

Program: Doctoral Academic Studies		
Course title: LEGAL REASONING		
Teachers: Dr. Jasminka Hasanbegović, Full Professor		
Course status: optional		
Number of ECTS: 10		
Requirements: None		
Aims of the course: This course encompasses introduction to general logic, legal logic and legal argumentation with the aim of making students knowledgeable in the specificities and problems of legal reasoning. In the first part of the semester central categories of general logic are studied – concept, proposition and conclusion. In the second part of the semester the study of general logic is combined with the study of legal argumentation. Various conceptions of legal argumentation are discussed, as well as the specificities of these conceptions. A special emphasis is placed on the elements of the structure of argumentation in law – goal, subjects and auditorium.		
Course result: Knowledge about the legal logic and legal reasoning.		
Course content: 1. Legal Logic 1.1. The concept of logic. Forms of thought. Concepts – the concept of a concept, kinds of concepts, relations between concepts 1.2. Proposition: Concept, kinds and relations between propositions. Conclusion – traditional and contemporary conceptions of conclusion and logical mistakes 2. Legal Argumentation 2.1. The concept of argumentation: Analytical and dialectical reasoning 2.2. Argumentation, logic, topics, rhetoric, hermeneutics and other related disciplines 2.3. The Structure of Argumentation 2.4. The goal of argumentation – decide, convince, persuade someone (not) to accept the (hypo)thesis 2.5. Subjects of argumentation and the status of participants in legal argumentation 2.6. The speaker 2.7. Paradigms of a speaker in law – the lawgiver or only the judge 2.8. Auditorium – universal and particular 2.9. Means of argumentation 2.10. Discourse and language – legal language and the language of law 2.11. Arguments – concept and kinds 2.12. Aristotle’s classification in “Topic” 2.13. Aristotle’s classification in “Rhetoric” 2.14. Cicero’s classification 2.15. Perelman’s classification 3. History of theories of argumentation		
Literature: Mandatory and additional literature in English, German, French, Italian or Spanish will be determined in accordance with the candidate’s knowledge of foreign languages, his country of origin and his knowledge of the topic.		
Number of lectures – active classes	Theoretical classes: 15	Practical classes: None
Instruction method: Lectures		
Grading system (maximum number of points 100)		

Pre-exam obligations	points	Final Exam	points
Activities during lectures	20	Oral exam	60
Seminar classes	20		