THE UNIVERSITY OF ALABAMA SCHOOL OF LAW

Business Ethics Seminar - Spring 2010

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Room 359

Required Materials


Excerpts from:


Office Hours

Mondays 1:00 -3:00 pm or by appointment.

Attendance Policy

You are allowed (without incurring a grade penalty) two unexcused absences that can occur during any class session except the classes with paper presentations (although I strong discourage you from missing class). Because of the critical importance of having all members of the class present during the paper presentations, you are allowed NO unexcused absences during these classes. I will determine whether an absence is excused. Your grade will be docked a full letter for each unexcused absence over the allowable amount.

Learning Objectives

To give students the opportunity to think about the areas of the law that address economic relationships from an ethical point of view. Also to allow students to explore one legal problem in depth from an ethical perspective in the form of a research paper.
Research Paper and Presentation

You are required to complete a research paper addressing a particular business (or tax) issue from both a legal and an ethical perspective and make a fifteen to thirty minute presentation to the class. **You must choose your paper topic by March 8, 2010.**

You will first identify the law that applies to the issue that interests you. The law may come from state corporate, federal securities or other regulatory sources, or even tax law. Your paper must thoroughly research the law you have chosen using primary sources (e.g., statutes, regulations, case law). You are free to draw upon legal commentaries to supplement your primary legal sources.

You will then analyze your business (or tax) issue from an ethical perspective and discuss whether the law adequately encourages ethical business behavior (or promotes ethical tax policy) and whether the law can be reformed to bring about more ethical results. In your ethical analysis please focus on at least one of the ethical models discussed in the Wilkins book. Although you may do additional research on the ethical approach you choose to take, you are only required to refer to the Wilkins book (unless you choose Divine Command Ethics).

Finally in two pages or less you must reflect on the legal and ethical analysis of your issue from your own personal ethical standards (you do not have to cover this in your presentation). All human beings acquire “a moral compass” from somewhere (this can come, for example, from religious faith, one’s parents or other authority figure or from the power of individual human reason) and your conclusion must discuss the source and substance of your ethical standards and how your standards might help resolve the ethical problems posed by the legal issue you have chosen. Your paper should be around 20 pages (double spaced, normal margins and 12pt. font) in length. Papers that run slightly below or above that length will be acceptable.

**Paper Topics, Due Dates and Grading**

You have total freedom here. Pick an area of business (or if you prefer tax) law that is the most interesting to you. Some possibilities include, “Corporate Response to Problems With a Product Already on the Market” (discussed in Business As a Calling at pp. 154-158), “Corporate Advertising Promoting Unhealthy Products or Using Sex and Violence” (discussed in Business As a Calling at pp. 151-153) and “Executive Compensation” (discussed in Business As a Calling at pp. 143-144). We will be discussing paper topics during the class sessions. I encourage all students to participate in these discussions and help their fellow classmates develop topics.

Your grade will be determined by the quality of your research paper and presentation. Please have an outline of your paper ready on the day you make your presentation. **All final papers will be due at 12:00 noon on the last day of the exam period (which is Tuesday May 11, 2010).** I will be looking for a good command of the applicable law and a clear and thoughtful reflection on the ethical perspective you choose. Of course good organization centered around the development of a thesis will also be very important. Although I will not be a stickler for strict
bluebook form, I expect your footnotes to show an honest effort to comply with the most important aspects of bluebook form.

**READING ASSIGNMENTS, CLASS SESSIONS AND PRESENTATIONS**

**January 11, 2010**
No reading assignment due. I will give you an overview of the course.

**January 18, 2010** - No class - Martin Luther King, Jr. Day Holiday.

**January 25, 2010**
Please read chapters one through six of *Business as a Calling* and be prepared for discussion.

**February 1, 2010**
Please read chapters seven through ten of *Business as a Calling* and be prepared for discussion.

**February 8, 2010**
Please read and be prepared to discuss: *Wilkins*-chapters 1, 2 & 3; *St. Thomas Excerpt*-pp.883 (starting with text at note 86)-886 (stop right before subpart C); *Virginia Tax Review Excerpt* - pp. 735 (starting with text at note 146)-748.

**February 15, 2010**
Please read and be prepared to discuss: *Wilkins*-chapters 4 & 5; *St. Thomas Excerpt*-pp.880 (starting with text at note 77)-883 (stop right before subpart B); *Virginia Tax Review Excerpt*-pp.731-735 (stop at end of the text on page 734 and read note 145 in its entirety).

**February 22, 2010**
Please read and be prepared to discuss: *Wilkins*-chapters 6, 7 & 8; *St. Thomas Excerpt*-pp.886 (starting with text at note 93)-888 (stop right before the conclusion); *Virginia Tax Review Excerpt*-p.679 (text accompanying and content of notes 15 and 16 only).

**March 1, 2010**
Please read and be prepared to discuss: *Wilkins*-chapters 9, 10 & 11; *Virginia Tax Review Excerpt*-pp. 671-730; *Alabama Law Review Excerpt* (all pages); *Hofstra Law Review Excerpt* (all pages); and *Journal of Education Finance Excerpt* (all pages).

**March 8, 2010**
All paper topics must be chosen. We will use this time to cover any unfinished material.

**March 15, 2010** - No class - Spring Break Holiday.

**March 22, 2010** - Class time available to discuss papers or unfinished material.

**March 29, 2010; April 5, 2010; April 12, 2010; and April 19, 2010**
Paper presentations for three students on each of those days. Please have your outlines ready.

**April 26, 2010** - Class time available to discuss papers; make-up presentations if necessary.

**Tuesday May 11 - 12:00 noon** - All research papers due.