

**CHAPMAN UNIVERSITY**  
**University Honors Program**  
**One University Drive**  
**Orange, CA 92866**

**COURSE SYLLABUS**

**HON 369**  
**Select Contemporary Problems: Religion and Politics**

**Spring 2014**

Catalog Description:

*Prerequisite: acceptance to the University Honors Program, or consent of instructor.*

Examination of current issues involving the interaction and conflict of religious beliefs and practices with the political process. Topics addressed include, but are not limited to: gay marriage, physician assisted suicide and religious expression and practice in the context of school, government or public settings. (Offered as needed.) 3 credits.

Course Learning Outcomes:

- Attain an understanding of the full parameters of contemporary issues involving law, politics and religion via reading and discussion of related materials including (but not limited to) texts covering relevant science, history, religious scriptures, and legal case opinions, statutes and scholarship
- Learn how to engage with these materials in a critical and analytical manner, and assemble these materials (along with additional research where appropriate) in order to formulate their own opinions in a thoughtful, active and creative manner.
- Learn about, distinguish, and apply scholarly, legal and scientific heuristics to effective and actively assess related problems and issues affecting our political landscape.
- Demonstrate skill and ability in articulating and presenting actively formulated views on these issues in an effective, persuasive, and engaging manner.

Honors Program Learning Outcomes:

- Upon completing a course in the University Honors Program students will have:
- Obtained a starting point for integrative exploration of the development of cultures and intellectual achievements through a variety of disciplinary and interdisciplinary perspectives;
- Sharpened their ability to critically analyze and synthesize a broad range of knowledge through the study of primary texts and through engagement in active learning with fellow students, faculty, and texts (broadly understood);
- Understood how to apply more integrative and interdisciplinary forms of understanding in the advancement of knowledge and in addressing complex challenges shaping the world;
- Developed effective communication skills, specifically in the areas of written and oral exposition and analysis.

Content:

- In depth examination of 2-4 issues involving the interface, and sometimes conflict between religion and our political process
- The issues addressed may included, but are not necessarily limited to:
  - Gay marriage,
  - Physician Assisted suicide
  - Capital Punishment
  - Religious Expression and/or practice in or around:
    - Public schools
    - Government buildings
    - Public Spaces
- Discussion of these issues will cover, where applicable, reading and discussion of applicable scientific, scholarly, religious and legal materials

Current Required Texts (Preliminary):**Books (to Purchase)**

Gay, Straight and the Reason Why – Simon Levay

What the Bible Really Says about Homosexuality -- Daniel A. Helminiak

The Chrysanthemum and the Sword – Ruth Benedict

History of Suicide: Voluntary Death in Western Culture --Georges Minois

For Capital Punishment -- Walter Berns

Against the Death Penalty: Christian and Secular Arguments Against Capital Punishment  
Gardner C. Hanks

**Articles/Books (Supplied)**

"The Marriage Revolution in Late Antiquity: The Theodosian Code and Later Roman Marriage Law" Journal of Family History 32 (4): 343–370 --Kuefler, Mathew

"A History of Same-Sex Marriage". Virginia Law Review 79 -- William N.Eskridge

Passions of the Cut Sleeve -- Bret Hinsch

A Commentary on the Old Saw that Same-Sex Marriage Threatens Civilization, *Moral Argument, Religion, and Same-Sex Marriage: Advancing the Public Good* -- Ron Steiner

DOMA (<http://thomas.loc.gov/cgi-bin/query/z?c104:H.R.3396:>) or

<http://www.gpo.gov/fdsys/pkg/CRPT-104hrpt664/pdf/CRPT-104hrpt664.pdf>

Bushido, the Soul of Japan-- Inazo Nitobé

Hagakure: Book of the Samurai--Yamamoto Tsunetomo

Comparative Study about Methods of Suicide between Japan and the United States --

Toshiyuki Ojima, Yisikazu Nakamura and Roger Detels

Karojisatsu in Japan: Characteristics of 22 Cases of Work-Related Suicide -- Takashi

Amagas, Takeo Nakayama and Yoshitomo Takahashi

Morals, Suicide, and Psychiatry: A View From Japan -- Jerome Young

Why is Suicide Rampant in Japan? -- Dustin Dye

McFall v. Shimp. 10 Pa. D. & C. 3d 90 (1978).

Spur Industries v. Del E. Webb Development Co108 Ariz. 178.494 P.2d 700 (1972)

DO WE OWN OUR BODIES?--Guido Calabresi

City of God – Book 1, Ch. 20 – St. Augustine

Summa Theologica, 1271, part II, Q64, A5 -- Thomas Aquinas  
 Stanford Encyclopedia of philosophy: <http://plato.stanford.edu/entries/suicide/#ChrPro>  
 McFall v. Shimp. 10 Pa. D. & C. 3d 90 (1978).  
 Spur Industries v. Del E. Webb Development  
 Co•• 108 Ariz. 178.494 P.2d 700 (1972)  
 DO WE OWN OUR BODIES?--Guido Calabresi  
 Hippocratic oath  
 Oregon Public Health Division <http://public.health.oregon.gov/ProvidePartnerResources/EvaluationResearch/DeathwithDignityAct/Documents/year14.pdf>  
 Against the Death Penalty: Christian and Secular Arguments Against Capital Punishment  
 Gardner C. Hanks  
 Washington Death with Dignity Act (<http://apps.leg.wa.gov/RCW/default.aspx?cite=70.245>)  
 Washington v. Glucksberg, 521 U.S. 702  
 Gonzales v. Oregon, 546 U.S. 243 (2006)  
 Baxter v. Montana--- P.3d ----, 2009 WL 5155363  
 Lynch v. Donnelly (465 US 668),  
 County of Allegheny v. ACLU (492 US 573)  
 Capitol Square Review and Advisory Board v. Pinette, Carr, and Ku Klux Klan  
 (515 U.S. 753)  
 Church of the Holy Trinity v. United States, 143 U.S. 457, 470 (1892)  
 Abington v. Schempp, 374 U.S. 203, 212 (1963)  
 Stone v. Graham, 449 U.S. 39 (1980)  
 ACLU of Kentucky v. Mercer County, 432 F.3d 624 (6th Cir. 2005)  
 McCreary County v. ACLU of Kentucky  
 Van Orden v. Perry  
 Engel v. Vitale, 370 U.S. 421 (1962)  
 Lemon v. Kurtzman, 403 U.S. 602 (1971)  
 Baker v. Nelson 291 Minn. 310 (1971)  
 Bowers v. Hardwick, 478 U.S. 186 (1986),  
 BAEHR v.MIIKE No. 20371, 1999 HA w.LEXIS391(HA w.DEC.9,1999)  
 DOMA Public Law 104-199  
 Baker v. Vermont, 744 A.2d 864 (Vt. 1999)  
 Goodridge v. Dept. of Public Health, 798 N.E.2d 941 (Mass. 2003)  
 Lawrence v. Texas, 539 U.S. 558 (2003)  
 In re Kandu, U.S. Bankruptcy Court (2004)  
 Wilson v. Ake, U.S. District Court (2005)  
 Citizens for Equal Protection v. Bruning, U.S. Court of Appeals, 8th Circuit (2006)  
 "Assembly Bill 19 (2005-2006) [http://leginfo.ca.gov/cgi-bin/postquery?bill\\_number=ab\\_19&sess=0506&house=B&author=lens](http://leginfo.ca.gov/cgi-bin/postquery?bill_number=ab_19&sess=0506&house=B&author=lens)  
 Proposition 107, Arizona November 7, 2006  
<http://www.azsos.gov/election/2010/info/pubpamphlet/english/prop107.htm>  
 ELIZABETH KERRIGAN ET AL. v. COMMISSIONER OF PUBLIC HEALTH ET AL.  
 (Connecticut Case 2008 289 Conn. 135, 957 A.2d  
 407  
 In re Marriage Cases (2008) 43 Cal.4th 757 [76 Cal.Rptr.3d 683, 183 P.3d 384],  
 California Proposition 8, 2008  
 Varnum v. Brien, 763 N.W.2d 862 (Iowa 2009)  
 AS PASSED BY HOUSE AND SENATE S.115 2009 Page 1 [www.leg.state.vt.us.S.115An](http://www.leg.state.vt.us/S.115An) act  
 relating to civil marriage

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Perry v. Schwarzenegger, United States District Court for the Northern District of California  
(2010)

United States District Court for the District of Hawaii (2012)

Windsor v. United States, U.S. Court of Appeals, Second Circuit (2012)

Sevick v. Sandoval, United States District Court for the District of Nevada

#### Instructional strategies:

1. Discussion of required reading, using Socratic approach
2. Lectures by instructor
3. Presentations by guest speakers
4. 1-2 thought papers to be submitted each week

#### Methods of Evaluation:

1. 10 thought papers. These papers should be:
  - a. 1-4 pages long
  - b. An opportunity to articulate your ideas about the material presented that week in a thoughtful manner, evidencing not only comprehension of material, but also synthesis with other material covered to date and your prior studies.
2. Active participation in classroom discussion
3. In-class presentations
4. Final term paper
  - a. 10-15 pages
  - b. Using either footnotes or endnotes
  - c. Bibliography
  - d. Footnotes and bibliography should conform with the Chicago Manual of Style format.

#### Chapman University Academic Integrity Policy:

Chapman University is a community of scholars which emphasizes the mutual responsibility of all members to seek knowledge honestly and in good faith. Students are responsible for doing their own work, and academic dishonesty of any kind will not be tolerated anywhere in the university

#### Students with Disabilities Policy:

In compliance with ADA guidelines, students who have any condition, either permanent or temporary, that might affect their ability to perform in this class are encouraged to inform the instructor at the beginning of the term. The University, through the Center for Academic Success, will work with the appropriate faculty member who is asked to provide the accommodations for a student in determining what accommodations are suitable based on the documentation and the individual student needs. The granting of any accommodation will not be retroactive and cannot jeopardize the academic standards or integrity of the course.

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| <p>First Unit: Gay Marriage<br/>February 3-7</p> | <p><b><u>Introduction to class: goals, expectations</u></b><br/><b><u>Biology and SSA</u></b><br/><i>Reading: Gay, Straight and the Reason Why – Simon Levay</i><br/><i>Suggested topic for thought paper (due by Sun. Feb 9): “Do you agree with the author’s conclusions? Why or why not? Cite sources.”</i></p> |
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| February 10-14                                  | <p><b><u>History/Sociology of SSA</u></b><br/> <i>Reading:</i> "The Marriage Revolution in Late Antiquity: The Theodosian Code and Later Roman Marriage Law" Journal of Family History 32 (4): 343–370 --Kuefler, Mathew<br/> "A History of Same-Sex Marriage". Virginia Law Review 79 -- William N.Eskridge<br/> Passions of the Cut Sleeve -- Bret Hinsch<br/> A Commentary on the Old Saw that Same-Sex Marriage Threatens Civilization, <i>Moral Argument, Religion, and Same-Sex Marriage: Advancing the Public Good</i> -- Ron Steiner<br/> <i>Suggested topic for thought paper</i> (due Sun. Feb. 16):<br/> "Which of these articles do you dis/agree with? Why or why not? Provide sources in support or opposition."</p>   |
| February 17-21                                  | <p><b><u>Theology:</u></b><br/> <i>Reading:</i> Assigned passages from Bible;<br/> <u>What the Bible Really Says about Homosexuality</u> -- Daniel A. Helminiak<br/> <i>Suggested topic for thought paper</i> (due Sun. Feb. 23): "What do you think of Daniel Helminiak's argument/s? Do you dis/agree? Why or why not? Cite sources in support or against."</p>  |
| February 24-28<br>Physician Assisted<br>Suicide | <p><b><u>American Law</u></b><br/> (American case law and statutory law are rapidly developing on this topic. Some of the following cases may be out of date by the time the class is offered, and major, important cases are expected shortly. The following list is only indicative, and will be subject to amendment. Major cases/statutes will be assigned on the previous Friday):<br/> <u>Baker v. Nelson</u> 291 Minn. 310 (1971)<br/> <u>Bowers v. Hardwick</u>, 478 U.S. 186 (1986),<br/> <u>Baehr v. Miike</u> No. 20371, 1999<br/> Haw.LEXIS391(Haw.DEC.9,1999)<br/> DOMA Public Law 104-199<br/> <u>Baker v. Vermont</u>, 744 A.2d 864 (Vt. 1999)<br/> <u>Goodridge v. Dept. of Public Health</u>, 798 N.E.2d 941 (Mass. 2003)<br/> <u>Lawrence v. Texas</u>, 539 U.S. 558 (2003)<br/> <u>In re Kandu</u>, U.S. Bankruptcy Court (2004)<br/> <u>Wilson v. Ake</u>, U.S. District Court (2005)<br/> <u>Citizens for Equal Protection v. Bruning</u>, U.S. Court of Appeals, 8th Circuit (2006)<br/> <u>Elizabeth Kerrigan Et Al. v. Commissioner of Public Health</u> (Connecticut Case 2008 289 Conn. 135, 957 A.2d 407<br/> <u>In re Marriage Cases</u> (2008) 43 Cal.4th 757 [76 Cal.Rptr.3d 683, 183 P.3d 384],<br/> California Proposition 8, 2008<br/> <u>Varnum v. Brien</u>, 763 N.W.2d 862 (Iowa 2009)</p> |

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|             | <p><u>Perry v. Schwarzenegger</u>, United States District Court for the Northern District of California (2010)</p> <p><u>Windsor v. United States</u>, U.S. Court of Appeals, Second Circuit (2012)</p> <p><u>Sevick v. Sandoval</u>, United States District Court for the District of Nevada</p> <p><i>Suggested topic for thought paper</i> (due Sun. 29): “Within the context of the material covered to date, do you support or oppose gay marriage? If so, why? If not, why not? Cite sources. {Extra points if you research and find <i>scholarly</i> sources to support your viewpoint}.”</p>  |
| March 3-7   | <p><b><u>Summing up: Gay Marriage – arguments for and against</u></b><br/> <b><u>Begin New Topic: Physician Assisted Suicide</u></b></p> <p>Comparative Study about Methods of Suicide between Japan and the United States -- Toshiyuki Ojima, Yisikazu Nakamura and Roger Detels</p> <p>Karojisatsu in Japan: Characteristics of 22 Cases of Work-Related Suicide -- Takashi Amagas, Takeo Nakayama and Yoshitomo Takahashi</p> <p>Morals, Suicide, and Psychiatry: A View From Japan -- Jerome Young</p> <p>Why is Suicide Rampant in Japan? -- Dustin Dye</p> <p>McFall v. Shimp. 10 Pa. D. &amp; C. 3d 90 (1978).</p> <p><u>Spur Industries v. Del E. Webb Development Co</u> 108 Ariz. 178.494 P.2d 700 (1972)</p> <p>Do We Own Our Bodies?--Guido Calabresi</p> <p><i>Suggested topic for thought paper</i>: “Does the Japanese view of suicide surprise or confound you? Why or why not? What arguments would you present for/against it?”</p> |
| March 10-14 | <p><i>Reading (selected passages)</i>: <u>Bushido, the Soul of Japan</u>-- Inazo Nitobé</p> <p><u>Hagakure: Book of the Samurai</u> --Yamamoto Tsunetomo</p> <p><i>Suggested topic for thought paper</i>: Has this week’s readings given you more clarity on the Japanese views on this topic? Do you agree with their viewpoint? Why or why not?”</p>  |
| March 17-21 | <p><i>Reading (selected passages)</i>:</p> <p>City of God – Book 1, Ch. 20 – St. Augustine</p> <p>Summa Theologica, 1271, part II, Q64, A5 -- Thomas Aquinas</p> <p>Stanford Encyclopedia of philosophy:<br/> <a href="http://plato.stanford.edu/entries/suicide/#ChrPro">http://plato.stanford.edu/entries/suicide/#ChrPro</a></p> <p>Christian Perspectives on Suicide by William E. Phipps</p> <p><i>Suggested topic for thought paper</i>: “Which makes more sense to you: the Japanese or Christian views on suicide? Why or why not? Cite sources.”</p>   |
| March 24-28 | <p>Reading: Hippocratic Oath</p> <p>Oregon Public Health Division</p> <p><u>Gonzales v. Oregon</u>, 546 U.S. 243 (2006)</p> <p><u>Baxter v. Montana</u></p> <p><u>Gonzales v Oregon</u> 368 F. 3d 1118 (2004)</p>   |

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|                    | <p>Summing up.<br/> <i>Suggested topic for thought paper:</i> “In light of your reading in this section, do you support or oppose physician assisted suicide? Cite sources”.</p>  |
| March 31 – April 4 | <p><b><u>Begin New Topic: Capital Punishment</u></b><br/> <u>For Capital Punishment</u> -- Walter Berns<br/> <i>Suggested topic for thought paper:</i> “Do you find Bern’s argument persuasive? Why or why not?”</p>  |
| April 7 -11        | <p><b><u>Against the Death Penalty: Christian and Secular Arguments</u></b><br/> <u>Against Capital Punishment</u><br/> Gardner C. Hanks<br/> <i>Suggested topic for thought paper:</i> “Do you find Hank’s argument persuasive? Why or why not?”</p>   |
| April 14-18        | <p><b><u>Begin New Topic: Religious Expression in a Public Setting</u></b><br/> Holiday Displays<br/> <u>Lynch v. Donnelly</u> (465 US 668),<br/> <u>County of Allegheny v. ACLU</u> (492 US 573)<br/> <u>Capitol Square Review and Advisory Board v. Pinette, Carr, and Ku Klux Klan</u><br/> (515 U.S. 753)<br/> (May be supplemented by additional, more recent, caselaw)<br/> <i>Suggested topic for thought paper:</i> “Were you surprised by the findings in any of these cases? The City of Orange puts up a display every Christmas that includes a Crech. Are they operatinig within the law? Why or why not?”</p> |
| April 21-25        | <p><b><u>Ten Commandments:</u></b><br/> <u>Van Orden v. Perry</u>, 545 U.S. 677 (2005)<br/> <u>McCreary County v. ACLU of Kentucky</u>, 545 U.S. 844 (2005)<br/> (May be supplemented by additional, more recent, caselaw)<br/> <i>Suggested topic for thought paper:</i> “In one case, the Court found in favor of keeping a display of the Ten Commandments, and in one case, they found against it. How did they distinguish the one case from the other? Does the ruling make sense to you?”</p>  |
| April 28 – May 2   | <p><b><u>School Prayer:</u></b><br/> <u>Engel v. Vitale</u>, 370 U.S. 421 (1962)<br/> <u>Lemon v. Kurtzman</u>, 403 U.S. 602 (1971)<br/> (May be supplemented by additional, more recent, caselaw)<br/> <i>Suggested topic for thought paper:</i> “What do you think of the courts findings in these cases? Do you agree with the Court’s reasoning? Why or why not?”</p>   |
| May 5-9            | (Depending on size of class) Student Presentations  |
| May 12-16          | Student Presentations   |

**Last revised: 4/1/13**