

COURT OPINION ARGUMENTATION ANALYSIS

- 1 **Begin with a clear and cogent thesis and preview.**
- 2 **Give a brief overview of the argument.**
- 3 **Focus your analysis on the following questions:**

What is the *best* piece of argumentation in this opinion? Why is it so rhetorically potent? How can you incorporate this type and/or style of argumentation to refine your own rhetorical skills?

Defend your answers to the above questions in your best prose style and by reference to the tools we've discussed. Pick one or two appropriate tools to make two or, at most, three critical points. (*Critical analysis* involves making and clearly defending a judgment.)

For example:

- a. The way Justice Brennan uses stylistic devices like ...
- b. The middle section of the opinion is a good example of argument from definition because
- c. The climax of this opinion comes in the section that begins

And so on...

5. **Pointers**

- This is an exercise in learning by *imitatio*.
- Use specific examples from the opinion to support your analysis.
- Be as specific as possible. (Don't try to discuss the entire opinion or use every tool in 5-6 pages.)
- Be a *lean, mean writing machine!*
- Observe all the stylistic conventions appropriate for scholarly (university level) writing. (I'd suggest *MLA* or *Chicago Manual of Style*.) Note: Court case citations are always italicized.
- Come visit with me when you get your ideas together.