Values, Ethics, and Criminal Justice Policy (CRIM 700)  
Fall 2018

Instructor: Prof. James Willis
Class meetings: Tuesdays, Thompson Hall 1018, 1:30-4:10 p.m.
Office hours: Enterprise Hall, Room 342, Tuesdays 11-12.30 p.m. and by appointment
E-mail: jwillis4@gmu.edu (best way to reach me)
Phone: 703-993-4987
Website: http://cls.gmu.edu/

Course Description and Purpose

When it comes to studying criminal justice there is much more emphasis on learning empirical theories of crime than normative theories analyzing the important public values, ideals, and obligations that powerfully shape justice systems and practices. This is surprising given that the study of law making, law breaking, and law enforcement is concerned, first and foremost, with the study of moral behavior. This course is a modest corrective to this long history of neglect. It has several objectives:

1. To deepen appreciation for an approach assessing the value judgments underpinning criminal justice phenomena
2. To unpack justice as a multifaceted and value-laden term into some of its constituent parts, each of which can then be analyzed more deeply
3. To learn a range of classical and contemporary perspectives on justice within a criminal justice framework
4. To use different normative approaches to identify and evaluate the relevant values that underlie different justice policies and practices
5. To think critically about moral values and questions and to improve your capacity to make judgments about criminal justice policies and practices from a justice viewpoint.

Course Format

The course divides roughly into three parts. The first part brings attention to the importance of studying the underlying values that shape criminal justice policy and practice, including how different values often compete with one another. In the second part of the course, we will read some classic and contemporary readings in moral and political philosophy and criminal justice to explore some of the major values or dimensions that justice would seem to require (public order, equality, liberty, fairness, consent, etc.). The meanings individuals assign to these values are often contested, and it is unlikely that we shall reach a consensus on “what should be.” Nonetheless, by deepening our understanding of these values and by debating justice goals and processes, we should become more adept at identifying the normative assumptions that shape how we think about crime and other criminal justice issues and our responses to them. In the third part of the course, we shall use our framework to analyze some criminal justice policies and practices.

Active participation in seminar sessions is the life-blood of this course. It is very important that you keep up with the material and come to class prepared to participate in discussion. The key function of the seminar is to clarify the readings, raise important questions in the topic area, and to discuss ideas. Feel free to e-mail me throughout the course with any questions or concerns you have about the readings or class discussions.
Course Requirements and Grading

- Assignments on the readings (25%): For most classes, I will assign some questions (sometimes there may be a selection) on the reading assignments. One of these questions may ask you to explain a single point in the readings that you found most difficult or confusing. If you do not identify anything, I ask that you describe what you found most interesting. Because these responses will focus primarily on your understanding of the material, they will be graded largely on effort according to the following scale: very good (5 points), good (4 points), satisfactory (3 point), poor/inadequate (0-2 points). These responses will be due via e-mail by **noon on the Monday** preceding class, so that I have time to look them over and plan accordingly.

- Take-home mid-term exam (25%): I shall provide you with a list of questions ahead of time and you will be required to answer two of them. Your responses must be e-mailed to Brielle Manovich, the graduate program director, on **October 16** by 4.10 p.m. (note, there is no class that day). Her e-mail is: bmanovich@gmu.edu. I will grade these “blind,” so you will not put a name on your exam, only your G number.

- Final paper (40%): Students will prepare a 10-15 page final paper involving class themes. Topics will be approved throughout the semester, but you will definitely want to have your topic approved by **October 16** (the mid-term). The final paper is due on the last day of class (**December 4**). While you can certainly build off materials discussed in class, you must supplement these with additional readings based on your own research. The paper should provide an in-depth evaluation of a particular justice practice or policy from a normative perspective: what are the key value judgments underlying this phenomenon? Does it accomplish what it sets out to accomplish? Why or why not? How might it be changed to improve the quality of justice currently on offer?

- Class participation (10%). Your grade for class participation will be based on how much and how well you consistently:
  - Contribute to the class’s understanding of the material
  - Relate the material to other course readings and topics
  - Offer constructive criticism of the material
  - Raise useful questions about the readings and the session topic
  - Promote a positive, healthy learning environment

Grades

The overall grade for each of the course requirements will be weighted by the percentage indicated in the course requirements section. A final grade point average for the course will be calculated. Final grades will be determined by assigning the highest of the following grade categories the student’s score meets or exceeds: A, A-, B+, B, B-, C, or F.

Students with Disabilities

If you have a disability and you need academic accommodations, please consult the Office for Disability Services at 703-993-2474 and see me. All academic accommodations must be arranged through that office.
Academic Integrity

All graded course work must be done independently. You are bound by the George Mason University Honor Code. Violations will be referred to the University Honor Committee. You may collaborate with other students in studying and discussing course topics, but your written course work must be entirely your own.

Special note on plagiarism

There are no excuses for plagiarism—deliberately handing in another person’s material as your own—and none will be accepted. Without honest effort, a learning community has no substance or validity. For more on plagiarism, including sanctions for violations of the Honor Code, go to http://oai.gmu.edu/

Seminar Topics and Assigned Readings (by class session – subject to change by instructor)

I. CRIMINAL JUSTICE, NEW VISIONS, CONFLICTING VALUES

Aug. 28 Introduction to the Course


Sep. 4 Introduction to Normative Theory


Sep. 11 Conflicting Values


II. NORMATIVE FRAMEWORKS OF JUSTICE

Sep. 18 Utilitarianism


Sep. 25  **Kantian Ethics – with Professor Emeritus Emmett Holman (Philosophy)**


Oct. 2  **Social Contract**


**TAKE-HOME QUESTIONS PROVIDED IN CLASS**

Oct. 9  **FALL BREAK – NO CLASS**

Mid-term due to Brielle Manovich by 4.10 p.m.

Oct. 16  **Justice as Fairness**


Oct. 23 **Procedural Justice**


Oct. 30 **Restorative Justice**


Movie clip – real-life restorative justice conference

**III. CRIMINAL JUSTICE CASES**

Nov. 6 **Order Maintenance Policing**


Online debate, David Thacher and Bernard Harcourt - “Is Broken Windows Broken?” -
http://legalaffairs.org/webexclusive/debateclub_brokenwindows1005.msp

**Nov. 13**    NO CLASS - ASC

**Nov. 20**    Community Corrections


**Nov. 27**    Community Policing


**Dec. 4**    Wrap-up – Final Papers Due