

Law & Justice Around the World

ADJ 405-001

Spring 2012

Professor Alan D. Swanson

Office and Office Hours: Aquia, Rm. 348; Tuesdays, 1:30 pm – 2:30 pm
or by appointment

Phone: 703-516-4590 (h)—You can leave voice messages.

E-mail: aswanson@gmu.edu Note: Professor Swanson rarely checks e-mail on the weekend. Thus, if you need an immediate response, please call (use this method of contact judiciously).

Class Meeting Time/Place: Tuesdays and Thursdays, 12:00 pm - 1:15 pm,
Robinson Hall B104

We are told that the world is becoming smaller, yet there are still many differences in the justice systems used around the world. This course tries to bridge the gap in our knowledge by introducing students to various models of law and justice and exploring the ways in which individual countries apply these models for their own use. We examine all aspects of a justice system, from courts to corrections, from police to constitutional standards. Along the way we ask two central questions: what are the advantages and disadvantages of the various models, and how effectively do they operate? This course is for the curious. Students are encouraged to investigate other topics in the field that interest them and scan the news for stories of international justice issues. Such questions and issues will be weaved into the course.

Required Book:

1. Philip L. Reichel, **Comparative Criminal Justice Systems: a topical approach**, Prentice Hall; Upper Saddle River, New Jersey, 5th edition, 2008, ISBN: 978-0132392549

Course Assignment Factors and Weight:

Class Participation-- (10%)

Pop Quizzes—(5%) 1.25% for each quiz---There will be four unannounced quizzes over the material that has been covered in class in addition to the material the has been assigned as the reading. The quizzes will take place at the beginning of the class; thus, make every effort to be on time to class. There will be no make-ups for the quizzes.

Tests—(25%) 8.33% for each test—Note there will be four (4) tests, the lowest score will not be incorporated into your grade.

Homework—(15%) 3% for each homework assignment. All homework must be typed and stapled (i.e., no hand written material will be accepted).

Research Paper—(25%) Compare an aspect of two legal systems, no less than 2,000 words and no more than 3,000 words (double spaced)—must utilize footnotes and include the word count (i.e., if you are under or over the word count you will automatically start with an “A-” as the highest grade possible to obtain—pick a topic which you can sufficiently cover within the word count restriction. Details as to the specific format and other requirements will be supplied to you via e-mail as well as discussed in class. Note: The work you initially turn in is the work that will be graded (i.e., no re-writes). Also, there are four restrictions: 1) **No** papers on the **Death Penalty**, **No** papers on **Gun Law or Policy**, **No** papers on **Abortion**, and 4) **No** papers on **Japan**. In addition, you must make at least one reference to the Reichel text book in your paper. Professor Swanson may use the web or other software to check portions of your work, please adhere to the honor code policy. Finally, with 90 papers to grade, it generally takes Professor Swanson a month after submission to return the papers (30 minutes per paper equals 45 hours of reading and grading)—please be patient.

Final Exam—(20%) The exam is a combination of the last two chapters and the major concepts and theories discussed and illuminated during the semester.

Schedule/ Readings and Due Dates

Class # 1—Tuesday, January 24, 2012

Overview
Housekeeping
Military Tribunal Exercise
Choices for Research Topics

Class #2 – Thursday, January 26, 2012

Reading: Reichel, Chapter 1, pp. 1-17.

Class #3 – Tuesday, January 31, 2012

Homework #1: “Web Project—Bilateral Cooperation Efforts,” Reichel, p. 7. (Note: All **homework and papers** submitted for grading must be turned in at the **beginning** of class (prior to Professor Swanson starting any portion of the lecture) if you wish to receive full credit). All web-links for the homeworks were good as of 12/27/11. However, Professor Swanson advises you to do this home-work from somewhere with high speed internet—the report file is quite large. <http://www.state.gov/p/inl/rls/nrcrpt/2007/>

Reading: Reichel, Chapter 1, pp. 17-27.

Class #4 – Thursday, February 2, 2012

Reading: Reichel, Chapter 2, pp. 28-51.

Class #5 – Tuesday, February 7, 2012

Reading: Reichel, Chapter 2, pp. 51-66.

Class #6 – Thursday, February 9, 2012

Reading: Lambert, Eric G., Daniel E. Hall, and Lois Ventura, *Litigation Views Among Jail Staff: an exploratory and descriptive study*, **Criminal Justice Review**, Volume 28, Number I, 2003, Georgia State University, pp. 70-87.

This article (and others assigned during the semester) may be found by going to the GMU Library web page, click on e-journals, search for Criminal Justice Review, then, select the appropriate provider, and select volume 28. It is usually better to do this from campus in order to gain full access to the system.

Note: The class prior to all “Test” dates will have a test review session. Professor Swanson will **not** e-mail the test review to anyone for any reason not covered by the Disability Resource Center. It is strongly recommended that you make friends with your fellow students (get their e-mail addresses and phone numbers) in the event that you are unable to attend the day of the review.

Class #7 – Tuesday, February 14, 2012

Test #1: All material from Class #2 through Class # 6.

Class #8 – Thursday, February 16, 2012

Reading: Reichel, Chapter 3, pp. 67-86.

Class #9 – Tuesday, February 21, 2012

Homework #2: “Web Project—Aztec Law,” Reichel, p. 103.
<http://tarlton.law.utexas.edu/rare/aztec/Home.htm>

Reading: Reichel, Chapter 3, pp. 86-97.

Class #10 – Thursday, February 23, 2012

Reading: Ma, Yue, *Prosecutorial Discretion and Plea Bargaining in the United States, France, Germany, and Italy: A Comparative Perspective*, **International Criminal Justice Review**, Volume 12, 2002, Georgia State University, pp. 22-52.

Class #11 – Tuesday, February 28, 2012

Reading: Reichel, Chapter 4, pp. 98-122.

Class #12 – Thursday, March 1, 2012

Reading: Reichel, Chapter 4, pp. 122-45.

Class #13 – Tuesday, March 6, 2012

Test #2: All material from Class #7 through Class # 12.

Class #14 – Thursday, March 8, 2012

Homework #3: “Web Project—*Compare Penal Codes*,” Reichel, pg. 150

Reading: Reichel, Chapter 5, pp. 146-71.

Class #15 – Tuesday, March 20, 2012

Reading: Reichel, Chapter 5, pp. 171-90.

Class #16 – Thursday, March 22, 2012

Reading: Reichel, Chapter 6, pp. 191-222.

Assignment: **Turn in Research Paper.**

Class #17 – Tuesday, March 27, 2012

Homework #4: “Web Project—*Is Islamic Law Outdated?*” Reichel, p. 158.

Reading: Reichel, Chapter 6, pp. 222-34.

Class #18 – Thursday, March 29, 2012

Reading: Paes-Machado, Eduardo and Ceci Vilar Noronha, *Policing the Brazilian Poor: Resistance to and Acceptance of Police Brutality in Urban Popular Classes (Salvador, Brazil)*, **International Criminal Justice Review**, Volume 12, 2002, Georgia State University, pp. 53-77.

Class #19 – Tuesday, April 3, 2012

Test #3: All material from Class #13 through Class #18.

Class #20 – Thursday, April 5, 2012

Reading: Reichel, Chapter 7, pp. 235-88.

Class #21 – Tuesday, April 10, 2012

Reading: Reichel, Chapter 8, pp. 289-314.

Class #22 – Thursday, April 12, 2012

Homework #5: “Web Project—*Judicial Corporal Punishment*,” Reichel, pg. 305.

Reading: Reichel, Chapter 8, pp. 314-38.

Class #23 – Tuesday, April 17, 2012

Test #4: All material from Class #20 through Class #22.

Class #24 – Thursday, April 19, 2012

Reading: Reichel, Chapter 9, pp. 339-53.

Class #25 – Tuesday, April 24, 2012

Reading: Reichel, Chapter 9, pp. 353-71.

Class #26 – Thursday, April 26, 2012

Reading: Reichel, Chapter 10, pp. 372-417.

Tuesday, May 1, 2012

No Class unless needed to make up a snow day. Professor Swanson advises you to take advantage of this time and complete the extra-credit opportunity

Class #27 –Thursday, May 3, 2012

Summary

Discussion of Final Exam

Assignment: Extra-Credit

Final Exam—Tuesday, May 15, 2012

10:30 am – 1:15 pm, Robinson Hall B104

Honor Code Policy:

Web: academicintegrity.gmu.edu

Mason shares in the tradition of an honor system that has existed in Virginia since 1842. The code is an integral part of university life. On the application for admission, students sign a statement agreeing to conform to and uphold the Honor Code. Students are responsible, therefore, for understanding the code's provisions. In the spirit of the code, a student's word is a declaration of good faith acceptable as truth in all academic matters. Cheating and attempted cheating, plagiarism, lying, and stealing of academic work and related materials constitute Honor Code violations. To maintain an academic community according to these standards, students and faculty members must report all alleged violations to the Honor Committee. Any student who has knowledge of, but does not report, a violation may be accused of lying under the Honor Code.

The complete Honor Code is as follows.

To promote a stronger sense of mutual responsibility, respect, trust, and fairness among all members of the George Mason University community and with the desire for greater academic and personal achievement, we, the student members of the university community, have set forth this honor code: Student members of the George Mason University community pledge not to cheat, plagiarize, steal, or lie in matters related to academic work.

Cheating encompasses the following:

1. The willful giving or receiving of an unauthorized, unfair, dishonest, or unscrupulous advantage in academic work over other students.

2. The above may be accomplished by any means whatsoever, including but not limited to the following: fraud; duress; deception; theft; trick; talking; signs; gestures; copying from another student; and the unauthorized use of study aids, memoranda, books, data, or other information.
3. Attempted cheating.

Plagiarism encompasses the following:

1. Presenting as one's own the words, the work, or the opinions of someone else without proper acknowledgment. (This includes material appearing on the Internet)
2. Borrowing the sequence of ideas, the arrangement of material, or the pattern of thought of someone else without proper acknowledgment.

Lying encompasses the following:

The willful and knowledgeable telling of an untruth, as well as any form of deceit, attempted deceit, or fraud in an oral or written statement relating to academic work. This includes but is not limited to:

1. Lying to administration and faculty members.
2. Falsifying any university document by mutilation, addition, or deletion.
3. Lying to Honor Committee members and counsels during investigation and hearing. This may constitute a second charge, with the committee members who acted as judges during that specific hearing acting as accusers.

Stealing encompasses the following:

Taking or appropriating without the permission to do so, and with the intent to keep or to make use of wrongfully, property belonging to any member of the GMU community or any property located on the university campus. This includes misuse of university computer resources.

If you have a documented learning disability or other condition that may affect academic performance you should: 1) make sure this documentation is on file with [Office for Disability Services](http://ods.gmu.edu) (SUB I, Rm. 4205; 993-2474; <http://ods.gmu.edu>) to determine the accommodations you need; and 2) talk with me to discuss your accommodation needs.

Additional Information:

Grades will be assessed in the following manner:

- 97.50 to 100 = A+
- 92.50 to 97.499 = A
- 90.00 to 92.499 = A-

B (80s), C (70s), and D (60s) have the same point range with the exception that there is no "D-".

Professor Swanson reserves the right to revise the syllabus.