



UNIVERSIDADE LUSÍADA
LISBOA

Course Unit Program
Logic and Legal Arguments

Academic Year 2024/2025

1. Organic Unit

Faculty of Law

2. Course

LAW

3. Cycle

1st

4. Course Unit

Logic and Legal Arguments (02343)

5. Scientific Area

6. Curricular Year

4th

7. Type of Curricular Unit / Semester

2nd Semester



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8. Class type and workload (work time)

Theoretical classes:

Practical classes:

Theoretical-Practical Classes 30,00

Tutorial Guidance:

9. ECTS Credits

3,00

10. Scientific Area Coordinator

11. Regent

Prof. Doutor LUIS MANUEL BARBOSA RODRIGUES

12. Assistants

13. Teaching Language

Portuguese

14. General Objectives

Students' awareness of the relevance, both theoretical and functional, of study of legal logic, legal argumentation, and their reciprocal connections.

15. Specific Objectives

Knowledge of the main logical and logical-legal rules.

Knowledge of the main procedures, characteristics and types of legal arguments.

16. Skills to be acquired

Acquisition of skills related to legal logic.

Acquisition of skills related to legal argumentation.

17. Teaching Methodology

Theoretical-practical exposition of the integrality of the syllabus adopted.

Realization of logical-argumentative oral speeches with subsequent contradictory.

18. Course Unit Program



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INTRODUCTION

PART I - LEGAL LOGIC

1. Logic
 - 1.1. Notion and nature
 - 1.2. Formal logic and material logic
 - 1.3. Deductive logic and inductive logic
2. Legal logic
 - 2.1. notion and nature
 - 2.2. Logic and creation of Law
 - 2.3. Logic and identification of the Law
 - 2.4. Logic and application of law

PART II - LEGAL ARGUMENTS

1. Notion and nature
2. Persuasion, speaker and audience
3. Argument procedures
 - 3.1. Invention
 - 3.2. Disposition
 - 3.3. Utterance
4. Argumentative narration requirements
 - 4.1. Systematicity
 - 4.2. Segmentation
 - 4.3. Syntheticity
 - 4.4. Rhythm
 - 4.5. Clarity
 - 4.6. Rigor
 - 4.7. Likelihood
 - 4.8. Creativity
 - 4.9. Personalization
5. Types of arguments
 - 5.1. Legal
 - 5.2. Facts
 - 5.3. Valuations
 - 5.4. Emotional
 - 5.5. Legitimizers



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5.6. Personalists

PART III - LEGAL LOGIC AND LEGAL ARGUMENTATION

1. Truth and persuasion

2. Falsehood and Law

19. Assessment Methods

Oral legal logical-argumentative speech, with elaboration of a further written work.
A single written test.

20. Didactic Resources

All available at the University Library.

21. Sustainability Objectives

Uncompromising defense of study, effort, work. merit, rigor and demand, as essential values for sustainable knowledge.

22. Keywords

Logic
True
argumentation
Persuasion



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23. Main Bibliography

Author(s): MARTINEAU, François
Title: Tratado de argumentação judiciária
Edition: 1ª (port) Year: 2006
Local: Lisboa
Publisher: Tribuna

Author(s): PERELMANN, Chaim
Title: Lógica jurídica. Nova retórica
Edition: 1ª (bras) Year: 2004
Local: São Paulo
Publisher: Martins Fontes

Author(s): SILVA, Ivan de Oliveira
Title: Curso de lógica geral e jurídica
Edition: 1ª Year: 2009
Local: São Paulo
Publisher: Atlas

24. Complementary Bibliography

Author(s): ALEXY, Robert
Title: Teoria da argumentação jurídica
Edition: 2ª (bras) Year: 2001
Local: São Paulo
Publisher: Landy

Author(s): RODRIGUES, L. Barbosa
Title: Introdução ao Direito - Interno e Internacional
Edition: 3ª Year: 2018
Local: Lisboa
Publisher: Quid Juris



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