

Department of Justice, Law and Society
Master's Comprehensive Examination
Justice and Public Policy
Spring 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. The reading list includes a variety of readings on criminal careers and life course criminology. What are the major perspectives on how and why criminal activity might remain stable or change over the life course? Weigh the relative merits of each, basing your arguments on the scholarly literature.
2. Democratic policing requires a balance between fairness and effectiveness. Discuss the evidence on the extent to which police in the United States have met or failed to meet the twin challenges of being both fair and effective in controlling crime.
3. Discuss the development of community policing. What were the reasons for its introduction? Using the relevant research, including scholarly articles and empirical studies, outline the key features of community policing and assess its effectiveness as a policing style. What have been its notable successes and failures, and what challenges lie ahead?
4. Prison riots, though they are terrible events when they occur, are statistically infrequent events. Why don't prisoners riot more often? In your answer, discuss the following: (a) sources of control that operate in prison to maintain the relatively high degree of order in the prison community on any given day, (b) conditions that undermine stability, and (c) the process or processes by which order breaks down, resulting in riots.

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1. The duty to obey the law can be explained in terms of either coercive threat or moral obligation. Both of these options have a number of shortcomings. With reference to the theorists represented on the reading list, discuss the limits to the duty to obey the law.
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. Scholars writing in the law and society field have proposed various definitions of the law. Identify three of these definitions found in the works mentioned in the "Law and Society" reading list. Review the implications of each of these definitions for the relevance of moral theory to jurisprudence.
4. Various postmodernist legal theories suggest that the law should take account of our identities as formed through membership in different groups. This idea challenges the idea that the law ought to treat people as individuals responsible for their own actions. To what extent does American law explicitly or implicitly adopt this postmodernist ideal? Discuss specific cases or areas of law and show how they reflect, or fail to reflect, this approach.

Department of Justice, Law and Society
Master's Comprehensive Examination
Jurisprudence and Social Thought
Spring 2010

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1. Rousseau thought that the first person to assert private ownership of property was the greatest criminal of the world, while Locke thought that such property was a precondition of personal sovereignty. Explain why they hold such different views on this issue. In doing so, consider how Michael Walzer and Robert Nozick would respond to the arguments of Rousseau and Locke.
2. Using the legal theories of Hart, Dworkin, and Finnis, explain whether or not there are any such things as human rights in more than just a mere rhetorical sense.
3. What is the source and what are the limits of the obligation to obey the law? Consider the views of several theorists, showing how their views on the source of this obligation play into their views on its limits.
4. If any common, correct meaning of law is impossible, as post modernist critics of law suggest, then the group with the greatest political power is also the group that gets to define what the law is. In other words, everything, including the meaning of law and morality, is simply the product of power. If this is true, explain why we should adopt any of the proposals put forth by critical legal theories. In doing so, be sure not to violate their belief that there is no objectively correct morality but rather just the view of those with the greatest power to exert.