



SAMPLE SYLLABUS OF RECORD

I. Catalogue Description

PHIL 110: Reasoning and the Law

Hour Designation: 3c-01-3cr

Credits: 3.0

Emphasizes development of critical thinking in the context of legal reasoning. Students are exposed to issues in the Law, and to modes of reasoning required in that domain and others. Application of principles and methods to detailed analysis of well-known judicial cases.

College: College of Humanities/Soc Sci

Department: Philosophy

Pre-requisites: None

II. Course Objectives

At the end of the course students will be able to:

- A. Recognize, analyze, and evaluate arguments.
- B. Understand the nature of legal reasoning.
- C. Analyze relevant legal concepts and arguments in a careful, sustained manner.
- D. Demonstrate analytical and synthesis techniques.

III. Detailed Course Outline

Week 1-2: Statements and Arguments

Words, Meaning, and Definition (R&L Ch. 1.1-1.2)

~~Sentences, Language Use, and Truth (R&L Ch. 1.3)~~

The Nature of Arguments (R&L Ch. 2.1-2.2)

Week 3-5: Deduction, Induction, and Reasoning in Law

Deductive vs. Inductive Reasoning; Deduction and Validity (R&L Ch. 2.3-2.4)

Inductive Reasoning and Methods of Appraising Strength (R&L Ch. 2.5)

~~Deductive Reasoning and the Law (R&L Ch. 2.1-2.2)~~

Inductive Reasoning and the Law (R&L Ch. 3.3)

Week 6: How Judges Reason

Week 9: Insanity Defense

State v. Cameron (PPL, 430-433)

State v. Cameron (PPL, 430-433)

Norval Morris "The Abolition of the Insanity Defense" (PPL, 433-436)

State v. Cameron (PPL, 430-433)

Week 10: Obscenity and Pornography

"Obscenity and Pornography" (PPL, 430-433)

IV. Evaluation Methods:

Evaluation methods may vary. The following is a sample Evaluation Method:

Three in-class examinations will test students' ability to locate and analyze arguments in a text, differentiate between different kinds of arguments (e.g. deductive, inductive, abductive) and their use in legal contexts, and recognize and evaluate the legal reasoning in well known judicial cases. Examinations will be combination of true/false, multiple choice, and short answer questions. Assessment for the course breaks down as follows:

Exam 1: 30%

Exam 2: 30%

Exam 3: 30%

Class Participation: 10% (Class participation will be measured primarily by attendance, but also by actively listening and engaging in class discussions; students will be provided with clear guidelines about this at the start of the semester.)

V. Example Grading Scale

90-100% A, 80-89% B, 70-79% C, 60-69% D, 59% or less F.

VI. Undergraduate Course Attendance Policy

It is expected that students will attend every scheduled class. Particulars for penalizing missed classes will be left to individual instructors. (See undergraduate catalog for Undergraduate Course Attendance Policy.)

VII. Required Textbooks, Supplemental Books and Readings.

Required texts will vary by semester according to instructor preference. The above syllabus is based on the following texts:

Savellos, E. (2001). *Reasoning and the Law: The Elements*. Belmont, CA: Wadsworth. [R&L]

Adams, D. (2005). *Philosophical Problems in the Law*. Belmont, CA: Wadsworth. [PPL]

VIII. Special Resource Requirements: None.**IX. Bibliography**

Adams, D. (2005). *Philosophical Problems in the Law*. Belmont, CA: Wadsworth

Alexy, R. (1989). *A Theory of Legal Argumentation*. Oxford: Oxford University Press.

Altman, A. (2000). *Arguing About Law: An Introduction to Legal Philosophy*. Belmont: Wadsworth.

Burton, S. (1995). *An Introduction to Law and Legal Reasoning*. New York: Little, Brown.

Feinberg, J. and H. Gross (1995) *Philosophy of Law*. Belmont, CA: Wadsworth.

Flahter, G. (1996). *Basic Concepts of Legal Thought*. Oxford: Oxford University Press.

- Moore, B. and R. Parker (1995) *Critical Thinking*. Mountain View, CA: Mayfield.
- Pincoffs, E. (1991). *Philosophy of Law: A Brief Introduction*. Belmont, CA: Wadsworth.
- Savellos, E. (2001). *Reasoning and the Law: The Elements*. Belmont, CA: Wadsworth.
- Schauer, F. and W. Sinnott-Armstrong (1996). *The Philosophy of Law: Classic and Contemporary Readings with Commentary*. Fort Worth TX: Harcourt Brace.
- Smith, P. (1993). *The Nature and Process of Law: An Introduction to Legal Philosophy*. Oxford: Oxford University Press.
- Vandavelde, K. (1998). *Thinking Like A Lawyer: An Introduction to Legal Reasoning*. Boulder, CO: Westview.

COURSE ANALYSIS QUESTIONNAIRE

A. Details of the Course.

A1. The course will be open to all IUP students.

A2. This course does not require changes in any existing Philosophy department courses.

A3. This course has not been offered on a trial basis.

A5. This course may not be taken for variable credit.

A6. Institutions that offer similar courses include:

Union College: Reasoning and the Law

SUNY Geneseo: Reasoning and the Law

University of Northern Colorado: The Nature of Legal Reasoning

A7. This specific course is not required by the American Philosophical Association.

B. Interdisciplinary Implications.

B1. This course will be taught by one instructor.