DISCIPLINA: COGNITIVE PSYCHOLOGY IN THE LAW

CÓDIGO:

PROFESSOR: IVAR RODRÍGUEZ HANNIKAINEN

CARGA HORÁRIA: 30h

EMENTA
Theoretical perspectives on legal decision-making make assumptions about how judges and jurors decide. Social psychology brings to bear on whether these theories are ‘realistic’: that is, do judges and jurors reason and decide the way we think they do?

In this course, we review critical findings from social psychology and their recent applications to judicial decision-making. Understanding how judges make decisions from a scientific perspective provides a unique opportunity to identify the strengths and weaknesses of judicial practice today.

OBJETIVOS
- Reading skills that are necessary to evaluate papers written in scientific language, including studies that present and interpret quantitative data.
- A detailed grasp of social and cognitive psychology findings related to judicial practice.
- Autonomous reflection on the impact of psychological evidence on judicial theory and practice.
- An understanding of theories of judicial reasoning in the philosophy of law.
- Developing at least one original contribution to the understanding of psychological factors that influence legal outcomes.

METODOLOGIA

PROGRAMA
1. Judicial reasoning in the philosophy of law: great expectations?

Social psychology: What do we know about reasoning at large?
2. Biases and heuristics: A few limits to human reasoning
3. Bounded rationality and situationism
4. Dual-process theories: Emotion and reason at work

Case studies in legal decision-making
5. Topics #1: Freedom of expression and the ingroup-outgroup distinction
6. Topics #2: Unconscious biases (race, gender) and court outcomes
7. Topics #3: Extraneous factors in judicial decisions: framing, publicity, and judicial reputation

Closing
8. What does this mean for the law? Implications for institutional design

CRITÉRIO DE AVALIAÇÃO
Students are expected to read the assigned material prior to class and be prepared to engage in the discussion. Final grades will also depend on two short response papers (P1), and a final take-home (48h) exam (P2). Alternatively, students who are interested in developing their own work in these fields in the future can substitute the exam for an experiment/survey proposal or a more substantial paper. Both of these alternatives need to be previously discussed with and approved by the course instructor.

- P1: Two response papers (50% of final grade, 25% each) of around 800 words each. Topics will previously assigned by the instructor according the students’ preferences.
Each paper must deal with the readings of one of the classes from topic 2 on, and must be sent to the instructor the day before the corresponding class before 8pm.

- P2: Students can choose between three forms of evaluation for the remaining 50% of their final grade:
  a) take home 48h individual exam
  b) survey/experiment proposal, previously authorized by the instructor
  c) substantive research paper, previously authorized by the instructor

**BIBLIOGRAFIA**

**BIBLIOGRAFIA COMPLEMENTAR**
Será indicada posteriormente pelo professor.