

MINISTRY OF EDUCATION AND SCIENCE OF UKRAINE
WEST UKRAINIAN NATIONAL UNIVERSITY
LAW FACULTY

Approved

Dean of the Faculty of Law

Serhiy BANAKH

2024



Approved

Vice-rector for scientific and pedagogical work

Victor OSTROVERKHOV

2024



WORK PROGRAM

discipline

“CRITICAL THINKING”

Higher education degree – bachelor

Field of knowledge: 29 International Relations

Specialty: 293 International Law

Educational and Professional Program “International Law”

Theory of Law and Constitutionalism Department

| Form of study | Study year | Semester | Lectures | Practical classes | Training | Individ. Work | Stud.-self study | Total | Exam/Credit |
|---------------|------------|----------|----------|-------------------|----------|---------------|------------------|-------|-------------|
| Full-time | 2 | 8 | 30 | 30 | 8 | 4 | 78 | 150 | Credit |


30.08.2024
[Signature]

Ternopil – 2024

The work program was prepared by the Associate Professor of the Theory of Law and Constitutionalism Department, Ph.D. Olha KOVALCHUK.

The work program was adopted at the Theory Law and Constitutionalism Department meeting, Protocol No. 1 dated August 29, 2024.

Head of Department
JSD, Associate Professor



Natalia CHUDYK

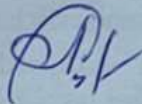
Considered and approved by the specialty team of 293 International Law, Minutes No. 2 dated August 30, 2024.

A. Head of the specialty team



Yaryna ZHUKORSKA

Guarantor of the EPP



Lyudmila SAVANETS

**STRUCTURE OF THE SYLLABUS OF THE DISCIPLINE
“LOGIC FOR LAWYERS”**

1. Description of the discipline “Critical Thinking”

| Discipline - Critical Thinking | Field of knowledge, specialty, educational and professional program, higher education degree | Characteristics of the educational discipline |
|--|---|--|
| Number of ECTS credits - 5 | Field of knowledge – 29 International Relations | Discipline Status: normative of study: Language of study: English |
| Number of credit modules - 4 | Specialty – 293 International Law | Year of study – 24, Semester – 4 |
| Number of content modules – 2 | Educational and professional program: “International Law” | Lectures - 30 hours. Practical lessons – 30 hours. |
| Total number of hours - 150 | Higher education degree - bachelor | Student-self study – 78 hours. Training – 8 hours. Individual work - 4 hours. |
| Weekly hours – 10 hours, of which classroom hours - 4 hours | | Type of final control – credit |

2. The purpose and tasks of the discipline “Critical Thinking”

2.1. The purpose of studying the discipline. The “Critical Thinking” course aims to develop students' critical and systemic thinking skills for effectively analyzing legal phenomena, evaluating arguments, and making informed decisions in professional legal activities.

2.2. The task of studying the discipline “Critical Thinking” are to develop students' ability for analytical and critical comprehension of legal information; application of logical methods in legal practice; ability to conduct systematic analysis of legal phenomena and processes; ability to identify logical errors and manipulations in legal texts and argumentation; capacity for self-criticism and reflection in the professional activities of a lawyer; ability to objectively evaluate legal situations; apply critical thinking in various fields of law and practical situations.

2.3. The subject of the discipline is the theoretical foundations and practical methods of critical analysis, logic, and argumentation in the context of legal science and practice. The discipline covers the study of critical thinking principles, methods of analyzing and evaluating arguments, ways to identify logical errors, techniques of systematic analysis of legal phenomena, as well as ethical aspects of applying critical thinking in legal activities.

3. Program of the Educational Discipline “Critical Thinking”

Content Module 1. Critical Thinking in Legal Practice

Topic 1. Fundamentals of Critical Thinking in Legal Practice

The concept of critical thinking. Definition of critical thinking. Main characteristics of critical thinking. Differences between critical and non-critical thinking. Historical development of the concept of critical thinking. Modern approaches to critical thinking. Components of critical thinking: analysis, synthesis, evaluation, interpretation. The role of critical thinking in forming professional competencies of a lawyer. The connection between critical thinking and legal argumentation.

Application of critical thinking in various areas of legal practice. Analysis of legislation and regulatory acts. Evaluation of evidence in court proceedings. Forming a legal position.

Topic 2. Basic Principles and Methods of Critical Thinking

Key principles of critical thinking. Methods of critical thinking. Logical foundations of critical thinking. Analysis of argumentation. Identifying assumptions and hidden premises. Evaluating the reliability of information sources. Methods of evaluating evidence. Criteria for the reliability of evidence. Distinguishing between facts and opinions. Identifying biases and manipulations.

Creative thinking as a component of critical thinking. Methods of overcoming cognitive biases. Practical application of principles and methods of critical thinking in jurisprudence. Analysis of legal texts. Evaluation of legal arguments. Development of defense or prosecution strategies. Development of metacognitive thinking skills. Reflection on one’s thinking. Strategies for self-control and self-assessment of thought processes.

Topic 3. Analysis and Evaluation of Information Sources in Legal Practice

Types of information sources in legal practice. Criteria for evaluating the reliability of sources. Primary and secondary sources in law. Analysis of legislative acts. Evaluation of court decisions as information sources. Use of scientific sources in legal practice. Internet sources in legal practice. Analysis of statistical data and empirical research. Identifying biases and manipulations in sources. Comparative analysis of sources. Ethical aspects of using sources. Modern technologies and tools for source analysis.

Topic 4. Identifying and Evaluating Arguments in Legal Texts

Structure of arguments in legal texts. Methods of identifying arguments. Typology of legal arguments. Evaluation of the logical structure of arguments. Assessment of the relevance of arguments. Evaluation of the strength and persuasiveness of arguments. Analysis of counterarguments and their relationships. Features of argumentation in different types of legal texts. Rhetorical aspects of legal argumentation. Cultural and contextual factors in evaluating arguments. Tools and techniques for systematic analysis of arguments.

Topic 5. Logical Fallacies and Their Recognition in Legal Documents

The concept of logical fallacy in a legal context. Definition of a logical fallacy. The impact of logical fallacies on the quality of legal argumentation. Classification of logical fallacies. Typical logical fallacies in legal documents. Errors in the interpretation of laws. Logical fallacies in court decisions. Errors in legal contracts. Methods for detecting logical fallacies. Techniques for avoiding logical fallacies. The role of critical thinking in identifying logical fallacies. Practical aspects of dealing with logical fallacies. Ethical aspects of using and identifying logical fallacies. Developing skills for recognizing logical fallacies.

Content Module 2. Critical Paradigm in Law

Topic 6. Critical Analysis of Court Decisions

Methodology for critical analysis of court decisions. Main stages of analysis. Tools and techniques for analysis. Structural elements of court decisions for analysis: introductory part, descriptive part, reasoning part, operative part. Criteria for evaluating court decisions. Analysis of court argumentation. Logic and consistency of arguments. Correspondence of the evidence base to the court's conclusions. Examination of the court's legal position. Interpretation of legal norms.

Identification of potential errors and shortcomings in court decisions. Comparative analysis of court decisions.

Topic 7. Application of Critical Thinking in the Legislative Process

Stages of the legislative process and the role of critical thinking. Initiating a bill. Development of a bill. Discussion and amendments. Adoption of the law. Implementation and monitoring. Application of critical analysis in evaluating legislative initiatives. Analysis of the necessity for a new law. Assessment of potential consequences of the bill. Identification of possible conflicts with existing legislation.

Analysis of the structure and content of bills. Checking for internal consistency. Evaluation of clarity and unambiguity of wording. Identification of logical contradictions and gaps. Critical consideration of arguments in favor of the bill. Application of a systematic approach in lawmaking. Critical thinking in predicting the consequences of law adoption. The role of critical thinking in improving legislative technique. Overcoming cognitive biases in the legislative process. Critical thinking in evaluating the effectiveness of existing laws.

Topic 8. Critical Thinking in the Interpretation of Laws and Regulations

Methods of interpreting laws and regulations. Application of critical thinking in textual analysis. Identifying ambiguities and contradictions in the text. Critical evaluation of definitions and legal terms. A critical approach to the historical interpretation of laws. Teleological interpretation from a critical thinking perspective. Analysis of the goals and objectives of legal regulation. Evaluating the effectiveness of a norm in achieving set goals. Identifying possible unintended consequences of applying a norm. The role of critical thinking in resolving legal conflicts.

Critical thinking when applying the analogy of law and the analogy of rights. The role of critical thinking in ensuring dynamic interpretation of laws. Analysis of changes in social relations and their impact on the interpretation of norms. Critical assessment of the need to update interpretation. Balance between the letter of the law and the spirit of the law.

Topic 9. Self-criticism and Reflection in Legal Practice

The concept of self-criticism and reflection in a legal context. Methods for developing self-criticism skills. Reflective practices in legal activities. Self-criticism in interpreting laws and legal norms. The role of self-criticism in improving professional skills. Reflection in the context of legal ethics. Application of reflection to overcome professional burnout. Self-criticism in the context of continuous legal education. Self-criticism in forming a lawyer's professional identity.

Tools for structured self-criticism and reflection. SWOT analysis in legal practice. Collective reflection in legal teams. Self-criticism and reflection in the context of technological changes in the legal field. Analysis of one’s adaptability to new technologies. Reflection on ethical aspects of using AI in legal practice. Critical assessment of one's digital competence.

4. Structure of a Credit in an Educational Discipline “Critical Thinking”

| | Number of hours | | | | | |
|--|-----------------|-------------------|--------------------|----------|---------------|-------------------------|
| | Lectures | Practical classes | Student-self study | Training | Individ. Work | Control events |
| Content Module 1. Critical Thinking in Legal Practice | | | | | | |
| <i>Topic 1. Fundamentals of Critical Thinking in Legal Practice</i> | 3 | 3 | 8 | | 2 | tests, questions, cases |
| <i>Topic 2. Basic Principles and Methods of Critical Thinking</i> | 3 | 3 | 9 | | | tests, questions, cases |
| <i>Topic 3. Analysis and Evaluation of Information Sources in Legal Practice</i> | 4 | 4 | 9 | | | tests, questions, cases |

| | Number of hours | | | | | |
|---|-----------------|-------------------|--------------------|----------|---------------|-------------------------|
| | Lectures | Practical classes | Student-self study | Training | Individ. Work | Control events |
| <i>Topic 4. Identifying and Evaluating Arguments in Legal Texts</i> | 3 | 3 | 9 | | | tests, questions, cases |
| <i>Topic 5. Logical Fallacies and Their Recognition in Legal Documents</i> | 3 | 3 | 9 | | | tests, questions, cases |
| Змістовий модуль 2. Критична парадигма у праві | | | | | | |
| <i>Topic 6. Critical Analysis of Court Decisions</i> | 3 | 3 | 9 | | 2 | tests, questions, cases |
| <i>Topic 7. Application of Critical Thinking in the Legislative Process</i> | 4 | 4 | 9 | | | tests, questions, cases |
| <i>Topic 8. Critical Thinking in the Interpretation of Laws and Regulations</i> | 4 | 4 | 9 | | | tests, questions, cases |
| <i>Topic 9. Self-criticism and Reflection in Legal Practice</i> | 3 | 3 | 7 | | | tests, questions, cases |
| TOTAL | 30 | 30 | 78 | 8 | 4 | |

5. Topics of Practical Classes

Practical class 1

Topic: *Analysis and Evaluation of Arguments in Specific Legal Cases*

Purpose: To develop students' practical skills in identifying, analyzing, and critically evaluating arguments in real legal cases.

Discussion Questions:

1. Identifying types of arguments in a specific case.
2. Determining logical connections between arguments in the case.
3. Detecting logical fallacies in the case.
4. Evaluating the relevance and persuasiveness of evidence supporting the arguments.
5. Identifying counter-arguments in the case.
6. Determining rhetorical devices used to strengthen argumentation.
7. Assessing the overall effectiveness of each side's argumentation.
8. Alternative arguments in this case.

Practical class 2

Topic: *Identifying Logical Fallacies in Legal Documents*

Purpose: To develop students' skills in identifying and analyzing logical fallacies in legal documents, and to enhance critical analysis skills of legal texts and argumentation.

Discussion Questions:

1. Types of logical fallacies in legal documents.
2. The impact of logical fallacies on the interpretation and application of laws.
3. The "false dilemma" logical fallacy in legal documents. Methods of correction.
4. The "hasty generalization" fallacy and its consequences.
5. Identifying and correcting the "ad hominem" fallacy in a court decision.
6. The logical fallacy of "post hoc ergo propter hoc" (after this, therefore because of this).
7. Strategies for avoiding logical fallacies when drafting legal documents.

Practical class 3

Topic: *Critical Analysis and Discussion of High-Profile Court Decisions*

Purpose: To develop students' skills in critically analyzing court decisions, ability to evaluate argumentation and validity of court conclusions, as well as the ability to conduct constructive discussions on complex legal issues.

Discussion Questions:

1. Criteria that define a court decision as "high-profile".
2. Differences between objective criticism of a court decision and subjective opinion or emotional reaction.
3. Strengths and weaknesses of the court's argumentation in a specific high-profile decision.
4. Comparison of opposing court decisions in similar cases and evaluation of factors influencing different court conclusions.
5. Ethical dilemmas in discussing high-profile court decisions and their resolution.
6. The role of media in shaping public opinion on high-profile court cases.
7. Critical analysis of high-profile court decisions for improving the judicial system.

Practical class 4

Topic: *Application of Systems Analysis Methods to Solve Current Legal Problems*

Purpose: To develop students' skills in applying systems analysis methods for comprehensive examination of current legal problems, to enhance structured thinking skills, and the ability to find systemic solutions in complex legal situations.

Discussion Questions:

1. Application of systems analysis to legal problems.
2. Main stages of systems analysis of a legal problem.
3. Decomposition methods for analyzing a complex bill.
4. Applying the "objective tree" method to solve a specific legal problem (for example, reforming the judicial system).
5. Analysis of interrelations between different branches of law when solving a complex legal problem.
6. SWOT analysis for evaluating changes in legislation.
7. Brainstorming method for generating ideas to solve a current legal problem.
8. Systemic approach in identifying and eliminating conflicts in legislation.

Practical class 5

Topic: *Development and Presentation of a Reasoned Legal Position*

Purpose: To develop students' skills in formulating, substantiating, and effectively presenting a reasoned legal position, including the ability to analyze facts, apply legal norms, and persuasively present their points of view.

Discussion Questions:

1. Key elements of a reasoned legal position.
2. Structuring argumentation for maximum persuasiveness.
3. Effective use of facts and evidence in developing a legal position.
4. Analyze a specific legal case and develop a reasoned legal position for one of the parties.
5. Counter-arguments in developing a legal position.
6. Rhetorical techniques that can be used to enhance the persuasiveness of legal argumentation.
7. Adapting the presentation of a legal position for different audiences (court, client, opponent).
8. Develop a strategy for presenting a complex legal position using visual aids.
9. Present the developed legal position before a "court" and analyze the effectiveness of the argumentation.
10. Ethics and correctness in expressing criticism of the opponent's position without resorting to personal attacks.

Practical class 5

Topic: Debates on Controversial Legal Issues Using Critical Thinking Skills

Purpose: To develop students' critical thinking skills, argumentation and counter-argumentation in the context of legal debates, improve the ability to analyze complex legal issues from different perspectives, and conduct constructive discussions.

Discussion Questions:

1. Key principles of critical thinking are most important when preparing for legal debates.
2. Mini-debate on the issue of cannabis legalization. Discussion of the persuasiveness of arguments.
3. How to use statistical data and scientific research in legal debates while avoiding manipulation?
4. Strategies for effectively refuting an opponent's arguments while adhering to ethical norms.
5. Balancing emotional and logical argumentation in legal debates.
6. Criteria for evaluating the quality of argumentation in legal debates.

6. Training

Training is an indispensable element of the learning system. It is education based on human experience, and also assumes that students present at the training, in addition to gaining new knowledge, have the opportunity to immediately put it into practice, developing new skills.

Purpose: To develop and improve critical thinking skills in students to enhance their professional competence, analytical abilities, and capacity to make informed decisions in complex legal situations.

Students complete the assignment according to an individual case and present the results in the form of a report, following the provided format:

Training Tasks:

1. Analysis of Information Sources. Choose a news article or a social media post. Analyze the source of information and determine its reliability. What evidence is provided? Is the source biased?
2. Identifying Logical Fallacies. Read a text or watch a video and identify which logical fallacies (e.g., false dilemma, ad hominem, circular reasoning) were used.
3. Supporting or Refuting Statements. Choose several statements (e.g., "Technology improves the quality of life") and prepare arguments for and against each statement, using different information sources.
4. Analysis of Ideological Bias. Read an article or watch a video on a specific topic, paying attention to words and phrases that may indicate ideological bias. Suggest an alternative presentation of the information without bias.
5. Debates. Conduct debates on a controversial topic, dividing into two groups: "for" and "against". After the debates, analyze the opponents' arguments and identify their strengths and weaknesses.
6. Case Studies. Analyze real-life situations (case studies) from various fields (business, politics, education) to identify key issues, analyze consequences, and develop strategies for resolution.
7. Critical Reading. Choose a scientific article or a book excerpt and conduct a critical analysis of the text, focusing on the structure of the arguments, the evidence used, the logic, and any potential biases of the author.
8. Evaluation of Statistics and Data. Analyze the provided statistical data or charts, determine if the data is used correctly, check for any manipulation, and identify what conclusions can be drawn from it.
9. Socratic Method. Conduct a discussion using the Socratic method, asking questions aimed at gaining a deeper understanding of the topic under discussion.

Training Procedure:

1. Analysis of argumentation and identification of logical fallacies
2. Systemic analysis of legal problems
3. Development and presentation of legal position
4. Legal debates and counter-argumentation

5. Critical evaluation of sources and information processing
6. Ethical aspects of critical thinking in law
7. Comprehensive application of critical thinking skills to complex legal situations

Topics for Training Tasks:

1. Analysis of legal texts: Identification of key arguments in court decisions, laws, and regulations. Determining primary and secondary arguments, and evaluating their strength.
2. Logical fallacies in legal arguments: Recognition and analysis of common logical fallacies in legal documents and debates (e.g., ad hominem fallacies, false dichotomies, “appeal to emotion” arguments, etc.).
3. Evidence evaluation: Critical analysis of various types of evidence used in legal practice (testimonies, expert opinions, physical evidence, etc.). Consideration of principles of admissibility and sufficiency of evidence.
4. Ethics and legal thinking: Analysis of ethical dilemmas in legal practice using critical thinking methods. Examination of issues of conflict of interest, justice, equality before the law, etc.
5. Analysis of case law: Examination of real or hypothetical legal cases using critical thinking to evaluate the validity of decisions and choose the best strategy.
6. Critique of legal reforms: Analysis and criticism of current legal reforms and legislative changes in terms of their validity, necessity, and potential consequences.
7. Media analysis of legal issues: Evaluation and critique of media interpretations of legal issues, ability to distinguish facts from manipulations, and application of legal knowledge to analyze public discourse.
8. Logical analysis of parties' arguments: Comparative analysis of parties' arguments in a trial, determining their logical validity, identifying weaknesses in the parties' positions.
9. Interpretation of legal norms: Critical analysis of different approaches to interpreting legal norms, considering context, legislative intent, and practical application.
10. The role of critical thinking in lawmaking and law enforcement: Exploring how critical thinking influences the process of creating and applying laws.

7. Student-self study

It is carried out as a comprehensive, cross-cutting task and presented in the form of a report.

1. Analysis of judicial precedents: Independent analysis of one or several court decisions in terms of argumentation, use of evidence, and logic. Identifying the main arguments of the parties, evaluating their strength, and determining possible logical fallacies.
2. Writing an essay on “Logical Fallacies in Legal Discussions”: Research and description of various types of logical fallacies that may occur in legal arguments. Providing examples from real or hypothetical situations.
3. Critical review of a legal article or book: Select a scientific article or book chapter on a legal topic and conduct a critical analysis. Identify the author's arguments, evaluate their logical validity, and detect possible biases or unsubstantiated claims.
4. Developing a legal argument: Create your argument on a given legal topic, adhering to the principles of logic and avoiding logical fallacies. Justify the position using evidence and logical argumentation.
5. Comparative analysis of legal doctrines: Choose two different legal doctrines (e.g., on human rights or criminal law) and conduct a critical analysis, comparing arguments and evaluating their strengths and weaknesses.
6. Evaluation of ethical aspects in legal decisions: Select a well-known court decision that includes an ethical dilemma and analyze it from an ethical perspective. Consider alternative solutions, taking into account ethical principles and legal norms.
7. Analysis of media reports on legal issues: Independent analysis of several articles or reports on a legal topic in terms of objectivity, accuracy, and possible biases. Ability to distinguish facts from opinions and manipulations.

8. Development of a case study: Create your case from legal practice based on real events or fictional situations that include a legal problem. Conduct analysis and develop recommendations for resolving the situation using critical thinking.
9. Analysis of legislative changes: Select recent changes in legislation (e.g., in criminal or civil law) and conduct a critical analysis in terms of necessity, validity, and possible consequences.
10. Developing arguments for legal debates: Prepare arguments for participation in legal debates on a given topic, considering the principles of critical thinking, logic, and ethics.

Evaluation Criteria for Student-self Study

1. Clarity of task objective formulation (20 points).
2. Description of the methodology used (20 points).
3. Detailed analysis or solution of the task (20 points).
4. Conclusions and reflection on applying logical principles in a specific legal situation (40 points).

Total score: sum of points for all criteria (maximum 100 points)

8. Assessment Tools and Methods of Demonstrating Learning Outcome

The following assessment tools and methods of demonstrating learning outcomes are used in the process of studying the discipline “Critical Thinking”:

- standardized tests;
- ongoing surveys/questioning;
- assessment of situational task performance;
- credit module testing and questioning;
- evaluation of training task results;
- evaluation of independent work results;
- module works;
- other types of individual and group assignments.

9. Criteria, Forms of Current and Final Control

The final score (on a 100-point scale) from the discipline “Critical Thinking” is determined as a weighted average value, depending on the specific weight of each credit component:

| Module 1 | | Module 2 | | Module 3 | Module 4 |
|--|---|---|---|--|--|
| 20% | 20% | 20% | 20% | 5% | 15% |
| Current assessment | Module assessment 1 | Current assessment | Module assessment 2 | Trening | Student-self study |
| The overall grade is the arithmetic mean of all grades received in practical classes (Practical class 1-6) | 1. Analysis of statements - 50 points 2. Comparison of texts - 50 points (topic 1-5) | The overall grade is the arithmetic mean of all grades received in practical classes (Practical class 7-15) | 1. Criticism of arguments - 50 points 2. Argumentation of legal position - 50 points (topic 6-9) | Overall score: the sum of points for all criteria for the completed task | Overall score: the sum of points for all requirements for the completed task |

Rating scale:

| University Scale | The National Scale | ECTS Scale |
|------------------|--------------------|---------------|
| 90–100 | fine | A (excellent) |
| 85-89 | well | B (very good) |

| | | |
|-------|------------------|--|
| 75–84 | | C (good) |
| 65–74 | satisfactorily | D (satisfactory) |
| 60–64 | | E (enough) |
| 35–59 | unsatisfactorily | FX (unsatisfactory with possibility of reassembly) |
| 1–34 | | F (unsatisfactory with mandatory repeat course) |

11. Tools, Equipment, and Software the Use by the Educational Discipline

| No | Name | Number of topic |
|----|-------------------------------|-----------------|
| 1. | Multimedia complex | 1-9 |
| 2. | Set of presentation materials | 1-9 |
| 3. | Flipchart | 1-9 |

RECOMMENDED SOURCES

1. Boone A., Hadley G. Книга Critical Thinking. Taylor & Francis, 2022. 358 p.
2. Moore B. N., Parker R. Critical Thinking. 13th Edition. McGraw Hill, 2020.
3. Haber J. Critical Thinking. MIT Press, 2020 p. 232 p.
4. The Foundation for Critical Thinking.
https://www.criticalthinking.org/?gad_source=1&gclid=Cj0KCQjw_sq2BhCUARIsAIVqmQt_0b_wE2tWanpy7G8B94YnJb2ISx2qZFM2aqn_sMQiDgRnM46E2HEaAn91EALw_wcB.
5. Cohen M. Critical Thinking Skills For Dummies. Audiobook. 2019.
https://audiobookstore.com/audiobooks/critical-thinking-skills-for-dummies.aspx?campaign=dynamic_ads_international&source=google&medium=ppc&gad_source=1&gclid=Cj0KCQjw_sq2BhCUARIsAIVqmQuJ2NaHX5Yd6vO0gb1tD1uSRpcquR6SL0v4YG5etjZjk-fe5Yd2Nb4aAmMdEALw_wcB/.
6. Dobelli R. Are you thinking clearly? The art of thinking clearly.
<https://www.youtube.com/watch?v=4kNGZmQePuM>.