

PHILOSOPHY 342: MORALITY AND THE LAW

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<http://www-rohan.sdsu.edu/~corlett/Welcome.html>

(Professor Corlett's Website)

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Note: From time to time, the California Faculty Association threatens to go on strike for various excuses that it deems sufficiently worthy to disrupt student academic success. Professor Corlett assures his students that he will not honor any CFA strike action and that he will continue to hold classes and fulfill each of his professional duties in terms of research, teaching and service as he always has throughout his career. He firmly believes that the academic success of his students outweighs whatever salary or benefit increases that a work strike might bring to him. It is his honor and privilege to serve students and the taxpayers of the great State of California as excellently as he has done so for nearly 20 years.

"...no student should be lame in his love of hard work."—Socrates (Plato, *Republic* 535d)

"...weariness and sleep are enemies of learning."--Socrates (Plato, *Republic* 537b)

Office Location: Arts and Letters Building, 432.

Office Telephone Number: (619) 594-6251.

Office Hours: Mondays and Wednesdays, 5:00pm-6:30pm. Students are encouraged to utilize the campus escort service given that office hours are often at night. **The campus escort service can be reached at: 619-584-6659.** Students may use Professor Corlett's office phone to contact the escort service during office hours. **Campus police may be reached at (619) 594-1991.**

Course Description: (Outcomes) A philosophical and moral exploration of key legal concepts, institutions and practices such as the nature of law, liberty, justice, rights, responsibility, and punishment. Special emphasis is placed on the institutions and practices of capital punishment, immigration, racial profiling, and the criminalization of illegal drugs. Various arguments with regard to these institutions and practices are explored.

Course Requirements: All students are required to take two essay-type examinations. The two examinations are designed to test and measure the student's knowledge of the contents of the textbook

readings and classroom lectures and discussions, and to test and measure the student's competency in English grammar, spelling and usage.

This course is taught and students are graded according to standards at highly respected academic institutions throughout the U.S.. Each student is required, for a passing grade in the course, to complete two closed-book and closed-notes, in-class essay-type examinations that are designed to test and measure students' general and philosophical comprehension of the informational contents of some of the assigned readings especially with regard to philosophical analysis and argumentation. Examination questions and their answers are based on the required readings. Lectures and discussions track many of the highlights of the assigned readings. Course grading will be made according to the following grading scale with each examination counting between 0-50 points:

93-100=A
90-92=A-
88-89=B+
83-87=B
80-82=B-
78-79=C+
73-77=C
70-72=C-
68-69=D+
63-67=D
60-62=D-
0-59=F

There is no extra credit offered for this course. Lecture notes are provided by way of Powerpoint slides only in class and during office hours.

Requesting an Examination Score or Course/Seminar Grade Change/Re-evaluation: Students who request a change/re-evaluation of either an examination score or a course/seminar grade are gladly afforded the opportunity. If such a request is made, Professor Corlett reserves the right to re-evaluate the examination(s) or course/seminar assignments in their entirety. The result will be either (1) that the student's score or grade is revised to an improved state wherein the score or grade is raised because the re-evaluation warrants it; (2) that the student's score or grade is retained at its present category because the re-evaluation warrants it; or (3) that the student's score or grade is revised to a lower one because the re-evaluation warrants it.

Students who are absent for more than 6 class sessions (regardless of reason) will be penalized by having 30 points subtracted from their overall scores for the course. This means that students have up to 6 absences for documented medical reasons, documented family emergencies, documented auto accidents, etc.

Students caught using their electronic devices during class for purposes other than this course (notetaking) shall have 25 points subtracted from their overall course score.

Each student who takes the course for credit/no credit status must earn a score of 75 in order to pass the course.

Auditor Policy: No course auditors are permitted.

Visitor Policy: While visitors to Professor Corlett's classroom sessions are welcome, due to safety considerations those wishing to visit a classroom session are welcome to do so only with prior approval by Professor Corlett. Violators of this policy are subject to being reported to SDSU campus police officers as intruders for immediate removal. This policy is designed to not discriminate between SDSU administrators, faculty, staff, students, or non-SDSU individuals. Professor Corlett is strongly devoted to a safe and uninterrupted classroom experience for each of his students. **An education at SDSU is increasingly expensive for students, their parents, and taxpayers in general, so this course imposes a zero tolerance for the disruption of student learning.**

Content Advisory: Due to the extremely sensitive nature of the topics that are covered in this course, and the manner in which they are sometimes presented, students are forewarned that the provocative contents of this course, both in the assigned readings and the lectures, could possibly be construed as being offensive especially to those not having sufficient background in ethics and philosophy. Students are reminded that the First Amendment to the Constitution of the United States most certainly protects such expression, and that with equal certitude ethics requires students to utilize with due diligence their moral and civic responsibility to judge reasonably the diversity of views presented in this course.

Expected Outcomes and Outcomes Assessment: The expected outcome of this course is that the students who apply themselves and study well and diligently will master the contents of the assigned readings on this subject and be conversant in subjects of the nature of law, liberty, justice, rights, responsibility and punishment, as well as with many of the leading philosophical perspectives on such issues. The extent to which students apply themselves in quality and diligent study will be assessed in terms of the two examinations, which will test basic reading and depth of philosophical comprehension of the contents of the assigned readings.

Expectations of Students: Pursuant to standards at academically respectable universities throughout the U.S., students are expected to study the assigned readings and notes for this course at least 6 hours per week on average throughout the entire term. This assumes that the student has a better than average philosophical aptitude, analytically speaking.

Students are expected to attend class sessions on a regular basis and to be prepared to discuss the assigned readings in-depth. *Students are encouraged to engage in classroom discussion, though only if they are current on the assigned readings.* Mid-term examinations may be re-scheduled only if the student obtains approval from Professor Corlett *prior to* the examination to be re-scheduled. A re-scheduled examination might not have the same content as the one given to the rest of the class on the original date of testing. The final examination cannot be re-scheduled unless the student has 2 or more other final examinations scheduled for the day on which the final examination for this course is scheduled.

Important Notes: *Each student is responsible for understanding everything said in class by the professor even if the student is absent from class. It is highly recommended that students take notes well and continuously during each class period. Absolutely no permission is granted to electronically tape or otherwise electronically duplicate class lectures for any purpose whatsoever aside from personal study use for this course as they are the copyrighted property of Professor Corlett.*

The examinations are designed to measure the student's knowledge of the contents of the assigned readings and lectures. **Students caught cheating on examinations or term papers shall be awarded a**

grade of "F" for the course and shall be prosecuted to the fullest extent of SDSU regulations. There is no tolerance for unethical behavior in this course!

Students who continually disrupt the classroom learning experience of other students by speaking out of turn (i.e., without being explicitly recognized to speak in turn by Professor Corlett) in class, interrupting class lectures or discussions, interrupting other students who are speaking in turn, etc. shall be dismissed from the course for the remainder of the term, earning a grade of "F" for the course. An education at SDSU is increasingly expensive for students, their parents, and taxpayers in general, so this course imposes a zero tolerance for the disruption of student learning.

Students with special documented medical needs should avail themselves of Disabled Student Services, SS 1661, and should discuss such needs with the Professor so that such needs might be accommodated for testing purposes.

Eligible students may qualify to undergo an examination, without penalty, at a time when that activity would not violate the student's religious creed. By the end of the second session of classes, eligible students should notify Professor Corlett of planned absences for religious observances. At that time, appropriate documentation of such observances must be presented to Professor Corlett. The same rule applies to members of SDSU non-intramural athletic teams.

SDSU Counseling & Psychological Services. If any student feels the need to talk to someone or seek confidential guidance for the benefit of their personal, academic, or social well-being, professionals are here to help. For more information, contact: (619) 594-5220. Address: 5700 Hardy Ave., Suite 4401, San Diego, CA 92115 (4th floor of the Calpulli Center) Hours: Mon.-Fri. 8am-4:30pm. Website: <http://www.sa.sdsu.edu/cps/>.

Required Readings:

J. Angelo Corlett, *Responsibility and Punishment*, 4th Edition (Springer, 2014). This book is used for the second part of the course.

It is recommended that students access the course readings legally and at the lowest prices.

NOTE: Students are advised that it is illegal to violate federal copyright laws which prohibit the illegal downloading or otherwise accessing of copyrighted materials. Publishers are aggressive and increasingly successful in filing and winning lawsuits against students and others who violate such laws.

Tentative Course Outline:

Week 1: Introduction to the Course and to Philosophy, Ethics, and the Law.

Week 2: Moral and Legal Rights: Freedom of Expression (Harms v. Offenses), Privacy, etc..

Week 3: Basic Moral Philosophies.

Week 4: Pacifism, Civil Disobedience, Non-Violent Direct Action, and Political Violence.

Week 5: The Ethics of Immigration.

Week 6: The Ethics of Illegal Drug Criminalization.

Week 7: **Examination #1.**

Week 8: The Problems of Responsibility and Punishment.

Week 9: The Ethics of Racial Profiling.

Week 10: The Ethics of Punishment.

Week 11: The Ethics of Punishment.

Week 12: Forgiveness, Mercy and Punishment.

Week 13: The Ethics of Capital Punishment.

Week 14: The Ethics of Capital Punishment.

Week 15: U.S. Responsibility for War Crimes in Iraq.

Final exam week: **Examination #2. See final examination schedule for exact day and time.** The content of examination #2 is not cumulative of the earlier section of the course.