PHILOSOPHICAL PERSPECTIVES on CRIME

21 & 22 APRIL 2017. 9.00 - 17.00. SALA SENATULUI A01

WEST UNIVERSITY OF TIMISOARA

ORGANIZING CHAIRS

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Joan-Antoine Mallet—Université Paul Valéry, Montpellier 3

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C.R.I.S.E.S.

PJCV Philosophical Journal of Conflict and Violence

INSTITUT FRANÇAIS TIMIȘOARA

FRIDAY, APRIL 21TH 2017

9h00: Opening words:
- Claudiu MESAROS (Prodecan, Facultatea de Ştiinţe Politice, Filosofie şi Ştiinţe ale Comunicării, West University of Timisoara)
- Andreas WILMES (West University of Timisoara, Université Paris-Descartes [France], UVT/PFC—Center for Research in Philosophical Historiography and Philosophy of Imaginary, UMR CNRS nᵒ 8070—Centre de Recherches sur les Liens Sociaux)
- Joan-Antoine MALLET (Université Paul-Valéry Montpellier 3 [France] and Centre de recherches interdisciplinaires en sciences humaines et sociales de Montpellier)

9h30: Keynote addresses: Philosophical reflections on the Romanian Holocaust (part 1, chair: Mihai PANU):
- Robert J. MANNING (West University of Timisoara, Quincy University, Quincy, IL), "Levinas on Murder, the Holocaust for Levinas, and the Holocaust in Romania"
- Florin LOBONT (West University of Timisoara), "Are modern civilization and collective de-contaminatory Violence philosophically incompatible? The case of the Holocaust"

11h: Break

11h15: Philosophical reflections on the Romanian Holocaust (part 2, chair: Mihai PANU):
- Cristian FUIA (West University of Timisoara), "Metaphysics of Genocide: A Philosophical Interpretation of the Romanian Holocaust"

11h45: Q&A session

12h30: Lunch

14h: Philosophical considerations on Romania: from 1989 to nowadays (chair: Emanuel COPILAS):
- Constantin HLIHOR (Dimitrie Cantemir Christian University, Bucharest), "The Romanian Revolution of December 1989 and the (i)legitimacy of violence"
- Ştefan-Sebastian MAFTEI (Babeş-Bolyai University, Department of Philosophy, Cluj-Napoca, Romania), "Analyzing the prospect of granting mass pardon for organized corruption: the case of Romania in 2017"

15h: Q&A session

15h30: Break

15h45: Crime and Punishment (chair: Claudiu Mesaros):
- Victor Alexandru PRICOPI (Universitatea Alexandru Ioan Cuza, Iasi), "Augustine's Philosophical Sources on Crime and Punishment"
- Emanuel COPILAS (West University of Timisoara), "Crime, Revenge and Punishment in Hegel's political philosophy"

16h45: Q&A session

9h: Crime in Ancient Greek Philosophy (chair: Andreas WILMES):
- Joan-Antoine MALLET (Université Paul-Valéry Montpellier 3 [France] and Centre de recherches interdisciplinaires en sciences humaines et sociales de Montpellier), "Crime and retribution in Plato's theology"
- Claudiu MESAROȘ (Prodecan, Facultatea de Știinţe Politice, Filosofie şi Știinţe ale Comunicării, West University of Timisoara), "Aristotle on Abortion"

10h: Q&A session

10h30: Break

10h45: Crime and violent images (chair: Joan-Antoine MALLET):
- Andrea REISZ (West University of Timisoara), "Violence and hegemonic masculinity in Eastern European Cinema"
- Andrew KELTNER (West University of Timisoara), "Viral Videos and Sharing Violence"

11h45: Q&A session

12h15: Lunch

14h: Philosophical perspectives on guilt and extreme killing (part 1, chair: Robert J. MANNING):
- Alexander KREMER (University of Szeged, Szeged, Hungary), Heidegger's Phenomenon of Guilt from Pragmatist Approach
- Victor MANCIU (West University of Timisoara), "An Inquiry into René Girard's anthropology of terrorism"

15h: Q&A session

15h30: Break

15h45: Final address: Philosophical perspectives on guilt and extreme killing (part 2, chair: Robert J. MANNING):
- Andreas WILMES (West University of Timisoara, Université Paris-Descartes [France], UVT/PFC— Center for Research in Philosophical Historiography and Philosophy of Imaginary, UMR CNRS n° 8070—Centre de Recherches sur les Liens Sociaux), "The Social Construction of Serial Murder. A philosophical critique"

16h30: Q&A session

17h: Conclusion
- Claudiu Mesaros (Prodecan, Facultatea de Știinţe Politice, Filosofie şi Știinţe ale Comunicării, West University of Timisoara)
- Florin LOBONT (West University of Timisoara)
- Robert J. MANNING (West University of Timisoara, Quincy University, Quincy, IL)
- Andreas WILMES (West University of Timisoara, Université Paris-Descartes [France], UVT/PFC— Center for Research in Philosophical Historiography and Philosophy of Imaginary, UMR CNRS n° 8070—Centre de Recherches sur les Liens Sociaux)
- Joan-Antoine MALLET (Université Paul-Valéry Montpellier 3 [France] and Centre de recherches interdisciplinaires en sciences humaines et sociales de Montpellier)

Presentation

This International Conference is conceived to offer participants a support for exploring ethical, political, epistemological and metaphysical issues regarding violent crimes. The conference's aims are: (1) to highlight novel philosophical approaches on crime in modern and contemporary Romanian history; (2) to foster discussions on the philosophical underpinnings of legal punishment and criminology; (3) to develop novel philosophical perspectives on extreme and violent crimes (terrorism, serial killing, genocides etc.). The conference welcomes academics and researchers from various fields (law, criminology, sociology, psychology, theology etc.) with a special interest for philosophical issues.

We would like to thank the following institutions for their support:

- Facultatea de Ştiinţe Politice, Filosofie şi Ştiinţe ale Comunicării (Universităţii de Vest din Timişoara)

- Centrul de Cercetări în Istoriografie Filosofică şi Filosofia Imaginarului (Universităţii de Vest din Timişoara)

- Centre de Recherches Interdisciplinaires en Sciences Humaines et Sociales de Montpellier (Université Paul-Valéry Montpellier 3, France)

Andreas WILMES

Joan-Antoine MALLET

Claudiu MESAROS

Robert J. MANNING

Levinas on Murder, the Holocaust for Levinas, and the Holocaust in Romania

Robert J. MANNING

Department of Philosophy, Quincy University

Emmanuel Levinas is very well known for his ethical philosophy and for his famous account of the ethical meaning of the face of the Other as he describes it in *Totality and Infinity*. The darker side of Levinas' account of the relation between the self and the Other, the temptation to murder that Levinas says a few times also appears in the face, is most often passed over in critical evaluations of Levinas' famous work. In this paper, I will explain Levinas' view of the temptation to murder and his definition of murder in *Totality and Infinity*, an interpretation of murder he elaborates upon further in later essays and interviews. Then I will relate Levinas' interpretation of murder to the Holocaust as it was carried out in Romania, where the murder of Jews was for the most part not done in a distanced and technological manner as in Auschwitz, but much more often as direct, face to face killing.

Keywords: Levinas; murder; face; Jews; Romania; Holocaust.

Are modern civilization and collective de-contaminatory Violence philosophically incompatible?

The case of the Holocaust

Florin LOBONT

West University of Timisoara

The interpretation of World War II (proposed, among others by T. Judt, D. Diner, V. Tismaneanu) that sees it less as a classic conflict between the strategic and territorial ambitions of an aggressor state (Nazi Germany) and the struggle against occupation and exploitation of other states, but rather as a European civil war in which a racially-driven ideological vision of the future of Europe contested a previously dominant liberal individualist consensus, is proving immensely fruitful in terms of understanding the depth of destruction wrought and the resentments and after-effects of the war that can be felt in Europe even now (indeed, perhaps more so now than at any other time since 1945).

Starting from D. LaCapra's criticism of views on Holocaust violence based on the Foucauldian notion of "biopower" (most notably Z. Bauman and G. Agamben), this study argues that they do not explain satisfactorily aspects of the Holocaust that cannot be subsumed to the logic of modernization conceived in these (essentially Weberian) terms. Whilst this rather exaggerated emphasis on confined, positivistic, relatively antiseptic notions of biology, medicalization, and eugenics certainly accounts for a part of the drives to genocide, it "does not account for Nazi quasi-ritual horror at contamination, elation in victimization, regeneration or redemption through violence, fascination with extreme transgression, and equivocation or even at times ambivalence with respect to the Jew (who was seen as abject—even as a germ or vermin—but to whom erotic energies and incredible powers of world conspiracy were also imputed)" [LaCapra]. This is why we argue that theories of state-building, race-thinking and biopolitics must be seen in conjunction with violence, sacrificialism, scapegoatism, transgression, and the carnivalesque in order to gain a deeper insight into the nature of genocide. Arguably, this multi-faceted perspective sheds some light on the dangers posed by the contemporary relapse into the "de-contaminatory" illiberal discourse and politics centered on an increasingly trumpeted "national identity crisis".

Metaphysics of Genocide: A Philosophical Interpretation of the Romanian Holocaust

Cristian FUIA

West University of Timisoara

The proposed philosophical analysis of the extreme historical events such as the mass murder committed by the Romanian authorities during World War II in Transnistria (the territory between the Dniester and Bug rivers annexed by Romania after the Axis attack of USSR in June 1941) starts from the historical fact that most of these events occurred beyond the traditional and internationally recognized Romanian borders. There were also crimes inside of the Romanian state's borders (usually treated as accidental) but nowhere as vast and horrible as those occurred in Transnistria. Hence the question put forward, that is, if there is any possible correlation between the Romanian cultural subconscious perspective on space/place ("loc") and border ("hotar") on the one hand, and such events, on the other. The general influence of space on cultures was considered by many scholars such as O. Spengler, L. Frobenius, A. Reigl, W. Worringer, L. Blaga or C. Noica. Blaga introduced, for example in "Orizont si Stil", the notion of *cultural space horizon* referring to such a possible link. As in Romanian the word "loc" ("place-space") has more than 40 meanings covering all aspects of Romanian life, and that *space* has a special meaning in the Romanian cultural subconscious, it, together with other elements such as *border* ("hotar") are ontological foundations of the Romanian view of the *world* and *existence*. *The village* (and by its modern projective extension—the country) is an order, defined within and limited by, its *borders*. This represents the "good place", the safe and familiar horizon, "the hearth" that contains the house and the church and where everything is known. The Romanian world and order with their intrinsic, mirroring laws, do not exists beyond the border. Beyond the border is *devil's place*, a space where crime can and does occur and basically everything is possible, for the order/laws have no sway there.

In our view, the Romanian expression that things have "*to be in their place*" ("a fi la locul lor"), is crucial, as they have a natural order and a special place; *if they are not in place they have to be put in place (as a natural order)*. In the Romanian traditional culture before World War II Gypsies and Jews were seen as out of place in the "Romanian house"; hence, to "put in place" an outplaced element means no more than displace it by pushing it in the ambiguous land *beyond the border* ("peste hotare" or "dupa hotar") place of exception, in this case its deportation beyond the border in Transnistria. This arguably also represents a possible explanation of why there are no consistent intentions to physically exterminate these populations, as simply pushing them over the border will already place them in an arbitrary space of ambiguity and disorderly existence where anything is possible (including your own unlawfulness towards them). As this newly conquered territory was only starting the process of acquiring the Romanian order, is it possible that, during this interim (of provisional exception), all people displaced on it were (subconsciously) viewed as "*ontologically" un-protectable*? Was this a result of the perception that the Romanian (that is, proper) existence stops at the border, and that you do not have to actually plan to kill somebody in order to make them "disappear" as persons against whom nothing arbitrary can happen?

Keywords: subconscious, space, border, order, law, genocide

The Romanian Revolution of December 1989 and the (i) legitimacy of violence

Constantin HLIHOR

Dimitrie Cantemir Christian University, Bucharest

This paper proceeds from two fundamental assumptions. The first of these is that states seek to exert a monopoly over legitimate violence. This is an idea with a long history going back to the foundational works of Max Weber and associated most recently with numerous studies by Charles Tilly and Johan Galtung. It stems from the fact that a violent act in and of itself is either lawful or criminal depending on the dictates of the state as expressed in law. States, then, determine the legitimacy or illegitimacy of violence, deeming acts committed by state agencies such as the military and the police as lawful, while those perpetrated by others as criminal. States, then, strive to create a situation where there is a single node of legitimate violence, and where multiple nodes exist, they often did in the past—it strives to suppress them. The second assumption is that understanding how regimes of violence change over time is critically important. In regards to this article, I suggest that revolutions create a void, and that they represent a transitional and transformative moment. Whether an insurrection fails or is successful, a process of state formation or reformation ensues in its aftermath, and an essential part of that process focuses on regimes of violence. It is through the process of state (re) formation that the institutions at the center of the regime of violence take shape and form and, by so doing, create a new political regime which gains the legitimacy over violence.

Keywords: revolution; political violence; structural violence; regime of violence.

Analyzing the prospect of granting mass pardon for organized corruption: the case of Romania in 2017

Ştefan-Sebastian MAFTEI

Babeş-Bolyai University, Department of Philosophy, Cluj-Napoca

The paper analyzes amnesty and pardon as judicial strategies with a special focus on the mass pardon proposed by Romania's left-wing government in January 2017. Judicial literature and judicial practice traditionally see amnesty and pardon as exceptional judicial practices, usually enacted in situations where the common rule of law approach is unable to offer a satisfactory solution to an inescapable judicial conundrum. A survey of the literature will reveal serious historical differences between the US and the European judicial treatment of amnesty and pardon. In Europe, for example, there is a historical tradition in granting credibility to amnesty or pardon not just in cases of transfer of political power or exceptional political events (war, civil war, fall of a dictatorial regime etc.), but also is situations where the normal legal order is in power, yet extra-judicial constraints (e.g. prison overcrowding) generate the need for official legal pardon or amnesty (the case of Italy in 1986 and 2016). However, legal experts contend that there are downsides to a legal amnesty, such as deterrence, incapacitation or undermining the legitimacy of the rule of law (Jonathan Simon). In view of all these, the Romanian situation of mass pardon in 2017 offers us a perfect example of how *not* to grant a legal mass pardon, especially when a great part of the crimes addressed by this legal act are crimes of organized corruption perpetrated by state officials. The paper will take into consideration the downsides of mass pardon enacted by a government's order, bypassing parliament and legal institutions, in January-February 2017, especially when it is related to a quasi-political pardon of ordinary corruption crimes. In sum, the basic philosophical argument against mass pardon of political corruption is twofold: first, a mass pardon in this situation will seriously affect the legitimacy of law; second, a mass pardon is an attack to the relevance of punishment in the process of upholding the law, due to the fact that the principle of *sine poena nulla lex* is seriously undermined by the granting of mass amnesty or pardon.

Keywords: Romania; corruption; amnesty; pardon; political corruption.

Augustine's Philosophical Sources on Crime and Punishment

Victor Alexandru Pʀɪᴄᴏᴘɪ

University Alexandru Ioan Cuza, Iasi

A favorite theme of Augustine's thought is the problem of evil and sin. Behind Augustine's conceptions on moral evil, crime and punishment there is a whole philosophical conception on this topic. In *Confessions* and *City of God*, he often discusses the themes of crime and punishment, and at first glance, the intellectual sources of his thought are easily identified in Plato, Aristotle and Cicero. In this study, we want to analyze what philosophical ideas, related to this topic, are taken by Augustine from the philosophical tradition.

Keywords: St Augustine; Sin; Crime; Punishment; Morality; Laws.

Crime, Revenge and Punishment in Hegel's political philosophy

Emanuel COPILAS

West University of Timisoara

G.W.F. Hegel's interpretation of crime is strongly correlated with his whole political philosophy. For this important German philosopher, whenever a crime is committed, it is not the particular, the intellect, which is injured, but the universal, reason historically anchored in the form of right as it exists and functions in a certain state during a certain period of time. This may seem a strange neglect of the individual himself but, as Hegel argues in his *Principles of the philosophy of right*, the citizen and his right to property is the most important asset of a state. So how it is that, when a citizen is injured, this affects more the universal principles of justice than the individual himself? And why the proper punishment for a crime is not the subjective revenge of the apparently less important citizen, but proper punishment according to law? These are just some of the questions my paper aims to explore.

Key words: Hegel; intellect, reason, the ethical, civil society, liberty, necessity; legal punishment.

Crime and Retribution in Plato's Theology

Joan-Antoine MALLET

Centre de Recherches Interdisciplinaires en Sciences humaines et Sociales de Montpellier (EA 4424), Université Paul-Valéry Montpellier 3

The goal of this presentation will be to shed light on some paradoxical aspects of Plato's conception of retribution and divine power through the example of crime and, more generally, human behavior.

At the very end of the *Republic*, Plato presents the myth of Er showing how and why souls, according to their previous life, will get a new life. The new life of the soul is not assigned by some divine power but chosen by the soul itself. However, this choice doesn't seem to be a totally freewill choice, but rather determined by what has experienced the soul during its previous life. For instance, if the soul has been in the past related to some sort of crime, it has developed a deficient disposition which will lead it to make a mediocre choice concerning its future life. Then, when the choice is made, it is sealed by Clotho, one of the daughters of Anankè (Necessity) and there is no way for the soul to change it. In fact, the choice of the soul is partially free and determined. On the one hand, each soul can choose the life it wants but, on the other hand, this choice depends on its disposition and divine seal. In this context, how does Plato conceive human responsibility? Why is human responsibility related to some theological doctrine?

This approach is even more puzzling because it mixes at the same time elements from ancient religious beliefs like Moira, Tuchè, Anankè and daimon, and elements which seem to be more genuinely platonic like the whole reflection about justice as a way to establish a good political regime. Why does Plato refer to such beliefs to justify the superiority of justice over injustice? Does he modify these beliefs or does he provide a faithful description of the religious doctrines of his time?

To answer these questions, I will try to show that Plato, in order to justify his revolutionary political project, refers both to an ancient religious legacy but, also, develops on some points his own religious views.

Aristotle and the problem of abortion

Claudiu MESAROS

West University of Timisoara

As Aristotle's views are considered to be unclear and sometimes inconsistent, I propose a study on Aristotle's considerations on the status of the embryo as a living being and consequently his conclusions on the opportunity of abortion in human society, especially trying to show the fact that there is a real critical Aristotelian debate on the problem, based on key concepts of potentiality and relation of body and soul. I This debate is relevant for the social practices of the time, and the discussion whether there is a pro-life option in Aristotle or not is still open, to the extent that the Aristotelian context of the discussion has a peculiar relevance, if any, to contemporary debates. The relevant texts are to be found both in ethical treatises like *Politics* (VII, I) and in the biological ones like *Historia Animalium* (583b10-20).

Keywords: Aristotle; abortion; body; soul; ethics.

Violence and hegemonic masculinity in Eastern European Cinema

Andrea REISZ

West University of Timisoara

The purpose of this paper is to analyze and deconstruct the imagery of hegemonic masculinity and violence in Eastern-European cinema. The term "hegemonic masculinity" was introduced in the gender studies discourse by Raewyn Connell in 1995 with her acclaimed and discussed book "Masculinities", and refers to the cultural practices that determine a dominant position of men in relation to women and to other marginalized men. In this context violence (physical, verbal, institutional) can be seen as a form of enactment of hegemonic masculinity. These hierarchic relations are culturally disposed, therefor historically variable.

This paper draws upon Judith Butler's assumption that gender and sexuality are performative. In this sense can we say that violence is a performance of gender identity? Is it therefore culturally variable? The focus will be put on the construction of male identity shaped through practices of violence. Film depicts gender inequality, reinforces and negotiates traditional gender roles but also legitimizes violence and transforms violence into spectacle. It is an important source of analyzing social structures and the discourses related to masculinity and violence. Using case studies from Eastern European cinema, this article will try to expose the filmic strategies and the discourses related to hegemonic masculinity.

Keywords: Judith Butler; gender studies; cinema; hegemonic masculinity; violence.

Viral Videos and Sharing Violence

Andrew KELTNER

West University of Timisoara

In the viral video age we have seen a revolution occur across the Arab world from images captured on cell phones. Resulting the first viral video of a nation's leader Muammar Gaddafi, being killed. Terrorist organizations post executions and use social media to promote their message. Mexican cartels show executions of *campesinos* as scare tactics to gain political control. Public beatings have been shown live via Facebook. Religious intolerance and violent dogmatic judgement are videoed to their pervasive nature. While these actions themselves are not new to human nature, The accessibility to see and create these images is. One could imagine Pal Pot or the 30 September Movement (whose death squad leader revelled in the attention of the documentary Th e Act of Killing), the Hutus and Tutsis or the Bombing President Allende of the Palacio de Moneda in Santiago, Chile all being online if the opportunity had been in place. What would the effect have been of seeing these images virally? How would the Khmer Rouge been dealt with? Would Latin America had a different history through the 70's, 80's, and 90's with the USA had their been cellphone videos? This form of counterfactual reasoning raises the issue of the impact of violent images has on our perception of reality. And the creators of these images raise our attention to possibly a new reality in and of itself. The aim of our proposal is to inquire this ontological problem by confronting the philosophical viewpoints of scholars such as Baudrillard, Ian Hacking and Susan Sontag.

Keywords: violence; viral videos; social media; politics; postmodernism; Baudrillard; Hacking; Sontag.

An inquiry into René Girard's anthropology of terrorism

Victor MANCIU

West University of Timisoara

For René Girard, Radical Islamic terrorism is symptomatic of the general loss of efficacy of the scapegoating mechanism in our contemporary world. Terror attacks fail to generate the powerful and violent unanimity against victims which enabled sacrificial and archaic religions to maintain their social order. Nowadays, argues Girard, violence can no longer be contained through violent means. War, taken as a more or less structured ritual, tends to fade out in favor of a more tragic multiplication of mimetic conflicts: like the terrorists, the West emphasizes the notion of just war; suicide bombing mirrors the new technological age of "surgical strikes"; the biographies of terrorists often show that the hatred towards capitalist Western countries is nonetheless tinged with some form of envy. This increase of symmetry in modern conflicts constantly entails the risk of a global and apocalyptic "undifferentiation" where men become more and more identical in their appeal to violence.

Clearly for Girard terrorism is an extreme form of denial of the Christian demystification of sacrificial mechanisms. However, in his late career, he also confessed several times that modern terrorism remains an enigma for him. How can we interpret this statement? Is the mimetic theory somehow unable to fully explain modern terror attacks? Did Girard mainly wanted to stay cautious due to the lack of sufficient empirical and psychological studies on terrorism? Or shall we say that although terrorism can be explained through various (mimetic) causes, its violence is without reasons? The aim of this contribution is to explore these issues by confronting Girard's views on terrorism with other notable philosophical perspectives (Habermas, Derrida, Schmitt, Walzer, Žižek etc.).

Keywords: René Girard; Terrorism; War; Mimesis; Habermas; Derrida; Walzer; Žižek.

Heidegger's Phenomenon of Guilt from Pragmatist Approach

Alexander KREMER

University of Szeged

What is guilt? Guilt, in the most general sense, could be regarded as a deliberate or negligent offense of the rules. The rule can be either a community or a private rule. If it was set up with a serious decision, we could consider its offense as guilt. As many rules exist as many forms of guilt, we can speak about. At the same time, we have to distinguish between guilt and evil since guilt can be committed only by a conscious being. St. Augustine also differentiates in his *Confessions* between the cause of guilt and the cause of evil. He thinks that free will causes guilt, and evil is considered as the lack of being, that is, as the lack of God. From a moral point of view, guilt is basically an offense of moral norms of a human community that is made possible by our relative freedom.

However, in Heidegger's *Being and Time* we find not a moral concept of guilt, but guilt as an ontological phenomenon. Heidegger states, on the one hand, that every human being is guilty in an ontological sense, and nobody can avoid it. On the other hand, the ontological guilt is the precondition of every particular form of moral and legal guilt. In his opinion, we could not become guilty legally and morally if were not guilty in the ontological sense.

Can we really speak about such a strict connection between the existential-ontological guilt and the moral, legal guilt? Is the former one certainly the precondition of the latter ones? Richard Rorty criticizes Heidegger's view. I will show you Rorty's arguments in the last part of my lecture.

Since the publication of Philip Jenkins's essay *The Social Construction of Serial Homicide* (1994), it is now widely acknowledged that serial murder shall be considered as an ill-founded criminological category mainly maintained by statistical errors, political strategies and ideological interests. Moreover, recent critiques of the FBI profiling methods (Muller 2000; Canter & Youngs, 2009) put into question the idea of tailored investigation techniques with respect to serial homicide. Last but not least, psychiatrists disagree on whether or not serial killers shall be qualified as a homogeneous group from a psychopathological or psychodynamic perspective.

The aim of this contribution is to introduce a philosophical critique of this commonly accepted constructivist approach of serial homicide. Our study will start with some epistemological considerations on criminological classifications and investigation techniques. This will not only help us to clarify the methodological flaws in social constructionism essays (Caputi, 1987; Cameron & Frazer, 1987; Seltzer, 1998; Tithecott, 1998), but also enable us to refine our domain of inquiry with more specific guidelines. Secondly, aided by the works of Ian Hacking (1998; 2000; 2002), we will question the philosophical implications of the social construction of serial murder. Eventually, we will vindicate an anthropological approach for prospective researches on serial murder.

In brief, we would like to establish two claims: (1) in the United States, serial murder was experienced as a nightmarish episode of the sexual revolution; (2) on a cross historical and cultural level, serial murder has to be described as a sacrificial practice—that is as a type of crime tying violence to the sacred.

Keywords: Serial Murder; Social Construction; Ian Hacking; Sacrifice; Anthropology; René Girard