

Due: Friday October 24th (In-class, before the start of the lecture)

Length: Minimum 4-6pgs

See the Syllabus for instructions on paper format and preparation

In his article “Conflicts as Property” Nils Christie argues that today there is too little, rather than too much, conflict in industrialized societies like ours. This is a big problem for Christie first, because he says that conflicts are “important elements in a society” and too little conflict in a society can “paralyze”, and second, because one of the reasons for this decline is that conflicts are increasingly “stolen” by various professionals; in particular by lawyers and criminologists.

Drawing a) on the article and b) our earlier discussion in class of the conflict and consensus paradigms of society and law critically discuss Christie’s argument (you may also refer to Vago and Nelson directly when discussing the conflict and consensus approaches if you wish). Be sure to address the reasons why Christie says law essentially “distances” people from their conflicts and also address his contention that lawyers and criminologists are “professional thieves”. Ultimately the main question you must answer is (so your thesis should reflect this):

Should we think of “conflicts as property” as Christie suggests? What are the advantages or disadvantages to this way of thinking?

Below are a few other questions that might help get you thinking about this. You can address some or all of these in your commentary alongside the main question above. You should try to minimally address the last question of how Christie’s suggestion might force us to re-imagine law’s role in society.

- Is Christie right to say that modern societies do not value conflict enough?
- Are there any potential disadvantages or dangers in his argument?
- How might this perspective change our view of “victims of crime” or “offenders”?
- What do you make of Christie musing that, “Maybe we should not have any criminology”? Do you agree?
- What is Christie’s alternative to the current system (hint: the ‘Tanzanian case’ described in “On Happenings and Non-Happenings”)?
- Does his argument force us to think differently about the basic role of law in modern societies? If so, how?

The commentary is designed to allow you to demonstrate your ability to critically engage with the reading and identify both the potential **strengths** and potential **weaknesses** of Christie’s argument and why it is important to at least consider what he says, even if you ultimately don’t agree. This means you will engage in a combination of **summary** (telling me what he is talking about) and also **critique** (assessing the various arguments’ strengths and weaknesses and considering the consequences).

This assignment is purposefully somewhat open-ended. It allows you to structure the paper in a variety of different ways depending on how you respond to the question(s) posed. I appreciate that this may cause you some anxiety. Not to worry, this is good! A major part of improving as a writer and succeeding at university (and beyond) is finding your own voice and learning how to construct your own arguments in convincing ways. This does not come naturally or easily to most people and so these things take practice.

Be confident, read this sheet carefully, and ask questions when the material is unclear. Good luck!