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Reflections on *A Criminology of Narrative Fiction* by Rafe McGregor
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Thus stories are not just within the domain of the individual, but are built upon the collective memory of a group, just as they help to create how the memory is mobilised and for what purposes. (Andrews, 2017, p. 277)

Whilst reading *A Criminology of Narrative Fiction* (2021), the observation by Andrews (2017), quoted above, about political narratives and the study of individual lives lodges in the shadows of my mind. It hovers, this notion of stories built on the collective memory of a group and how this memory is mobilised and to what purpose. Unformed at first, it persists throughout my reading, rattling around, thoughts on the periphery of McGregor's thesis until it gradually finds a shape in a reflective conversation with his theoretical argument and accompanying examples. But before this conversation can commence a brief overview of Rafe McGregor's *A Criminology of Narrative Fiction* (2021) becomes necessary.

In this work, McGregor proceeds with the construction of a criminology of narrative fiction, arguing the case that fictional narratives also have value in the discipline of criminology in that they can "explain the causes of crime and social harm" (McGregor, 2021, p. 3). *A Criminology of Narrative Fiction* is a work of two parts. In the first half we are introduced to the premise of McGregor's approach which is based on the recognition of the conceptual constructions and understandings of both crime and social harm, situated at their intersection with the focus "on crimes that are socially harmful" (McGregor, 2021,

p. 2). Thus McGregor (2021, p. 2) proceeds with building the case for his theory on the criminological value of fiction and argues that:

the criminological value of an entity – whether concrete or abstract and including approaches, theories, models, methodologies, and methods – is simply its value in reducing crime or social harm.

And as such, he asserts that fictional narrative representations can precisely do this, ie “explain the causes of crime and social harm” (McGregor, 2021, p. 3). With this claim his aim is to move beyond previous explorations of the value of film, literature and fiction in criminology where these explorations are in the main framed as part of the expansion of the criminological imagination, ie in “fostering a creative yet rigorous intellectual crafting that explores the relationships between private and public, agency and structure, empiricism and theory” (McGregor, 2021, p. 3). McGregor’s (2021, p. 4) emphasis is on a criminology of fictional stories drawn from research in the disciplines of literary studies and philosophy. The criminological value of fiction is explored by focusing on the particular types of knowledge conveyed under the rubric of the phenomenological, counterfactual and mimetic (McGregor, 2021, p. 3).

A few pages into his thesis, McGregor alerts the reader that at the time of writing his position on the criminological value of fiction is both “counter-intuitive” and “highly unpopular” (McGregor, 2021, p. 3). In defence of this position, he argues that fiction can provide actual data that complements the data provided by traditional academic and documentary sources, because “the criminological imagination does not exhaust the criminological value of fiction” (McGregor, 2021, p. 3) - this value is then located in “explaining the causes of crime and social harm” and as such fictional narrative representations can be used “to direct public policy and the practice of criminal justice professionals”. It is a technical exploration that burrows deep down into theoretical layers dissecting the differences between narrative and non-narrative, fiction and non-fiction, minimal narratives and exemplary narratives branching out from Lois Presser’s subdiscipline of narrative criminology (McGregor, 2021, p. 13). McGregor (2021, p.13) points out that although Presser is in the main concerned with nonfiction narratives, they share a realist approach to research, an interest in narrative form and a “commitment to the view that stories can reduce social harm just by being stories (that is irrespective of their truth value)”.

In the second half of *A Criminology of Narrative Fiction* the theory is applied to the analysis and application of a selection of narrative fictions comprising films, a novel, a tv series and graphic novel primarily “to demonstrate the aetiological role of fiction, fiction as

a source of data about the causes of crime and social harm” (McGregor, 2021, p. 145). To explain the phenomenological view of narrative fiction, ie “the value of the representation of the subjective experience of offenders”, McGregor (2021, p. 13) uses case studies of the novel *The Zone of Interest* by Martin Amis (2014) and the graphic novel *The Sheriff of Babylon* (2018) by Tom King and Mitch Gerads. The television series *Broadchurch* (series 3) and the novel *A Brief History of Seven Killings* (2014) by Marlon James are employed as case studies to explore the value of counterfactuals, namely “situations that have not happened but might, could or would if circumstances differed” with the former giving an insight into the causes of crime and the latter focusing on social harm. To demonstrate the mimetic value of narrative fiction, from the perspective of “the capacity to provide knowledge of the world by representing everyday reality in detail and with accuracy”, McGregor (2021, p. 14) draws on the cinematic mode because of “its greater mimetic value when compared to other modes”. To this end he discusses Michael Mann’s *Miami Vice* (2006) and *City of God* (2002) by Fernando Meirelles and Kátia Lund, where the fictional examples convey “knowledge about the everyday reality of organised crime that would be difficult (if impossible) to convey in a documentary” (McGregor, 2021, p. 14).

The second half winds to a close with an examination of the relationship between the pedagogic and aetiological (phenomenological, counterfactual and mimetic) values of narrative fiction wherein McGregor (2021, p. 145) establishes the concept of “criminological cinema” as recognising “the potential of cinematic fiction to convey vast amounts of perceptual and other information to an audience of millions in a rapid and easily accessible manner”. McGregor concludes with an explanation of why cinematic representations should form the focus of future inquiries into the value of narrative fiction. This focus on cinematic representations zoned in exclusively on “Hollywood feature films that take crime or social harm or the control of crime or social harm as their subject – on the basis of the relevance of audience size to pedagogic value” (McGregor, 2021, p. 145). This pedagogic value is described in the accessibility of film and the notion of “minimal interpretation” required as opposed to that required in literary or hybrid representations, because with the narrative form of Hollywood feature films “we know what to expect which makes it easier to follow the narrative content represented”.

I reflect on this statement and mull it over, the pedagogical value of knowing what to expect in a Hollywood film where the “mythic storytelling characteristic of the Hollywood film industry contribute to both accessible communication and audience engagement” (McGregor, 2021, p. 145). And somehow, all the while the echoes of Andrews’s observation on memories and stories and their collective mobilisation referred to at the beginning of this overview grow louder as I proceed to unpick my reflection in conversation with the premise of *A Criminology of Narrative Fiction*.

Where reading meets theory and theory in reading

My starting point is that a nuanced analysis of the uses and abuses of narrative for life is possible only when we are sensitive to the ways in which narratives as practices of sense-making are embedded in social, cultural and historical worlds. (Meretoja, 2018, p. 2)

Upon reaching the conclusion of *A Criminology of Narrative Fiction*, contemplating the notion of the criminological cinema, my mind returns in a circular loop back to the introductory chapter and cinema where the mention of the film *Stander* (2003) has stayed with me. The film is described as the cinematic biography of a captain in the South African Police, Andre Stander, “who achieved international fame as a prolific bank robber from 1977 to 1984” (McGregor, 2021, p. 1). I had not seen this film but am intrigued, specifically because McGregor (2021, p. 1) refers to it as emblematic of “why most criminologists are sceptical about the criminological value of fiction”.

McGregor (2021, p. 1) writes that it is not because it “misrepresents the character of Stander”, but instead because it reveals “the limitations of the discipline as it is for the most part practised in the English-speaking world”. He explains that the protagonist is fictionalised beyond any resemblance to reality in that he shows concern for apartheid victims – there is no evidence for this – as well as the court room scene where he is not tried for killing unarmed people during the apartheid regime, but for robbing banks. In the film, the judge is indifferent to his confession and McGregor (2021, p.1) finds that the film director, Bronwyn Hughes thus “suggests that there can be no private moral responsibility in a public administration without a moral compass”. He points out that under South African law the judge was correct from a legal perspective because during the Soweto uprisings of 1976 Stander’s actions were not deemed criminal. McGregor (2021, p. 1) thus infers that the problem with criminology is because of how the subject matter is treated and that criminologists need to look beyond the “narrow confines of the law” in order to comment on apartheid as the greater of the two crimes.

From this brief introduction to the *Stander* film, my conversation with McGregor’s text starts from the position of Meretoja’s (2018, p. 2) observation that in working with the analysis of the narrative form as a practice of sense-making – of crime and social harm in the context of McGregor’s thesis of a criminology of narrative fiction – we need to be “sensitive” to the ways in which narratives “are embedded in social, cultural and historical worlds”. The mention of the *Stander* film touches on the cultural and social representation of a particular period of time in South Africa’s history. My reflection is situated within the

framework of narrative hermeneutics which “approaches narrative as a culturally mediated interpretive practice that makes someone’s experiences in a particular situation intelligible by drawing connections between them” (Meretoja, 2018, p. 7). Meretoja (2018, p. 6) argues for the theoretical reflection on interpretation to assume “a more central place in contemporary narrative studies and critical theory”. My interpretive reflection on the criminology of narrative fiction falls within this remit as I am interested in it from the perspective of a culturally-mediated approach to crime and social harm within a particularized social and historical context, rather than a general theory of all crime. In *The Ethics of Storytelling*, Meretoja (2018, p.10) writes that narrative is a:

cultural interpretative *practice* [...] it is perceived as a social activity, process and interaction: something we do together with others and through which we take part in shaping social reality.

It is in relation to this view of narrative as an interactive social process, a cultural interpretative practice in which we take part in shaping the social reality that I am reminded of Goodson (2013, p. 5) who argues that we should aim to work with “stories of action within theories of context” in order to move beyond the existing narratives which only serve to elaborate prevailing stories. I am thus interested in how the thesis of a criminology of narrative fiction corresponds to the reflection or representation of stories about crime and social harm utilised towards the reduction of crime and social harm to move beyond prevailing stories. Here I wonder whether McGregor’s critique or dismissal of *Stander* stems from the fact that it falls within the parameter of a version of prevailing stories. In that, if we apply the lens of cinema’s mimetic representation of everyday realities, does the film *Stander* become a reflection of prevailing narratives told within society at a particular time and as such it comes to represent a cultural absolution through narrative fiction of individual crimes committed within a socio-historical period of state-sanctioned social harm?

Stories are representations and a representation is something that stands for something else, for example a flag standing for a country or a word on a page standing for an object in the world. (McGregor, 2021, p. 3)

From the perspective of a critical engagement, *Stander* makes for an interesting case study within the remit of McGregor’s observation when considering its point of view in the approach to and representation of crime and social harm in the process of sense-making. This particularly resonates when Ondaatje (1992) writes, “The novel is a mirror

walking down the road". Of significance here is when Meretoja (2018, p. 9) writes that "cultural webs of narratives affect the way in which experience things in the first place". This mediatedness ties in with Bruner's (1987, p. 13) reflection on narrative imitating life and life imitating narrative. Thus, the mirrored view of both life and narrative becomes an infinite refraction of the status quo which ties in with what Meretoja (2018, p. 273) refers to as the situation of how "our storytelling activities are conditioned by the historically constituted narrative webs in which we are entangled". I am left with the question of what do we do about collective social harm in the cultural sphere if through the stories we tell we perpetuate the status quo of state-sanctioned harm?

Narrative fiction also allows for the possibility to step outside of this infinite refraction. Meretoja (2018, p. 5) writes that "narrative fiction opens up new perspectives on history, the everyday, and the yet-to-be". At this juncture in my thinking, by some strange coincidence I am gifted a copy of Damon Galgut's, *The Promise* (2021). The coincidence lies in the fact that *The Promise* as work of narrative fiction concentrates on a family history played out in South Africa which includes and stretches across the same time period as that mentioned in *Stander*. My mind is porous and the work of art seeps into my dialogue with McGregor's theory. It becomes a serendipitous and alchemic process in the convergence of fiction with theory where aspects of reflecting on McGregor's thesis interweaves with my reading of fiction. Of this moment Williams (1991, p. 81) writes:

As I continue to read, I reflect that one of the things I find most valuable about the insights of literary theory as applied to law is the recognition of some relation between reader and text, of looking at what the reader does to transform meaning: the issue of what you do with what you read is very important in textual interpretation. (Williams, 1991, p. 81)

What happens to me as reader in relation to McGregor's text setting out a criminology of narrative fiction is that I am now drawn deeper into the orbit of the brief mention of the film *Stander* in the opening pages of his thesis detailing the crimes of Stander as captain in the South African Police. It is as if a prickly thorn has lodged itself in my reflection and I cannot dislodge its spine unless I carry through with the comparative interpretation it now dictates.

In *The Promise* (2021), Galgut brings to the fore how political narratives interweave with the personal and shows the social conditioning that ensues from the entanglement in what Meretoja (2018) refers to as "historically constituted narrative webs". In this context, he writes of the main protagonist's dawning realisation that his younger sister does not understand why Salome, the black domestic servant on their, farm cannot own her own

house - the eponymous promise made by their father to their dying mother - because it is against the law:

Amor is thirteen years old, history has not yet trod on her. She has no idea what country she is living in. She has seen black people running away from the police because they're not carrying their passbooks and heard adults talk in urgent, low voices about riots in the townships and only last week at school they had to learn a drill about hiding under tables in case of attack, and still she doesn't know what country she is living in. There's a State of Emergency and people are being arrested and detained without trial and there are rumours flying around but no solid facts because there is a blackout on news and only happy, unreal stories are being reported, but she mostly believes these stories. (Galgut, 2021, p. 82)

And still, she doesn't know which country she's living in. This is of significance particularly from the phenomenological perspective view of narrative fiction as a case study of explaining crime and social harm in that Meretoja (2018, p. 10) argues that it should be situated within "historicity of our being in the world – on the way all actions and understandings are anchored in a particular historical situation, conditioned by the social system that imputes identity categories on people". In *The Promise*, young Amor's brother Anton becomes the embodiment of this historicity of being in the world – conscripted into the military he kills a woman during a township uprising. And whilst haunted by this act he is never convicted for his crime.

He used the rifle yesterday morning to shoot and kill a woman in Katlehong, an act he never imagined committing in his life, and his mind has done little since except turn that moment over and over in wonderment and despair. [...] She was throwing a stone, she bent down to pick it up, a flash of rage passed through him, concomitant with hers. He didn't think, he hated her, he wiped her away. All in a few seconds, an instant, over and done. Never over, never done.

Here's a seven-day pass he tells the conscript. I'm sorry about your mother, but I'm sure she's at peace. [...] We had to bring things under control, he says slowly. Ja, of course, that's why you are here. That's what the army is for. The chaplain has never struggled in his soul with questions of this nature, the answers always seemed obvious. He wonders vaguely if this boy is a subversive type.

My mother is dead. The portals through which I entered the world. I shot and killed her yesterday. But I didn't mean to. But you didn't do it, you did not kill

your mother. Somebody else's mother you killed. And therefore mine must die.
(Galgut, 2021, pp. 35 - 37).

In this extract we are confronted with the prevailing acceptance of the status quo in the presence of the chaplain who simplistically does not question the perpetration of the crime of killing because that was what the army was supposed to do, keep things under control. He is perplexed by the turmoil and remorse shown by the young conscript and most tellingly, as an extension of this character type who accepts the machinations of the political narratives of the time, wonders whether the boy is a subversive type. What Galgut does in this extract is to dissect the sense-making process through narrative fiction which confronts a moment of change within a dynamic political narrative, where, as Andrews (2017, p. 276) writes, "the constructions of the past, present and future [are] framed by and reflected in one another". It becomes a depiction of the way that narratives weave entangled webs (Meretoja, 2018, p. 2) and in this instance we find a representation of the subjective experience of Anton as the offender from the phenomenological viewpoint of narrative fiction.

Meretoja (2018, p. 4) argues that "literature cultivates our ability to understand the world from multiple perspectives, or at least increases our awareness of and sensitivity to such multiplicity". She points out that because narrative practices are embedded historical and sociocultural worlds it gains meaning when interpreted "in concrete life situations" and as such that it "also becomes a question of the subject's relation to social practices and the dynamics of power" (Meretoja, 2018, p. 143). This sensitivity to multiplicity comes to signify a broadening of the scope of academic criminology bridging into the widening sphere of the criminological imagination. However, I reflect on the resistance I detect in myself to the use of fictional narrative representations to direct public policy particularly from the perspective of the Hollywood feature film.

Thus, I begin to wonder whether what I am striving after in McGregor's theory of a criminology of narrative fiction is to gain a sense of a recognition of the question that through stories and storytelling it is also to consider "how these stories are socially produced and consumed, and the role they play in establishing and sometimes destabilising relationships between people and communities" (Andrews, 2017, p. 279), particularly taking into his perspective of focusing on the storytelling of the Hollywood film industry. Following on from this notion, taking into account the argument of the accessibility of film and the minimal interpretation required by this cinematic representation, I turn to the pedagogic value of these cinematic representations that take crime and social harm and the control of crime as their subject (McGregor, 2021, p. 145).

To explore this further, I turn to Rafter (2017, p. 60) who observes that in her work on crime films “one major drawback [...] is its limitation to traditional, feature-length and mainly American movies”. In *Shots in the Mirror* (2006) Rafter (2017, p. 53) writes that crime movies together with their social contexts are engaged “in an endless process of mirroring one another, a constant recycling of interpretations”. As such Rafter (2017, p. 58) argues it that is “difficult to imagine a world in which our understandings of crime, criminals, and criminal justice were formed without access to films”. However, as Rafter (2017, pp. 58 - 59) points out it becomes knotty in the context of the reach of American movies and as an example she references the use of law in film where it was found that legal experts in England told of a young barrister who tried to proceed in an English court in the manner only possible in the US, and of German defendants who expressed shock that their experiences in court were different from what courtroom films had made them to expect.

Rafter (2017, pp. 57 - 58) used a system of organizing films defined with the focus on crime and its consequences as constitutive of a category within which falls various genres, for example prison movies or detective films. Methodologically, her approach was comparative and historical. Taking into account the vast field of crime films, she based the selection of films for discussion within each genre on the following criteria, namely critical reputation; the significance of the film’s message; the importance of the work in film history, and the film’s “usefulness for discussing the politics of everyday life, especially constructions of human value based on gender, ethnicity, race and sexuality” (Rafter, 2017, p. 58).

Considering the pedagogic value of films in criminology I ponder the decision on which films to choose? I refer to Rafter’s selection criteria when my reflection returns to the *Stander* film and I seek to find a comparative juxtaposition within this specific genre of films referencing the particular historical and social context of South Africa during the apartheid regime. Precisely because as Williams (1991, p. 56) observes:

I know too that the larger cultural picture is an illusion, albeit a powerful one, concocted from a perceptual consensus to which I am not a party.

I alight on Msila’s (2012) pedagogical study of students viewing the film *Cry Freedom* (1987) by Richard Attenborough which depicts, and traces, the life and death of Stephen Bantu Biko, “the father of Black Consciousness in South Africa”. In showing the film to his students to explore amongst others the themes of conflict and identity, it also dealt with Zola, the teacher’s, “memory of the struggle (against apartheid) years” (Msila, 2012, p. 167). Msila (2012, p. 167) writes that the film assists the educator in reliving his

experiences as an “adolescent activist” growing up in the political culture of South Africa in the 1970s. Goodson (2013, p. 30) writes that the “great virtue of stories is that they particularize and make concrete our experiences”, which as such should become the “starting point in our social and educational study”.

In this study of *Cry Freedom*, Zola uses two texts to explore memory, namely the film to elicit the past and autobiographical memory– “he could still remember what he was doing when as learners, they heard about the death of Steve Biko (Msila, 2012, p. 167). Biko died at the hand of the police. Zola thus uses film and memory “to challenge how his learners think” - what becomes of interest from a criminological perspective is that it is “through the film and memory in this study that Zola tries to reconcile his past and the present” in that he was interested in “investigating the meaning of Biko to post-1994 youth” (Msila, 2012, p. 165). For the study, 64 “Black African learners (from three historically Black African schools) were selected from History and English second language classes”.

In brief, the study found that exposed to Biko’s embodiment of culture, identity and *ubuntu*, the learners highlighted this as the most crucial aspects of “Biko’s quest for a just (South African) society (Msila, 2012, p. 167). In the process of watching the film, they were struck by the loss of their own identity and culture in the process of striving to emulate Western cultures and the “tendency even amongst themselves to spurn the ‘Black or African cultures’ as they preferred Western ways” (Msila, 2012, p. 166). Considering this loss of identity, they contemplated the present and wondered about “the scourge of drug use, the lack of ubuntu. Look at what people are doing to the people from the north of Africa” referring to their perceptions and experiences of crime and social harm from within in the social context of their communities (Msila, 2012, p. 165).

The learners agreed that “many scenes were educative” and maintained that the film “captured Black life well”, even though the main actors were from outside of South Africa and it was filmed in Zimbabwe (Msila, 2012, p. 165). Many empathised with Biko’s character and expressed how “Biko’s detention, interrogation and torture at the hands of the police induced much sorrow and anger” (Msila, 2012, p. 166). Through this narrative the past speaks to the present opening up spaces for new possibilities in the future as the learners spoke about the film, how on the one hand it enhanced their self-understanding and on the other how they found it invaluable to “understand where their country is coming from” (Msila, 2012, p. 167). And as such this connects and speaks to Galgut’s narration about the young child Amor who did not know what country she was living in by virtue of the unreal stories reported and this is further juxtaposed in McGregor’s (2021, p. 1) critique of *Stander* as an example of “why most criminologists are sceptical about the criminological value of fiction”.

Conclusion

In my reflection, I have moved via the ending to the beginning and the beginning to the ending of McGregor's detailed work. Within the space allowed I have not yet traversed the middle ground of McGregor's analytic examples situated within the macro-fictions of state-enabled war, the holocaust and the depiction of power hierarchies of drug cartels. However, upon reading, I detected the same tension in these examples as in the description of *Stander* in the state-enabled contexts of mass social harm enveloping individual actions of crime.

On the one hand, I ponder whether it is not because of the criminological imagination functioning as phenomenological perspective that brings us to an understanding of crime in these examples, precisely because of the historical context of the times in which the crimes were perpetrated. I am thus not sure whether the criminology of narrative fiction explains the causes of the crime, because we are already aware of the socio-political contexts of the history of the times in which the crimes have been committed as extrapolated in the main literary and cinematic examples used in the text. More knotty, however is the consideration of the depiction of the power structures and hierarchies in drug cartels.

I thus conclude with the intention to continue my reflection on McGregor's criminology of narrative fiction in considering how narratives and narrative fiction shape the cultural landscape of understanding, particularly from a criminological perspective exploring how to move beyond the main focus of Hollywood films as a criminology of cinema.

Within this cyclical pull, I am drawn to the criminological dimensions of crime and social harm in narrative fiction in relation to what Andrews (2017, p. 275) refers to as "the ebb and flow between historical forces and individual lives" because it is "through the minutiae of daily life that human beings access the political ripples and tidal waves of their times".

He throws his rifle into the ditch, followed by the bag with the military clothes inside it. He's kept only a few of his own shirts and pants, what he had with him, stowed in a plastic bag. What I've just done is a crime, he thinks, and yet it felt so weightless. He chokes down a momentary dread, feeling how very big the world is [...]. (Galgut, 2021, p. 86)

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