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## Graffiti: A subculture alive within the legal

*A pluralistic study of the regulations within Swedish graffiti and the influences of formal law*

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# I. Abstract

The world of graffiti is an immense social construct which stretches to every corner of the globe. To many, graffiti may seem to be the simple act of applying paint to a surface, often depicting names or letters. In Sweden, graffiti's acceptance has gained grounds as of late with the riddance of zero tolerance policies and the opening of several legal walls around the country. However, the legal walls may not have had their intended effect. As graffiti artists seek to challenge the law for sport, excitement and danger, legal walls fail to offer aspects which many writers seek. While graffiti writers challenge formal law, their regard for the stipulations within their own field are rarely crossed. Graffiti offers immense depth both artistically as well as normatively.

Writers offer a unique perspective into the urban. Using a third eye, writers communicate through tags and murals which offer immense information to those experienced enough to decipher them. As writers take ownership of space, often overlooked due to bureaucracy, they understand the city and formal law with from a practical perspective.

Through ethnography and interviews, this thesis researches three larger cities in Sweden, Malmö, Lund, and Gothenburg. This thesis attempts to analyze the normative stipulations of the graffiti subculture using Moore's semi-autonomous social fields. It provides a nuanced perspective of the effects of formal law and municipal policy have on the field. Moreover, the thesis attempts to present the normative stipulations while discussing their significance within the field as well as what affects this. Conclusively, the study sheds light unto the value of murals and tags as well how these may be understood from the perspective of writers. The theory of legal pluralism will additionally be developed by discussing the unique properties presented by the graffiti subculture.

**Keywords:** Graffiti, Subculture, Legal pluralism, Sweden, Ethnography, Semi-autonomous social fields, Norms, Informal law, Gatekapital, Respect, Social capital.

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## Glossary

**All City:** Someone who is both known and has tags to be found all around the city.

**Backjump:** The end-stop where trains or trams turn back, and often are repaired or cleaned.

**Bite:** To copy someone's style or tag.

**Bomb** "*to bomb a train*": In its form as a noun and a verb. The verb is to paint something, and the noun's significance lies between a tag and a throw-up.

**Burner:** A larger painting painted with more time, colour, and dedication. An elaborate piece.

**Cap:** The spray-cap on the can. Decides pressure, concentration, and thickness of the paint.

**Come up:** To become recognized within the subculture. Done by tagging and gaining exposure.

**Crew:** A group of people, usually connected by friendship or loosely by familiarity in the subculture of graffiti. Commonly with a crew name abbreviated into three letters which are bombed or written next to a piece as a shout out.

**Fame** (Common; *Hall of fame*): A popular spot for graffiti-artists. Regarded as within the subculture as semi-legal but is formally illegal.

**Go over:** When someone paints over another artists tag or piece.

**Piece:** A larger painting of letters in various colours. Sometimes paintings of objects or creatures are added.

**Soft spot:** A, to the graffiti scene, *legal* wall (such as a fame).

**Spitted:** A piece which has been written over or tagged on, thus rendering the piece less valuable and more prone to being wholly overwritten.

**Spot:** A place suitable for writing.

**Tag** (subst): Simple, stylised self-elected name or signature written in public. Commonly written with a thick ink pen.

**Throw-up:** Bubbly letters easily filled in and quick to paint in single colour.

**Toy:** A rookie within the subculture. Usually younger people new to graffiti but may also refer to people of low skill.

# 1 Introduction

Expressing oneself through paint is a phenomenon which has been around for thousands of years. Starting with ancient cave paintings, to the ancient romans and Greeks writing on walls in protest. With the rise of the modern age hip hop culture, a new mode of artistry has made its way into society, graffiti. With its first appearance in 1960's Philadelphia, artists used paint to write their names with the purpose of gaining attention (Mumbai 2007). When graffiti later in the 1970's moved into the New York scene, the typical traits of street, underground and hip hop were tightly knit with the artform (Ibid).

Gaining attention and promoting your name is key within the subculture of graffiti. Therefore, graffiti is centralized around using letters in various shapes and forms to spell out one's tag. To be one of the greats, each artist must go through a journey akin to a career in which some artists may spend a lifetime (MacDiarmid and Downing 2012). International studies indicate that pieces and tags are regarded by their artistry, but also by their location and quantity (Ibid; Ferrell and Weide 2010:51). The harder to reach a location is, and the more dangerous the spot is, the higher the reward both in terms of excitement and respect (Ibid). However, Kindynis' (2018) ethnographic study of London show quantity in tags, regardless of artistic proficiency, is equal to quality.

The famous graffiti artists Banksy, renowned for his societal and politically critical stencil pieces, recently sold art pieces for 1,4 million dollars (Young 2014). Exhibitions of graffiti-pieces are becoming common, as well as the markets interests in using graffiti for selling products and promoting companies (Vanderveen 2015). In Sweden, municipalities have opened several public walls where graffiti is allowed, which see frequent use. Despite a degree of societal acceptance, research indicate the illegal remains a key feature within the graffiti subculture (Waldner and Dobratz 2013). Jacobson's (2017) study in Sweden indicate legal graffiti as simply not regarded as *real*. The interconnectedness of graffiti with the law remains a core trait of the graffiti subculture. Höigård's (2002) research in Norway and the Nordics show how legal walls which have been made legal are avoided by agents true to the traditionally illegal artform. Formal law may thus affect graffiti in unintended ways.

## 1.1 Research problem

Graffiti is a convoluted topic with several aspects to consider. Its use in artistic expression, through marketing, promotion, political protest showcases its versatility and complexity.

Moreover, the dichotomy of both positive and negative public opinions receives place graffiti in the twilight of alternative subcultural expression. Swedish municipalities spend several millions each year sanitizing graffiti from walls and trains whilst politicians push policies fronting the criminological theory of Broken Windows to toughen criminal deterrence (Kelling and Wilson 1982, Majlard 2018, Vanderveen 2015, Schaefer 2004). But harsher laws and tougher policies may not be the most efficient way of influencing graffiti. Legal influence may contrast its purpose entirely.

As previously mentioned, research indicate breaking the law ties into *real* graffiti and thus legal walls are shunned by artists regarding themselves as true to the form entirely (Jacobson 2017, Macdonald 2001). Thrill, respect, danger, and illicit behavior renders the law adverse in its goal of mitigating public costs of property damage and crime. I argue that the lack of understanding the internal norms, codes of conduct and rules as well as the effects of formal law on graffiti give rise to the misplaced policies pushed against the backdrop of the theory of Broken Windows.

*“A graffiti scribbled<sup>1</sup> environment may be experience as unsafe – as if no one cares or looks after the place.”* (BRÅ 2017).

Understanding these internal rules could both shed light unto motives behind graffiti, effects of formal law and the influence of space (such as walls). Conversely, lack of understanding could render formal law harsher in efforts to stop a crime thriving on laws aiming to stop it.

## **1.2 Aim and purpose**

This study’s aim is twofold. (a) It will attempt to contribute the pool of sociolegal knowledge about the normative framework constituted within the graffiti subculture. Moreover, (b) it will attempt to contribute with a new perspective to legal pluralism, thereby furthering the academia within sociology of law. In Hannerz and Kimvall’s (2019) depiction of the legal walls in Malmö, respect and following informal rules is important within the graffiti subculture. However, regulations may be conveyed from other venues as well, such as various political activist movements (Ibid). Therefore, my research questions are:

*What are the internal rules and regulations of the graffiti subculture in Sweden’s larger<sup>2</sup> cities?*

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<sup>1</sup> Translated from the Swedish “klottra”.

<sup>2</sup> Larger cities will represent cities with populations larger than 100.000 people.



*How does formal codified law interact with the informal norms and regulations of the graffiti subculture and what are its consequences?*

*What are the implications of studying Swedish graffiti through a lens of the socio-legal for future policies and municipal strategies?*

The final research question discusses how the information provided by question one and two may be utilized. Contributing with knowledge about Swedish graffiti and its normative framework could contribute to sharpening policies and developing cities to include social elements which arise due the cities mere existence.

To achieve the aims, as well as answer the research questions, the graffiti subculture will be investigated practically by entering the field. This will aid in understanding the norms internal to the field in an organic manner. Furthermore, I will investigate how Lund's, Malmö's and Gothenburg's municipalities work towards graffiti. As municipal strategies are decided through policy implementation, a suitable representative from each municipality will be interviewed. Lastly, I will attempt to further understand the normative stipulations within Swedish graffiti, the effects of municipal policy as well as formal law by interviewing writers.

### **1.3 Sociolegal relevance**

The socio-legal discipline concerns itself with the law, the legal profession, and sociological matters with relevance to norms as well as other modes of behavioral regulation. The sociolegal point of departure is, against this backdrop, twofold. It will analyze both the effects of formal regulation in a bottom up fashion, as well as the internal normative regulation within the graffiti subculture. Norms dictate behavior and may in certain cases gain such pregnancy to gain elevation thereby gaining certification through formal codification.

### **1.4 Delimitations**

This study will be limited to three of Sweden's larger cities. Lund, Malmö, and Gothenburg as municipalities and law enforcement differ in their work towards graffiti. The delimitation is selected for reasons of time, and validity. Studies mixing samples of large and small cities could yield contradicting results as municipal strategy could affect writers' agency differently.

#### **1.4.1 Defining graffiti**

Due to graffiti's proximity with other forms of artistic expression such as street art, graffiti will herein be defined to demarcate this thesis. Firstly, I will position graffiti between the legal and the illegal. Reasons for this are twofold. One being the previous research pointing

towards the fact that graffiti requires the illicit aspect to be regarded as authentic, and due to this thesis scope encapsulating the illegal within the subculture. Secondly, graffiti will be defined as per its expression which circles around letters. This delimits this study from artists who solely paint animals or humanoids (as in street art).

## **1.5 Ontological point of departure**

The ontological point of departure is situated in constructivism. Culture is created in the space between individuals and is thus made up by the interactions between them. Semantics, heuristics, and preconceptions does not exist in the void outside the social. Thus, there is no need to discuss the existence of the world outside of the mind since the world studied only exists within and between interactions (Jackson 2011:135). The subjective perspective within constructivism is concerned with the practical impact of agency, as well as people's subjective perception of their own actions and its implication (Della Porta and Keating 2008:82). Therefore, we avoid the cartesian anxiety of the mind-world predicament (Jackson 2011:118). Nietzsche further agreed with the ability to produce knowledge if it was concerned with a set of rules; *"Playing chess or performing a dance number means entering a domain in which rules specify the means and ends of particular actions, and this in turn provides a basis for practically reasoning one's way to good knowledge about how to engage best in the activity in question"* (Jackson 2011:127). Rules are impinged on semantics and heuristics, and thus cannot exist within the real outside of the mind (Jackson 2011:135, 129; Schutz 1953:15).

## **1.6 Disposition**

Chapter two presents and discusses previous literature. Research gaps are identified and problematized. The thesis is then situated in the contemporary Swedish legislation which pertain to graffiti. Chapter three follows in which methodology is presented and discussed highlighting weaknesses, strength and motivating their selection. Ethics are then presented which also includes reflexivity as well as a brief mention of the risks this thesis has presented the researcher.

Chapter four presents the theoretical framework, legal pluralism. Chapter four also include complementary theoretical tools. Chapter five presents the collected material and its findings. The chapter ends with adding a new perspective to the theoretical framework, legal pluralism, against the backdrop of the findings. The thesis concludes in chapter six answering and discussing the research questions as well as possible areas for future research.

## **2 Background**

Within this chapter a literature review will be presented as well as elements which pertain to graffiti. Although non-exhaustive, the review provides the reader with a nuanced perspective into the graffiti subculture and its previous research. The chapter follows with information about Swedish laws pertaining to graffiti which will give the reader a better understanding of the environments in which graffiti is situated.

### **2.1 Previous research**

#### **2.1.1 Graffiti and the public**

Previous research both presents contemporary perspectives into graffiti as well as a timeline of its historical development. The research presents an approach which envelops graffiti in between the legal and the illegal. Opposed to relinquishing itself with its previous criminal connotations, western graffiti's societal recognitions as an artform has not altered societal discourse of graffiti as a sign of crime and societal degradation (Lachmann 2002:244).

Graffiti and its connections to crime, degradation and ghettos lack both unity and clarity within previous research. Lachmann (2002:244) attributes its criminalization to the circumstances under which graffiti entered society. During the 1970's, New York experienced a rate of unemployment of 75% and degradation of its subway transit system due to financial bankruptcy (Ibid). The residing administration, the Koch administration, attributed the degradation to young vandals and thus, graffiti became the litmus test of societal decline. Both the following Bloomberg and Giuliani administrations in New York adopted policies citing the theory of broken windows to crack down on and sanitize graffiti (Kramer 2012:230-231). The theory of broken windows, and the policies adopted within the state of New York, traversed overseas to nations around the world (Ibid, Vanderveen and Eijk 2016).

However, corporation's utilization of graffiti and monetization indicates an increased public acceptance as of late (Jacobson 2017, Hannerz and Kimvall 2019:402, 406). Indeed, corporations frequently use visual elements for marketing purposes. This poses questions as where to draw the boundaries of graffiti as opposed to billboard marketing and legal street art (Millie 2011:288). In this sense, I argue the difference between legal and illegal graffiti appears to solely consist of public acceptance and legal dogmatism as discussions of graffiti as harmful are overlooked. Hannerz and Kimvall (2019) further convolutes the topic in showing the issue to bear greater intricacy than public acceptance. In their work, *Keep fighting Malmö*, they discuss the social inductive pressure from the graffiti subculture in

gaining legal acceptance through self-promotion. In efforts to reduce costs of sanitation, Malmö's municipality succumbed to graffiti, legitimizing walls for the public to legally paint (Hannerz and Kimvall 2019:403). Arguably, this indicates an arbitrary, dogmatic, and abstract delimitation between the legal and illegal enabling municipalities to decide whether graffiti should be legal. This notion departs from the discussion of legal/illegal being a matter of public acceptance and blurs the lines between the two by inviting to a discussion of the public/private spheres (Harris, 2013:153).

Looping back to the established theory of broken windows by Kelling and Wilson, the theory attempts to find a correlation between low-level disorder<sup>3</sup> using statistics to find areas prone to violent crime (Ferrell and Weide 2010:60). However, the method has lacked causality in its efforts to locate violent crime and has been continuously criticized (Ibid:49). Kramer (2012:231) argues that the theory fits political and popular narratives which encloses the notion of minor disorder, such as graffiti, in contributing to societal fear and avoidance by law abiding citizens (Ibid). According to Rowe and Hutton (2012:3) the void of social control within areas attributed with social disorder, crime flourishes, indicating a need for politically intervening policies. Rather, Kramer (2012:232, 244) argues that indicators with greater accuracy are neighborhoods statuses, such as structural variables, therein socioeconomic factors, unemployment rates and age. Despite its discredit, broken windows have gained use in several countries prompting public expenditure for graffiti removal, often in policies commonly known as business improvement districts (BID's) (Kramer 2012:242).

As discussed, graffiti has been persecuted and discursively connected to crime. We have also discussed that using graffiti as a precursor to crime falls short of its intended purpose. As Halsey and Young (2002:182) asks, "*Does the presence of graffiti ipso facto equate to harm? Indeed, what exactly is the nature of the harm caused by marking various surfaces? Is it necessary at the juridical level to define graffiti as vandalism? Are the persons who tag trains, buses, schools and so forth one and the same as those who slash seats, break windows or commit arson?*" Similarly, Vanderveen and Eijk (2016) asks, "*On what grounds do people reject or accept graffiti? And, in what types of environments do people judge graffiti negatively or positively?*". For the theory of broken windows to be applicable in using graffiti as a precursor to violent crime, graffiti must be assumed as something negative, as is posed by

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<sup>3</sup> Graffiti, poor maintenance, broken windows, etc.

the theory stating *minor signs of disorder*. Previous research gives depth to the assumption by stating a few characteristic elements in the conceptualization of graffiti in public discourse.

Millie (2011:287) uses the example of the Canadian city of Toronto where an initiative was started called the “Clean and beautiful city” initiative. Its purpose was to turn Toronto into an appealing city through beauty projects and sanitation of graffiti. Kramer (2012:263) argues that such a concept (clean) elicits to the trope of graffiti being contrary to cleanliness. Kramer (2012) furthers the argument to discuss how removal of paint can be analogous to cleaning, as within the policies referring to “cleanliness”, dirt is seldom the objective (Ibid). Kimvall and Hannerz (2014) discuss the notion of cleanliness and how the concept lies in contrast with graffiti, as other forms of dirt are not deemed as something in need of removal. Examples of such dirt being exhaust lining the façade of buildings which is “...*a rest product of our established lifestyle.*” (Kimvall and Hannerz 2014). Indeed, after a brief period, the city of Toronto changed the name of their initiative to “Beautiful streets programs” (Millie 2011:287). Furthermore, the city of New York under the Bloomberg administration used paint to cover graffiti and illegal street art. Thus, the paint itself is perceived as harmless. Rather the issue lies in its configuration and location. Spraying paint on a train does not disable the train, nor does it render a door inoperable. This invites to conversations concerning why graffiti is often formally sanctioned by states as “*person who destroys or damages property, real or moveable, to the detriment of another’s right thereto*”<sup>4</sup> (Ceccato and Haining 2005:1683). However, graffiti is often coupled with other crimes such as stealing paint, breaking and entering, and trespassing (Wilson and Healy 1987). And, as I shall return to, the illegal aspect is core to the graffiti subculture which could aid in explaining its negative connotations.

### **2.1.2 Graffiti and the legal**

I identify four arenas in which graffiti intersect society. (1) The public, (2) the political, (3) the commercial and (4) the legal. (1) The public, meaning the societal discourse and political debate concerning graffiti, encompassing for example, as previously discussed, the theory of broken windows. (2) The political arena is that of how graffiti may be used in politics, both activism and policy. The most famous example being Banksy whom, with his satirical stencil art, provokes contemporary issues such as global warming, various afflictions, dystopian predictions, and war (Rowe and Hutton 2012:2). But graffiti proves its value to political activism in many ways through its use of public space. In Sweden Malmö, Hannerz and

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<sup>4</sup> Swedish penal code (Ministry of Justice, 1999:36)

Kimvall (2019:395) uses the example of how graffiti's symbolic value was utilized by various groups linked to a hate crime against Showan Shattak. Showan, known for his work against racism was attacked by individuals bearing neo-Nazi connections. In support, one of the legal walls were covered with "Kämpa Showan" (Keep fighting Showan) (Ibid). In respect for the statement, the wall was left untouched by writers, as going over the wall could have been considered a provocative statement against equal treatment, and against the work to battle prejudice (Ibid:406). The wall was eventually painted over to instead advertise a festival, once again opening the wall for writers (Ibid).

This feeds into (3) the commercial arena, which is corporations and advertisement as previously discussed. As of late, graffiti has gained grounds in areas of formal recognition where companies utilize the symbolic value of graffiti for marketing purposes (Jacobson 2017:106). Jacobson (2017:108) argues that graffiti has made symbolic gains through its illegal aspects. The illegal label attributed to graffiti gives the subculture enough excitement to render the symbolic capital exchangeable to economic capital (Ibid). However, for symbolic capital to be financially compensable, the mainstream must also accept the subculture's symbolic currency (Ibid:108; Rowe and Hutton 2012:2). More specifically, the public must view the illegal as something positive as well.

This illegal aspect, which I find core to the subculture renders the final arena visible. (4) The legal. Previous research from around the world show striking similarities between motivations, internal regulations, and legal complications in the subculture (Kindynis 2018; Vanderveen and Eijk 2016, Young 2014; Jacobson 2017; Rowe and Hutton 2012; MacDiarmid and Downing 2012). I argue that at the subcultures core lies, ironically, formal law. There are several accounts within previous research putting the illegal at the center of what constitutes authentic graffiti (Schee 2016:84; Macdonald 2001). Graffiti without the illegal aspect is not regarded as *real* (Ibid). Despite an increased prevalence of legal walls, painting on legal walls is refrained from by the writers seeking recognition (Höigård 2002). Furthermore, an illegal spot may be deemed legal in the eyes of a writer if the stakes are low (Kindynis 2018:515). Staking out spots, learning the routes of guards, knowing the locations of CCTV cameras, and hitting target hardened venues are all examples of situations where stakes are high and returns in the form of social capital the greatest (Macdonald 2001). Painting *fames* and *soft spots*, away from the public eye and law enforcement is rather a venue for writers to exhibit their painting prowess (Halsey and Young 2006; Schee 2016). Although

spots away from the public eye *are* illegal, their lack of risk renders the walls informally legal within the graffiti subculture.

Kindynis (2018) research on crews in London showcases an example of the consequences to increasing the stakes of writers. While the effects of such policies forced some writers out of illegal graffiti, it introduced the field to writers in agreement with the increased risk (Ibid). This meant the remaining writers were more hardcore. Therefore, the severity of painted graffiti saw an increase (Ibid). Moreover, as a retaliative response to the toughened legislation, damage to public property void of artistic display also saw an increase (Ibid). The law in its interaction with graffiti as a subculture acts in paradox putting the gap-problem into new light. Stricter laws, and stricter enforcement of laws could have an adverse effect where those who paint graffiti for artistry are delimited in contrast to those who purely vandalize (Wilson and Healy 1987).

Finding its place alongside the illegalities core to graffiti is the concept of respect. Walls and trains hard to reach yield more respect since the legal transgressions necessary are harsher. In turn, respect retains the subcultural act of writing within the bounds of the illegal. However, respect also retains graffiti in an area within the illegal, refraining from acts which are deemed immoral from the standpoint of writers. Churches, proximity to children, and in several instances private property are examples of venues deemed immoral (MacDiarmid and Downing 2012:613; Zieleniec 2017:8, Macdonald 2001:114). Moreover, writers (mostly) refrain from painting on private property due to social disdain (Zieleniec 2017:8). The reason being a rational to avoid provoking undesired sanction and furthering the view of graffiti warranting social sanction (Ibid, Ferrell and Weide 2010:53-54). Painting private property also provokes increased attention from law enforcement as legal enforcement relies on complaints from private citizens. To avoid a tag getting hot, which translates to notoriety amongst both law enforcement and private citizens, the act of painting private property is to an extent anti-social even within the subculture itself (Millie 2011:288).

Circling back to the concept of respect, previous research uncovers a hierarchy (Zieleniec 2017:4). Writers refer to beginners as *toys* which comes with certain restrictions (MacDiarmid and Downing 2012:612). Tagging requires an embodied, developed tag which takes time to develop (MacDiarmid and Downing 2012:612). Therefore, the actions of *toys* are regarded as limited as they line the bottom of the subcultural field. To gain acknowledgement, one must *get up*, meaning quantity is quality. In being unbeknownst to the city, respect cannot be accrued. Contrarily, those who manage to write their tag all over a certain town become *all*

city (Höigård, 2002). “*Occupying a subculture caught between its own standards of visible fame and the aggressive anti-graffiti strategies of legal authorities, graffiti writers must remain at the same time out of sight and always visible.*” (Ferrell and Wiede 2010:60). This desire to accumulate social capital is not unbeknownst to human nature. This feeds into the Bourdieusian theory of social capital, and the field, which several researchers have applied as their theoretical framework (Jacobson, 2017; MacDiarmid and Downing, 2012; Macdonald, 2001; Menor, 2015; Mubi Brighenti, 2010). “*In traditional societies, such as the Kabylean villages Bourdieu studied in his earliest works, honor was the symbolic capital that all (men) strived for. Honor equals social recognition.*” (Prieur, 2018:352).

### **2.1.3 The value of walls and communicative action**

There are actions which are regarded anti-social within graffiti, at the core of which is *going over* someone. *Going over* translates to painting over someone’s *mural*, *tag*, *burner* or *throw-up*. The action may result in similar retaliation. However, it may also end in dire consequence, such as fights or stabbings, as some spots are greatly valued. “*These [dangerous] spots are the riskiest of all, both for the physical danger of falling off a sign or overpass 50 feet in the air, or being hit by a car at highway speed, but also for the high likelihood of being seen in such visible spots and subsequently apprehended.*” (Ferrell and Weide 2010:51). As showcased, the value of walls depends on various core factors, ranging from the physically spatial, to the abstract juridical such as target hardening and risk of formal sanction (Ibid:50). These factors then decide the value of the *spot*, which in turn decide the informal sanction of between writers in the event of defacing. Contrarily, legal walls may be repainted several times per day as the wall carries no risk and thus invites any agent both external and internal to the field of graffiti (Hannerz and Kimvall 2019:399).

Municipal action also influences the value of a wall or *spot* although with a distinct consequence. Longevity of a mural is important as time investment and cost increases with the size of the motif. Therefore, *spots* which experience frequent sanitation are prone to the briefer *tags*, as opposed to full *murals* (Ferrell and Weide 2010:60).

As each writer’s objective in tagging is *getting up* and advertising themselves, a *tag* is a form of communicative action. A *tag* can also communicate information in other ways, only available to those knowledgeable about the graffiti’s abstract semantics. A *tag* can communicate the disposition of a writers’ contacts within the subculture to other writers, without the writers formally knowing one another (Hannerz 2017:373). However a *tag* can also convey several other pieces of personal information; “*The body is re-constructed through*



*notions of bodily features such as height, gender, courage, ability, ethnicity and age that are deduced from how the graffiti was written and where”* (Hannerz 2017:374). This further explains the demarcation of rules in *going over* another writer as it inhibits the goal of conveying information. As a *toy*, these rules and moral codes are taught through differential association, a concept I here wish to use lightly as the legal pluralism and social constructivism makes the notion *au contraire* (Ferrell and Weide 2010:55). Through positive or negative reinforcement, writers unearth the moral codes, the meaning of space, and their position within the field’s hierarchy.

Exacerbating the notion of hierarchy are the concepts of both age and as previously mentioned respect. Accumulating enough respect can render a writer in a state of legendry allowing for retirement (MacDiarmid and Downing, 2012; Macdonald 2001). In terms of social capital, enough capital can in a sense be accrued to allow the writer to exit the field whilst retaining one’s position within it.

#### **2.1.4 Graffiti, age, and gender**

There are several preconceptions about graffiti such as gender, age, and class. “...*we find the following unchallenged assumptions: that graffiti is the work of teenaged boys; that graffiti is the result of unemployment or boredom; that graffiti is antisocial; that graffiti is associated with lower-income areas; that graffiti is associated with other criminal activity.*” (Halsey and Young 2002:170). Participants in international research show that there is no social class to which writers adhere (Macdonald 2001). Secondly, research show that the age of writes does not adhere to a specific age group (MacDiarmid and Downing 2012). Those with an aptitude for graffiti as well as thrill seekers remain well into their adult life (Halsey and Young 2002:171). However, behavior changes as artists become older, from greater risk aversity, to lesser (Ibid:613). Family, friends, and employment require additional secrecy at the risk of social sanction from acts deemed socially questionable (Ibid).

Previous research agrees that graffiti is predominantly male, enveloped in male hegemony (Macdonald 2001:95; Halsey and Young 2002:171). Previous work has been conducted on female artists within the Nordic countries which demarcates their perspective (Schee 2016; Fransberg 2019; Höigård 2002). Moreover, previous studies show various gendered difficulties, perks, and attributes which separates the subcultural experience between genders.

Fransberg’s (2019:495) study of female writers in Helsinki shows the second-grade, or “assistive”, status women are attributed in the graffiti subculture. This notion is reinforced by

several other researchers such as Nealon's (2018:27) study of female writers in California, illustrating how femininity is rejected by women to fit into the (male) subcultural standards of graffiti. Indeed, research both internationally and in Scandinavian contexts, depict sexist gatekeeping devaluing traditionally feminine traits, promoting the masculine (Nealon 2018:27; Macdonald 2001:128). Women are regarded as physically and mentally weaker. As women could not run as fast, they would be at a greater risk of apprehension (Ibid). During apprehension, men would argue women would *rat* on their male counterpart (Ibid; Schee 2016:59). Women are also stripped of their artistic ability and reduced to their physical appearance (Macdonald 2001:145-146). In contrast, women are also seen as a threat to the hegemonic masculinity which embodies graffiti. The notion of women as capable, and of the same risk aversity as men, was regarded as leeching the masculinity from the subculture by tearing down its gendered demarcation (Nealon 2018:25-27). Sexist gatekeeping rendered women preferring the company of each other, often forming crews when disregarded by males (Schee 2016). *"To be accepted, a girl must behave like a boy. She must act as if she has 'balls', that is, demonstrate the same attributes that boys are thought to possess."* (Macdonald 2001:131). Perhaps this has led to women hiding and utilizing the previously mentioned invisible fame, as gender can be hidden behind a tag (Hannerz 2017:375).

## **2.2 Concluding remarks on previous research**

Previous research is as shown quite extensive, ranging from the spatial, the gendered, the embodied, the normative, the political, to the legal. Moreover, research on the effects of broken windows and its critique is extensive, portraying graffiti as misplaced in the discussions of societal deterioration. Rather than to argue graffiti being an indicator of societal decay and delinquent prevalence, graffiti presents the ability to look at space and cities through a different perspective. As writers wish to advertise for themselves, the objective contradicts the notion of graffiti arising in places left outside of municipal or governmental maintenance. Such spots, outside the public eye, and at the peripheral of municipal control are however also utilized within graffiti, albeit for a separate purpose. Seclusion and peace.

Conceptual discussions on what graffiti is within the societal context lifts another perspective within the genesis of graffiti to the public eye. The conceptualization of graffiti as dirt, the contrast between dirt and graffiti as well as the acceptance of dirt as opposed to graffiti leaves several questions unanswered. The fact that graffiti originates from a time and place of social unrest, as well as being exacerbated by the New York administrations of the 70's and 80's

gives some understanding as to why graffiti experiences a zero tolerance in contemporary society. However, as the generations change, acceptance has increased. Thus, causal questions remain unanswered such as whether the contempt for graffiti is a product of the law and social discourse affecting norms, from a top down perspective, as opposed to norms gaining pregnancy from the bottom up.

Previous research lies primarily in the sociological and the criminological disciplines with some perspectives from gender studies as well as from political sciences. Graffiti being regarded as illegal art has seen extensive work from cultural criminologists. Theories attempting to locate areas and prevalence of graffiti, such as spot theory, have failed due to its inability to encompass a sociolegal perspective of graffiti (Ferrell and Weide 2010).

### **2.3 The research gap**

Previous research presents the subculture of graffiti as a field containing various moral rules and ethical obligations. Moreover, it discusses the dynamics of gangs, its significance and various consequence to anti-social behavior. However, this has not been the focus within previous research, albeit many researchers brush on normative stipulations in their investigations on other matters. Semantics and the use of Bourdieu's toolkit, such as the concept of fields and social capital fit well into dissecting various dynamics in graffiti while clarifying the prevalence of the normative stipulations. Despite the amount of previous research, the informal rules and stipulations, consequences to breaking them, the opinion of- and reaction to formal law, I argue, is a patchwork. Indeed, such matters are unavoidable in investigating the field. However, this is presented in the connective dots of international studies from across the globe and I argue such studies are lacking in a Scandinavian context.

The need for further knowledge is underscored by two factors. Firstly, Swedish politicians are holding fast to the theory of broken windows in their implementation of policies, noting that graffiti is a sign of deterioration (BRÅ 2017). Moreover, Business Improvement Districts (BIDs), which utilize broken windows, are pushed forwards as an antidote to graffiti (2019/20:CU10). As the above chapter on previous research has shown, measures such as BIDs will likely be inefficient and counterproductive. The previous political coalition "The Alliance"<sup>5</sup> in Swedish politics also debated for the removal of legal graffiti walls (Protocol 2015/16:114). Secondly, as I will discuss below, Sweden has a history of zero-tolerance towards graffiti. Stockholm was until 2015, the only city in Europe without a legal wall for

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<sup>5</sup> A coalition between Moderates, The Center party, Liberals, and Christian Democrats.

graffiti, which arguably represents a uniquely harsh view towards graffiti within a European and Scandinavian context. Thus, Swedish socio-legal research on graffiti could yield a perspective offering new knowledge in both the national and the international arenas.

## **2.4 Swedish legislation**

Swedish law regards graffiti as vandalism in locations not approved by either the municipality or the property owner (SFS 2017:442, Ceccato and Haining 2005:1638). The subject recently gained attention in the media due to the arrest of three writers in the Stockholm area. The writers are thought to be behind 70% of the city's total costs for sanitation of graffiti on trains even drawing attention from some of the country's politicians. Sanitation and repairs from vandalism approximate sums of 100 million per year for the Stockholm public transit system SL<sup>6</sup> (Majlard 2018). The apprehended writers, all in their 40's, were described by politician Kristoffer Tamson as the nation's societal "sewer rats" (Mohlin and Micic 2020).

### **2.4.1 The law**

Painting on property at the expense of the owner is a crime that falls under the 12<sup>th</sup> chapter of the Swedish criminal law (Polisen.se). The minimum sentence for property damages is a fine or imprisonment for six months (1962:700 ch12 2§). The maximum sentence for property damage is two years imprisonment, which may be increased to a maximum of four years if the damages are regarded as severe (B49-99, SFS 1962:700 ch;12 1§, 3§). Property damages are regarded as severe if the cost of damages arises to a price base of 42 800 SEK calculated in the Swedish economy of 2009 (lagen.nu). However, during the assessment of whether the crime is to be regarded as severe, special consideration is to be given to if the crime was a hazard to either peoples' health, cultural objects or especially costly (prop 2016/17:131:17).

### **2.4.2 Burden of proof**

Data later presented in this thesis, provides several accounts of an alleged case from 2005 where a person allegedly wrote one tag several times. The case could however only charge the writer with the tag for which he was arrested and apprehended spraying, denying culpability for other tags with the same name. Although I could not find this case, I found cases which corroborates this. In Case B 4970-08, collected evidence could not beyond a reasonable doubt connect the accused with more tags than the one the person was caught committing. Several tags may therefore not be connected to a writer solely due to similarity.

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<sup>6</sup> Stockholms Länstrafik

### 2.4.3 The “zero-tolerance policy”

During the year of 2003, a proposition was passed which increased the minimum sentence for graffiti from six months to one year. The proposition rendered frisks legal as to search for spray cans, citing the official costs of sanitation as a reason for the legislation. Despite constitutional law prohibiting frisks, such were enabled without the need for probable cause (2003/04:JUU3).

Municipalities and the central government have taken considerable efforts to stop graffiti. The primary example in Sweden being the zero-tolerance policy of the Stockholm region<sup>7</sup>. The policy set the tone for several municipalities around the country such as Malmö, wherein zero tolerance is still in effect (BRÅ Slutrapport 2016, Malmö Stad 2010). The policy in Stockholm, which was introduced in 2007 and discontinued in 2014 included training personnel in schools about the graffiti subculture and “*its risk factors*” arguably depicting graffiti as something inherently negative. Although the policy was removed in 2014, the current policy consists of miniscule changes. The policy dictates: “*any sanitation, removal of graffiti and similar damage will happen within 24 hours (from discovery or report).*”. The sole change between the two documents, is that the city now may support events in which graffiti is part.<sup>8</sup>

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<sup>7</sup> See appendix for the 07- 14- policy

<sup>8</sup> See appendix for the current policy

## **3 Methodology**

In this chapter, the chosen methods for data collection and analysis will be presented. Each method's strengths and weaknesses will be contrasted, and their selection will be motivated. The chapter ends with a discussion on risks, ethical concerns, and reflexivity.

### **3.1 Ethnography**

The main method for this thesis was ethnography. Below, the method is first briefly explained, followed by a motivation of its choice, and finally, how it was conducted.

#### **3.1.1 What is Ethnography?**

Ethnography is a methodology containing a broad spectrum of various methods (O'Reilly 2009:3). The focus of ethnography lies in its field work, meaning the methodology contains methods which takes place out of the office. Such methods are interviews, observations, and field notes which may all be conducted either in a covert or in an overt fashion (Ibid). There are several ways of conducting ethnography ranging from observing becoming part of the group (Guillion 2016:7). Depending on the degree of participation, the ethnographer may immerse his or herself in participation, erasing the differences between the researcher and the subject of observation (Bryman 2011:390).

Ethnography demands field work to fully grasp the culture and nature of the studied field (Denscombe 2009:92). The methodology offers a deep understanding of the studied culture through the eyes of the culture's participants. How agents inhabiting the culture perceive their reality is the focus of this approach (Ibid:82, 98). Finally, ethnography utilizes a close connection with the researcher's theoretical framework. Thus, ethnography may be used to study the applicability of a theory or specific element that adhere to it (Ibid:98).

A limitation with ethnography is its ability to generalize its results. However, according to O'Reilly (2009:84) data may be transferable to other instances of research and situations. She goes on to argue that the intent of providing sufficient data may be self-defeatist, as one cannot know what information is relevant for other instances of research. Therefore, to provide the reader with sufficient organic data, the data presentation attempts to retain as much of the transcripts as possible. Breaking sentences and descriptions apart, I argue, would remove elements which would be required for transferability (Ibid:85). Moreover, a chapter on reflexivity where my position as a researcher is presented may be found below in chapter 3.4.2.

### **3.1.2 Why Ethnography?**

Ethnography studies people and their culture on site yielding a holistic perspective into the studied culture which fits neatly into the scope of this thesis (Ibid). Van Maanen (2011) states that culture is the meaning produced through interaction and ethnography is the study of and representation of culture used by certain people, at certain times and certain places. Indeed, this is argued similarly by the ontological point of departure within this thesis, social constructivism. Therefore, the study of people using a proximity method was the most suitable, fitting both the design of this study and the phenomenon under scrutiny.

For this thesis, mainly participant observation was used. The reason behind this was its suitability in uncovering the informal rules and stipulations of the graffiti subculture. As with legal anthropologists, ethnography is a common methodology in the study of “*law without lawyers, law without sanction, law without courts, or law without precedent*” (Geertz 1983:168). Participation meant conforming to the rules of the subculture. To conform, rules had to be learned, and therefore uncovered.

*“Time also allows us to become sensitized to the rules of speech and action and to learn what we can say or ask without upsetting someone or breaking taboos.”*

O’Reilly 2009:19

The primary objective in conducting ethnographic fieldwork is a thorough previous research. To avoid asking questions that make you seem uninformed; graffiti was studied through social media as well as online. The literature review was conducted prior to entering the field (O’Reilly 2009:19).

Another strength in the ethnographic approach has been to test the material gathered through interviews. Data gathered in one city could for example be tested on the legal walls in another which could either corroborate the data, invite new perspectives, or deny it.

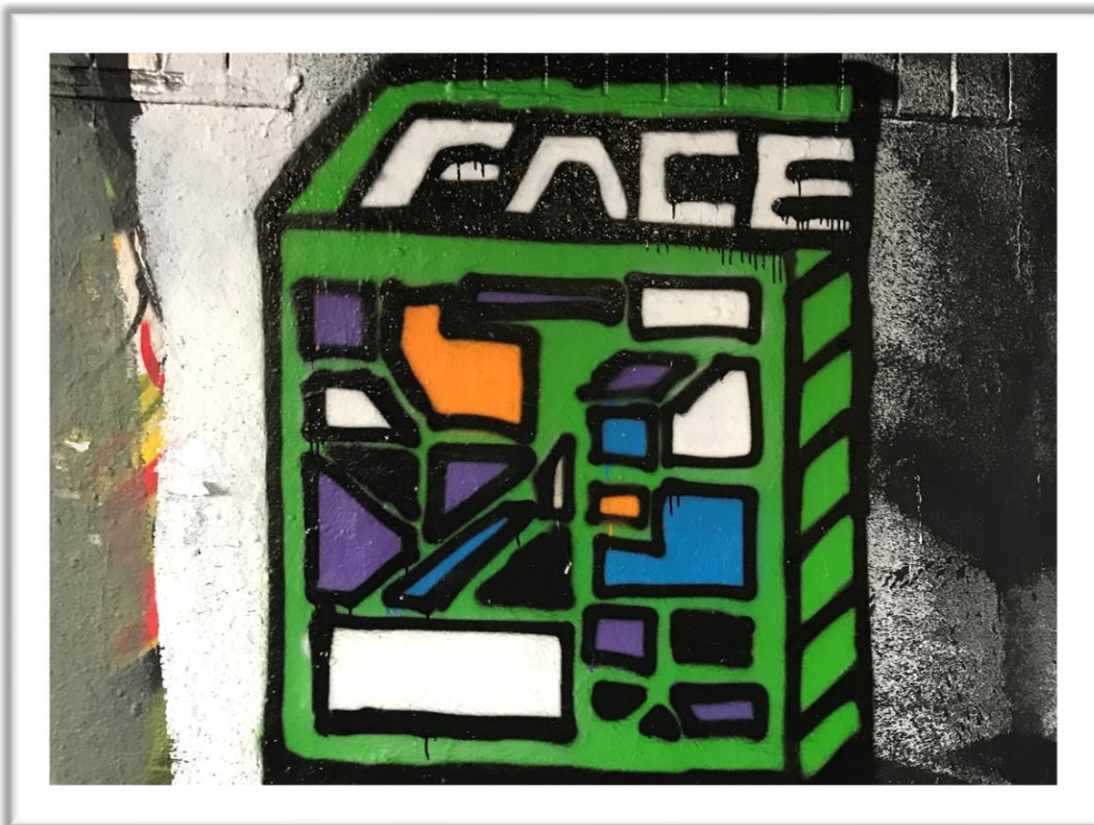
### **3.1.3 How Ethnography?**

The fieldwork was commenced using my personal network as a point of access. Contact was made with writers who frequently painted illegally. This attributed credibility which increased the reliability of my data and eliminated researcher bias. Researcher bias could otherwise be present in ways of respondents only writing legally, responding due to being of a social nature, or writing in a less legally infringing manner.

My network presented the opportunity of a go-along, following a writer for a weekend as he painted illegally in Gothenburg presenting access to writers *in situ*. As Kusenbach (2003) notes, such experiences are important to explore social architecture.

Another source of data was the use of legal walls. Stenkrossen, P-huset Anna and Folkets Park in Lund and Malmö were sporadically visited over a period of two months. Two months were suitable, as weather conditions reduced the prevalence of other writers at said legal walls. Legal walls introduced a point of access to respondents, as several writers frequent both legal and illegal walls.

To fully immerse myself as a researcher, cans were purchased at 35-45 SEK each, which were used to paint the *legal* walls visited. Participating in this manner was important as the act invited a perspective from within the field. According to Van Maanen (2011) “*For fieldworkers, this means subjecting one’s self to at least a part the life situation of others after getting there by one (often sneaky) means or another.* “. He goes on to note that as a researcher, ethnography demands going beyond one’s normal routines. As I had never painted before, purchasing cans, and venturing out to legal walls was indeed a new experience. As the data will show, norms and structures were effectively uncovered using this method.



**Image 3.1** The first painting I as a researcher ever painted. 13<sup>th</sup> February 2020, Stenkrossen Legal Wall, Lund. One of three paintings at Stenkrossen, using the tag name “Face”.



### 3.1.4 Recording data

The data from the ethnography consisted of fieldnotes using thick description. According to Sidnell and Enfield (2017) discussing Ryle and Geertz, thick description retains the social surroundings which aids in understanding social action. As Kirchin (2013) notes, a boy winking may have several meanings ranging from a twitch, to a conspiratorial signal and beyond. Without context, interviews and observations could lose their meaning during analysis. Fieldnotes were taken both during, but mostly after each episode of fieldwork. All interviews conducted during this thesis were also recorded and transcribed. The recordings were kept on an encrypted recording device and were destroyed at the completion of this thesis. Exemptions are discussions with writers during fieldwork, which were neither structured nor recorded, but party to the thick description. In total, the fieldwork consisted of about 40-60 hours beyond the interviews presented below.

### 3.1.5 Sample of Writers and Key Informants

The sample of interviewed writers consisted of nine individuals. Five were individually interviewed, and four as a part of a group interview. Two of the respondents were contacted through private contacts, five using snowball sampling, and three using convenience sampling.

Respondents were solely male. Males are dominant within the subculture of graffiti in the Nordics, which Hannerz (2017) notes. Thus, despite attempts, no female respondents were included within this sample. Moreover, the age of the respondents ranged from mid-20's, to mid-40's. The average length of the interviews were 123 minutes, with the shortest lasting 98 minutes and the longest 168.

Additionally, four key informants were interviewed. The sample consisted of one municipal official from each studied city (Lund, Malmö, and Gothenburg), Annika Eklund<sup>9</sup>, Project leader of technology and construction for Malmö municipality<sup>10</sup>, and Gothenburg municipality's head of the traffic office's construction department<sup>11</sup>. The fourth interviewee was the CEO of the company "*Klottrets fiende No.1*" Douglaz Heinz, a sanitation company with 30 years of experience in Sweden. This sample gave a broad perspective into how municipalities work with graffiti, their differences, and similarities.

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<sup>9</sup> Chief of Lund's Municipalities Culture department.

<sup>10</sup> Did not wish to appear by name

<sup>11</sup> Did not wish to appear by name

### 3.1.6 Interview Guide

Writers were interviewed the same semi-structured interview guide<sup>12</sup> (Denscombe 2009:234). The interview guide was constructed post the literary review, as Hart (1998:14) argues, getting to know the central concepts is key in understanding important subjects to the study. The interview-guide covered questions researching how writers enter the field, how one learns the normative rules and reactions from various social institutions to writing. Moreover, questions included how writers think about sanitation, law enforcement, effects of target hardening and the use of various spaces. The purpose was to pose questions teasing out norms within the graffiti field without explicitly asking what they were. I argue several rules (or norms) may be latent within the field, and not explicitly agreed on between writers. Explicitly asking *what the rules are* may therefore have severely reduced the answers reliability.

### 3.2 Method of Analysis

Data collected during semi-structured interviews and fieldwork were analyzed using thematic analysis (Bryman 2011:528, Denscombe 2009:267). An index was created using the software NVivo which gave an overview of the data. The themes were found inductively using both NVivo and its word frequency, as well as its word cloud functions, as well as Microsoft Word for color-coding larger data nodes such as quotes. Data could then be categorized (Ibid). The themes were built starting from smaller words, creating clusters of data which were later labelled with its respective theme. More specifically, themes were not searched after, they were generated.

The themes were Communication, Chronological and Intersection, each with several subthemes for narrower analysis. This rendered the data accessible and manageable as well as gave a holistic view of what the data collectively represented.

Thematic analysis is often criticized for its lack of transparency. Bryman (2008:528) discusses the lack of proof in the thematic analysis, going as far as to say; *“most hits came from abstracts of articles where the author claimed to have conducted thematic analysis”* (Bryman 2011:528). Moreover, Braun and Clarke (2006:77) criticizes the method as; *“A poorly demarcated, rarely acknowledged, yet widely used qualitative analytic method within psychology”* Thus, a snapshot of the analysis may be found in the appendix, as well as the NVivo word cloud.

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<sup>12</sup> See appendix

With this said, the method has several strengths in its flexibility and in its ability to analyze and identify patterns in large qualitative data (Braun and Clarke 2006:79). However, the method renders the analysis subject to subjective interpretation which arguably moves away from its replicability leaving questions concerning its scientific ties unanswered. To counteract this, a thorough chapter on reflexivity can be found below (Ch. 3.6.2).

### **3.3 Ethical considerations**

To base this thesis within basic ethical concerns, the ethical framework of the Swedish research council (Svenska vetenskapsrådet) was used.

1. *The demand of information.*

*Participants are to be informed of their participation, and its requirements. Moreover, they are to be informed that their participation is voluntary and that they may stop their participation at any time.*

Key informants were informed of this electronically over email before participation. This was also conveyed to writers just prior to interviewing them, or over email. Where natural, writers at the legal walls, or Gothenburg fames, were made aware of my status as a researcher during conversation.

2. *The demand of consent.*

*The researcher is to acquire the consent of each participant. Any participation may be interrupted at any time, nor may they be pressured into continuation.*

After explaining my intent as a researcher, any informant during either interview or fieldwork was free to leave or interrupt participation. The purpose of my study was presented explicitly for each interviewee, as well as their ability to redact information. Consent from *all* interviewees was gathered through written electronic communication.

3. *The demand of confidentiality.*

*Any information which may relate to any participant is to be confidential. Information may not be traceable to the person of origin, nor accessible to people outside the research party.*

No names, nor personal attributes were saved which may relate back to the originating person. This includes tags and each respondent will in this thesis be referred to as writer 1-9. Officials are named either by profession or name if I was not explicitly asked to refrain.

#### 4. *The demand of use.*

*Any information gathered may not be used outside of the intended research.*

As previously mentioned, data was safely stored on encrypted devices or hand-written in such a way as to not relate to any person in question. At the finish of this thesis, the data was destroyed.

#### **3.3.1 Risk**

Participant observation presented itself with risks regarding immersion and Swedish legislation. Since ethnography includes participation, awareness of the law and possible legal transgressions were important (Bryman 2011:389). Awareness of oneself, and a constant reflexive mindset was also important as enough engagement can render oneself immersed to the degree complete participant (Guillon 2016:41). One such example is that of Alice Goffman ethnographically studying a disadvantaged neighborhood in Philadelphia (Goffman 2014). In the study, Goffman found herself driving a man equipped with a gun in search of vengeance of a shot friend (Goffman 2014:260). Although Goffman's study was overt, one might argue her study forced her to over-report and unknowingly go native (O'Reilly 2009:12). Indeed, entering the field of graffiti has affected me as a researcher opening my gaze to a new perspective from inside the field itself inescapably compromising my objective stance to a degree.

I was advised by Swedish law enforcement not to participate in any illegal behavior as the state would likely charge me for the same offence as the participants. Despite this, I decided to continue, adorning my student badge as edgework was a core method for this thesis.

*“Stephen Lyng (1990) describes edgework as behavior where one seeks to go voluntarily beyond the ‘edge’ of safety or the law, demonstrating how an individual can develop ‘self-determination’ and ‘confidence’. Ethnographic edgework certainly contributes to studies of illicit graffiti and street art practice.”* (Fransberg 2019:495). I argue the means justified the method. I wish to clarify that I at no point during data collection painted illegally. Although I did follow those who did paint illegally, I only painted walls which were legal to paint. These legal paintings are documented as per the photos included in this thesis.

Swedish criminal law dictates regulate assisting a crime (SFS 1962:700 ch;23 4§). Assisting a crime can be done through either active assistance or through psychological reinforcement (Case B2442-05). This means that as a researcher I was at risk of criminal charges by proximity in my ethnographic work, despite no criminal action. The case B2442-05 states:”

*Not only is the one who committed the act regarded as a perpetrator, and thus fulfils each criminal prerequisite, but also the one who together with the perpetrator, whom together with another committed a crime. A so-called co-perpetration assumes that the participants have acted in agreement with one another, if yet a silent agreement.”*

### **3.3.2 Reflexivity**

*“To what extent do our own backgrounds and experiences influence the research?”* (Guillon 2016:41) Entering the field of graffiti affected my perspective as a researcher. Unbeknownst with the world of graffiti, the experiences, and perceptions I had *vis á vis* were an extrapolation of previous influence. My views, shaped by media, formal law, and socialization provided an initial view of graffiti in the negative. Whilst criminological doctrine often views illegal activity by the nature of the individual as opposed to judging illicit action by its breach of codified law, I would argue formal law is a formidable normative influence promoting prejudice against illegal action. This initial perspective was reset prior to interviews to remain objective. As the study progressed, I have had to remind myself to remain objective as the influence of ideas from within the field could influence the objective stance towards the positive.

After the interview with the head of Gothenburg’s traffic office’s construction department, I was informed that he, in his participation as a respondent, wished to remain anonymous. After asking why, I found his concerns rested in the fact that he in his job against graffiti could be subject to targeting by those he sought to stop. This notion was projected into my own study, subjecting the analysis, data, and conclusions to potential, albeit unintentional, restriction. Although attempts were made to counteract this, its influence may yet be a factor. Moreover, several respondents requested I send this thesis post publication, exacerbating the consideration.

Another point of reflexivity is that of the scholastic view. Although investigating the field of graffiti from an outsider’s perspective gives prudence to the study in line with Bourdieu’s double reflexivity, awareness of my own presuppositions as a scholar is an important aspect. As Bourdieu (1990:381, 384) points out the gaze and predisposed mindset of the scholar could give rise to what he terms the *scholastic fallacy*, which is the action of utilizing the scholastic gaze making the outcome of collected data corrupted by scholastic teachings (Ibid). I argue however, that the ethnographic method enables the researcher to circumvent this as the data collection is retained from scholastic to normalcy. More specifically, I argue that participation reduces the subjective effect of the filter that is the scholastic view.

## 4 Theoretical frameworks

In this chapter, the main analytical tool will be presented, the reasoning behind its selection, its strengths, and weaknesses. Moreover, the difficulties in the theory's application and conceptual requirements will be discussed as well as what branch of the theory will be used. Moreover, to wholly analyze the graffiti subculture and its normative regulations complements to the theory of legal pluralism are added.

### 4.1 Legal pluralism

Legal pluralism is a broad theory encompassing both broad transnational legislations, as well as miniscule interpersonal relationships within a country's borders. Several authors have defined it as a situation where two or more legal systems coexist in the same social field (Merry 1988:870). It further encompasses the power struggles between legal constellations in multiple arenas concerning what is superior or correct law amongst parties and legal orders (Griffiths 2002:286). Griffiths (1989) distinguishes between two different views of legal pluralism, the juristic (weak legal pluralism) and the social science. The social science perspective encompasses social groups which do not adhere to a single set of rules from a single system but rather several subsets of rules (Merry 1988:871). Gillisens uses the example of rural areas with unitary local rules and goes so far as to use the term *vigilante justice* (Griffiths 1986:11). Despite its potential contradiction to state law, local rules are an example of legal pluralism as the two regulatory systems act in tandem. Such legal pluralism, encompassing all rules which may conform social behavior, was called legal pluralism in the *strong sense* due to its efficient use in social scientific studies. Griffiths (1986:11) argues that strong legal pluralism is a fact, as no matter the degree of conformity within a social field to state law, variations of informal normative rules can be found.

The juristic perspective encompasses the pluralism of *formal* law. The concept was conceived during colonization of nations which imposed two sets of laws, one native, and one introduced by colonizers. In implementing western laws, indigenous law was often taken into consideration resulting in two parallel legal systems consisting of both the indigenous and the western (Griffiths 2002:290-291). Only utilizing laws emanating from within the state presents several problems according to Griffiths. Not only did the imposition of laws without consideration for culture inhibit social progress but was also met with resistance from the pockets of the indigenous culture (Merry 1988:874). Considering the state, its courts, judges, and lawyers the sole form of order was posed as an ideology of legal centralism by Griffiths

(Ibid). Although the concept may be used to understand codified legal systems in parallel in industrialized nations, its application fails to encompass the extra-legal which may influence behavior in a similar fashion (Griffiths 1986:10, Merry 1988:874). Without encompassing normative regulations and influences, researchers would fail to understand the regulatory dynamics at play.

#### **4.1.1 How do we define law?**

To utilize the theory of legal pluralism, the term *legal* must be conceptualized. Since strong legal pluralism conceptualizes the existence of legality outside the state, not enforced by specialized, trained, agents, nor codified as argued by Weber, then its borders must be defined. Otherwise, I argue the researcher risks losing track of his' or her's delimitations in the attempts of researching everything of legal proximity.

*“A man conducts himself to law chiefly because this is made imperative by his social relations. In this respect the legal norm does not differ from other norms.”* (Griffiths 1986:26)

Legal pluralism varies in discussions on what to define as law. Law emanating from the state is often regarded as such. However, the definition of law in the strong sense presents many various conceptualizations of legality (Griffiths 1986). One example is living law by Eugen Ehrlich, a theory defining the legal as any rule abided by regardless of codification. To both delimit this thesis, as well as delimit the studied social phenomenon of graffiti and its normative regulations, law will be defined within the confines of Moore's semi-autonomous social fields.

#### **4.1.2 Semi-autonomous fields**

Moore's take on legal pluralism unraveled in the conceptualization of the semi-autonomous fields. The semi-autonomous field is a small field in a social setting whose confines are defined by its ability to generate rules and coerce agents within the field to abide by them (Moore 1973:722). Its semi-autonomy comes from the interplay with, or as Moore describes it, *vulnerability to* rules of other semi-autonomous social fields, as well as the states own legal stipulations (Ibid:21).

*“The semi-autonomous social field has rule-making capabilities, and the means to induce or coerce compliance; but it is simultaneously set in a larger social matrix which can, and does, affect and invade it, sometimes at the invitation of persons inside it, sometimes at its own instance.”* Moore 1973:720

Law emanating from the state does not arrive at the recipient without influence. Griffiths (1986:33) underlines the influence of the social medium through which law is transmitted, as

well as the social soil in which it takes root. These are filled with normative stipulations which may conflict and render government laws in varied states of effectiveness in its arrival. This phenomenon, commonly known as *the gap* may thus be effectively analyzed within the confines of the semi-autonomous social field. Moreover, as Moore (1973) argues rightly, the state is not the only source of coercive power, but power may emanate and conform behavior internally. Defining law by regard to coercive elements, I argue, therefore invites to discussions of legal pluralism.

I argue the semi-autonomous social fields are akin to the fields as conceptualized by Bourdieu in two regards, the macro, and the micro perspective. For instance, Moore uses an example of a corporation to describe a semi-autonomous social field (Moore 1973:722). The agents are the employees abiding by both the internal rules of compliance and policy but are also affected by the centralized state law to which they must conform. Internally, agents must also conform to norms internal to the company to sustain their social well-being and continuity. Climbing up the conceptual ladder towards the macro perspective, we find the interplay of companies in a similar fashion (Moore 1973:721). Companies, as employees within them, need also conform to tradition, or as more commonly known, *common practice*. Common practice may even be established enough to be formally recognized by states and therefore legally binding despite lack of codification.<sup>13</sup>

Secondly, as with Bourdieu, the concept of hierarchy is central to the semi-autonomous social fields (Bourdieu 1987). Moore (1973) uses the example of the Chagga to accentuate this aspect. Within Chagga culture, senior members with higher status gain the power to affect the lives of members with lower status (Griffiths 1986:30-31). This source of norms, what I argue sociology of law would refer to as *creator of norms*, further strengthens the arguments against the centralized judicial view of law as monopolized by the state (Svensson and Beier 2018:103).

#### **4.1.3 Why Semi-autonomous social fields?**

Legal pluralism has previously been frequently used coupled with ethnography in the study of cultures (Griffiths 2002:284-285) The bottom up approach to this study requires a theory which encompasses both norms in its organic environment, i.e. the field or the graffiti subculture, as well as the effectiveness of formal law when conveyed within said field. Semi-

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<sup>13</sup> Common practice (Sedvanerätt); "legal stipulation which rests on claimed practice and (without being codified) generally acknowledged by the people, courts and by other authorities as legally correct. (Svenska Akademiens ordbok, column S 1605 band 24, 1965).



autonomous social fields encompass both delimitations as to what constitutes the field, what is to be regarded as law, the effects of neighboring semi-autonomous social fields as well as the effects of formal law. The aim of this study therefore fits into the concept of *semi-autonomous* in the theory of semi-autonomous social fields, its normative structure depicting its autonomy, as well as in its inclusion of hierarchy.

This thesis poses three research questions investigating the internal regulations within Swedish graffiti and how the subculture reacts to formal codified law. The first question<sup>14</sup> investigates regulations in the *strong sense*, meaning the social sciences perspective. The second research question<sup>15</sup> investigates how law, or, how the perspective of legal centralism affects the norms within Swedish graffiti and what such an interaction may produce. As Moore's semi-autonomous fields encompass both the separation between social fields, their interaction, as well as acknowledging the social sciences perspectives of norms, I argue it is an effective tool to analyze the research questions at hand. Lastly, Moore's theory further encompasses formal law and acknowledges its varied effect upon social fields which is the focus of the second question. The third and final question<sup>16</sup> will be answered using the results of the former two.

#### **4.1.4 Legal Consciousness**

To further analyze the perception of law, legal consciousness will be used to complement legal pluralism. As this thesis encompasses the experiences and interactions between formal and informal norms from the standpoint of writers, legal consciousness will supplement legal pluralism as it analyses and traces "*the ways in which law is experienced and interpreted by specific individuals as they engage, avoid, or resist the law and legal meanings*" (Silbey 2008). Legal consciousness aims to interpret cognition and behavior of agents, as well as how they contest or amend formal law making it an effective addition to legal pluralism in analyzing writers' legal perception (Chua and Engel 2019:336). As people perceive events differently, law is treated differently. Writers may view the act of painting spaces as normal, rendering law immaterial or dormant, as opposed to non-writers who may wish to invoke legal action at its instance (Ibid).

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<sup>14</sup> What are the internal rules and regulations of the graffiti subculture in Sweden's larger cities?

<sup>15</sup> How does formal codified law interact with the informal norms and regulations of the graffiti subculture and what are its consequences?

<sup>16</sup> What are the implications of studying Swedish graffiti through a lens of the socio-legal for future policies and municipal strategies?

#### **4.1.5 Gatekapital**

Gatekapital draws from the theories of Pierre Bourdieu. Bourdieu argues that social and economic capital sets the foundation for social hierarchies and differences. To analyze hierarchies and the effects of respect on “*the street*” and within subcultures, Sandberg and Pedersen (2007:53-54) devise Gatekapital. They argue that Gatekapital is a form of capital which acts within the framework of Gatekultur (street-culture) to which I argue graffiti adheres. Simply, Gatekapital is the power which an actor within the field Gatekultur possesses; “*knowledge, competence, skills, properties and objects which is attributed value in the street-culture*” (Sandberg and Pedersen 2007:83).

As previously discussed, the concept of respect is central within the subculture of graffiti. The concept of Gatekapital will be utilized to both define and analyze the concept of respect as it clarifies what constitutes social capital within the graffiti subculture. I argue Gatekapital adequately include elements which give an agent its pertinent social capital, and in turn his or her status.

## 5 Results and analysis

The following chapter presents and discusses the collected data. The chapter will highlight attributes within graffiti which define its boundaries as a semi-autonomous social field (Ch 5.1) and its regulations (Ch 5.2). Moving forward I present the ways in which rules are implemented and enforced (Ch 5.3) and finally (Ch 5.4) how formal law, municipal policy and other social fields affect the subculture of graffiti. Lastly I argue why graffiti is best understood through a lens of legal pluralism (Ch 5.5-5.6) as I argue the normative rules, sanctions and modes of enforcement collectively socially construct its own legal system in parallel with, or within, the social matrix of Sweden's state centered laws.

### 5.1 The field

In this subchapter, graffiti's boundaries are presented. As depicted in Ch 1.6, definitions for graffiti were presented due to its proximity with other artforms. As this chapter will show, the interviewed writers collectively presented the delimitations of their own field as separate from both other artforms, as well as other social fields. To understand graffiti through the lens of semi-autonomous social fields, the field's delimitations must be understood. Otherwise, I argue, norms and regulations cannot reasonably be applied.

#### 5.1.1 Delimiting the field

There are several artforms similar to graffiti. As previously discussed, streetart is one such artform and stencil-art another. Banksy, a famous graffiti artist as discussed by Young (2014) is commonly known for his stencil-art graffiti. However, interviewees (henceforth *writers N<sup>17</sup>*) argue that graffiti delimits its field by style which separates it from both stencil-art and streetart.

*Researcher: "So, what's the difference? {Between street art and graffiti?}"*

*"Oh well uh, well it's... the short version is that graffiti is sort of a placement. Uh, and what I think is important, you know what I appreciate are things that are letters. It's not about funny characters or cool paint-fills it's about letters and not making the funniest letters or the most arrows. It's about the best style."*

Writer 1, Male, 40-45.

Writer 1 argues that the subculture is about letters. This notion was furthered by respondent 2, 5, and 3 who argued that graffiti essentially is "*letter bending*". Anything beyond writing

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<sup>17</sup> N = interviewee number, 1-9. Municipal informants will be described by either name or profession.

letters would therefore not be considered graffiti albeit with certain caveats. At times, the letters are followed by a character. However, in drawing a stand-alone character, the boundaries of graffiti are approached.

*“It’s not enough to write Kalle in normal... handprint there needs to be a twist in the letters and a nice mural a nice tag nice... and so on and in this we follow strict rules and if you go beyond that people will say its streetart and then it’s not graffiti so picture language, placement, yeah there are a lot of things which define graffiti. Style is an important element.”*

Writer 3, Male 35-40

Painting a character can be viewed as graffiti depending on where, how and who paints the character. In this sense, opinions differ slightly. Although most respondents agree that a character can be a tag if it fulfills every requisite beyond the letters. This notion also sheds light unto common misconceptions of what graffiti is and its boundaries. Despite painting with spray paint in places in which graffiti is, it is not.

*“I think it’s graff, because {a renowned writer} paints {a chubby character} under circumstances and in places where graffiti is, but... (...) he does a character instead of a tag in the same places and all that so I definitely think its graff.”*

Writer 1, Male 40-45

*Researcher:” So, I painted a snail, because I wanted to try. I didn’t know a lot at the time I just wanted to paint. But I crossed it out because I didn’t want people to know I painted a snail. I knew it wasn’t graffiti, like I had crossed graffiti with my snail.”*

*“Hah yeah, like a streetart guy painting over the real graffiti. I think it’s interesting that people who haven’t painted don’t paint letters but paint something else like... a mushroom or a snail. It’s far off from letter spraying. (...) In Barcelona there was a guy named La Mano who put a thumbs up everywhere. He didn’t have a tag but. [How did you know his name] oh word by mouth.”*

Writer 2, Male, 40–45

As previous research has shown, the illegal also contributes to delimiting the field. In separating *real* (authentic) graffiti from that which is not, the formally legal aspects come into play as has been discussed within previous research (Schee 2016; Kindynis 2018; Höigård 2002; Macdonald 2001; Ferrell and Wiede 2010).

*“Yeah people define it a little differently. I’ve leaned towards that, that anything else {other than illegal graffiti} is aesthetics. Graffiti is illegal where you’re not allowed, and some places give higher*

*credit than others, like places which are harder to get to or with a higher chance of getting caught. It's louder. When you look at a painting you take into consideration the environment. If you painted a legal wall it could be really well made and great, but a simple silver painting where you know that this guy has been painting in the dark in five minutes away from the police station then its louder in others' eyes you know absolutely."*

Writer 3 Male, 35-40

Writer 3 presents both the illegal contributing to the authentic, as is argued by writer 1 as well. Writer 2 furthers the illegal importance, and similarly to writer 3, writer 2 underlines risk as that which gives the illegal its weight. The illegal, as also presented in the above quote, offers *gatekapital*. The closer to institutions (in this case the police station) or agents which execute formal law and therefore at greater risk of its sanction, the greater the yield of *gatekapital* which is in accord with previous studies (Kindynis 2018). However, risk may, come in various forms.

*"I've been insanely close to a train when it went by... a meter maybe, thrown myself on the ground... you get sucked towards the train when you're laying like that between the train and the ground."*

*Researcher: "How was it?"*

*"At the same time you got scared to death you see like... you see it {the tunnel} starts to glow, it screeches... sh\*t you know I don't have time to run out I'll just have to throw myself on the ground. It was a huge kick as well of course, and the kick got better when you stayed and finished the painting and left with your life intact. May seem like foolishness to some..."*

Writer 2, Male 40-45

Respondents therefore present risk as the key aspect. The illegal offers this aspect which contributes with both authenticity as well as yield of *gatekapital*. Formal law therefore offers more than solely delimiting the field in Sweden, to which I will return later in this chapter. Risk may be offer in two ways, either by risk of life and limb, or by risk of incarceration, as Ferrel and Weide (2010:51) also discusses in their study of the US.

## **5.2 Informal Regulations**

By presenting how the field is delimited we now move forward in discussing what the regulations are. We can now discern which agents the field's rules are applicable to. Indeed, rules apply differently to various members depending on their position within the field, as discussed by MacDiarmid and Downing (2012), which are examples of the regulatory caveats this sub-chapter will discuss. Previous research is consistent in corroborating (most) rules and

motivations of writers. In starting off this chapter, I discuss the potential reason behind why rules are (potentially) both nationally and globally consistent. Later, I move on to the practical rules and discusses the logic behind their existence.

### 5.2.1 Genesis

There is no lawbook in which writers may uncover the stipulations of their field. As rules are created in the interaction between writers, their existence is dependent on the socially constructed field of graffiti. However, a finding within the data is the continuous self-reference to two areas of what might arguably be defined as a common node of knowledge. Firstly, several respondents made continuous references back to the origins of graffiti, New York, which constitutes the first node of reference.

*” The culture comes from the US, so you learned from magazines and books and stuff which came from there. But we learned during the 90’s, but the rules are about the same now as they were then I guess.”*

Writer 4, Male, 35-40

Examples of such nodes are the 1983 documentary *Style Wars* depicting the nature of graffiti in New York and its transit system during the early 80’s. The documentary shares the same semantics and graffiti motifs commonplace within contemporary graffiti. All respondents were familiar with the documentary, but mainly, writers who started writing in the 90’s underlined its significance during graffiti’s early days in Sweden.

*“Subway trains in New York are uh... the icon for graffiti is that which everyone wants to replicate ha-ha. That’s why it has such a high-status cause that’s what we saw in the documentary Style wars and in the book subway art when it came in -94”.*

Writer 3, Male 35-40

*“(…) that movie Style wars, you have got to see it. Starts really nice, 80’s documentary, well filmed good drama good... documentary. Bad meets good in the graffiti world like... in this movie there’s a guy named caps and his thing is that he writes “Caps” over everyone else’s murals in silver. And everyone else gets pissed because he does his throwup over their big nice murals.”*

Writer 2 Male, 40-45

Another example is printed literature (books, magazines) such as *Svensk old school graffiti*. These points of reference are parts in what constitutes Swedish graffiti today. The argument made here is beyond that of a mere historic origin. I argue the consistency behind graffiti is

attributed to the relics of its historic origins from the United States such as magazines and documentaries. Much like broken windows made its way overseas as discussed in chapter 2, graffiti did the same. Specifically, this created a *grundnorm*<sup>18</sup> to which writers may refer in actualizing their normative framework. Without it, I argue stipulations within graffiti would lack in consistency and legitimacy.

*Researcher: "How did you start?"*

*"Uh well it was my brother who influenced me. We were a gang of friends who were interested and learned from the older writers. The culture comes from the states, so you learned from magazines and books and stuff which came from there but... We learned in the 90's but I think the rules are more or less the same then as now, I guess."*

Writer 4 Male, 30-35

The connection between graffiti's origins in the US and its portrayal around the world is clear within previous research (Vanderveen and Eijk 2016; Lachmann 2002). However, as I will later discuss, this idea has presented itself with challenges as generations change and graffiti-mediums alter. Moreover, these pieces of historic media were identified as a type of introduction into the field. Several writers saw it imperative that I consumed the media to understand the subculture. I argue this feeds into the concept of the *autopoietic* as Luhmann would argue the law refers to itself in its reproduction. In this sense, graffiti preserves itself with a foundation of norms providing a base for morals throughout Sweden (King, 2013:69). As I will also later show, these social facts may bear sanctions in their deviation.

### **5.2.2 Going over**

There are several regulations within the subculture of graffiti. I argue each regulation serves to maintain predictability between writers through conveying information concerning what is regarded pro- and anti-social. *Going over* other writers has been identified in chapter 2 as the core regulation within graffiti (Hannerz and Kimvall 2019; Ferrell and Weide 2010; Hannerz 2017). The data collected from the writers for this thesis corroborate this, as *each* writer noted the most basic rule was that of not *going over* others.

There are several caveats dictating who and what you may go over. Writer 5 uses a hierarchy in murals as a rule of thumb, which writer 1, and 3 corroborate. A tag may be painted over by

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<sup>18</sup> Grundnorm: Conceptualized by Hans Kelsen, the grundnorm (the basic norm) is point of genesis for law, on which other laws are legitimized. "*Traditionally it was possible to treat a legal system as internally coherent and ultimately founded in some highest rule*". (Michaels, 2013)

a *throwup*, a *throwup* may be gone over with a *burner* or *mural*, giving more leeway for advanced paintings. However, reasons as to *why going over* is at the core of a subculture stretches no further in previous research other than in explaining going over as inhibiting others ability to *get up* (MacDonald 2001). Writer 4 presents a notion of motive, and what that motive represents. Therefore, going over someone is not just at a loss the invested risk of health, cost of cans, and risk of apprehension in its application, but it is also a direct communication bearing specific meaning.

*“Yeah of course you want to be up. Cause if someone’s painting over you, then you’re not {up} so, that destroys the purpose of the tag. So yeah. It’s a communicative action. You’re saying something when you go over someone and you can’t let that go. What are you trying to achieve?”*

Writer 4 Male, 30-35

*” If someone paints over what I’ve painted at {legal wall} I wouldn’t care, but if you do it out {illegally} I’d be pissed. But as I said I’m an adult and wouldn’t stab someone over a graff, but maybe someone who’s younger and a little more hotheaded might.”*

Writer 1 Male 40-45

When new spots are made available writers need to be readily available to paint them. Otherwise, as the spot is painted, it is taken into ownership as painted spots cannot be *gone over* (according to informal rule). There are instances in which *going over* is okay, and this also feeds into communication. Pieces which are faded, *spitted* or cracked may be painted over, respondents agree. As a courtesy however, respondents say they can ask the author if the painting has been photographed and if painting over is allowed.

*Writer 1: “Uh, nnn... it depends you know... if there was no reason for it (painting over) you know if it (his mural) was... partially destroyed since before uh, or if it had cracked or faded... if someone would just paint over something I had made which was visible id think it was weird and that wouldn’t be okay.”*

Writer 1, Male 40-45

Writer 9 continues this argument, explaining that you need to be at the very top in your field to motivate the reason behind *going over*. If this is not the case, he argues, you will risk embarrassment from your peers. Moreover, at the very top of the field, skill decreases in its importance.

*Writer 7: “I have more respect for those who are good at painting. [yeah]”*



Writer 8: *"It's individual also."*

Writer 5: *"And if it's a renown painter you recognize the tag you know, because everyone sees it's that guy who did the tag."*

(...)

Writer 7: *"But it's a little individual these days. If we take Dome, who is the most respected painter in Gothenburg, I'd never paint over him, barely touch a tag."*

Researcher: *"Why?"*

Writer 7: *"Because I've got so much respect for him. Best painter and bomber in... he's got legendary status."*

Group interview, Males 25-45

### **5.2.3 Biting**

A pregnant rule within graffiti's style, is that of originality. Circling back to the self-referential, old books and magazines provides the artists with inspiration and motifs to draw from. But stealing another writers style, also known as *biting*, could provoke conflict. This rule also applies to *tags*. Biting another writers *tag* is also considered an offence. As all respondents agree, such a (subcultural) legal trespass could provoke sanction.

Writer 1: *"Yeah you shouldn't do that {bite}. Even if everyone... you know if you look back at books and stuff which is... with documentation that is old you know early 70's when they started. The first painting which were made on trains in New York already there, basically all the elements which we use today were invented. Very few things which are new. (...) and names you know you shouldn't take names which are too alike. (...) you should be as original as possible."*

Writer 1 Male, 40-45

Writer 3 argues, as time has progressed, the prohibition to bite has prompted a development within Swedish graffiti, opening for behavior which were previously sanctioned. Each respondent agrees to the development of the new styles, which older respondents say would yield a negative balance in *gatekapital* during the 80's.

*" You know when an artist has proven he can paint photorealism, then he starts to paint new things with three noses to develop himself... (...) Until 92- things were really streamlined and similar and at the same time it was really important not to imitate. "*

Writer 3 Male, 35-40

Today, tag names and styles which were previously rejected are welcomed. As graffiti has become more established, norms may be developed and adjusted. This argument is also brought forth by Nafstad (2015:6) in her studies of gypsies and legal pluralism, which she argues is influenced by its surroundings. As graffiti has gained grounds and acceptance in Sweden, Swedish tag names such as names of everyday objects have been enabled.

*Writer 5: "It was like that the first was everywhere in New York and it was only letters."*

*Writer 7: "Yeah it was like that, but they painted regular and now it's all anti-style. The Hipster-graffiti, you know. [Hahaha] I don't think it's nice."*

Group interview, Males 25-45

Previously when graffiti was less established, the norms emanating from New York returned respect when closely followed. As possibilities for writers to show their originality and skill are depleted, writers must move beyond conceptions of skill, finding new venues to prove themselves in. As new styles are invented, they too are taken into ownership, as copying is not allowed.

Changes over time opens up to a discussion from a diachronic perspective, where those shaped by their normative environment during the 80's think differently from younger writers. I argue that time in this aspect is also a medium and not a normative vacuum through which norms are conveyed (Moore 1973). As the origin of graffiti's *grundnorm* increases its chronological distance from graffiti's creation to present time, its restrictions are loosened. This perspective will be revisited in the chapter conflict resolution (5.3).

#### **5.2.4 Location**

Where a mural is situated also presents various restrictions. As discussed by Ferrell and Weide (2010), a mural in a visible, elevated place, yields greater respect as reactions ripple through several social spheres. In Lund, a painting by the writer "Slask" who painted on the city's Hall of Art reached the head of Lund's Culture department, Anna Eklund. However, location has several other aspects. Previous research from several countries discuss the immorality of painting on churches (MacDiarmid and Downing 2012:613; Zieleniec 2017:8; Macdonald 2001:114). This notion is corroborated by writers in Sweden, some who similarly discuss the notion of morality. Writer 3 explains the awareness in what writers often do is indeed illegal. Painting on private property provokes undesired sanction from the general population which increases the attention from law enforcement who in turn receive

complaints, which corroborates Zieleniec (2017). This notion is confirmed by sanitation companies.

*“Graffiti is centered to the larger cities. And in the larger cities it’s the Bostadsrättsföreningar and property... you know landlords usually. The private {properties} is a little more outside. It happens but it’s rare. It’s a few {reports} per thousand.”*

Douglas Heinz, CEO Klottrets Fiende No.1

Thus, municipal buildings and governmentally owned property are targeted due writers’ legal consciousness of non-ownership. The public’s reaction is consequently less affected rendering writers outside of (active) public disdain, corroborating Millie (2011).

Furthermore, there are restrictions internally within graffiti determining which locations are allowed and which are not. Writer 9, 3 and 4 argue buildings of cultural or personal value are frowned upon, and writer 9 argues they are in some instances protected.

*Researcher: “There’s very little graffiti in that... that {name of housing area in Lund}”*

*“Yeah yeah, I have relatives who grew up there. There are some electrical units that I paint there. But you don’t mess with those houses. So, if I see someone messed with those, I’ll have a talk with them. Cause you don’t do that.”*

Writer 9 Male, Mid 20’s

Location also delimits the field internally as there are branches of writers. Train-painters may guard trainyards and line-walls where they are active. Writer 9 discusses an instance of a writer who guards his trainyard with a hammer, despite the rotations of guards employed by the property owner. As painting trains and *backjumps* may take several weeks of planning, protecting such locations from competing writers is vital. As writer 9 further explains, when trains are painted guard-shifts and routes are switched, rendering other actors unable to execute their planned train-painting heist. Some trainyards can only be accessed by asking the “owning” writer.

*Writer 3: “I guess it’s called yard-claiming where writers think a trainyard is theirs and no one else may paint there, not without their permission and if you want to paint the trains you talk to the biggest dogs in town to tag along and show merits on who you’ve painted with before.”*

Writer 3, Male 35-40

However, taking ownership of a trainyard may be hard in cities depending on its size, as the number of writers increases as well as the area in which the information must be broadcast. As I will return to, size has implications pertaining to conflict resolution.

### 5.2.5 Information

Information can connect a writer's tag with his personal life, destroy places to paint in solitude, or risk the involvement of law enforcement. Therefore, several norms pertain to this, as the division between the subculture and private life is at stake. Currently in Stockholm, three writers are charged with damages for writing due to a leak of information on the internet, connecting the writer's social media accounts with the physical persons (Mohlin and Micic 2020).

Trust and secrecy are key features in the graffiti. Information dictates which spots are painted. Acting as a keyset, it prevents writers from accessing certain areas. Keys are only available to a select few if a suitable spot for writing is discovered. Writers deem it unnecessary to attract attention to attractive spots, as others may paint over murals, pile up trash, destroy, or call unwanted notice. This underlines the need for controlling certain areas.

At the attention of police, writer 6 and 8 explained the need to vacate the spot, and vis á vis the property owner, doors, access points or walls could be made unavailable according to writer 1. This presents issues with other social spheres beyond the subculture of graffiti. Spaces in which you may paint undisturbed are also suitable for those interested in copper or individuals seeking solace from formal law.

*"I'm sure someone ratted and found out that... they wouldn't have found it {a spot} by accident, but they were younger {writers} whom I didn't know, and they brought a bunch of friends and painted and they all wrote yo! {Writer 1} on all their paintings."*

*Researcher: "Cool?"*

*"Well it was a little funny. But then someone lit the top floor on fire, and it burnt down and then the property owner put boulders in front of all the doors so they like ruined a good spot."*

Writer 1 Male, 35-40

Despite writers being aware of others in the same area, some are only known by their tag-name. As Hannerz (2017) describes, writers can decipher information from tags about others, and most solely know each other through this medium. In this sense writers become the tag,

as opposed to the physical person. Moreover, in discussing other writers with interviewees, writers were never referenced to by their first name, but solely by their tag. Lastly, talking to police or spreading information is strictly prohibited and minimizing the spread also minimizes the risk of legal intervention. Thus, most writers only paint illegally with others they trust such as close friends from childhood.

A city's size also has a great effect in how information is conveyed. Larger cities house more writers, which writer 4 say affects how well people know each other. Writer 3's depiction of yard claiming is thus harder in larger cities, as conveying ownership need ripple through a larger social field. Few writers formally know each other the larger the city is, meaning a larger city presents greater anonymity. When questioning respondents about other writers, familiarity between them was inconsistent.

### **5.2.6 Hierarchy**

Style does not only dictate the boundaries of graffiti, as discussed in how writers delimit their field, but it also dictates writers' position within it. *Gatekapital* is attributed artists of a greater technical skillset. This notion of skill presents itself within several areas in the subculture. The importance of quality, and the social capital it yields is, moreover, heavily discussed in previous research (Höigård, 2002, MacDiarmid and Downing 2012). As this study will show, the boundaries of the subcultural field have interesting qualities beyond its delimiting aspect, especially to agents located around its borders.

Indeed, gatekapital carries importance and delimits the field internally between those who are skilled and those who are not. *Toys* in Sweden, as discussed by MacDiarmid and Downing (2012), line the bottom of the field. The rules for *toys* are harsher as their expected artistic output is insufficient to trump that of the experienced agents. As presented by Kimvall and Hannerz (2019) the legal wall carries no risk and is expected to be repainted. Respondents explain a certain absence of informal rules which demarcate the legal walls. However, this is not the case for *toys*.

*Researcher: "So if you're a toy you're in trouble?"*

*Writer 8: "Yeah"*

*Writer 7: "Then others will paint over you. And they {toys} can't. Or they should stay away from painting over others."*

*Researcher: "I've painted... some and my paintings are always the first to go {be painted over}."*

*Writer 6: "Well if you go to a legal wall and paint, you won't paint over the best one, you'll take one of the bad ones."*

*Writer 5: "Yeah like when we {researcher and writer 5} were in [redacted] the nice ones could stay up you know?"*

Group Interview, four males aged 25-45.

Indeed, observations indicate that poorer paintings were painted over. My own skillset as a researcher was indeed that of a *toy* as writer, 1, 2, 7 and 8 agreed. The art I attempted was the first to be repainted, and in choosing the spot before painting myself, painting over a fresh, skillful mural seemed redundant. At each revisit to the legal walls, poorly made paintings lacking straight lines and contrasting colors were continuously repainted.



**Image 5.1:** Mural painted at the legal wall Stenkrossen, Lund. The background is still cluttered due to a lack of a pre-rolled surface.

*Both the wobbly pieces, my own and the guy whom I had seen painting the days before were repainted. New pieces adorned these walls. The R.I.P painting was also intact. Indeed, the decision to paint over my own piece was obvious. It didn't look very masterful, nor did I invest the money to use a roller in order to clear the background. Therefore, it was just another paint blot on the wall<sup>19</sup>. Skill is preserved. Amateurism is devalued. And I understand. I took no offence. The information conveyed was; this piece is the worst. I did the same. It comes down to total value. (...)*

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<sup>19</sup> See image 5.1

Being a toy is therefore undesired. MacDiarmid and Downing (2012:612) explains in their study of Canadian writers, tagging requires an embodied, developed tag. Findings corroborate this.

*“I thought I had to learn how to sketch write graffiti beforehand because I didn’t want to be so [curse] terrible [laughs]. [You didn’t want to go in as a toy] I didn’t want to go in as a toy. Definitely not! Haha.”*

Writer 2, Male 40–45

Entering the field without an embodied tag renders you unable to gather Gatekapital, despite your best efforts. As a *toy*, painting illegally which usually yields a great amount of respect may contrarily yield none, or even result in a negative balance. The social facts for a *toy* are different than that of an experienced writer. Legal walls come with restrictions, and formally illegal walls fall short of respectful.

*Writer 7: “People go out and paint... the first thing they do is paint trains. So it’s like-“*

*Writer 5: “It doesn’t turn out pretty or nice.”*

*Writer 8: “A week ago I saw a clip of a few in ski-masks painting with a level one {the smallest available cap}. It was like... I had no idea. It was a few kids, so I turned it off after five seconds like what the hell are they doing? Hah.”*

*Writer 6: “I’ve seen something like that, looks terrible.”*

*Writer 8: “I know but they’re there like it’s the sickest backjump!”*

Group interview, Males 25-45

Contrarily established writers who have accumulated respect are exempt from these rules, corroborating Macdonald’s (2001) findings. Writers of skill or *gatekapital* are not painted over regardless of wall. Moreover, old paintings which accumulate cultural value are not painted over. In the instances such an event has occurred, writers agree the culprit was external and opportunistic, as opposed to someone from within the subculture. Experienced writers are also familiar with the scene or social sphere in which they act. Respondents agree that some agents within the subculture are more prone to defend their murals and that having knowledge about these is important. Therefore, being a *toy* comes with an additional disadvantage.

In previous research, gendered discussions of women in the assistive role by Fransberg (2019) or Schee's (2016) depicting of women attempting to fit into the male narrative on which they argue graffiti impinges on fall short within the findings of this study. Contrarily, albeit acknowledging the low prevalence of women in graffiti, Writer 5-8 shared regard for female writers, while pointing to the fact that many which they had come across were introduced by their writing significant other. Moreover, writer 3 explained his entry into the subculture, as that of being taught by female writers in the 90's. Writer 7 and 8 confirmed the common assistive role as a writer as Fransberg (2019) discusses, but denied active exclusion.

### **5.3 Conflict resolution**

In this subchapter, the ways in which conflict is resolved is presented. As previously, the many caveats which affect this are presented and discussed. Herein, diachronic discussions of the various perspectives separating older writers from younger will be dissected, as well as the effects of technological advancements.

#### **5.3.1 Sanctions**

In the event of breaking the rules depicted in chapter 5.2, sanctions vary greatly. As I have previously brushed upon, there is a variety of factors which influences what reaction a stipulative transgression provokes.

The mildest form of sanction is none. Although frowned upon, being painted over at a legal wall is to be expected. However, legal walls could provoke shaming. Painting over a mural of high quality when presented with the opportunity of painting over another of lesser is indeed frowned upon. Painting at the legal wall "Stenkrossen" in Lund, I was informed of this fact in scouting which wall I was to paint. A writer asked me not to go over his fresh *burner*, and instead asked I choose one of the more *spitted* walls. Indeed, as writer 9 explained, it would be embarrassing to repaint that which was better than what I could perform.

Moving on to the illegal walls, writers hold their pieces with high regard. Risk presents itself as an indicator as more risk produces a mural of higher value which also yields more respect.

*"It could happen that someone calls you and says hey you've painted over me it took 10 cans and blah blah blah now you need to give me 20 cans or I'll destroy all your murals back and sure, I've been in these kinds of disputes pretty recently but I was never.. I never had a thought about hurting anyone but. Someone painted over me out along a line and I painted over and crossed out ten paintings back and asked if we should continue with this.*



*They said they were sorry. That was it. I accepted. But some would've demanded paint or money back for that. To fine people sure, but yeah."*

Writer 3 Male, 35-40

A mode of sanction is crossing out or painting over other paintings owned by the offending party. Retaliation, as Ferrell and Weide (2010) discusses, is commonplace, meaning going over the offending party. Moreover, as writer 3 presents in the above quote, writers may also be fined for their transgression. Fines correspond to the cost of the cans which were used to create the destroyed painting.

*Researcher: "So, if I paint and someone paints over it and I want to fine them for that."*

*Writer 8: "You're back to that, just like ah you painted over me now you need to pay 500."*

*Writer 7: "Well some people do that! {naa} Sure! If it's a beef, then."*

*Writer 8: "Alright alright."*

*Writer 5: "It's the cans, you want the cans back."*

*Writer 8: "I feel like you're romanticizing this whole thing."*

Group interview, Males 25-45

To implement fines, writers network through other writers or use social media platforms. If settlement is denied, the dispute may continue with writers going over one another, putting both writers at a disadvantage in the scene since it decreases exposure. The problem could come to be exacerbated, involving others willing to lend aid such as a friend or crewmember.

The harshest sanction is that of violence. No writers interviewed say they have subjected others to violent sanction. However, three writers say they have been subjected to violence previously due to rule breaking. All respondents agree violence is rare, but in being knowledgeable of which writers are prone to violence, one may avoid such sanction.

*"It could be about money, or it could be that you need to give cans back, but it could also be about violence. People have been in knife fights over this so it can be serious. But generally, it's just sh\*ty.*

*It's poor reputation if you paint over."*

Writer 4 Male, 30-35

Circling back to that of a cities size, larger cities offer greater potential for anonymity. As writer 9 argues, if you are fined you can decide whether you want to pay. Otherwise you can ignore (avoid) the charge, at the risk of further sanction.

The charge of the three men in Stockholm also unveiled another form of collective sanction. The case sparked an uproar on social media. Writer 4 underlined the need for anonymity, and that a breach in silence had undermined the anonymity of the three suspects.

*Writer 7: "There were a few who went down [the older ones?] uhuh. There was alot of talk on flashback about who it was and stuff... so it was people who said, and spread that you don't talk."*

Group interview, Males 25-45

### **5.3.2 Aging out**

Contrary to popular belief, several writers are well into their 40's, corroborating Halsey and Young (2002). Writer 3 argues older writers follow the normative stipulations within graffiti more closely than younger writers. Moreover, older writers are less likely to implement sanctions.

*" (...) you know, conflicts and that you know I'm not involved in that, I don't hang out with... I hang out with people I know so I don't hang out with a lot of other painters and stuff. So I never experience any issues at all or whatever so... but on the other hand I'm not the kind of guy to start trouble with others or paint over other so."*

Writer 1, Male 40-45

*" Started yesterday, wrote not finished on my freshly rolled wall. Came back, and it wasn't painted on and I was happy about that. But if someone would have stood there and painted, I would have been pissed. But the people there today, 35+ you know. They would never have painted over."*

Writer 2, Male 40-45

*Writer 6: "And so it's about the age-group as well. If you're a teenager you're bound to be cockier."*

*Writer 5: "Yeah I also think that when you're older you calm down more. Its less intense."*

Group interview, Males 25-45.

Indeed, even though what may be argued is minor squabbles, harsher provocations *could* provoke action despite age. As previously discussed, each action within the graffiti subculture is an action of information and ownership. Writers continuously look towards what information is conveyed and *going over* persists through age in sending a clear provocative message.

### 5.3.3 A new modernity

Younger artists argue that sanctions such as fining and violence are less commonplace today inviting a diachronic perspective. I argue the mixture of established norms and the modern allowance of new tags and styles has decreased this need. Norms are followed regardless of sanctions by younger generations, and the invitation of new styles renders guarding one's style less required.

*Writer 8: "I mean just think that I've been painting with him for... and he's [interviewee 6] like 40? So, he's been around for all of this and been beaten up but I'm still not walking around and thinking about respect and fining and that stuff. "*

*Writer 5: "have you experienced this {Name of Writer 7}? "*

*Writer 7: "No. It... sort of. It's not common anyway. When I started painting there was a lot of stuff going on about people fining others and there were beefs here and beefs there. Well it went on... so it goes on... but I. The situation could be kind of weird but ah nah I don't know. Never experienced myself. "*

Group interview, males 25-45.

Moreover, technological advancements have made cans cheap and accessible. Thus, the monetary investment into murals has decreased. Interviewees explain how cans were previously stolen, adding additional risk to writing. Writer 1 however, argues he still chooses to steal cans due to excitement, and what may be described as tradition.

## 5.4 Formal Policy

In this subchapter, how formal law affects writers will be discussed. How writers experience formal law, or their legal consciousness, as well as what knowledge they possess about law and how it affects their actions.

### 5.4.1 Experienced formal law

Formal law has several implications concerning writers. The law introduces an aspect of risk which is desirable for several writers, as is congruent with both national and international studies (BRÅ 2017; Höigård 2002; McDonald 2001; Halsey and Young 2006). Moreover, painting in spaces which are particularly risky gives greater *gatekapital* than a legal wall or fame. Writers interact with law enforcement by avoiding them and view the avoidance as a type of game. Writer 1, 4 and 9 argues planning and executing a mural, *whole car* or *burner*

means beating the system and its enforcers. Some writers can detect undercover police, giving them additional edge in avoiding the law, as does knowledge about the prevalence of cameras.

*Walking through the industrial area I could tell we were getting closer {to the fame}. At the very least, each open surface had one tag. It was apparent that companies did less sanitation than the municipalities. A white truck across the street had a full mural (perhaps burner?). It said FTP {F\* the police} on the side. I asked about it.*

*Writer 2: "Yeah that's been there forever, I think it's pretty funny that they drive it around!"*

Ethnographer's Notes

The illegal provides a core element of excitement. Without the illegal, the subculture would fundamentally change to replace the elements which it provided. An example of this is the accounts of writer 4's and writer 2's experience with graffiti in other parts of the world.

*"Take Sao Paulo where people risk their lives. If you go over those people have risked their life for nothing. With that as a perspective you understand how important it can be. So, it's about the risk you take to place a tag or a mural."*

Writer 4, Male 30-35

The most respect is attributed to writers who paint the highest, thus risking one's life. In such areas, the normative prohibition of painting over is strictly followed as the invested stakes (death) are high. During the zero tolerance between -07 and -14, interviewed writers underline the adverse effect of law, and how politics in their attempts to stifle graffiti's prevalence met an opposite reaction.

*Writer 5: "Well Moderates<sup>20</sup> have always been harder with the rules and incarceration and that, but you know it doesn't have an effect. The zero tolerance in Stockholm, does it help? No!"*

Group interview, Males 25-45.

*Writer 5: "There was a guy in Gothenburg who was dedicated to this {graffiti} before. Per Ante Wickberg was his name. It resulted in it saying PAW everywhere so uh hah. There's a counter reaction, yeah. People don't get scared off, rather I'd say people do it more."*

Group interview, Males 25-45.

Respondents had little knowledge about the formal law in the juridical sense. Their legal consciousness is rather shaped by its practical consequences. An example is that of a case

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<sup>20</sup> Swedish political party

which writers continuously refer to, a case known as the case of -05. The case is said by writers to be presiding, rendering courts unable to connect a writer beyond a tag the person was apprehended painting. Writers' experiences, as well as case 4970-08 corroborate this. Without enough evidence, a tag cannot be tied to a writer. However, evidence could be that of a writer's proximity to a location as shown in RH 2005:56.

*"This is the first time I'll be gotten for it. They have a picture of me. A guy passed and he snapped a picture, so as soon as the police got me, they had a picture and a statement from the guy. But uh, otherwise, as you say, I wrote my tag, but I only got charged for that one tag. But that's pretty common knowledge."*

Writer 9, Male, Mid 20's

Indeed, writers had, and commonly still have, *black books* which could serve as evidence in instances of house search warrants. However, today, using video and pictures from social media could serve as enough proof to tie writers to multiple offences. This loops back to the three arrested writers in Stockholm, where video from social media is used as evidence (Mohlin and Micic 2020). Several writers monitor the case closely, to see how courts will decide on the digital evidence.

Social media also exacerbates the need for the illegal aspect. Writer 1, 2, 3, and 5 say skillful pieces are available through their phones. Consequently, the illegal has gained grounds as writer 1 argues painting a freight train in Italy is easier than painting one in Sweden and thus less impressive.

Writers acknowledge their actions being formally illicit but rather refer to their actions being dictated by laws of moral. Instead of adhering to law in the notion of the juridical, some writers prefer the social sciences perspective.

*Researcher: "What do you think of the law? Is it important to know about?"*

*"Yeah the law. {Are fames legal?} well we would say so. Legal... it's a different matter. If it's in public people might call {the cops}. But the law I mean it's important to know what it says. I like to keep track and know what exposing myself to. But it's about morals rather than what the law says. What the law says does not equal to what's okay. If it's morally wrong it's wrong, if its morally right it's right."*

Writer 4, Male 30-35

### 5.4.2 Sanitation

Municipalities sanitize areas, use architecture and in several cases the informal regulations of the graffiti subculture themselves in the work towards them. Where municipalities sanitize as well as how often affect where writers choose to paint.

Similar between Lund, Malmö, Stockholm, and Gothenburg is a focus on sanitation of the central parts of the cities according to key-informants. Although strategies differ, areas which tourists frequent are kept free from graffiti. These areas are revisited multiple times per week, an example being the area between Malmö central station and Pildamsparken. Consequently, the areas are void of murals and burners, but are subject to tagging. Conversely, areas in the periphery may be subject to graffiti as murals and tags remain for longer. Since there is a monetary investment for the writers to paint a full mural, writer 2, 1, 7 and 8 refrain from writing in spaces where the mural is quickly removed. However, writers are rational and often consider if the exposure may be worth a *mural's*, *tag's* or *burner's* brief existence.

*“And I think that Lund is probably to a very high degree with its historical city core and its sociodemographic composition. So, the center is a kind of ”nice space” and the Stadsparken is very decorated and that. Then naturally when you go beyond its, I think lines between center and periphery are stricter in Lund in a way.”*

Anna Eklund, Chief of Culture, Lund's municipality

Writers 1 and 2 also say they make a statement out of having their tag removed. Arguably, there is a game between sanitation crews and writers in that writers often reapply their tag after its removal. As writer 2 explains, sometimes a tag needs to be reapplied to make a statement to both the municipality and the sanitation companies. Writer 2 changes the ink in his pens to make it harder to remove. Writer 9 argues that the prevalence of graffiti would diminish if sanitation diminished as well. Exacerbating this is the contempt writers have towards sanitation companies. The fact that sanitation companies are the beneficiaries of graffiti's prevalence raises concern. As one writer explains:

*“That they {sanitation companies} would lecture against graffiti would be like farmers lecturing against milk.”*

Writer 3, Male 35-40

Indeed, this notion may be further argued by the way in which authorities depict issues with graffiti, as a factsheet from BRÅ stipulates; *“The doodlers who are sentenced also risk facing the adult life with large debts due to fines.”* (BRÅ 2017). But there is a socially constructive

(ironic) aspect in that the state both decides the amount of the penalty fees, as well advocating against graffiti with the debt it itself incurs as a counter argument.

Using the internal regulation of graffiti has been utilized by municipalities to an extent. Walls experiencing heavy graffiti, community murals have been erected with varied success. As writers are less inclined to accept street art, such murals could be *spitted*. Especially if a writer previously had a piece which was subsequently painted over. Therefore, for such enterprises to increase its chances for success, the mural must be erected by writers acknowledged within the community.

*Me: I've heard they're {The city of Gothenburg} painting to decrease the amount of graffiti?*

*Writer 6: But that rarely works cause' they take in someone from... someone who doesn't have anything with it {graffiti} to do so it looks like something from the artworld or something so... it'll be painted over anyway.*

*Writer 7: It would have been different if they brought in a writer who could do one... someone they {other writers} respect.*

Group interview, Males 25-45

Similar projects are under way in Malmö as the Project leader of technology and construction for Malmö municipality explains. A tunnel in Rosengård is adorned with the art piece “Zlatan’s Smile” by Björn Carnemalm, a tunnel which prior to the art piece’s unveiling in -06 was frequented by writers. Since the installation of the art piece, writers stopped using the space.

*“Three years ago, we had a bunch of people get together to paint one of Eon’s electrical housing units in Möllan {square in Malmö}. It’s really nice, it turned out great! It’s a 20 times 30 m wall where we gave writers free roam for three months and made sure it wasn’t sanitized!”*

*Researcher: “And now it’s been free from other graff?”*

*“Yeah since then it’s been free from other graff.”*

Project leader of technology and construction for Malmö municipality

### **5.4.3 Painting in the gaps**

Despite the frequent sanitation of cities central parts, municipalities struggle with ownership between various objects and houses, as is the case in Malmö, Lund and Gothenburg.

Municipalities cannot use public means to sanitize that which they do not own. Companies

often own objects which are commonplace in most cities. Examples are electrical housing units, garbage bins, and postboxes. Indeed, electrical units are often painted as writers know their tag will remain. Moreover, some electrical units cannot be safely sanitized as water from high pressure jets could shorten the circuit, rendering larger parts of the city without power.

*“Electrical units are of course maintained less. But that’s because we don’t own these. They’re owned by the electrical companies with their own rules of maintenance. Gothenburg has a policy that graffiti should be removed as fast as possible, but it’s up to each individual evaluation on what that is. Graffiti remains for years, so one year could be seen as fast in that regard.”*

Gothenburg municipality’s head of the traffic office’s construction department

He goes on to say that companies do what is cost efficient, which explains their lack of sanitation. Writer 8 says some streets are excellent since they rarely ever get sanitized. Writer 2 continues, saying small business owners are suitable as well, as they rarely have the budget needed to sanitize.

## **5.5 Graffiti and legal pluralism**

The normative framework within graffiti is clear and its demarcations from other social fields are arguably strong. With its stylistic requisites graffiti separates itself from other artforms and introduces gatekeeping towards those who fail to meet said requisites. Therefore, I argue the application of Moore’s semi-autonomous social fields is suitable. As discussed previously (Ch. 4.1), a semi-autonomous social field is defined by its ability to generate rules and coerce agents within the field to abide by them (Moore 1973:722). As the data presents, there are several modes of normative coercion between agents within the field.

### **5.5.1 Regulations alongside formal law**

The regulations within the field of graffiti dictate various interactions between writers whether physically or using walls as a proxy. To maintain functionality and predictability between writers a system of rules has been put in place to regulate agents within the field. To dissect how the regulations of graffiti is constructed I argue it must be related to formal law.

Firstly, formal law does not regulate behavior between writers. While formal law does regulate the act of painting rendering the practice illegal, it does not differentiate whether a mural was additionally painted over or whether the *piece* was considerably valuable.

Similarly, formal law does not regulate biting or hierarchical aspects as it does in instances of



society<sup>21</sup>. Therefore, I argue the legal consciousness of writers' regard law as the boundaries surrounding the subculture of graffiti.

Secondly, formal law is mostly disregarded by writers, as its consequences only apply in instances of apprehension. Therefore, writers themselves have constructed a legal order within a void of formal law specifying the nature of interactions between writers. This presents predictability as with formal law. The need for informal regulations is underscored by writers defending areas already protected by specialized (formal) agents such as trainyards.

As Chua and Engel (2019) argues, formal law remains deliberately dormant to writers as they do not follow nor utilize its coercive power. Rather, writers appeal to a set of moral guidelines which decide what constitutes right and wrong. This is clearly shown in the instances where writers argue for the justifications of their legal transgressions, legal contempt and why certain areas and walls are off limits. Certainly, morals internal to graffiti and formal regulations are sometimes in accord, but where they contradict, writers prefer the former as opposed to the latter.

Formal law plays a role in understanding *why* the informal rules are in place, and *why* writers care for protecting their murals, tags, and burners. This may be understood by reference to their investment. A murals value exists (almost) completely within the field of graffiti, as the respect it yields propagates an agent's status within it. Agents outside the field cannot understand the investment, as they do not participate and thus do not know the rules. They do not share the legal consciousness of the writers within. Risk of life, monetary investment, ownership of space, skill, and risk of apprehension. These all exacerbate yielded *gatekapital*, the central commodity, or as mentioned in previous studies, respect. Despite keeping law in its dormant state in terms of its practical application (reporting to police, following formal law) agents still reference towards law to propel said commodity. Similar cases have been found in international studies such as those of MacDiarmid and Downing's study in Ontario (2012), and Macdonald's (2001) New York and London Although writers do not intend for formal law to interfere, its presence proves most influential.

### **5.5.2 The invasion of formal law**

Moore discusses a semi-autonomous social field as set in a larger matrix which can invade it. (Moore 1973:720). Indeed, this has been discussed by Hannerz and Kimvall (2019) discussing the influence of political actors. Furthering this notion, findings show how formal law

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<sup>21</sup> (Biting – Copyright) (Hierarchy – Corporate structures)

continuously attempt to invade the subculture of graffiti. As the Gothenburg and Malmö municipalities has attempted to reclaim space through murals, actors within the field have denied the attempt and consequently reclaimed the space. The reclamation of space by municipalities have only been possible at the invitation of the agents within the field (Ibid). In the instances where municipalities have conformed to the rules of the field, utilizing agents from within, writers have relinquished space to the public.

Furthermore, walls which have been recently sanitized are repainted. Returning to legal consciousness, writers resist formal law and its attempts to sanitize by reapplying paint to areas recently sanitized. Indeed, sanitation does remove graffiti in accordance with the policies of most major cities in Sweden. However, it may simultaneously be regarded as a spiral of relinquishing space for new murals. As writers are not allowed to paint over others, municipal sanitation reenables space, showing a clear area of conflict between municipalities and the graffiti field. As sanitation companies also note, some spaces are in several instances quickly repainted rendering the sanitation near invisible.

Findings show several venues in which writers defend their field beyond the reclamation of walls from municipalities. Moore's (1973:722) conceptualization of a field's rules, akin to those of a corporation, provides further perspective as to how writers defend their field from legal intervention. Identity is guarded as writers know formal law invades should anonymity be compromised. Similarly, to confidentiality which several professions are dictated by, the graffiti subculture utilized what I argue is like companies' enforcement of compliance. Where identity was at risk, writers collectively underscored the need for secrecy.

Conversely, where law has subsided making space for legal walls and workshops, writers have subsided as well, as Höjgård (2002) similarly found in Norway. As elements of risk dissipates, so does the *gatekapital* it previously provided. Illegal walls thus provide an additional social commodity the legal walls cannot. Moreover, the legitimization invites the public. As the public are not members within the field, they do not adhere to the informal regulations, making their actions unpredictable. Thus, the importance of not going over, which presents pregnancy to writers even at the legal walls is not followed. In terms of legal consciousness, the discrepancy of experiences and presumptions of law between the public and writers contributes to the adverse effect law has in its recession.

## 5.6 Developing on legal pluralism

Despite graffiti existing alongside formal law, Swedish graffiti cannot exist in its current form without it. I argue this turns legal pluralism on its head, as formal law by proxy effects graffiti to such an extent that it would fundamentally change if made legal. Simply, Swedish law acts as a host on which Swedish graffiti depend. To clarify, the subculture of graffiti is a parasite living within formal law. My intention here is not to bring negativity to graffiti using the word parasite, but merely to describe it by way of conceptualization.

Äystö (2017:153) presents various examples of legal pluralism such as Sharia in western countries, Roman Catholic courts, norms of international law, as well as various folk-understandings of law wherein Gypsy law arguably fits. The depictions of Ellickson's (1991) informal regulations of economic transactions presents a composition of Americans who bypass the legal system in favor of an informal one. The key point is the fact that *all* these are examples of social groups with informal legal systems which are viable on their own. I argue Swedish graffiti in its current state is not.

Indeed, as writer 4 argues, acceptance in Sao Paolo have supplemented risk of arrest for physical danger. This has resulted in continuing to uphold the subculture's normative structure. However, in Sweden, I argue several of the normative stipulations depend on the formal legal system and would cease to exist in its void. The *investment* of painting would drastically decrease, in turn, rendering the severity of transgressing normative rules less harsh. As with legal walls, which are void of, or minorly controlled by norms, full legalization would present this effect for every wall. Consequently, the ability to accrue gatekapital would decrease.

There are accounts of other social groups which circumvent law while thriving due to its existence. One may argue that organized crime feed off the formal legal system by circumventing it. A common example being the drug industry and how it would lose its business in the event of legalization (Cussen and Block 2000:528). However, even in these instances graffiti differs. The goal of organized criminals is to gain that which has value within formal law, promoting one's position in general society either by money or various forms of influence (Catino 2015). Therefore, in the instances of legalizing a hypothetical illegal enterprise, thereby removing formal law's inhibiting properties, the enterprises would continue to exist, only legitimized. The financial profits would simply move from illegal to the legal sector (Cussen and Block 2000:528). I argue this is not the case with graffiti as its

rules are pertinent to formal law. Other researchers such as Gray and Cameron (2019) discusses the concept of the “social parasite” as those who feed of the formal system for financial needs. Indeed, some similarities may be drawn, such as the reliance on the functionality of a formal system. However, as monetary gain is not the goal, I argue the two differ drastically.

The commodity, *gatekapital*, has no pertinence to formal law and thus cannot be translated into a social field outside itself. However, the commodity is still dependent on the outside field (the law) truly shedding light unto the semi-autonomy, of Moore’s semi-autonomous social fields. By removing the field’s boundaries between formal law and graffiti, two opposing legal consciousnesses merge, reducing the value of *gatekapital*. Writers have presented their desire for the illegality of graffiti to remain, whereas other forms of activity outside formal law benefit from its weakness. Writers desire for law to remain dormant but potent, rendering the exposure to its sanction of higher value.

The addition to legal pluralism, I argue, is the introduction of fields or cultures which depend on another to exist. Graffiti uses formal rule as a host, as formal rule make up the playing field in which agents can gain *gatekapital* and take ownership of space. Indeed, in legal systems with lesser formal legal stipulations, as writer 1 argues Italy has, painting trains yields less capital, as he argues such an achievement could never be done within the playing field constituted by Swedish law. Thus, removing the playing field (the host), ends (kills) the game (graffiti) in its current state. Why this perspective may be useful to future policy and municipal work will be discussed in the conclusion.

## 6 Conclusion

The aims of this thesis have been to (a) contribute to the pool of sociolegal knowledge about the normative framework constituted within the graffiti subculture, and (b) to provide a new perspective to legal pluralism, thereby furthering the academia within sociology of law. This study has presented both how the Swedish graffiti subculture is impinged on formal law as well as how this impingement can be understood using Moore's semi-autonomous social fields (Ch 5.5). As this thesis has shown, graffiti is indeed a field (Ch 5.1) with several coercive elements (Ch. 5.2) and modes of sanctions (Ch. 5.3).

To answer the first research question:

*What are the internal rules and regulations of the graffiti subculture in Sweden's larger cities?*

As the findings show, there are rules dictating behavior in various levels within the culture. Within the micro-perspective we find interpersonal rules regulating the relationship of taggers between one another. Moving up the ladder into the meso-perspective we find rules which regulate relationships on a broader scale, such as those concerning hierarchy and the separation of the field itself from others. Lastly, in the macro-perspective we uncover rules which defend the field from the intervention of others, such as those pertaining to information.

Graffiti's ruleset can be understood by viewing a tag as the embodiment of a writer. Hannerz (2017) discusses the material writers produce as the representation of the writer, as opposed to the physical body. Looking at a tag beyond the paint, and instead looking at the tag (or mural) as the writer itself, we can grasp why going over is the most pregnant rule to regulate writer's relationships. Indeed, writing require a full, *embodied* tag, as argued by MacDiarmid and Downing (2012). Writers perceive it as being erased in the instance of being gone over. The conceptualization of a writer as per their material (tags, murals) may also shed light unto biting, and how this may be regarded as a form of identity theft. Furthermore, identity in this sense may explain the reasons behind the varying degree of sanction. Identity is key, as it both represents who you are, as well as your position within the field of graffiti. A regulatory infringement affects writers by their position within the field, as well as their existence within it.

To further the understanding of the regulatory ruleset, one must look at a mural or tag (a writer's identity) per its investment. Such a notion has been discussed by Ferrell and Weide (2010) discussing a spots or murals value per its location and risk, which they argue dictate sanctions in the event of its defacing. This thesis confirms this to be the case within a Swedish context as well. As certain spots, skillful murals or risk adversity elevates a writers' position within the field by yielding *gatekapital*, its removal equally reduces it.

To answer the second research question:

*How does formal codified law interact with the informal norms and regulations of the graffiti subculture and what are its consequences?*

Writers view law as per the practical, which renders law dormant. Writers view their actions as legal until law is invoked, thus leaving its dormant state. Instead, writers follow their morals, with their legal consciousness regarding law as immaterial and often wrong. I argue the boundaries between the law (municipal policy, action, and code) and graffiti communicate without interaction. An example of this are the locations in which writers know their paint will persist. Writers did not have formal knowledge about sanitation strategies but could see the results regardless and act accordingly. Therefore, postboxes and electrical units are commonly painted as the paint is left to remain for longer. Writers thus take ownership of the gap between social spheres where legal responsibility dissolves.

Therefore, law interacts with the normative structure of graffiti by proxy. Certainly, the zero tolerance policies have actively sought to prevent graffiti, but contemporary municipal actions rather utilize walls to prevent or promote it. Interestingly, both allowing and disallowing graffiti has had adverse effects. Sanitation propagates graffiti's continuation by opening space, and harshening laws increases the commodity presented from breaking them (Kindynis 2018). Legal recession however, in terms of legalizing walls, invades into graffiti using the public. Agents not party to the legal consciousness of writers deters as the discrepancy in their perception of morals cause friction. Writers thus prefer the protection from the public offered by the illegal.

*What are the implications of studying Swedish graffiti through a lens of the socio-legal for future policies and municipal strategies?*

Legal pluralism situates Swedish graffiti within Swedish law, depicting Swedish legislation as the host in which graffiti lives. As the law offers thrill and an increased yield of respect for

writers, its existence exacerbates graffiti's prevalence. Writers who enjoy the sport of graffiti, rather depend on the law for fulfilling the need for higher stakes. As discussed, in countries void of such laws, as writer 4 presented, writers find other ways of supplementing the invested risk with risk of life.

Two conclusions can be drawn from the pluralistic depiction of Swedish law as a host to graffiti. (1) Increasing penalties for writers could increase the stakes and exacerbate its prevalence. Strengthening the host, strengthens that which lives within it. Thus, if the intention from the state is to remove graffiti, this would be a dire mistake as Kindynis (2018) also presents. Moreover, those from outside of Sweden's borders could come to try out their prowess within a system presenting higher stakes. (2) Contrarily, legalizing graffiti could force writers to supplement the risk which has been lost, perhaps increasing risk adversity in the ways of physical danger. At any rate, graffiti would, I argue, fundamentally change. Either way, graffiti cannot reasonably be put to rest by involvement of the state through change of law.

If municipalities are to affect or invade the field of graffiti, as Moore (1973) describes, they too must, to a degree, conform to its rules, its demarcations, and understand its delimitations. As the findings show, this has been the sole way in which graffiti responds in a predictive manner. As concluded in this thesis literary review, knowledge about graffiti was required to minimize friction between municipalities and the subculture. With the conclusion of this thesis, I argue this gap to be filled.

This thesis has suggested a tool or perspective with which social fields may be analyzed; the parasite. The tool gives pregnancy to Moore's semi-autonomous social field as set in a larger matrix which can invade it and builds on this notion. The perspective explains law's adversity both where its invading properties are relaxed (legal walls) as well as where they are increased (harsher legislation), encompassing that which legal pluralism alone may forgo. A tool with the potential to identify fields of a parasitic nature, will aid in understanding why some social actors react to legal intervention in previously unpredictable ways. Theories such as social control (Ellickson 1991) focusing on normative structures and extralegal factors effectively analyses why and how law may be circumvented, as well as when formal law is invoked. However, social fields which both circumvent law as well as continuously relate to it cannot be accurately analyzed using tools which does not adequately relate the field's position to formal law. Therefore, I argue the concept of a parasite may be useful to future sociolegal studies.

## **6.1 Future research**

Viewing the legal system as the playing field in which graffiti exists introduces new questions. Indeed, as Kindynis (2018) study showed, writers in London reacted to increased legislation by retaining writers willing to continue under the increased risk. If norms and regulations within graffiti exist due to the risks formal law entails, what are the effects of increased legislation on the informal norms? If the walls which are legal, which includes fames, are mostly void of informal stipulations, then increased legislation could contrarily increase informal regulation as well. If painting a mural within a legal system that could detain you for life, then reactions to going over would logically increase as well. As countries differ in the penalties given for damage to property, a comparative study could answer this question yielding interesting results furthering knowledge in how formal law affects graffiti.



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## **Appendix:**

### **Stockholm graffiti policy 2007–2014**

#### **Policy mot klotter och liknande skadegörelse**

##### **i Stockholm**

Stadsmiljön är allas egendom och det är allas ansvar att vårda den.

Stockholm ska vara en trygg, säker, ren och vacker stad som vi är stolta över och där stadsmiljön inbjuder till samvaro mellan människor.

1. Klotter, olaglig graffiti och liknande skadegörelse accepteras inte. Detta gäller för alla typer av fastigheter, mark, anläggningar och fordon m.m.
2. Sanering, borttagande av klotter och liknande skadegörelse ska ske inom 24 tim (från upptäckt och/eller anmälan), prioriterat på skolor och förskolor. Stötande och rasistiskt klotter ska saneras omgående. Vid all sanering ska hantering och använda kemikalier uppfylla Stockholms stads miljöinköpskrav i ”Miljökravspecifikation för klottersanering”.
3. Genom att reagera och agera direkt vid misstanke om att ungdomar ägnar sig åt klotter och liknande skadegörelse kan vi förebygga att ungdomar drabbas av problem som skolk, missbruk och kriminalitet.
4. Skol- och fritidspersonal, socialsekreterare, föreningsaktiva m.fl. ska kontinuerligt utbildas och informeras för att bli medvetna om subkulturen runt klotter och dess riskfaktorer.
5. All skadegörelse ska polisanmälas och fotodokumenteras.
6. Alla inhyrda objekt (t.ex. byggbodar, containers) ska vara sanerade innan de ställs ut i stadsmiljön.
7. Stockholm ska vid ombyggnad, nybyggnad eller andra förändringar i

stadsmiljön om möjligt eftersträva en utformning som förebygger och försvårar klotter och liknande skadegörelse.

8. Genom samarbete med detaljhandeln, bensinmackar m.fl. ska tillgängligheten minskas av sprejfärger, tuschpennor m.m. som används vid klotter.

9. Staden ska inte medverka till eller stödja verksamheter eller evenemang som inte klart tar avstånd från klotter, olaglig graffiti och liknande skadegörelse. Staden ska inte heller medverka till verksamheter som på något sätt kan väcka intresse för och leda till klotter, olaglig graffiti eller liknande skadegörelse.

## **Stockholm current graffiti policy.**

### **Policy mot klotter och liknande skadegörelse i**

#### **Stockholm**

Stadsmiljön är allas egendom och det är allas ansvar att vårda den. Stockholm ska vara en trygg, säker, ren och vacker stad som vi är stolta över och där stadsmiljön inbjuder till samvaro mellan människor.

1. Klotter, olaglig graffiti och liknande skadegörelse accepteras inte. Detta gäller för alla typer av fastigheter, mark, anläggningar och fordon med mera.
2. Sanering, borttagande av klotter och liknande skadegörelse ska ske inom 24 timmar (från upptäckt och/eller anmälan), prioriterat på skolor och förskolor. Stötande och rasistiskt



klotter ska saneras omgående. Vid all sanering ska hantering och använda kemikalier uppfylla Stockholms stads miljöinköpskrav i ”Miljökravspecifikation för klottersanering”.

3. Genom att reagera och agera direkt vid misstanke om att ungdomar ägnar sig åt klotter och liknande skadegörelse kan vi förebygga att ungdomar drabbas av problem som skolk, missbruk och kriminalitet.

4. Skol- och fritidspersonal, socialsekreterare, föreningsaktiva med flera ska kontinuerligt utbildas och informeras för att bli medvetna om subkulturen runt klotter och dess riskfaktorer.

5. All skadegörelse ska polisanmälas och fotodokumenteras.

6. Alla inhyrda objekt (till exempel byggbodas, containers) ska vara sanerade innan de ställs ut i stadsmiljön.

7. Stockholm ska vid ombyggnad, nybyggnad eller andra förändringar i stadsmiljön om möjligt eftersträva en utformning som förebygger och försvårar klotter och liknande skadegörelse.

8. Genom samarbete med detaljhandeln, bensinmackar med flera ska tillgängligheten minska av sprejfärger, tuschpennor med mera som används vid klotter.

## **Interviewguide**

- **Career**

- How did you start?
- How do you learn?
- Do you paint often?
- Have things changed over time?
- When does someone quit?

- **Social sphere**

- Have you always painted (here)?
- Do you think areas differ?
- Do you know other artists here?
- Are contacts important?

- **Normativity (social)**

- Do friends and family know that you paint?
- Do you have a tag?
- How do you get good? (Get up)
- Is there a hierarchy?
  - How do you keep track of it?
  - What privileges do you enjoy at the top? (And what's it like at the "bottom"?)

- **Normativity (personal)**

- If I were to start tagging, what would I have to think about?
- Is there a "wrong" way of doing things?
  - Why is it wrong?
  - Where can't I tag?
  - How do I know? (find out?)
  - What will happen if I do something wrong?
- Text is common. Tags are text as well as larger paintings. Is there a reason behind this?
- Can I paint over anyone? When? Why not? Why?
- Are there symbols which you might paint? What do they mean?

- **Space**

- Are some places good? (or better)

- Why? What constitutes a good “spot”?
- Do people “own” space? How?
- Fences?
- Cameras?
- What about houses and apartment buildings? (normal houses and apartments)
- Why is there so much painted along train tracks and on trains?
- What different kinds of walls are there? (I.e. different legal walls, different illegal walls?)
- High places?
- **The law**
- How is the law regarded?
- Worried about police? (Public maybe?)
- Positive thrill?
- Guards? Property owners?
- Have you been caught?
- If law were changed? What might be a reaction? (Harsher, more lenient?)

