

## Section 1

Each of the discussion questions is intended to be answered in short essay style. Most of your responses should be a paragraph or two in length. Your responses should demonstrate factual accuracy and evidence of critical thinking.

Your answers should be in your own words, written in formal English with correct grammar and spelling. You may want to first write the answer using a word processing program and then copy and paste it into the answer space provided.

1. Discuss some types of laws that are justified by legal moralism. What are the major arguments for and against such laws?
2. Discuss some laws justified by legal paternalism—provide the rationale for such laws as well as opposing arguments.
3. Campaign finance presents serious ethical quandaries for elected officials. You are running for reelection as Superior Court Justice for the State of Mississippi. Your opponent is receiving money from a huge retail chain that currently has a class-action case pending before the Court. Your campaign is being vastly outspent, and you need to raise money to be re-elected. A representative from the retail chain approaches you and asks if you need any financial help. What are the ethical dilemmas, which arise from this situation, and how will you, as a judge, be guided in your professional duties both before and after the election?
4. The courtroom is often dramatized in popular culture as an epic battle between the prosecution and the defense. As an attorney, you know that this isn't true. Clients come and go, but your relationship with your colleagues includes prosecutors and judges. Nevertheless, you have to present to your clients the sense that you have their best interests in mind. Describe to a potential, but skeptical client the ethical problems, which arise from these interactions, and how bureaucratic justice does not necessarily mean the practice of criminal law is a confidence game.
5. You are a public defender who meets clients every day who you know are guilty. Nevertheless, you are mandated to defend them. Doing your job well might mean putting a criminal on the street. Discuss this and other kinds of ethical decisions you have to make on a daily basis, and how you can maintain a consistent code of ethics in this difficult situation.

## Section 2

Watch the video "Legislating Morality" (28m) and respond to the questions below. You should submit your responses using the "write submission" area, not the "comments" box. Be sure to number your answers.

Click the link below to access the video from the Films on Demand database. You will have to login using your USC Upstate network username and password. If that doesn't work, go to the library's website and follow these breadcrumbs: resources>databases>scroll down to Films on Demand> search for "Legislating Morality."

### [Legislating Morality](#)

1. What was the Volstead Act? What was the rational basis for it? What were the flaws in the law?
2. Why were morality laws in colonial America generally effective?
3. What are "the politics of virtue?"
4. What is the difference between "consensus" and "political will?"
5. Why does religion cause disruption in legislating morality?
6. What is "selective morality" and what problems does it cause?
7. What is meant by "the law is a very crude weapon?" Give an example.
8. What are three ways that education can change morality?

### Section 3

Respond to the discussion topic posted in the **Unit 8 Discussion forum**.

Your initial response must be at least 200-250 words. In addition, you must make at least one response to another student's answer to the question.

**Your first post (in answer to the discussion question) should be made no later than the Saturday before the due date for the unit. Your second post (the response to another student) can be made at any time before the deadline. You may make as many posts in response to your classmates as you like.**

What justification of law is at issue in this video segment? Discuss offensive behaviors and rights after viewing the segment.

<https://www.youtube.com/watch?v=XUaIZmiCjIQ>

Your initial response must be at least 200-250 words. In addition, you must make at least one response to another student's answer to the question.

*Minimalist posts that provide short comments such as "yes" or "I agree" do not count as a post. Posts will be evaluated based on relevance and depth of content. Personal opinions which require no thought about the materials will not be viewed favorably. Your discussion postings must use the language of a college educated professional. (No internet slang.) No crude, rude or otherwise inappropriate comments will be tolerated.*

### **RESPOND TO THIS Student's Post (MADISON)**

I don't agree that there should be a noise ordinance. Jessie's music may be loud, but I certainly don't think that his music is really affecting someones quality of life that much. If music being played loud is the biggest problem someone has in their life, that just isn't right. The offensive behaviors in this video is that the man who testified in court couldn't juts have a simple conversation with the guy that he has issue with playing the music too loud. So many people enjoy listening to their music in their car with the windows down on a sunny day riding around town. Not

to mention a few years back the state supreme court called state noise laws unconstitutional and from then on is when the polk county man made complaints. While I understand this noise may get very irritating, but people have rights. Not to mention if they did put this law into place, it may be revoked in other counties so there would be no point in placing it when it's just going to get revoked. Also, let's say the law did get put into place that the stereo business may take a hit with its clients. If people can't play their music how they want then what's the need for the stereos anymore? People playing music loud while they grow up is just what they do. It just seems unethical to me for this to be taken so far when there are more pressing matters going on.