



EASTERN
OREGON
UNIVERSITY

**PHILOSOPHY
PROGRAM**



PHIL 102

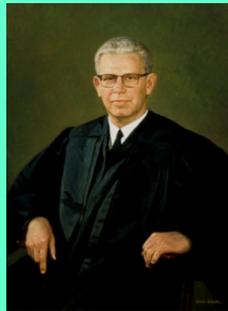
Ethics, Politics, & Law

Distance Delivery

Dr. Jeff Johnson



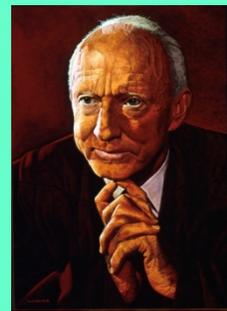
William O. Douglas



Arthur Goldberg



John Marshall
Harlan



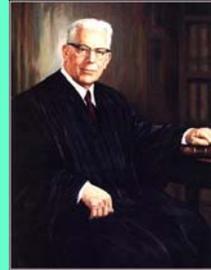
Hugo Black



W. A. Parent



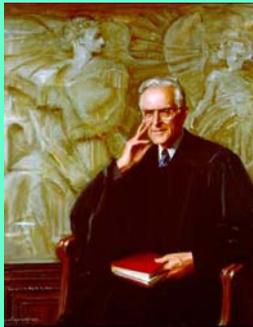
Thurgood Marshall



Earl Warren



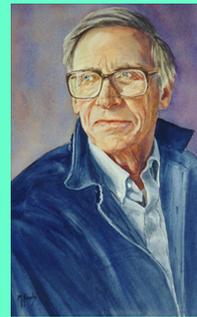
Ronald Dworkin



Harry A. Blackmun



**Sandra Day
O'Connor**



John Rawls



**Donald Crowley with
family and friends**

This quarter in Ethics, Politics, & Law we will examine a number of important moral, political, and legal controversies in contemporary American society that have been the focus of relatively recent Supreme Court decisions. Constitutional law can be productively studied through the empirical methods of political science, and the interpretive methods of the moral philosophy and jurisprudence. Our course will utilize insights from all of these academic perspectives.

Since the issues we will be examining have proved controversial for scholars and judges, we can hardly expect consensus on any of them within our course. That, I sincerely believe, is a good thing. This course is not about discovering the truth, but providing the background and analytical tools to allow you to better understand the

controversies, and to more reflectively formulate your own stands on them. My ambitious goal for this quarter is address the following constitutional topics:

- Privacy
 - The Nature of Privacy
 - The Value of Privacy
 - Fourth Amendment Privacy
 - Fourteenth Amendment Privacy
 - Privacy and Abortion
 - Privacy and the Right to Die
 - Privacy and Sexual Orientation
 - Privacy and Marriage
- Race and the Constitution
- Class and Socio-economic Justice

There will be a number of "texts" for this course. We will read a number of on-line readings -- articles and chapters, as well as Supreme Court decisions. We will also read some of my own professional articles and conference papers. Perhaps most importantly we will be reviewing streaming video-lectures that were presented on-campus in the Winter of 2012.

The final sort of text we will be utilizing in this course deserves special attention. I have been using Hollywood films in my teaching for over twenty years. I remain convinced that movies remain an invaluable teaching aid, both as a means of presenting new issues, but also as a tool for further reflection on issues presented in class. When the course is taught on-campus I always require my students to attend a weekly group showing of a movie tied to material in our class. I have

incorporated that feature of the course in its distance education version. That requires that students secure, on their own, the nine films for our course. In one way that is much easier than it used to be, but in another way it is much more difficult. Most towns, even the smallest ones, used to have video rental businesses. That of course is no longer true. Contemporary video-streaming (Netflix, iTunes, Amazon, etc.), as well as the purchase or rental of dvds, is the preferred method of securing films for our course. My hope is that you will be willing and able to find most of the required films (agreeing on a few substitutes should be an easy matter). Some of you may find this part of the course too much effort or expense. Those of you who do, or those who object to the content of some of the films, may opt-out of this part of the course.

UWR Writing Intensive Outcomes:

1. Students will produce at least 3,000 words (including drafts, in-class writing, informal papers, and polished papers); 1,000 words of this total should be in polished papers which students have revised after receiving feedback and criticism.
2. Students will be introduced to the discourse forms appropriate to the discipline the course represents.
3. Students will write at least one paper integrating information from at least one source, employing the appropriate documentation style for the discipline represented by the course.
4. Students will draft, revise, and edit their formal written work.
5. Students will seek assistance from a Writing Tutor in the Writing Lab when needed and when referred by the instructor.

General Education Outcomes:

6. Learn and use the vocabulary, content, and conceptual knowledge in a variety of disciplines. (CONTENT KNOWLEDGE)
7. Think clearly, critically, and effectively, taking into consideration purpose, audience, and occasion. (CRITICAL THINKING)
8. An appreciation for aesthetic expressions of humanity and the ability to analyze texts. (AEH)

Additional Outcomes:

9. Understand the philosophical and legal controversies concerning personal, legal, and constitutional privacy, race and the constitution, gender and feminist ethics, and socio-economic justice.
10. Read philosophical and legal texts critically and with understanding.
11. Write effectively about philosophical and legal controversies.
12. Critically view cinema dealing with social issues.
13. Write effectively about social issues in contemporary cinema

Means of Assessment and Grading:

- A take-home mid-term essay exam -- 20% of course grade. (outcomes 1 and 9-11)
- A second take-home mid-term essay exam -- 20% of course grade. (outcomes 1 and 9-11)
- A take-home final essay exam -- 20% of course grade. (outcomes 1 and 9-11)
- A 1000 to 1800 words analytical paper examining the *Griswold v. Connecticut* case -- 30% of course grade. (outcomes 1-11)
- A portfolio of nine short (300 to 400 words) papers on assigned movies -- 10% of course grade. (outcomes 12 and 13)
- **Please note: a grade of C- is required in order for this course to count toward the University Writing Requirement**

Course Calendar

Lecture Topic

Assigned Reading

Movie

WEEK	MONDAY	TUESDAY	WEDNESDAY	THURSDAY
One	Supreme Court <i>Milk</i>	Constitutional Interpretation Johnson – Chapter Seven	<i>Griswold v. Connecticut</i> <i>Griswold</i> excerpts	Constitutional Privacy Johnson – “Constitutional Privacy”
Two		Privacy and Information Parent – “Privacy, Morality and the Law”	Privacy and Information	Privacy and Judgment Johnson – “Privacy and the Judgment of Others”
Three	Focused Attention Johnson – “Illegitimate Focused Attention of Others” <i>The Lives of Others</i>	Focused Attention	Value of Privacy Johnson – “A Theory of the Nature and Value of Privacy”	Value of Privacy
1ST MIDTERM DUE WEDNESDAY WEEK FOUR				

Four	TBA <i>Four Little Girls</i>	TBA	TBA	<i>Brown v. Board of Education</i>
Five	Derived & Detached Concerns Dworkin – Chapter One <i>Dirty Pretty Things</i>	Fetal Personhood	Writing Analytical Papers	Fetal Personhood
Six	Sacred Values Dworkin – Chapter Two <i>Winter's Bone</i>	<i>Roe v. Wade</i>	Post-Roe Developments	<i>Planned Parenthood v. Casey</i>
Seven	Affirmative Action <i>Thelma and Louise</i>	Affirmative Action	Exam Review	Analytical Paper draft due in Blackboard
2ND MIDTERM DUE WEDNESDAY WEEK EIGHT				
Eight	Rawls' Theory of Justice <i>Wendy and Lucy</i>	Rawls' Theory of Justice	Hart/Devlin Debate	<i>Bowers v. Hardwick</i> <i>Lawrence v. Texas</i>

<p>Nine</p>	<p><i>Loving v. Virginia</i></p> <p><i>The Laramie Project</i></p>	<p>Moral Case for Same-Sex Marriage</p> <p>Johnson – “Privacy, Authenticity, and Equality”</p>	<p>Legal Case for Same-Sex Marriage</p>	<p>Analytical Paper Due</p>
<p>Ten</p>	<p>Fourth Amendment Privacy</p> <p><i>Enemy of the State</i></p>	<p>Privacy and the Public Schools</p> <p>Johnson & Crowley – “T.L.O. and the Student’s Right to Privacy</p>	<p>Balancing and Privacy</p> <p>Crowley and Johnson – “Balancing and the Legitimate Expectation of Privacy”</p>	
<p>FINAL EXAM DUE MONDAY OF FINALS WEEK</p>				