

AI 169 Ethics, Law, and Justice
Syllabus
Winter Quarter, 2008

Faculty: David Morris
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Location: O'Hare

Dates/Time: Wednesday, 6:30-9:30

Credit Hours: 4

Competencies: A3C, A3G, A4, H1X

Note: No textbooks are required for this class. All readings will be posted on BlackBoard or will be handed out in class.

Course Description

We will first assess and discuss two Platonic dialogues in a collective effort to familiarize ourselves with the interplay between reason and ethical questions. We will pay particular attention to Plato's method of reaching conclusions to questions raised in the dialogues, whether and how those conclusions are ethical in nature, and the relative success Plato has in supporting his conclusions. Concepts discussed include the attainment of virtue, whether virtue or knowledge is teachable, the use of persuasion, and statesmanship. We will then apply our familiarity with logical inquiry to a group of United States legal cases, and focus our attention on understanding the reasoning that underpins decisions encompassing Fourteenth Amendment due process and equal protection issues. We will look particularly at how our Supreme Court Justices employ reasoning to reach conclusions of law that many view as de facto moral issues. In addition, during the course of the class, we will assess a variety of historical, political, and literary readings with the hope that they may enhance our understanding of the concepts of liberty and equality.

Faculty Biographical Sketch

David Morris holds a JD from Loyola University. While pursuing his MA in English Literature at DePaul, he also studied Literature at Cambridge University. He currently works at Mintel International as a managing editor/research analyst, and has taught a variety of courses at DePaul University, including College Writing, Critical Thinking, Ethics and Law of Internet Privacy, Ethics, Law & Justice, and Tragedy & Drama.

Competencies

- A-3-C: Can examine a social issue from an ethical perspective.**
- Identifies or describes a social situation.
 - Identifies an ethical perspective relevant to that issue or situation.
 - Uses that perspective to raise or explore questions about this issue or situation.

How the competence relates to class content:

- A-3-C: Can examine a social issue from an ethical perspective.
1. Public Speaking
 2. Public Office
 3. Integration

- A-3-G: Can assess the assumptions and implications of a significant thinker's ideas about the human experience.**

How the competence relates to class content:

- A-3-G: Can assess the assumptions and implications of a significant thinker's ideas about the human experience.
- Plato's views on:
1. Virtue
 2. Learning
 3. The Soul

- A-4: Can analyze a problem using two different ethical systems.**
- Identifies or describes an ethical issue or problem.
 - Describes the two distinctive assumptions of two different ethical systems.
 - Analyzes the problem by comparing and contrasting how these two different systems would apply to that particular ethical issue or problem.

How the competence relates to class content:

- A4: Can analyze a problem using two different ethical systems.
1. Analyze two sides of a case
 2. Compare Plato and another significant thinker
 3. Compare the reasoning of Justices Scalia and O'Connor in Casey

- H-1-X: Communities and societies.**
- This emphasizes the ideas and abilities that will help individuals thrive in a global culture.

How the competence relates to class content:

- H1X: Communities and societies
1. How did society change as a result of the Korematsu case

2. How did society change as a result of the Brown case
3. How did society change as a result of the Casey case

Learning Strategies

Students will learn fundamental legal terms and concepts. Students will also learn how to make logical connections necessary to achieve a fundamental understanding of two Platonic texts and selected American case law, and explore the relationship between them. Various aspects of the required texts will be discussed and students will be encouraged to analyze portions of these texts individually and in groups.

Class sessions will include:

1. Lectures (some);
2. Discussions (most);
3. Group Projects;
4. Written Individual Responses;
5. Presentations (5-7 minutes each).

Learning Tools

1. Meno, Plato. Translated by Benjamin Jowett. From DIALOGUES OF PLATO, New York, P.F. Collier & Son. Copyright 1900 The Colonial Press. Markup copyright 1995 ILT Digital Classics. Institute for Learning Technologies – Columbia University Digital Classics Series.
2. Gorgias, Plato. Translated by Benjamin Jowett. Copyright 1892 The Macmillan Company. Copyright renewed 1920 Oxford University Press. Markup copyright 1995 ILT Digital Classics. Institute for Learning Technologies – Columbia University Digital Classics Series.
3. Korematsu v. United States 321 U.S. 760 (1944)
4. Plessy v. Ferguson, 163 U.S. 537 (1892).
5. Brown v. Board of Education, 347 U.S. 483 (1954).
6. Planned Parenthood of Southeastern Pennsylvania v. Robert P. Casey, 505 U.S. 833 (1992).
7. Handouts
8. Sub-groups and Discussions
9. Presentations

Expected Outcomes

Upon successful completion of this course, students will:

1. Understand the fundamental argumentative structure of a legal case
2. Understand how to make the logical connections necessary to follow a Platonic dialogue.
3. Gain insight into how Socratic reasoning has influenced American case law.
4. Be able to weigh two sides of an ethical argument.

5. Use logic and reasoning to approach ethical issues.
6. Be able to analyze a legal problem and view it through two different reasoning paradigms.

Criteria for Assessment

Your overall grade will be determined using the following formula:

1. Class Participation: 30%
2. First Paper: 30%
3. Second Paper: 30%
4. Presentations: 10%

Class Participation

Class participation comprises 30% of your final grade, which is substantial. With the required participation comes the responsibility to be prepared for class. Doing so ensures that you maximize your learning experience. Moreover, and just as importantly, not doing so puts your classmates, especially your group mates, at a disadvantage. Please be prepared.

Positive class participation means:

- Coming to class prepared to discuss assigned materials and having read assigned materials
- Actively engaging in collaborative learning exercises

Attendance

Class participation requires attendance. Moreover, due to the intensive group work required, class absence adversely affects your learning experience, and thus your ability to demonstrate competence. As such, more than one absence may lower your final grade. More than two absences may result in failing the class. Late assignments will be accepted after the due date on *rare occasions* and *only with a valid reason*. Please see me with respect to any situation that threatens your attendance or performance in this class.

Written work will be evaluated as follows:

Generally, your work will be graded based on evidence of:

- Cohesiveness and structure
- Quality of thought
- Evidence of critical thinking and analysis

Grades are more specifically discussed below:

- (A) Designates work of high quality; reflects thorough and comprehensive understanding of the issues at hand; reflects a clearly identifiable thesis and argument that demonstrates cogent and creative development and support of idea.
- (B) Designates work of good quality; reflects clearly organized and comprehensive understanding of issues at hand; presents substantive thesis and argument with evident development and support of ideas.
- (C) Designates work which minimally meets requirements set forward in assignment; reflects some organization and development of ideas but develops argument in superficial or simplistic manner; may only address part of the assignment or be otherwise incomplete.
- (D) Designates work of poor quality which does not meet minimum requirements set forth in the assignment; demonstrates poor organization of ideas and/or inattention to development of ideas, grammar, and spelling; treatment of material is superficial and/or simplistic; may indicate that student has not done reading assignments thoroughly.

For those who have signed up for *one competency*, I expect each of your paper to be *five to six pages* in length. For those of you who have signed up for *two competencies*, I expect your papers to be *five to six pages* in length.

Blackboard assignments and classroom writing exercises

Credit for Blackboard assignments will be awarded for completing the Blackboard writing exercise in the following manner: providing one to two paragraphs that demonstrate organized reflection on the topic at hand. All responses that meet these criteria will be factored into the final grade as an “A.” Passing the class requires providing a response for every reading that requires one.

Small in-class writing assignments will also be given. Completion of these assignments is assumed, and is therefore not officially factored into the above evaluation.

Incomplete grades

Unfinished work or work requiring revision will be given an Incomplete (IN) grade. In order to qualify for the IN, students must have regularly attended class, and must have completed two thirds of assignments.

DePaul University Academic Integrity Policy

DePaul University is a learning community that fosters the pursuit of knowledge and the transmission of ideas within a context that emphasizes a sense of responsibility for oneself, for others and for society at large. Violations of academic integrity, in any of their forms, are, therefore, detrimental to the values of DePaul, to the students’ own development as responsible members of society, and to the pursuit of knowledge and the

transmission of ideas. Violations include but are not limited to the following categories: cheating; plagiarism; fabrication; falsification or sabotage of research data; destruction or misuse of the university's academic resources; alteration or falsification of academic records; and academic misconduct. Conduct that is punishable under the Academic Integrity Policy could result in additional disciplinary actions by other university officials and possible civil or criminal prosecution. Please refer to your Student Handbook or visit <http://studentaffairs.depaul.edu/homehandbook.html> for further details.

Topics and Framework

Week 1: 01/09

Introduction; Class overview and expectations; Structuring an argument; Introduction to Plato and *Meno*; Discussion/writing exercise.

Week 2: 01/16

Meno: What is Virtue; Learning and Recollection; Opinion v. Knowledge; Can Virtue be Taught; Aristotle, *The Natural Slave*.

Week 3: 01/23

Meno: The relationship of virtue to knowledge; *Meno* as metaphor – the search for truth and understanding; Presentations.

Week 4: 01/30

Gorgias: What is Rhetoric? Who are Rhetoricians?; The Socratic Method v. Rhetoric; The Good Statesman; Shakespeare, *Sonnet 29*; *The Declaration of the Rights of Man*; Presentations.

Week 5: 02/06

The United States Constitution; Mill, *On Liberty*; Calhoun, *On Abolitionist Petitions*; Dred Scott; Rousseau, *Man is Born Free*; Presentations; Introduction to case law; Definitions.

Week 6: 02/13

First Paper Due

The Civil War Amendments; Equal Protection; *Plessy v. Ferguson*; Comparison and Contrast; Presentations.

Week 7: 02/20

Brown v. Board; *Southern Members of Congress on the Forced Integration of Schools*; Presentations.

Week 8: 02/27

Korematsu; Presentations; *Military Areas Prescribed*; *War Relocation Authority*; *Civilian Exclusion Order*; Due Process and the Right to Privacy:

Week 9: 02/05

Casey v. Planned Parenthood: The Seneca Falls Declaration on Women's Rights;
Presentations.

Week 10: 02/12

Evaluations: Wrap-up: Presentations.

Week 11: 02/19

Second Paper Due