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Perception of Criminal Justice in Society: Professional vs Public Discourses

13th Annual Conference of the ESC
Budapest, 4 – 7 September, 2013

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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).



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)



Description the Qualitative research

- Three focus groups:
 - “Professionals” (Prof) (criminologists, lawyers, law enforcements officers)
 - “Well Informed citizen” (WIC) (politicians, journalists, business persons)
 - “People from the street” (PFS) (public leaders, NGO activists, teachers)
- Goal: to analyze, how the criminal justice, its societal goals and principles is understood in three different social cognitive groups
- Themes structure:
 - Attitude to the public discussion on CJ
 - Notion of CJ
 - Political aspects of CJ
 - Reception of CJ in society
 - The role of mass media



Peculiarities of Discussions

| Group/Themes | Attitude | Notion | Politics | Reception | Mass media |
|--------------|---|--|--|--|--|
| Prof's | Positive, stressing cooperation | Orientation in legal description, international aspects, neediness cooperation between theory and practice | Instrumental attitude to CJ, economic factors, educational possibilities, lack of political responsibility | Recognition of importance of relationship between professional, political and public areas, neediness of dialogs | High role in reception of CJ; political populism in media presentation, weak role of professionals |
| WIC's | Lack of constructive discussion between professionals and public at large | Reference to criminal laws, its implementation, competence and integrity | Usage of CJ as political mean, selectivity in application, absence of goals | Pessimistic attitude; alienation of CJ from society; CJ image as ineffective, corrupted institution | High role of Mass media in reception of CJ and it aspects; negative impact on society |
| PFS's | Neediness of deeper knowledge, cooperation | Difficulties in description, emphasizing of punishment, role of moral values | Accent on selectivity, safety, public interests | Optimistic attitude: CJ tries to turn to people; public participation in CJ | Mass media as only single source of information; criticism of sensational aspects |

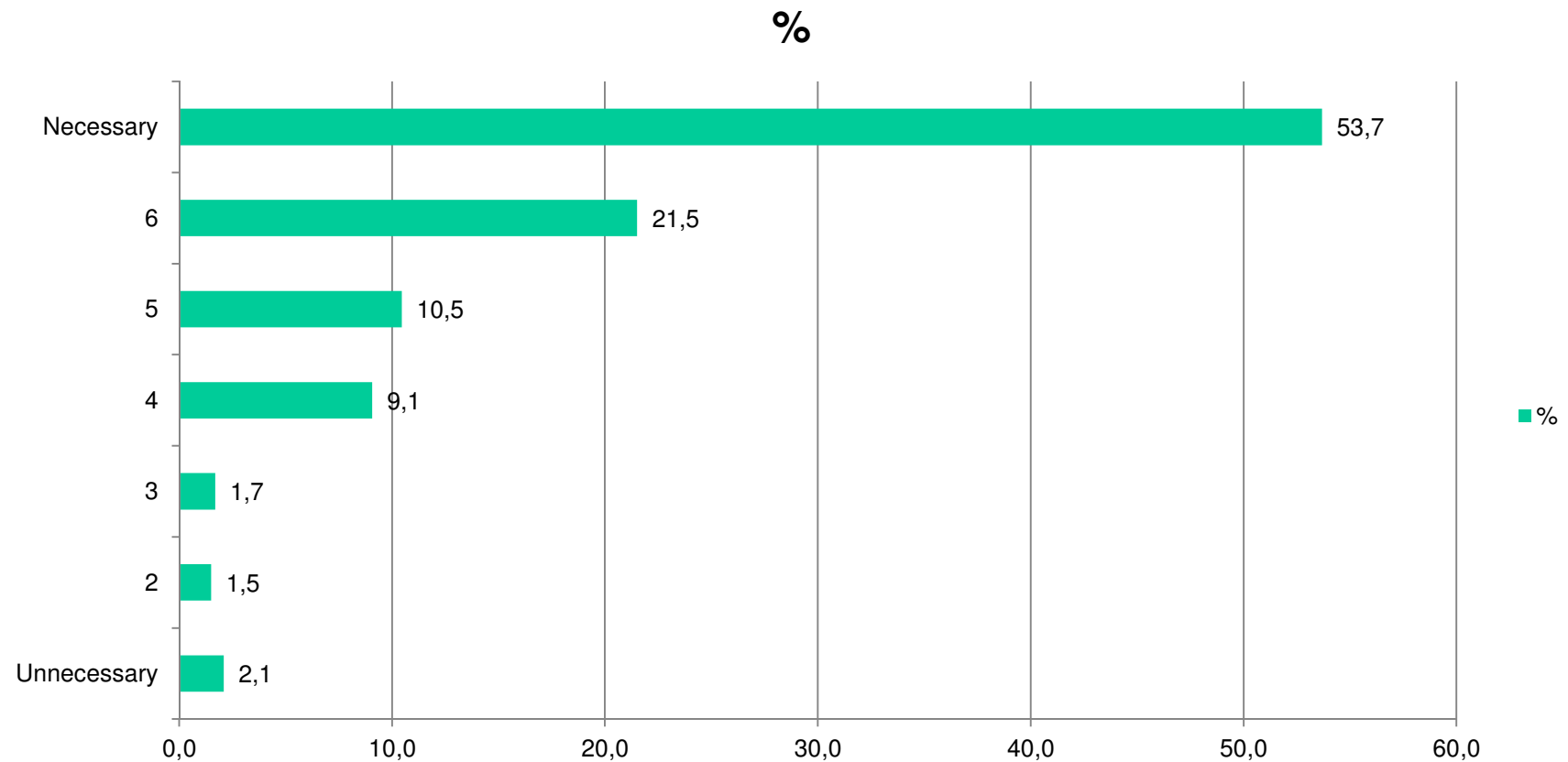


Description of Quantitative research

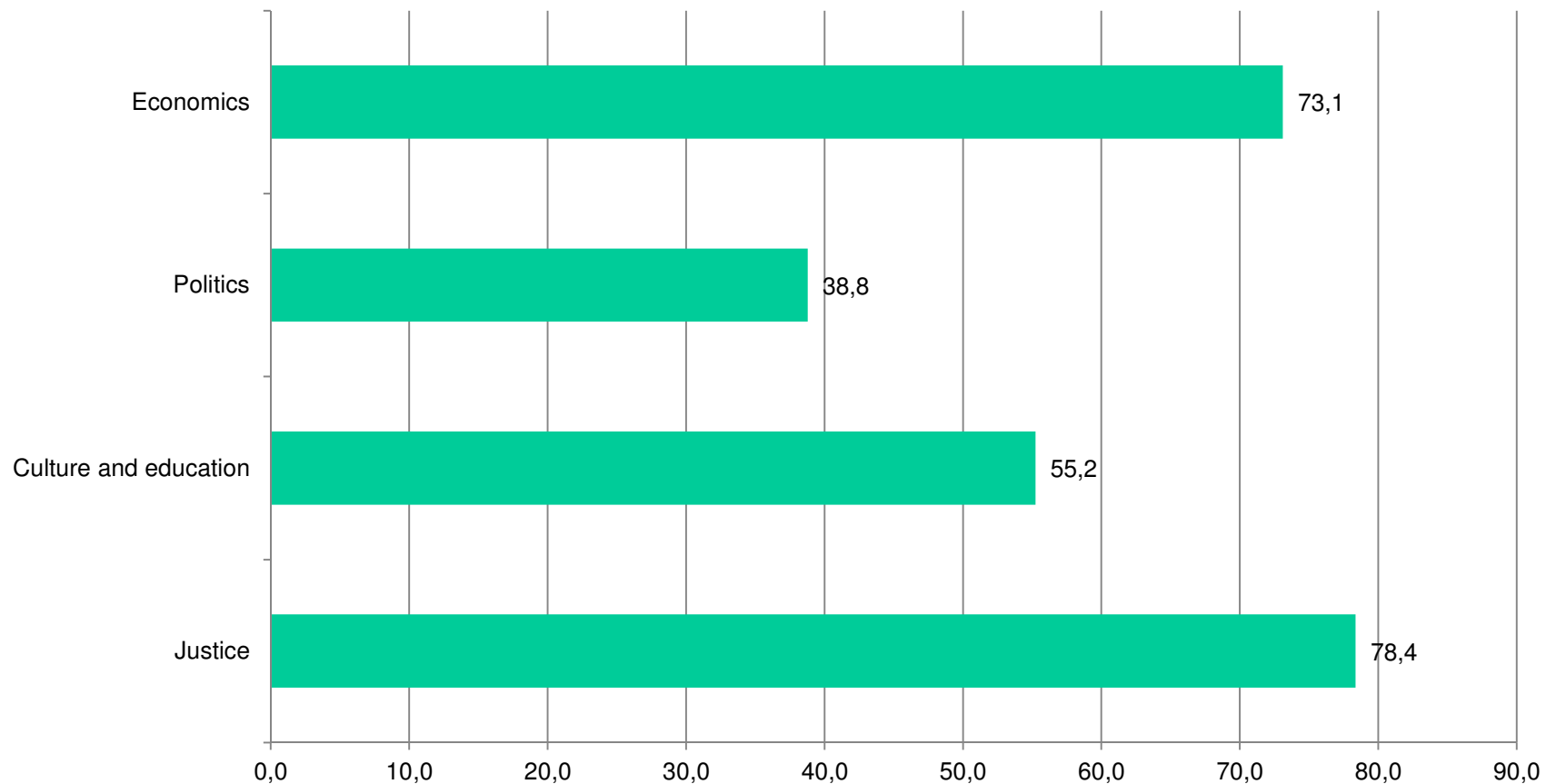
- National representative survey, May 3-15, 2012
- Stratified sampling, N=1005
- Face to face interview at respondent's home
- Survey covered 17 towns and 56 villages
- Maximal statistical error $r < 3,1$, $p = 0,95$
- Survey was conducted by the Public research company VILMORUS



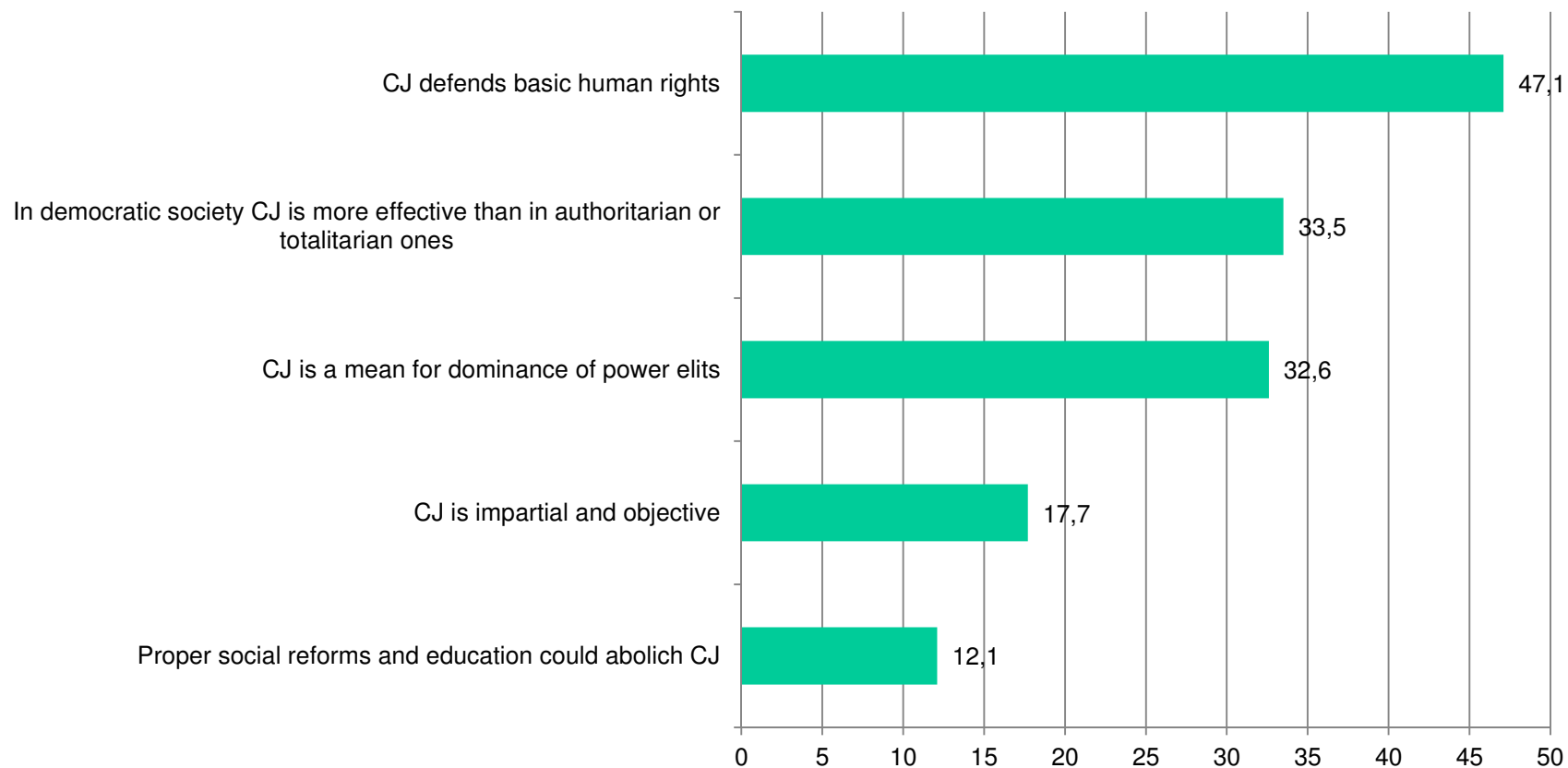
Necessary of Criminal Justice in Society (%)



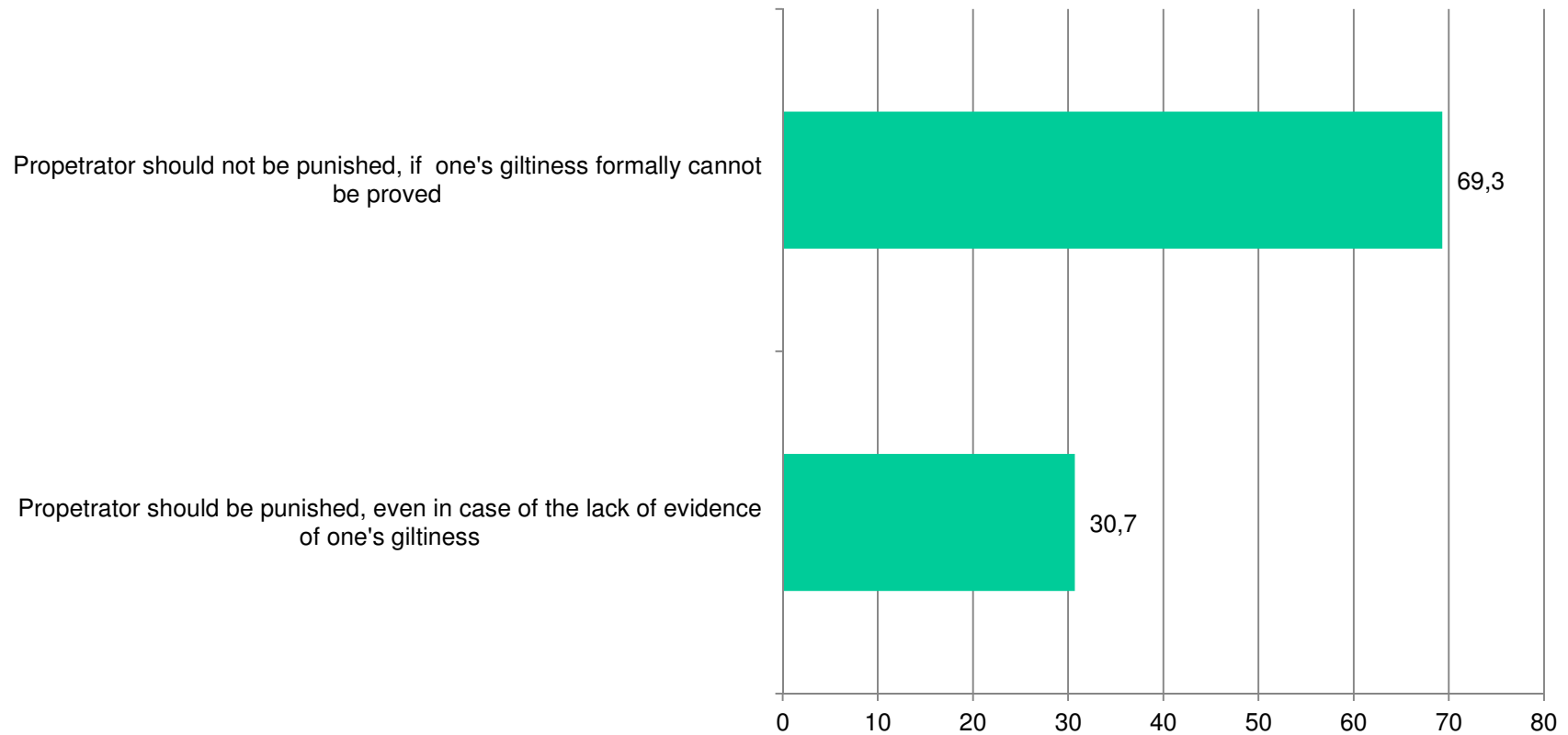
Importance of spheres of social life ("very important", %)



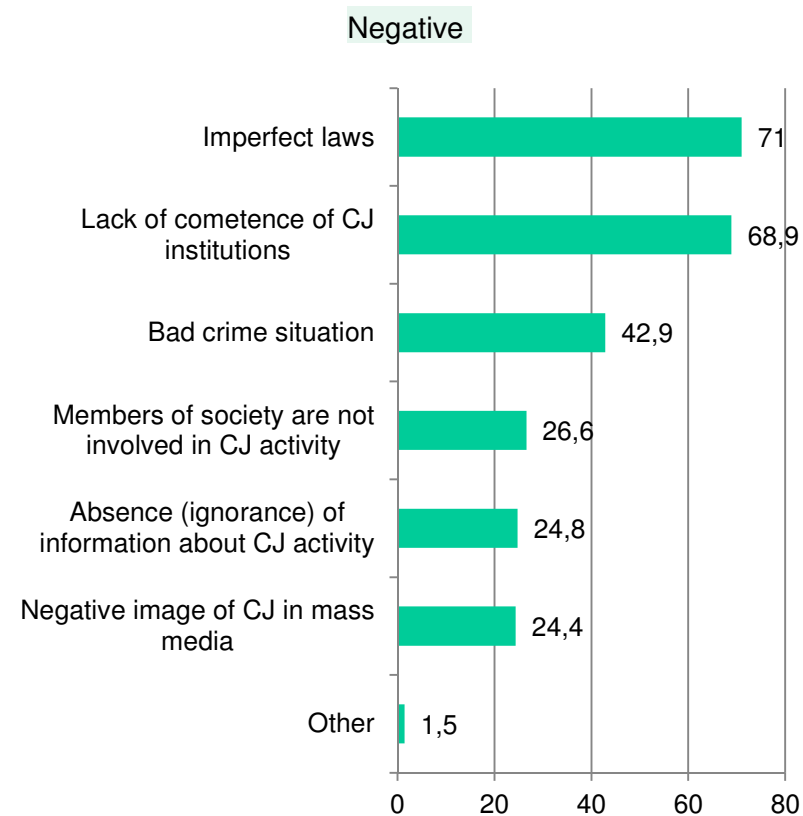
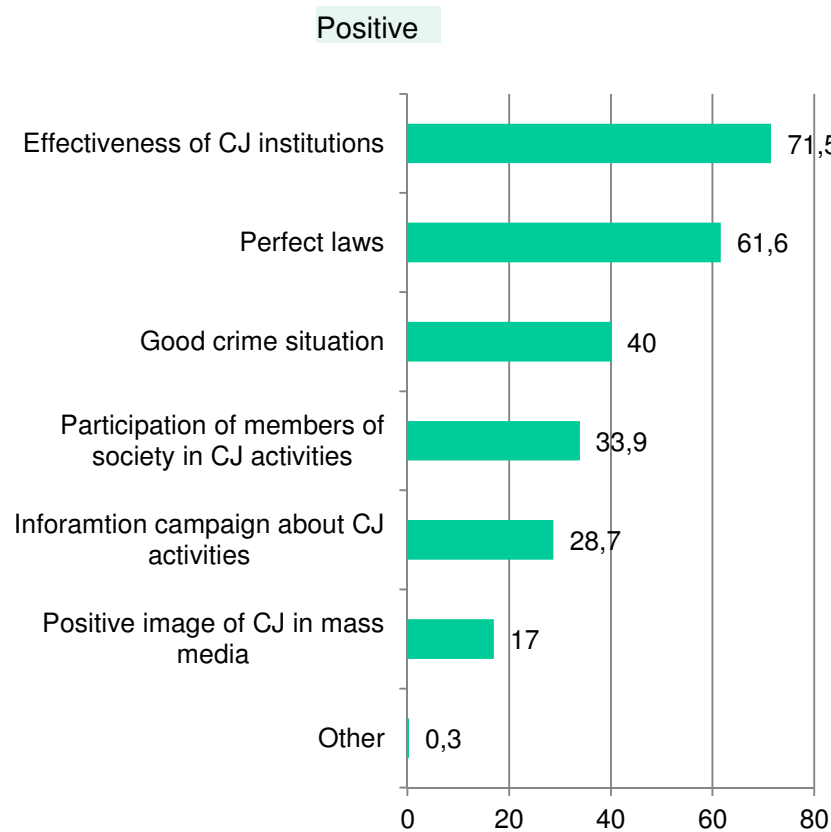
Role of the Criminal Justice (CJ) in Democratic Society („completely agree or agree“, %)



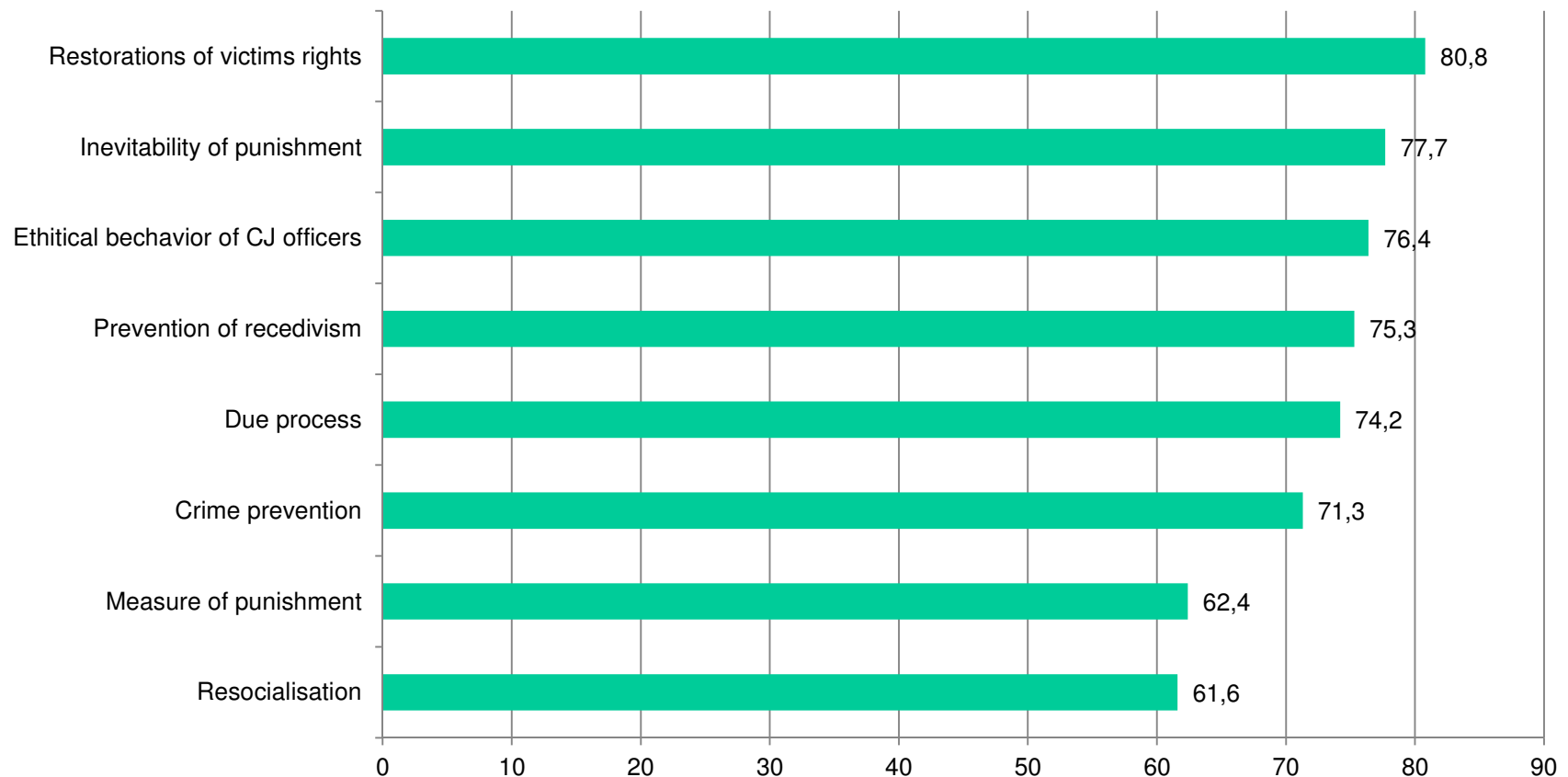
Criminal Justice Dilemma (selection: either or)



Factors that influence positive and negative attitudes toward Criminal Justice



Important elements of Criminal Justice ("very important and important")



Final remarks

- Preliminary results gained from qualitative and quantitative researches show that RCJ is not a homogeneous phenomenon, and its construction depends a good deal on such factors as common societal values, attitude to the professional CJ institutions, role of mass media, etc.
- Focus group discussions show existing problems in communications between epistemic social groups of experts, politicians, and public representatives. On the one hand, decision making procedures on the professional level are obscure for the ordinary people, on another hand professionals are rather seeking for “improving” knowledge of CJ of ordinary people, than trying to understand inner structure and self-validity of that knowledge.
- Results of the representative national survey reveal that majority of respondents understand the necessity of criminal justice as the inevitable tool for the protection of basic human rights in society. They also support the role of professionals in forming criminal justice principles and goals, and express a wish for more educational efforts in the dissemination of criminal justice knowledge among the public. At the same time respondents are skeptical about the effectiveness of crime prevention or reintegration of former criminals. Majority of respondents also do not believe in impartiality of criminal justice institution and critically evaluate the implementation of criminal justice in society.
- The research results raise practical questions about the ability of criminal justice professionals and institutions to efficiently communicate and productively cooperate with the rest of society. Researchers expect that further analysis of survey and media monitoring results help them to reconstruct multi-level structure of RCJ in the society, and to proposed recommendation for better and more effective communication concerning CJ among various social groups.



THANK YOU!

