

Struggle for Justice

Section 1

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Rumors about criminal justice systems in Asia are common and often exaggerated. Newspapers report that Japan is a homogenous crime-free society while they publish pictures of caning in Singapore. This course will introduce the student to the nature of crime and criminal justice systems in several Asian countries. The main focus of the course is on Japanese criminal justice. Along with other areas of focus, the class will examine how the Japanese criminal justice works to produce one of the lowest rates of crime in the developed world. We will learn why Japanese prosecutors win 99.98% of their trials and we will try to discover why the vast majority of criminal suspects confess.

We will also examine the challenges faced by the criminal justice system in Thailand and determine what are the root causes for any dysfunctions we discover. We will also spend some time looking at the motives and consequences of a criminal justice reform in Thailand and discuss why it was unsuccessful. After we have explored the intended and immediate results of the reforms we will try to discover how the system has allowed the extra-judicial killing of thousands of suspects. Our study of the criminal justice system in China will teach us to place the concept of criminal justice within the broader perspective of politics and sovereignty. We will examine those ways in which the system is changing and predict future change. We will also try to identify the ways in which criminal law is being used to limit the main threats to political stability in China and determine if China is governed by the “rule of law”. A part of our discussion on China will look at the use of traditional criminal justice tools to confine minority populations and discover what lessons that confinement can teach us about the role of justice in China. Finally we will place the death penalty debate into a global context by examining the strike hard campaigns and China’s implementation of the death penalty. There will be a field trip to watch criminal trials in the Osaka courthouse, if possible. Interpreters will be provided, if available.

Section 2

【Course Objectives/Goals/Learning Outcomes】

By the end of the course students should be able to understand:

The meaning and significance of the rule of law.

Why Japan has such a low rate of crime.

How culture and history are directly related to criminal justice systems.

The effect of corruption on a system and its society.

The complexities involved in studying the nature and extent of human rights abuses in China.

Section 3

The actual syllabus will be distributed in class. The general outline will approximate this schedule of topics.

1. Introduction to class expectations and systems. Distribute syllabus.

2. Highlight key points about the criminal justice systems in your home countries.
3. Learn the key steps in the criminal justice process from the criminal act to the final sentence.
4. Criminal justice timeline part two.
5. Justice timeline conclusion.
6. Creations of team and team assignment.
7. Nationbuilding exercise.
8. Nationbuilding part two.
9. Team presentations.
10. Team presentations.
11. Introduction to the Japanese system and overview of crime statistics.
12. Japanese prosecution system.
13. Suspension of prosecution.
14. Defense attorneys in Japan
15. Judges in Japan
16. Japanese police
17. Prepare for field trip
18. Performance Integration Student Survey over Japan
19. Introduction to Chinese legal system.
20. The rule of law in China
21. Death penalty in China. Watch Interviews Before Execution.
22. Watch Jerome Cohen videos.
23. Discussion of Uighur issue and mass surveillance in China.
24. Final discussion about the future of legal reform and human rights in China.
25. Performance Integration Student Survey over China.
26. Introduction to Thailand's criminal justice system.
27. Corruption in the Thai system.
28. Current challenges facing Thailand and how the criminal justice system is related to those challenges.
29. Concluding remarks.
30. Final question and answer session.

The text will be distributed in class and is drawn from:

The Japanese Way of Justice by Johnson

Japanese Police Today by Parker

Forces of Order by Bailey

UNAFEI Report on Crime

Section 4

Your grade is calculated as follows:

Final Exam 25%

Tests 50%

Writing assignment 25%

Section 5