



Critical Theory and Criminal Justice: A Workshop

06 – 07 April, 2017

Organized by

Centre for Criminology and Victimology

National Law University Delhi

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The National Law University Delhi in association with University of Warwick, U.K. is organizing a two day workshop on the theme 'Critical Theory and Criminal Justice' on 06-07 April, 2017.

A two day workshop is offered engaging critical theory and criminal justice perspectives in the UK and India. This workshop is offered to postgraduate students and legal faculty by UK scholars in the critical realist tradition: Dr Henrique Carvalho (Warwick), Professor Alan Norrie (Warwick), Dr Craig Reeves (Birkbeck, London). It offers, and invites presentations from Indian colleagues on, issues regarding law and violence, emancipation and love, and the possibilities of legal dialogue. The workshop will focus on the focus on the following topics:

Topics to be explored include:

- **Critical realism, critical theory and criminal justice**

This topic aims to explore how and to what extent critical theory more generally, and particularly critical realism, can assist in understanding the problems surrounding criminal justice. Questions to explore include: to what extent does criminal justice promote, or hinder, the project of human emancipation? What is the importance of notions such as freedom and solidarity to the concepts and practices of criminal justice? Is criminal justice really about justice, or is it about something else (power, ideology, exclusion, etc.)?

- **Historical and comparative analysis of criminal justice**

This topic invites reflection on the contingent and dynamic character of ideas of criminal justice, more specifically how notions of criminal justice change and vary in time and space. Papers addressing this topic can discuss how conceptions of responsibility and punishment develop historically; how specific offences, or other practices of criminal justice, are treated differently between countries or regions; etc. A particularly critical way of addressing this topic is by reflecting on the extent to which specific forms or practices within criminal justice are linked to the particular socio-historical conditions in which they develop, and how an awareness of this context can inform our understanding of them.

- **Relationship between historical and ethical critique of criminal justice**

Closely linked to the previous topic, this one asks collaborators to examine the ethical dimension and implications of the historical contingency of criminal justice. Are the ethical aspirations embedded within criminal justice limited or betrayed by its specific history, or its historical context? Can we think ethically without thinking historically? Can criminal justice be rethought in a way that helps it move beyond its historical limitations, or can we only think of an ethics of criminal justice within specific historical constraints?

- **Criminal justice, love and emancipation**

This topic encourages participants to enquire more specifically into the importance of the notions of love and emancipation to a critical engagement with criminal justice. This topic may sound particularly challenging, as we don't usually think of love as relevant to criminal justice practices. However, in reality, there is a strong and intrinsic emotional dimension to criminal justice, and we suggest that issues around love can be critically seen to lie at its core. The link between love and emancipation can be very useful as a way of bridging the gap between love and our common understandings of criminal justice. Love also provides a critical link between psychoanalytic and legal understandings.

- **Violence and the criminal law: violence and gender, collective violence, state violence**

This topic can be used as a way through which to approach one or more of the previous topics and provocations from the perspective of a specific socio-political problem related to criminal justice. Participants are particularly encouraged to provide critical accounts of expressions of these forms of violence in India, and to link these accounts to a critical discussion of criminal justice.

- **Criminal justice: can it be dialogic?**

This topic focuses on an influential ongoing debate relating to the normative potential of criminal justice. Is it possible for criminal justice practices to engage their subjects (especially those suspected of or labelled as being criminals) in a way that recognises their responsible agency and autonomy, that treats them with respect? This seems to be the assumption within notions of criminal responsibility, especially with regards to the criminal justice process and the criminal trial. But from a critical perspective, is this dialogic ideal actualised by the criminal justice system? Is it every possible to actualise it? Might the idea of dialogue be reframed in terms for example of psychoanalytic understanding?

- **Criminal justice as repression, repetition or change**

Finally, this topic in a way goes in the opposite direction of the previous one, asking participants to reflect on the extent to which, instead of seeking justice or a proper communication with those subjects which it addresses, the criminal justice system is in reality mainly a tool of repression, a system of social control. Can criminal justice bring change to social relations, can it properly address wrongs? More importantly, can the criminal justice system itself ever change, or is it confined to repeating the same mistakes, and perpetuating relations of oppression?

This workshop will be conducted by U.K. scholars namely, Professor Alan Norrie, University of Warwick; Dr Henrique Carvalho, University of Warwick; and Dr. Craig Reeves from Birkbeck, London.

Important Instructions:

- i. All correspondence regarding the workshop may be addressed to Professor G. S. Bajpai, Registrar NLU Delhi @ [\(registrarnlud@nludelhi.ac.in\)](mailto:registrarnlud@nludelhi.ac.in).
- ii. The Workshop is not open for general paper presentation. However, Senior Researchers already working in the related area may separately write to us sending their abstract for our consideration.
- iii. All other participants are encouraged to join the workshop as a participant but not as a paper presenters. These participants would be encouraged to take part in the discussion.
- iv. All participants are required to pay the Registration Fee as per prescribed.
- v. The shortlisted candidates will be intimated by 20th January 2017 and they will be required to submit the full paper latest by 15th February 2017 along with the Registration Fee.

Registration fee:

The University will not be able to provide any accommodation to the participants and the non-residential participants would be required to pay a fee of Rs. 1500/- (One Thousand and Five Hundred) for participating this Conference.

No T.A/DA will be paid for participation in the workshop.

Registrar