



UNIVERSITÀ DEGLI STUDI DI PALERMO

DEPARTMENT	Giurisprudenza
ACADEMIC YEAR	2016/2017
MASTER'S DEGREE (MSC)	LAW
SUBJECT	LEGAL LOGIC AND METHODOLOGY
TYPE OF EDUCATIONAL ACTIVITY	A
AMBIT	20002-Filosofico-giuridico
CODE	15549
SCIENTIFIC SECTOR(S)	IUS/20
HEAD PROFESSOR(S)	BRIGAGLIA MARCO Professore Ordinario Univ. di PALERMO
OTHER PROFESSOR(S)	
CREDITS	6
INDIVIDUAL STUDY (Hrs)	102
COURSE ACTIVITY (Hrs)	48
PROPAEDEUTICAL SUBJECTS	15550 - LEGAL PHILOSOPHY
MUTUALIZATION	
YEAR	4
TERM (SEMESTER)	2° semester
ATTENDANCE	Not mandatory
EVALUATION	Out of 30
TEACHER OFFICE HOURS	BRIGAGLIA MARCO Friday 11:00 13:00 Il ricevimento avverrà, dietro prenotazione, presso Piazza Bologni 8, piano 2, stanza 11. Su richiesta, si potrà concordare anche un ricevimento su Teams e, in caso di disponibilità del docente, in orari diversi da quelli su indicati.

DOCENTE: Prof. MARCO BRIGAGLIA

PREREQUISITES	Capacity to build and analyse complex argumentative structures; aptitude to conceptual analysis; basic knowledge of the main types of reasoning; basic understanding of the problems of legal interpretation and adjudication.
LEARNING OUTCOMES	<p>Knowledge and understanding: knowledge and understanding of the main forms of legal reasoning, arguments, interpretive methods.</p> <p>Applying knowledge and understanding: ability to reconstruct the reasoning and argumentative models operating in both hypothetical and real legal discourses.</p> <p>Making judgments: ability to use properly legal arguments in order to make autonomous judgments about the solution of both hypothetical and real legal cases.</p> <p>Communication: ability to communicate in a clear and exhaustive way, and to convincingly argue in defence of given solutions to legal cases, making a proper use of technical legal language.</p> <p>Lifelong learning skills: development of ratiocinative and argumentative skills, also in dialectical contexts.</p>
ASSESSMENT METHODS	<p>Final exam. Exam type: oral exam (minimum two questions). Evaluation: Grades on a scale between 18 and 30 cum laude.</p> <p>Evaluation Grid: - Excellent: 30-30 cum laude. Excellent knowledge and understanding, excellent communication and argumentative skills, proper use of technical language. - Very good: 26-29. Good knowledge and understanding, good communication and argumentative skills, proper use of technical language. - Good: 24-25. Basic knowledge and understanding, average communication skills, limited argumentative skills. - Average: 21-23. Limited basic knowledge and understanding, sufficient communication skills, poor argumentative skills. - Fair: 18-20. Minimal basic knowledge and understanding, poor communication skills, poor argumentative skills. - Poor. Non-sufficient knowledge and understanding.</p>
EDUCATIONAL OBJECTIVES	The course aims at examining the nature, structure and methods of legal reasoning, argumentation and interpretation, reflecting on the role and the different forms of rationality in the law.
TEACHING METHODS	Lectures
SUGGESTED BIBLIOGRAPHY	R. Guastini, Interpretare e argomentare, Milano 2011.

SYLLABUS

Hrs	Frontal teaching
2	Reasoning, Logic and Psychology
2	Normativity of reasoning
2	Practical and theoretical reasoning
2	Practical reasoning and norms
4	Reasoning and argumentation
4	Bounded rationality
2	Heuristics and biases
6	Legal reasoning and bounded rationality
2	Legal reasoning and legal interpretation
2	Theories of legal interpretation
6	Rules and techniques of statutory interpretation
4	Constitutional interpretation
2	Legal reasoners: judges
2	Reasoning, proof and trial
2	Legal reasoners: public administration
4	Conclusions. Law and reason