

Law and Justice Around the World: Fall 2019
George Mason University
Synchronous Online (Wednesdays: 1:30 pm 2:45 pm)
Instructor: Dr. Andrew Novak

Objectives of the Course

Welcome to Law and Justice Around the World, the undergraduate international and comparative criminal justice course in the Department of Criminology, Law, and Society. The course will survey the different approaches and methods to criminal justice used in different societies, at country, regional, and international levels. The course will include all aspects of a criminal justice regime, from investigation and law enforcement to sentencing and corrections, as well as the special topics of terrorism, juvenile justice, and transnational organized crime. Several central questions will be addressed: what are the advantages and disadvantages of various criminal justice systems, and how effectively do they operate? Are justice systems becoming more similar, or more different? What is the relationship between domestic and international criminal justice? How do they influence one another?

About the Instructor

I am a term assistant professor of criminology, law, and society at George Mason University. My research is primarily international and comparative in nature, focusing on the death penalty, clemency, comparative constitutional law, and international criminal law. I have a Master of Science in African Politics from the London School of Oriental and African Studies, a Juris Doctor from Boston University, and a Ph.D. in law from Middlesex University in London. I am licensed to practice law in New York and Washington, DC.

Email: anovak2@gmu.edu

Office Hours

I am available in person on Thursdays from 1:00 pm to 3:00 pm. I am available online on Wednesdays after class, from 2:45 pm to 3:00 pm, or by appointment. Office: Enterprise Hall, Room 345

Global Understanding

This course satisfies GMU's Global Understanding general education requirement. Courses in the global understanding course stream have three learning objectives: (1) demonstrate understanding of global patterns and processes; (2) demonstrate understanding of the interconnectedness, difference, and diversity of a global society; and (3) explore individual and collective responsibilities within a global society, including through responses to global problems. I believe the course will do all of these and more.

Required Materials

One book is required for this course:

Baz Dreisinger, *Incarceration Nations: A Journey to Justice in Prisons Around the World* (New York: Other Press, 2016)

Additional readings will be assigned, but these will be provided via Blackboard.

Grading Criteria

Your grade is based on the following components:

50% Weekly online quizzes

12 quizzes in total, but I will drop everyone's lowest grade, so this grade is based on 11 online quizzes.

50% Assignments

10% first paragraph/page/outline of first paper (topic of your choice)

20% first research paper (topic of your choice)

20% final paper about Nils Christie and Norwegian criminology

Below is the grading scale used for the course. I will not use the grades "D+" or "D-."

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|--------|----|
| 98-100 | A+ |
| 93-97 | A |
| 90-92 | A- |
| 88-89 | B+ |
| 83-87 | B |
| 80-82 | B- |
| 78-79 | C+ |
| 73-77 | C |
| 70-72 | C- |
| 60-69 | D |
| <60 | F |

In addition, in the event that I must calculate grade fractions, I will always round up to the next highest point if you have a 0.45 or higher.

Minimum Attendance Policy

This course is both synchronous and asynchronous. As a result, it has a minimum online attendance policy. We meet online ELEVEN times over the course of the fall semester, not including the introduction period the first week.

You must attend the online Blackboard Collaborate sessions **at least SEVEN times**, or your final grade will be lowered by a flat five points. I do not count absences, only attendances. As a result there is no such thing as an “excused absence” – there are only attendances and absences. However, attendance via conference call (instead of via Blackboard Collaborate) counts as an attendance.

If you attend the online Blackboard Collaborate sessions at least **NINE times**, I will drop your second lowest quiz grade.

The asynchronous portion of this class is not self-paced. That means that the required work must be completed by the deadlines in the syllabus or the late policies will apply.

I reserve the right to award only partial attendance to students who do not stay on the webinars (or conference call lines) for a critical mass of the class period. Blackboard logs when a student enters and leaves the webinar, and I will notice when students do not participate and routinely leave early. On the other hand, I understand some students will have internet connection problems—this is normal and expected.

Late Paper/Project Policy

A course incomplete may be given to students who have not completed the writing assignments for this course in time for final grades, with excused absences. Late papers or projects will be subject to a grade reduction without an appropriate excuse. *You must ask for an incomplete. I will calculate your grade without your unsubmitted assignments unless you take action.*

Twitter

Students are advised that I use a Twitter handle for my courses, **@GMUCRIMglobal**. I will use the Twitter handle to share news articles about current events relating to international and comparative criminal justice and human rights. I will begin each class with a rundown of current events. Feel free to tweet relevant articles at the account, and I can retweet them to the class.

If you follow the class Twitter account (tagging the Twitter handle for the course, so I can retweet it), you will receive **ONE FREE ATTENDANCE**. I will ask for this information later in the semester. This is intended to be a kind of participation credit.

Make-up Quiz Policy

Students will have to take a quiz every week on Blackboard. The quizzes are *not timed* and *do not need to be completed at one time*. You will be able to see all questions at the same time. Therefore, ordinarily no extensions will be given.

Students who are unable to take a quiz for a good reason should alert me before I reveal the answers the following week in class. In extraordinary circumstances, I can allow a student to take a quiz late *so long as I have not released the answers to the class*.

If a student is unable to take a quiz and I have already released the answers to the class, I may allow a student to complete a portion of the quiz for partial credit (typically, the short answer portion of the quiz only). This is entirely within my discretion.

Reading Assignments and Schedule of Classes

Wednesday, August 28

Topic: Introduction to the course

Workshops (in class): Constitutions of the world (selected provisions)

Optional assignment (for next class): Class survey

Wednesday, September 4

Topic: Common and civil law I: Historical origins

Required Reading (to be completed **before class**): Dreisinger, Chapter 1 (Introduction)

Online videos (to be completed **before class**): Common and civil law: historical origins; Legal system of the United Kingdom

Quiz (to be completed online **before class**)

Workshops (in class): Careers in international and comparative criminal justice (you are welcome to discuss a resume or cover letter in office hours)

Assignment Due: [Take Optional Introductory Survey on Blackboard by 1:30 pm](#)

Wednesday, September 11

Topic: Common and civil law II: Legal profession and education

Required Reading (to be completed **before class**): Dreisinger, Chapter 2 (Rwanda)

Online videos (to be completed **before class**): Common and civil law: legal profession/education; Legal system of Germany

Quiz (to be completed online **before class**)

Workshops (in class): Evolution of a rule in English common law and in French civil law

Wednesday, September 18

Topic: Common and civil law III: Comparative criminal procedure

Required Reading (to be completed **before class**): Dreisinger, Chapter 3 (Uganda/Jamaica)

Online videos (to be completed **before class**): Common and civil law; comparative criminal procedure; Legal system of France

Quiz (to be completed online **before class**)

Workshops (in class): Amanda Knox trial on Italian civil procedure, International Court of Justice and whaling case (Australia v. Japan), and legal citation formats/how to find the law, Writing workshop

Wednesday, September 25

Topic: Legal mixing and legal pluralism: Chinese law and European law

Required Reading (to be completed **before class**): Dreisinger, Chapter 4 (Thailand)

Online videos (to be completed **before class**): European law; Socialist/Chinese law

Quiz (to be completed online **before class**)

Workshops: How the European Court of Human Rights gets a case; ECHR scenarios

Wednesday, October 2

CLASS CANCELLED: No work is due! ☺

Wednesday, October 9

Topic: Legal mixing and legal pluralism: Hybrids, indigenous/customary law

Required Reading (to be completed **before class**): Dreisinger, Chapter 5 (Brazil)

Online videos (to be completed **before class**): Hybrids and customary law

Quiz (to be completed online **before class**)

Workshops (in class): African/Siberian customary law examples; writing workshop; European Court of Human Rights (Amal Clooney in Armenian genocide case)

Assignment Due: First Paragraph/Outline/Draft of First Paper (on a topic of your choice) – This is a graded assignment. Submit on Blackboard by 1:30 pm, or the start of class.

Wednesday, October 16

Topic: Islamic law

Required Reading (to be completed **before class**): Dreisinger, Chapter 6 (Australia)

Online videos (to be completed **before class**): Islamic law

Quiz (to be completed online **before class**)

Workshops (in class): Comparative clemency; Islamic law workshop

Wednesday, October 23

Topic: International Criminal Court I: Historical origins

Required Reading (to be completed **before class**): Novak, Chapter 1 and 2 (Introduction and Origins of International Criminal Justice) (posted on Blackboard)

Online videos (to be completed **before class**): Introduction to international criminal justice; International Criminal Court 1

Quiz (to be completed online **before class**)

Workshops (in class): Introduction to jurisdiction and admissibility

Wednesday, October 30

Topic: International Criminal Court II: Jurisdiction and admissibility

Required Reading (to be completed **before class**): Novak, Chapter 4 (Jurisdiction of the Court) (posted on Blackboard)

Online videos (to be completed **before class**): International Criminal Court 2

Quiz (to be completed online **before class**)

Workshops: ICC jurisdiction scenarios

Assignment Due: Your Final First Paper (on a topic of your choice) Due on Blackboard by 1:30 pm, or the start of class

Wednesday, November 6

Topic: International Criminal Court III: Current cases and controversies

Required Reading (to be completed **before class**): Novak, Chapter 5 (Investigation and Prosecution) (posted on Blackboard)

Online videos (to be completed **before class**): International Criminal Court 3

Quiz (to be completed online **before class**)

Workshops (in class): Current cases at the ICC

Wednesday, November 13

Topic: Global principles of punishment and Capital Punishment

Required Reading (to be completed **before class**): Roger Hood and Carolyn Hoyle, “Towards the Global Elimination of the Death Penalty: A Cruel, Inhuman and Degrading Punishment” (available on Blackboard)

Online videos (to be completed **before class**): Comparative criminal punishment, global decline of the death penalty

Quiz (to be completed online **before class**)

Workshops (in class): Constitutional death penalty provisions; Belgian euthanasia case; Death penalty statute workshop

Wednesday, November 20

CLASS CANCELLED (But work is still due!)

Topic: International and comparative policing and Juvenile Justice

Required Reading (to be completed **before class**): Dreisinger, Chapter 7 (Singapore)

Online videos (to be completed **before class**): International and comparative policing and juvenile justice

Quiz (to be completed online **before class**)

Wednesday, November 27

Thanksgiving Break: No class, and no work!

Wednesday, December 4

Topic: Transnational crime

Required Reading (to be completed **before class**): Dreisinger, Chapter 8 (Norway) + please read the chapter/selection that you are using for your final paper

Online videos (to be completed **before class**): Transnational crime

Quiz (to be completed online **before class**)

Workshops (in class): Discussion on Christie readings; constitution drafting workshop

Wednesday, December 11

Final Second Paper Due at 11:59 pm (on Norwegian criminology and Nils Christie – See Blackboard for Prompts)

Paper Guidance

This course will have writing assignments over the course of the semester. The instructions for these assignments will be circulated shortly. Your grade is based on **how you write, so it is essential** to focus on grammar, presentation, conciseness, and clarity of writing. The papers are not long, but I will read every word, so every word should be selected carefully.

Your first paper should cite a minimum of three sources, of which two should be scholarly. A paper based solely on unsupported assertions may receive a reduced grade. I will provide instructions and conduct a series of writing workshops. Your second paper requires you to read a selection of writing from the late Norwegian criminologist Nils Christie. You are not required to cite sources other than these writings, but you are welcome and encouraged to, depending on your paper topic. Unsupported assertions will affect your grade.

The papers should be submitted in Word format on Blackboard. I will track changes on Microsoft Word and upload the paper back to Blackboard. If you do not have Microsoft Word, you *may* submit your paper in PDF and I will copy and paste it to Microsoft Word myself. This will ruin your formatting, but we don't have any other choice. Note that although converting a file to PDF strips out the metadata, it *does not fool the plagiarism software on Blackboard*. The plagiarism software can read PDFs.

Honor Code Policy

Available on the web at academicintegrity.gmu.edu. 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 Honors Committee. You may collaborate with other students in studying and discussing course topics, but your written course work must be entirely your own.

ALL STUDENTS ARE ON NOTICE THAT I CONSIDER PAPER RECYCLING FROM ANOTHER COURSE TO BE A VIOLATION OF THE HONOR CODE. This is, in part, because I use the Blackboard “Safe Assign” feature to detect plagiarism, and the Safe Assign feature cannot distinguish between another student’s paper and a paper that you have previously turned in to another class.

Disability Accommodations

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 (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. I want to be helpful.