

Master's Comprehensive Examination
[Justice and Public Policy]
Spring, 2015

INSTRUCTIONS: Answer any **two** of the following four questions. Include in your answers references to the relevant literature, case law, and/or other sources. Label each answer by number. Please begin each answer on a new page. Remember to write your 4-digit ID number on all pages. You have three hours in which to complete this examination.

1. In the aftermath of recent events in Ferguson, Cleveland, and New York City, progressive police leaders across the country are struggling to balance fairness and effectiveness in their approaches to policing. Based on your reading of the empirical research, what advice do you have for police leaders about how to balance fairness and effectiveness? What policing strategies are most effective in maintaining public order and reducing crime? What policing strategies preserve the perceived legitimacy of the police? Is there necessarily a trade-off between fairness and effectiveness, or is it possible to accomplish both objectives? Note that while you are being asked to offer your opinion, that opinion should be based on research evidence and you should be certain to cite the relevant research.

2. Discuss the capacity of police to prevent and deter crime. What do theory and research teach us about the effects of police on crime? What practices are effective and what practices are ineffective? Be sure to cite both theory and research on these issues.

3. A growing number of condemned prisoners have been exonerated and subsequently released from prison. Most were released after being confined for many years on restrictive death rows. What does their experience—on death row and upon release—tell us about the death penalty?

4. Deterrence and incapacitation involve different understandings of how to prevent crime. Give an account of these understandings, relying on theory and relevant readings, and illustrate the strengths and limitations of deterrence and incapacitation for crime control.

**Master's Comprehensive
Examination [*Terrorism and Security
Policy*]**

Spring, 2015

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1) Compare and contrast prominent theories of suicide terrorism, highlighting where they converge and diverge as well as their strengths and shortfalls. Which, if any, is the most compelling explanation? Does this explanation help illuminate why terrorist groups select other tactics, for example the increased use of beheadings, or does it only pertain to suicide terrorism? Based on your assessment, what would be the most effective policy prescriptions?

2) ISIS continues to battle for control of portions Syria and Iraq and calls itself a state. Some observers call it a terrorist organization and others label it a rebel group. Define each of these three things. Which label is most accurate? What are the implications of the label for the academic study of the group? What are the policy implications?

3) Scholars have debated whether rational choice theory (RCT), or psychological theories of human behavior better explain terrorist violence. First briefly compare and contrast RCT with psychological theories of terrorism. Do you think terrorism is better explain by RCT, psychological theories, or some combination of the two? Use evidence to support your argument.

4) The three terrorists in the January 2015 killings at Charlie Hebdo and the Jewish kosher market in Paris were all born and raised in Paris. If you were advising the French president on what to do to prevent future such attacks, what would you recommend? Please cite the relevant literature to support your response.

Department of Justice, Law and Criminology
Master's Comprehensive Examination
[Jurisprudence and Social Thought]
Spring, 2015

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1) Choose one legal realist and one critical theorist (ie from either critical legal studies, critical race studies or feminist jurisprudence) and explain in detail what their reaction would be to the killing of two unarmed Black men in Ferguson Missouri and Staten Island, New York. In particular you should explain their conception of American law and how the events in these two cities exemplify their theories of law. After doing so, critique their view from the perspective of **one** other theorist who is either a legal positivists, natural lawyer or rights theorist.

2) Different countries view freedom of speech from much different perspectives. Those countries influenced by John Locke, view free speech in terms of the negative freedom it protects and so permit hate speech. Other countries influenced by communitarian notions of positive rights ban hate speech to promote a positive identity of different protected groups within society. How would these two different societies of positive rights justice and negative rights rights justice deal with the publication of cartoons about the prophet Mohammad. In particular consider two cartoons.

- 1 One cartoon shows the prophet in a respectful way but reflects a political point of view opposing the censorship of his image.
- 2 This cartoon shows the prophet in a disrespectful manner but reflects no other view.

In answering this question consider at least one communitarian and one liberal conception of justice and how the pursuit of negative or positive rights would lead them to censor, or not, the publication of these cartoons.

3) American society has a more unequal distribution of wealth than at any time since the start of the great depression. What are the implications, if any, for the possibility of justice in such an unequal society? Choose at least two theorists, to answer this question. One of them must consider inequality to be a barrier to justice while another must not believe that equality is a threat to justice. In answering this question make sure you define the sort of inequality that is either a threat to justice or not (i.e. material equality, equality of opportunity, equality before the law, equality of economic and social control over the definition of one's own identity, equal access to form the capabilities that constitute free agency). Some theorists you might consider, but are not limited to, include, Walzer, Rawls Nozick, Freidman, I. Crystal, Susan Moller Okin, Burke, Marx, Dworkin, MacKinnon, Rousseau, Locke, AK Sen, JS Mill.

4) Imagine that the FBI caught the 20th hijacker on September 9th, 2001 and strongly suspected that he knew the coordinates of the other attackers and their plans in detail. Would the torture of this hijacker be justified if it could prevent the 9/11 attacks? If yes, would the 9/11 attacks themselves be justified by the same concept of justice that would justify the torture to prevent them? If torture is not justified, how would the President justify letting 3,000 citizens knowingly die. In each case describe in detail the theory of justice that supports your position.