

Department of Justice, Law and Society
School of Public Affairs
The American University

Fall 2004

ILS-303-001 - DRUGS, ALCOHOL AND SOCIETY

Monday, 11:20AM to 2:00PM

WARD 204

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Course Description

Most people believe alcohol, tobacco, and illegal drugs cause "addiction." Addiction is said to be characterized, in part, by involuntary behavior and "loss of control" over drug consumption. "Addicted" persons allegedly lose their ability to refuse "addictive" drugs and/or to moderate their consumption of those substances. History shows us that kind of thinking likely emerged from the anti-alcohol rhetoric of temperance-era leaders, the anti-alcohol attitudes instrumental in establishing alcohol prohibition, and the beliefs about alcohol advanced by members of Alcoholics Anonymous following repeal.

Contemporary public health, clinical, and legal perspectives on legal and illegal drugs such as tobacco, alcohol, heroin, cocaine, and marijuana, etc., also tend to be based, in part, in the same temperance-era thinking, i.e., that those drugs are universally-addicting substances. The implications of these perspectives for personal and criminal responsibility for the consequences of legal- and illegal-drug use are significant and often contradictory. For example, attempts to regulate tobacco by the federal Food and Drug Administration (FDA) were based in the ideas that nicotine is an addictive drug and that cigarettes are "nicotine-delivery systems." Thus, tobacco is now considered a "dangerous" drug. This is despite the fact most people quit smoking after many years or moderate their smoking for many years. Moreover, the widespread attempts by state attorneys general to hold tobacco companies liable for the health consequences of smoking are clearly based in the idea consumers were "tricked" into being "addicted" by the tobacco industry. Yet, many smokers say they choose to smoke despite the risks.

In this course we examine the validity of those assumptions about addiction and their implications for public, clinical, and legal policy. In addition to learning about diverse explanatory models for addiction, we will examine in detail conflicting types of treatment for addiction, the efficacy of addiction treatment in general, First Amendment issues and court-ordered addiction treatment, addiction and criminal responsibility, Alcoholics Anonymous and religious-conversion experience, the use of mind-altering drugs as religious experience, and the ethics of general attempts to protect people from themselves advanced by today's public health movement. Lecture and discussion format.

Course Objectives

1. To improve the student's legal and policy-oriented thinking about the meaning of addiction and the foundation of behavior labeled as "addictive."
2. To evaluate the evidence supporting and contesting the idea that addiction exists, that it is characterized by involuntariness, and that it is treatable.
3. To understand what happens in voluntary and involuntary treatment for drug addiction.
4. To understand public policy, legal, philosophical and psychological perspectives on why people choose to use mind-altering drugs.
5. To evaluate the efficacy and constitutionality of diverse perspectives on, and policies for, alcohol, drug and tobacco use in contemporary society.
6. To examine the structure and function of the contemporary "public health movement."
7. To develop intellectual skill in debating these and related controversial issues in legal and public policy settings.

Required Texts

- Fingarette, H. (1988). *Heavy drinking: The myth of alcoholism as a disease*. Berkeley, Ca: University of California Press.
- Schaler, J.A. and Schaler, M.E. (eds). (1998). *Smoking: Who has the right?* Amherst, N.Y.: Prometheus Books.
- Schaler, J.A. (ed.) (1998). *DRUGS: Should we legalize, decriminalize, or deregulate?* Amherst, N.Y.: Prometheus Books.
- Szasz, T.S. (1992). *Our right to drugs: The case for a free market*. New York: Praeger Publishers.

Recommended Text

- Schaler, J.A. (2000). *Addiction is a choice*. Chicago: Open Court.

Course Requirements and Grades

Position paper	15%
Mid-term examination	35%
Final examination	45%
Class participation	5%
Total =	100%

Description of course requirements

Position paper: Write a 5-page paper arguing either in favor of or in opposition to the repeal of drug prohibition. Your paper must not be longer than 5 pages. Use at least five references, which are to be listed separately on the sixth page. Use the reference format presented in the required readings section of this syllabus. You may not quote more than two lines of other material. If you quote more than two lines your grade on the paper will automatically drop by one letter grade. Paraphrase material in your own words. Cite any author you are referring to this way (Schaler, 1997). Do not list any material in the reference section that is not cited in the text of your paper. The paper must be double-spaced, typewritten with font size no larger than 12 points, margins no larger than 1 inch. Your spelling must be accurate. You must use complete sentences and proper paragraphs. Your paper should be organized with an introduction, review of issues, discussion and conclusion.

Mid-term examination: The mid-term examination will consist of multiple choice and/or essay questions focused on all readings, lectures and discussion in class.

Final examination: The final examination will consist of multiple choice and/or essay questions focused on all of the material covered in this course. You will be given the opportunity to express your own point of view on the many controversial issues we addressed.

CLASS SCHEDULE

Date	Topic	Reading
August 30	Introduction	Lecture
	The Drug Policy Problem	Schaler/DRUGS
September 6	No class. Labor Day (Read Parts I and II over break)	
September 13	Drugs	Parts II to III
September 20	Drugs	IV to V
	(First position paper due)	
	Be prepared to tell the class about what you wrote	
September 27	Addiction and Criminal Responsibility	VI to VII
October 4	State-supported and Court-ordered Treatment for Addiction; The Power of Self-fulfilling Prophecies	VIII
October 11	Fall Break: No class	
	Read: <i>Heavy Drinking: The Myth of Fingarette Alcoholism as a Disease</i>	
October 18	New ideas and policies	Finish
	Review	Fingarette
	Lecture	
October 25	Mid-term examination	
	Note: You must take the mid-term exam on the date assigned.	
	<i>Smoking: Who has the right?</i>	Schaler & Schaler
	Read the Intro carefully	
November 1	A sociological view	Berger 4
	Anti-tobacco campaign of the Nazis	Proctor 6
November 8	Dealing with the devil	Annas 9
	Tyranny of experts	Chafetz 14
	Social symbolism of smoking	Gusfield 15
November 15	Right to drugs as property	Szasz 1
November 22	The American Ambivalence	2
	The fear we favor	3
	Drug education; The debate on drugs	4,5
November 29	Blacks and drugs	6
	Doctors and drugs	7
December 6	Between dread and desire	8
	And review	
December 20	Final exam	11:20Am-1:50PM
	Note: You must take the final exam on December 20. No exceptions	