Logic And Legal Reasoning A Guide For Law Student

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Vern Walker: Logic and Legal Reasoning

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Logic \u0026 Arguments - premises \u0026 conclusions, truth, deduction vs. induction*Logical Fallacies 5 tips to improve your critical thinking - Samantha Agoos How to think like a lawyer in 3 easy steps!*

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Legal Reasoning with Policies*Deductive Reasoning/Legal Reasoning for CLAT 2020 | Introduction to Law | Gradeup* How to prepare logical and legal reasoning for CLAT | Padmini Baruah and Debajyoti Das #CLAT2020 #LexLore 1.- Introduction to Legal Aptitude / Legal Reasoning ; Basics of Legal Terms Legal Reasoning - with an explanatory example ~~Legal reasoning for law entrance exam || Legal Reasoning Tricks~~ Logical Reasoning || Arguments || Premises || ugc/nta net || Must Watch || Paper 1 Coding Decoding Logical Reasoning | CLAT 2020 | AILET 2020 | Tips \u0026 Tricks ~~Logic And Legal Reasoning A~~ Legal Reasoning Models. C.D. Hafner, in International Encyclopedia of the Social & Behavioral Sciences, 2001. Research in legal reasoning models investigates formal and computational theories of how legal experts analyze problems, create arguments, and make decisions. Rule-based legal expert systems using logical inference techniques have been developed and used successfully in a number of legal domains, especially those dominated by complex regulations such as taxation and social benefits ...

~~Legal Reasoning - an overview | ScienceDirect Topics~~

Here is an example of legal reasoning by inductive generalization: 1. Premise One: Appellate Case 1 held that a contract with a vague term was void. 2. Premise Two: Appellate Case 2 held that a contract ... logic and reasoning ꞏVern Walker ꞏHofstra University ꞏSpeaking at the Logic and Reasoning Institute

Logic and Legal Reasoning

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Logic and Legal Reasoning - 123 - StuDocu

Section 2.1 briefly discusses some basic misunderstandings about the nature of logic, after which Section 2.2 examines in more detail another misunderstanding, the opinion that applying logic to legal reasoning would be the same as regarding law as a coherent system of rules which can somehow be discovered and formalized.

The Role of Logic in Legal Reasoning | SpringerLink

This chapter presents a response to Neil MacCormick's paper, which analysed the nature of legal reasoning and the possibility of developing legal expert systems. It attempts to restate some of the problems raised in the paper in more precise terms. As a result of this reformulation, certain disagreements will no doubt come to light. The chapter presents an account that differs from ...

Limits of Logic and Legal Reasoning (1992)* - Oxford ...

The logic of legal reasoning studies the patterns of legal language that legal professionals generally regard as appropriate. The study of legal logic is the study of the appropriate use of legal language. Legal language and reasoning, moreover, are evolving, as we adapt them to solve new legal problems.

DISCOVERING THE LOGIC OF LEGAL REASONING

As the logical aspect of legal reasoning focuses attention on legal rules and on the principles to be derived from decisions in analogous cases, so the rhetorical aspect of legal reasoning focuses attention on legal activities. As many writers have emphasized, law itself is not simply, or primarily, a body of rules but an activity, an enterprise.

Legal Reasoning | Encyclopedia.com

Legal reasoning is a method of thought and argument used by lawyers and judges when applying legal rules to specific interactions among legal persons. Legal reasoning in the case of a court's ruling is found in the 'Discussion or Analysis' section of the judicial ruling. It is here that the court gives reason for its legal ruling, and it helps other courts, lawyers and judges to use and follow the ruling in subsequent proceedings.

What is Legal Reasoning (and how to apply it correctly)?
And just as law was considered a science, legal reasoning was considered to be a species of deductive logic. However, it is now recognized that the purpose of legal reasoning is not to prove to others the truth of a statement of fact, but is rather to persuade others about how the law ought to be interpreted and applied.

The Use and Limits of Deductive Logic in Legal Reasoning ...
V. Logical reasoning in Popular Culture Example 1 "Vulcanians do not speculate. I speak from pure logic." (Spock, Star Trek) Mr. Spock was raised on Vulcan and trained to be perfectly rational, ignoring all emotion and concentrating on logical reasoning instead. This represents a widespread trope in popular culture — that logic and the ...

Logical Reasoning: Examples and Definition | Philosophy Terms
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Two kinds of logical reasoning are often distinguished in addition to formal deduction: induction and abduction. Given a precondition or premise, a conclusion or logical consequence and a rule or material conditional that implies the conclusion given the precondition, one can explain the following.

Logical reasoning - Wikipedia
Introduction. This handbook addresses legal reasoning and argumentation from a logical, philosophical and legal perspective. The main forms of legal reasoning and argumentation are covered in an exhaustive and critical fashion, and are analysed in connection with more general types (and problems) of reasoning. Accordingly, the subject matter of the handbook divides in three parts.

Handbook of Legal Reasoning and Argumentation | SpringerLink
Muslims have always used verses from the Qur'an to support opinions on law, theology, or life in general, but almost no attention has been paid to how the Qur'an presents its own precepts as conclusions proceeding from reasoned arguments. Whether it is a question of God's powers of creation, the rationale for his acts, or how people are to think clearly about their lives and fates, Muslims ...

Logic, Rhetoric and Legal Reasoning in the Qur'an: God's ...

LOGIC AND LEGAL REASONING PART 1 In taking logic and legal reasoning courses, I believe I will understand the legal system of our country. This will help me further my knowledge as a law student and practitioner in the future. The legal system of a country ensures the human rights are entitled to sophisticated systems of checks and balances. Besides, I believe that logic and legal reasoning ...

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The student will also learn to use legal reasoning to form cogent and persuasive legal arguments. It is important that the pre-law student studies logic and legal reasoning because it will prepare...

Logic and Legal Reasoning - GOVT 215 - Liberty University ...
Buy Past and Present Interactions in Legal Reasoning and Logic (Logic, Argumentation & Reasoning) 2015 by Armgardt, Matthias, Canivez, Patrice, Chassagnard-Pinet, Sandrine (ISBN: 9783319160207) from Amazon's Book Store. Everyday low prices and free delivery on eligible orders.

This volume explores the relation between legal reasoning and logic from both a historical and a systematic perspective. The topics addressed include, among others, conditional legal acts, disjunctions in legal acts, presumptions and conjectures, conflicts of values, Jørgensen´s Dilemma, the Rhetor´s Dilemma, the theory of legal fictions and the categorization of contracts. The unifying problematic of these contributions concerns the conditional structures and, more particularly, the relationship between legal theory and legal reasoning in the context of conditions. The contributions in this work constitute the first results of the ANR-DFG joint research project "JuriLog" (Jurisprudence and Logic), which aims at fostering the cooperation between legal scholars and philosophers. On the one hand, lawyers and legal scholars have an interest in emphasizing the logical character of legal reasoning. In this respect, the present enquiry examines the question of how logic, especially newer forms of dialogical logic, can be made fruitful as a significant area of philosophy for jurisprudence and legal practice. On the other hand, logicians find in legal reasoning a striving towards clear definitions and inference-procedures that is relevant to their discipline. In order to fully understand such reciprocal relationships, it is necessary to bridge the gap between law, logic and philosophy in contemporary academic research. The essays collected in this volume

all work towards this common goal. The book is divided in three sections. In the first part, the strong relation between Roman Law and logic is explored with respect to the analysis of disjunctive statements in legal acts. The second part focuses on Leibniz´s legal theory. The third part, finally, is dedicated to current interactions between law and logic.

This book tackles the basics of legal reasoning in twelve chapters, including the principles of classic logic, deductive and inductive reasoning, application of the Socratic method to legal reasoning, and formal and material fallacies.

This book is a revised and extended version of my PhD Thesis 'Logical Tools for Modelling Legal Argument', which I defended on 14 January 1993 at the Free University Amsterdam. The first five chapters of the thesis have remained almost completely unchanged but the other chapters have undergone considerable revision and expansion. Most importantly, I have replaced the formal argument-based system of the old Chapters 6, 7 and 8 with a revised and extended system, whieh I have developed during the last three years in collaboration with Giovanni Sartor. Apart from some technical improvements, the main additions to the old system are the enriehment of its language with a nonprovability operator, and the ability to formalise reasoning about preference criteria. Moreover, the new system has a very intuitive dialectieal form, as opposed to the rather unintuitive fixed-point appearance of the old system. Another important revision is the split of the old Chapter 9 into two new chapters. The old Section 9. 1 on related research has been updated and expanded into a whole chapter, while the rest of the old chapter is now in revised form in Chapter 10. This chapter also contains two new contributions, a detailed discussion of Gordon's Pleadings Game, and a general description of a multi-Iayered overall view on the structure of argu mentation, comprising a logieal, dialectical, procedural and strategie layer. Finally, in the revised conclusion I have paid more attention to the relevance of my investigations for legal philosophy and argumentation theory.

This book intends to unite studies in different fields related to the development of the relations between logic, law and legal reasoning. Combining historical and philosophical studies on legal reasoning in Civil and Common Law, and on the often neglected Arabic and Talmudic traditions of jurisprudence, this project unites these areas with recent technical developments in computer science. This combination has resulted in renewed interest in deontic logic and logic of norms that stems from the interaction between artificial intelligence and law and their applications to these areas of logic. The book also aims to motivate and launch a more intense interaction between the historical and philosophical work of Arabic, Talmudic and European jurisprudence. The publication discusses new insights in the interaction between logic and law, and more precisely the study of different answers to the question: what role does logic play in legal reasoning? Varying perspectives include that of foundational studies (such as logical principles and frameworks) to applications, and historical perspectives.

In a book that is a blend of text and readings, Martin P. Golding explores legal reasoning from a variety of angles—including that of judicial psychology. The primary focus, however, is on the 'logic' of judicial decision making. How do judges justify

their decisions? What sort of arguments do they use? In what ways do they rely on legal precedent? Golding includes a wide variety of cases, as well as a brief bibliographic essay (updated for this Broadview Encore Edition).

This handbook addresses legal reasoning and argumentation from a logical, philosophical and legal perspective. The main forms of legal reasoning and argumentation are covered in an exhaustive and critical fashion, and are analysed in connection with more general types (and problems) of reasoning. Accordingly, the subject matter of the handbook divides in three parts. The first one introduces and discusses the basic concepts of practical reasoning. The second one discusses the general structures and procedures of reasoning and argumentation that are relevant to legal discourse. The third one looks at their instantiations and developments of these aspects of argumentation as they are put to work in the law, in different areas and applications of legal reasoning.

Muslims have always used verses from the Qur'an to support opinions on law, theology, or life in general, but almost no attention has been paid to how the Qur'an presents its own precepts as conclusions proceeding from reasoned arguments. Whether it is a question of God's powers of creation, the rationale for his acts, or how people are to think clearly about their lives and fates, Muslims have so internalized Qur'anic patterns of reasoning that many will assert that the Qur'an appeals first of all to the human powers of intellect. This book provides a new key to both the Qur'an and Islamic intellectual history. Examining Qur'anic argument by form and not content helps readers to discover the significance of passages often ignored by the scholar who compares texts and the believer who focuses upon commandments, as it allows scholars of Qur'anic exegesis, Islamic theology, philosophy, and law to tie their findings in yet another way to the text that Muslims consider the speech of God.

Rule-applying legal arguments are traditionally treated as a kind of syllogism. Such a treatment overlooks the fact that legal principles and rules are not statements which describe the world, but rather means by which humans impose structure on the world. Legal rules create legal consequences, they do not describe them. This has consequences for the logic of rule- and principle-applying arguments, the most important of which may be that such arguments are defeasible. This book offers an extensive analysis of the role of rules and principles in legal reasoning, which focuses on the close relationship between rules, principles, and reasons. Moreover, it describes a logical theory which assigns a central place to the notion of reasons for and against a conclusion, and which is especially suited to deal with rules and principles.

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