

Department of Justice, Law and Society
Master's Comprehensive Examination
Justice and Public Policy
Summer, 2009

1. The reading list includes discussions of many issues – the criminal justice system, punishment, juvenile justice, crime, errors of justice, discretion, drugs and crime etc. Based on your readings, training, and experience, what do you believe are two of the most important things that should be changed about the criminal justice system? Explain what is wrong, and provide suggestions for how the system could be improved. (If you do not believe anything should be changed, please choose two areas that others have argued should be changed). Please remember to cite sources from the reading list.
2. The criminal career paradigm represents a major shift in thinking in the field of criminology. Discuss current thinking about criminality over the life course. What are some of the ways scholars have described the processes of stability and change in offending over time?

Policing:

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 failures and successes, and what challenges lie ahead?
4. Why do we have police? What are the alternatives? Who sets the agenda for police? How are they held accountable? Please cite the relevant literature in answering these questions.

Corrections:

5. You are a newly appointed warden of a prison for women. Your goal is to run a humane prison. You are dismayed to find that there is no easy definition of what constitutes a humane prison, for men or women, let alone a manual telling you how to go about running such an institution. Your assignment is to define the term "humane prison" and to develop a manual – or at least an outline of a manual – for running such a prison.

6. Condemned prisoners have been described as "the living dead" who are, furthermore, "among the lowest of the dead." When they move about the prison, they are preceded by calls of "dead man coming" or, more famously, "dead man walking." What does it mean to say that condemned prisoners are "dead" before their executions and what is the significance of these pre-execution "deaths" for the justice of the death penalty? How are the executioners -- officials and line staff who carry out "death work" -- affected by the execution process and what does their experience tell us about the justice of the death penalty? Please cite the relevant literature in the field and the ideas of the authors cited in your answer.

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1. Social contract theorists suggest that government is legitimate where it has the consent of the governed. Compare the different senses which several such authors have given the concept of "consent." How do these differences affect the outcome of each author's theory? Can the requirement of consent ever be met?
2. 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.
3. Because judges frequently announce new legal rules that apply retroactively to the parties before the court, it is difficult to reconcile the exercise of judicial discretion with the rule of law. Some critics claim that judicial discretion is in fact so broad that the law does not operate as a significant constraint on judicial decision-making. Evaluate this view in light of alternative models of judicial decision-making found in the literature.
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.