Narrative criminology (WG) – Panel I

Date: 31.8.2018
Time: 10:00 – 11:15
Building: C
Room: 11

Chair: Goran Basic

Goran Basic, Zlatan Delić

Title: Crimes Against Humans and Crimes Against Humanity: Analysis of Documents Produced During Trials at Tribunals After the War in Nor th-West Bosnia and Herzegovina

The aim of the study is to analyse documents produced during trials at the International Criminal Tribunal for the former Yugoslavia and the Section for War Crimes of the Court of Bosnia and Herzegovina concerning the 1992 war in north-west Bosnia and Herzegovina. The documents construct and reconstruct the categories of victim and perpetrator at a symbolic level. Punishing the offenders for war crimes is a means by which local and international courts attempt to eliminate the ideology on which the atrocities were based. The study interprets the documents as rhetorical warnings to future belligerents. Warfare that targets civilians and lack of respect for human rights are construed as unacceptable. In revealing the scope of war crimes committed during the period, the documents represent an attempt to influence the local and international community. They implicitly define the categories of victim and perpetrator, highlighting the individual and visible punishment to which the latter are subject while implying that their ideology has thereby been eliminated. The documents emphasize the role of individual responsibility in future wars. The presumption is that peer pressure is no excuse for war crimes and that civilians are never to be targeted.

Keywords: War crime, victim, perpetrator, ideology, rhetoric, warfare, social construction, punishment, individual responsibility, war

Catrina Cosmin, Petronel Dobrică

Title: My Life In-Between Probation

I am working for almost a year as probation counselor, in a local probation service from Romania (Vâlcea County). Although it seems a short period of time, I have a significant experience in probation, because I was one of the probationers registered in the same probation service, for five years (2011-2016). Briefly, this is my story I could tell you, as one of the authors of this paper. Together with Prof. Dobrică we choose to tell you not necessarily about my experience as probationer, nor in particular about my experience, as probation counselor, even if each of the two types of experiences is relevant in everyday life details, as well as academically. We choose to analyze two important aspects: the interplay between my consecutive roles, the role of probationer and the role of probation counselor, respectively the social interactions that I have experienced between the end of my supervision period (2016) and the beginning of my activity as probation counselor (2017). In a Goffmanian frame, as case manager I am experiencing a type of discrepant role, the 'go-between' or 'mediator' role, trying to understand and use the most appropriate resources, in my relation with a probationer of the same age with me, who was convicted for the same offense as mine, for instance. After my supervision period, I decided to compete for a probation counselor job. It wasn’t a simple, rationale decision, but a result of a sensitive interaction between public and private elements of my life.

Keywords: probationer; probation counselor; go-between role; discrepant roles; E. Goffman

Fellner Martina, Marta Eichstetter

Title: Building Trust in Justice - Understanding Personal Narratives of Transitional Justice

This paper is situated in the area of transitional justice. The subject of transitional justice – the transition from a society’s past dominated by large scale abuses and illegitimacy to a legitimate and peaceful future society – has gained traction in a number of disciplines over the past few decades. The interest of transitional justice scholars has been in establishing and assessing the effects of court proceedings against the main perpetrators of abuses – through the International Criminal Court or Criminal Tribunals; the impact of reparations and reconciliation programmes on victims of past abuses (truth commissions); and the effectiveness of rule of law programmes with a focus on institutional and structural reforms. This paper explores the existing literature and the potential for research on the narratives of individuals who symbolise aspects of justice – police officers and judges. It argues that the narratives of those who were seen as part of the apparatus that perpetrated oppression, injustice, and abuse but then became part of a system of democratic and legitimate governance can offer important insights into how societies process their transition. How do individuals narrate their own transition? What problems do they identify? How do they (re-)construct their legitimacy as police officers and judges? This is an important consideration for transitional justice as nation and institution building is only one aspect of building legitimacy in justice and governance.

Keywords: transitional justice, criminal justice, narratives