

Propositions relating to the dissertation

Injustices under the shield of the law
An exploratory study of judicial practices towards foreign defendants in an Italian criminal court

by Eleonora Di Molfetta

1. The socio-legal context in which a criminal court is embedded, together with the legal culture of its members, shapes the uses and meanings of discretion.
2. 'Crimmigration' is an ambiguous concept, inasmuch as it assumes different meanings and features depending on the national or sub-national context in which it is applied.
3. Judicial narratives are to a large extent embedded within and connected to dominant societal narratives that circulate outside the court.
4. The process in and of itself might take the place of the punishment. Therefore, it is necessary to investigate the various stages and sanctions within the process.
5. Local realities are truly meaningful only when analysed in their global context.
6. The pressure to publish research outputs on a regular basis ill accords with ethnography.
7. In qualitative research, iteration is key to pursuit an accurate and complete understanding of the phenomena being studied.
8. The law does not only regulate, but it also defines a phenomenon.
9. The most important tool in ethnography is the researcher herself or himself.
10. The use of consistent terminology within a research field is not sufficient to avoid ambiguous or misleading interpretations.
11. Studying decision-making does not help to figure out what flavour ice cream you should choose.