



# CENTER FOR THE STUDY OF LAW AND SOCIETY BERKELEY LAW

## **CSLS Visiting Scholars Speaker Series**

Friday, November 3, 2017

### **Susanne Krasmann**

Professor of Sociology at the Institute for Criminological Research  
University of Hamburg

#### **“Secrecy and the Force of Truth -- as a Problem in Post-Truth Regimes”**

Post-truth regimes dissolve the distinction between true and false, and they destroy the secret. A world without secrecy would be a world without confidentiality or sincerity, and without curiosity or surprise. It is often associated with a totalitarian will to know and the relentless obligation to political consent. In post-truth regimes it produces uncertainty and undermines political discourse. But what exactly is it that happens here? Post-truth reminds us not only of the value of truth, and secrecy, but also of the endeavor it requires to uphold them. Contrary to the common divide between rational argument and objective facts on the one hand and resort to emotion and personal belief on the other, a third perspective will be introduced for critique: the notion of the force of truth, not unlike that of the force of law, allows us to capture the co-constitutive moment: the law, the truth, has to be enforced.

### **Jéssica Traquetto**

PhD student, University of Hamburg

#### **"The Institutionalization of Therapeutic Jurisprudence and Restorative Justice in the USA: The Role Played by Judges"**

The prison population, as well as the number of criminal cases, has grown in many countries. Studies have begun to point to the importance of a new way of achieving justice, through alternative approaches such as Therapeutic Jurisprudence and Restorative Justice, trying to solve judicial problems in a therapeutic and holistic way. This article aims to find how and to what extent is this movement becoming institutionalized in the U.S. The analysis is based on the concepts of change, innovation and entrepreneurship, from the perspective of Institutional Theory. The data collection involved document analysis, court-hearing observations and interviews with 12 judges from several judicial areas and tribunals involved in Therapeutic Jurisprudence and Restorative Justice judicial proceedings in the U.S. Data analysis was undertaken supported by content analysis and the software NVivo. Preliminary results show that the judges involved are advocates of these ideas and play an essential role in this movement that have already spread throughout the American territory. These results are discussed and a research agenda is stated.

**PLACE** Selznick Seminar Room, 2240 Piedmont Avenue  
**TIME** **3:00 – 4:30 p.m.** Light refreshments & beverages will be provided.  
**INFO** <https://www.law.berkeley.edu/centers/center-for-the-study-of-law-society/>  
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