TABLE OF CONTENTS
A Note on the Author
Preface
Introduction
Part I - Legal Reasoning and Practical Rationality

Chapter 1 - Practical Rationality
1.1. Implicit Cognition
   1.1.1 Fixed Reflexes
   1.1.2 Conditioned Reflexes
1.2. Explicit Cognition
   1.2.1 Cognitive Functions and Cognitive Organs
   1.2.2 Reason As a Mental Organ
   1.2.3 Epistemic Reasoning
   1.2.4 Practical Reasoning
   1.2.5 The Foundations of Rationality
1.3. The Nature of Practical Cognition
   1.3.1 Basic Conative States
   1.3.2 Adoption and Withdrawal of Conative States
   1.3.3 Abstract Plans and Subplanning
   1.3.4 The Structure of Plans
   1.3.5 The Evaluation of Plans
   1.3.6 Epistemic Desires: Knowledge and Interest
   1.3.7 Strategies, Standing Plans, and Instructions
1.4 The Function of Intentions
   1.4.1 Intentions and Instructions
   1.4.2 Reasoning with Intentions
   1.4.3 Behavioural and Cognitive Instructions
   1.4.4 Other-Directed Intentions and Commands
   1.4.5 General and Collective Intentions
   1.4.6 May-Instructions and Intentions
1.5. Reasoning and Cognition
   1.5.1 Failures of Reasoning
   1.5.2 Reasoning’s Dependency on Implicit Cognition
   1.5.3 Reasoning’s Contribution to Cognition

Chapter 2 - Basic Forms of Reasoning
2.1. Ratiocination
   2.1.1 Mental States, Noemata, Sentences, and Speech Acts
   2.1.2 Reasoning Schemata and Instances
   2.1.3 The Adoption of a Reasoning Schema
2.2. Conclusive and Defeasible Reasoning
   2.2.1 Validity and Truth-Preservation
   2.2.2 Monotonic and Nonmononic Reasoning
   2.2.3 The Rationale of Defeasibility
   2.2.4 The Logical Function of Defeasible Reasoning Schemata
   2.2.5 Collision and Defeat
   2.2.6 Collisions and Incompatibility
   2.2.7 Undercutting Collisions
   2.2.8 Preference-Based Reasoning
2.2.9. Reinstatement
2.2.10. Undercutting in Practical Reasoning
2.2.11. Defeasible Reasoning and Probability

2.3. Some Notes on Defeasibility in Law and Morality
2.3.1. The Idea of Defeasibility in the Practical Domain
2.3.2. Defeasibility in Legal Language
2.3.3. The Defeasibility of Legal Concepts and Principles
2.3.4. Defeasibility and Legal Procedures
2.3.5. Overcoming Legal Defeasibility?

2.4. Heuresis and Coherence Evaluation
2.4.1. The Construction of Conjectures
2.4.2. Functions of Heuresis
2.4.3. Heuresis and Ratiocination: An Overview

Chapter 3 - The Doxification of Practical Reasoning

3.1. Doxification
3.1.1. Adoption-Worthiness and Bindingness
3.1.2. The Notion of Doxification
3.1.3. The Rationale for Doxification
3.1.4. The Doxification of Conative States
3.1.5. The Idea of Cognitive Bindingness
3.1.6. The Doxification of Cognitive Instructions

3.2. The Projection of Practical Beliefs
3.2.1. Doxed Shall-Intentions
3.2.2. Doxifying May-Intentions

3.3. Normative Beliefs and Normative States of Affairs
3.3.1. Normative States of Affairs and Current Cognitive States
3.3.2. Normative States of Affairs and Optimal Cognitive States
3.3.3. Cognitive Optimality and Collective Inquiry
3.3.4. Cognitive Optimality and Dialogues
3.3.5. The Supervenience of Normative States of Affairs
3.3.6. The Relativisation of Practical Cognition
3.3.7. Practical Cognition and the Existence of Normative States of Affairs

Chapter 4 - Rationalisation, Reflexivity, Universality

4.1. Rationalisation
4.1.1. Upwards Practical Reasoning
4.1.2. Rationalisation and Critical Thinking
4.1.3. Rationalisation in Legal Reasoning
4.1.4. Practical Theories and Their Coherence

4.2. Reflexive Reasoning and Universality
4.2.1. Planar and Reflexive Reasoning
4.2.2. Reasoning and Meta-Reasoning
4.2.3. Descriptive and Ideal Rationality
4.2.4. Particularised and Universal Rationality
4.2.5. Limits of Rationality

4.3. An Example in Practical Reasoning
4.3.1. Creon’s Reasoning
4.3.2. Antigone’s Reasoning
4.3.3. Comparison of the Two Reasonings

Chapter 5 Bounded Rationality: Cognitive Delegation
5.1. The Notion of Bounded Rationality
   5.1.1. The Limitations of Human Rationality
   5.1.2. Substantive and Procedural Rationality
5.2. Bounded Rationality and Teleology
   5.2.1. Failure to Achieve Teleological Optimality
   5.2.2. The Evaluation of Outcomes
   5.2.3. Pareto Efficiency
   5.2.4. Weighing Alternatives
   5.2.5. Simplifying Evaluations
5.3. Cognitive Delegation and Authority
   5.3.1. The Concept of Delegation
   5.3.2. Types of Cognitive Delegation
   5.3.3. Authority and Normative Power
   5.3.4. Rules and Teleology
   5.3.5. The Notion of an Exclusionary Reason
   5.3.6. Exclusionary Reasons and Normative Delegation
   5.3.7. Authorities as Exclusionary or Independent Reasons
   5.3.8. Commands and Reasons
   5.3.9. The Independence of Normative Syllogism from
   Teleological Reasoning

Chapter 6 - Bounded Rationality: Factors
6.1. Propensities
   6.1.1. Propensities and Intentions
   6.1.2. Factors and Teleology
   6.1.3. Logical Function of Propensities
6.2. Factors
   6.2.1. Binary Factors and Dimensions
   6.2.2. Factors and Principles
   6.2.3. Factors, Dimensions and Standards
   6.2.4. Factors in Legislation
   6.2.5. Factors in Case-Based Reasoning
   6.2.6. The Role of Factors in Practical Inference
   6.2.7. Factors, Dimensions, and Prototypes

Chapter 7 - Preference-Eased Reasoning: Rules
7.1. Rules and Preferences
   7.1.1. Undecided Conflicts
   7.1.2. Priority Beliefs
7.2. Kinds of Rule Preferences
   7.2.1 Source-Based Priority
   7.2.2. Time-Based Priority
   7.2.3. Specificity-Based Priority
   7.2.4. Checking Specificity
   7.2.5. Priority of Exceptions
   7.2.6. Value-Based Priorities
7.2.7. Factor-Based Priorities
7.3. Reasoning with Rule-Priorities
  7.3.1. Multiple Priorities and Their Ordering
  7.3.2. General Priority-Rules
  7.3.3. Meta-Priorities
  7.3.4 Reasoning with Priorities and Belief Revision

Chapter 8 - Preference-Based Reasoning: Factors
8.1. Reasoning with Factors
  8.1.1. An Example in Factor-Based Reasoning
  8.1.2. Factor-Based A-Fortiori Reasoning
  8.1.3. Factor-Based Inference
  8.1.4. From Binary Factors to Dimensions
  8.1.5. Dimension-Based Inference
  8.1.6. Dimensional A-Fortiori Reasoning
8.2. The Accrual of Reasons
  8.2.1. The Accrual Thesis
  8.2.2. The Negation of the Accrual Thesis
  8.2.3. A Terminological Clarification
  8.2.4. Merging and Adding Reasons

Chapter 9 - Multi-Agent Practical Reasoning
9.1. The Concerns of an Agent
  9.1.1. Three Types of Concerns
  9.1.2. The Construction of Collective-Directed Concerns
  9.1.3. Reasoning and Collective-Directed Concerns
9.2. Acting in a Social Context
  9.2.1 External Motivation and Threats
  9.2.2. Double Contingency
9.3. Strategic Dilemmas
  9.3.1. Prisoner’s dilemmas
  9.3.2. Prisoner-Dilemma Structured Situations
  9.3.3. The Tragedy of the Commons
  9.3.4. Strategic Dilemmas and Collective Concerns
  9.3.5. Coordination Dilemmas
  9.3.6. Salience
  9.3.7. Assurance Dilemmas

Chapter 10 - Collective Intentionality
10.1. Coordination and Collective Intentionality
  10.1.1. Collective Cognitive States
  10.1.2. Collective Rationality and Collective Cognitive States
  10.1.3. Rational Adoption of a Collective Cognitive State
  10.1.4. Collective and Plural Optimality
  10.1.5. The Gamble of Participation
10.2. Participation as a Coordination Game
  10.2.1. Salience as a Guide to Success
  10.2.2. Rational Participation and Consent
  10.2.3. Rational Participation in a Future Collective State of Mind
  10.2.4. The Intrinsic Value of Participation
10.2.5. The Process of Collective Reasoning
10.2.6. Collective Practical Theories
10.2.7. Collective Adoption of Multi-Agent Plans
10.2.8. Collective Adoption of Acceptance Policies
10.2.9. Collective Normative Beliefs

10.3. Sanctions and Assurance
10.3.1. The Possibility of Non-Compliance
10.3.2. The Role of Sanctions

10.4. Plural Legal Intentionality
10.4.1 Collective Reasoning and Authoritarianism
10.4.2. Collective Values

Chapter 11 - Collective Cognition and Dialogues
11.1. Dialogues and Cognition
   11.1.1 Dialogues and Dialectical Systems
   11.1.2. How to Characterise Dialectical Systems
   11.1.3. The Structure of Dialectical Systems
   11.1.4. The Persuasion Dialogue: The Structure
   11.1.5. The Persuasion Dialogue: The Position of the Parties
   11.1.6. Other Kinds of Dialogue: Information Seeking,
           Negotiation and Reconciliation
   11.1.7. Combination of Dialogues, Dialogue Shifts, and Inversion of the
           Burden of Proof

11.2. Dialogues and Procedures
   11.2.1. What Dialogues for What Procedures
   11.2.2. Dialogue and Collective Choices
   11.2.3. Deliberation, Democracy and Cognition
   11.2.4. Adversarial Models of Legal Argumentation
   11.2.5. Formal Analyses of Legal Disputation

Chapter 12 - Cognitive and Legal Bindingness
12.1. The Paradox of Legal Validity
12.2. A Legal Example
   12.2.1. Prima-Facie Reasoning
   12.2.2. The Adoption (Endorsement.) of a Legal Rule
   12.2.3. Substantive Adoption Policies

12.3. Validity, Bindingness, Adoptability
   12.3.1. The Social Impact of Legal Reasoning
   12.3.2. Legal Reasoning as a Contribution to the Legal Process
   12.3.3. Participation in Legal Beliefs
   12.3.4. Reasoning about Legal Bindingness

12.4. Bindingness and Rationality
   12.4.1. Convergence as a Ground for Bindingness
   12.4.2. Why Share Legal Rules and Meta-Rules
   12.4.3. Participation in Currently Shared Rules
   12.4.4. Participation in Future Rules
   12.4.5. Coordination and Prioritisation

Chapter 13 - The Foundation of Legal Bindingness
13.1. Definitional and Substantive Issues
13.1.1 Definitions of Legal Bindingness
13.1.2. Grounds for Bindingness
13.1.3. Terminological Disputes and Substantive Disagreement:
   The Stance of the Enactment Positivist
13.1.4. Terminological Disputes and Substantive Disagreement:
   The Stance of the Practice Positivist
13.1.5. Terminological Disputes and Substantive Disagreement:
   The Stance of the Inclusive Positivist
13.1.6. The Normativity of Legal Bindingness (Validity)

13.2. Political Conflicts and Legal Bindingness
13.2.1. Legal Bindingness and Optimal Law
13.2.2. Unacceptability on Substantive Grounds
13.2.3. Constitutions and Constitutionalism
13.2.4. Lau Power, Sovereignty
13.2.5. Legal Bindingness and Moral Bindingness
13.2.6. Bindingness Propositions
13.2.7. Legal Reasoning and Detachment
13.2.8. Legal Reasoning and Shared Legal Opinions
13.2.9. Overcoming the Paradox of Legal Validity

Part II - Legal Logic

Chapter 14 Law and Logic
14.1. Introduction: Logic and Legal Reasoning
   14.1.1. The Attraction between Law and Logic
   14.1.2. The Conflict between Law and Logic
14.2. Deduction and Formal Logic in Legal Reasoning
   14.2.1. The Deductive Model of Legal Reasoning
   14.2.2. Deduction and Anticipation
   14.2.3. The Tension between Legal Logic and Legal Practice
   14.2.4. The Anti-Deductive Critiques
   14.2.5. Defences of the Axiomatic-Deductive Model
   14.2.6. Legal Logic Beyond Deduction

Chapter 15 - Classical Logic and the Law
15.1. Propositional Logic
   15.1.1 Propositional Formalisation
   15.1.2. Propositional Connectives
   15.1.3. Normalisation
   15.1.4. Inference Rules or Propositional Logic
15.2. The Application of Propositional Logic to the Law
   15.2.1. Material Conditional and Hypothetical Propositions
   15.2.2. *Ex Falso Sequitur Quod libet* in Legal Reasoning
   15.2.3. Logical Inference and Truth Preservation
15.3. Predicate Logic and the Law
   15.3.1. Predicates and Terms
   15.3.2. Quantifiers
   15.3.3. Inference Rules for Predicate Logic
15.3.4. Normative Syllogism
15.4. Time in Predicate Logic
  15.4.1. Propositions and Fluents
  15.4.2. From Fluents to Propositions
  15.4.3. Representing Temporally-General Rules
15.5. Conclusions on Predicate Logic in the Law

Chapter 16 - Actions
16.1. The Characterisation of Actions
16.2. Logical Analysis of Action
  16.2.1. Two Action-Operators
  16.2.2. The Logic of Action
  16.2.3. Actions-Descriptions as Propositions and as Terms
  16.2.4. Connections Between Behavioural and Productive Actions
16.3. Omission
  16.3.1. The Notion of an Omission
  16.3.2. Logical Analysis of Omission
  16.3.3. Some Abbreviations for Representing Actions

Chapter 17 - Deontic Notions
17.1. Obligation
  17.1.1 The Representation of Obligations
  17.1.2. Positive and Negative Obligations
17.2. Prohibition
  17.2.1. The Representation of Prohibitions
  17.2.2. Connections between Obligation and prohibition
17.3. Permission
  17.3.1. The Representation of Permissions
  17.3.2. Positive and Negative Permission
  17.3.3. Connections between Obligations, Prohibitions and Permissions
  17.3.4. A Fourth Deontic Status: Facultativeness
  17.3.5. Commands and Deontic Statuses
17.4. An Axiomatisation for Deontic Reasoning
  17.4.1 Relationships between Obligations and Permissions
  17.4.2. Reasoning Schemata for Action Logic and Deontic Logic
17.5. Negative Corollaries on Permission
  17.5.1 Permission Does Not Entail Facultativeness
  17.5.2. Permission Does not Entail Prohibition to Prevent
  17.5.3. Permission Does Not Presuppose Prohibition
17.6. General Deontic Propositions
  17.6.1 The Representation of Categorical Deontic Propositions
  17.6.2. Personally-General and Specific Deontic Propositions
17.7. Standard Deontic Logic and Deontic Paradoxes
  17.7.1. Standard Deontic Logic
  17.7.2. Paradoxes of Standard Deontic Logic
  17.7.3. How to Avoid Deontic Paradoxes

Chapter 18 - Negation, Permission, and Completeness
18.1. Permission, Ignorance, Non-Derivability
18.1.1. Being Permitted and Not Being Prohibited
18.1.2. Permission as Ignorance
18.1.3. The Case of Socrates, the Judge Who Knows That He Does not Know
18.1.4. Permission as Non-Derivability

18.2 Completeness of the Law
18.2.1. The Completeness of Legal Cognition: A Noble Dream?
18.2.2. Completeness of Sections of the Law
18.2.3. Closure Meta-Rules
18.2.4. Strong Permission and Weak Permission
18.2.5. Closure Rules and Bounded Legal Cognition
18.2.6. Ignorance and Autoepistemic Inferences
18.2.7. Some Conclusions on Negation, Permission, and Completeness

Chapter 19 - Obligational Concepts
19.1. Teleology of Normative Propositions
19.1.1. The Teleological Stance toward Normative Proposition
19.1.2. A Notation for Normative Teleology
19.2. Directed Obligations
19.2.1. Other-Directed Obligations
19.2.2. The Representation of Other-Directed Obligations
19.2.3. Other-Directed Permissions
19.2.4. Reasoning with Directed Obligations
19.3. Obligational Rights
19.3.1. Representation of Obligational Rights
19.3.2. The Benefit Theory of Rights
19.4. A Formalisation the Hohfeldian Obligational Set
19.4.1. The Hohfeldian Obligational Set: Original Formulation
19.4.2. The Hohfeldian Obligational Set: Logical Reformulation
19.5. Further Kinds of Rights
19.5.1. Permissive Rights
19.5.2. Absolute and Relative Rights
19.5.3. Exclusionary Rights
19.6. Rights and Norms
19.6.1. Rights in Authoritarian Legal Systems
19.6.2. The Supposed Conflict between Rights and “Norms”

Chapter 20 - Normative Conditionals and Legal Inference
20.1. The Cognitive Function of Normative Conditionals
20.1.1. Conditional Instructions and Propositions
20.1.2. Kinds of Normative Conditionals
20.2. Specific and General Normative Conditionals
20.2.1. Specific Normative Conditionals
20.2.2. Normative Conditionals and Causality
20.2.3. General Normative conditionals
20.2.4. Operative Facts, Precondition-Types and Tokens
20.2.5. Must and Relative Necessity
20.3. The Negation of Normative Conditionals
20.4. Inferences for Normative Conditionals
20.4.1. Detachment
20.4.2. Specification and Universal Conditionals
20.4.3. Normative Syllogism
20.4.4. Chaining Syllogisms
20.4.5. Syllogism and Subsumption
20.4.6. Subsumption Rules
20.4.7. Subsumption and Learning
20.5. Inapplicable Inferences
   20.5.1. Inferring a Conditional from a Falsity
   20.5.2. Normative Conditionals and Contraposition

Chapter 21 - Varieties of Normative Conditionals
21.1 Types of Normative Conditionals
   21.1.1 Different Kinds of Normative Determination
   21.1.2. Counts-as Connections and Constitutive Rules
21.2 Intermediate Legal Concepts
   21.2.1. Alf Ross’s Theory of Legal Concepts
   21.2.2. The Inferential Meaning of Intermediate Legal Concepts
   21.2.3. Cognitive Function of Non-Deontic Legal Concepts
21.3 Kelsen’s View of Legal Conditionality
   21.3.1. Causality and Imputation
   21.3.2. Problems with the Kelsenian Conditionality
21.4. Normative Conditionals and Time
   21.4.1 Temporal Predicates
   21.4.2. Temporally Specific Normative Initiation
   21.4.3. Temporal Generality and Normative Initiation
   21.4.4. Temporal Persistence
   21.4.5. Temporalised Normative Syllogism
   21.4.6. Time and Normative Emergence
   21.4.7. Temporalised Counts-As

Chapter 22 - Potestative Concepts
22.1. Powers and Potestative Rights
   22.1.1. Generic Power
   22.1.2. Action-Power
   22.1.3. Abstract Action-Power
   22.1.4. Enabling Power
   22.1.5. Potestative Right
   22.1.6. Powers and Permissions
22.2. A Formalisation of the Hohfeldian Potestative Set
   22.2.1. The Hohfeldian Potestative Set: Original Formulation
   22.2.2. The Hohfeldian Potestative Set: Logical Reformulation

Chapter 23 - Proclamations
23.1. The Intentional Production of Legal Results
   23.1.1. Rechtsgeschäft and Contract
   23.1.2. Contracts and Autonomy
23.2. The Notion of a Proclamation
   23.2.1. The Definition of a Proclamation
   23.2.2. Proclamations and Intentions
   23.2.3. Proclamations as Attempts
23.2.4. Proclamation Rules
23.3. The Logic of Proclamation-Based Inference
  23.3.1. The Naive Formulation
  23.3.2. The Problem of Substitutional Quantification
  23.3.3. How to Climb Ramsey’s Ladder
  23.3.4. Our Representation of Meta-Syllogism
23.4. The Analysis of Proclamations
  23.4.1. The Content of Proclamations
  23.4.2. Effective and Void Proclamations
  23.4.3. Multi-lateral Proclamations (Agreements)
  23.4.4. The Logic of Proclamations

Chapter 24 - Proclamative Power
24.1. The Notion and the Inferential Role of Proclamative Powers
  24.1.1. Proclamative Power and Legal Inference
  24.1.2. Proclamative Power and General Inferences
24.2. Kinds of Proclamative Power
  24.2.1. The Power to Create and Terminate Obligations
  24.2.2. The Power to confer Permissions
  24.2.3. Empowerment to Command
  24.2.4. Empowerment to Renounce a Power
  24.2.5. Power to Transfer Property
24.3. Empowerment to Empower
  24.3.1. Conferring Powers
  24.3.2. Representation
  24.3.3. Limitations to Individual Legal Autonomy
24.4. Public Powers as Proclamative Powers
  24.4.1. Proclamations and the Dynamics of the Law
  24.4.2. Legal Dynamics and the Applicability of Logic to the Law
  24.4.3. Judicial Powers and Logic in the Law

Chapter 25 - Normative Texts and Sources of Law
25.1. Proclamations and Their Interpretation
  25.1.1. The Efficacy of Proclamations
  25.1.2. The Double Effect of Proclamations
  25.1.3. Proclaimed Sentences
  25.1.4. The Bindingness of Proclaimed Sentences
  25.1.5. The Interpretation of Proclamations
  25.1.6. Problems in Legal Interpretation
  25.1.7. Criteria for Interpretation
25.2. Sources of Law
  25.2.1. Custom
  25.2.2. Precedent
  25.2.3. Legal Doctrine as a Source of the Law
  25.2.4. The General Idea of a Source of Law
25.3. A Logic for Legal Pluralism
  25.3.1. The Need for a Pluralist Legal Logic
  25.3.2. An Example in Pluralist Normative Reasoning
  25.3.3. An Analysis of Pluralist Normative Reasoning
Chapter 26 - Argumentation Frameworks
26.1. From Inference Steps to Arguments
   26.1.1. The Notion of an Argument
   26.1.2. Some Notational Devices
   26.1.3. The Lebach Example
   26.1.4. Arguments and Premise Sets
   26.1.5. Subarguments
26.2. Meta-Level Arguments
   26.2.1. A Meta-Level Argument
   26.2.2. Synthetic and Analytic Arguments
   26.2.3. Another Meta-Level Argument
26.3. Collisions between Arguments
   26.3.1. The Idea of a Collision between Arguments
   26.3.2. Rebutting Collisions
   26.3.3. Undercutting Collisions
   26.3.4. Locating Undercutting Attacks
26.4. Argument Defeat
   26.4.1. The Notion of Argument Defeat
   26.4.2. Decisive Subreasons and the Evaluation of Colliding Reasons
   26.4.3. The Preference Relation over Reasons
   26.4.4. The Reinstatement of Defeated Arguments

Chapter 27 - Argument Logic
27.1. The Status of Arguments
   27.1.1. Requirements of an Argument Logic
   27.1.2. Justified, Defensible, and Overruled Arguments
   27.1.3. Semantics and Proof Theory
27.2. The Semantics of Inferential Justifiability
   27.2.1. Prima-facie Defeat
   27.2.2. Acceptability of Arguments
   27.2.3. Admissibility of Sets of Arguments
   27.2.4. Justified Arguments
   27.2.5. A Formal Characterisation of Inferential Justifiability
27.3. A Proof-Theory for Inferential Justifiability
   27.3.1. Proof Trees
   27.3.2. The Proof of an Argument
   27.3.3. Applications of the Proof-Method
   27.3.4. Ross’s Paradox of the Self-Amending Constitution
   27.3.5. A Solution to the Self-Amendment Paradox: Non Retroactivity
   27.3.6. A Second Solution to the Self-Amendment Paradox: An Interpretative Assumption
27.4. Extensions of the Basic Model
   27.4.1. Representing Non-Provability
   27.4.2. Non-Provability and Burden of Proof
   27.4.3. Combining Defeasible and Conclusive Inferences

Chapter 28 - Cases and Theory Construction
28.1. Case-Based Reasoning as Theory Construction
   28.1.1 Cases and Theories
28.1.2. Levels of Explanation and Justification

28.2. The Construction of a Theory
   28.2.1. The Example
   28.2.2. The Background of Theory Construction
   28.2.3. The Components of a Theory
   28.2.4. Including Cases and Factors
   28.2.5. Constructing Rules
   28.2.6. Constructing Preferences

Chapter 29 - Theory-Based Dialectics

29.1. The Basic Model
   29.1.1. Constructing Theories and Explaining Cases
   29.1.2. A Simple Theory
   29.1.3. The Introduction of a New Case
   29.1.4. Theory-Based Distinguishing
   29.1.5. Arbitrary and Value-Based Preferences
   29.1.6. Evaluating Theories

29.2. Argument Moves and Theory Construction
   29.2.1. Citing a Case
   29.2.2. Counterexamples and Distinctions
   29.2.3. Emphasising Strengths and Showing Weaknesses not Fatal

29.3. Dimensions in Theory Constructions
   29.3.1. Dimensions and the Representation of Cases
   29.3.2. Dimensions and Values
   29.3.3. The Extraction of Factors
   29.3.4. Additional Reasoning Moves

29.4. Stratified Legal Theories
   29.4.1. Hierarchies of Factors
   29.4.2. Downplaying a Distinction
   29.4.3. Distinguishing, Downplaying and Distinguishing Again

29.5. Further Extensions of Our Model
   29.5.1. Metrics for Theo Coherence
   29.5.2. Comparison of Values
   29.5.3. Changes in the Social Context
   29.5.4. Links to Case-History
   29.5.5. Other Ways of Analogising

Conclusion
Bibliography Index of Subjects
Index of Names
A Treatise of Legal Philosophy and General Jurisprudence
Pattaro, E. - Editor-in-chief: Pattaro, E.
2005, XCVIII, 1958 p. In 5 volumes, not available separately., Hardcover