

Law & Love

An alternative approach to Law & Order

1. Course details

Minimum/maximum number of students	25 - 30
Academic year	2022/23
Semester	1 (Tanja prefers as soon as possible)
Period	1
Day(s)	tbd
Time duration	tbd
Number of meetings	tbd
Dates	tbd
Location	Vrije Universiteit Amsterdam
Credits	6
Language	English
Course coordinator	Tanja Jadnanansing, Fleur Souverein
Hosting VU Faculty	Faculty of Medicine

2. Learning goals: attainment level and learning outcome

The course has three central learning goals which combine the aspects of theory, empirics, personalisation and interdisciplinarity.

1. Students can challenge and develop future approaches to law enforcement by **combining theoretical and empirical knowledge**
2. Students contribute and challenge common concepts in law enforcement as justice, law & order and security through **different perspectives**
3. The course should enable students to rethink their current perspectives on law enforcement, which should help them to familiarise themselves more with the current **debate in national and local politics**

3. Course content

1. Introduction: What is the course about?

The first lecture outlines the fundamentals of the course. The course coordinator will introduce the concept of law and love and will provide a rudimentary justification and the problem statement for finding an alternative approach to law enforcement. The course participants should have the opportunity to get familiar with the course material and exchange their expectations and ideas about the course.

Learning goals

- a. Understanding the concept of law and love

Design: Tutorial

Lecturer: Tanja Jadnanansing

2. Why do we need law enforcement? A philosophical approach

Before diving into an empirical analysis of the criminal justice process, the course has to outline the theoretical fundamentals. The first theoretical lecture approaches the question of “why is law enforcement needed?”. By introducing a philosophical approach, we will discuss different perspectives about human nature and security. We analyse how and why certain historical thinkers like Hobbes, Rousseau or Mill argued in favour of certain approaches to authority.

Learning goals

- a. Students can differ between historical perspectives about human nature, authority and security
- b. Students understand how different assumptions about the human nature result in different approaches of law enforcement

Design: Lecture and tutorial

Lecturer: tbd (Rutger Bregman? Eric Schliesser? Luigi Corrias?)

3. What is law enforcement and how did it change throughout time? A historical perspective

In this session, we want to see how historical developments influenced our perspective on law enforcement. Different historical dynamics such as revolutions, political leaderships and regime types shape the goals behind law enforcement. It shows that law enforcement is a diverse and dynamic concept, therefore this session should help to point out the differences between different historical designs of law enforcement. Are they all outdated or do they probably include a relevance that should be kept up to this day?

Learning goals

- a. Being able to analyse and differentiate between different forms of legal persecution
- b. Understanding how historical dynamics shape the expectations about the law enforcement system

Design: Lecture and tutorial

Lecturer: tbd

4. How do poverty and social injustice affect criminality?

This week, we are diving into the socioeconomic roots and causes of crime: poverty and social injustice. It is well known that environmental factors such as poor families and schools in 'bad areas' influence the probability of becoming a criminal, especially concerning juvenile crime¹. So, should the first step not be to eradicate social injustice and to make society more equal - with true equal chances for everyone?

Learning goals

- a. Students understand and can differ between different conceptualisations of justice
- b. Students understand how socioeconomic factors influence the probability of criminality

Design: Lecture and tutorial

Lecturer: tbd

5. What are the biosocial aspects of crime? A neuroscience/psychological perspective

This week, we will dive into the neuroscientist and biosocial perspectives on crime. What happens in our brains when we commit a crime? What happens in our brains when we

¹ Morizot, J., & Kazemian, L. (Eds.). (2015). *The development of criminal and antisocial behavior : theory, research and practical applications*. Springer. <https://doi.org/10.1007/978-3-319-08720-7>

go into mediation? In which way do biological factors such as genes and the brain affect environmental factors and how do they influence criminality over the life course? These and other questions will be answered.

Learning goals

- a. Students understand how biological factors influence criminality and recidivism
- b. Students understand how the brain interacts with environmental factors

Design: Lecture

Lecturer: Jorim Tielbeek

6. What is effective law enforcement? A political perspective

With this lecture, we slowly shift our perspective to the empirical side of the topic. As with most daily practices, law enforcement is based on legislature and is thus strongly influenced by political goals and party interests. This lecture should approach this perspective by analysing different policy designs. The students should learn to question and analyse the underlying motivations and interests in the public discourse. The main goal is not to understand the specific position towards law enforcement but to critically reflect on how political interests are interwoven with political implementation.

Learning goals

- a. Students understand how and why motivations are essential in policy design
- b. Students are able to determine underlying interests in the political discourse

Design: Lecture and tutorial

Lecturer: Tanja Jadnanansing and Kathleen Ferrier

=> *We see this as the transition from the 'general' to the specific, so from 'law & order' to 'law & love'*

7. Experiencing law enforcement

What is the feeling of being legally prosecuted? Does the system negatively and/or positively influence individual development? How does it feel to be in prison? There are many questions addressing the current justice system. Many of us were neither persecuted nor have been personally involved in the criminal justice process. Our experiences are based on secondary sources but barely develop a personal approach to the topic. By challenging our view on a field trip to a youth prison, the course participants should have an opportunity to

gain a first-hand perspective of the law enforcement system. This way the problem analysis should be widened by an insider perspective of the system.

Learning goals

1. Students get a personal introduction to the criminal justice system from someone who was in direct contact with the system
2. Students are able to critically reflect on their assumptions about the criminal justice system by getting a personal insight
3. Students are able to identify and conclude the current situation in the justice system through a shift of their perspective

Design: Tutorial and field trip to a prison

Lecturer: Fleur Souverein and someone who experienced the criminal justice system

8. How to prevent crime? Can better prison designs help?

After the field trip to a prison, the focus this week is on how to do it better. Alternative designs of prisons are already in place as for example Norway. Furthermore, we also take a look at preventative measures apart from prisons as the concepts of restorative justice and rehabilitation. The current recidivism rate in the Netherlands is at 49%, while other countries with a higher focus on rehabilitation could significantly lower this number. How can prisons be designed in a way that does not foster recidivism but serves as a rehabilitation facility? And are there other ways of 'punishment' that go beyond imprisonment?

Learning goals

1. Students are able to define and understand the concepts of restorative justice and rehabilitation.
2. Students are able to outline problems and benefits of the current prison system and can develop and evaluate alternative approaches upon this point

Design: Lecture and tutorial

Lecturer: Fleur Souverein

9. Changing the discourse of we vs them - A sociolinguistic perspective

This week is about a language perspective: How does the discourse of we vs them or so-called 'othering' influence criminality? How do social cleavages emerge from exclusive

language - for example in legal texts? And what to do to change it? By analysing the language of media reports, we will analyse what it means to be privileged and how an inclusive discourse can help to design a better and safer city community that will benefit all.

Learning goals

- a. Students understand how language can be used as a tool of inclusion and exclusion
- b. Students see how sociolinguistic discussions reflect in the dynamics of a community and how privileges are a central part of this debate

Design: Tutorial

Lecturer: tbd

10. How can legal enforcement benefit societies?

The second to last week is about a fundamental question: how can crime be prevented? On the one hand, we will analyse this question by discussing approaches like restorative justice to understand the most relevant concepts in this field. On the other hand, we will take a concrete look into how community involvement can improve law enforcement so it can benefit societies. It will question, which responsibilities do societies have in terms of restoration and crime prevention.

In this part of the course, we will do a second field trip which will take us to Amsterdam Southeast. Youth workers, the parents panel and neighbourhood judges will answer questions about how they deal with low- and high-impact crime and how to develop an approach to law enforcement that is not only designed for but also with communities.

Learning goals

1. Students can identify and discuss the concepts of restorative justice and social responsibility
2. Students are able to discuss the social responsibility in the development of alternative approaches to law enforcement

Design: Lecture and field trip

Lecturer: tbd and Tanja Jadnanansing

11. Building the future of law enforcement

The final week of the course is about the future of law enforcement. Students are asked to connect their gained academic and empirical knowledge of the last weeks by designing alternative approaches to law enforcement. In case studies, students are asked to design a solution for the currently occurring “problems” in the justice system. By merging the theoretical and empirical insights, students should be able to design an in-depth problem analysis. Based on this, they develop alternative solutions, especially in light of the initial idea of ‘Law & Love’. In a seminar, students can critically discuss and exchange their ideas with fellow students and both course coordinators. At the end of this module, students are expected to hand in an academic paper about a case study of a current topic in law enforcement

Learning goals

1. Students are able to connect cases with theoretical and empirical knowledge to provide an in-depth analysis
2. Students can justify and develop new approaches and alternatives to law enforcement on the basis of academic knowledge.

Design: Tutorial and Final assessment

Lecturer: Tanja Jadnanansing and Fleur Souverein

4. Main course elements and methods

The course is structured in a modular way. Each week represents one ‘building block’ that discusses a certain aspect of law enforcement. This allows for maximal flexibility in the course’s implementation since the blocks can be altered and moved to a different point in time to maximise the learning goals. Apart from that it also helps to clearly structure the subject matter, which offers the participants to deeply engage with the material and the topics. This ties closely to the following matter.

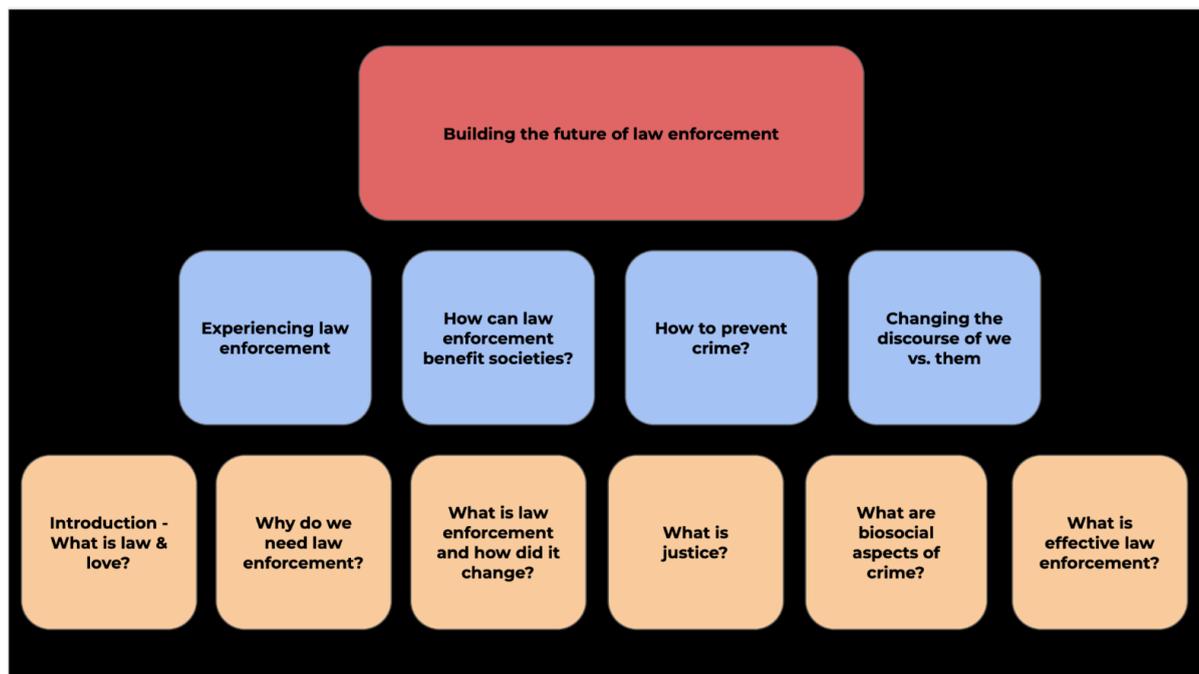
The course is interdisciplinary, featuring perspectives from various disciplines, such as criminology, politics, sociology and linguistics. On the one hand, this makes the course attractive to honours students from various VU and UvA faculties. On the other hand, the topic of law enforcement can be studied from various perspectives, which creates room for a wide-ranging discussion of the topic. It is important to notice that there is neither an ideal nor perfect solution to the current situation of law enforcement but that the ‘ideal’ solution rather

depends upon the individual circumstances. By analysing and discussing different perspectives, students will not only be able to develop different solutions to the topic but they will also be equipped with the needed tools to understand underlying motivations. Actors will favour certain types of law enforcement in light of their individual motivations and the goals they try to achieve. Consequently, it is fundamental to offer the students the needed tools to analyse these differences.

Overall, the course will use various methods to offer a diverse but didactically useful course design. In a combination of short lectures and tutorials, students should be able to discuss and learn more about the most important concepts of the topic. The course coordinators as well as potential guest lecturers will have the chance to offer an in-depth insight into their work and the current discussions about law enforcement. In comparison to lectures, tutorials should in specific open the room for discussion and critical reflection, wherefore we decided to locate controversial topics as well as topics that challenge the personal perspective in this design. In order to enable a vivid discourse students will be expected to prepare for the sessions by reading and watching relevant literature and/or videos. The precise design and content of this preparation will be determined by the hosts of each session to provide a good alignment between the material and the lecture.

5. Coordination and cohesion of the lectures

We work with three different pillars that add up on top of each other. First, we start with different theoretical approaches to law enforcement and the criminal justice process, such as the history and biosocial components of crime. After covering these essentials, we will move on to a more practical and empirical perspective, containing field trips: How does law enforcement play out in real life and what are its consequences on the people involved? Based on the analysis of the prior weeks, we then will look into building the future of law enforcement and developing new approaches to the criminal justice process. The three pillars can, thus, be defined as (1) theoretical approach, (2) practical and empirical perspective and (3) the symbiosis of both in building alternative approaches to law enforcement.



Through the pillar structure as well as the before mentioned modular structure (See 4. Main course elements and concepts) we hope to provide a cohesive structure that enables an in-depth analysis of the topic of law enforcement.

The course will be coordinated by Tanja Jadnanansing and one co-coordinator, as well as one student assistant. At the current moment in time, we are in contact with Fleur Souverein for the position of co-coordinator. Fleur Souverein is a PhD candidate at the VU. Her research includes the topics of integration and restorative justice (especially in light of young offenders) as well as the development and discussion of alternative prison designs.

6. Relevance of the course

The honours course Law & Love has a topic that is highly relevant for society nowadays. As numerous proven and shown in research, recidivism rates are significantly higher when the criminal justice system focuses on punitive approaches and harsher enforcement than when it focuses on rehabilitation and reintegration of offenders into society. Many criminologists agree that a different approach would produce better results: in the US, the country with the highest incarceration rate and a strict and punitive criminal justice system, the recidivism rate is 76%, also among the highest in the world. In Norway on the other hand, a country with a

vastly different approach to prison systems, the recidivism rate is near 20%.² This constitutes a social relevance of changing the narrative of law and order to a narrative that would actually work. This course aims to make its students feel the need for changing the approach to criminal justice by not only showing them the theory and on-hand experiences but also by directly engaging them in developing the foregoing ideas.

7. Practical information

When students have a reason, they are allowed to miss two classes. Participation in the classes is strongly recommended. It is considered to test the latter in a participation grade.

8. Study material

The study material for this course contains academic articles, documentaries, as well as a field trip to Amsterdam Zuidoost and a prison. The exact curriculum will be designed in combination with the lecturers and coordinators of the individual sessions. The provided list, should just be seen as a first collection of ideas that can be used as the starting point for future discussions

Preliminary reading list:

Barnett, R.E. (1977). "Restitution: A new Paradigm of Criminal Justice", *Ethics*, 87(4): pp. 279-.

Bregman, R. (2019). *Humankind. A Hopeful History*, Bloomsbury Publishing Plc.: n.l..

Hobbes, T. and Macpherson, C., (1968). *Leviathan*. Harmondsworth, Middlesex: Penguin Books

Johnson, L. M. (2008). "A Place for Art in Prison: Art as A Tool for Rehabilitation and Management", *The Southwest Journal of Criminal Justice*, 5(2): n.p. Available at <https://doi.org/10.1093/gao/9781884446054.article.t069767>.

Lucia de B. (film) - a Dutch movie about a nurse who had been wrongly imprisoned for six years (has an Oscar nomination, wiki page [https://nl.wikipedia.org/wiki/Lucia_de_B._\(film\)](https://nl.wikipedia.org/wiki/Lucia_de_B._(film)))

² Recidivism Rates by Country 2022. (2022). Retrieved 8 April 2022, from <https://worldpopulationreview.com/country-rankings/recidivism-rates-by-country>

Luyendijk, J. (2022). *De Zeven Vinkjes. Hoe Mannen zoals ik de baas spelen*. Uitgeverij Pluim: Amsterdam.

Zehr, H. (1995). "Justice paradigm shift? Values and Visions in the Reform Process.", *Mediation Quarterly*, 12(3): p. 207.

9. Assessment methods

The course's assessment is based on participation in class discussions (30%) (see mandatory attendance), individual papers on case studies, in which students should come up with a better solution than law and order (40%), and a presentation of the case study (30%).

10. Study load and composition

Course language: English

Credits: 6 EC

Total workload: 168 hours

Contact hours: 42 hours

Course coordinator: Tanja Jadnanansing, Fleur Souverein

Student assistant: tbd (preferably one member of the project team)

The proposed courses must complement the joined offer of VU and UvA.

The course will be hosted by the medical faculty of VU.