

San José State University
Department of Political Science
POLS 20: Controversial Legal Issues, Fall 2020

Instructor: Sara M. Benson

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Class Days/Time: Mondays, 9:00 – 10:15 via Zoom
Join URL: <https://sjsu.zoom.us/j/92228502175>

GE/SJSU Studies Category: Critical Thinking/A3

Office Hours: Mondays, 10:30 – 11:30 via Zoom
<https://sjsu.zoom.us/j/91088094738>
Password: 306955

Course Description

Basic concepts in critical thinking as demonstrated in legal reasoning and analysis of contemporary legal issues.

This is a writing intensive course designed to introduce students to critical thinking, and to major concepts and controversies in legal studies and constitutional law. The course is grounded in close readings of primary and secondary sources, including case law, social theory, and film. Students will examine various methods of reasoning in order to think critically about the legal status of detainees in the global war on terror and the relationship between torture and democratic societies. Students will be evaluated not on the frequent expression of opinion, but on a demonstrated and textually grounded knowledge of the legal aspects of these issues. Student success in this course depends on an active engagement with the course materials.

Course Format

This is an online course with a synchronous component. All of your work in this course will be done using Canvas. You will need to have regular access to Canvas and Zoom and a stable internet connection.

Course Goals and Learning Outcomes

Course Learning Outcomes (CLO)

This course is designed for political science majors and fulfills the Critical Thinking (A3) component of the General Education curriculum. Student success in this course is dependent on an active engagement with course materials. Students will write a minimum of 6,000 words (4,000 in revised, final draft form).

CLO 1: Read and respond to law and legal thinking using critical thinking and reasoning skills. CLO 2: Understand key legal questions in debates about torture and democracy.

GE Learning Outcomes (GELO)

The General Education Critical Thinking goals for this course include the following:

GELO 1: Students should be able to locate and evaluate sources, through library research, and integrate research through appropriate citation and quotation.

GELO 2: Students should be able to present effective arguments that use a full range of legitimate rhetorical and logical strategies to articulate and explain their positions on complex issues in dialogue with other points of view.

GELO 3: Students should be able to effectively locate, interpret, evaluate, and synthesize evidence in a comprehensive way in support of one's ideas.

GELO 4: Students should be able to identify and critically evaluate the assumptions in and the context of an argument.

GELO 5: Students should be able to effectively distinguish and convey inductive and deductive patterns as appropriate, sequencing arguments and evidence logically to draw valid conclusions and articulate related outcomes (implications and consequences).

Department Learning Outcomes

The Department of Political Science has the following goals in mind for this course:

Breadth Students should possess a broad knowledge of the theory and methods of the various branches of the discipline.

Application and Disciplinary Methods Students should be able to formulate research questions, engage in systematic literature searches using primary and secondary sources, evaluate research studies, and critically analyze and interpret influential political texts. Students should be able to apply these techniques to identify, understand, and analyze domestic and international political issues and organizations.

Communication Skills Students should master basic competencies in oral and written communication skills and be able to apply these skills in the context of political science. This means communicating effectively about politics and/or public administration, public policy, and law.

Citizenship Students should acquire an understanding of the role of the citizen in local, state, national, and global contexts and appreciate the importance of lifelong participation in political processes.

Required Texts/Readings

All of the readings for this course are posted to the course Canvas page except Darius Rejali's *Torture and Democracy* (ISBN: 0691143331), which you will need to either purchase or access free of charge via the library website. To access the e-book, you need to be logged in to your library and campus accounts.

Course Requirements, Assignments, Grading Policy

Article Summaries 20% of course grade

The Guantanamo Docket

Guantanamo Readings (Paragraph Summaries)

Executive Order 13492 and Related Materials

<u>Quizzes</u>	20% of course grade
“Where Is Guantanamo?”	
<i>Ghosts of Abu Ghraib</i>	
The Torture Convention	
<i>Torture and Democracy</i>	
<u>Critical Synthesis Papers</u>	30% of course grade
Closing Guantanamo?	
<i>Torture and Democracy</i>	
Torture in Popular Culture	
<u>Final Exam</u>	30% of course grade

Article Summaries (CLO1 and GELO 1, 3, 4)

This assignment is designed to introduce students to the practice of writing critical summaries. These are short papers (2-3 pages) that outline the key ideas from the readings, using paraphrase and direct citation. Correct citational practice is an important part of this assignment. Be sure to revise and proofread your work.

Quizzes (CLO 2 and GELO 3, 4)

These multiple choice online quizzes are designed to assess and improve your reading comprehension skills and to help you focus on key ideas and clarify main arguments in the text. Make sure that you read the course materials carefully before you begin each quiz, but you can use your reading materials and notes as aids when you take the quiz.

Critical Synthesis Papers (CLO 1 and GELO 3, 4, 5)

Students will craft critical responses to a set of readings and cite course materials correctly as part of their own analysis. These papers are different than the article summaries because they require that you use summaries to build your own analysis—you need to use the readings as evidence of your own central claims. See schedule below for themes. Students will write 3 critical synthesis papers over the course of the semester. *Papers shorter than 3 full pages will not be considered passing work.*

Final Exam (CLO 1, 2 and GELO 2, 3)

The final exam is comprised of short answer/identification questions and at least one essay. The entire final exam requires that you write 7-10 pages mobilizing 7-10 texts *from the course* (using correct citational practices). Do not use outside sources. You will have one week to complete the exam. Guidelines and prompts will be posted on Canvas.

Grading Policy

No extra credit is available.

Grading Scale

97 to 100	A plus
93 to 96	A
90 to 92	A minus
87 to 89	B plus

83 to 86	B
80 to 82	B minus
77 to 79	C plus
73 to 76	C
70 to 72	C minus
63 to 69	D
60 to 62	D minus
less than 60	F

University Policies

Per University Policy S16-9, university-wide policy information relevant to all courses will be available on Office of Graduate and Undergraduate Programs' [Syllabus Information web page](http://www.sjsu.edu/gup/syllabusinfo/) at <http://www.sjsu.edu/gup/syllabusinfo/>. *Please review the information about university policies on plagiarism contained above, which may result in a failing grade. Faculty members are required to report all infractions to the office of Student Conduct and Ethical Development.*

Success in this course is based on the expectation that students will spend, for each Module of credit, a minimum of 45 hours over the length of the course (normally 3 hours per Module per week with 1 of the hours used for lecture) for instruction or preparation/studying or course related activities including but not limited to internships, labs, clinical practica. Other course structures will have equivalent workload expectations as described in the syllabus.

Classroom Protocol

Students should attend all class meetings and participate in class exercises on Zoom. If you have to miss class for any reason, you can view (not download) the lecture component of the course on the Canvas page. These videos will be posted within 48 hours of the live class. I will record the lecture components of the class (when I am speaking), but not Q&As or class discussions (when you are speaking). You can view but not download these videos because they remain protected by the instructor's copyright, and students are prohibited by university policy (S12-7) from recording, distributing, or posting any part of these videos. Students who violate this policy can be referred to Student Conduct.

You are required to use your full name as your Zoom name and there will be days of discussion when you will want to have your camera on. Consider sitting in front of empty wall space to minimize distractions for others when you are on camera. Be professional in choosing your background. Please do your best to also minimize background noise. When I am lecturing and you are taking notes, you can turn your camera on or off as you please. You will always be on mute by default so be mindful of unmuting yourself if you have a question. You may also ask me questions during lecture using the chat feature of Zoom. Note that I can see all "private" exchanges in the chat feature and that they become part of the official transcript of the class. Finally, always be respectful of your colleagues during class discussions.

Political Science Departmental Writing Policy and SJSU Writing Center

Students of political science should develop the ability to write in clear, grammatical English. Spelling and grammar count! Students must take care that appropriate citations are used. Direct quotations must be so indicated with quotation marks and a specific reference to the page in the source from which it was taken. Failure to cite your sources constitutes academic misconduct which carries with it serious sanctions. A tutorial on citations is available at the library website at http://www.sjlibrary.org/services/literacy/info_comp/citing.htm. For assistance with writing, please see me or visit the SJSU Writing Center located in Clark Hall, Suite 126. In addition to one-on-one tutoring services, the Writing Center also offers workshops every semester on a variety of writing topics. To make an appointment, visit the Writing Center website at <http://www.sjsu.edu/writingcenter>.

POLS 20: Controversial Legal Issues, Fall 2020

The schedule is subject to change with fair notice.

Week	Topics, Readings, Assignments, Deadlines
Week 0	<u>Course Opening</u>
Week 1	<u>Introduction to Critical Thinking and Rhetoric</u>
Week 2	<u>Guantanamo as a Legal Problem: An Overview</u>
Week 3	<u>Controversial Legal Issues</u>
Week 4	<u>Critical Thinking & Primary Documents</u>
Week 5	<u>Closing Guantanamo?</u>
Week 6	<u>Where is Guantanamo?</u>
Week 7	<u>Legal Borderlands</u>
Week 8	<u>Is Guantanamo Exceptional?</u>
Week 9	<u>Torture in Domestic and International Law I</u>
Week 10	<u>Torture in Domestic and International Law II</u>
Week 11	<u>Torture and Democracy Part I</u>
Week 12	<u>Torture and Democracy Part II</u>
Week 13	<u>Torture and Democracy Part III</u>
Week 14	<u>Torture and Popular Culture</u>
Week 15	<u>Torture and Popular Culture</u>
Week 16	<u>Course Closing and Final Exam Review</u> *Your final exam is due on Tuesday, December 15th by 9:30 am.

