

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

**Instructor:** Kristina Mitchell, Ph.D.  
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**Class Days/Time:** Tuesday/Thursday 9-10:15 HGH 116  
**GE/SJSU Studies Category:** Critical Thinking/A3  
**Office Hours:** Tuesdays 11-1pm

**Course Description**

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

The first half of this course is meant to establish an understanding of public opinion and legal reasoning. We will look at individual legal, public policy, and international law questions through several theoretical lenses, and consider both institutional and behavioral explanations for outcomes.

The second half of this course asks you as the student to position yourself as a stakeholder in controversial legal issues. Students will engage in public debates on controversial issues using the theoretical lenses and reasoning/data-driven strategies learned in the first half of the course.

**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 texts related to law and public opinion.

CLO 2: Understand key questions in law and society.

### **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 Morris P Fiorina's *Unstable Majorities* – ISBN 9780817921156

### **Course Requirements, Assignments, Grading Policy**

Reflections – 20% (5% each)

Exams – 30% (15% each)

Debates – 30% (15% each)

Debate Reaction Papers – 20% (5% each)

Exams

There will be two midterm and one final exam. The exams will be online in Canvas. They are open note, open book, but you must cite sources (do not engage in plagiarism). They are individual assignments, and should not be worked on with other students. On exam days, you will not attend class. The exam will be due by the end of the class period on the day of the exam, but you have the 24 hours prior to that time to work on the exam. The top two exam scores count (even if one is a zero). Thus, the final exam is optional if you are happy with your scores on the first two exams.

### Reflections

In the first half of the class, you will compose four reflections to course content and submit them in Canvas. There is no particular subject on which you are required to reflect. Simply write 100-150 words that shows a thoughtful response to what we've learned in class. You can write them on any day, but only one reflection per class is allowed. All four reflections must be completed before the deadline of the 2<sup>nd</sup> exam. You have to attend class on the day that you write a reflection about.

### Debates

In the second half of the class, we will have Debate Days. On one of these days, which will be assigned early in the semester, you will assume the role of a stakeholder on a current issue in the intersection of law and society. Prior to the debate, you will research the issue as well as your stakeholder's views on the issue. On the day of your debate, you will turn in to Canvas a **minimum 3 full pages** research paper on the background of the issue, the different sides of the issue, and your specific stakeholder's views on the issue. This research paper must reference **at least 5 reputable sources**. Then, during the debate, you will represent your stakeholder by speaking for **4-5 minutes**. Therefore, your debate grade will have two parts: the research paper will be worth 50 points, and your debate performance will be worth 50 points (which includes using proper presentation techniques). In many weeks, we will have two students on each side working as a team. However, each student must still turn in a separate paper and give a separate presentation.

Students not participating in the debate will ask questions of the debaters following the debate. After this, the class will vote on which side of the debate won. The students who presented the winning side will receive 5 extra points for their debate grade.

### Debate Reaction Papers

For four of the debates in which you are not a stakeholder and therefore not presenting, you will turn in a **one-full-page** reaction to the debate topic and the debate. This may include your initial thoughts on the topic, your already determined opinion on the topic, or questions you have about specific ideas related to the topic. You may also discuss what you learned from your fellow students in the debate, and how the debate changed (or didn't change) your mind. You will demonstrate that you have thought carefully about the topic by referring to **at least 2 reputable sources** in your paper. These reaction papers should be turned in to Canvas **within 48 hours** of the completed debate.

## **Grading Policy**

**No extra credit is available.**

## **Final Grade Determination**

97 & above: A plus

92-96: A

90-91: A minus

87-89: B plus

82-86: B

80-81: B minus

77-79: C plus

72-76: C

70-71: C minus

67-69: D plus

62-66: D

60-61: D minus

59.99 & below: F

I do not have a policy of rounding grades. Rounding and curving decisions are made by the professor after all final grades are calculated. Even an 89.999 can be considered a B plus. Grades are not assigned based on individual need.

- Do not contact me with a question or request for your final grade to be rounded, curved, or increased.
- Do not contact me asking for extra credit that has not been specifically offered to the whole class via email announcement.

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

## **Late work policy**

Assignments not accepted late for any reason (will receive a 0 if turned in late):

Debate

Exams

Assignments accepted late with a penalty (but must be turned in within 7 days of the deadline, or will receive a 0):

Reflections

Debate Reaction Papers

## **Classroom Protocol**

### **Course Rules**

1. Always maintain professional and respectful language, in class, in emails and in your coursework.
2. Any disruptive or disrespectful behavior will result in a loss of credit for the assignment and possibly a referral to the Office of Student Conduct. Racism, sexism, homophobia, or any other forms of bigotry are not acceptable in this class.
3. You are responsible for all information and announcements made in the course. Prepare to log onto Canvas every day to check for updates, changes, or new information. Read the course home page thoroughly and check announcements daily. Course rules, schedule, and day-to-day are subject to change, please pay close attention to course announcements.
4. Late work will not be accepted for any reason. To be clear, late work will not be accepted for any reason whatsoever.
5. Students may not print, save, photograph, or make any record of graded content in this course.

### **Professionalism**

Here is a quick-start on professionalism in your communication with your professors:

- Don't ask a question that you could have answered yourself. Read all information and instructions in Canvas before you send an email.
- Use an appropriate Subject Line that identifies yourself and your concern (don't just say, "HELP")
- Address the recipient by his or her professional title, such as Professor, Dr., Mr., or Ms. (NOT Mrs. or Miss unless instructed otherwise)
- Your first sentence should introduce yourself and include your course and section number. • Be specific about what your request is. Demonstrate that you have read and understood course information and instructions.
- Use proper grammar and spelling. Punctuate and capitalize. Proofread.
- Allow 24 hours for a response to your email during the week. Do not expect email responses on weekends. Do not send multiple emails on the same topic within a 24 hour period without waiting for a response.

If you send an email that does not follow these guidelines, don't be surprised if you get a response that states, "Please revisit the Professionalism section of your course home page and email again."

### **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](#) 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.

### **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](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>.

### **Course Schedule**

Introduction Week – August 19<sup>th</sup>

Course policies & syllabus

#### **PLEASE NOTE:**

We will meet on Canvas for the first day. There is really no need for us to come to class during a pandemic just to go over the syllabus. I will provide a Zoom link in Canvas for us to join to go over the course, review the syllabus, and address any questions that you have.

Week 1 – August 23<sup>rd</sup>

August 25<sup>th</sup>

*What makes an issue “legal”?*

Weber & Legitimacy

Defining Law & Justice

Week 2 – August 30<sup>th</sup> and Sept 1<sup>st</sup>

Behavioral Models of Judicial Decision making

Criminal Law & Procedure

Week 3 – September 6<sup>th</sup> and 8<sup>th</sup>

The Law & Social Control/Change

Race & Gender in the Law

Week 4 – September 13<sup>th</sup> and 15<sup>th</sup>  
International Law & Controversy

Week 5 – September 20<sup>th</sup> and 22<sup>nd</sup>  
Exam Review

**Exam 1 September 22<sup>nd</sup>**

Week 6 – September 27<sup>th</sup> and 29<sup>th</sup>  
*What makes an issue “controversial”*  
Introduction to Public Opinion  
Measuring Public Opinion: Methodology & Surveys

Week 7 – October 4<sup>th</sup> and 6<sup>th</sup>  
What Do People Think About Controversial Issues?  
Populace Aspirations Index  
Fiorina 1-3

Week 8 – October 11<sup>th</sup> and 13<sup>th</sup>  
Partisanship & Ideology  
Fiorina 4-8

Week 9 – October 18<sup>th</sup> and 20<sup>th</sup>  
Public Opinion & Politics/Policy  
Fiorina 9-10

Week 10 – October 25<sup>th</sup> and 27<sup>th</sup>  
Politics/Policy  
Fiorina 11-12  
Exam Review

Week 11 – November 1<sup>st</sup> and 3<sup>rd</sup>  
**Exam 2 November 1<sup>st</sup>**  
Debates 1

Week 12 – November 8<sup>th</sup> and 10<sup>th</sup>  
Debates 2 & 3

Week 13 – November 15<sup>th</sup> and 17<sup>th</sup>  
Debates 4 & 5

Week 14 – November 22<sup>nd</sup>  
Independent study day

Week 15 – November 29<sup>th</sup> and Dec 1<sup>st</sup>  
Debates 6 & 7

Week 16 – December 6<sup>th</sup>  
Debate 8

**Final Exam due December 14<sup>th</sup> Online**