

**Studying the collective
representations of criminal
justice
in France**

- Research conducted through the **1970s and '80s**.
- a **rupture** in the way the public's views of criminal justice had been studied until then.
- a **reference** to several later studies in a number of countries.
- interruption of this stream of research has left a clear field to poorly conducted and even more poorly utilised opinion polls.
- strong pressure has therefore emerged in favour of an academic reinvestment in the field of the social representations of justice.
- we plan to revisit this field in a near future.

A three points presentation

1. Breaking with earlier opinion studies
2. The fallacies of opinion polls
3. Reinvesting in studies on the social representations of criminal justice

1. Research breaking with earlier opinion studies

- inspiration from **Durkheim's** theory of social representations,
- revitalised in France by Serge Moscovici
- then embodied in a series of studies on various themes by social psychologists or sociologists like Claudine Herzlich or Denise Jodelet.

1. Research breaking with earlier opinion studies

- Rejection of the postulate that every individual necessarily has an opinion on all and every subject, that all opinions count for the same, and that researchers could thus decide *a priori* which questions to ask → open-ended explorations preceded the choice of questions, their phrasing, and their organisation.
- No postulate of primacy of cognitive aspects of opinion: a firmly held opinion is not necessarily based on a high degree of knowledge → explore the normative and affective characteristics of opinions as much as their cognitive aspects.
- Rejection of investigations based on a simple stimulus-reply pattern → progressive uncovering of underlying representational structures.
- envisage a diversity of types of representation of criminal issues

1. Research breaking with earlier opinion studies

- Advantages of this disciplined sequence of steps:
 - ✓ a conceptual and methodological lesson
 - ✓ for future studies, a measure of comparison that allows drawing distinctions between representations depending on immediate circumstances and more enduring one.
- disclosure of some fundamental mechanisms the formation of collective representations of criminal justice:
 - ✓ e.g. combination of intentionality attributed to offender and extent of consequences of offence.
 - ✓ structuring role of certain general attitudes: confidence in public institutions, Manichean view of the deviant or delinquent, attitudes towards social change etc.
 - ✓ no straightforward link between types of representations and social status variables.
 - ✓ criminal justice not an issue for everyone.

A three points presentation

1. Breaking with earlier opinion studies
2. The fallacies of opinion polls

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- During 1990s and 2000s, at least in France and its European neighbours, interruption of social representations studies and monopole of opinion polls → impoverishment of knowledge about the public's views on criminal justice.
- advantage for the sponsors of being open to whatever manipulation so as to have them say what pleases and suppress anything that disturbs.
- suit the political and administrative decision makers in charge of criminal justice issues, most often to find support for their policies with public opinion: carefully chosen questions designed to elicit the correct response and on occasion to deplore the ignorance of the public that it was for them to educate.

A three points presentation

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- Three reasons for a new research project on the social representations of criminal justice.
 - ✓ Need for updated sound knowledge
 - ✓ Heated debates around public safety policies
 - ✓ Strong tensions between citizens and criminal justice
- use the studies of the 1970s and 80s as a yardstick allowing a measure of evolutions of the public's representations of criminal justice.
- plan a qualitative phase to determine which elements of the ancient instrument can be retained and which should be updated.

3. Reinvesting in studies on the social representations of criminal justice

- Earlier protocol included :
 - ✓ an attitudinal scale measuring *satisfaction with justice*, with items on independence and functioning;
 - ✓ another scale measuring *mistrust towards justice* (fallible or contingent nature of the courts' decisions)
 - ✓ at least these two dimensions come close to the *trust in justice*

3. Reinvesting in studies on the social representations of criminal justice

- Our reminders:
 - ✓ a general population survey has limited potential for grasping experiences with the criminal justice system
 - ✓ the public's contacts with the police and the courts influence their representations of the justice system
 - ✓ however, the judgements respondents express about the criminal justice institutions are only moderately correlated to their experiences and conversely, they are not independent of their more general attitudes, of their *Weltanschauungen*.
 - ✓ All those reflections lead to consider the opportunity to supplement general population surveys with more specific ones, targeting subpopulations with concrete experience of police or justice contact.

In any case, we are looking forward to finding, in the Eurojustis surveys, a very valuable point of comparison when we return to our own researches on the social representations of criminal justice.