AN INTRODUCTION TO

LAW *and* LEGAL REASONING

Second Edition

Steven J. Burton

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C. Farrelly,L. Solum

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  Analogical Reasoning in Law Maciej Koszowski,2019-04-02 This work tackles the most intriguing type of reasoning which one may employ within the field of law In addition to the merits and drawbacks of legal analogy it discusses the orthodox approaches to it together with their critical analysis also posing challenges that these conceptions have difficulty in managing As an alternative the book advances an account of legal analogical reasoning that correlates well with the division into rational and intuitive thinking that occurs in contemporary psychology By doing so many of the unique properties of legal analogy which have been traditionally associated with it and which have often been difficult to explain become readily understandable Moreover the very source of the almost mystical faith in power and infallibleness of such analogy is revealed here while this faith astonishing or not not only escapes condemnation but is shown to be warranted from a scientific point of view Finally the book also presents vast scope of application premises schematic structures and factors able to influence the force of legal analogy   New Essays on the Nature of Legal Reasoning Mark McBride,James Penner,2022-05-19 This is the first book to bring together distinguished jurisprudential theorists as well as up and coming scholars to critically assess the nature of legal reasoning The volume is divided into 3 parts The first part General Jurisprudence and Legal Reasoning addresses issues at the intersection of general jurisprudence those pertaining to the nature of law itself and legal reasoning The second part Rules and Reasons addresses two concepts central to two prominent types of theory of legal reasoning The essays in the third and final part Doctrine and Practice delve into the mechanics of legal practice and doctrine from a legal reasoning perspective   *Logic, Probability, and Presumptions in Legal Reasoning* Scott Brewer,2013-06-17 At least since plato and Aristotle thinkers have pondered the relationship between philosophical arguments and the sophistical arguments offered by the Sophists who were the first professional lawyers Judges wield substantial political power and the justifications they offer for their decisions are a vital means by which citizens can assess the legitimacy of how that power is exercised However to evaluate judicial justifications requires close attention to the method of reasoning behind decisions This new collection illuminates and explains the political and moral importance in justifying the exercise of judicial power   South Dakota Law Review ,1994   **New York City Law Review** ,1996   *Virtue Jurisprudence* C. Farrelly,L. Solum,2019-06-12 This book is the first authoritative text on virtue jurisprudence the belief that the final end of law is not to maximize preference satisfaction or protect certain rights and privileges but to promote human flourishing Scholars of law philosophy and politics illustrate here the value of the virtue ethics tradition to modern legal theory   **The Uses of Argument** Daniel Farr,Ontario Society for the Study of Argumentation,2005   *Queer Philosophy* ,2012-01-01 The book is a collection of the presentations of the Society for Lesbian and Gay Philosophy from 1998 to 2008 The essays are organized historically starting in 1998 Their topics cover virtually every philosophical field and such that each is connected to gay and lesbian studies Topics include how we are to understand sexual orientation whether same sex leads to polygamy teaching gay studies to

undergraduates promiscuity and virtue the war on terror and gay oppression the rationality of coming out the ethics of outing connections between being gay and being happy and last but not least dignity and being gay   *Contract Law* Steven J. Burton,Melvin Aron Eisenberg,2003   **Employment Law** Steven L. Willborn,Stewart J. Schwab,John F. Burton,2002 The authors goal in this new second edition was to update enhance the materials At the same time however they used a general presumption against change retained as many of the cases as much of the structure of the book as possible both for substantive reasons to ease the transition for teachers Casebook Statutory Companion each also available electronically

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