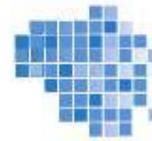




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# Professional, Political and Public Discourses on Crime and Criminal Justice

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Aleksandras Dobryninas  
Vilnius University (Lithuania)



MOKSLAS · EKONOMIKA · SANGLAUDA



EUROPOS SĄJUNGA

*Kuriame Lietuvos ateitį*

# Research on RCJ

- Goals:
  - Analysis of the reception of criminal justice in society.
- Methodology:
  - Constructionist approach with elements of discourse analysis
- Team:
  - Interdisciplinary team consists of psychologist, sociologist, criminologist, economist, and lawyer.
- Supporters:
  - the research is funded by the European Social Fund under the Global Grant measure (VP1-3.1-ŠMM-07-K-01-049).



# In Searching the Definition of Criminal Justice

- **Criminal Justice** (noun) - The system of law enforcement, the bar, the judiciary, corrections, and probation that is directly involved in the apprehension, prosecution, defense, sentencing, incarceration, and supervision of those suspected of or charged with criminal offenses.

(From The American Heritage Dictionary of the English Language, 4th edition  
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- Descriptions of Criminal Justice as a system, procedure, profession, discipline, etc. vs as a form of Justice?
- Working definition: Criminal justice, in the most general sense, can be defined as a process based on legal, moral and ethical norms (including factors influencing the initiative of legal functioning, the legal forms of functioning, actors and their behavioral structure, etc.), during which it is established (revised, supplemented, etc.) what actions are considered a crime in a certain historical period and what criminal sanctions should be applied for a certain criminal conduct, and legal procedures, forms and methods for detecting crimes are defined along with practical conduct of private individuals, who enter or get involved into the process with the powers of government in the investigation or examination of offences and in enduring the sanctions applied.

# Towards the Epistemological Stratification

1. Social demographical and epistemological indicators in social policy research.
2. Three social cognitive groups (A. Schutz):
  - Professionals
  - Well Informed Citizen
  - People from the Street
3. Overlapping of social forms of knowledge

# Discourses on the Criminal Justice

- Discourse as empowered usage of language (M. Foucault, P. Bourdieu)
- Three types of criminal justice discourse:
  - Experts – criminologists, law professionals, officers of law enforcement institutions – discourse on “true” justice.
  - Well-informed citizen – politicians, decision-makers, journalists, etc. – discourse on criminal justice in the context of societal interests (inter-esse).
  - People from the street – ordinary people with common sense approach to crime and punishment.

# Typology of discourses: principles, strategy, and implementation

- Professional discourse:
  - Orientation towards truth (ratio as a balance)
  - Pleasure-pain adjustment (classical and positivistic criminological schools)
  - Economics of pain (suitable amount of pain - N. Christie)
- Political discourse:
  - Orientation towards interest
  - Legitimization of power through application of pain (criminalization vs decriminalization)
  - Pain control political regimes (L. Radzinowicz, M. Foucault)
- Public discourse:
  - Orientation towards opinion
  - Salvation through pain (public religion of pain, L. Hulsman)
  - Pain as entertainment (virtualization of pain)

# Questions for further discussion

- Limits to pain vs Limits to pleasure (back to the classics)
- Enlightenment vs *Phronesis* (rethinking *adequatio ratio et rei*)
- Public Criminology vs Criminology of Public Relations

# THANK YOU!

