There is now an increasingly well-developed body of social science research about how law shapes behavior. This forms the basis for a behavioral jurisprudence that can enlighten legal professionals, from frontline regulators to legislators, about how they can operate the law to reduce human and organizational misconduct. Behavioral jurisprudence shows that, for law to reduce harmful and illegal behavior, it must embrace a holistic approach. This necessitates a combination of interventions that address the root causes of the misconduct. Drawing on in-depth interviews with Chinese prosecutors and police officers, this presentation will assess to what extent there is a fertile ground for adopting such a holistic approach in Chinese criminal legal practice, as advocated in behavioral jurisprudence.

SPEAKERS:

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Benjamin van Rooij is Professor of Law and Society at the Faculty of Law, University of Amsterdam. He directs the Center for Law and Behavior, also at the University of Amsterdam. He is also a Global Professor of Law at the University of California, Irvine. He studies and teaches about the interaction between law and behavior. His current research focuses on individual differences in compliance, toxic corporate culture, and assumptions about behavioral change. His past work looked at compliance, regulatory law enforcement and access to justice in China in a comparative perspective. He has served co-editor of Regulation & Governance, and founding convener of ComplianceNet a global network of compliance scholars. He currently leads an ERC-funded research project about behavioral assumptions in the field of law. In addition, he collaborates with an interdisciplinary team to study how organizational culture affects organizational misconduct. He is the co-author of The Behavioral Code (Beacon Press 2021), and co-editor of The Cambridge Handbook of Compliance (CUP 2021) and Measuring Compliance (CUP 2022).

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