

PHIL 1501: LOGIC AND LEGAL REASONING

Autumn 2023
The Ohio State University

Instructor	Jason DeWitt
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Office Hours	W 1-3PM
Class Time	MW 5:30 - 6:50PM
Class Location	Journalism 270

Description Welcome! I'm very excited to do some logic and philosophy with you all.

What is an argument and what features do good arguments have? When is one legal case stronger than another? What styles of reasoning do lawyers use and how exactly do they use them? In this class, we will study the various types of logical reasoning and see how to use logic effectively and responsibly. We'll spend our semester learning about styles of reasoning, rules of logic, and even some famous legal arguments. We'll practice our critical thinking skills and work on developing focused arguments. We'll also practice our abilities to write analytically and read carefully. In the second half of the course, we'll even spend some time practicing the sort of "Logic Games" one would find on the LSAT.

General Education Information Philosophy 1501 satisfies the GE requirement in the Mathematical and Logical Analysis category under the Quantitative and Logical Skills requirement. The goals of this requirement are as follows: Students develop skills in quantitative literacy and logical reasoning, including the ability to identify valid arguments, and use mathematical models.

Expected Learning Outcomes:

- Students comprehend mathematical concepts and methods adequate to construct valid arguments.
- Students comprehend mathematical concepts and methods adequate to understand inductive and deductive reasoning.
- Students comprehend mathematical concepts and methods adequate to increase their general problem solving skills.

How this course attains these goals and outcomes: In this course, you will receive an introduction to both inductive and deductive reasoning. Both types of reasoning are used in mathematics and in law. Thus, understanding the methods of reasoning will increase the student's general problem solving skills and help them to construct valid arguments.

Class Conduct Parts of this class will be heavily discussion based. And we will discuss very sensitive political, moral, and legal topics. So even if we disagree with someone else, we must

voice that disagreement in a respectful manner and treat all the members of class with human dignity. If we want to, as a class, we may develop a list of conversational ground rules for our discussions. Also, do not use cellphones once class starts and please do not email, Internet shop, or social media scroll during class.

Carmen Besides the required textbook, all other course content such as announcements, slides, assignments, grades and required readings will be made available on Carmen. You are expected to do the readings *before* the class for which the reading is assigned. Check Carmen regularly. What is assigned on Carmen takes precedence over the assignments/readings detailed on the syllabus. Contact me via *email*, *instead* of via the Carmen messaging.

Materials There is one required textbook for this class. All of the other assigned reading material will be available for free on Carmen. Make sure you have the following textbook in your possession by October 7th:

1. *The Five Types of Legal Argument*, 3rd edition. By Wilson Huhn. ISBN: 978-1611635881.

Requirements and Grading Your overall course grade will be assigned based on the following components (with the corresponding percentage of overall grade for the assignment given in parenthesis):

- Introductory assignment (5%).
- Participation and attendance (20%).
- Quizzes (20%).
- Midterm paper (25%).
- Final exam (30%).

Detailed assignment sheets for the introductory assignment and the midterm paper will be distributed closer to the time of assignment, though some minimal detail for each portion of your grade can be found in the next section of this syllabus. Tentative due dates will be given below. There will be no extra credit in this class.

Descriptions of Major Course Assignments

The **introductory assignment** will be a short paper (300-800 words) in which you describe your personal experience with logic and introduce yourself to me. I expect you to let me know what logical concepts you know going into this course, what you'd like to learn more about, any background with law, logic or philosophy you may have, your major, and what fields you're interested in pursuing (whether that be a specific sub-field of law or something else).

You will be assigned 5 **quizzes** over the course of the semester. I expect each quiz will be about 5 to 10 questions long. Their primary purpose is to give me a sense of what you are learning and/or struggling with. But they should also serve as an incentive to keep up with the reading and study materials.

You will be assigned a **midterm research paper**. The midterm will be worth 25% of your grade. It should be 1000-1700 words long. You will get the choice between several landmark Supreme Court decisions. Then, I want you to isolate the conclusions of both the majority and dissenting opinions. You will briefly summarize the main reasons given for those opinions. Lastly, you will discuss which side (dissenting or majority) you think had better

reasons in support of their decision. This will allow you to practice a few important skills: (i) analyzing legal arguments into their parts, (ii) identifying valid and sound arguments, (iii) thinking through legal argumentation on your own, and (iv) writing analytical essays.

The **final exam** will be a cumulative exam on the various concepts and skills we've learned over the semester. It will consist of multiple question types: multiple choice, true or false, fill in the blank, and short answer. More detail will follow as we approach the end of the semester.

Participation and attendance. Please read the assigned reading material *before* class for the day that it was assigned. Everyone is expected to participate in the class in some capacity, whether it be in small group discussion, by asking questions, or by participating in whole-class discussions. A note will be made of participation in lectures, and your participation grade will rise the more one conscientiously participates. A conscientious participant is one who makes respectful contributions to the discussion, not one who tries to dominate it or change the subject. Conscientious participation also requires being familiar with the material before class begins. As for attendance, it will be recorded and kept up with via exit cards. Most class periods, I will distribute index cards where you are to write a question or comment that you had about the material for the day. Make sure to write your full name on them legibly as they will serve as the way I take attendance during lectures. You are allowed up to **four** absences, no questions asked. That is, you can miss four lectures, for any reason whatsoever, with no penalty to you. Starting with the fifth day missed, however, a point will be dropped from your participation and attendance grade for every further day missed. This means, for example, if you miss six lectures, the **maximum** participation and attendance grade you will be able to receive will be an 18 out of 20. Of course this attendance policy is up to negotiation on a one-on-one level if you are suffering from a more severe illness, facing some traumatic life event during the semester, or are a student-athlete with the University-approved travel documentation. If any of this applies to you or if you have any questions about the attendance policy (or any other grading policy), please just come see me or email me. I'm happy to discuss things with any of you. **Important note:** *It is essential that you do not miss the quiz days (identified below on the syllabus) without a formally excused absence since I don't plan to host make-up quizzes for anyone who hasn't cleared their absence with me in advance.*

Late Assignments Extensions will only be granted in extraordinary circumstances (or, of course, if you have an accommodation from SDLS which involves an extension). That being said, please email me ASAP if you need an extension because of some emergency. Late submissions of assignments will lose 5 points per day. No credit will be given after 5 days.

Instructor Feedback and Response Time For every assignment, I will have grades returned to the students within 14 days of submission. If you need to contact me out of class, please email me at dewitt.197@osu.edu directly. I have technical difficulties getting Carmen messages, so if you message me via Carmen do not expect me to receive your message. I will respond to emails within about 24 hours on weekdays and around 48 hours on weekends.

Grading Scale We will use the OSU Standard Grade Scheme:

- 93-100: A
- 90-92.9: A-
- 87-89.9: B+
- 83-86.9: B

- 80-82.9: B-
- 77-79.9: C+
- 73-76.9: C
- 70-72.9: C-
- 67-69.9: D+
- 60-66.9: D
- Below 60: E

Disability Services The University strives to make all learning experiences as accessible as possible. If you anticipate or experience academic barriers based on your disability (including mental health, chronic or temporary medical conditions), please let me know immediately so that we can privately discuss options. To establish reasonable accommodations, I may request that you register with Student Life Disability Services. After registration, make arrangements with me as soon as possible to discuss your accommodations so that they may be implemented in a timely fashion. SLDS contact information: slds@osu.edu; 614-292-3307; slds.osu.edu; 098 Baker Hall, 113 W. 12th Avenue.

Academic Misconduct Academic misconduct is a serious offense. You are responsible for knowing what counts as academic misconduct. You are also expected not to commit it. In accordance with Faculty Rule 3335-5-487, all suspected cases of academic misconduct will be reported to the university's Committee on Academic Misconduct who will then be responsible for investigating or establishing procedures for the investigation of all reported cases of student academic misconduct. The term "academic misconduct" includes all forms of student academic misconduct wherever committed; illustrated by, but not limited to, cases of plagiarism and dishonest practices in connection with examinations. For additional information, see the Code of Student Conduct <http://studentlife.osu.edu/csc/>.

Religious Accommodations It is Ohio State's policy to reasonably accommodate the sincerely held religious beliefs and practices of all students. The policy permits a student to be absent for up to three days each academic semester for reasons of faith or religious or spiritual belief.

Students planning to use religious beliefs or practices accommodations for course requirements must inform the instructor in writing no later than 14 days after the course begins. The instructor is then responsible for scheduling an alternative time and date for the course requirement, which may be before or after the original time and date of the course requirement. These alternative accommodations will remain confidential. It is the student's responsibility to ensure that all course assignments are completed.

Commitment to a diverse and inclusive learning environment The Ohio State University arms the importance and value of diversity in the student body. Our programs and curricula reflect our multicultural society and global economy and seek to provide opportunities for students to learn more about persons who are different from them. We are committed to maintaining a community that recognizes and values the inherent worth and dignity of every person; fosters sensitivity, understanding, and mutual respect among each member of our community; and encourages each individual to strive to reach his or her own potential. Discrimination against any individual based upon protected status, which is defined as age, color,

disability, gender identity or expression, national origin, race, religion, sex, sexual orientation, or veteran status, is prohibited.

Your Mental Health As a student you may experience a range of issues that can cause barriers to learn, such as strained relationships, increased anxiety, alcohol/drug problems, feeling down, difficulty concentrating and/or lack of motivation. These mental health concerns or stressful events may lead to diminished academic performance or reduce a student's ability to participate in daily activities. No matter where you are engaged in distance learning, The Ohio State University's Student Life Counseling and Consultation Service (CCS) is here to support you. If you find yourself feeling isolated, anxious or overwhelmed, on-demand resources are available at go.osu.edu/ccsondemand. You can reach an on-call counselor when CCS is closed at 614-292-5766, and 24-hour emergency help is also available through the 24/7 National Prevention Hotline at 1-800-273-TALK or at suicidepreventionlifeline.org. The Ohio State Wellness app is also a great resource available at go.osu.edu/wellnessapp.

Tentative Course Schedule

The schedule below is tentative. Any unexpected changes to the schedule will be announced on Carmen as the course proceeds.

Week One

August 23rd Introduction
 Read the Syllabus

Week Two

August 28th Basic Concepts
 Read "Chapter 1: What Logic Studies" from Stan Baronett's *Logic* (2015).

No need to read through all the practice problems, but you may want to try some. I'll probably pull quiz questions from the practice sets as we move along.

August 30th Basic Concepts
 Read sections 2.A through 2.C in Baronett.

Week Three

September 6th Basic Concepts
 Read "Logical Toolkit" by Perry, Bratman, and Fischer. **Quiz #1.**

Week Four

September 11th Categorical Propositions
 Read sections 4.1 through 4.4 in "Chapter 4: Categorical Propositions" in Hurley's *A Concise Introduction to Logic*.

September 13th Categorical Propositions
 Read section 4.7 of Hurley.

September 17th
Introductory assignment due by 11:59PM.

Week Five

September 18th Categorical Syllogism
 Read sections 5.1 through 5.2 of Hurley.

September 20th Categorical Syllogism

Read sections 5.5 through 5.7 of Hurley.

Week Six

September 25th Hint of Formal Logic

Read sections 6.1 through 6.2 of Hurley. **Quiz # 2**

September 27th Analogical Arguments

Read chapter 10 of Baronett.

Week Seven

October 2nd Analogical Arguments

Read sections 9.1 through 9.2 of Hurley.

October 4th Intro to Legal Arguments

Read chapter 11 of Baronett.

Week Eight

October 9th Text & Intent

Read chapters 3 and 4 of *Five Types of Legal Argument* by Huhn.

October 15th

Midterm paper due by 11:59PM.

Week Nine

October 16th Text & Intent

Read chapters 11 and 12 of Huhn.

October 18th LSAT

Read LSAT Appendix sections 1 through 4 in Baronett. **Quiz # 3.**

Week Ten

October 23rd Precedent

Read chapter 5 of Huhn.

October 25th Precedent

Read chapter 13 of Huhn.

Week Eleven

October 30th Tradition

Read chapter 6 of Huhn.

November 1st Tradition

Read chapter 14 of Huhn.

Week Twelve

November 6th LSAT

Read LSAT Appendix sections 5 through 9 in Baronett. **Quiz # 4.**

November 8th Policy

Read chapter 7 of Huhn.

Week Thirteen

November 13th Policy

Read chapter 15 of Huhn.

November 15th Cross-Type Attacks

Read chapters 17, 19, and 22 of Huhn.

Week Fourteen

November 20th Cross-Type Attacks
 Read chapters 20 and 21 of Huhn.

Week Fifteen

November 27th Hint of Philosophy of Law
 Read “Affirmative Action: Is It Fair?” by Ronald Dworkin.
 November 29th LSAT Logic Games
 Be prepared to do logic puzzles in small groups. Also: **Quiz # 5.**

Week Sixteen

December 4th LSAT Logic Games
 More logic games practice.
 December 6th Office Hours
 Optional office hours during class time to help you prepare for the final exam.
 December 8th Final Exam
Final exam from 6 to 7:45pm.

Important Assignment Dates (Also Tentative!)

Quiz 1 Sep. 6th.
 Introductory Assignment Sep. 17th at 11:59pm
 Quiz 2 Sep. 25th.
 Midterm paper Oct. 15th at 11:59pm
 Quiz 3 Oct. 18th.
 Quiz 4 Nov. 6th.
 Quiz 5 Nov. 29th.
 Final exam Dec. 8th from 6 to 7:45pm.