

Writing Assignment in Critical Thinking

Has Justice Been Served?

Philosophy 1370 - Spring Semester 2019 - Dr. Stewart
Maximum thirty-five extra-credit points for the semester.

In, at most, four pages of clearly written prose text (one side per sheet, only), please address the critical issues in the following *fictional* passage, and do so through the questions supplied following the passage itself. The material on *this* page, then, is the “subject” portion of the assignment. Formatting, Core Rubric and grading information on following page. Due no later than your last day of class, in class, only. No electronic submissions.

Text: Here we are confronted with a capital murder trial, one in which prospects for the Defendant do not look very promising. The Defendant, our client, is accused of shooting the deceased in the Mall parking lot one sunny afternoon, at very close range and in the head, with a .357 Magnum revolver. Most if not all the factual evidence seems clearly against our client, including the testimony of an alleged eye-witness to the murder, a Ms. Smith, by name. Among other maneuvers to counter such evidence overall, we intend to discredit Ms. Smith by asking her, under oath, if it is or is not true that she is a prostitute and a dealer in illegal drugs. Our aim here is to play upon the egotistical conscience of a certain juror, a Mr. Jones, by name, hoping he will vote not guilty in this case because he fundamentally wishes to avoid the embarrassment of having to admit to his wife, his children, his business associates and his religious colleagues that he in practical effect voted to execute our client based on the testimony of a morally corrupt and debased witness.

Think here as would a *Judge*, in such an instance. Questions (to be answered in continuous prose text): What kinds of seemingly damning factual evidence could the Prosecutor bring against our client? What are the advantages and the disadvantages of the Prosecution bringing forward the eye-witness, Ms. Smith? What makes bringing forward eye-witness testimony a risky maneuver?

If the Prosecution is to prevail, is there any particular kind of reasoning that the Prosecution must use to organize and present all the damning factual evidence mentioned above? Can the evidence in play be cast in another kind of reasoning that the Defense could use, and in such a way as to dismiss or jeopardize the value of all or part(s) of this evidence? When Ms. Smith’s character is attacked, which fallacy of relevance is involved? What should be the reaction of the Prosecution to this effort?

(Continues - - - >)

Formatting Information: typescript required, double-space all. Staple together at upper left.

Also at upper left, first page:

Title of Essay

Your full name (printed) plus student i.d. number

Dr. Stewart - Philosophy 1370 & Section Number - Spring 2019

The Center for Philosophical Studies at Lamar University

Date of Submission

Core Rubric Information:

On the last page of your essay, at the left margin and in bold type, enter

Criteria (personal and social responsibility).

Then, in no more space than your last page, discuss the personal and social responsibility issues in this trial as if you were a *Juror* in this trial. . Thus, given what you, personally, as a juror, know about the evidence involved, would you individually feel compelled to vote for conviction or acquittal? And at the larger level of social responsibility, and, again, using the information made available in this trial, should society at large approve of a conviction, leading certainly to capital punishment, or allow an acquittal, certainly saving the accused's life?

Grading:

Failure to submit an essay for this assignment will result in a loss of thirty-five (35) points from your semester grade total. A simply adequate essay will not result in any change in your semester grade total, but papers exceeding the merely adequate *may* possibly have up to thirty-five (35) points added to your semester grade total (i.e., half a letter grade).

Completed and graded essays will be available at the conclusion of your Final Exam period.

- *c'est tout, fur heute* - !!