

AN INTRODUCTION TO

LAW and
LEGAL
REASONING

Second Edition

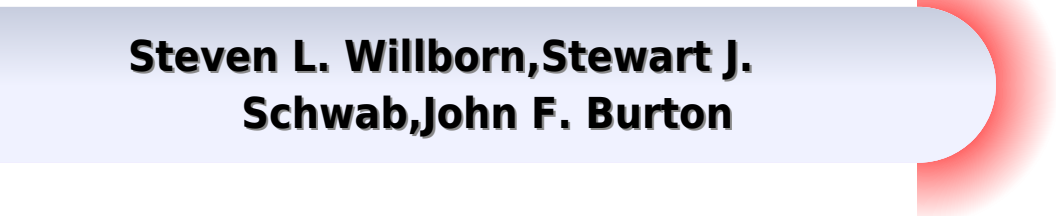
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Analogical Reasoning in Law Maciej Koszowski, 2019-04-02 This work tackles the most intriguing type of reasoning which one may employ within the field of law In addition to the merits and drawbacks of legal analogy it discusses the orthodox approaches 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

Forthcoming Books Rose Arny, 2001 **Subject Guide to Books in Print**, 1993 **Linguistics and Language Behavior Abstracts**, 1999 LLBA contains abstracts of the world's literature in linguistics and language related research book abstracts book review listings and enhanced bibliographic citations of relevant dissertations Related disciplines such as anthropology education ethnology information science medicine and communications are covered Also includes some reference to papers in published conference proceedings *The Philosopher's Index*, 1988 **Paperbound Books in Print**, 1991 **Comprehensive Dissertation Index**, 1984 **U.S. News & World Report**, 1998 Legal Reasoning For Law Enforcers Prof. Dr. Made Warka, S.H., M.Hum., 2019-09-07 The jurist state that there is no significant differences between legal reasoning and reasoning or everyday thought processes The distinctive feature is only in its use that Legal Reasoning is used in the anticipating process or resolving legal disputes in the community Steven J Burton said In the abstract the legal reasoning does not differs are different from other kinds of practical reasoning In real world settings it is used by lawyers and judges to deal with legal problems The chief feature of legacy reasoning is that it is used in the process of anticipating or setting the importance of advanced society dispute Steven J Burton 1995 6 In this regard focus of the study of legal reasoning involving legal arguments is jurisprudence or judicial decisions As affirmed by Nell Mac Cormick The sub matters of relief reasoning is the process that is revealed to us in the decision of court of law Neil Mac Cormick 1978 8 In this context Legal Reasoning is process of using legal reasoning in legal arguments Legal Reasoning in the process of using legal reasons in legal arguments Thus Legal Reasoning and Legal Argumentation inseparable Legal Reasoning as a thinking process and Legal Argumentation is a form of thought of an argument From that point of view Legal Reasoning is the scope or area of the legal philosophy study viz the scope of the legal logic is the study of juridical thinking methods and educative arguments Bruggink 1996 180 This means that can be distinguished but cannot be parted because argumentatie is born from the process of nadere Therefore it is not wrong to say Legal Reasoning which is essentially Law Enforcement Reasoning

Medical and Health Care Books and Serials in Print, 1997 *The British National Bibliography* Arthur James Wells, 1992

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