



BALKAN CRIMINOLOGY

Shaming theory & delinquent political parties

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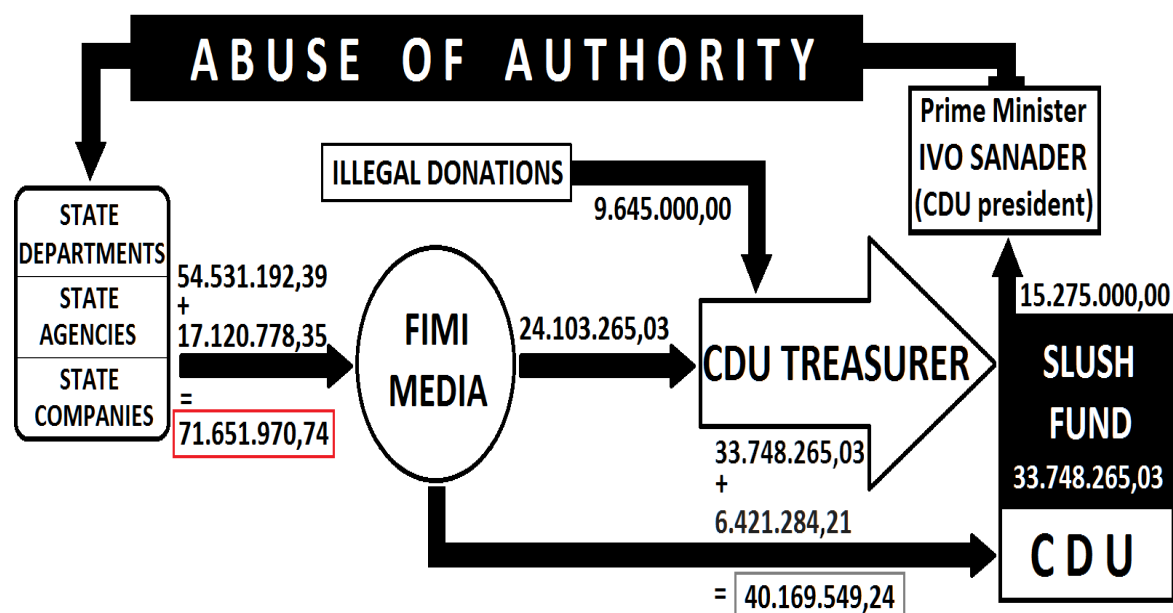


PRESENTATION OVERVIEW

- Research questions
- Methodology and results
 - (I) Quantitative research: CATI opinion poll
 - (II) Qualitative research: Case file study
- Bridging the theoretical gap: applicability of the shaming theory
- Discussion and conclusion



RESEARCH QUESTIONS



Croatian Democratic Union:



- Largest political party in Croatia (220,000 members)
- Convicted in March 2014
- Supreme court ordered a retrial in October 2015

(1) How criminal justice affects delinquent political parties?

(2) What is the purpose of treating delinquent political parties in the criminal justice system?



METHODOLOGY AND RESULTS:

(I) Quantitative research: CATI opinion poll

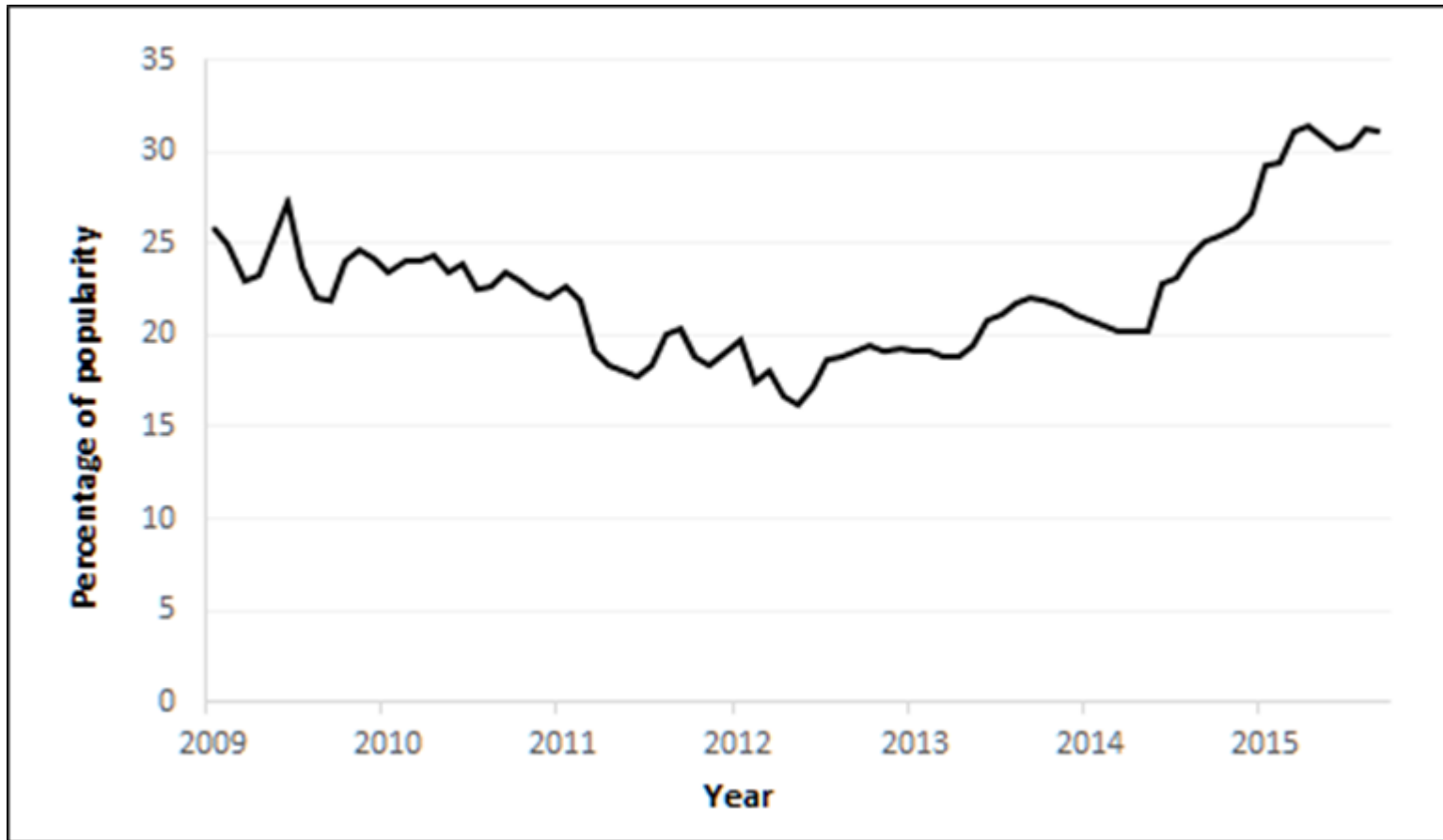


Figure 1 CDU's popularity (2009 – 2015).

METHODOLOGY AND RESULTS:


(II) Qualitative research: Case file study

- **County Court of Zagreb**
 - **Case file: 48,000 pages**
 - **Judgment of March 2014**



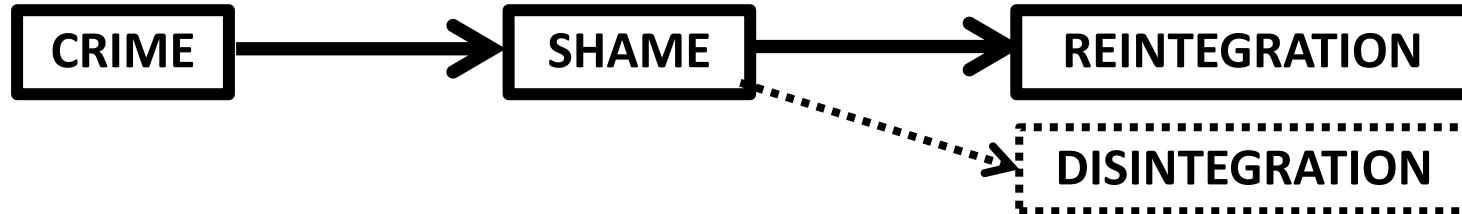
- [T]he proceedings placed on the 'pillar of shame' those party members who had nothing to do with the commission of these crimes. (County Court of Zagreb, 2014: 263).
- This judgment's message is that political corruption ... is shameful, that it shall not be tolerated, and that it ultimately does not pay off. (County Court of Zagreb, 2014: 272).






BRIDGING THE THEORETICAL GAP: Applicability of the shaming theory

- **Reintegrative shaming model**
(Braithwaite, 1989)



- **Marginalizational shaming model**
(applicable to delinquent political parties)





BRIDGING THE THEORETICAL GAP: Applicability of the shaming theory

- 3 axioms resulting from theoretical analysis:

CAUSE	DESIRED RESULT
CORE INTERNATIONAL CRIME COMMITTED	Party's marginalization is absolute (dissolution).
MARGINALIZATION RESULTING IN REFORM	Party's return/remain in power is acceptable.
NO REFORM	The party remains marginalized.





DISCUSSION AND CONCLUSION

- Current criminological theories are mainly unable to provide an adequate basis for the goals of criminal justice in treating delinquent political parties
- Opinion polls can be used to measure the degree of shaming delinquent political parties
 - In the CDU case, the shaming effect of criminal process resulted in party's temporary marginalization
- CDU case file study shows the shaming narrative in the court proceedings as well as in the judgment
- **Conclusion:** The goal of criminal justice in treating political parties is *marginalization by shaming*
- **Relevance:** understanding impact on democratic processes, sentencing, legislative policy etc.

Thank you for your attention!



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