

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

Summer 2008

Drugs, Alcohol and Society JLS-303 N01L

June 26 through August 7, final paper due August 21, 2008

On-line via Blackboard 6

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Online class meetings each Sunday from 8pm to 10pm

Course Description

Most people believe that alcohol, tobacco, and illegal drugs cause "addiction." Addiction is said to be characterized 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 this 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, etcetera, also tend to be based, in part, in the same temperance-era thinking, that is, those drugs are universally-addictive substances and people develop "loss of control" when they inevitably become addicted to them. The implications of these perspectives for personal and criminal responsibility 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 contemporary anti-smoking and anti-tobacco crusade rhetoric. 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 that consumers were "tricked" into being addicted by the tobacco industry. Many smokers say they choose to smoke, despite the risks. They all stop the same way when they do stop smoking: They make a decision to do so for reasons that are important to them.

In this course we examine the validity of those ideas about addiction and their implications for legal, clinical, social and state-based public policy. In addition to learning about diverse explanations 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 activities, and the ethics of

attempts to protect people from themselves – paternalism – advanced by members of today's public health movement. A new feature of this course involves the examination of current ideas and policies regarding prescription pain control, specifically, the use of opiate medications for chronic pain patients. Your life is going to change as a result of taking this course. 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.
- Szasz, T.S. (1998). *The myth of psychotherapy: Mental healing as religion, rhetoric and repression*. Syracuse, NY: Syracuse University Press.

Recommended Text

Schaler, J.A. (2000). *Addiction is a choice*. Chicago: Open Court. This book is not required, but it will help you understand the material in this course, including lectures.

Course Requirements and Grades

Paper	40%
Final examination	30%
Class participation	30%
Total =	100%

Description of course requirements

Paper: A paper on any aspect of drugs, alcohol, heavy drinking, addiction, law, prescription regulations, drugs as property, etcetera. **YOU DECIDE THE LENGTH OF YOUR PAPER.** Email me (Schaler) or Hillary to set up a time to meet to discuss your paper topic. If you lack confidence in your writing, take your paper to the writing center on campus and go over your paper with someone there **BEFORE YOU HAND IN YOUR PAPER.** The paper is due two

weeks after our last class meeting. APA format. Writing guidelines will be posted separately. Remember, you must follow American Psychological Association format.

Please divide your paper up into the following sections, using the following headings:

Introduction

Here you tell your reader what you're going to write about, why you're writing about it, and how you're going to go about writing your paper. At the end of this section you will define any necessary terms. If there are a lot of terms that need defining, you'll create a separate section entitled **Operational terms and definitions**. That will be flush left.

The next section is entitled **Literature review or Review of the literature**. Avoiding quoting more than two lines max. Paraphrase material you find. Present evidence in support of both sides of an issue or controversy. Do not insert your opinion in this section.

The next section is entitled **Discussion**. Here you analyze what you found in the literature review section. You write your opinion here, just make sure you indicate that something is your opinion, not a fact. Do not confuse your opinion with fact. Make sure you cite everything properly in all sections, according to APA format.

The next section is entitled **Summary and Conclusion**. Here you restate the purpose of your paper, how you went about writing it, what you found, what your bias is or investment in seeing things a particular way might be, and then you end by suggesting to the reader what might be a good direction to write about next, as a result of your findings.

Finally, you have the **Reference** section, which begins at the top of the next sheet of paper. Be careful here. This has to be written according to APA style and format.

Page numbers are centered at the bottom of the page. In the upper right header of your paper, make sure your name is listed.

Note: You must submit an additional electronic copy of your paper, attached to an email that you send to Hillary. hkimball2@gmail.com Any paper may be randomly selected to being checked for plagiarism using turnitin.com, a software licensed to American University and used by faculty and administrators. Never risk plagiarism as being found guilty has severe academic and professional consequences. When in doubt, cite your source.

CLASS PARTICIPATION (CP) ASSIGNMENTS

Class participation (CP): This is an important, two-part weekly assignment. You must go to the "Discussion Board" for each week on BlackBoard (BB) and **complete a minimum of two tasks per week**. Please read the following instructions carefully.

Format for CP #1

CP post #1. The first part of the weekly assignment is to post a link (url) to one current news item, scientific study, or opinion piece that is related to something we're discussing, reading, or addressing in class. In addition to posting the link, you must give the link a title (the title of the news item is fine) and you must describe what the article is about. Note: Do not quote the article as a way of describing it. You must paraphrase in your own words what the article is about. You

are welcome to quote parts of the article you think are particularly interesting, but you must still give your own summary (without your opinion) here. Then, as part of this same post, you give your opinion of the material in the news item or article. Title this section **Opinion**. Here, your opinion is most welcome.

So, CP #1 contains the following:

- Write CP #1, your name, and the title of the article or news item as it appears in print.
- URL of the article.
- Your summary of the article or news item. Minimum quoting, unless something is particularly worthy of quoting. Paraphrase in your own words the essence of the article, perhaps a short paragraph in length. No opinion welcome here.
- Then, under a heading of **Opinion**, write your opinion of the article, news item, issue, how it's presented, etcetera.
- Be sure to put your registered name at the bottom of your post, again so that you can receive the credit you deserve.

Format for CP #2

Here you reply to what someone wrote in the opinion part of their CP#1; or, you can reply to any opinion about something related to the class that was posted that week or the week before. Just make sure you indicate this is your CP #2.

You are welcome to post questions and statements about others things. Just make sure you get two CP posts in each week, again, the first one gives the url of a news story related to our work; you give an objective summary of the news item and how it's related. Then you give your opinion of the item. In the second CP assignment you comment on someone else's opinion on either their own post or their comment on someone else's post. That's all there is to it.

Basic rules for posting:

- Always include your name as registered for the course somewhere in the body of your post, preferably at the bottom, like an email signature. This has to be your first and last name as registered for the course in order to receive the credit you deserve.
- Be polite. There's nothing wrong with disagreement and lively discussion. *Argumentum ad rem* – that is, argument to the point – is welcome. *Argumentum ad hominem* – that is, arguing to “the man,” meaning judging a person's character as a way of winning an argument – is not acceptable. Look up these terms to know more about them. Similarly, you are strongly encouraged to take exception to what the professor says. Again, disagreement is most welcome. No one is penalized for disagreeing with the professor!
- Spell correctly, please.
- Take responsibility for what you write.
- Differentiate between your opinion and fact.
- Back up what you say with evidence.
- Remember, you don't always have to have the last word in an argument or discussion. Experiment with letting the other person have the last word, especially if you're disinclined to do so.

Send any questions or concerns by email to Schaler or Hillary. If you're in the area, and you want to meet in person, send an email to set up an appointment.

Final examination: You take the test on-line. A date will be posted for the exam. You must take the exam at the time announced. **By taking this course, you promise to keep all your books and notes away from your desk while you are taking the exams.** The primary focus is on comprehension of concepts and their application in policy domains of law, clinical, public, and social arenas. There may also be some philosophical questions. Again, you write the answers to the exam on line. Specific instructions about how to take and return the exam will be given at the time of the exam.

--> Clear and accurate writing will be taken into account in assigning grades, as well as participation in class discussions. Material discussed in class, or in films, and not in any of the readings, may form the basis for questions on the examinations. **One grade reduction for over three class absences.** Students are responsible for anything covered in class during their absence. Readings must be completed by the session to which they are assigned. Additional readings may be assigned during the course. Students are encouraged to form study groups on their own. The examinations must be taken on the dates assigned. Grades: A-=90, B+=89, B-=80, C+=79, C-=70, etc.

Ask a Librarian – Note embedded links

Librarians can help you identify, locate, evaluate, and incorporate pertinent information into your course assignments. There are many ways to contact a reference librarian at American University:

Visit the Reference Desk on the main floor of the Library during its [open hours](#).

Use the [IM Reference service](#) (AIM: [AskAULibrary](#)), which is staffed by AU reference faculty and staff. IM reference is ideal for getting recommendations on the best print and Web-based resources for your research needs. Online librarians can explain how to navigate the ALADIN catalog and databases, and they can show you how to formulate effective search strategies to save you time.

Email an AU reference librarian by completing this [online form](#). Librarians respond to email questions within 48 hours Monday-Friday. Allow extra response time for questions submitted over weekend and holiday time periods.

http://bender.library.american.edu:8083/php/distance_ed.php

Services for Distance Learners

American University offers a variety of options for receiving library materials to those enrolled in distance learning and/or study abroad programs.

For students and faculty in the following programs:

- Weekend degree programs
- American Encounters program
- AU/NTL (National Training Laboratory)
- Executive Master of Public Administration
- Key Executive Program
- AU/OPM
- Institute for the Study of Public Policy Implementation (ISIPPI)
- Federal Managers Practicum
- Summer Distance Education Courses (online courses)

- Ph.D. students or AU Faculty who are located outside of a 100 mile radius, but **inside the continental United States**

The following services are available:

- Five books may be requested online and received through U.S. Mail (you may only have 5 books on your account at a time), from either AU's collection or a WRLC library.
- The Table of Contents of a book and up to 25% of that book, from either AU's collection or a WRLC library, may be requested online and will be delivered in .pdf format to your MyALADIN account. The electronic option is faster.
- Articles not available in our online journal collections may be requested online and will be delivered in pdf format to your MyALADIN account.

To place a request, please use this [webform](#).

For students in the following programs:

- AU Abroad
- WCL International Dual Degree Program
- Faculty or Ph.D. students or AU Faculty who are located outside of a 100 mile radius, but **outside the continental United States**
- Summer study abroad programs

The following services are available:

- The Table of Contents of a book and up to 25% of that book, from either AU's collection or a WRLC library, may be requested online and will be delivered in .pdf format to your MyALADIN account. The electronic option is faster.
- Articles not available in our online journal collections may be requested online and will be delivered in pdf format to your MyALADIN account.
- We **DO NOT** send books internationally.

To place a request, please use this [webform](#).

Things to know:

- Books will be checked out to your AU Library account
- Standard due dates will apply
- Renewals will follow the standard policy (3 online renewals as long as no holds or recalls are placed on the book and fines do not exceed \$25.00. After the renewal limit has been reached the books must be returned)
- The library will pay for shipping with signature confirmation when the books are sent
- We will consider it "on time" as long as the postmark is on or before the due date
- Return postage is the responsibility of the user
- We will limit the number of materials a user can have at a time: there can only be 5 books checked out at a time

CLASS SCHEDULE

Read at your own pace. When in doubt, read more than assigned for that specific date.

I will post a lecture at the start of each week, usually a Monday. We meet as a class online each Sunday evening between 8:00pm and 10:00pm. Have your questions ready.

Date	Topic	Reading
June 26	Introduction and overview	Lecture
	The Drug <i>Policy</i> Problem	Schaler/DRUGS I
June 30	Drugs	Parts II to III
	Drugs	IV to V
July 7	Addiction and Criminal Responsibility	VI to VII
	State-supported and Court-ordered	VIII
	Treatment for Addiction; The Power of Self-fulfilling Prophecies	
	Symbolic action in AA/Sipowicz	
July 14	Read <i>The Myth of Psychotherapy</i>	All
	Read: <i>Heavy Drinking: The Myth of Alcoholism as a Disease</i>	All
July 21	<i>Smoking: Who has the right?</i>	Schaler & Schaler
	Please read the intro carefully;	
	A sociological view	Berger 4
	Anti-tobacco campaign of the Nazis	Proctor 6
	Dealing with the devil	Annas 9
	Tyranny of experts	Chafetz 14
July 28	Social symbolism of smoking	Gusfield 15
	Read: Right to drugs as property	Szasz 1
	The American ambivalence	Szasz 2
	The fear we favor	Szasz 3
	Drug education: The debate on drugs	Szasz 4, 5
	Blacks and drugs	Szasz 6
	Doctors and drugs;	Szasz 7
	Between dread and desire;	Szasz 8
August 4	Final Exam	
August 21	Final papers due	

Academic Integrity Code

"Standards of academic conduct are set forth in the University's Academic Integrity Code. It is expected that all examinations, tests, written papers, and other assignments will be completed according to the standards set forth in this code. By registering, you have acknowledged your awareness of the Academic Integrity Code, and you are obliged to become familiar with your rights and responsibilities as defined by the Code. Violations of the Academic Integrity Code will not be treated lightly, and disciplinary action will be taken should such violations occur. Please see me if you have any questions about the academic violations described in the Code in general or as they relate to particular requirements for this course."