

San José State University

Department of Political Science

POLS 20: Controversial Legal Issues, Fall 2022, Section 1

Instructor: Dr. Sara Benson

Office Location: Clark 406G

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Office Hours: 9:30–10:30 MW in person or on Zoom: <https://sjsu.zoom.us/j/91088094738>

Class Days/Time: Mondays at Noon

Classroom: Clark 303A

GE/SJSU Studies Category: Critical Thinking/A3

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 a hybrid course. This means that we will convene as a class on Mondays, but we will also have asynchronous assignments. All of your work in this course will be done using Canvas. You will need to have regular access to Canvas and a stable internet connection.

Course Goals and Learning Outcomes

GE Learning Outcomes (GELO)

The General Education/Critical Thinking/A3 goals for this course include the following:

GELO 1: Upon successful completion of the course, students shall be able to locate, interpret, evaluate, and synthesize evidence in a comprehensive way, including through library research; and integrate research findings into oral and written arguments through appropriate citation and quotation;

GELO 2: use a range of rhetorical and logical strategies to articulate and explain their positions on complex issues in dialogue with other points of view;

GELO 3: Students shall be able to identify and critically evaluate the assumptions in and the contexts of arguments;

GELO 4: Students shall be able to use inductive and deductive logic to construct valid, evidence-supported arguments and draw valid conclusions.

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 shall be able to:

CLO 1: Critically read legal texts in domestic and international law;

CLO 2: Synthesize key legal questions in debates about torture and democracy.

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 for your group presentation (to access the e-book, you need to be logged in to your library *and* SJSU accounts); and

Kathy Boylan et al.'s *Critical Reading, Critical Writing: A Handbook to Understanding College Composition*, which we will use to understand rhetoric, logic, fallacy, and argument, and is available as an open source at <https://pressbooks.howardcc.edu/criticalreadingcriticalwriting/front-matter/title-page/>. We will focus on particular chapters in class.

We will also find sources for certain assignment by conducting library research. The political science librarian at SJSU is Esse Barosso-Ramirez (esse.barosso-ramirez@sjsu.edu).

Course Requirements, Assignments, Grading Policy

Assignment	GELO	CLO
Article Summaries	GELO 3	
Quizzes		CLO 1
Presentation	GELO 1	
Critical Synthesis Papers	GELO 2	
Final Exam	GELO 4	CLO 2

Article Summaries (~1500-2250 words) *15% 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) *10% of course grade*

“Where Is Guantanamo?”

Ghosts of Abu Ghraib

The Torture Convention

Torture and Democracy

Critical Synthesis Papers (~3000 words) *30% of course grade*

Closing Guantanamo? (~1000 words)

Torture and Democracy (~1000 words)

Torture in Popular Culture (~1000 words)

Presentation (~500 words) *20% of course grade*

Final Exam (~1500 words) *25% of course grade*

Where Is Guantanamo?

Article Summaries

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

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

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.*

Presentation

*This assignment is a group presentation based on Darius Rejali's book *Torture and Democracy*. Groups will be assigned mid-semester and time will be provided in class for you to prepare your presentation. Grading expectations will be discussed at length in class.*

Final Exam

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 and Late Policy

This course (and all courses in Area A3) must be completed with a grade of C- or better is a CSU graduation requirement.

In this course, deadlines are important because they keep us on track and provide structure and continuity in the class. All deadlines are listed on Canvas. If you fall behind, you can submit late work and do not need to provide documentation. However, once you submit an assignment, it will be graded once (unless it is part of a scaffolded or sequenced assignment involving rough drafts and final drafts).

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 Informationweb page](https://www.sjsu.edu/curriculum/courses/syllabus-info.php)(<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, as plagiarism 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. 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>.

POLS 20: Controversial Legal Issues, Fall 2022

The schedule is subject to change with fair notice.

Week	Topics, Readings, Assignments, Deadlines
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Course Opening: Introduction to Critical Thinking:

Week 1	<u>Rhetoric and Inductive Thinking</u>
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Kathy Boylan et al.'s *Critical Reading, Critical Writing* (Chapter 2, Rhetorical Modes)

Week Topics, Readings, Assignments, Deadlines

Guantanamo as a Legal Problem: An Overview

Kathy Boylan et al.'s *Critical Reading, Critical Writing* (Chapter 3, Rhetoric)

New York Times, "Guantanamo Docket" (on Canvas)

Week 2

Julian Hattam, "How We Got Here" (on Canvas)

Hailey Britzky, "16 Years of Guantanamo" (on Canvas)

Daniel Klaidman, "How Gitmo Imprisoned Obama" (on Canvas)

Week Topics, Readings, Assignments, Deadlines

Controversial Legal Issues/Writing Workshop

Kathy Boylan et al.'s *Critical Reading, Critical Writing* (Chapter 4, Arguments)

Sam Brownback, "Don't Put Detainees at Ft. Leavenworth," (on Canvas)

Hannah Fairfield & Tim Wallace, "The Terrorists in US Prisons," (on Canvas)

Chris McGreal, "Hard Times in Michigan," (on Canvas)

"White House: Guantanamo Detainees Will Be Sent to Illinois Prison," (on Canvas)

Week 3 "Remarks of President Barack Obama, 'Protecting Our Security and Our Values,'" (on Canvas)

"Despite Gitmo Impasse...," (on Canvas)

"Issue of Where to Move Guantanamo Detainees Threatens Closure," (on Canvas)

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Week	Topics, Readings, Assignments, Deadlines
	<u>Critical Thinking & Primary Documents: Library Research</u>
	Article Summary Assignment Due
	Library Research Workshop
Week 4	Executive Order 13492 (Obama) (on Canvas)
	Executive Order 13823 (Trump) (on Canvas)
	Common Article 3 of the Geneva Conventions (on Canvas)
	“Habeas Corpus,” (on Canvas)
	<u>Closing Guantanamo?</u>
	Writing Workshop
Week 5	Critical Synthesis Due
	<i>Film Screening: Ghosts of Abu Ghraib</i>
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	<u>Where is Guantanamo?</u>
Week 6	Amy Kaplan, “Where Is Guantanamo?”
	<u>Legal Borderlands/Is Guantanamo Exceptional?</u>
Week 7	Dudziak and Volpp, “Legal Borderlands,” (on Canvas)

Week Topics, Readings, Assignments, Deadlines

Torture in Domestic and International Law I

US Bill of Rights (on Canvas)

Torture Convention (on Canvas)

Week 8

Torture in Domestic and International Law II

US Reservation to the Torture Convention (on Canvas)

Week 9 Detainee Treatment Act (on Canvas)

Torture and Democracy

Darius Rejali, *Torture and Democracy* (1-31)

Week 10

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Torture and Democracy

Darius Rejali, *Torture and Democracy* (32-63)

Week 11

The Economist Intelligence Unit's Index of Democracy (on Canvas)

Critical Synthesis Due

Week	Topics, Readings, Assignments, Deadlines
Week 12	<u>Oral Presentations</u>
Week 13	<u>Oral Presentations</u>
Week 14	<u>Torture and Popular Culture</u> Darius Rejali, <i>Torture and Democracy</i> (446-479)
Week 15	- <u>Torture and Popular Culture</u> Critical Synthesis Due - <u>Course Closing and Final Exam Prep</u>
Week 16	*Final exam due on Canvas by Wed, December 14th at 9:45 am.