



Law, Truth, and Reason: A Treatise on Legal Argumentation (Law and Philosophy Library)

Raimo Siltala

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This book is an innovative contribution to analytical jurisprudence.

It is mainly based on the distinct premises of linguistic philosophy and Carnapian semantics, but also addresses the issues of institutional philosophy, social pragmatism, and legal principles as envisioned by Dworkin, among others. Wróblewski's three ideologies (bound/free/legal and rational) and Makkonen's three situations (isomorphic/semantically vague/normative gap) of judicial decision-making are further developed by means of 10 frames of legal analysis as discerned by the author. With the philosophical theories of truth serving as a reference, the frames of legal analysis include the isomorphic theory of law (Wittgenstein, Makkonen), the coherence theory of law (Alexy, Peczenik, Dworkin), the new rhetoric and legal argumentation theory (Perelman, Aarnio), social consequentialism (Posner), natural law theory (Fuller, Finnis), and the sequential model of legal reasoning by Neil MacCormick and the Bielefelder Kreis. At the end, some key issues of legal metaphysics are addressed, like the notion of legal systematics and the future potential of the analytical approach in jurisprudence.

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