

**Law & Justice Around the World**  
**CRIM 405-005--Fall 2017**

**Professor Alan D. Swanson**

**Office and Office Hours:** Fenwick Library, Study Rooms 1201-1204, near the Argo Tea Cafe; Mondays, Noon-1:00 pm or by appointment

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

**E-mail:** [aswanson@gmu.edu](mailto:aswanson@gmu.edu)

**Class Meeting Time/Place:** Robinson Hall B, Rm 228; Mondays, 1:30 pm - 4:10 pm

We are told that the world is becoming smaller (or, “flat”), yet there are still many differences in the criminal 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. This will enable us to identify and articulate our values and how those values influence individual and systemic interactions and relationships with others, both locally and globally; Specifically, as it relates to criminal justice systems, and throughout societies in general. In addition to furthering our understanding of how the patterns and processes of globalization make visible the interconnections and differences among and within contemporary global societies, this course will challenge the assumptions and predispositions of the belief that “borrowing” from other countries and cultures is a one-way street (i.e., it is fine for others to use the US Criminal Justice System as a model, but, we have no need to apply best practices from other countries and cultures). 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. Every class period, we will extend our scope beyond that which is covered in to textbook due to recent changes to various countries’ political coalitions since the publication of the book’s current edition, with the goal of exploring individual and collective responsibilities within a global society through analytical, practical, or creative responses to problems or issues. Students are encouraged to investigate topics of global criminal justice questions that interest them and scan the news for stories of such issues; These questions and issues will be weaved into the course.

**Required Book:**

Reichel, Philip L, **Comparative Criminal Justice Systems: a topical approach**, Prentice Hall; Upper Saddle River, New Jersey, 6th edition, 2013, ISBN: 978-0132457521

## Course Assignment Factors and Weight:

### Class Participation-- (10%)

**Tests**—(25%): 12.5% for each test—Note there will be two (2) tests, each will cover four (4) chapters of the textbook and the other material covered and read for the class.

**Homework**—(20%): 4% for each homework assignment. All homework must be typed and stapled (i.e., no handwritten material will be accepted). Homework is due at the beginning of class on the date listed on the syllabus; Professor Swanson requires a “hard” paper copy to grade.

**Research Paper**—(25%): Examine an aspect of **one non-USA** criminal justice system, no less than 2,000 words and no more than 2,500 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; in other words, this is a small paper—do not write on a topic that is too broad). 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 some additional restrictions: 1) **No** papers on the **Death Penalty**, 2) **No** papers on **Gun Law or Policy**, 3) **No** papers on **Abortion**, 4) **No** papers on the **United Kingdom**, 5) **No** papers on **New Zealand’s Youth Program**, and 6) **No** papers on **Japan**. Please consider your topic early and **start researching asap**. 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.

**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.

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### Schedule/ Readings and Due Dates

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#### *Class # 1—Monday, August 28, 2017*

Overview  
Housekeeping  
The Trial of Williams Penn and Meade  
Choices for Research Topics

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#### *Monday, September 4, 2017*

No Class

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*Class #2 –Monday, September 11, 2017*

Reading: Reichel, Chapter 1, pp. 1-23.

The Alvarez-Machain Court Case and Dissent found on Blackboard

**Assignment: Homework #1:** “Web Project—Bilateral Cooperation Efforts,” Reichel, p. 5.

(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). If there is a web link in the syllabus, use it since the links in the book no longer work. All web-links for the home-works were good as of 08/10/17. However, it is advised that you to do this home-work from somewhere with high speed internet—the report file is quite large.

<http://www.state.gov/j/inl/rls/nrcrpt/index.htm>

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*Class #3 – Monday, September 18, 2017*

Reading: Reichel, Chapter 2, pp. 24-54.

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*Class #4 – Monday, September 25, 2017*

Reading: Reichel, Chapter 3, pp. 55-78.

**Assignment: Homework #2:** “Web Project—*Foreign Terrorist Organizations*,” Reichel, pg. 44.

<https://www.state.gov/j/ct/rls/crt/2016/272238.htm> (link to use for the assignment is good as of 08/10/2017)—Please be creative in your selection of the three organizations to examine, Professor Swanson appreciates not reading about the same organizations over and over.

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*Class #5 –Monday, October 2, 2017*

Reading: Reichel, Chapter 4, pp. 79-113.

**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.

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*Class #6 – Tuesday, October 10, 2017*

**Test #1:** All material from Class #1 through Class # 5.

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***Class #7 – Monday, October 16, 2017***

Readings: Reichel, Chapter 5, pp. 114-149.

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.<sup>1</sup>

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***Class #8 – Monday, October 23, 2017***

Reading: Reichel, Chapter 6, pp. 150-183.

**Assignment: Homework #3:** “Web Project—Excluding Evidence,” Reichel, p. 138. <http://www.nytimes.com/2008/07/19/us/19exclude.html?ref=americanexception> Web link good as of 08/10/2017.

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***Class #9 – Monday, October 30, 2017***

Reading: Reichel, Chapter 7, pp. 184-226.

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***Class #10 – Monday, November 6, 2017***

Reading: Reichel, Chapter 8, pp. 227-268.

**Assignment: Turn in Research Paper.**

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***Class #11 – Monday, November 13, 2017***

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. <http://library.gmu.edu/phpzone/ej.php>

**Assignment: Homework #4:** “Web Project—Judicial Corporal Punishment” Reichel, p. 239. Links mentioned in the textbook are good as of 08/10/2017. Note: Similar to Homework 1, Professor Swanson appreciates not reading about the same countries over and over—be creative.

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<sup>1</sup> 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. <http://library.gmu.edu/phpzone/ej.php>

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*Class #12 – Monday, November 20, 2017*

**Test #2:** All material from Class #6 through Class # 11.

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*Class #13 – Monday, November 27, 2017*

Reading: Reichel, Chapter 9, pp. 269-292.

**Assignment: Homework #5:** “Web Project—Babies in Prison”, Reichel, p. 261.  
[http://www.hunter.cuny.edu/socwork/nrcfcpp/info\\_services/children-of-incarcerated-parents.html](http://www.hunter.cuny.edu/socwork/nrcfcpp/info_services/children-of-incarcerated-parents.html) Web link good as of 08/10/2017.

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*Class #14 – Monday, December 4, 2017*

Japan  
Summary  
Discussion of Final Exam

Assignment: Extra-Credit Due

Reading: Reichel, Chapter 10, pp. 293-326.

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*Final Exam – Monday, December 18, 2017*

1:30 – 4:15 PM

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**Honor Code Policy:** [http://oai.gmu.edu/the-mason-honor-code-2/?\\_ga=1.218479641.1852197037.1466512031](http://oai.gmu.edu/the-mason-honor-code-2/?_ga=1.218479641.1852197037.1466512031)

To promote a stronger sense of mutual responsibility, trust, and fairness among all members of the Mason 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.

Mason’s Commitment: To create an environment that is innovative, diverse, entrepreneurial, and accessible—helping you avoid accidental or intentional violations of the Honor Code.

What does Mason mean when it uses the term academic integrity? According to Webster’s dictionary, integrity is an “adherence to ethical principles.” A person who has integrity practices honesty in all things and does what is “right” even if it flies in the face of what is commonly accepted by their peers. Academic integrity refers specifically to those actions and intentions associated with your work at George Mason University.

Your commitment to not “cheat, steal, plagiarize, or lie in matters related to your academic work” is of great importance to the Mason community. Students who lack integrity devalue our degrees and harm Mason’s reputation, which can have a direct negative impact on you in your attempts to begin a career after graduation.

Mason Honor Code: What does it mean? How does Mason define cheating, plagiarizing, stealing, and lying as it relates to academic work? The Honor Code at George Mason University shall be specifically concerned with cheating or attempted cheating, plagiarism, lying, and stealing in the academic setting. Examples of these infractions include but are not limited the following:

1. Use of unauthorized material
2. Use of unauthorized assistance
3. Duplicate use of student’s prior work
4. Violation of syllabus requirements regarding integrity
5. Self-plagiarism
6. Inadequate citation
7. False citation
8. Failure to adhere to citation forms set by the professor
9. Failure to quote sources/material
10. Submission of another individual’s work
11. Removing an exam from a classroom
12. Posting or enabling of posting of homework assignments and/or exams or solutions on websites
13. Taking photos of exams/academic work without authorization
14. Taking someone else’s work without knowledge
15. Falsifying sources, data, or information
16. Providing a false excuse for missing a test or class
17. Providing false information, including identifying information
18. Falsifying official correspondence

Read the full Honor Code and System at <http://oai.gmu.edu/wp-content/uploads/2015/07/Honor-Code-Final-2015-16.pdf>

*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 1, 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.

Professor Swanson strongly suggests you visit during his office hours and/or talk with him before or after class about your research project and other class related concerns. He will make a concerted effort to be near the classroom (if not in it) 30 minutes prior to each class.

Professor Swanson highly recommends that you complete all work assigned even if you submit it late with a grade reduction. There is a huge difference between a partial grade and no grade. He even more strongly recommends that you complete the extra-credit assignment. Besides helping with your overall grade, it will give you a chance to test out a possible career option and to network with professionals in your discipline.