

POLS 20-3 Controversial Legal Issues
San Jose State University, Fall 2011
1:30-2:45 pm
BBC 225

Al Schendan

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Hours: T/TH 2:50-3:50 & by appointment Please call from 10-5, M-F

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(Please put in the subject line POLS 20-3 T/TH)

Required Texts:

Schick, Vaughn, *How to Think about Weird Things: Critical Thinking for a New Age-6th Edition*

Domino, *Civil Rights and Liberties in the 21st Century-4th 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 and others 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 the topic and how you can avoid the appearance or act of plagiarism.

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.

Homework Assignments

Students are required to read 25-50 pages and complete assigned homework every week. Unit I assignments can be found at the end of each chapter of the Schick and Vaughn text. You must complete the questions under the headings, **Study Questions, Evaluate these Claims, and Discussion Questions.** The amount of questions varies from chapter to chapter; however, you will be expected to complete all of the questions in each chapter heading assigned. All questions will be worth up to 2 points except Discussion Questions, which will be worth up to 5 points. Study Questions and Evaluate these Claims will be worth 2 points for a correct response and an incorrect response will be worth 0. A response that is partially correct will receive 1 point. Finally, Discussion Questions will also be evaluated on a sliding scale with 0 points for an incorrect response and 5 points for a completely correct and thorough. Your responses must be neatly handwritten using lined binder paper with your name, POLS20-3 and Fall 2011 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 Sunday of the week it is assigned. 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 as well as in-person 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/or the class's understanding of the material.

Debate

Each student will participate in one debate on a controversial legal issue. There will be six debate groups with 4-6 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 a 7-8-minute oral argument and a 5-6 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 so you may be able to articulate and debate it. Your paper must analyze the pro and con arguments using your Unit I critical thinking skills. In addition, I will 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 the paper, debate and grading criteria.

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

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 politely request evidence that supports their fellow students' reasoning.

A couple of the in-class activities, which will be counted as in-class assignment points, will involve active participation but are extra points. 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.

Writing Requirements

Students of political science should develop the ability to write in clear, grammatical English. Spelling and grammar count! The following guidelines and resources will help students avoid common mistakes in spelling and grammar and provide useful information to help you craft university level scholarship. Students must ensure 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. Ideas from others must also be referenced although quotations marks are inappropriate. 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 www.Sjlibrary.org/services/literacy/info_comp-citing.htm

For further writing assistance:

The SJSU Writing Center is staffed by professional instructors and upper-division or graduate-level writing specialists from each of the seven SJSU colleges. Writing specialists have met a rigorous GPA requirement and they are well trained to assist all students at all levels within all disciplines to become better writers. It is your responsibility to arrange a time to meet with the instructors. Consult with your professor in advance to determine whether you need assistance with your writing.

Arguably, the best way to improve your own writing is to read quality material on a regular basis. To that end, students are encouraged to read articles from scholarly sources, but also newspapers and magazines such as *The Wall Street Journal*, *The Financial Times*, *The New York Times*, and *The Economist*. These publications also contain articles of direct relevance to their political science classes.

Grade Breakdown

In-class Assignments (Not included in total)	20+
Unit I Study Questions & Evaluating these Claims	134
Unit I Discussion Questions	45
Unit I Exam	100
Unit II Argument Analysis, 30 x3	90
Unit II Final Exam	125
Debate Paper & Argument	<u>100</u>
<u>Total</u>	594

Your grade will be based on the percentage of the total points possible you accumulated. For example, to receive an A- you must have 90 percent of the points possible, in this case, it would be 534 out of 594 points. To receive a B or an 86, you would have to have 510 points and so on. Below is a standard grading scale.

97-100 A+	93-96 A	90-92 A-
87-89 B+	83-86 B	80-82 B-
77-79 C+	73-76 C	70-72 C-
67-69 D+	63-66 D	60-62 D-
59 and below is an F		

Exams

Both the Unit I exam and the Unit 2 final exam will include multiple-choice, fill in the blank, short answer and argument analysis. The final exam will be cumulative including Unit I and II material. A verbal study-guide will always be furnished but all exams are closed note and closed book unless otherwise indicated before the exam.

Absences and Late Work

Absences are not acceptable; however, you are all adults and 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 in class, you will not be able to make up this assignment, should you miss a day in which this occurs. In addition, tardiness may affect a student's ability to participate in in-class activities.

While attendance 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 benefits 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. In addition, in-class assignment points are only available in class; there are no make-ups for those lost opportunities.

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 so 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.

Late work should be avoided, however I will allow late work to be turned in. The following penalty will apply to work turned in late: any time past the due date and time up to a week late will receive a 1/3 point deduction from the total number of points available. For Example, if you turn in a homework assignment worth 21 points one day late, you will receive a maximum of 14 points; past a week and up to two weeks late, the most you will receive is 7 points. An Argument Analysis turned in a week late will receive a 10-point reduction, worth up to 20 points and so on. Work is considered late and will receive a late penalty when it is not turn in on the due date during class. If your homework is due Thursday but you turn it into my office box on Friday you will receive the 1/3 late penalty. Missed exams, debates, or papers will require valid written proof that involves a situation beyond your control, however debates are very difficult to reschedule and may result in lost points regardless of your excuse. Late papers without excuses beyond your control will result in a reduction of 5 points for every weekend your paper is late. Again, papers due on Thursday but turned in on Friday will still receive the 5 point penalty.

Calendar

Unit I Critical Thinking

Week One August 25

Introduction, You have your truth and I have mine?

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

Week Two August 30/September 1

Logical, physical and technological possibilities.

Arguments: The good, bad and the stupid! Jim, that's not logical!

Homework due from week one on 9-1

Homework: Read Schick & Vaughn, Chapter 3 pgs 33-48
 Answer Chapter 3 Study Questions

Week Three September 6/8

Deductive and Inductive Arguments

Homework due from week two on 9-8

Homework: Read Schick & Vaughn, Chapter 3-pgs 49-57
 Answer Chapter 3, Evaluate these Claims

Week Four September 13/15

Fallacies: Making a poor argument worse!

Homework due from week three on 9-15

Name that fallacy-in class assignment.

Homework: Answer Chapter 3, Discussion Questions

Week Five September 20/22

Using what we know: How to analyze an argument.

Homework due from week four on 9-22

Homework: In-class argument analysis
 Read Schick & Vaughn, Chapter 4
 Answer Chapter 4 Study Questions & Evaluate these
 Claims

Receive Debate email by September 25th with instructions and your issue.

Week Six **September 27/29**

I don't have to have a reason, you prove it's not true: reason, knowledge, and faith.

Homework due from week five on 9-29.

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

Week Seven **October 4/6**

I know its true, I felt it, I saw it: Is that my mind playing tricks on me?

Homework due from week six on 10/6.

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

Week Eight **October 11/13**

The scientific method.

Homework due from week seven on 10/13. Receive verbal study-guide 10/13

Homework: Read Domino, Chapter 1
 Schick & Vaughn, Chapter 8
 Answer Chapter 6 Discussion Questions & Chapter 8
 Discussion Questions

Receive via email by 10/16-Argument Analysis I, due 10/27.

Week Nine **October 18/20**

Finish the scientific method. Relativism and Reality

October 20th, Unit I Exam, includes all reading and lecture material through 10/18

Homework due from week eight on 10/20

Homework: Read Domino, Chapter 2

UNIT II Legal Issues

Week Ten **October 25/27**

Symbolic and Offensive Speech

Group I, Debate and Papers Due 10/27

Homework: Read Domino, Chapter 3

Argument Analysis I due 10/27

Week Eleven **November 1/3**

The Establishment Clause and State-Sponsored Religion

Group II, Debate and Papers Due 11/3

Homework: Read Domino, Chapter 4

Week Twelve November 8/10

Rights of the Accused

Group III, Debate and Papers Due 11/10

Homework: Read Domino, Chapter 5

Receive via email 11/13-Argument Analysis II, due 11/22

Week Thirteen November 15/17

I want to be left alone!

J S Mill and the Harm Principle

Group IV, Debate and Papers Due 11/17

Homework: Read Domino, Chapter 5

Week Fourteen November 22

Privacy and Sexual Autonomy

Homework: Read Domino, Chapter 6

Argument Analysis II due 11/22

No Class-Thanksgiving Day 11/24

Week Fifteen November 29/December 1

Equal Protection of the Laws-Race Discrimination

Group V, Debate and Papers Due 12/1

Homework: Finish reading Domino, Chapter 6

Argument Analysis II, due 12/1

Receive via email 12/4-Argument Analysis III, due 12/14

Week Sixteen December 6/8

Equal Protection of the Laws-Sex Discrimination

Group VI, Debate and Papers Due 12/8

Reflection and Evaluation

Receive verbal study-guide for the final exam

December 14th,

Final Exam, Wednesday December 14, 1215-230 in BBC 225, Argument Analysis III

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 of 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 in-class 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.