**ARIZONA STATE UNIVERSITY EAST/TEMPE CAMPUS**

**GENERAL STUDIES PROGRAM COURSE PROPOSAL COVER FORM**

Courses submitted to the GSC between 2/1 and 4/30 if approved, will be effective the following Spring.

Courses submitted between 5/1 and 1/31 if approved, will be effective the following Fall.

**(SUBMISSION VIA ADOBE.PDF FILES IS PREFERRED)**

**DATE**
October 28, 2008

1. **ACADEMIC UNIT:** Sandra Day O’Connor College of Law

2. **COURSE PROPOSED:** Law 194 Introduction to Law, Philosophy and Politics 3
   
   (prefix) (number) (title) (semester hours)

3. **CONTACT PERSON:** Name: Tammy Vavra Phone: (480)965-4637
   
   Mail Code: 7906 E-Mail: Tammy.Vavra@asu.edu

4. **ELIGIBILITY:** New courses must be approved by the Tempe Campus Curriculum Subcommittee and must have a regular course number. For the rules governing approval of omnibus courses, contact the General Studies Program Office at 965–0739.

5. **AREA(S) PROPOSED COURSE WILL SERVE:** A single course may be proposed for more than one core or awareness area. A course may satisfy a core area requirement and more than one awareness area requirements concurrently, but may not satisfy requirements in two core areas simultaneously, even if approved for those areas. With departmental consent, an approved General Studies course may be counted toward both the General Studies requirement and the major program of study.

<table>
<thead>
<tr>
<th>Core Areas</th>
<th>Awareness Areas</th>
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<tbody>
<tr>
<td>Literacy and Critical Inquiry–L</td>
<td>Global Awareness–G</td>
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<tr>
<td>Mathematical Studies–MA CS</td>
<td>Historical Awareness–H</td>
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<tr>
<td>Humanities, Fine Arts and Design–HU</td>
<td>Cultural Diversity in the United States–C</td>
</tr>
<tr>
<td>Social and Behavioral Sciences–SB</td>
<td></td>
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<tr>
<td>Natural Sciences–SQ</td>
<td>SG</td>
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</tbody>
</table>

6. **DOCUMENTATION REQUIRED.**
   
   (1) Course Description
   
   (2) Course Syllabus
   
   (3) Criteria Checklist for the area
   
   (4) Table of Contents from the textbook used, if available

7. **In the space provided below (or on a separate sheet), please also provide a description of how the course meets the specific criteria in the area for which the course is being proposed.**

**CROSS-LISTED COURSES:** ☑ No ☐ Yes; Please identify courses: ____________________________

**Is this a multisection course?** ☑ No ☐ Yes; Is it governed by a common syllabus?______________

**Paul Schiff Berman, Dean** Chair/Director (Print or Type)
Rationale and Objectives

The humanities disciplines are concerned with questions of human existence and meaning, the nature of thinking and knowing, with moral and aesthetic experience. The humanities develop values of all kinds by making the human mind more supple, critical, and expansive. They are concerned with the study of the textual and artistic traditions of diverse cultures, including traditions in literature, philosophy, religion, ethics, history, and aesthetics. In sum, these disciplines explore the range of human thought and its application to the past and present human environment. They deepen awareness of the diversity of the human heritage and its traditions and histories and they may also promote the application of this knowledge to contemporary societies.

The study of the arts and design, like the humanities, deepens the student’s awareness of the diversity of human societies and cultures. The fine arts have as their primary purpose the creation and study of objects, installations, performances and other means of expressing or conveying aesthetic concepts and ideas. Design study concerns itself with material objects, images and spaces, their historical development, and their significance in society and culture. Disciplines in the fine arts and design employ modes of thought and communication that are often nonverbal, which means that courses in these areas tend to focus on objects, images, and structures and/or on the practical techniques and historical development of artistic and design traditions. The past and present accomplishments of artists and designers help form the student’s ability to perceive aesthetic qualities of art work and design.

The Humanities, Fine Arts and Design are an important part of the General Studies Program, for they provide an opportunity for students to study intellectual and imaginative traditions and to observe and/or learn the production of art work and design. The knowledge acquired in courses fulfilling the Humanities, Fine Arts and Design requirement may encourage students to investigate their own personal philosophies or beliefs and to understand better their own social experience. In sum, the Humanities, Fine Arts and Design core area enables students to broaden and deepen their consideration of the variety of human experience.

Revised October 2008
ASU - [HU] CRITERIA

HUMANITIES, FINE ARTS AND DESIGN [HU] courses must meet either 1, 2, or 3 and at least one of the criteria under 4 in such a way as to make the satisfaction of these criteria A CENTRAL AND SUBSTANTIAL PORTION of the course content.

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
<th>Identify Documentation Submitted</th>
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<tbody>
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<td>1. Emphasize the study of values, of the development of philosophies, religions, ethics or belief systems, and/or aesthetic experience. See attached syllabus</td>
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<td>2. Concerns the comprehension and interpretation/analysis of written, aural, or visual texts, and/or the historical development of textual traditions. See attached syllabus</td>
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<td>3. Concerns the comprehension and interpretation/analysis of material objects, images and spaces, and/or their historical development.</td>
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<td>4. In addition, to qualify for the Humanities, Fine Arts and Design designation a course must meet one or more of the following requirements: See attached syllabus</td>
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<tr>
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<td>a. Concerns the development of human thought, including emphasis on the analysis of philosophical and/or religious systems of thought. See attached syllabus</td>
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<td>b. Concerns aesthetic systems and values, literary and visual arts. See attached syllabus</td>
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<td>c. Emphasizes aesthetic experience in the visual and performing arts, including music, dance, theater, and in the applied arts, including architecture and design.</td>
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<td>d. Deepen awareness of the analysis of literature and the development of literary traditions. See attached syllabus</td>
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THE FOLLOWING ARE NOT ACCEPTABLE:

- Courses devoted primarily to developing a skill in the creative or performing arts, including courses that are primarily studio classes in the Herberger College of the Arts and in the College of Design.
- Courses devoted primarily to developing skill in the use of a language – However, language courses that emphasize cultural study and the study of literature can be allowed.
- Courses which emphasize the acquisition of quantitative or experimental methods.
- Courses devoted primarily to teaching skills.
Course Prefix | Number | Title | Designation
--- | --- | --- | ---
LAW | 194 | Introduction to Law, Philosophy and Politics | HU

Explain in detail which student activities correspond to the specific designation criteria. Please use the following organizer to explain how the criteria are being met.

<table>
<thead>
<tr>
<th>Criteria (from checksheet)</th>
<th>How course meets spirit (contextualize specific examples in next column)</th>
<th>Please provide detailed evidence of how course meets criteria (i.e., where in syllabus)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Criteria 1, 2</td>
<td>Discussion of the development of law, emphasis will be to explore the values that support a fault system and the values that might be used to challenge such a system.</td>
<td>See Part I, II, III, IV, &amp; V of attached syllabus</td>
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<tr>
<td>Criteria 4a and 4d</td>
<td>Provide an opportunity to get students to think about why we feel we are justified in punishing fellow human beings.</td>
<td>See Part I, II, III, IV &amp; V of attached syllabus</td>
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<tr>
<td>Criteria 4b</td>
<td>What are Values? A discussion of the first attempt in Western civilization to conduct a philosophical exploration of these questions.</td>
<td>See Part I, II, IV, &amp; V</td>
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LAW 194: INTRODUCTION TO LAW, PHILOSOPHY, AND POLITICS
(3 CREDITS, NO PREREQUISITES)

INSTRUCTOR: JEFFRIE MURPHY, REGENTS’ PROFESSOR OF LAW,
PHILOSOPHY, AND RELIGIOUS STUDIES

COURSE DESCRIPTION: This course will familiarize students with some of the basic
principles of American law (such as constitutional rights and criminal law doctrines) and
will, as its primary emphasis, discuss these principles in the light of the moral and
political values in terms of which they might be defended or criticized. Readings will be
drawn primarily from moral and political philosophy and from works of imaginative
literature that dramatize the value conflicts at the heart of law and its development. Ideal
for pre-law students and for all students seeking the kind of understanding of law and its
evaluation that all educated citizens should possess.

GENERAL SYLLABUS OUTLINE OF COURSE:

PART I: THE DEVELOPMENT OF LAW, AN EXAMPLE:

The course will open with a discussion of the last two of Sophocles’ Theban Plays
(Antigone, Oedipus the King, and Oedipus at Colonus). The two Oedipus plays portray
the gradual progression of a society that moves from a system in which people are
condemned and punished without any moral fault (intention, for example) to a society (as
represented by Oedipus as an old man) that seeks to make fault a central element of
punishment. We will discuss a few brief excerpts from current legal cases that illustrate
how our current criminal law system is primarily a fault system but that pockets of strict
liability (liability without moral fault) still remain. The emphasis of all of these
discussions will be to explore the values that support a fault system (e.g., fairness) and
the values that might be used to challenge such a system (utility over fairness in some
cases). We will note that what we think of as the stable and fair process associated with
the rule of law are not present in either of the Oedipus plays. The lecturer will show how
the development of legal process, in a preliminary form, was portrayed in Aeschylus’
Oresteia trilogy. This will be placed on reserve and recommended (but not required) for
interested students. (This illustrates 1, 2, 4a, 4b, and 4d of HU Criteria)

PART II: CRIME AND PUNISHMENT:

This section will continue some of the themes opened in Part I but will focus mainly, not
on the fairness of the administration of punishment (fault or no fault?) but rather on the
practice or institution of punishment itself: What, if anything, justifies punishment? The
section will begin with a discussion of what is perhaps the most famous legal case in the
history of Anglo-American criminal law: the 19th Century English case Regina v. Dudley
and Stephens. This is a case of murder and cannibalism on the high seas, and the
students will read the full text of the 5 page House of Lords opinion on whether the threat
of imminent starvation justifies murder and cannibalism. This will provide a perfect
opportunity to get the students to think about why we feel we are justified in punishing
fellow human beings: to deter them from wrongdoing, to give wrongdoers what they deserve, to express shared community values, to reform wrongdoers, or some other reason? Is it possible that we are not justified in punishing? We will discuss these questions of evaluation in the light of readings from Plato, Bentham, Kant, and Marx. We will also draw on the novella Traps by Friedrich Durrenmatt—a novel about a man who regards his basic human dignity as being threatened when he is regarded as unworthy of punishment. (This illustrates 1, 2, 4a, 4b and 4d of HU Criteria)

PART III: LIBERTY AND THE FREE SOCIETY:

In this section the students will read excerpts from important (and often controversial) US Supreme Court cases on free speech, freedom of religion, and privacy (a concept used to protect certain freedoms). The students will read most of J. S. Mill’s On Liberty that states in general a utilitarian case for liberty—the claim that freedom must be protected because it produces good social consequences. Opposed to the utilitarian case is the argument that freedom is not simply instrumentally good but is good in itself as a way of respecting human dignity and autonomy. The readings here will be excerpts from essays by contemporary moral and political philosophers John Rawls and Ronald Dworkin. In the light of these readings the lecturer will explore the pros and cons of cases on flag burning, hate speech, abortion, and sexual liberty. The lecturer might even presume to assign his own brief essay “Freedom of Expression and the Arts.” (This illustrates 1, 2, and 4a of HU Criteria)

PART IV: CIVIL DISOBEDIENCE AND OBEDIENCE TO LAW: To open this section there will be a discussion of three readings: e. e. cummings’ poem “I Sing of Olaf,” Sophocles’ play Antigone (the first of the three Theban Plays noted in Part I) and Herman Melville’s novella Billy Budd–Sailor. Antigone is torn between the duty to obey the law that forbids the burial of her brother, and her religious duty to bury her brother. What should she do? (This play also raises the question “what is law?” Does a mere order from a dictator count as law? If so, does it merit allegiance and obedience?) Captain Vere in the Melville story feels it is his duty to enforce a law that many would regard as evil. Should he? To see what philosophy might contribute to this discussion, Plato’s dialogues Apology and Crito will be discussed—plus excerpts from later writings such as Martin Luther King’s “Letter from Birmingham Jail.” (This illustrates 1, 2, 4a, 4b, and 4d of HU Criteria)

PART V: WHAT ARE VALUES? Up to this point the course has explored attempts to justify or criticize aspects of law in the light of values that most people in our society probably share. But what is the origin of these values? In what sense, if any, are they objective? Do they depend on religion? The course will close with a discussion of the first attempt in Western civilization to conduct a philosophical exploration of these questions: Plato’s dialogue Euthyphro. (This illustrates 1, 2, 4a and possibly—given that Plato is a great writer as well as a great philosopher (he writes philosophy in dialogue form)—4b and 4d as well)