LAW AND ETHICS
PSC 416.001
Spring 2019
Ferguson 374
Mon., Weds., & Fr. 11am - 11:50am

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Office Hours: Tues. 12:30-3pm & Thurs. 12:30-3pm

Course Description
This course examines the principal theories and controversies in law and ethics. It focuses on the key concepts in law-justice, rights, duties, obligations, responsibilities, punishment, protection and empowerment—at the ethical foundations of the legal system. It evaluates the main philosophical theories of ethics and law, probes central moral and legal issues and controversies, examines the practical application of such theories and issues, and analyses critically the interrelationship between ethics and law. Prerequisites: PSC 141 and 142.

Text Books
• None required.
• All readings are on D2L.

General Education Curriculum Objectives
In any given semester, one or more of the following Core Curriculum Objectives for the political science / government Foundational Component Area may be assessed.

• Critical Thinking Skills – creative thinking, innovation, inquiry, and analysis, evaluation, and synthesis of information
• Communication Skills – effective development, interpretation and expression of ideas through written, oral, and visual communication
• Social Responsibility – intercultural competence, knowledge of civic responsibility, and the ability to effectively engage in regional, national, and global communities
• Personal Responsibility – the ability to connect choices, actions, and consequences to ethical decision-making
Program Learning Outcomes

This course is a general education core curriculum course and no specific program learning outcomes for a political science major are addressed in this course.

Course Requirements

Grades for this course will be based on one critical response paper, quizzes, and four exams.

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<th>Grade</th>
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<tr>
<td>A</td>
<td>90-100</td>
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<td>B</td>
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<td>C</td>
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<td>D</td>
<td>60-69</td>
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<td>F</td>
<td>0-59</td>
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Exams (70% of final grade). There will be four exams. These exams will be weighted equally and will cover material from the lectures and readings. Moreover, there will be no make-up exams, unless the absence is excused. If you know you will miss an exam for an excused absence, you must make arrangements with me at least three days prior to the scheduled exam date to take the exam. If for some reason you miss an exam due to unforeseen circumstances, you have five days from when the exam was administered to contact me about making it up, and you will be required to provide documentation that the absence is excused. If you fail to contact me within five days or if you fail to provide documentation for the absence, you will not be allowed to makeup the exam. The following are acceptable excuses: illness with a doctor’s note, military duty, death in the family, or participation in approved university-sponsored events. The following are NOT acceptable excuses: forgetting to set your alarm, scheduled flights or trips, scheduled non-emergency doctor appointments, going to work, picking up relatives at the airport, chauffeuring a friend somewhere, etc.

Quizzes (20% of final grade). During the semester, there will be a number of unannounced (i.e., POP) quizzes. These will be weighted equally and the number of quizzes will be based on how well the class performs. Quizzes will be given during the first 10 minutes of class and students who arrive late to class will not be allowed to participate in them. Moreover, there will be no make-up quizzes, unless the absence is excused. If you know you will miss a quiz for an excused absence, let me know prior to that class period. The following are acceptable excuses: illness with a doctor’s note, military duty, death in the family, or participation in approved university-sponsored events. The following are NOT acceptable excuses: forgetting to set your alarm, scheduled flights or trips, scheduled non-emergency doctor appointments, going to work, picking up relatives at the airport, chauffeuring a friend somewhere, etc.

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1If the class underachieves, then expect more quizzes. When it comes to determining whether the class is underachieving, I make that judgment.
Finally, the subject matter of these quizzes will be drawn from the articles, excerpts, or chapters we our reading that day, and the quizzes may consist of multiple choice or short answer questions.

**Critical Response Paper (10% of final grade).** A critical response essay (or interpretive essay or review) has two missions: to summarize a source’s main idea and to respond to the source’s main ideas with reactions based on your synthesis. These papers must be 1-2 pages in length (double-spaced, normal margins, and 12-point-font), with a maximum word count of 500 words (include the word count on the top of the paper). Moreover, these papers will be due on the day the reading is assigned. For example if you choose to write a critical response paper on Martin Luther King Jr.’s “Letter from Birmingham Jail,” then your paper is due on 22 February 2019 at the beginning of class. Although you are free to write on most topics in the syllabus, you are not allowed to write a critical response paper for any of the reading after 1 March 2019. If you fail to write a critical response paper on a reading prior to 1 March 2019, you receive a **zero** for the assignment.

**SFA Policy 5.4 Statement**

In compliance with SFA Policy 5.4, you are expected to spend 150 minutes each week attending class. In addition, you should spend 300 minutes each week in preparation for class. For class preparation, you should read and review material from your textbooks, review material from other assigned readings, review notes taken in class, review in class assignments, and prepare study aides.

**Academic Integrity**

The following is taken from SFA’s *Policy Manual* and can be found in section 4.1 – **STUDENT ACADEMIC DISHONESTY**: Abiding by university policy on academic integrity is a responsibility of all university faculty and students. Faculty members must promote the components of academic integrity in their instruction, and course syllabi are required to provide information about penalties for cheating and plagiarism as well as the appeal process.

All cases of academic dishonesty, both cheating and plagiarism, will be handled according to University policies and procedures (A-4.1 & A-6.3). Cheating includes but is not limited to (1) using or attempting to use unauthorized materials to aid in achieving a better grade on a component of a class; (2) the falsification or invention of any information, including citations, on an assigned exercise; and/or (3) helping or attempting to help another in an act of cheating or plagiarism. Plagiarism is presenting the words or ideas of another person as if they were your own. Examples of plagiarism are (1) submitting an assignment as if it were one’s own work when, in fact, it is at least partly the work of another; (2) submitting a work that has been purchased or otherwise obtained from an Internet source or another source; and (3) incorporating the words or ideas of an author into one’s paper without giving the author due credit. While these are not exhaustive lists, students who are curious should
peruse SFA’s Policy Manual. Specifically, you should focus on section 4.1 – Student Academic Dishonesty.

To be clear, I do not take academic dishonesty lightly, and the consequences for academic dishonesty will be an “F” for the course. No exceptions.

Withheld Grades

The following is taken from SFASU’s Policy Manual (2014), “Semester Grades Policy” (A-54): At the discretion of the instructor of record and with the approval of the academic chair/director, a grade of WH will be assigned only if the student cannot complete the course work because of unavoidable circumstances. Students must complete the work within one calendar year from the end of the semester in which they receive a WH, or the grade automatically becomes an F. If students register for the same course in future semesters, the WH will automatically become an F and will be counted as a repeated course for the purpose of computing the grade point average.

Students with Disabilities

To obtain disability related accommodations, alternate formats and/or auxiliary aids, students with disabilities must contact the Office of Disability Services (ODS), Human Services Building, and Room 325, 468-3004 / 468-1004 (TDD) as early as possible in the semester. Once verified, ODS will notify the course instructor and outline the accommodation and/or auxiliary aids to be provided. Failure to request services in a timely manner may delay your accommodations. For additional information, go to http://www.sfasu.edu/disabilityservices/.

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1 http://www.sfasu.edu/policies/
2 http://www.sfasu.edu/policies/student_academic_dishonesty.pdf
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Course Schedule

Jan. 23: Introduction
- No Readings

Jan. 25: Introduction
- No Readings

Jan. 28: What is law?

Jan. 30: What is law?

Feb. 1: Life without law
- Thomas Hobbes. *Leviathan*, Ch. 11 & 13
- John Locke. *Two Treatise of Government*, Ch. 2 & 3

Feb. 4: The social contract
- Thomas Hobbes. *Leviathan*, Ch. 15, 17, & 18
- Recommended: David Hume. *Of the Original Contract*.

Feb. 6: Relativism

This is a tentative schedule, and I reserve the right to change the schedule as necessary.
Feb. 8: Relativism


Feb. 11: Utilitarianism

- J.S. Mill. Excerpts from *Utilitarianism*.

Feb. 13: Critiques of utilitarianism


Feb. 15: Kant

- Kant, *Groundwork of the Metaphysics of Morals*, pp. 259-267

Feb. 18: Exam #1

Feb. 20: The obligation to obey the law

- Plato. *Crito*.

Feb. 22: The obligation to obey the law

Feb. 25: The obligation to obey the law


Feb. 27: Justification of Punishment: Utilitarianism


Mar. 1: Justification of Punishment: Utilitarianism


- *Goldschmitt v. Florida*

- *Gregg v. Georgia*

Mar. 4: Justification of Punishment: Retributivism


Mar. 6: Justification of Punishment: Retributivism


- *Payne v. Tennessee*

- *Coker v. Georgia*
Mar. 8: Justification of Punishment: Rehabilitation and Excuses


Mar. 11: Justification of Punishment: Rehabilitation and Excuses


- *State v. Leidholm*

Mar. 13: Flex Day

- TBD

Mar. 15: Exam #2

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Mar. 18: No Class

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Mar. 20: No Class

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Mar. 22: No Class

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Mar. 25: Why Protect Freedom of Expression?

- John Stuart Mill, *On Liberty*, ch. 2


**Mar. 27: Limits on Freedom of Expression**


• *Texas v. Johnson*

• *R. A. V. v. City of St. Paul*

**Mar. 29: TBD**

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**Apr. 1: Pornography**


**Apr. 3: Pornography**


• *American Booksellers Association v. Hudnu*

**Apr. 5: Liberty and Privacy**

• Bork, Right to Privacy


• *Griswold v. Connecticut*
Apr. 8: Drugs


- Gary Becker. 2013. “Have We Lost the War on Drugs?,” in the *Wall Street Journal*.

Apr. 10: Capital Punishment


Apr. 12: Capital Punishment


Apr. 15: Euthanasia and Suicide


Apr. 17: Exam #3

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Apr. 19: No Class

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Apr. 29: International law


- Grotius
May 1: War

- Michael Walzer, Just and Unjust Wars, chapters 2, 3, 4, and 5, pp. 21-47 and 51-86

May 3: War


May 6: Torture


May 8: Torture


May 10: Review Day

- No readings

May 12: Final Exam

- 10:30am - 12:30pm