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# Perception and Evaluation of Criminal Justice Institutions: Lithuanian Case

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EUROPOS SĄJUNGA

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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).

# In Searching the Definition of Criminal Justice

- 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.

# 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 its 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                  |

# Final remarks

- Presentation covers only one third of empirical research which try to measure contemporary RCJ in Lithuania. The results of quantitative survey now are in the process of analysis. The content analysis of the Lithuanian traditional and internet media is started only one months ago.
- However preliminary results gained from the three FGs already shows that RCJ is not homogeneous phenomenon, and its construction depend a good deal on such factors as common societal values, attitude to the professional CJ institutions, role of mass media, etc.
- Discussion also shows existing problems in communications between described epistemic social groups. On the one hand, decision makings 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 inners structure and self-validity of that knowledge.
- Researchers expect that further analysis of survey and media monitoring results help them to reconstruct multi-dimensial structure of RCJ in the society, and to proposed recommendation for better and more effective communication concerning CJ among various social groups.

# THANK YOU!