

## **FALL 2023: Values, Ethics & Criminal Justice Policy / CRIM 700**

Andrew Novak, Instructional Associate Professor

Online synchronous / asynchronous / in-person hybrid

Class period: Thursdays, 1:30 pm to 2:45 pm

Office hours: 15 minutes after class each week, or by appointment

Classroom: Angel Cabrera Global Center, Room 1306B

### **About the Instructor**

I am Instructional Associate 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.

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### **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**

12 weekly quizzes (25 points each): 300 points

First installment of final paper: 15 points

African philosophy worksheet: 15 points

Final paper: 50 points

Total = 380 points

### **Participation and Attendance**

This course relies on active participation, including attendance. We meet either synchronously online or in person 11 times (we do not meet on a live session on November 16). Your attendance is expected.

Poor or disruptive class participation or failing to attend 8 times will result in a 30-point deduction from your final grade. Multiple excused absences for medical reasons will not count if you keep me apprised of the situation to the best of your ability.

### **Late work policy**

If you are late taking a weekly quiz, please let me know as soon as possible and I will keep it open for up to 48 hours longer. All the quizzes must be completed before I grade them, because grading will reveal the answers. If you missed a quiz for which I have already released the answers, you may still take a portion of the quiz for partial credit at my discretion.

If your draft paper or your final paper are late, they will be subject to a flat 10% grade reduction regardless of when they are submitted. I would rather read a good paper that's a week late than a bad paper that's a day late. However, if it is not submitted by the time I calculate grades, you must ask me for an incomplete before your final grade is submitted. I cannot change a final grade unless I made a calculation error. At the end of the semester, I will give you a drop-dead deadline after which I will not accept late work.

Finally, I advise that your research not contain interviews or surveys that you have administered yourself. This constitutes research on human subjects and requires ethical clearance from the university. In theory, it is possible to get this ethical clearance, but I have never done it. This process will take a month or two, so plan on it early in the semester, especially since there is a risk of rejection.

### **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](mailto: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.

If you wish, you are welcome to share your preferred names or pronouns with me.

### **Course schedule**

**Week 1:** Intro to Normative Ethics and Pleasure/Pain

The weekly assignments must be completed by the beginning of class on Thursday, **August 31, 2023**.

- Reading: David Thacher, "The Normative Case Study," *American Journal of Sociology* (2006)
- Lecture Videos: Normative Ethics + Pleasure and Pain

- Quiz 1: Due at 1:30 pm (25 points)

### **Week 2: Virtue Ethics and Shame**

The weekly assignments must be completed by the beginning of class on Thursday, **September 7, 2023**.

- Reading: John Braithwaite, "Shaming and the Good Society"; Christie et al., "Virtue Ethics and the Harm Reduction Debate"; Weinrib, "Corrective Justice in a Nutshell"
- Lecture Videos: Virtue Ethics + Shame
- Quiz 2: Due at 1:30 pm (25 points)

### **Week 3: Utility and Harm Reduction**

The weekly assignments must be completed by the beginning of class on Thursday, **September 14, 2023**.

- Reading: Cass Sunstein, Excerpts from *Valuing Life*; Obama Executive Order
- Lecture Videos: Utility + Harm Reduction
- Quiz 3: Due at 1:30 pm (25 points)

### **Week 4: Divine Command and Mercy**

The weekly assignments must be completed by the beginning of class on Thursday, **September 21, 2023**.

- Reading: Carole Steiker, "Tempering or Tampering"; Giordana Campagna, "Miracle of Mercy"; Kathleen Dean Moore, Excerpts from *Pardons*
- Lecture Videos: Divine Command + Mercy
- Quiz 4: Due at 1:30 pm (25 points)

### **Week 5: Duty and Drug Courts**

The weekly assignments must be completed by the beginning of class on Thursday, **September 28, 2023**.

- Reading: Seddon, "Coerced Drug Treatment"; Nolan, Excerpts from *Reinventing Justice*; Nussbaum, "Justice for Nonhuman Animals"
- Lecture Videos: Duty + Drug Courts
- Quiz 5: Due at 1:30 pm (25 points)

### **Week 6: Fairness and Deliberative Democracy**

The weekly assignments must be completed by the beginning of class on Thursday, **October 5, 2023**.

- Reading: Manning, "Environmental Ethics and John Rawls"; Okin, "Justice as Fairness: For Whom?"; Demsas, "Community Input Is Bad, Actually"
- Lecture Videos: Fairness + Deliberative Democracy
- Quiz 6: Due at 1:30 pm (25 points)

### **Week 7: Social Contract and Felon Disenfranchisement**

The weekly assignments must be completed by the beginning of class on Thursday, **October 12, 2023**.

- Reading: Levine, "Social Contract and Felon Disenfranchisement"; Hayduk, "Immigrant Voting Rights"
- Lecture Videos: Social Contract + Felon Disenfranchisement

- Quiz 7: Due at 1:30 pm (25 points)

#### **Week 8: Global Justice and Racial/Sexual Contract**

The weekly assignments must be completed by the beginning of class on Thursday, **October 19, 2023**.

- Reading: Rawls, Excerpts from Law of Peoples; Beitz, Excerpts from Political Theory and International Relations; Emanuel et al., "Ethical Framework for Global Vaccines"; Moyn, "Global Justice"
- Lecture Videos: Global Justice + Racial and Sexual Contracts
- Quiz 8: Due at 1:30 pm (25 points)

#### **Week 9: Procedural Justice and Pro Se Prisoner Litigation**

The weekly assignments must be completed by the beginning of class on Thursday, **October 26, 2023**.

- Reading: Danzinger et al., "Extraneous Factors in Judicial Decisions"; Coeckelbergh, "Ethics of Artificial Intelligence"; Coeckelbergh, "Virtual Moral Agency"; Vidmar, "Procedural Justice and ADR"; Dressel and Farid, "Predicting Recidivism"
- Lecture Videos: Procedural Justice + Pro Se Prisoner Litigation
- Quiz 9: Due at 1:30 pm (25 points)

#### **Week 10: Care Ethics and Sex Offenders**

The weekly assignments must be completed by the beginning of class on Thursday, **November 2, 2023**.

- Reading: Walker, "Minor-Attracted People"; Becker, Excerpts from Deviance; De Orio, "Creation of the Modern Sex Offender"; Ward, "Ethics of Care and Treatment of Sex Offenders"; McCann, Excerpts from Park Cruising
- Lecture: Care Ethics + Sex Offenders
- Quiz 10: Due at 1:30 pm (25 points)
- First Installment of Final Paper: Due at 1:30 pm (15 points)

#### **Week 11: Restorative Justice and Truth**

The weekly assignments must be completed by the beginning of class on Thursday, **November 9, 2023**.

- Reading: Minow, Excerpts from When Should Law Forgive?; Hayner, Excerpts from Unspeakable Truths
- Lecture: Restorative Justice + Truth Commissions
- Quiz 11: Due at 1:30 pm (25 points)

#### **Week 12: African Philosophy and Reparations/Climate Justice**

The weekly assignments must be completed by 11:59 pm on Thursday, **November 16, 2023**. We do not meet in a live session on this day.

- Reading: Hallen, "On Consensus" from Reading Wiredu; Risse, "Half a Century After Malcolm X Came to Visit" from Global Justice; Shannon Morreira, Excerpts from Rights After Wrongs
- Lecture: African Philosophy + Reparations/Climate Justice
- Quiz 12: Due at 11:59 pm (25 points)
- African Philosophy Worksheet: Due at 11:59 pm (15 points)

*Final Paper Due: December 10, 2023 at 11:59 pm (50 points)*

### **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.