This theory gives media analysis a central role:

Discourse: The role of the media here is two-fold. Firstly, media are important because they spread and, in some senses control, organise, criticise, promote and demote (marginalise) a variety of competing narratives(ideas). Secondly, none of these are especially important in themselves (teachers and students, for example, probably do most of these things); they become, important, however, in the context of power and the ability to represent the interests of powerful voices in society. In a situation where knowledge, as Sarup (1989) argues, is “fragmented, partial and contingent” (“relative” or dependent on your particular viewpoint) and Milovanovic (1997) contends: “There are many truths and no over-encompassing Truth is possible”, the role of the media assumes crucial significance in relation to perceptions of crime and deviance in contemporary societies.

Fascination: Crime and deviance represent “media staples” used to sell newspapers, encourage us to watch TV programmes (factual and fictional) and so forth. These two narratives (fear and fascination) come together when \*\*\*\*\*\*\*ists such as Kidd-Hewitt and Osborne (1995) discuss deviance in terms of: Spectacle – crime is interesting (and sells media products) because of the powerful combination of fear and fascination. An example of “\*\*\*\*\*\*\* spectacle” is the attack on the World Trade Centre in 2001, not only because of the “fear aspect” but also because of the way the attack seemed to key into – and mimic – a Hollywood disaster film.

 Intertextuality: Both “reality” and “fiction” are interwoven to construct an almost seamless web of “fear and fascination”, where the viewer is no longer sure whether what they are seeing is real or reconstruction. Kooistra and Mahoney (1999), for example, argue that “tabloid journalism” is now the dominant force in the representation of crime and deviance – presentation techniques once the preserve of tabloid newspapers, for example, have been co-opted into the general mainstream of news production and presentation (where “entertainment and sensationalism” are essential components for any news organization trying to break into particular economic markets or preserve and enhance market share in those markets).

Example of a \*\*\*\*\*\*\* criminology Constitutive criminology: The basic idea here is to adopt what Henry and Milovanovic (1999) call a: Holistic approach, involving a “duality of blame” that moves the debate away from thinking about the “causes of crime” and the “obsession with a crime and punishment cycle” towards a “different criminology” theorized around what Muncie (2000) terms:

Social Harm: To understand crime we have to “move beyond” notions centred around “legalistic definitions” – we have to include a range of ideas (poverty, pollution, corporate corruption and the like) in any definition of both harm and, more importantly, crime (which, as Henry and Milovanovic put it, involves: “The exercise of the power to deny others their own humanity”). In this respect, a constitutive criminology “redefines crime as the harm resulting from investing energy in relations of power that involves pain, conflict and injury”. In other words, some people (criminals) invest a great deal of their time and effort in activities (crime) that harm others physically, psychologically, economically and so forth.

In this respect, Henry and Milovanovic characterise such people as: Excessive investors in the power to harm others – and the way to diminish their excessive investment in such activities is to empower their victims. Thus, rather than seeing punishment in traditional terms (imprisonment, for example, that does little or nothing for the victim) we should see it in terms of:

Redistributive justice: – something that De Haan (1990) suggests involves redefining “punishment” – away from hurting the offender (which perpetuates the “cycle of harm”) to redressing the offence by “compensating the victim”. This form of peacemaking criminology focuses on reconnecting offenders and their victims in ways that actively seek to redress the balance of harm. Constitutive criminology moves the focus onto an assessment of “harm” caused to the victims of crime and, by extension, the social relationship between offender and victim. It draws on a range of sociological ideas, both theoretical (holistic approaches to understanding deviance for example) – and practical (such as the concept of “redress”) to argue for a less punitive approach to deviance and a more consensual approach to understanding the complex relationship between crime, deviance, social control and punishment. There are, however, a couple of points we need to consider here:

Harm: As Henry and Milovanovic (1996) define it, “harm” results “from any attempt to reduce or suppress another’s position or potential standing through the use of power”. The danger here, however, is that it broadens the definition of crime and deviance in ways that redefine these concepts out of existence (which may, of course, be the intention). Such a definition, for example, could equally apply to a teacher in classroom or an employer in a workplace.

Criticisms:

Defintitions of crime: Extending the notion of crime to include, for example, “linguistic hate crimes” (such as racism and sexism) may not cause too much of a problem; however it does raise questions of where such a definition should begin and end (it may, for example, have the unintended consequence of criminalising large areas of social behaviour that are currently not criminalised).

Rethink: Without a radical rethink / overhaul of the way we see and deal with crime and deviance as a society, “redistributive justice” may simply be incorporated into conventional forms of crime control. In this respect we might characterise this type of criminology as:

 Idealistic: in the sense that, rather than providing an alternative to conventional forms of “crime and punishment”, ideas about redistributive justice simply provide another link in the chain of social control.