

## **Law and Justice Around the World**

CRIM 405.DL3 and CRIM 405.DL4 (Novak)

Online synchronous and asynchronous hybrid

Meeting times: Thursdays, 10:30 am to 11:45 am (DL4) and Thursdays, 1:30 pm to 2:45 pm (DL3)

Office/student hours: Thursdays, 12:30 pm to 1:15 pm, or by appointment

### **About the Instructor**

Andrew Novak is term assistant professor of criminology, law and society at George Mason University. My research is primarily on the death penalty, human rights, and comparative law. I have an M.Sc. in African Politics (London), a J.D. (Boston), and a Ph.D. in law (Middlesex). I am licensed to practice law in New York and Washington, DC.

Email: [anovak2@gmu.edu](mailto:anovak2@gmu.edu)

### **Grading scale for the class**

I will not use the grades “D+” or “D-.”

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.

### **Grading rubric**

Your grade in this class is based on a cumulative point total.

12 Weekly Quizzes (15 points each): 180 points

12 Writing/Editing/Research Assignments (5 points each): 60 points

Total: 240 points (20 points available each week for 12 weeks)

### **Attendance**

This course has a minimum attendance requirement. Other than the introduction class, you must attend 6 web conferences or your grade will be reduced by a flat 15 points.

If you attend at least 9 of 12 web conferences (other than the introduction class), I will give you a 100% on your lowest weekly quiz grade or assignment, whichever is more advantageous. I will add up to 15 points to your final point total.

Attendance at the web conferences is defined as being logged in for a critical mass of the class. Signing in and out is not an attendance. If you know in advance that you are unable to attend the web conference, please let me know. I will be able to offer you a conference call line so you can dial in. You may not attend the web conferences while driving. This includes the conference call line as well.

## Readings

Evi Girling, "European Identity and the Mission against the Death Penalty in the United States" in Sarat and Boulanger eds. *The Cultural Lives of Capital Punishment: Comparative Perspectives* (Stanford University Press 2005), pages 112-128. **(Week 1)**.

Baz Dreisinger, "Private Prisons in Australia," in *Incarceration Nations: A Journey to Justice in Prisons Around the World* (Other Press 2016), pages 201-231. **(Week 2)**.

David T. Johnson & Franklin E. Zimring, "India" in *The Next Frontier: National Development, Political Change, and the Death Penalty in Asia* (Oxford UP 2009), pages 423-442. **(Week 3)**.

David T. Johnson & Michelle Miao, "Chinese Capital Punishment in Comparative Perspective," in Bin Liang and Hong Ku eds. *The Death Penalty in China: Policy, Practice, and Reform* (Columbia UP 2016), pages 300-326. **(Week 4)**.

Abdulumuni Oba, "The Future of Customary Law in Africa," in *The Future of African Customary Law* (Jeanmarie French, Paolo Galizzi, and Tracy Higgins, eds., Cambridge University Press, 2012). **(Week 5)**.

Muhammad Habash, "Islamic Visions for the Abolition of the Death Penalty," in *Capital Punishment: A Hazard to a Sustainable Criminal Justice System?* (Lill Scherdin, ed., Ashgate, 2014). **(Week 6)**.

Andrew Novak, Excerpts from, *The International Criminal Court: An Introduction* (Springer 2016). **(Weeks 7 and 8)**.

Par Engstrom & Gabriel Pereira, "From Amnesty to Accountability: The Ebb and Flow in the Search for Justice in Argentina," in Lessa and Payne eds. *Amnesty in the Age of Human Rights Accountability: Comparative and International Perspectives* (Cambridge UP 2012), pages 97-122. **(Week 9)**.

David T. Johnson, "Why Does Japan Retain Capital Punishment?" in *The Culture of Capital Punishment in Japan* (Palgrave 2020), pages 1-18. **(Week 10)**.

Nils Christie, Excerpts from *Limits to Pain: The Role of Punishment in Penal Philosophy* (Wipf and Stock 1981) and *A Suitable Amount of Crime* (Routledge 2004). **(Week 11)**.

Nils Christie, "Death as Punishment," in Lill Scherdin ed. *Capital Punishment: A Hazard to a Sustainable Criminal Justice System?* (Ashgate 2014), pages 61-75 **(Week 12)**.

## Course schedule

Lectures, readings, online assignments, and quizzes each week are available on Blackboard.

Thursday, August 26: Introductory class

Thursday, September 2: Common/Civil Law I (Quiz/Assignment 1 due at 1:30 pm)

Thursday, September 9: Common/Civil Law II (Quiz/Assignment 2 due at 1:30 pm)

Thursday, September 16: Common/Civil Law III (Quiz/Assignment 3 due at 1:30 pm)

Thursday, September 23: European Integration and China (Quiz/Assignment 4 due at 1:30 pm)

Thursday, September 30: Hybrids and Customary Law (Quiz/Assignment 5 due at 1:30 pm)

Thursday, October 7: Islamic Law (Quiz/Assignment 6 due at 1:30 pm)

Thursday, October 14: Staycation week 🐼 (no work is due)

Thursday, October 21: International Criminal Court I (Quiz/Assignment 7 due at 1:30 pm)

Thursday, October 28: International Criminal Court II (Quiz/Assignment 8 due at 1:30 pm)

Thursday, November 4: International Criminal Court III (Quiz/Assignment 9 due at 1:30 pm)

Thursday, November 11: Punishment and the Death Penalty (Quiz/Assignment 10 due at 1:30 pm)

Thursday, November 18: Policing and Juvenile Justice (Quiz/Assignment 11 due at 1:30 pm)

Thursday, November 25: Thanksgiving (no work is due)

Thursday, December 2: Transnational Crime (Quiz/Assignment 12 due at 1:30 pm)

### **Late Policy**

You must take 12 weekly quizzes and 12 assignments this semester. These are not timed and do not need to be completed in one sitting. Therefore, ordinarily no extensions will be given. If you are unable to complete a quiz by the deadline, you must notify me within 48 hours. Once I reveal the answers to the class, you will not be able to take the quiz. It is within my discretion to allow you to take a portion of the quiz for partial credit.

Because this quiz does not have a final paper or exam, I am not able to give incompletes for missing work. All late assignments must be turned in by the deadline I send around. I cannot change a grade that has been uploaded already.

### **Honor Code**

Sharing of instructor-created materials, particularly materials relevant to assignments or exams, to public online “study” sites is considered a violation of Mason’s Honor Code. For more information, see the Office of Academic Integrity’s summary of information about online study sites.

The integrity of the University community is affected by the individual choices made by each of us. Mason has an Honor Code with clear guidelines regarding academic integrity. Three fundamental and rather simple principles to follow at all times are that: (1) all work submitted be your own; (2) when using the work or ideas of others, including fellow students, give full credit through accurate citations; and (3) if you are uncertain about the ground rules on a particular assignment, ask for clarification.

For the full Honor Code, see [academicintegrity.gmu.edu](http://academicintegrity.gmu.edu).

### **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.

### **Diversity/Inclusion**

As a faculty member and designated “Responsible Employee,” I am required to report all disclosures of sexual assault, interpersonal violence, and stalking to Mason’s Title IX Coordinator per university policy

1412. If you wish to speak with someone confidentially, please contact the Student Support and Advocacy Center (703-380-1434) or Counseling and Psychological Services (703-993-2380). You may also seek assistance from Mason's Title IX Coordinator (703-993-8730; titleix@gmu.edu).

This course seeks to create a learning environment that fosters respect for people across identities. We welcome and value individuals and their differences, including gender expression and identity, race, economic status, sex, sexuality, ethnicity, national origin, first language, religion, age and ability. We encourage all members of the learning environment to engage with the material personally, but to also be open to exploring and learning from experiences different than their own.