

**SOCIAL IMAGINARY OF THE JUST WORLD:
NARRATIVE ETHICS AND TRUTH-TELLING IN
NON-FICTION STORIES OF (IN)JUSTICE**

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Abstract: The paper focuses on the issue of truth-telling in non-fictional narratives of (in)justice. Based on examples of rape narratives, domestic abuse narratives, human trafficking narratives and asylum seeker narratives, I examine the various difficulties in telling the truth in such stories, particularly those related to various culturally conditioned ideas of how the world works, which at the same time form the basis of, among other things, legal discourse and officials' decision-making processes. I will also demonstrate that such culturally conditioned ideas, which are the basis of official discourse, can be considered within the category of both the social imaginary of the just world in the Taylorian sense of the term, and the social master narrative, which in the case of stories of (in)justice is often based on the just world hypothesis.

Keywords: narrative ethics, narrative truth-telling, social imaginaries, social master narrative, just world hypothesis

Truth-telling is particularly important in the justice system. In the court, at the police station, as well as in many other legal settings, witnesses are asked to tell what happened to them. Such testimonies are formulated from the first-person perspective and usually take the form of a narrative. Since these testimonies are often provided with a specific legal objective in mind, they must be perceived as credible by the listener, who is frequently also a decision-maker. In typical legal cases, the outcome of the trial depends not only on what is known about the facts which occurred, but also on the way in which witnesses, perpetrators and victims narrate them. In brief, there exist established societal standards for what constitutes a “proper” legal testimony, and if the narrative testimony does not align with these standards, it may be considered false, even if the witness is recounting events truthfully.

In this paper, I intend to focus on the act of telling the truth in non-fictional narratives created in various official contexts related to the law and the justice system. I will approach this issue within the framework of narrative ethics, specifically as one of the ethical aspects of non-fictional narratives. I aim to assert the thesis that difficulties encountered in telling the truth in such non-fictional stories, shaped in real social circumstances, should be viewed as a part of a broader problem of the relationships between the first-person perspective of an individual and the social master narrative which in the case of stories of (in)justice is frequently based on the hypothesis of a just world. Since this hypothesis is at least partly unconscious and highly mythical, I will

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also demonstrate that it can be considered within the framework of the category of social imaginary in the Taylorian sense of the term. I will do this using the examples of rape narratives, domestic abuse narratives, human trafficking narratives, and asylum seekers' stories.

Narrative ethics

What is narrative ethics? According to *the living handbook of narratology* "Narrative ethics explores the intersections between the domain of stories and storytelling and that of moral values" (Phelan 2014, 1). In short, it is concerned with the "ethical potential of storytelling" in general, i.e. both the advantages and "the dangers of different storytelling practices" (Meretoja and Davis 2017, 3). In other words, narrative ethics assumes that "there are no ethically neutral narratives" (Meretoja and Davis 2017, 7), and that moral values are "an integral part of stories and storytelling" (Phelan 2014, 1). Or, as Ricoeur puts it, "the art of storytelling is the art of exchanging experiences", that is to say "the popular exercise of practical wisdom" which

never fails to include estimations, evaluations that fall under the teleological and deontological categories (...); in the exchange of experiences which the narrative performs, actions are always subject to approval or disapproval and agents to praise or blame. (...) The thought experiments we conduct in the great laboratory of the imaginary are also explorations in the realm of good and evil. (Ricoeur 1994, 164)

However, narrative ethics is by no means limited to fictional stories.² After the narrative turn which took place in the second half of the 20th century, in the 1970s-1990s narrative entered to many non-fictional disciplines that seek to produce objective knowledge based on facts, such as the law and the justice system, medical care and therapy, communication studies, management studies, etc. Stories produced and analyzed within their context concern real events and people, and definitely do not have any literary, aesthetic aim. Yet, because of their imitative character, they are always somehow based on the Aristotelian rule of mimesis, similarly to all narratives. They use various rhetorical tropes and other discourse fictionalization strategies, enabling true events to take on certain characteristics of fiction (e.g. they are told within the framework of some narrative template, for instance they get a plot structure characteristic for one of well-known literary genres, such as a Tragedy, a Comedy, a Romance or a Satire; see White 1973). However, they are unquestionably non-fictional. In other words, they are not created for "playful pretense", and they are produced in order to describe real-world occurrences. In short, they establish vertical relationships between words and the world, which are not suspended, as is the case in the typical fictional discourse, which establishes its own horizontal rules according to which its statements refer not to the so-called real world but to the world presented in a given text or pronouncement (see Searle 1975). Furthermore, true stories often concern complex social or historical issues and involve first-person narrators recounting their own experiences, which may be of a highly traumatic nature.

² In fact, Ricoeur's remarks are closer to literary ethics or to so-called ethical criticism, a concept according to which the literary stories we read have "an influence on ethos, or who we become" (Gregory 1998, 194), and which aims to "analyze *how* fictions exert this influence and to assess its effects" (194). According to Booth (1988), ethical criticism does not focus solely on fictional stories because, within the framework of this theory, there is in fact no "sharp line between those stories that are explicitly fictional and those that purport to be true" (13). Or, as Nussbaum (1989) puts it, "ethical criticism (...) does not have a single dogmatic theory of what literature should be or do" (169). However, although there are many similarities between narrative ethics and ethical criticism, they are not the same. For instance, according to Phelan (2014) "While literary ethics is broadly concerned with the relation between literature and moral values, narrative ethics is specifically concerned with the intersection between various formal aspects of narrative and moral values. Thus, narrative ethics is both broader (including in its domain nonliterary narrative) and narrower (excluding from its domain nonnarrative texts) than literary ethics".

In fact, the possible range of interest of narrative ethics in this second, non-fictional sense of the term is extensive, and may include various issues related to the ethical aspects of storytelling, such as:

1. giving a voice to minorities or members of vulnerable groups who, through narrative, gain the ability to tell their stories from their own perspectives;
2. giving the victims or witnesses of highly traumatic events the opportunity to tell a story which will be somehow healing for them, as well as giving them “a powerful means of animating experiences, marking out key events and humanizing those involved to those who would listen” (Cook and Walklate 2019, 243);
3. analyzing a point of view/perspective, e.g. asking who is telling, whose story it is, and exploring the power dynamics and ideologies shaping the storyteller;
4. dealing with first-person testimonies of traumatic experiences that are too difficult to be expressed in language; in such cases, the researcher is dealing with highly vulnerable first-person narrators who require an ethically sensitive and empathetic hearer, as well as responsible ways of representing and using their experiences in the research³;
5. analyzing various difficulties of truth-telling in non-fictional narrative testimonies, such as: a) cultural or ideological presumptions made (often unconsciously!) by decision-makers (e.g. officials or judges) which influence their administrative decisions concerning people’s lives, health, or freedom; b) culturally conditioned understandings of various legal terms and categories that form the basis of the above-mentioned decisions of officials and judges (e.g. what counts as rape or violence), and so forth.

In this paper, I will focus on one of the most important problems in narrative ethics, namely the issue of truth-telling, in particular in the stories of (in)justice. In non-fictional narrative testimonies produced in legal or official contexts, we are confronted with various difficulties of truth-telling. They may be related to the structure of the narrative, to the ambiguous and vague nature of the language in which such stories are formulated, as well as to the way in which our memory works. For instance, gaps, logical inconsistencies, or reversed sequences of events in such a narrative testimony may be motivated both by a language or narrative structure and by traumatic experiences that may damage our memory to the extent that we can even entirely forget something which was too distressing to remember it, or have an access to such a difficult part of our past only through dispersed flashbacks which do not create any logical sequence of events. Finally, they can be related to the way in which so-called social and cultural social master narratives condition our understanding of what is good or bad, what it means to act rightly or wrongly, what is just or unjust, what it means that someone has committed a certain crime, and so forth. In this paper, I intend to explore this aspect of truth-telling in non-fictional narrative testimonies of (in)justice, specifically its relationship with the social master narrative grounded in the social imaginary of the so-called “just world”.

³ There are also, of course, other classifications. For example, Bolen and Adams (2018) list the following issues which may be of interest to narrative ethics researchers: “In terms of research practice, a prescriptive understanding of narrative ethics may include satisfying ethics review committee requirements before/ during/ after conducting narrative interviews and implementing strict protocol to enhance standards of method, accuracy, and truth. A situational understanding of narrative ethics may recognize issues that arise in the telling of a particular story, such as uncovering sensitive topics during an interview (...), talking through different meanings of past events (...), and/ or dealing with unexpected and painful feelings during the writing process (...). A relational understanding of narrative ethics may include more personally established norms and practices about responsibly representing others such as using composite characters of fiction to represent and protect others, or asking others for their reactions to our interpretations of their experiences” (620).

Narrative in the law

Our cultures are often rooted in popular social mythologies. Thinking within the framework of such mythical imaginaries is somehow embedded in our worldview, which is frequently expressed in various narratives. As Brooks puts it, “Any given narrative will be built to some extent on what Roland Barthes liked to call *doxa*, that set of unexamined cultural beliefs that structure our understanding of everyday happenings” (Brooks 2005, 417-418). Yet, we expect that judges, prosecutors and other representatives of the justice system will make their decisions solely on the basis of facts that should be proven in the course of objective legal proceedings. Obviously, it is not very difficult to demonstrate that this is only half-true, as both the legal system and legal decision making are strongly conditioned by their origins in narrative discourse, even if “over the centuries the professionalization of law and legal education has tended to obscure the rhetorical roots of legal practice” (Brooks 2005, 416) and had a tendency to claim that “it is rooted in irrefutable principles and that it proceeds by reason alone” (416).

As Brooks (2005) puts it, although “the law does in fact recognize its entanglements with narrative” (415), it seeks to relegate this knowledge to the realm of the unconscious. According to the most basic and the most intuitive definition, narrative is a description of a series of events. Although it is often identified as a story, which has to some extent a synonymous meaning, “story” directly concerns a series of events, while “narrative” refers to the representation of those events in a discourse (Herman et al. 2010, 347) and therefore narrative is more of a combination of story and discourse. Such a narrative description does not simply enumerate successive events, but includes an element of emplotment, which “draws a configuration out of simple succession” (Ricoeur 1984, 65), bringing together “factors as heterogeneous as agents, goals, means, interactions, circumstances, unexpected results” (Ricoeur 1984, 65). In short, it is always a complete whole, based on a beginning-middle-end structure, told from a particular point of view and therefore includes not only an explanation what happened and why, but also the point of view of the person telling the story, in such a way that two narratives about the same subject (e.g. a historical event, such as World War II, or a historical person, such as Napoleon) can present us with two completely different persons or events (Ankersmit 1983, 68). Of course, this means that no narrative is a purely objective account, since there is no a purely objective point of view. Although, as Brooks (2005) points out, “narrativity belongs to our cognitive toolkit” and “constitutes one of the large categories in which we understand and construct the world” (415), in particular the sense of our agency, narrative is not an innocent medium for representing reality, free of valuing judgments and normative assumptions. However, although it is always somehow related to the sphere of morality, it is “morally a chameleon that can be used to support the worse as well as the better cause” (416).

In the justice system there are a lot of opportunities to narrate events. First of all, “Victims are routinely required to share their stories within the constraints of criminal justice institutions, through courts, in police interviews and in victim impact statements” (Cook and Walklate 2019, 243). Narrative testimonies are also produced by witnesses and perpetrators. The prosecutor and the attorney also construct narratives, though obviously they do this from two different points of view. Finally, the judge has to gather and recapitulate all these narrative testimonies and speeches and create their own version of what actually happened in a particular case when delivering a verdict. This is understandable because narrative allows us to better understand what our actions meant, how something happened, or whether it was right or wrong. As Cook and Walklate (2019) note, “Narrative is (...) important in stories of lethal violence as the act of narrativizing experience lends a coherence and comprehensibility through which victims can make sense” (241) of what happened to them. However, much like historical discourse, during the trial, when such legal narratives are created, the events and actions that must be judged no longer exist, as they occurred in the past. Therefore, as Brooks argues, the judge, who was

neither a participant, nor an eyewitness, and who has access to the course of events only through the medium of what was told, does not judge real people, but the characters of the stories (Brooks 2005, 416). In other words, the judge is not the omniscient God and does not know who is actually a good or bad person in the metaphysical sense of the term, but has to decide which of the stories – the prosecutor’s narrative or the attorney’s narrative – is more convincing, and on that basis alone that they render a verdict. As Brooks emphasizes, “Here is a social practice which (...) sends people to prison, even to execution, because of the well-formedness and force of the winning story. “Conviction” – in the legal sense – results from the conviction created in those who judge the story” (416).

In fact, as Amsterdam and Bruner (2000) put it,

A lawyer’s work is full of narrative labor designed to cook up “winning” stories according to hornbook recipes – how to unmask the false hero and disclose the true villain of the tale told by one’s opponent, how to discomfit the opponent’s witnesses, how to delve a yard below the opponent’s precedents and blow them at the moon” (118).

Although in every trial there are usually certain undisputed facts that are widely acknowledged and unquestioned, it is always possible to tell different stories based on these facts, which may combine the events into a meaningful whole in very different ways, so that we will have many different narratives with entirely different endings and conclusions (see Brooks 2005, 417). According to Brooks (2005) we are simply dealing with different narrative glue in these stories (417). Furthermore, “judicial opinions involve a lot of categorization” (Amsterdam and Bruner 2000, 54). Even if the judge or the prosecutor is well aware of certain core facts established during the police investigation, putting them together and deciding whether they constitute an accident or a cold-blooded murder, or in other cases rape or consensual sex, is sometimes difficult and highly dependent on interpretation and perspective.

For example, in the case of rape, “Legal discourse has been structured by (...) cultural understandings of women’s narratives of rape as inherently untrustworthy” (Serisier 2015, 77). As Leigh Gilmore (2017) emphasizes, when testifying about sexual violence, a woman “is present as both reliable and unreliable witness” (140). This duality arises because

the standard of truthfulness exists not simply in relation to her experience but also within the testimonial limits circumscribing gendered speech about trauma. Formulations such as “nobody really knows what happened” (...) work to discredit victims before they speak. (...) Instead of applying a meaningful brake on wrongful accusations, such skepticism tends to foster underreporting of sexual assault. Moreover, it is part of a pattern of response woven through institutions and bolstered by training and habit that diminishes our capacity (...) to engage meaningfully and justly with the prevalence of gendered violence. (Gilmore 2017, 140)

According to Tanya Serisier (2015), judges were historically skeptical of such accusations, as they considered female victims too irrational to provide a credible testimony (77). For instance, judges may pass sentences based on their own idea of how women should and should not behave in such circumstances. According to one of the most popular ideological frameworks, a woman’s non-consent requires ““utmost” physical resistance”, otherwise it will be interpreted as a consensual sex (76). As Shonna Trinch (2007) explains, “The utmost resistance standard adheres to the logic that a woman should fight her attacker until she either manages to get away or until he kills her. If she lives to tell about a rape, the telling itself begs the question of whether a rape occurred” (1901).

Let me illustrate this with an example. Brooks (2005) discusses a case from Baltimore, in which “the judges who ruled against the rape conviction at the two appellate levels tend to construct

their narratives on the basis of how they believe a woman ought to behave in certain circumstances” (418). According to the story reconstructed during the trial, Rusk and Pat were driving down one of Baltimore’s deserted streets in Pat’s car, which she was driving while he was in the passenger’s seat. As Brooks (2005) puts it, at the key moment the car stops nearby Rusk’s flat and he asks Pat “to come up to his apartment; when she refuses, he gets out of the car, walks to the driver’s side window, reaches in and removes the keys from the ignition, and says: “Now will you come up?”” (418). In the retellings of this narrative in the appellate court proceedings, two judges who believed that the defendant was not guilty tried to argue that although Pat was not able to escape by car, she could have exited the vehicle and run down the street, “screaming for help” (418). This argument is clearly an unfair form of sophistry, as the street was totally empty and, as Brooks (2005) points out, Pat was alone with the perpetrator “in an unknown and sinister section of downtown Baltimore in the middle of the night” (418).

The higher court ultimately reinstated Rusk’s conviction, which had been overturned by the initial appeals court, but with a strong dissent from one of the judges, who in his written statement claimed that in his view it was not enough for a woman in such circumstances to say that she was really frightened, as Pat did. As he put it, “She [the victim] (...) must follow the natural instinct of every proud female to resist, by more than mere words, the violation of her person by a stranger or unwelcomed friend” (Brooks 2005, 418). This view is completely at odds with contemporary trauma psychology, according to which a person who experienced a traumatic event may react differently than in everyday circumstances. As Judith Herman (2022) emphasizes,

When a person is completely powerless, (...) she may go into a state of surrender. The system of self-defense shuts down entirely. The helpless person escapes from her situation not by action in the real world but rather by altering her state of consciousness. (...) These alterations of consciousness are at the heart of constriction or numbing (...). Sometimes situations of inescapable danger may evoke (...) a state of detached calm, in which terror, rage, and pain dissolve. Events continue to register in awareness, but it is as though these events have been disconnected from their ordinary meanings. Perceptions may be numbered or distorted, with partial anesthesia or the loss of particular sensations. Time sense may be altered, (...) and the experience may lose its quality of ordinary reality. The person may feel as though the event is not happening to her, as though she is observing her body, or as though the whole experience is a bad dream from which she will shortly awaken. These perceptual changes combine with a feeling of indifference, emotional detachment, and profound passivity in which the person relinquishes all initiative and struggle. (62-63)

In fact, such a worldview, according to which some people think that they know how the victim should behave or that “they would show greater courage and resistance (...) in similar circumstances” (Herman 2022, 168) and the accompanying “common tendency to account for the victim’s behavior by seeking flaws in her personality or moral character” (Herman 2022, 168) is quite popular, especially among people who have never experienced such traumatic events.⁴ In brief, our understanding of what counts as rape, as victimization, as right or wrong, is always to some extent culturally conditioned. This is the reason why women who have experienced rape or other forms violence (e.g. domestic abuse) sometimes find it difficult to talk about it. For example, in her research on the narrative testimonies of battered Latina women during official interviews required to obtain an order of protection, Shonna Trinch (2007) emphasizes that some women do not want to testify as during such a procedure they “risk losing

⁴ See also: “The clinical picture of a person who has been reduced to elemental concerns of survival is still frequently mistaken for a portrait of the victim’s underlying character. Concepts of personality organization developed under ordinary circumstances are applied to victims, without any understanding of the corrosion of personality that occurs under conditions of prolonged terror” (Herman 2022, 171).

face”, e.g. “their identity as good mothers” or their credibility (1897). This is because “the client, in approaching a figure of authority with the admission that she has withstood physical violence, sexual assault or mental abuse from an intimate partner, automatically puts herself in an unfavorable light” (1897-1898). Belonging both to the Anglo and Latino social groups, such persons are subordinated at the same time to different cultural norms, which sometimes exclude one another. In Latino society, “the family must be maintained at all costs” (1898), and therefore they may be encouraged by their families to forgive the perpetrator. Although due to the US legal system and the norms of Anglo society they may “feel pressure to abandon the abusive partner” (1898), it is much more complex than that, as “even in very violent accounts of rape, women’s victimization is seen as a precarious identity in North American cultures” (1901).

Furthermore, in order to be granted an order of protection from abuse, the client should be able to prove that she is a “good” victim, i.e. that she fits perfectly into the officials expectations of what it means to be a victim. For instance, according to those criteria, the narrative testimony on the basis of which a woman can obtain an order of protection should not contain anything that can be seen as ambiguity, such as the client’s doubts about whether she wants to apply for the order of protection (see Trinch 2007, 1906-1908) or “accounts of physical or mental abuse and sexual violence” presented “alongside accounts of cooperative activities and even consensual sexual intimacy” (1901), which is not uncommon in stories concerning domestic abuse, in which the perpetrator is also the victim’s husband and the father of her children. In similar cases involving asylum seekers or human trafficking (which frequently intersects with migration), a woman who has been trafficked but has also crossed the border illegally may be treated as a criminal, not as a victim (she is a “wrong sort of victim”; see De Angelis 2017, 57-58). On the other hand, according to some popular myths, the ideal victim should be completely helpless and passive. Therefore, any suspicion that she was an active subject, e.g. that she tried to defend herself, can also be sometimes interpreted as a proof that she is a criminal and not a victim.

In the case of human trafficking, thinking within the framework of such a “just world”, social imaginary resulted in official “practices that considered trafficked women as illegal migrants and foreign prostitutes involved in illicit affairs” (Aradau 2008, 82; see also De Angelis 2017, 49), that is to say in treating them not as victims of human trafficking but as dangerous criminals. Feminist thinkers and various non-governmental organizations campaigning against human trafficking have proposed retelling those stories in such a manner that makes it clearer who is the victim and who is the perpetrator. For example, NGO activists emphasized the suffering of women who had been trafficked and forced into prostitution, so that the audience could feel pity and fear, and in this way could somehow identify with them, ceasing to treat them as a source of danger and a social risk (Aradau 2008, 82-83). Once again, for this narrative strategy to work, the victim must fit perfectly into the social master narrative of total victimhood, which often has little to do with real circumstances of being raped or trafficked (see for instance De Angelis 2017, 53).

In the process of asylum seeking, narrative also “remains crucial for assessing the legitimacy of a political asylum claim” (Bohmer and Shuman 2018, 21). Political refugees “are asked to produce a consistent narrative” (Bohmer and Shuman 2013, 21) concerning experiences that are usually of an extremely traumatic nature. They are “required to prove that they have a “well-founded fear of persecution” in their homelands” (Shuman and Bohmer 2004, 394). The asylum authorities pay “close attention to consistency in dates, chronologies, and affiliations” (Shuman and Bohmer 2004, 403). They expect a logical, coherent story of what really happened, that is to say which events and how they forced someone to leave their home and become a political refugee. This can cause serious or sometimes even unsolvable problems as such occurrences are very difficult to express and to understand within the categories of familiar ready narrative

schemes and very rarely, if ever, lead to a happy ending. As Shuman and Bohmer put it, “A world torn by persecution cannot easily be represented coherently, nor can the motivations of the persecutors be portrayed in simple terms” (Shuman and Bohmer 2004, 410). A person who has really experienced trauma may have real difficulties in telling a coherent story. Their abilities to recall and recount what happened to them may be to some extent damaged and deconstructed, they may have “holes” in their memory, and so on. Furthermore, applicants very often do not have any documents or other material evidence which may help in the identification process. Sometimes their narrative is the only “evidence of the atrocities they have suffered and their fear of return” (Bohmer and Shuman 2013, 8).

In fact, the problems of telling such stories are very similar to those of all other non-fictional stories of (in)justice analyzed above. Political refugees may have difficulties conforming to the official’s cultural and legal expectations of what counts as victimhood, persecution, crime, legal and illegal action, etc. Similarly to the abused Latina women, they may have difficulties in reconciling the real circumstances of their escape, in which there is often no a clear line between friend and enemy, and both the kinship networks and the various social systems of loyalties in their societies are somewhat complex (see Bohmer and Shuman 2013, 10), with the official’s ideas of how the world works, and how the ideal political refugee should behave, and so on.

Social imaginary of the just world

To sum up, in non-fictional narrative testimonies produced in legal or official contexts, we are faced with various difficulties in telling the truth, which may be due to a variety of causes. They are often conditioned by mechanisms of social unconsciousness which force us to keep silent about everything that is unacceptable to society (see Bar-On 1999; Caruth 1995, 64-68). In the case of non-fictional narrative testimonies produced in legal circumstances, such silenced facts may be omitted by the teller or not heard by the officials due to their incompatibility with the official template of how such a testimony should look like, as well as with the social master narratives of justice, which are frequently based on the just world hypothesis and are therefore at least partially mythical and unconscious in character.

What is the just world hypothesis? According to Dalbert and Donat (2015) “The just world hypothesis states that people need to believe in a just world in which everyone gets what they deserve and deserves what they get” (487). As Pemberton et al. (2019) emphasizes, observers can sometimes be “distressed by the fact that bad things can happen to good people” (405). For instance, the common phenomenon of victim blaming can be explained by the psychological need to “reduce the distress an observer experiences upon viewing the victim’s situation” (405). Some people, especially those who are not personally involved in victim’s situation, may have a tendency to overcome this distress by “constructing a narrative of the situation in which the difficulty (...) is resolved by recasting the victim as a bad person in one way or another” (405). However, as I have tried to show in the paper, professional lawyers, e.g. judges, prosecutors or other persons who have a much deeper knowledge of the circumstances of a given case, may also think in a very similar way.

As Lerner (1980) points out, such a just world hypothesis is not only deeply embedded in cultural norms (15) but is also based on certain cognitive myths, such as the myth of the “rational man” or the “good citizen” (26-27). For instance, according to the rational man myth,

we are objective appraisers of social and physical reality. And our reaction to our own and other’s fate is determined by this appraisal. (...) If we see someone suffering or in need (...) we discern whether the person did or did not deserve his fate. If the fate is unmerited, then we (...) would be concerned about (...) helping the victim, and, when appropriate,

apprehending and punishing the inflictor. If, on the other hand, the victim deserved his fate, has been stupid, foolish, or derelict in some important way, then so be it. (Lerner 1980, 27)

In brief, the just world hypothesis refers to popular ideas about how the world works. For example, officials expect that someone giving their testimony will tell a coherent story of what happened. Yet, as I have tried to demonstrate earlier, whether such a narrative is considered credible or not heavily depends not only on the fact whether a person is telling the truth, but also on the fact whether it conforms to the official's notions of what constitutes a victim, rape, a political refugee, and so on. Such basic understandings of how reality works are deeply embedded in a given culture and in the collective unconscious, and therefore, according to my interpretation, are social imaginaries in the Taylorian sense of the term.

What are social imaginaries? According to Charles Taylor, it is the way in which ordinary people usually "(...) "imagine" their social surroundings" (Taylor 2004, 23). Contrary to social theories which are "expressed in theoretical terms" (23) social imaginary "is carried in images, stories, and legends" (23) and therefore it is at least partially related to the social unconscious. Although this is not a typically mythical, but rather a somewhat metaphorical concept of how social reality works, it is "something much broader and deeper than the intellectual schemes" (23). As he puts it, social imaginaries are rather "the ways people imagine their social existence, how they fit together with others, how things go on between them and their fellows, the expectations that are normally met, and the deeper normative notions and images that underlie these expectations" (Taylor 2004, 23). This kind of common understanding is usually shared by many people and "incorporates some sense of how we all fit together in carrying out the common practice" (24). Furthermore "Such understanding is both factual and normative; that is, we have a sense of how things usually go, but this is interwoven with an idea of how they ought to go" (24) to the extent that "Implicit in this understanding of the norms is the ability to recognize ideal cases (...). And beyond the ideal stands some notion of a moral or metaphysical order, in the context of which the norms and ideals make sense" (Taylor 2004, 24-25).

For instance, our common "practice of choosing governments through general elections" (24) must occur according to "certain norms if it is to be what it is meant to be" (24), e.g. we must be aware of what we are doing, it must involve all adult citizens who choose "individually but from among the same alternatives" (24), these individual decisions are then combined "into one binding, collective decision" (24), buying votes is forbidden, and so forth. Yet, this is a kind of idealization, not something "actually lived by this or that population" (183), because having the right to vote in free elections does not have to necessarily mean that we are in fact fully "equal citizens in a democratic state" (183). As Taylor puts it, "to the extent that we not only understand this as a legitimating principle but actually imagine it as integrally realized, we will be engaged in a cover-up, averting our gaze from various excluded and disempowered groups or imagining that their exclusion is their own doing" (183).

In short, by doing so we enter "ideological and false consciousness" (183). However, Taylor emphasizes that we usually think within the framework of some worldview, therefore we see reality through the lenses of a certain social imaginary. In this paper I assume that we are dealing with the elements of a social imaginary of a just world, both in our everyday worldview and in the law and the justice system. For example, when we blame the victim, we are thinking within the social imaginary according to which bad things do not happen to good people. This kind of understanding is culturally conditioned and shared, sometimes unconsciously, by all members of a given society – both ordinary people as well as judges and officials. When the judge quoted by Brooks states that he does not believe that a woman was raped because she refused only verbally, whereas in his view "every proud woman" has to "follow the natural instinct (...) to resist, by more than mere words, the violation of her person by a stranger" (Brooks 2005, 418),

he is looking at reality through the lens of the social imaginary of how “every proud woman” should behave. The official who claims that a trafficked woman who was forced to illegally cross the border is not a refugee, but a criminal and therefore does not deserve to be granted asylum, is thinking about reality within the framework of a social imaginary of the just world. Such an imagined world is perfectly divided into good and evil: bad criminals who break rules and deserve punishment, and good victims who deserve help. Of course, we can say that such an official is to some extent right, as criminals should undoubtedly be punished, and we must help victims. But this is a general truth, similar to such statements such as “All human beings are born free and equal in dignity and rights” (Article 1 of the Universal Declaration of Human Rights). Although most of us will be willing to agree with this statement, we would be thinking ideologically if we wanted to claim that this is not a kind of idealization, but something “actually lived by this or that population” (Taylor 2004, 183). If we truly live in a world where everyone is free and equal, why do people continue to be trafficked, tortured, killed or forced into prostitution all over the world? In short, the idea of a just world in which people always get what they deserve, while perhaps true on a very general level, does not take into consideration that the real circumstances of being a victim may be more complex, and that real social life can rarely, if ever, be reduced to the partially idealized way in which people usually imagine their relationships with others as well as their social surroundings.⁵

Conclusions

What is at stake in telling non-fictional narratives of (in)justice? Although telling the truth seems to be paramount, it turns out that this is more complex than it seems at first sight. Whether or not such a non-fictional narrative testimony is credible for the audience does not depend solely on its factual accuracy or the honesty of the witness. Firstly, there are various structural and language features of narrative discourse that can lead to its partial fictionalization. Furthermore, it is very difficult to recount traumatic events for the person who has experienced them. Finally, in order to be considered true, such non-fictional narratives must conform to culturally conditioned ideas about how the world works and must somehow agree with public discourse or the so-called master narrative. However, although such a master narrative is obviously somehow based on known facts, it always refers also to the social unconscious and is never entirely free of simplifications and collective myths, which in the modern society take the form of various social imaginaries.

However, this can lead to significant dilemmas, since an act of conferring belief may lead to situations in which a false story that fits well with expectations is considered true, while a true story will be considered fraudulent and incredible because of ambiguities, logical

⁵ There is a similarity between Taylor’s social imaginaries and terms such as master narrative or Lyotard’s metanarrative. Similarly to social imaginaries, social master narratives also have a totalizing character and refer to the most universal truths, i.e. views which are true on a general level, and “purport to offer a comprehensive account of knowledge and experience” (Russell 2010, 1). However, unlike social imaginaries, which limit themselves only to explain how the world works, social master narratives also “have a rhetorical, moral force, regulating society according to their proclaimed truths. (...) It is through their universal explanatory scope that they hold a society together. Master narratives give credence to the status quo of institutions and activities: they orient decision-making, prescribe behaviour, order social life, give it a sense of purpose, determine rules and conventions and what counts as valid practice, establish what is true and just, and provide means of interpreting and valuing human action and experience” (Russell 2010, 2). In brief, they organize social reality in the most literal sense of the term, that is to say they somehow determine the rules of the institutional decision-making process in offices and in courts, and thus at least partially form the basis of the official and legal discourse of (in)justice.

inconsistencies or the fact that it does not fit with the listener's expectations of how the world works. This is probably the most important danger associated with telling non-fictional narratives of (in)justice, because in non-fictional contexts it is not the story but somebody's life, freedom, or the possibility of doing justice to them that is at stake in the telling.

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