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A Socratic Contribution to Culture of Lawfulness for Teaching Criminology¹

Abstract: This article presents and discusses the thesis that the Socratic method for teaching Criminology advances students' capacity for self-reflection and enables progressive transformative criminal justice outcomes. In contemporary pedagogics the Socratic method is one of many interactive ways of acquiring legal knowledge. The method's outstanding feature involves global and systemic understanding of human attitudes and values, including the most current and comprehensive 2030 United Nations

1 The original idea for this article comes from Emil Pływaczewski and Izabella Kraśnicka, two academic researchers from the Faculty of Law of the University of Białystok (Białystok, Poland). They referred to the Socratic method in their 2016 article on legal education in transition (see: E. Pływaczewski, I. Kraśnicka, *Legal Education in Transition: Is the Bologna Process Responding to Europe's Place in the World?*, (in:) H. Kury, S. Redo & E. Shea. (eds.), *Women and Children as Victims and Offenders: Background, Prevention, Reintegration*, Springer International Publishing, Switzerland 2016, p. 342), which prompted the first author of the present text to propose that the Faculty conduct a Socratic Seminar on Criminology. The proposal was accepted, hence the text below.

Sustainable Development Goals Agenda “Transforming our world”², in essence a new global ethical code underway with a spearheading concept of a global Culture of Lawfulness. Against the background of the pros and cons of this method this article presents the objectives, essentials, and results of the Socratic method for teaching Criminology at the Faculty of Law of the University of Białystok (Białystok, Poland, 2016-2018). It assesses, discusses and draws conclusions from these results in the context central to criminology Sustainable Development Goal 16 of the Agenda: “Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels”.

Keywords: Culture of Lawfulness, criminology, critical thinking, justice, Socratic method, United Nations, sustainable development

1. Introduction

Socrates (c. 470-399 B.C.E.) was the first classical Greek moral philosopher. In 399 B.C.E. in Athens he stood trial accused of two ideologically motivated offences: morally corrupting youth and blasphemy. Sentenced to death, he chose to die by taking his own life. Since then Socrates is regarded as the first Western criminal justice educator³ who developed the logic and a method of teaching that communicates progressive social ideas relevant to criminology and law.

By virtue of the United Nations Charter, especially its art. 13.1(a) on the progressive development of public international law and art. 55(a). on social progress and development, the Socratic method is as partisan as is this UN core instrument with regard to the direction of criminal and social justice. Following the 2015 recommendation of the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice to start working on a global Culture of Lawfulness⁴ (CoL), this article outlines, reviews and draws conclusions on one of its possible didactic tertiary-level tools: the Socratic method. Since the adoption of the 2030 United Nations Sustainable Development Agenda in 2016, the relevance of CoL in countering crime and pursuing criminal and social justice issues has grown. The Agenda’s Goal 16 to “Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels” offers an opportunity to consider in which tertiary-level education fields the Socratic method would be especially appropriate.

2 A/RES/70/1, Transforming our world: the 2030 Agenda for Sustainable Development, 25 September 2015, <http://www.un.org/en/sections/documents/general-assembly-resolutions/index.html> (15.04.2018).

3 K. M. Holland, Socrates – The First Criminal Justice Educator, “Criminal Justice Review” 1980, vol. 5, no. 1, pp. 1-4.

4 Para. 7, A/RES/70/174, Annex, Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation, 17 December 2015, <http://www.un.org/en/sections/documents/general-assembly-resolutions/index.html> (15.04.2018).

The Socratic method is especially popular in criminal justice teaching across the United States. What is quite common there is not only its modification, whether by modern audio-visual methods or by size, ranging from class-room to lecture-hall⁵, but also a discussion on the method's effectiveness. Using the method's evaluation criteria of effectiveness developed by US-Chinese educators⁶, the present article limits itself to a systemic review of just one Socratic teaching project in Białystok (Poland) at the Faculty of Law of the University of Białystok. The article's aim is to document that this criminological teaching method advances students' capacity for self-reflection and enables progressive transformative criminal justice outcomes.

2. Objective

Unlike the Socratic method and despite its long history, throughout the ages lecturing has probably been the most time-honoured if not also the most frequent method of tertiary-level teaching and learning. Sadly, common wisdom and scientific evidence go hand-in-hand when it comes to assessing its low effectiveness. One US educator in the 1920s, Harry Lloyd Miller, reminded us that "Learning is that mysterious process by means of which the contents of the note-book of the professor are transferred through the instrument of the fountain pen to the note-book of the student without passing through the mind of either"⁷. Indeed, research findings confirm that students' mental involvement when attending a lecture class or watching TV is just at the same minimal level, flat and at the bottom of the scale in comparison with their involvement in laboratory work, study and exams⁸.

3. Essentials

For Criminology, the Socratic method is a case-based "laboratory" work method. Its goal is students' own intellectually satisfactory arrival at humanely-motivated and effective steps and solutions. These case-based solutions should have the potential to be introduced into the realm of criminal and social justice, domestically and/or internationally.

5 M. Schaefer Morabito, R. R. Bennett, Socrates in the Modern Classroom: How are Large Classes in Criminal Justice Being Taught, "Criminal Justice Education" 2006 vol. 17, no. 1, pp. 103-120.

6 E. Ryan E, S. Xin, Y. Yuan, R. You, H. Li When Socrates Meets Confucius: Teaching, Creative and Critical Thinking Across Cultures Trough a Multilevel Socratic Method, "Nebraska Law Review" 2013, no. 2, pp. 290-331.

7 H. L. Miller, *Creative Learning and Teaching*, Scribner Inc. New York 1927, p. 120.

8 M-Z. Poh, N. C. Swenson, R. W. Picard, A. Wearable, Sensor for Unobtrusive, Long-term Assessment of Electrodermal Activity, "IEEE Transactions on Biomedical Engineering" 2010, vol. 57, no. 5, pp. 1243-1252.

In a nutshell, this classical case-based interactive method only allows the instructor to ask students scripted questions that prompt them to reflect on possible answers. The answers received are not validated by the instructor. S/he only asks new scripted questions, as the case consideration moves on and students arrive at an immediate, but not necessarily consensual, solution.

The prearranged case must be partly or fully relevant to domestic or international issues of criminal and penal policy and *de lege ferenda* corresponding to these issues. After students have come to grips with the facts of the case, as verified by the instructor through the “what” questions, the instructor sequentially moves with other questions toward the ultimate solution, but they themselves do not offer any answers to the questions put to students.

In the entire process the instructor may only ask questions through which he/she verifies students’ critical thinking. The instructor asks:

- First, “what” type of questions about the facts of the case, next “whether” types of questions about its moral and ethical assessment (“right or wrong?”);
- Then, “why” type of questions, e.g. why the defendant behaved in such and such way and not in another;
- Finally, “how” type of questions in terms of the conduct of the offender, victim, of other court or community actors, and how actions and solutions could follow in an alternative scenario.

This scripted “what-why-how” interrogative sequence employs inferential/ inductive logic from the “particular” through the “general” to *de lege ferenda* “generic” result. This incremental process starts by ascertaining whether the facts of the case at least partly fit some general solution for a particular type of crime, and whether this solution is at least partly relevant to the type of crime in question. A case-specific question “A” entails a less than a minor question “B” (and *vice versa*⁹). Both lead to a generalizable question “C” which implies a self-evident answer. In other words, one does not have to answer a question in order to apply a rule¹⁰. Thus only the questions play the role of “premises” and results. Without making any use of the answers to the first and the following questions, the learner, by force of own thought, ends up with

9 These questions follow from one another, in the sense that they mutually infer from themselves a logically compatible conclusion: either both are true or false (O. Ngwenyama, Logical Foundations of Social Science Research, (in:) K-M. Osei-Bryson, O. Ngwenyama (eds.), *Advances in Research Methods for Information Systems Research: Data Mining, Data Envelopment Analysis, Value Focused Thinking*, Springer Berlin-Dodrecht-Heidelberg-New York 2014, p. 9). See also: P. Kreeft, *Socratic Logic*, Saint Augustine’s Press, South Bend, IN. 2014.

10 Inferential induction derives a rule from the case and result, deduction infers the result from a rule and the case (*Ibidem*, p. 9).

a question of a progressive and reformist character in substance – a genuine answer in itself¹¹.

In sum, this – ideally three – premise –reasoning inductive process, starts with “what” type question on details of a specific criminal case, goes through the “why”-type questions, and may eventually end up with one “how” – type questions on making crime prevention work. In practice, the process may have more premises.

The following example presents the logic of the case inquiry: “A. John Doe, a destitute unemployed worker, committed homicide for which he will be punished; B. A State must be responsible for people’s welfare and employment; C. People should have better employment opportunities to meet their welfare needs to stay out of crime”.

Figure 1 below graphically shows the circular process described below.

Figure 1. Socratic logic as a transformative process.

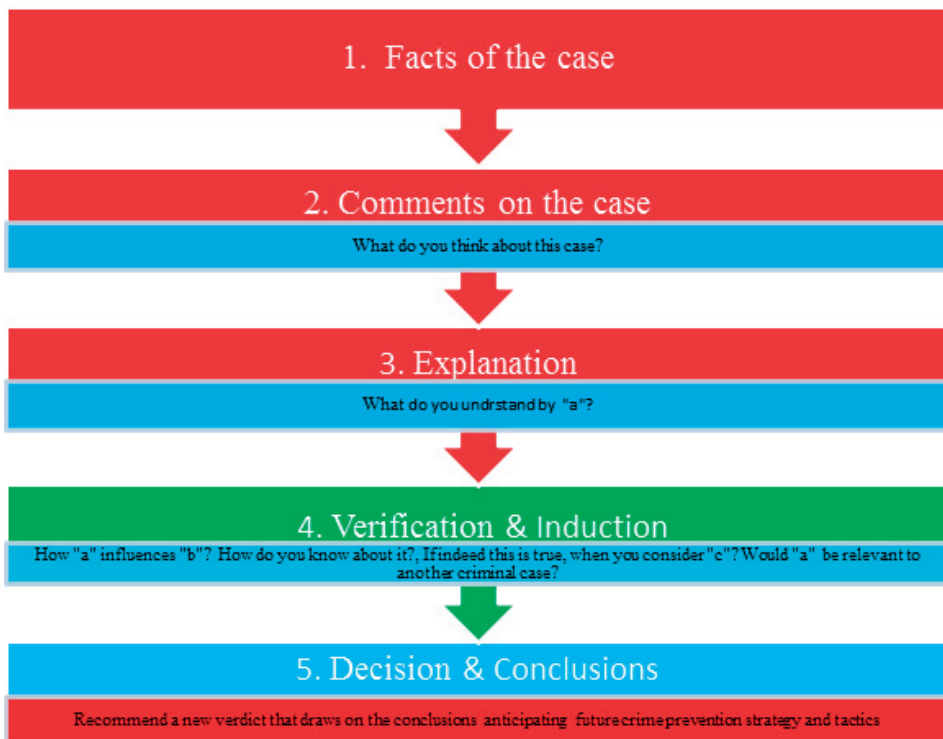


Based on the above explanations, Figure 2 shows how a Socratic inquiry works in discussing and concluding a criminal case in five steps¹².

11 S. Redo, The transformative power of the United Nations post-2015 sustainable development goals and crime prevention education for a new culture of lawfulness, (in:) J. Winterdyk, Crime Prevention. International Perspectives, Issues, and Trends, CRC Press. Taylor & Francis Group, Boca Raton-London-New York 2017, p. 17; D. Leszczyńska-Jasion, M. Urbański, A. Wiśniewski, Socratic Trees, “Studia Logica” 2013, no. 101, pp. 959–986.

12 Adapted from: F. Lam, The Socratic Method as an Approach to Learning and its Benefits (M.A. thesis, Carnegie Mellon University, USA 2011, p. 16), <http://repository.cmu.edu/hsshonors/134/> (04.03.2018).

Figure 2. Socratic inquiry into a criminal case and conclusion



4. Pros and cons of the Socratic method

In contemporary pedagogics the Socratic method is one of many interactive ways of acquiring legal knowledge. It requires a very well-read and perspicacious instructor who, paradoxically, requires to play the role of one lacking the knowledge possessed by the students, while at the same time leading them toward a correct idea or answer without their realizing it. The position demands a great deal of intellectual subtlety to be exercised. The instructor requires to maintain an unbiased and even disposition at all times and in discussions, should never show a willingness to accord with or contest students' views. Indeed, when a situation arises that calls for agreement or disagreement to be expressed, that is the time to introduce a new question which serves to further widen the scope of the discussion and thus adds to the knowledge being accrued. And this illustrates the main difficulty with the classic Socratic method – how to handle the diversity of ideas and answers that can arise from almost any question. A well-versed instructor, up-to-date with the latest crime and justice developments, may have an easier time here than on who is opinionated.

It is a must for students to attend each class fully prepared and having read the material required. For the opening class, knowledge of the overall facts of a given criminal case is sufficient to start a group discussion. However, before each subsequent class students may need to study more material and accordingly the intervals between classes may have to be adjusted to suit. This needs to be borne in mind when planning a timetable.

As a counter to preconception, the instructor, given the initial questions which the students are familiar with and understand the answers, helps them to ascertain whether their own line of thought fits with the case at hand. This encourages an atmosphere of mutual understanding. It helps students to reflect positively and autonomously on their personal intellectual capacity to address the case “the way I think it should be addressed”. Ultimately, this subtle intellectual interplay in a learning group fosters the replacement of students’ pre-conceptions with scientifically sound questions, ideas and recommendations for action.

5. Methodology

“A Seminar in Criminology taught by the Socratic method” was launched by the Faculty of Law of the University of Białystok on three occasions (in the academic years 2015/16¹³, 2016/17, 2017/18). As the model for the concept of the course, an adaptation of the Socratic method at Ocean University in the City of Qingdao in the Peoples Republic of China was used¹⁴. Teaching guidelines implemented by this institution were modified for the needs of the Polish model of study and teaching classes. Above all, it needs to be emphasized that both the teacher and the participants of the seminar in Białystok spoke Polish. Thus, the language barrier encountered by an American Professor in China did not occur in Poland. Therefore, it was not necessary to divide students into groups wherein one person acted as an interpreter. Consequently, the teacher could directly turn to the listener, ask questions and get answers. The final exam also looked differently. The American lecturer applied the method of open books, while in Poland the test corresponded to the form of exams currently used by universities, based on checking the knowledge memorized.

As part of the aims of the course, its organizers were to present new learning methods and provide knowledge. The following elements were used during the workshops: the Socratic dialogue, critical analysis, preparation for the classes by

13 A more detailed description of the seminar that took place in that academic year is in the publication: E. W. Pływaczewski, *Bezpieczeństwo obywateli – prawa człowieka – zrównoważony rozwój. Polskie kierunki interdyscyplinarnych badań kryminologicznych nad bezpieczeństwem obywateli oraz w zakresie przeciwdziałania wykluczeniu społecznemu*, Białystok 2017, pp. 407-409.

14 E. Ryan, et al., *op. cit.*

students, limiting the role of the teacher from the position of authority to one of being a partner.

In the first edition of the seminar there were 11 participants. At this juncture it should be noted that the initial meeting had been attended by a larger group of students but during the course two of them resigned. Among those who completed the course, the largest percentage were PhD students in legal sciences – 55%. The classes were also attended by the following: a student of criminology, a law student, a doctor of legal sciences and two persons not connected with the University – a high school graduate and a student from the Police Academy. The group consisted of seven women and four men.

In 2017, 18 people participated in the second edition of the seminar. One of them, due to a conflict with their duties at the Faculty of Law, missed the seminar's summary activities. Two students took part in the seminar in 2016 and decided to repeat the experiment. The profile of participants was slightly more varied compared to the previous year. Again, PhD candidates of legal sciences formed a significant group – 39%. There were five students of criminology and one law student, as well as two Police Officers, a PhD in legal sciences, a PhD in humanities, and a student of the first form at high school. Therefore, four people not associated with the Faculty of Law attended the seminar. The group consisted of 13 women and five men.

In the third edition of the workshop nine people took part and all were women. One was a PhD student in legal sciences and the remainder were students. Three of them studied law and five studied criminology.

At the beginning of the seminar the participants introduced themselves and talked about their expectations of the classes. Before applying, they had each received a short description of the workshops and expected that the method of conducting the seminar would be different from previously known teaching methods. Students could express their feelings and impressions at the end of the workshop in an anonymous survey, the results of which are presented below.

The questionnaire which formed the survey consisted of 13 questions, with six closed and 7 open. Closed questions included an assessment of the degree of acquisition of individual skills on a scale of 1 to 5. Open questions concerned opinions about the seminar and a comparison of various elements of its methodology with the methods of conducting classes at the Faculty of Law of the University of Białystok.

Importantly, the same questionnaire was completed by participants of classes conducted according to the Socratic method at Ocean University in the City of Qingdao. Thus, it was possible to compare teaching results achieved among Chinese students with teaching results achieved among Polish participants. In 2016, the questionnaire was completed by 11 participants of the seminar, in 2017 by 15 and in 2018 by 9. Thus, 35 respondents took part in the research. Not all persons answered each question. This was understandable due to the fact that some of the participants

came from outside the university, so they could not relate the experience of seminar classes to classes typical for the Faculty.

At the beginning students answered closed questions concerning the skills they had acquired. In the first question, they evaluated, on a scale from 1 to 5, how the seminar helped them develop their critical thinking ability. In 2016 the rating was 4.545. In the following year, the result was slightly weaker, but still at a high level: 4.333, and in 2018 the result was 4.556. The average rating for all years was 4.457. It follows that the aim of the seminar in the form of teaching students to look critically at a presented issue was achieved with a very good result. Another question that the participants answered was the impact of the classes on their ability to think creatively. This aspect of the workshop was also highly rated by each of the workshop groups. The average rating for all years being 4.343.

Next, the participants of the seminar assessed to what extent the classes allowed them to develop the ability to express their views verbally. Undoubtedly, this was an important aspect of the workshops due to the teaching method. In fact, their main point was discussion. Students were not only obliged to give their opinions, but they also had to justify them and possibly defend their arguments when their view was questioned by other people. Answering the question about the contribution of the workshop to developing the ability to express ideas verbally, in 2016 this aspect of the seminar scored 4.364, in 2017 – 4.067 and in 2018 – 4.111. This gave the average result of 4.171. Of significant importance here is that, only eight out of 35 respondents rated it below 4, which means that for 77% of students the course provided on for raising the level of their oratory and/or negotiating skills.

The participants then assessed whether the workshops had helped them develop their skills for group and individual work. With regards to group work, the best results were achieved in 2017. Although most of the students raised their level of the abilities discussed, the assessments were not so clear-cut. In this case, the respondents chose scores between 2 and 5, while for previous questions the scale was “narrowed” to between 3 and 5. The average rating for all years was 4.118. Assessment of developing the ability to work individually was similar to that of group work. It should be mentioned that own work required, in particular, becoming familiar with training materials, reflecting on them and sharing the opinion with the group. Therefore, most of the tasks should be classified as individual. In 2016, the average rating of this aspect of the seminar was 4.091 and in 2017 it was 4.214. The results were the same for improving the ability to work as part of a group. On the other hand, in 2018 this aspect of the seminar was rated lower in comparison to the development of the ability to work in a group, however, in the end, the average rating was 4.059, which was good.

The last of the closed questions concerned the impact of the seminar on the ability to develop quick pragmatic thinking in stressful situations. In this aspect, the biggest discrepancies between the ratings of each edition of the workshops were to

be found. In 2016, the average score was 4.273, in 2017 it was 3.500, and in 2018 it was 3.889. Thus, the total result was 3.853. This is the least satisfactory of all results, which merits attention. It may be surmised that more “hands-on” involvement in formulating the verdict on the criminal case in question would have helped to improve the rating.

In conclusion, it should be noted that the difference between end assessments of the workshops in each year was not significant. In 2016 the average of scores calculated, based on responses to closed questions, was 4.303, in the next year the seminar was rated at 4.110, and in 2018 it was 4.093. The cumulative score for all years amounted to 4.169. The results are presented in Table 1.

Table 1.

	Quindango Ocean University (P.R. China)	Białystok University of Białystok (Poland)			
		2016	2017	2018	SUMMARY
1. The course helped develop my ability to think critically.	4.168	4.545	4.333	4.556	4.457
2. The course helped develop my ability to think creatively.	4.022	4.455	4.333	4.222	4.343
3. The course helped develop my ability to verbally express ideas.	4.108	4.364	4.067	4.111	4.171
4. The course helped develop my ability to work in groups.	4.233	4.091	4.214	4.000	4.118
5. The course helped develop my ability to work individually.	3.799	4.091	4.214	3.778	4.059
6. The course helped develop my quick pragmatic thinking in stressful situations.	4.129	4.273	3.500	3.889	3.853
TOTAL	4.077	4.303	4.110	4.093	4.169

In 2018, general opinion of the classes was slightly lower; however, the discrepancies were small, and did not signify lower quality of the presented method of education. Again, as a conjecture only, it could be that more punitive attitudes prevailed in the last seminar over earlier liberal attitudes for handling criminal cases involving immigrants.

Except for this conjecture, it should be emphasized that the goals of the seminar, in terms of developing particular skills, have been achieved. The mean assessment of each aspect of the seminar – at participants’ group level – ranged from 3.500 (question 6, 2017) to 4.556 (question 1, 2018). In total, however, the rating was between 3.853 and 4.457. Thus, each of the dimensions of the seminar was rated “above average”.

It should be noted that the results achieved at the University of Białystok were better than the outcomes achieved by the U.S. teacher in China. The difference between them was 0.092, which seems to be significant given the small number of respondents. Bearing in mind all answers received to the closed questions, is worth noting that the median was 4 and the dominant was 5. This shows that the vast majority of participants of the seminar significantly broadened their horizons and strengthened their skills.

Moreover, the course at the University of Białystok allowed to determine that the Socratic method works well for teaching different groups of people. In contrast to China, almost everybody could take part in the seminar in Poland. The participants' education and life experiences varied: there were people involved in academia and those who were just entering the world of academia. Despite these differences, none of the students rated the whole workshop below 3.000. This means that each person participating in the classes developed at least one skill. The results of the survey indicate that these were abilities to think critically and creatively in particular.

However, the effectiveness of the Socratic method was substantiated by the answers to open-ended questions. It was in the second part of the questionnaire that students could express their opinion on the course. In the first question, the participants had to answer "what was the most difficult aspect of this seminar". They pointed to such issues as: overcoming barriers to delivering a presentation in front of a group, working out joint conclusions, learning new ways of thinking and making a critical analysis of one's point of view. Next, students described what for them was the most interesting aspect of this seminar. There were such answers as: the subject and the form of the course, searching for answers and showing one's own weaknesses, no clear-cut good or bad answer, the possibility of exchanging comments with other participants. According to the students, the most valuable aspects of this seminar were: the way of transferring knowledge, the variety of opinions, stimulating reaction and interaction, learning through activity, learning the Socratic way of reaching for the truth, multidimensionality of thinking and problems.

Next, the respondents evaluated the teaching method presented, comparing it to other classes conducted at the Faculty of Law. They indicated that, due to their active participation in the course and active analysis of information, they could memorize more material. Some people claimed that they could recall about 80% of the information. Basically, they agreed on the effectiveness of this method in comparison to lectures delivered *ex-cathedra*.

In addition to acquiring knowledge, students developed skills such as working in a group or the ability to win other participants of the dialogue over to their arguments. Also, they got to know a new way of analyzing problems, expanded their horizons and discovered other points of view. For the vast majority of participants, taking part in the seminar was a positive experience.

6. Discussion

Socrates was undoubtedly the dominant speaker, and the method essentially assumed such a dominance: to ask a series of questions leading to some conclusion, it was necessary to have a general outline of inference and to be aware of the structure of the problem being analyzed. Otherwise, the right question could not be put. The interviewees were usually limited to acquiescence to what was included in the questions; they had no influence on the content of the questions, because this general structure of the problem was not known to them. Often, the argument led to negative conclusions – the analyzed sentence was rejected as giving rise to a contradiction – or a paradox appeared.

The philosopher controlled the course of the argument perfectly, and the ordering of questions and answers provided by him excluded the thesis of randomness and spontaneity. The question and answer method assumes the dominance of the asking person, in this case Socrates.

Socrates conducted a continuous examination of knowledge according to a relatively constant method. It involved a meticulous analysis of the presented view, so that by asking for a person who was able to express this view, it was possible to check whether it contained a contradiction. This contradiction was the main signal to conclude that there was a mistake in thinking.

Socrates' method involved altogether 5 interlocutors who separately or in groups of maximum 3 people answered his questions. All his interlocutors had come from one legal (Hellenic) culture. In contemporary education, with a high number of students, occasionally representing different legal cultures, with teachers as their senior partners, the classical method faces a number of pedagogical challenges. Speaking of the mere number in the class, workshop or lecture, the Socratic method must involve as many students as possible tasked with formulating hopefully one answer with a teacher who does not dominate the group. Speaking of legal cultures, the Socratic method using inference, induction and analogy is complimentary to the dominant in Western social and natural science Aristotelian legal culture of deductive syllogism and bivalent thinking¹⁵. The latter is a progressive method, thanks to which natural sciences and information technology yielded so many advancements in the world, whether for good or bad. The original Socratic method is likewise progressive, but only advances good universal values, same for all humankind. In either case, i.e. whether it is pursued with Chinese or Polish students, the Socratic method makes them think ahead of the current situation, with a view to a wholesome improvement in the future.

15 S. Redo, United Nations Rule of Law, "Common language of justice" and the Post-2015 Educational Agenda: Some Academic and Policy Aspects, "Comparative Law Review" 2013, vol. 16, pp. 223-225.

7. Conclusions

Students valued the opportunity for discussion, a greater freedom of speech than during other types of classes and memorizing information without having to learn it by rote. One of the students described the course as follows: “the subject of the seminar and the way of presenting problematic issues was more interesting and closer to the student than other classes at the Faculty”. In the opinion of the respondents, the workshops were distinguished by an interdisciplinary character, a smaller role of the teacher, covering practical subjects and an open dialogue.

Due to the limited scope of this study, only some of the answers to open-ended questions are provided. However, the participants’ assessments lead to the conclusion that the goals of the seminar had been achieved and the Socratic method proved to be fairly effective. Its effectiveness is proved, above all, by the fact that almost all people said that they got more out of this course than from ex-cathedra lectures.

As demonstrated, the Socratic method is used to acquire knowledge. Nevertheless, it also applies in practice, in particular in the field of legislation. This means that this method can be used not just in criminology but also in other fields. To confirm this thesis several examples should be recalled.

The Socratic method, in the simplest terms, comes down to the inference “from the detailed to the generic” understood as a universalizing progressive process. Conspicuously or not, this type of reasoning is often used in legislative processes, especially to justify proposed amendments to the law. For example, through the Act of the 10 September 2015, amending the Penal Code, the Construction Law Act and the Executive Penal Code¹⁶, Article 191 § 1aw as introduced to the Polish Penal Code. According to this provision, the penalty of a custodial sentence of up to 3 years applies to anyone who, in order to compel another person to a specific action, uses violence that persistently or significantly impedes the use of an occupied dwelling.

This “generic” amendment was the result of actions taken by the Polish Ombudsman related to specific practices by tenement house owners, who aimed at forcing tenants to abandon their homes. “House cleaners” used such methods as switching off the power or heating, cutting off access to water, picking up keys to the car, removing windows, bricking up the apartment, closing the rooms with padlocks, flooding the apartments, wrecking the building, polluting and destroying its common areas, which hitherto had not been considered unlawful¹⁷. The new law was intended to guarantee victims protection of their rights. Nevertheless, it is not free from defects, because – on the other hand – it deprives the owners of the possibility of facilitating a quick eviction of tenants who do not fulfil their obligations under the

16 Dz. U. z 2015 r., poz. 1549.

17 Justification of the Senate’s draft act amending the act – Penal Code, Print no. 2682, <http://www.sejm.gov.pl/sejm7.nsf/druk.xsp?nr=2682>.

rental agreement. Yet, this specific conflict of interests creates a new starting point (detail) from which the Socratic logic could be applied to argue for better living conditions (sustainable livelihood) to be pursued by a socially just housing policy.

It needs to be emphasized that the Socratic method can be used not only in legal education, but also in other social sciences, as emphasized in pedagogical textbooks¹⁸. However, in order to assess its applicability and suitability for a particular pedagogical purpose, especially in different legal cultures, some background research may be helpful. Only then could Occidental and Oriental learners both benefit from each other's intellectual tradition¹⁹, whether in Białystok or Qingdao.

Last but not least, Peter Kreeft, the author of the book on "Socratic Logic", emphasizes that "[l]ogic has power: the power of persuasion. [But] any power can be either rightly used or abused"²⁰. While the course at Białystok University promoted the United Nations social justice, the Socratic method itself may, in contrast, be used to opposite ends. Hence the provocative Socratic question: "Is this kind of justice superior to any other?", and the following final questions.

8. Questions for further discussion

With reference to all the above (including Figure 1), the following questions may be put:

- Why did John Doe commit a crime? What influenced it?
(economic factor)
- Was it possible to avoid committing a crime? What could have influenced John Doe not to commit a crime?
(having a job)
- How did the fact that John Doe was unemployed influenced his behaviour?
(the fact of unemployment meant that he did not have the means to live, which forced him to commit a crime)
- Who and how should solve problems related to people's welfare and employment?
(the State)
(the State should ensure a better welfare system and incisive employment for people)
- How can ensuring a better welfare system by the State affect people and their behaviour?

18 See: Cz. Kupisiewicz, *Podstawy dydaktyki*, Warszawa 2005, pp. 90-91, 98-99; L. Zarzecki, *Wybrane problemy dydaktyki ogólnej*, Jelenia Góra 2008, pp. 82-83.

19 J. Li, *The Core of Confucian Learning*, *American Psychologist*, February 2003, pp. 146-147.

20 P. Kreeft, *Socratic...*, *op. cit.*, p. XI.

(through alleviating poverty and improvements in living standards people may have less motivation to commit economic crime)

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