

San José State University
Department of Political Science
POLS 20: Controversial Legal Issues, Fall 2021

Instructor: Sara M. Benson

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Class Days/Time: Mondays/Wednesdays 9:00 – 10:15 via Zoom
(link posted on Canvas homepage)

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 in domestic and international law, including case law, legislation, executive orders, and international conventions. Students will examine various modes of reasoning and argumentation among authors who write about the legal status of detainees in the global war on terror and develop arguments about the relationship between torture, democracy, and legal borders. Students will be evaluated not on the frequent expression of opinion, but on a demonstrated and textually grounded knowledge of legal reasoning and critical thinking, and of torture's relationship to the law. 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 and Zoom. 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 non-majors and fulfills the Critical Thinking (A3) component of the General Education curriculum. *Students will*

write a minimum of 6,000 words (4,000 in revised, final draft form). This means that you will write inside of class and outside of class; some of that writing will be informal and some of it formal. It also means that some of your assignments are scaffolded, meaning that some short assignments (like the article summaries, for example), will eventually become enfolded (after deep revision) into later assignments.

Upon successful completion of this course, students will be able to:

CLO 1: Use critical thinking and reasoning skills to evaluate sources and to read and synthesize legal texts in domestic and international law.

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 (~1500-2250 words, CLO 1/GELO 1, 4) 20% of course grade

The Guantanamo Docket Critical Summary (500-750 words)
Guantanamo in the News Critical Summary (500-750 words)
Executive Order 13492 and Related Materials Critical Summary (500-750 words)

Reading Comprehension Quizzes (~1000 words, CLO 1, 2/GELO 3) 20% of course grade

“Where Is Guantanamo?”
Ghosts of Abu Ghraib
The Torture Convention
Torture and Democracy

Critical Synthesis Papers (~3000 words, CLO 1, 2 and GELO 2, 4, 5) 30% of course grade

Closing Guantanamo? (~1000 words)
Torture and Democracy (~1000 words)
Torture in Popular Culture (~1000 words)

Final Exam (~1500 words, CLO 1, 2 and GELO 2, 3) 30% of course grade

Where Is Guantanamo?

Article Summaries (CLO 1 and GELO 1, 4)

These short assignments are designed to introduce students to the practice of writing critical summaries and of evaluating texts for information, evidence, rhetoric, and structures of argumentation. Students will also use this assignment to conduct library research and gain information literacy. These are short papers (2-3 pages) that outline the key ideas from the readings by both paraphrasing and using direct citation. Correct citational practice is an important part of these assignments. Be sure to revise and proofread your work. These assignments will become particularly important later in the class as we work to use revised versions of these critical summaries in longer and more polished pieces of writing in revised and final draft form.

Reading Comprehension Quizzes (CLO 1, 2 and GELO 3)

These online quizzes (a combination of multiple choice and short essay questions) 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 should use your reading materials and notes as aids when you take them.

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

Students will craft three critical synthesis papers over the course of the semester. They will each begin with in class timed writing exercises designed to generate thesis statements and strong topic sentences. You will revise key sentences from the critical summaries and use them as building blocks for these papers. This means that these papers should be written in revised, final draft form and should draw on your earlier work in this

class. In addition, you need to engage new material from new modules as we move through the course by following the prompts posted on Canvas. You should refer directly to the additional instructions and prompts on the course Canvas page (see above for topics), but generally you need to develop an argument using a set of readings and cite course materials correctly as part of your own analysis. These papers are different than the article summaries because they require that you use the summaries to build your own analysis—you need to use the readings as evidence of your own central claims and to develop strong topic sentences, structured PIE paragraphs, and a strong narrative arc. Students will write 3 critical synthesis papers over the course of the semester that should each be 3-4 pages in length. *Please note that 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 a take home essay. The entire final exam requires that you write 5 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.

Grading Policy

No extra credit is available.

Grading Scale

93 to 100	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](#), relevant university policy concerning all courses, such as student responsibilities, academic integrity, accommodations, dropping and adding, consent for recording of class, etc. and available student services (e.g. learning assistance, counseling, and other resources) are listed on the [Syllabus Information web page](#) (<https://www.sjsu.edu/curriculum/courses/syllabus-info.php>). *Make sure to visit this page to review and be aware of these university policies and resources.*

You do not have my permission to post or distribute my lectures in any way.

Please also review the information about university policies on plagiarism, 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 I encourage you to have your camera on. Consider sitting in front of empty wall space to minimize distractions for others when you are able to be on camera. Be professional in choosing your background. Please do your best to also minimize background noise. You will always be on mute by default so be mindful of unmuting yourself if you have a question. Finally, please always be respectful of your peers 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>.

Written Communication and Information Literacy Assessment Fall 2021

This semester SJSU is assessing written communication and information literacy skills of students pursuing undergraduate degrees. The assessment is used to evaluate effectiveness of our General Education and writing curricula. This class has been selected for collection of student sample work. I will select random samples of work from this

class to provide to a team of assessment experts. The work will be anonymized and cannot be traced back to you. The assessment will be done after the semester is over and will not affect your grade. Please let me know if you prefer to have your work excluded from this process.

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: Rhetoric and Inductive Thinking</u>
Week 2	<u>Guantanamo as a Legal Problem: An Overview</u>
Week 3	<u>Controversial Legal Issues/Writing Workshop</u>
Week 4	<u>Critical Thinking & Primary Documents: Library Research</u>
Week 5	<u>Closing Guantanamo?/Writing Workshop</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 I: Informal Oral Presentations</u>
Week 15	<u>Torture and Popular Culture II: Turning the Presentation into a Synthesis</u>
Week 16	<u>Course Closing and Final Exam Prep</u> *Final exam due on Canvas by Thursday, December 9th at 9:30 am.

