II LEGAL ARGUMENTATION COURSE

COORDINATOR AND LECTURER
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1. DESCRIPTION

This is the second edition of a course on legal argumentation as deployed in the actual practice of the law. Each unit comprises one 90-minute lecture and one 90-minute workshop. The course is taught entirely in English.

2. TARGET AUDIENCE

Lawyers, other law practitioners, magistrates, law graduates, and students.

3. PROGRAMME

13 MAY (18:30–21:30)
Unit 1: Reasoning with Rights

14 MAY (18:30–21:30)
Unit 2: Valid Arguments and Formal Fallacies

18 MAY (18:30–21:30)
Unit 3: Informal Fallacies and the Practice of Argument Reconstruction

20 MAY (18:30–21:30)
Unit 4: The Legal Syllogism

21 MAY (18:30–21:30)
Unit 5: Authority and Analogy

4. UNITS

Unit 1 focuses on Hohfeld's framework of legal positions. We will study two "families" of concepts: the first-order family of duties, claim-rights, liberties, and no-rights; and the higher-order family of powers, liabilities, disabilities and immunities. We will see how the concepts within each family can be arranged into pairs of correlatives and contradictories, and pay special attention to the distinction between claim-rights and liberties and its implications for legal argumentation.

Units 2 and 3 cover the elements of argumentation. We will concentrate on deductive arguments, looking at (a) conditional statements and their uses in argumentation, (b) several basic argument patterns, (c) some formal fallacies, and (e) some informal fallacies (including *petitio principii*, the straw man fallacy, and false dichotomies).

Units 4 and 5 focus on specifically legal arguments. We will discuss the model of the "legal syllogism", considering different ways in which the premises of legal arguments can be justified; and we look at the practice of reason-giving, including the role of authority and the structure of arguments by analogy in law.

FEE: 300 €

NOVA SCHOOL OF LAW STUDENTS: 110 €

COURSE DURATION: 15h

MINIMUM NUMBER OF REGISTRATIONS: 15

REGISTRATIONS: www.fd.unl.pt

INFORMATIONS: jurisnova@fd.unl.pt

apoio: organização:

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