

Postmodern Criminology

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Received November 23, 2020; Revised December 07, 2020; Accepted January 03, 2021

ABSTRACT

Along with the slight spread of crime and criminality, as well as the importance of related issues and ways to deal with this issue, especially in the form of punishment, many theories and strategic views have been proposed throughout history regarding criminology, to make the causes and legitimacy Explain and explain ways to deal with it, perhaps in the form of repression and punishment, or in the form of measures and corrective measures for the individual and society, or in the form of environmental and situational measures to reduce or prevent crime and criminality or justify.

The multiplicity and even conflict of the theories and views expressed is so great that it may be better to speak of criminologies or criminological theories instead of criminology. At the same time, differences and conflicts of opinion do not prevent specific thinkers from coming together in one set.

Many books on criminology are usually subtitled Critical Criminology by several schools of criminology, including Marxist criminology, peace advocacy, and postmodern justice, and a set of evolving perspectives on Now it has covered the formation.

These approaches raise specific arguments about the sources of power in societies; Marxism places power in the possession of the means of production, postmodernism in the control of language systems, feminism in the patriarchy, and restorative justice in the penitentiary. Each of these approaches implicitly believes that the problem of crime will be solved only if these power structures are transformed and are therefore correlated with a set of political agendas that involve fundamental social change.

Postmodern criminologists believe that as soon as people adopt a dependent position, the words they use to speak no longer fully express their realities, but largely the realities of larger institutions and organizations. Reveals; Because people's language is somewhat far from their realities, people are described as decentralized; That is, people are never exactly what their words describe, and they are always very much inclined to be what their linguistic devices expect or demand.

Keywords: Criminology, Postmodern, Postmodernism, Postmodern Criminology, Critical Criminology

INTRODUCTION

Postmodern criminology is a branch of contemporary critical criminology that was influenced by the ideas of French and German thinkers and philosophers and the postmodernist movement of the 1980s. Inspired by the teachings of these thinkers, this criminology has presented a new reading of criminal law and has been processed by the main sciences by strengthening the mentality, discourse and power in criminal etiology. Relying on the structural factors of crime, namely racism, gender and ethnic discrimination and strengthening the creation of rewards and peaceful, changing and reforming the dominant structures, the above criminology has played an important role in theories of cognitive, copying and philosophy of criminal law.

Unlike the skeptical forms of postmodernism that have permeated the humanities and social sciences, postmodern criminology offers a positive approach and, despite accepting postmodernist criticisms of modernism, and in particular of affirmative (empirical) empiricism, It does not

have absurdity and subjectivism. This theory does not accept the one-dimensional readings of crime that existed in previous criminologies, and by combining different theories from different scientific disciplines and using all the rivers of thought that flow into the sea of postmodernism, try to It has a comprehensive analysis. In postmodernism, the cause of crime is not linear and predictable, but sensitive to precise and unpredictable precise conditions.

Postmodern criminology formed in the early 1980s under the influence of French and German thinkers and philosophers

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Citation: Nevisi HM. (2021) Postmodern Criminology. J Forensic Res Criminal Investig, 2(2): 64-66.

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and the postmodern movement, inspired by the teachings of the postmodern movement and rejecting any positivism, rationalism and emphasis on subjectivity, discourse and the power in explaining the criminal phenomenon considers crime and criminal law as a social and political structure and studies their political, social and cultural structures. This criminology considers the cause of crime to be the prohibition of foreign and non-dominant discourses as well as social and cultural inequalities and discrimination, and to some extent, like the criminology of social reaction, considers crime as a product of the criminal justice system; Arguing that criminal law is a language for building relations of domination, and that the discourse of traditional criminal law is a dominant, dominant, and rejectionist discourse.

The nature of postmodern criminology

Postmodern criminologists see crime as something more than a violation of written law that results from social consensus around values and norms. Legal definitions of crime are merely select sets of injuries and injustices. Postmodern theory argues that legal definitions of crime are incapable of examining the context or meaning of crime and do not take into account the evolutionary and ever-changing aspects of discourse that lead to the construction and interpretation of what forms of criminal discourse, as well as legal interpretations. It is incapable of understanding the circumstances under which active human discourse becomes criminal.

According to postmodern criminologists, crime is the product of the use of power by the ruling classes to limit the behavior of those who have been removed from power; That is, they have no role in the formation of political systems, but they try to overcome social inequalities and behave in a way that limits the structure of power.

In other words, the power of the government does not deal with different and opposing individuals and groups, and only serves certain groups. Postmodernists, like anarchist criminologists, see officials as agents of domination who serve one or more particular groups at the expense of ignoring others.

Postmodern criminologists have condemned traditional criminology for refusing to study society as a whole and, in fact, for isolating people from society, ignoring the power structure, and disregarding the sociology of law.

In fact, this criminology believes that formal and classical criminological research focuses mainly on criminals and their personal environments and more on street crimes and blue collar, and examines the impact of power, legislation, criminal justice and the system. The political, economic and cultural aspects of society have been neglected. Therefore, etiology is not relevant in examining the details

and personality and psychological characteristics of each individual and the educational, family and geographical conditions that were discussed in traditional and classical criminology, and the study of the causes of crime is not separate from society as a whole.

Postmodern criminology looks at the concepts of the modern age and the Enlightenment and the coercive nature of delinquent behavior. In this approach, and in critical approaches in general, crime is not something that can be simply described by reference to what is or is not. Crime is not a simple act of breaking the law, but a matter created through the processes of interaction, social reaction, and power. Therefore, this criminology, by reviewing and challenging the traditional and common definitions and concepts of crime, law, and punishment, believes that economic and social inequality and the problem of crime are causally related to each other.

According to this view, crime is not what the penal code says, but crime is the ability or power that imposes the will of some in any society on others. Crime is therefore the power to deny others. That is, law is not an impartial and independent institution, but is completely ideological and is influenced by social factors and follows a certain current. Law, then, is a reflection of the ideology of the ruling political group, which is used to suppress groups that are politically inferior.

Critical criminologists (in general) believe that crime is mainly either fabricated by the legislative, judicial, and police systems, or is rooted in the way the ruling system governs and distributes social resources. Therefore, the penal system, i.e. criminalization, punishment and criminal justice, must be reviewed, and this review should start from the legislative stage, including in the criminal field, and not from crime or crime prevention.

Another objection to the legal definition of crime from the perspective of postmodern criminologists is that the legal definition of crime does not explain why certain types of behavior are criminalized and should be punished, while other forms of similar behavior are considered non-criminal. These criminologists say that defining specific behavior as a crime is always the exercise of power by communities and groups that have the authority and tools to use the law to protect their own interests and impose their own values and ideas on society. Wherever there is law, there is crime; Because the simplest definition of a crime is any behavior that the law violates.

There is nothing solid or serious behind this criminal description (criminalization of an act) but it is merely a material act among other human acts. Thus, each culture has its own penal system. Therefore, in organic societies where there is a plurality of cultures and morals, no one or group should impose their moral beliefs and norms on others, and there can be no single law and rule for

different groups and cultures.

In fact, the postmodern view considers the cause of crime as a phenomenon hidden in linguistic domination itself, the system of domination and domination of the dominant discourse, the prohibition and interruption of other and foreign discourses, and non-dominant and non-dominant discourses. According to them, the system of domination and the dominant discourses criminalize in various ways the speech, thought and behavior that stands against the current discourse and considers it illegitimate or opposes it.

CONCLUSION

In postmodern criminology, the main issue is how the dominant language regime in the realm of the penal system (for example, specific issues of law and professional terminology) ignores certain languages, which express a different view or experience of the social world. Take. Therefore, it is not far-fetched that postmodernists reject biological factors as part of a larger story.

In other words, it can be said that this view considers the cause of crime as a phenomenon hidden in linguistic dominance. In this regard, postmodernists believe that this domination criminalizes in various ways the version of thought and behavior that stands against the current discourse, considers it illegitimate or opposes it. The solution to this problem, according to these thinkers, is to create alternative discourses that neutralize the influence of dominant languages, i.e. languages that live in populations with feelings of alienation (especially ethnic minorities, indigenous peoples, women etc.) to regulate and regulate. Thus, this view summarizes its task in two areas; first, to expose the different ways of word formation about the concept of criminal justice, and then to provide an opportunity to express the views of individuals who have been silenced by the dominant discourses of the law.

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