

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

**Summer 2009XN
Drugs, Alcohol and Society - ILS-303 N01L
May 11, 2009 to June 25, 2009, Final paper due July 2, 2009
On-line via Blackboard 6**

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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 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 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 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 public, clinical, and legal 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	40%
<u>Class participation</u>	<u>20%</u>
Total =	100%

Description of course requirements

You are going to learn an important model in this course that was developed by Professor Schaler. It is called the "three-step model of policy analysis." Throughout the course, refer back to this model. Whatever it is that you are reading in books, articles that I post for you to read, lectures, discussions, the topic and what we are focusing on fits somewhere in this model. The three-step model is an intellectual compass. It will help you not only in this course, but in other courses you are and will be taking. First, there is what I call a "phenomenon of interest." The phenomenon of interest for this course is

“addiction.” We are learning about, comprehending, explaining, and determining the efficacy of policy in light of how the three steps relate to one another → all concerning addiction. So, with the phenomenon of interest “addiction,” the model looks like this:

Step One: We must **describe and define addiction**. Describe is different from define. Describe and define are different from “explain.” Never confuse explanations for addiction with description and definition of addiction. We are also concerned here with how drugs get into the body. We are not as concerned, in this course, with what drugs do to the body. Please remember this. We are concerned with the description and definition of addiction; we do not want to confuse description and definition with why addiction occurs, or what we call “explanations for addiction.” We are interested in explanations for addiction, they are tremendously important to comprehending and evaluating policy. We just don’t want to confuse explanation with description and definition.

How do the drugs get into the body? Are we talking about behavior or disease? Study the meaning of behavior. We are using the Virchowian definition of disease. This means cellular abnormality. This is also the definition that pathologists use. We are not using the definition of disease frequently used by members of the mental health profession. To the extent that we are concerned with medicine in this course we are concerned with, and differentiate, scientific medicine not/from clinical medicine.

We may also discuss and you will learn about the difference between public and private health. Both are concerned with disease. One way of remembering the difference is that a true public health problem is phenomena whereby you can contract a disease simply by being in the vicinity of another. Private health problems are the result of a consensual relationship where contracting a disease is a potential risk of the relationship. Catching *herpes genitalis* from having consensual sex with someone is a private health problem or risk. Catching *swine flu* virus simply by breathing the air in a contagious person’s vicinity is a public health problem or issue. You didn’t do anything to contract the disease but be in the vicinity, be near a person who was contagious. We will discuss many other examples.

Step Two: Explanations. Why does addiction occur? We will examine four domains of explanation: Religious or theological; Biological/genetic; Psychological; and Sociocultural

Step Three: Policy. What do we do about addiction. Keep in mind that one of the policies can always be doing nothing, letting illegal drugs flourish on the free market without penalty. That is a policy alternative that is neither criticized nor encouraged during this course. The course is neutral concerning the issue of the repeal of drug prohibition. However, it is a policy alternative. Policy here means what we do about drugs including alcohol and the problems that may be associated with these substances. We are concerned with policy in four domains: **The legal domain**, meaning, **to what extent does addiction exculpate criminal behavior**. Included in this domain is the study of three pivotal Supreme Court cases and a relatively new issue concerning court-ordered attendance in Alcoholics Anonymous and First Amendment violations. **The second domain is concerned with clinical treatment**. If we regard addiction as a “treatable disease,” or even just a treatable problem in living, what approaches are best?

Do any treatment approaches actually work? **The third area of policy** is concerned with what we call “**informal social control**,” in sociology, or what we shall refer to here as “social policy.” There are two areas we are especially concerned with here: relational forms of social control and self control. Remember that when it comes to social policy, or informal social control, we are not talking about the involvement of the state. And finally, the fourth area of policy that we are focusing on in this course is referred to as “**formal social control**” by sociologists, or public policy. Here we are talking about the involvement of the state in controlling addiction. Should we repeal prohibition or strengthen prohibition tactics? What of the relationships between the war on drugs and the war on terrorism? To what extent do terrorists around the world depend on drug prohibition, the black market in drugs?

So, this is the three-step model that we will constantly return to in terms of comprehending addiction, explaining it, and comprehending the relationship between explanations and policy in each of the four domains mentioned. If you are ever lost in terms of material we are covering, always go back to this three-step model and find out where you are stuck in the model. Then ask the professor or teaching assistant for help if you need more assistance. The three-step model makes learning easy and fun.

Paper:

You are free to write about anything you want, as long as it is somehow related to what we read and discuss in the course. You must follow the instructions regarding format, though.

For example, you might write a paper arguing in favor of repealing current prescription laws for narcotic drugs, and or all current prohibition regarding illegal drugs. This may be a very different position from what you hold personally. That doesn't matter. You can do something different here, working to comprehend the thinking used by those advocating some form of repeal. During the first week of class I will list the reasons that alcohol prohibition as repealed in the 1930s. You will undoubtedly find those reasons useful. The content of the paper means that all currently prescription-only opiate medications, used primarily for pain control, would be available to anyone on the free market. Remember, there is nothing here that says people could not go to physicians for guidance and medical treatment.

No page limit. You decide how long your paper should be. Most students submit papers between six and ten pages long. It must have the following sections in it: A title page, an introduction – containing your thesis, or the purpose of your paper. A section containing operational terms and definitions, if needed. A literature review (your opinion must be absent from this section. You include only the opinion of others). A discussion section, where you analyze and interpret your findings in the literature review (your opinion is appropriate for this section—no colloquialisms, or “casualisms,” please). A summary/conclusion followed by your references, which begin on a separate page at the end. Note: Each of the other sections do not begin on a separate page, except for the title page and your introduction. You must use American Psychological Association style/format. (Find APA format guidelines on the web. I will try to post a link to this for you.

There is only one version of APA format. If someplace suggests a different version, it is not the correct version. We will go over all of these requirements the first week of class.

- Take into consideration the relationship between liberty and responsibility.
- Your paragraphs must neither be too short nor too long. Each paragraph should be able to stand alone.
- Make sure you have smooth and logical transition from sentence to sentence and from paragraph to paragraph.
- Make sure you keep people, possession, and time parallel. For example, if you begin a sentence speaking in the plural and present tense, don't follow up in the same sentence using the singular and past tense.
- Make sure each sentence is a complete sentence.
- Make sure you differentiate between factual material and your opinion. Your opinion is fine, however, do not express your opinion as if it is fact.
- If you cite a source within the text, make sure you **use APA format**. If you don't know what APA format is, go to the library or purchase the APA Manual of Style. In-text citation is like this (Smith, 1969), and only like that. Not, (Smith, p. 46). It's always author's last name, year of publication, and if necessary, the page numbers, like this (Smith, 1969: pp. 12-15).
- Do not use footnotes.
- Do not cite material in the reference section that you did not cite in-text. Do not cite material in-text that you do not cite in the reference section. The reference section is on its own page.
- Make sure your name is on the first page. Give your paper a short and descriptive title. Make sure each page is numbered, centered, at the bottom of each page.
- Do not quote more than two lines of material. Paraphrase material in your own words, then reference it from the source it came from.
- Keep your writing and language formal, no colloquialisms.

Again: Pick a topic and explore it. This is a research paper. You must have the following sections clearly indicated with these headings: Introduction; Operational Terms and Definitions (if needed); Literature Review; Discussion; Summary/Conclusion. Do not put your opinion in the literature review. Your opinion goes in the second half of the Discussion section, plus, Summary/Conclusion. You must use APA (American Psychological Association) format. Make sure your in-text citations are correctly cited as per APA, and your references in the end are EXACTLY APA format.

Remember though: You must use the definition of disease as established by R. Virchow, and used as the gold standard by pathologists all over the world. This means that disease is of the body and consists of cellular abnormality, lesions, signs. There is no such thing as the mind, therefore the mind cannot be sick, ill, or diseased. The brain can obviously be diseased. Brain and mind are different. Disease is something literal. Behavior can be sick or diseased in a metaphorical sense only, not in a literal sense. Differentiate between literal and metaphorical disease. Metaphorical disease can only be "treated" metaphorically. The difference between metaphorical and literal disease is one of the most difficult concepts in this course, and it is one of the most important concepts to comprehend. Use your dictionary. Ask questions. Work to

understand the difference. Once you “get” the difference, everything “comes together.” It doesn’t matter whether you want to continue to believe that the mind can exist in a literal sense or not. You must use the gold standard when it comes to defining disease, that is, a disease is something physical, characterized by cellular abnormality and tissue destruction, and found in the cadaver during an autopsy. This is part of your exercise in analytic thinking.

- **You may not use Wikipedia for research.**
- **Use the following headings: *Introduction (make sure you state the purpose of your paper here); Operational terms and definitions (list and define any that may be relevant and unfamiliar to a reader); Literature review (list what other people have found); Discussion (clearly state your opinion, don’t present it as fact); Conclusion: (Summarize, list limitations and possible biases); References: APA style. Important.***

Final examination: The final examination will consist of multiple choice and/or essay questions focused on the material we study throughout the whole course. You will be given the opportunity to express your own point of view on the many controversial issues we addressed. The final exam is given on the last day of class, June 25, 2009. Your papers are due one week later, July 2, 2009. Instructions for how you will take the exam and how you will submit your papers will be sent to you by email, and placed on BlackBoard. The final exam is taken based on an honor system. This will all be explained.

Class participation (CP): Further instructions or clarification for the assignment below will be presented in class. One post per week. This must be posted in the BlackBoard discussion board for the week indicated or labeled in the margin on the left of your BlackBoard home page for this course.

You will also be called upon by name to answer questions throughout the course, and especially to give your opinion. This is a time for everyone to be involved. You are perfectly free to disagree with me, your professor, and the authors of material we are reading together. Do not, however, attack anyone’s character to try and win an argument. Stick with ideas.

CP Directions: Each week you post one CP assignment for the appropriate week BlackBoard discussion board. There are three parts to one CP assignment or post. Title each CP post the following way and make sure your name is listed as it appears with the registrar: CP post, date, your name.

Inside your post you do this: You post a news item you’ve found on the Internet that is related to anything we’ve discussed in class or in the readings. You summarize the article briefly, put the url there so that fellow students can read the article you found, then you give your brief opinion of the article. Thus,

1. CP, your name, the date, in the subject area.
Title of article in the text area with the
URL of article, followed by

2. Your opinion of article/issue. You decide the length. You should present enough to establish a clear statement of your opinion.

3. Then, underneath this you write “Reply to (name of student you are replying to).” Here you post a response to the opinion written by someone else in class—their opinion in any post of theirs for that week. Please be polite and respectful. *Argumentum ad rem, no argumentum ad hominem.*

You complete this by Sunday night midnight, each week. Remember: This counts for twenty percent of your final grade. This means that your final grade can drop by twenty percent if the CP assignment is not completed perfectly.

Note: Clear and accurate writing—including accurate spelling on exams and papers—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. **The exam must be taken on the date assigned.** 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. You do the readings. You write down questions for discussion from the readings and lectures. I lecture on various points from the readings. I do not lecture on everything you read. You are responsible for the readings. This is different from high school. You could be tested on something that is part of the readings that I did not lecture on in class. Grades: A-=90, B+=89, B-=80, C+=79, C-=70. Our teaching assistant, Ms. Sarah Lehar, Sarah.Lehar@gmail.com, keeps track of your CP posts. Please do not miss posting any.

College is a lot about exploring and debating new ideas, new ways of viewing oneself and the world. I welcome diversity and different points of view. Much of what you will learn in this course is rarely presented in other classes. In order for me to present these alternative ways of viewing disease and behavior, I have to present the “other side.”

Finally, I may be sending out occasional vocabulary lists. You may or may not be tested on the meaning of any of these words as part of the final exam. It is to your advantage to look up the meaning of each word and to familiarize yourself with its meaning. I may call on you in class at anytime to define the word or term.

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."

You are also welcome to **send me emails privately at any point**. Send all questions to me privately at schaler@american.edu. Sarah Lehar's email address is Sarah.Lehar@gmail.com.

You're welcome to call me on that old-fashioned but incredibly sophisticated device called "the telephone." Sometimes, that's easiest. My cell phone number is listed on the front of the syllabus.

Final examination: You take the test on-line. 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.

This part below about information from the librarian will be posted before class starts. Lots of useful information will be here. Plus, I will add many useful articles that you can use to build your paper.

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.

CLASS SCHEDULE

Read at your own pace. When in doubt, read more than assigned for that specific date. At the start of each week, usually a Monday, I will post a lecture.

Date	Topic	Reading
May 11	Introduction and overview The Drug <i>Policy</i> Problem	Lecture Schaler/DRUGS I
May 18	Drugs Drugs	Parts II to III IV to V
May 25	Addiction and Criminal Responsibility State-supported and Court-ordered Treatment for Addiction; The Power of Self-fulfilling Prophecies Symbolic action in AA/Sipowicz	VI to VII VIII
June 1	Read <i>The Myth of Psychotherapy</i> Read: <i>Heavy Drinking: The Myth of Alcoholism as a Disease</i>	All All
June 8	<i>Smoking: Who has the right?</i> Please read the intro carefully; A sociological view Anti-tobacco campaign of the Nazis Dealing with the devil Tyranny of experts Szasz article in the SMOKING book	Schaler & Schaler Berger 4 Proctor 6 Annas 9 Chafetz 14
June 15	Social symbolism of smoking Read: Right to drugs as property The American ambivalence The fear we favor Drug education: The debate on drugs Blacks and drugs Doctors and drugs; Between dread and desire;	Gusfield 15 Szasz 1 Szasz 2 Szasz 3 Szasz 4, 5 Szasz 6 Szasz 7 Szasz 8
June 22 June 25, 2009	Review Final Exam	
July 2, 2009	Final papers due	