

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

Term 2008XB (Summer)

**JLS-303-B01 Drugs, Alcohol and Society**

May 20 to June 26, Tuesdays and Thursdays, 5:30pm to 8:40pm  
Ward 107

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Discussion Board on BlackBoard, plus articles, syllabus, and related materials

**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 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, etc., 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. Yet, many smokers say they choose to smoke despite the risks.

In this course we examine the validity of those ideas about addiction and their implications for legal, clinical, social, and 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 general

attempts to protect people from themselves advanced by 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. 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 drugs, alcohol and society of your choice. Make an appointment with Schaler or Kimball to discuss your topic. YOU DECIDE THE LENGTH. The paper is due at the last class, night of the final exam. 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 carefully here. It's got to be written exactly 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

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

### **FORMAT FOR THE FIRST PART OF THE CP ASSIGNMENT:**

**CP post #1.** The first part of the weekly assignment is to post a link (url) to one current news item 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 news item is about. Note: Do not quote the news item as a way of describing it. You must paraphrase in your own words what the news item is about. You are welcome to quote parts of the news item you think are particularly interesting, but you still must 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. Here, your opinion is most welcome.

Thus, CP #1 looks like this:

- Title of 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.
- Your opinion of the article, news item, issue, how it's presented, etcetera.
- Then, put your registered name at the bottom of your post, again so that you can receive the credit you deserve.

**FORMAT FOR THE SECOND PART OF THE CP ASSIGNMENT:** Here you reply to what someone wrote in the opinion part of CP #1; or you can reply to any opinion that is posted. Just make sure you indicate this is your CP #2.

Title your post CP#2 from (your name), Reply to (the person's name you are replying to.)

This constitutes the second part of your grade for class participation each week. There are just two basic posts that you must make per week. You're 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 or empirical research finding, or opinion, 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. The second CP assignment you comment on someone else's comment 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.

**How you write questions to me, the professor, or to Hilary Kimball, our teaching assistant:**

Finally, after those two parts of your **CP** assignment each week are done, you are free to ask as many questions directed to the professor as you like (actually, you are free to write questions anytime, regardless of where you are at with the two-part **CP** assignment!). If you can keep your questions in one post, that will be easier for me, but if you need to do several posts, you are welcome do so. My preference is that you post your questions on the discussion board for that week, again, as many questions in one post rather than lots of postings. It can get chaotic with so many postings, overwhelming to all of us. Keep your posts in the appropriate discussion board for that particular week on Blackboard.

Let the subject heading be simply **QUESTION TO THE PROFESSOR or QUESTION TO THE TEACHING ASSISTANT**. Again, I do prefer that you always sign your post with your name as registered for the course, so I can keep track of you and your concerns. List your questions in that posting.

You are also welcome to **send me emails privately at any point**. Send all questions to me privately at [schaler@american.edu](mailto:schaler@american.edu). You can also send questions to my Teaching Assistant, Hilary Kimball, MS. Her email address is [hkimball2@gmail.com](mailto:hkimball2@gmail.com). Again, please sign your email with your name as registered. If you ever want to keep your email to me confidential, that is, you don't want me to mention your name, you're most welcome to request that. Just put the word **CONFIDENTIAL** in the body of your email to me. Obviously, you wouldn't post a confidential question for everyone to see!

I'm happy to meet with you in person. I do this by appointment only. Please send me an email if you want to meet with me in person and we will agree on a meeting time. I'm happy to listen and talk with you about anything, the course, what's going on with you personally, etcetera. Most of my appointment hours will likely be in the afternoon before class. I realize this may be difficult for some of you who work. We'll find a time, don't worry. If we can't find a time, you can try to meet with Hilary.

**Final examination:** 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. This covers everything we've read and discussed in class. Be sure to take good notes.

--> 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.

#### **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."

**CLASS SCHEDULE**

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

<b>Date</b>	<b>Topic</b>	<b>Reading</b>
May 20	Introduction and overview	Lecture
	The Drug <i>Policy</i> Problem	Schaler/DRUGS I
May 22	Drugs	Parts II to III
	Drugs	IV to V
May 22	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	
May 29	Read <i>The Myth of Psychotherapy</i>	All
June 3	Read: <i>Heavy Drinking: The Myth of Alcoholism as a Disease</i>	All
June 5	<i>Smoking: Who has the right?</i>	Schaler & Schaler
	Please read the intro carefully;	
	A sociological view	Berger 4
June 10	Anti-tobacco campaign of the Nazis	Proctor 6
	Dealing with the devil	Annas 9
June 12	Tyranny of experts	Chafetz 14
	Social symbolism of smoking	Gusfield 15
June 17	Read: Right to drugs as property	Szasz 1
	The American ambivalence	Szasz 2
June 19	The fear we favor	Szasz 3
	Drug education: The debate on drugs	Szasz 4, 5
	Blacks and drugs	Szasz
June 24	Doctors and drugs;	Szasz 7
	Between dread and desire	Szasz 8
<b>June 26</b>	<b>Final Exam</b>	
	<b>Final papers due</b>	

Additional articles will be handed out during the course. Movies will be shown. I will try to have a speaker come talking about opposing points of view. It is not always easy to find someone who will do this. If you can assist, please let me know.