Law and Ethics

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Texts and Materials:
- Ethics: A Very Short Introduction;
- An Ethical Guidebook to the Zombie Apocalypse;
- Additional readings on D2L

Course Requirements

Desired Outcome and What to Expect

Students will demonstrate an understanding of ethics and morality, including theories of right and wrong behavior, theories of value (goodness and badness), and theories of virtue and vice. They will demonstrate as well a reasonably mature understanding of the role of ethics and morality in Law, a moderately sophisticated ability to recognize ethical issues when they arise in practice, and a rather refined and erudite ability to deal with ethical issues in a systematic fashion. And of course, this course is designed to help students develop their abilities to read, explicate, analyze, and evaluate the literature on ethics, to write and express themselves well about their own ethical positions, to think critically and analytically about ethical concerns and to articulate reasons for an appropriate and persuasive ethical solution to ethical problems.

Accordingly, this is a course proceeds with significant class discussion. That is, it is a course of study that engages you in a searching analysis of the ethical principles involved
in all areas of law as well as the law itself. This course demands a standard of attention, care and rigor which do not always characterize the format in other courses.

Requirements and Grading:

Your overall grade will be based upon:
1. Quizzes (20%)
2. Thought Pieces (50%)
3. A Final Project (30%)
4. Scale:
   - 98-100 Mind-bogglingly good (A+)
   - 94-97 Quite good (A)
   - 90-93 Rather good (A-)
   - 88-89 Good (B+)
   - 84-87 Notable (B)
   - 80-83 Somewhat better than average (B-)
   - 78-79 High average (C+)
   - 74-77 Decidedly average (C)
   - 70-73 Forlornly average (C-)
   - 68-69 Noticeably sub-par (D+)
   - 64-67 Brutally sub-par—we need to talk (D)
   - 60-63 Direly poor—talking is pointless, most likely (D-)
   - 0 All is either lost or plagiarized (F)

   Grades are non-negotiable.

Tentative Schedule

This syllabus is not a contract but a guide. The instructor reserves unequivocally the rights to add, subtract, rearrange, reassemble, orchestrate in experimental ways, augment and/or dispose of the required readings, writings and exercises, and to alter the pace of assignments at any time and for any reason that the instructor deems sufficient.
The unexamined life is not worth living.

~ Socrates

<table>
<thead>
<tr>
<th>Dates (Tentative)</th>
<th>Topics</th>
<th>Assignments</th>
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<tbody>
<tr>
<td>Week 1-2</td>
<td>Beginning Deliberation</td>
<td>Read and be prepared to discuss,</td>
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<td>1) Thursday: Discussion of rights for non-human persons Handout; D2L; PowerPoint Ethics Overview</td>
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<td>2) Tuesday: On the Nature of an Ethical Problem</td>
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<td>3) Thursday: Choice and Authority</td>
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<td>Friday: Take Quiz</td>
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<td>Saturday: Thought Piece Due on Choice and Authority</td>
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| Week 3                     | Some More Deliberation | Read and be prepared to discuss,  
|                           |                       | 1. Tuesday: Introduction and  
|                           |                       | Part One, *Ethics: a Very  
|                           |                       | Short Introduction  
|                           |                       | 2. Thursday: The Legal  
|                           |                       | Implications of the Me Too  
|                           |                       | Movement, pp 230-249;  
|                           |                       | Friday: Take Quiz  
|                           |                       | Saturday: Thought Piece Due on the  
|                           |                       | video Baby It's Cold Outside. |
| Week 4                     | Some Ideas about Ethics | Read and be prepared to discuss,  
|                           |                       | 1. Tuesday: Parts Two and  
|                           |                       | Three, *Ethics: a Very Short  
|                           |                       | Introduction  
|                           |                       | 2. Thursday: Law, Ethics and  
|                           |                       | Religion in the Public Square  
|                           |                       | Friday: Quiz  
|                           |                       | Saturday: Thought Piece Due on Employment Division, Department of Human Resources of Oregon v. Smith. |
| Week 5                     | Valentine's Day        | Read and be prepared to discuss,  
|                           | 2/14                   | 1) Tuesday:  
|                           |                       | a) *Legal Lexicon*: Positive and  
|                           |                       | Normative Legal Theory,  
|                           |                       | Deontology, Utilitarianism,  
|                           |                       | Virtue Ethics  
|                           |                       | a) Virtue Ethics, Earnestness,  
|                           |                       | And The Deciding Lawyer:  
|                           |                       | Human Flourishing In A Legal  
|                           |                       | Community, pp 34-51  
|                           |                       | 2) Thursday: Virtue as the End of Law: an Aretaic Theory of Legislation  
|                           |                       | Friday: Quiz  
|                           |                       | Saturday: Thought Piece Due on Lawyers in Love |
| Week 6 | Ethics, law and Morality | Read and be prepared to discuss,  
1) **Tuesday** - **Thursday**: The Moral Dilemma  
**Friday**: Quiz  
**Saturday**: Thought Piece due on **Union Pacific v. Cappier** |
| --- | --- | --- |
| Week 7 | Ethics, Ideology and Law | Read and be prepared to discuss,  
1. **Tuesday**: The Ideology of Law  
2. **Thursday**: The Connection Between Ideology and Ethics  
**Friday**: Quiz  
**Saturday**: Thought Piece on Welch v. U. S. |
| Week 8 | | **Catch-up and Review** |
| Week 9 | Spring Break | | |
| Week 10- | Ethics and the Adversarial System | Read and be prepared to discuss,  
1. **Tuesday**: The Adversary System and the Ethics of Advocacy  
2. **Thursday**: The Ethics of the Adversary System, pp. 5-46  
**Friday**: Quiz  
**Saturday**: Thought piece on The Devil’s Advocate |
| Week 11 | Ethics and the Advocate | Read and be prepared to discuss,  
3. **Tuesday**: Three Models of Legal Ethics |
| Week 12 | Judicial and Trial Ethics | Read and be prepared to discuss,  
4. **Thursday**: Moral Responsibility in Professional Ethics  
Friday: **Quiz**  
Saturday: Thought Piece on Anatomy of a Murder |
|---------|---------------------------|--------------------------------------------------------------------------------|
| Week 13 | **Easter Break**  
4/9-4/12 | |
| Week 14 | **Law, Ethics and the Internet** | Read and be prepared to discuss,  
2. **Tuesday**: The law and Ethics of Experiments on Social Media Users  
3. **Thursday**:  
Friday: **Quiz**  
Saturday: Thought Piece on |
| Week 15 | **PULLING IT ALL TOGETHER**  
**ETHICS, LAW AND THE ZOMBIE APOCALYPSE**  
**FINAL PROJECT** | • Catch-up and Review by way of The Zombie Apocalypse  
• Presentations of Preliminary Final Projects |
Finals

Have a Good Summer
Administrivia

Catalog Description: Analysis of law and the legal system; legal training, the bar and legal occupations; the jury system; criminal and civil procedures. Prerequisites: PSC 141 and 142.

Student Learning Objectives:

To describe, to explain and to help you to comprehend the concepts, theories, values, purposes and beliefs at the foundation of the American Judicial system

To gain the ability to critically analyze issues facing judicial process and procedures in the American legal system.

Program Learning Outcomes:

- The student will analyze critically and critique complex contemporary political issues
- The student will create research papers, briefs, or reports.
- The student will demonstrate oral communication skills

Academic Integrity

Academic integrity is a responsibility of all university faculty and students. Faculty members promote academic integrity in multiple ways including instruction on the components of academic honesty, as well as abiding by university policy on penalties for cheating and plagiarism.

Definition of Academic Dishonesty

Academic dishonesty includes both cheating and plagiarism. 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.

Please read the complete policy at http://www.sfasu.edu/policies/academic_integrity.asp

**Withheld Grades Semester Grades Policy**

Ordinarily, 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 terms 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/.

**Optional Essay (ungraded)**

**Writing Assignment #2**
**Directions:** Select a constitutional principle of your choice (for example, freedom of speech, voting rights, equality under the law, etc.) In your answer, be sure to thoroughly consider each and all sides of the issue. Papers will be graded based upon the logic of your argument, as well as clear and precise communication skills.

This assignment will directly assess your mastery of the Core Curriculum Objective of social responsibility.

As you address the points raised above, you must show mastery of social responsibility by:

- Clearly and precisely discussing your awareness of the impact of your own culture or subculture associated with voting rights (e.g. why your support for or opposition to the Texas voter identification laws and similar laws may be a reflection of your own culture or subculture).
- Clearly and precisely demonstrating an understanding of the worldview of others associated with voting rights (e.g. why others perceive what you think as preventing fraud on election day may be seen as intimidation of minority voters or why your opposition to stringent voter identification laws trivialize concerns over potential election fraud).
- Identifying the role of civic responsibility and the complexity of civic responsibility as they relate to voting rights (e.g. what is the relationship between citizenship, voting rights, and participation in elections)
- Discussing how individuals in regional or national communities affect voting rights (e.g. how do voter identification laws impact various communities across the country, including racial/ethnic minorities, regional differences in voter turnout, etc.)

**General Education / Core Curriculum Education Objectives:**

In any given semester, one or more of the following Core Curriculum Objectives for the political science / government Foundational Component Area assigned to Political Science 141 may be assessed.

- 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

Note that the General Education / Core Curriculum Educational Objectives of Critical Thinking and Communication Skills (Written and Visual) in the Foundational Component Area of political science / government are assigned to PSC 142 and are therefore not assessed in PSC 141.
**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.

**General Education Core Curriculum Assessment**

**General Education Core Curriculum**

The Texas Higher Education Coordinating Board has identified six core learning objectives listed at the front of this syllabus. SFA is committed to the improvement of its general education core curriculum by regular assessment of student performance on these six objectives. PSC 141: American Government: Theory and Politics is a general education core curriculum course and fulfills the Personal Responsibility and Social Responsibility general education core curriculum requirements.

During the semester, you will receive an assignment associated with general education core curriculum assessment. When you complete the assignment you will upload the assignment to the "Core Curriculum – Social Responsibility Skills" dropbox that you will find on your account in Brightspace by D2L. This dropbox is for core curriculum assessment only. Your course instructor may provide another set of instructions for submitting this assignment for your course grade.

If you have any questions, please see your instructor or contact the Office of Institutional Effectiveness at (936) 468-1038 or assessment@sfasu.edu.

The chart below indicates the core objectives addressed by this course, the assignment(s) that will be used to assess the objectives in this course and uploaded to the Social Responsibility dropbox this semester.

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<thead>
<tr>
<th>Core Objective</th>
<th>Definition</th>
<th>Course Assignment Title</th>
<th>Date Due in D2L</th>
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<tbody>
<tr>
<td>Personal Responsibility</td>
<td>To include the ability to connect choices, actions and consequences to</td>
<td>Not Assessed in Spring 2020</td>
<td>Not Applicable</td>
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<td><strong>ethical decision-making.</strong></td>
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<tr>
<td><strong>Social Responsibility</strong></td>
<td><strong>To include intercultural competence, knowledge of civic responsibility, and the ability to engage effectively in regional, national, and global communities.</strong></td>
<td><strong>Writing Assignment #2</strong></td>
<td><strong>March 30, 2020</strong></td>
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