacy that every individual has, which was completely abandoned in the case of the HIV-positive women. Despite the ‘fact’ that most of these women turned out not to be illegalised immigrants but Greek citizens, this actual citizenship mattered less and was denied to them on the basis of these exclusions and on their presumed guilt.

The authorities selectively constructed the identity of these women and directed the public’s attention to their selected aspects. They built a triple identity for them: woman—sex worker—dangerous patient. In projecting these characterizations through the media to the public, they create the image of these women as individuals deserving the worst treatment. In the words of Elizabeth Grosz, the female body

is seen “as a kind of sponge or conduit of other men’s ‘dirt’” (Grosz 1994, 197).

In this sense, “Emotions become a technology of government to the extent that they can be used to steer citizens’ actions” (Aradau 2004, 255). The sex workers are deprived of their individuality, they are categorized as “high risk” (Aradau 2004, 267) and as posing a threat for the society. As a result, they are perceived by the society as responsible/culpable for the ills that have befallen them (Aradau 2004, 258).

Being infected with HIV was only a part of the discourse that criminalized the women who were arrested in the streets of Athens. If we are to focus on the nexus between disease and securitization, as Elbe suggests, we must pay more attention to the intimate mechanisms of criminalization. The fact of carrying the virus is always entangled in several other discourses of guilt and panic. In the case of the seropositive women in Greece, we cannot analyze the securitization of AIDS without paying attention to the ways in which movement, space, citizenship, and the mug shots operated as mechanisms of criminalization.

RISK AND THE EXCEPTION

In this section we take up the argument of the nexus between the securitization of HIV and risk. According to the generalized arguments made by security scholars, risk is a mode of governance that aims at managing the future and preventing certain dangerous scenarios from taking place, through the use of statistical

knowledge and technological devices (Aradau and Van Munster 2007; Amoore and de Goede 2008). A strategy of risk is a way of taming the contingent, and thus of predicting the “unknowns” of the future. Thus, risk policies are an integral part of the neoliberal *dispositif* of governmentality (Aradau and van Munster 2008, 29). Governmentality is the art of self-governance in accordance to the principles of the dominant discourse. Therefore, every social relation will be permeated by power (Foucault 2007).

Within this Foucauldian framework, the locus of power is no longer the sovereign, who is situated on top of the social and political hierarchy; instead, power is dissipated through a series of micro-practices and discourses that make decisions hard, if not impossible, to trace back to a single place of sovereignty (Foucault 1997; 2003). This argument has direct implications for how we conceptualize political decisions. Foucault opposes the view that power is exceptional, and therefore does not agree to a Schmittian view of the exception as the ultimate basis of political decision (Schmitt 1996). Instead, for Foucault the dissipation of power implies the dissolution of the sovereign subject, and therefore the dispersal of decision into a multitude of “highly relational and heavily mediated practices” (Huysmans 2008, 179). The landscape of governmentality that emerges is marked with daily routines and technologies of surveillance, control and punishment that operate as a structure of continuous non-acts. In short, the exception becomes normality, and

the political becomes a technology of everyday governance.

Turning back to our case, immigration, AIDS and sex work were not novel or exceptional phenomena per se in Greece. The particular conditions of these women (poverty and even homelessness, drug addiction, trafficking) did not interest the authorities. In their case, a fundamental right, the presumption of innocence, was not guaranteed. They are made responsible a priori on the basis not of a “juridical decision for which careful consideration of evidence is necessary,” but of “an administrative decision, where the rule of zero-risk takes precedence” (Aradau and Van Munster 2007, 106).

However, we argue that the measures taken were exceptional, in that the government performed a considerable number of serious breaches of human rights that do not occur on a daily basis. Both the articulation of a perceived threat [seropositive undocumented (immigrant) sex workers] as well as the claim of taking precautions to protect society (the risk of AIDS as having the potential of a future epidemic that threatens the family, the core of the Greek society), are, as this case shows, mere means to achieve a greater goal, that of social control. As Foucault suggests, the *dispositifs* of government operate by generating knowledge and using it to discipline the deviance and control the majority. In the case of the Greek sex-workers, knowledge was the first concern of the authorities—not the health of the workers, their vulnerability in front of the law or their traumatic experiences. It was first and foremost an explicit con-

cern to spread out as much as possible all that was known about these women, including their photographs.

The pursuit and usage of knowledge, however, is only the first part of the story. We cannot fully begin to interpret the actions of the Greek state merely as raising awareness for the population. Since the threat has been there for a long time, the policymaking in this case cannot be explained convincingly on the basis of the precautionary principle. After all, taking precautionary measures, aimed at risk management, could have been done through less radical, less spectacular measures (by not penalizing patients and respecting their rights and privacy), but through far more efficient means (needle exchange programs, sex education at schools, access to healthcare, etc). Publishing the data and the images of the women was framed as a way for reducing uncertainty—governing the risk for the Greek family (society is being defined by the government in a monolithic way, as consisting primarily of monogamous heterosexual Greeks). However, disclosing the data did not efficiently minimize/contain/repair the (perceived) risk for the Greek society. What it did instead was to provide an opportunity of controlling/surveying not only a small, “deviant” group of the society (undocumented sex workers), but also the entire society (by May 3rd there were 1600 calls from panicked citizens and by May 16th, KEELPNO had received more than 8,000 calls).⁴¹

⁴¹ See: “Φορείς του AIDS εννέα πελάτες ιερόδουλων”, *TANEA*, 16/05/2012, <http://www.tanea.gr/ellada/article/?aid=4721211>, last accessed on 29 February 2016

Our contention is that the proactive practices of the state mechanism were not simply aimed at preventing the occurrence of dangers in the future, as the state officials were claiming. Rather, the authorities articulated a set of rationalities regarding the present endangered state of public health, under the pretext of raising social awareness. The purpose, as stated, was to prevent (Greek) citizens from panicking. The result, however, was precisely to create panic, in the form of desperate phone calls and the inescapable social control.

What the literature on technologies of risk assessment omits is that the continuum of dispersed and routinized practices associated with governmentality does not occur out of the blue. There is always an exceptional moment that triggers the panic. There is always a spectacular event, like the uncovering of the Greek alleged sex-workers, that sets in motion the processes of threat articulation and risk prediction. Within these moments of extreme emergency, one can detect not only the different agencies that are behind such constructions, but also the discursive building mechanisms of the knowledges needed to foresee or prevent such events from occurring in the future. As such, in the Greek case, we can discern the intertwining of discursive topoi such as the foulness of female sex workers with normative narratives about the righteousness of the heterosexual monogamous family, alongside the ever-present imaginary that distinguishes between “us” (the Greeks) the clean ones and “them” (the immigrants) the dirty and unhealthy ones.

As one of the people that we interviewed put it, the

issue wore off after some time. This thing had “short legs”, and they knew that it wouldn’t work out in the end, so they used the case, it was projected a lot by the media, and then it was abandoned. And, as I told you earlier, this happened for political reasons, it was not about fighting the issue of infectious diseases, it was about some politicians “playing the field” in that particular political circumstances, Chrysochoidis, Loverdos and so on. If a person would dig in the issue a bit, she would see that it was an unbelievable event, something you would never expect to happen.⁴²

CONCLUSION

In this paper we have presented the case of the criminalization of HIV-positive women who were accused of practicing sex work while living with HIV in Athens in 2012. We read this case through the existing literature on the securitization of AIDS, and we argued that the authorities’ reaction goes beyond labelling the women as a security threat. Rather, the policies that were enacted by the police and the health institutions pertain to a mode of criminalization that targets the women as immigrants and non-citizens. These policies also go beyond a *dispositif* of managing risk, as they are a serious and exceptional mis-treatment of marginalized individuals.

⁴² Text translated from Greek by Maria.

To conclude, we would like to point out that these women were not left alone. Several individuals and associations did intervene with assistance. They were provided with medical help and legal advice while they were in prison. One of the people that we interviewed told us that the people from the Solidarity Initiative brought the imprisoned women basic things that they were lacking, such as toilet paper and phone cards. They also found them lawyers that could represent all the imprisoned women as a group and speak for them in court. Moreover, the Solidarity Initiative put the women in touch with rehabilitation organizations. However, most of the women continued to use drugs, and after they had been released from prison, they soon returned to the streets. One of the women committed suicide in November 2014, after having previously (in April 2014) written a letter about her case.⁴³

⁴³ 'Άλλη μια διαπομπευμένη οροθετική λιγότερη', *Το Μωβ*, 29/11/2014, <http://tomov.gr/2014/11/29/άλλη-μια-διαπομπευμένη-οροθετική-λιγ/>

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