

POLS 20-4 Controversial Legal Issues
San Jose State University, Fall 2009
M/W 12:00-1:15 pm
DMH 149A

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Hours: M/W 1:15-2:15pm & by appointment

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(Please put in the subject line POLS 20-4)

Required Texts:

Schick, Vaughn, *How to Think about Weird Things: Critical Thinking for a New Age-5th Edition*

Domino, *Civil Rights and Liberties in the 21st Century-3rd Edition*

Course Description:

This course is primarily a critical thinking course. The use of legal issues is to engage the students in critical thinking about the topics that impact their lives. The purpose of the course is to develop individuals' ability to construct valid arguments and to detect the flaws in the arguments of others. Mastery of the skills involved will encourage students to expect more from sources of knowledge and good reasons for the opinions they hold. Everyday choices involve some form of reasoning; by the end of the course, students will be able to discern the logic and evidence in arguments that are part of the selection of choices and the formation of opinions.

This course meets the GE Area A3-Critical Thinking- requirements. As such, it is expected that the students master the following skills:

1. Distinguish between reasoning and other types of discourse. Students will be exposed to a number of arguments on various legal issues that they must then parse in order to discover if the arguments are based on sound reasoning or are illogical in nature. To assist with this, students will learn the major types of logical fallacies through classroom activities and homework assignments.

2. Identify, analyze, and evaluate different types of reason. The course will discuss the use of inductive and deductive reasoning, as well as the scientific method, for discerning facts from leaps of faith. Students will then use that knowledge to check the validity and soundness of statements and ideas presented in class by the instructor and fellow students.

3. Find and state crucial unstated assumptions in reasoning. Through the use of classroom activities and discussion, as well as homework assignments and essays, students will explore the nature of human assumption, real and ideal, as well as their own personal assumptions that guide their expectation of what is logical.

4. Evaluate factual claims and their evidence. Students will be presented with arguments as they had been presented to the courts and in opinion pages and course

discussion will revolve around the facts and evidence that were presented in these arguments. Students will then be expected to demonstrate an understanding of how to determine what evidence is best for strengthening an argument in their assignments.

5. Demonstrate an understanding of what constitutes plagiarism. The university has created a handout on plagiarism; we will discuss at length the topic with a possible in-class exercise.

6. Evaluate information and its sources critically and incorporate selected information into a knowledge base and value system. The assignments on critical analysis will assist students in learning to weed out the bias reporting and to identify their own biases.

8. Locate, retrieve, organize, analyze, synthesize, and communicate in both written and oral forms, information of relevance, to controversial legal issues. Students will be instructed on the use of online legal search tools to find cases and facts to assist them in preparing for class and their debate assignment. In preparation, the students are encouraged to bring to the classroom any outside information they have uncovered on the issue of the week.

8. Reflect on past successes, failures, and alternative strategies. At the end of the semester, students will revisit past work to examine what could have been done to improve the quality of their arguments. Classroom discussion of the work will improve self-critique skills and will demonstrate the strategies for self-improvement.

Homework Assignments

A homework assignment will be due almost every week. Unit I assignments are at the end of each chapter of the Schick and Vaughn text. You must complete the questions under the headings, **Study Questions** and **Evaluate these Claims. Are They Reasonable? Why or Why Not?** The amount of questions varies from chapter to chapter; however, you will be expected to complete all of the questions in each chapter assigned. Each question will be worth 2 points. A correct response will be worth 2 points and an incorrect response will be worth 0. A response that is partially correct will receive 1 point. Your responses must be neatly handwritten using lined binder paper with your name, POLS20-4 and Fall 2009 at the top of the page.

Unit II assignments will be due every other week. On the week they are assigned all students will receive them, via email, no later than Friday morning. For example, you will receive the October 16th assignment no later than October 18^h. You will then have a little less than two weeks to finish the Argument Analysis. I may require Argument Analysis papers to be submitted to Turnitin.com but all requirements and specifics will be outlined in your email attachment. Should you require a paper copy of the assignment because of permanent circumstances, please see me.

In addition, to our regularly scheduled assignments, other in-class projects or quizzes could be assigned based on attendance and the class's understanding of the material.

Debate

Each student will participate in one debate on a controversial issue. There will be six debate groups with 6 students in each group, 2 students per issue. Each student will prepare a paper and argument on an assigned issue for the topic of the week. Every debate day, 2 students will debate each other on the basis of sound arguments. You must prepare an 8-minute oral argument and a 4-6-page paper that includes the various arguments on both sides of the issue, and your analysis of those arguments. Debaters will also be allowed 2 minutes for rebuttal. Students will be told on the day of the debate which side they will be debating-be sure you understand both sides of the issue and can articulate it. Your paper must analyze the pro and con arguments using your Unit I critical thinking skills. In addition, I may require your paper to be turned in to Turnitin.com by the day and time of your debate. Students will receive an email handout indicating your issue with all the requirements of both the paper and debate rules by 9/13.

Your grade will be based on your well-reasoned and articulated oral presentation as well as your analysis of the arguments for and against, in your paper. Students not presenting for the week will be expected to listen quietly but attentively so they may vote on the best argument, as presented.

Participation

Because choice involves interaction with the world surrounding us, students will be expected to actively participate in classroom discussions, debates, and activities. This is a course primarily geared toward developing argumentation skills, thus it is not unreasonable to expect your fellow students to argue with you. It should be understood that there is a difference between argumentation and confrontation. That being the case, **personal attacks on fellow students will not be tolerated.** If you believe that the argument being presented by another student is invalid, you may state so and present the evidence that you believe supports your position. Everyone should feel comfortable in discussing their beliefs, opinions, and ideas, but should understand that others may request-politely- evidence that supports their fellow students reasoning.

A couple of the in-class activities, on which course percentage points will be assessed, will involve active participation. It is hoped that the activities will be enjoyable to all, and by their very nature encourage active participation. Likewise, there will be structured debates on and discussion of topics of interest.

If you are uncomfortable with arguing with your fellow students, you may instead choose to ask questions about their arguments. This is a form of participation that is valid in the class. In addition, asking your fellow students to clarify their reasoning or asking for proof and pointing out flaws in their thinking are all legitimate forms of participation.

Grade Breakdown

In-class Assignments & Participation	30+
Unit I, Study Questions & Evaluating these Claims	144

Unit I Exam	100
Unit II, Argument Analysis, 35 x4	140
Unit II Final Exam	150
Debate Paper & Argument	<u>100</u>
<u>Total</u>	664

A 570-664, B 507-569, C 443-506, D 380-442, F 379 or less

Exams

Both the Unit I exam and the final exam will include multiple-choice and fill in the blank as well as argument analysis. The final exam will include a portion on the legal issues we have been discussing and evaluating. The final exam is cumulative from the beginning of the course but you will be provided on December 7, our last day of class, a study-guide. All exams are closed note and closed book unless otherwise indicated. Bluebooks may be required for portions of the exams.

Absences

Absences are not acceptable; however, you are all adults, so I will not be taking attendance beyond the second day of the course and will expect you to get the day's notes from someone who was in class should you miss a day. As some of the graded assignments will be done as class-participation, if you miss a day in which this occurs, you will not be able to make up that assignment.

While attendance, in and of itself, is not used to determine part of your course grade, the notes you will take will be of assistance and if you are not in class, you will not have the benefit of the discussion that occurred. Quite often, exam questions stem from the discussion held in the classroom; if you were not there for the discussion, you have put yourself at a disadvantage.

If you are unable to attend class on time, you are allowed to enter the classroom late. However, tardiness should be avoided, as you will have my undivided attention when you enter after the class has begun.

Should you miss an exam or your debate date or any other assignment you must have a valid excuse and evidence that a situation was, indeed, beyond your control. Unapproved absences and inappropriate excuses include, but are not limited to: my printer ran out of ink, I just got a new job and I can't make it to class or the exam, and my all time favorite, my mom scheduled our family vacation, so I can't make the final.

Calendar

Unit I Critical Thinking

Week One **8/24 & 8/26**

Introduction, What constitutes plagiarism, You have your truth and I have mine?
Logical, physical and technological possibilities.

Homework: Read Schick & Vaughn, Chapter 1 & 2
Answer Chapter 2 Study Questions & Evaluate these
Claims

Week Two 8/31 & 9/2

Arguments: The good, bad and the stupid! Jim, that's not logical!
& All my fallacies. Homework due from week one on 9/2.

Homework: Read Schick & Vaughn, Chapter 3
Answer Chapter 3 Study Questions & Evaluate these
Claims

Week Three 9/7 & 9/9

9/7 No Class-Labor Day

Finish fallacies on 9/9.

Homework: Read Schick & Vaughn, Chapter 4

Receive Debate email by 9/13 with instructions and your issue.

Week Four 9/14 & 9/16

I don't have to have a reason, you prove it's not true: reason, knowledge,
and faith. Homework due from week two on 9/16.

Homework: Read Schick & Vaughn, Chapter 4
Answer Chapter 4 Study Questions & Evaluate these
Claims

Week Five 9/21 & 9/23

Finish reason, knowledge, and faith. Homework due from week four on
9/23.

Homework: Read Schick & Vaughn, Chapter 5
Answer Chapter 5 Study Questions & Evaluate these
Claims

Week Six 9/28 & 9/30

Is that my mind playing tricks on me? The Scientific Method.
Homework due from week five on 9/30.

Homework: Read Schick & Vaughn, Chapter 6
Answer Chapter 6 Study Questions & Evaluate these
Claims

Week Seven 10/5 & 10/7

10/5 Finish the Scientific Method.
Homework due from week six on 10/7

10/7 Unit I Exam

Homework Read Domino, Chapter 1

UNIT II Controversial Legal Issues

Week Eight 10/12 & 10/14

Symbolic and Offensive Speech
10/14 Group I, Debate and Papers Due
Homework Read Domino, Chapter 2, pgs 48-88
 Receive via email 10/16, Argument Analysis I, due 10/28

Week Nine 10/19 & 10/21

10/19 & 10/21 No Class-Furlough Days

Week Ten 10/26 & 10/28

The Establishment Clause and State-Sponsored Religion
10/28 Group II, Debate and Papers Due
 Argument Analysis I Due
Homework Read Domino, Chapter 3, pgs 113-155

Week Eleven 11/2 & 11/4

Rights of the Accused
11/4 Group III, Debate and Papers Due
Homework Read Domino, Chapter 4
 Receive via email 11/6-Argument Analysis II, due 11/18

Week Twelve 11/9 & 11/11

11/9 I want to be left alone!
11/11 No Class-Veteran's Day
Homework Read Domino, Chapter 5 pgs

Week Thirteen 11/16 & 11/18

Privacy and Sexual Autonomy
11/18 Group IV, Debate and Papers Due

Argument Analysis II Due

Homework Read Domino, Chapter 6, pgs
Receive via email 11/20-Argument Analysis III, due 12/2

Week Fourteen 11/23 & 11/25

Equal Protection of the Laws-Race Discrimination
11/25 Group V, Debate and Papers Due
Homework Read Domino, Chapter 7

Week Fifteen 11/30 & 12/2

Equal Protection of the Laws-Sex Discrimination
12/2 Group VI, Debate and Papers Due
Argument Analysis III Due
Homework Receive via email 12/4-Argument Analysis IV, due 12/15

Week Sixteen 12/7

In-class Argument discussion, Analysis and Reflection

12/15 Final Exam 9:45-12 in DMH 148A, Argument Analysis IV Due

University Policy Information

The University desires it known that Academic Dishonesty will not be tolerated. Your own commitment to learning, as evidenced by your enrollment at San Jose State University, and the University's Academic Integrity Policy requires that you be honest in all your academic course work. Faculty members are required to report all infractions, no matter how minor, to the Office of Student Conduct and Ethical Development. Any work that is done for another course, current or past, **cannot**, be turned in for credit in this course. If you are unsure of the policy on Academic Integrity, please see the information on the University website:

http://sa/sjsu/edu/student_conduct

If you need course adaptation or accommodations because of a disability, or you need special arrangements in case the building must be evacuated, please make an appointment with me during office hours as soon as possible. Presidential Directive 97-03 requires that students with disabilities requesting accommodations must be registered with the DRC to establish a record of their disability.

Disclaimer

All the above information may be subject to change with fair notice from the University, the Department of Political Science, and/or myself. I reserve the right to administer pop quizzes should severe lack of attendance become an evident trend, the points from the pop quiz will be treated as participation points in the final point distribution. In addition, should email delivery of assignments prove to be problematic, I may deliver additional handouts and assignments during class.