Introduction

Overview of the Project

By utilising insights from postmodern social theory, an analysis of the Restorative Justice system is created with Dostoevskian characters as a case study in the centre. The Dostoevskian characters help the study to analyse the complexities of the working of the human mind and its effects on the community and vice-versa.

Dostoevsky spent a significant amount of time in prison which was later translated into *The House of the Dead, Crime and Punishment, Notes from the Underground, The Gambler and The Idiot*. Numerous letters are also a testimony to the time spent there. Hence one cannot say that the characters are entirely fictional.

All the characters reflect the human condition and experience of living in the city of 1860s Petersburg cramped with poverty, disease and crime due to rapid urbanisation, which makes them a perfect case study for this dissertation. I picked Raskolnikov from Crime and Punishment to hold the centre of this study.

My area of focus is to find if there is a grey area in the Justice System.

How the system treats the criminals.

The scope of Restorative Justice.

Postmodern writers becoming popular among the verbiage of legal scholars, I have made efforts to understand simple topics like Reason, Self, Truth, Justice, Law and Rights through the postmodern legal writings of Friedrich Nietzche, Jacques Derrida, Michel Foucault, Richard Rorty, Jean- Francois Lyotard etc.

By incorporating restorative justice in the picture, a postmodern understanding of pre and post conflict behaviour can be established with critical nuances. Very few scholars have undertaken this project from the Dostoesvkian lens, the lack of dialogue could be because of the daunting perplexity of criticism it holds.

This insight does not force an immediate change from the inside of criminal law and practice (for example, Foucault does not provide the blueprint for a new criminal code), but his work can force a re-thinking of

our present mode of classifying criminal behavior and treating criminality.