

## From social complaint to demand for justice

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1996 was marked by a series of dramatic events that triggered great emotion and mobilised the masses. These reactions were quickly interpreted as being so many calls for reform of the justice system and its institutions, thereby giving new impetus to the judicial reform process that has been under way for a number of years. However, this appears to be a simplification of the problem. The motivations that mobilised part of the population raise the issue of what is fair and unfair in a perspective that goes beyond that of 'meting out justice'. Seen in this light, the events mentioned here become admittedly particularly dramatic, but nevertheless symptomatic, examples of more widespread dysfunctioning of our society that feeds much deeper grievances and a desire for change.

The study of the social complaint in which we have engaged has three aims, namely:

- to record the social complaint in all its diversity and complexity;
- to study how social demands coalesce or are structured more visibly, taking the issue of missing children as our starting point;
- to study how the emerging demands underline the challenging of a model of justice and judicial regulation specific to the modern State of law.

Our analysis of the mobilisation is based on the accounts of various people who participated in the events in one way or another. Thus, it does not focus on 'white movement' activists. We opted for this approach because we wanted to try to understand how and why the people took part in what was going on with such a variety of degrees of commitment. Twenty-five in-depth semi-directed interviews were thus carried out between March and September 1998. Obviously, we cannot claim that such a small corpus is representative of the Belgian population. However, we did strive to diversify the biographies and reach the saturation point, that is to say, a situation where adding interviews does not yield any new information.

Positing that the social complaint is complex and diversified is equivalent to hypothesising that individuals give different meanings to their actions in line with differently perceived and defined stakes. To grasp these different meanings and stakes we analysed the interviews using the agency scheme originally developed by Greimas. Under this scheme, the presentation of the various forms of mobilisation is structured according to five typical or ideal agency schemes in the Weberian sense of the word.

First type of account: The actions are presented as so many one-off demonstrations that are essentially more important as a possibility to join the crowd than because of their inherent natures.

Second type of account: The driving force behind the mobilisation is primarily the desire to commemorate collectively the mourning of the missing and murdered children. The speaker identifies her/himself above all as a parent joining in the pain of other parents. S/he assigns her/himself the role of doing something to show her/his compassion for these parents.

Third type of account: The vital stake is that of the public expression of worry and exasperation. The speaker places her/himself, along with the people as a whole, in the position of sounding the alarm in hopes that the institutional players will change things. S/he does not take on responsibility for the change and is a subject or player only the time of the march, after which s/he expects professionals in politics and judicial affairs to take over and act.

Fourth type of account: The speakers see themselves first and foremost as actors. They participated in the 'white movement' only because they saw signs that the movement was politically close to their prior commitments. For such people, the march of 20 October 1996

was only one of many other political actions. They refer little to the mourning dimension. The murdered and missing children's parents are seen first as the organizers of a political demonstration and their children as the symbols of all the victims of past and present barbarity.

Content analysis of the interviewees' statements enables us to show that the blur of slogans and demands, privileged place given to the emblematic figure of the parents on the one hand and the child on the other hand, and the desire to express the feeling of being fed up lie at the heart of the white movement and explain its expansion.

However, the analysis of the stakes - not those that are experienced subjectively, but those that are drawn up collectively - must also factor in the historical and socio-political contexts in which the mobilisation takes place. The interpretations that have been selected put forward hypotheses that stress specific features of Belgian society at times and factors that do not at all differentiate Belgium from other Western nations at other times.

Seen from a sociological perspective, the questions being put to legal and judicial circles follow two tracks, to wit:

- How can we circumscribe the implications for the justice system of the many grievances of which it is the prime target? Here the aims are (a) to interpret the challenging of the criminal justice system's malfunctioning; (b) to challenge the legitimacy of the traditional type of ruling that is being upset by the demand for 'more humane' or 'less remote' justice; and (c) to wonder about the role and limits of law and the courts when confronted by the rise of the victim as a new social position.
- How can we interpret the political dimension of the social complaints that underline the gap between 'justice' as a value and the 'justice system' as an institution? Here, the analysis tends to focus on the meaning of a shift from the political arena to the courts, from social equity to judicial equity. Going the other way, it leads to questions about the place of law and the justice system as factors of meaning, linkage, and institutionalisation amongst the various places of mediation between the individual and political player, amongst the various means of recognition and access to the public arena.

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