

Department of Justice, Law and Society
Master's Comprehensive Examination
Law and Society
Spring, 2007

Instructions: Answer any two of the following four questions. Include in your answers references to the relevant literature, case law and other sources. Label each answer by number. Please begin each answer on a new page. Remember to write your 4-digit ID number on all pages.

1. Since the Warren Court there has been an expansion of rights for different groups of citizens. Discuss ways in which women and minority groups have experienced increased rights. Analyze the consequences of society of these legal changes. If possible, cite relevant court cases that illustrate this phenomenon.
2. Beginning with the Legal Realists in the 1930's, critics have argued that judicial decisionmaking is essentially a matter of personal discretion. Evaluate this view in light of alternative models of judicial decisionmaking found in the literature.
3. Mutual consent to a social contract has often been cited as an appropriate metaphor for the basis of the moral authority of a government. Outline two examples of this approach. Which of these two theories do you find more compelling? Why? On the basis of your reading, what do you find to be the strengths and weaknesses of using a hypothetical social contract to define a just legal system?
4. Over the last several decades, critics of various persuasions have argued that the law is a "white male" institution that operates to exclude the interests of minorities and women. To what extent is this criticism warranted? Discuss arguments found in the literature.