

Department of Justice, Law and Society
Master's Comprehensive Examination
Justice and Public Policy
Summer 2010

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. Some commentators have attributed problems such as use of excessive force and corruption among law enforcement agents to “police culture.” What are some of the characteristics of police culture, and how might it lead to the excessive use of force? Is community policing likely to change police culture and remedy some of its problems? Please cite the relevant literature in answering these questions.
2. Life without the possibility of parole is sometimes called our “other death penalty” because the prisoner is, in effect, sentenced to death by incarceration. Compare and contrast the experiences of prisoners sentenced to death by execution and death by incarceration. Which punishment should serve as our ultimate penalty, and why?
3. For many years, scholars who study the police have discussed and debated the extent to which police can control or reduce crime. Based on relevant theory and research, please outline what is currently known about the capacity of police to control or reduce crime.
4. Prisons in contemporary America are more densely populated than ever before. These prisons also hold a large and rapidly growing complement of drug offenders, many of whom are young black men serving long mandatory minimum sentences comparable to those for homicide. What are some of the important implications of our shifting prison population – more drug offenders, more African Americans, and more long-termers generally, climbing what one observer called “a Mount Everest of time” – for the nature and quality of life in the contemporary prison community? Be sure to cite the relevant literature in your answer.

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1. What is the source and what are the limits of the obligation to obey the law? Consider the views of several leading theorists, and discuss how their views on the source of this obligation inform their views on its limits.
2. What is a constitution, and what is meant by constitutionalism? What are the functions and roles that constitutions typically play in a legal system? What is the place and role of the constitution in the American legal system? What is the basis of the authority attached to the U.S. Constitution? What are some other types of legal authority in the American legal system, and what is their relationship to and how do they interact with the Constitution?
3. Mainstream legal theories present law as a constraint on government, while some modern critics emphasize the use of law by the powerful as a way of maintaining current power relations. Which of these views most accurately reflects the role of law in the contemporary U.S.? Consider the views of theorists on each side of the issue.
4. The connection between morality and the law has been widely debated. Explain the principal issues in this debate and the positions taken by key figures, giving attention to the source and limits of our moral obligation to obey the law and the role of morality in judicial decisionmaking.