

Methods Of Legal Reasoning

[DOWNLOAD HERE](#)

PART I. Controversy over legal methodology in the 19th and 20th centuries. - 1. Three stances. 1.1. The rejection of method. 1.2. Methodological heteronomy. 1.3. Methodological autonomy. 2. Methods of legal reasoning. 3. Logic analysis argumentation hermeneutics. - PART II. Logic. - 1. Introduction. 2. Classical logic: propositional logic and first order predicate logic. 2.1. Presentation of calculi. 2.2. Paradoxes of material implication. 2.3. Examples. 3. Deontic logic. 3.1. Possible world semantics. 3.2. Deontic logic. 3.3. Paradoxes of deontic logic. 3.4. Examples. 4. Logic of action and logic of norms. 4.1. Two types of obligation. 4.2. Logic of action. 4.3. Jrgensen Dilemma. 5. Defeasible logic. 5.1. The concept of defeasibility. 5.2. Defeasible logic. 5.3. Objections against nonmonotonic logic. 5.4. Examples. 5.5. Two remarks. 6. Summary. - PART III. Analysis. - 1. Introduction. 1.1. The notion of analysis. 1.2. History of the concept. 1.3. Analytic philosophy. 2. Linguistic analysis. 2.1. History and basic assumptions of linguistic analysis. 2.2. Legal conceptual scheme. 2.3. Speech acts theory. 2.4. The method and its limits. 3. Economic analysis of law. 3.1. Law & Economics. 3.2. Idea of economisation. 3.3. Limits of the method. 3.4. Conclusions. 4. Summary. - PART IV. Argumentation. - 1. Introduction. 1.1. Philosophies of argumentation. 1.2. Criteria of a practical discourse. 2. Two conceptions of a legal discourse. 2.1. The topical-rhetorical conception of legal discourse. 2.2. Procedural conception of legal discourse. 3. Legal argumentation. 3.1. Claim to universality. 3.2. Structure of legal discourse. 3.3. Applications.- PART V. Hermeneutics.- 1. Introduction. 1.1. The beginnings of hermeneutics. 1.2. What do we not know about hermeneutics? 2. Hermeneutics as epistemology. 2.1. Methodological current in philosophical hermeneutics. 2.2. Legal receptions. 3. Hermeneutics as ontology. 3.1. Ontology of understanding. 3.2. Legal receptions. 4. The understanding of the law. 4.1. Claim to universality. 4.2. The nature of hermeneutic cognition. 4.3. Applications. - PART VI. Methods of legal reasoning from a post-modern perspective. - 1. A summary. 1.1. Arbitrariness. 1.2. Metatheoretical perspective. 1.3. Relationships between the methods: the three theses. 2. Dilemmas of the contemporary philosophy of law. 2.1. Contemporary positivism. 2.2. Conclusions. 3. The epistemological approach. 3.1. The limits of legal cognition. 3.2. Two discourses. 4. Unfinished projects. 4.1. Classicism. 4.2. Modernism. 4.3.

Postmodernism. EAN/ISBN : 9781402049392 Publisher(s): Springer Netherlands Format: ePub/PDF

Author(s): Stelmach, Jerzy - Brozek, Bartosz

[DOWNLOAD HERE](#)

Similar manuals:

[Methods Of Legal Reasoning](#)