Logic Rhetoric And Legal Reasoning In The Quran Gods Arguments Routledgecurzon Studies In The Quran

The Art Of RhetoricLogicMinding the LawLegal Reasoning and BriefingFundamentals of Legal ArgumentationConstitutionalism and Legal ReasoningThe Rhetorical Invention of DiversityJustice, Law, and ArgumentLegal Reasoning and Legal TheoryArabic Language and Islam: Oxford Bibliographies Online Research GuideLogic, Rhetoric and Legal Reasoning in the Qur"ÕanLegal Argument: The Structure and Language of Effective AdvocacyThe Analogy between States and International OrganizationsThe Routledge Handbook of Arabic LinguisticsAnglo-American and Nigerian JurisprudenceThe Nature and Functions of LawLegal ReasonJustice, Law, and ArgumentThe EnthymemeA Pragmatic Theory of FallacyLogical ReasoningGalileo and the Art of ReasoningIntroduction to Classical Legal RhetoricMethods of Legal ReasoningThe Force of LogicLogically FallaciousLogic as a Liberal ArtStudies in Legal LogicRhetoric and The Rule of LawAd Hominem ArgumentsThe New Rhetoric and the HumanitiesLegal ReasoningRhetoric for Legal WritersLegal ReasonLegal Argumentation and EvidenceLogic and Contemporary Rhetoric: The Use of Reason in Everyday LifeLogic, Epistemology, and the Unity of ScienceLogic, Rhetoric and Legal Reasoning in the Qur'anHandbook of Legal Reasoning and ArgumentationThe Story of the Qur'an

The Art Of Rhetoric

The Routledge Handbook of Arabic Linguistics introduces readers to the major facets of research on Arabic and of the linguistic situation in the Arabic-speaking world. The edited collection includes chapters from prominent experts on various fields of Arabic linguistics. The contributors provide overviews of the state of the art in their field and specifically focus on ideas and issues. Not simply an overview of the field, this handbook explores subjects in great depth and from multiple perspectives. In addition to the traditional areas of Arabic linguistics, the handbook covers computational approaches to Arabic, Arabic in the diaspora, neurolinguistic approaches to Arabic, and Arabic as a global language. The Routledge Handbook of Arabic Linguistics is a much-needed resource for researchers on Arabic and comparative linguistics, syntax, morphology, computational linguistics, psycholinguistics, sociolinguistics, and applied linguistics, and also for undergraduate and graduate students studying Arabic or linguistics.

Logic

Minding the Law

Provides an essential introduction to classical logic.

Legal Reasoning and Briefing

Methods of Legal Reasoning describes and criticizes four methods used in legal practice, legal dogmatics and legal theory: logic, analysis, argumentation and hermeneutics. The book takes the unusual approach of discussing in a single study four different, sometimes competing concepts of legal method. Sketched this way, the panorama allows the reader to reflect deeply on questions concerning the methodological conditioning of legal science and the existence of a unique, specific legal method.

Fundamentals of Legal Argumentation

Is legal reasoning rationally persuasive, working within a discernible structure and using recognisable kinds of arguments? Does it belong to rhetoric in this sense, or to the domain of the merely 'rhetorical' in an adversative sense? Is there any reasonable certainty about legal outcomes in dispute-situations? If not, what becomes of the Rule of Law? Neil MacCormick's book tackles these questions in establishing an overall theory of legal reasoning which shows the essential part 'legal syllogism' plays in reasoning aimed at the application of law, while acknowledging that simple deductive reasoning, though always necessary, is very rarely sufficient to justify a decision. There are always problems of relevancy, classification or interpretation in relation to both facts and law. In justifying conclusions about such problems, reasoning has to be universalistic and yet fully sensitive to the particulars of specific cases.

How is this possible? Is legal justification at this level consequentialist in character or principled and right-based? Both normative coherence and narrative coherence have a part to play in justification, and in accounting for the validity of arguments by analogy. Looking at such long-discussed subjects as precedent and analogy and the interpretative character of the reasoning involved, Neil MacCormick expands upon his celebrated Legal Reasoning and Legal Theory (OUP 1978 and 1994) and restates his 'institutional theory of law'.

Constitutionalism and Legal Reasoning

Legal Reason is written in accessible prose, with examples from law and from everyday life.

The Rhetorical Invention of Diversity

Justice, Law, and Argument

Legal Reasoning and Legal Theory

Discusses how an analogy between States and international organizations has influenced the development of international law.

Arabic Language and Islam: Oxford Bibliographies Online Research Guide

This book focuses on the special character of law in

performing certain social functions including resolving disputes, maintaining historical continuity and doctrinal consistency, protecting and facilitating voluntary arrangements, and resolving acute social conflict. The text presents aspects of criminal and civil procedure; judicial reasoning on the basis of precedents (focusing on manufacturers' liability in tort); the law of contracts; and labor, race, and gender laws to test the success of the legal system in carrying out these basic purposes. Includes American and comparative and international law materials.

Logic, Rhetoric and Legal Reasoning in the Qur"Õan

This book of legal philosophy contends that positive law is better understood if it is not too easily equated with power, force, or command. Law is more a matter of discourse and deliberation than of sheer decision or of power relations. Here is thought-provoking reading for lawyers, advocates, scholars of jurisprudence, students of law, philosophy and political science, and general readers concerned with the future of the constitutional state.

Legal Argument: The Structure and Language of Effective Advocacy

The first volume in this new series explores, through extensive co-operation, new ways of achieving the integration of science in all its diversity. The book offers essays from important and influential philosophers in contemporary philosophy, discussing

a range of topics from philosophy of science to epistemology, philosophy of logic and game theoretical approaches. It will be of interest to philosophers, computer scientists and all others interested in the scientific rationality.

The Analogy between States and International Organizations

The work of Galileo has long been important not only as a foundation of modern physics but also as a model - and perhaps the paradigmatic model - of scientific method, and therefore as a leading example of scientific rationality. However, as we know, the matter is not so simple. The range of Galileo readings is so varied that one may be led to the conclusion that it is a case of chacun a son Galileo; that here, as with the Bible, or Plato or Kant or Freud or Finnegan's Wake, the texts themselves underdetermine just what moral is to be pointed. But if there is no canonical reading, how can the texts be taken as evidence or example of a canonical view of scientific rationality, as in Galileo? Or is it the case, instead, that we decide a priori what the norms of rationality are and then pick through texts to fmd those which satisfy these norms? Specifically, how and on what grounds are we to accept or reject scientific theories, or scientific reasoning? If we are to do this on the basis of historical analysis of how, in fact, theories came to be accepted or rejected, how shall we distinguish 'is' from 'ought'? What follows (if anything does) from such analysis or reconstruction about how theories ought to be accepted or rejected? Maurice

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Finocchiaro's study of Galileo brings an important and original approach to the question of scientific rationality by way of a systematic read

The Routledge Handbook of Arabic Linguistics

Douglas Walton takes a new analytical look at the concept of fallacy and presents an up-to-date analysis of its usefulness for argumentation studies.

Anglo-American and Nigerian Jurisprudence

Central to rhetorical theory, the enthymeme is most often defined as a truncated syllogism. Suppressing a premise that the audience already knows, this rhetorical device relies on the audience to fill in the missing information, thereby making the argument more persuasive. James Fredal argues that this view of the enthymeme is wrong. Presenting a new exegesis of Aristotle and classic texts of Attic oratory, Fredal shows that the standard reading of Aristotle's enthymeme is inaccurate—and that Aristotle himself distorts what enthymemes are and how they work. From close analysis of the Rhetoric, Topics, and Analytics, Fredal finds that Aristotle's enthymeme is, in fact, not syllogistic and is different from the enthymeme as it was used by Attic orators such as Lysias and Isaeus. Fredal argues that the enthymeme, as it was originally understood and used, is a technique of storytelling, primarily forensic storytelling, aimed at eliciting from the audience an

inference about a narrative. According to Fredal, narrative rather than formal logic is the seedbed of the enthymeme and of rhetoric more broadly. The Enthymeme reassesses a fundamental doctrine of rhetorical instruction, clarifies the viewpoints of the tradition, and presents a new form of rhetoric for further study and use. This groundbreaking book will be welcomed by scholars and students of classical rhetoric, the history of rhetoric, and rhetorical theory as well as communications studies, classical studies, and classical philosophy.

The Nature and Functions of Law

This ebook is a selective guide designed to help scholars and students of Islamic studies find reliable sources of information by directing them to the best available scholarly materials in whatever form or format they appear from books, chapters, and journal articles to online archives, electronic data sets, and blogs. Written by a leading international authority on the subject, the ebook provides bibliographic information supported by direct recommendations about which sources to consult and editorial commentary to make it clear how the cited sources are interrelated related. A reader will discover, for instance, the most reliable introductions and overviews to the topic, and the most important publications on various areas of scholarly interest within this topic. In Islamic studies, as in other disciplines, researchers at all levels are drowning in potentially useful scholarly information, and this guide has been created as a tool for cutting through that

material to find the exact source you need. This ebook is a static version of an article from Oxford Bibliographies Online: Islamic Studies, a dynamic, continuously updated, online resource designed to provide authoritative guidance through scholarship and other materials relevant to the study of the Islamic religion and Muslim cultures. Oxford Bibliographies Online covers most subject disciplines within the social science and humanities, for more information visit www.aboutobo.com.

Legal Reason

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.

Justice, Law, and Argument

This book is an updated and revised edition of Fundamentals of Legal Argumentation published in 1999. It discusses new developments that have taken place in the past 15 years in research of legal argumentation, legal justification and legal interpretation, as well as the implications of these new developments for the theory of legal argumentation. Almost every chapter has been revised and updated, and the chapters include discussions of recent studies, major additions on topical issues, new perspectives, and new developments in several theoretical areas. Examples of these additions are discussions of recent developments in such areas as Habermas' theory, MacCormick's theory, Alexy's theory, Artificial Intelligence and law, and the pragma-dialectical theory of legal argumentation. Furthermore it provides an extensive and systematic overview of approaches and studies of legal argumentation in the context of legal justification in various legal systems and countries that have been important for the development of research of legal argumentation. The book contains a discussion of influential theories that conceive the law and legal justification as argumentative activity. From different disciplinary and theoretical angles it addresses such topics as the institutional characteristics of the law and the relation between general standards for moral discussions and legal standards such as the Rule of Law. It discusses patterns of legal justification in the context of different types of problems in the application of the

law and it describes rules for rational legal discussions. The combination of the sound basis of the first edition and the discussions of new developments make this new edition an up-to-date and comprehensive survey of the various theoretical influences which have informed the study of legal argumentation. It discusses salient backgrounds to this field as well as major approaches and trends in the contemporary research. It surveys the relevant theoretical factors both from various continental law traditions and common law countries.

The Enthymeme

This popular introduction by a well-known Islamic scholar has been updated and expanded, offering a balanced portrayal of the Qur'an and its place in historic and contemporary Muslim society. Features new sections on the Qur'an and its relationship to democracy, science, human rights, and the role of women Contains expanded sections on the Qur'an in the life cycle of Muslims, and in Islamic ethics and law Incorporates additional images and student features, including a glossary. Supported by an accompanying website (available on publication) hosting a range of additional material, including student resources, links to important websites, news stories, and more This title is also available as an eTextbook on the CourseSmart platform, as a Wiley Desktop Edition, or via your preferred eTextbook vendor; eTextbooks offer convenience, enhanced electronic functionality, and flexible pricing options – learn more at www.wiley.com/college/wileyflex

A Pragmatic Theory of Fallacy

Studies in Legal Logic is a collection of nine interrelated papers about the logic, epistemology and ontology of law. All of the papers were written after the publication of the author's Reasoning with Rules and supplement the issues addressed therein. Some of the papers are new; others have been revised substantially after the publication of their original versions. The emphasis is on analysis, not on logical technicalities. Studies in Legal Logic contains chapters about the nature of norms, the role of coherence in the law, the nature of defeasibility, the role of dialectics in law and artificial intelligence, the statics and dynamics of the law, and the consistency of rules. Moreover, it contains a new, simplified and yet more powerful version of Reason-based Logic and extensive examples of how it can be used for the analysis of legal reasoning. The examples deal with legal theory construction, case-based reasoning, and judicial proof.

Logical Reasoning

In the twenty-first century there are two ways to study logic. The more recent approach is symbolic logic. The history of teaching logic since World War II, however, casts doubt on the idea that symbolic logic is best for a first logic course. Logic as a Liberal Art is designed as part of a minority approach, teaching logic in the "verbal" way, in the student's "natural" language, the approach invented by Aristotle. On utilitarian grounds alone, this "verbal" approach is

superior for a first course in logic, for the whole range of students. For millennia, this "verbal" approach to logic was taught in conjunction with grammar and rhetoric, christened the trivium. The decline in teaching grammar and rhetoric in American secondary schools has led Dr. Rollen Edward Houser to develop this book. The first part treats grammar, rhetoric, and the essential nature of logic. Those teachers who look down upon rhetoric are free, of course, to skip those lessons. The treatment of logic itself follows Aristotle's division of the three acts of the mind (Prior Analytics 1.1). Formal logic is then taken up in Aristotle's order, with Parts on the logic of Terms, Propositions, and Arguments. The emphasis in Logic as a Liberal Art is on learning logic through doing problems. Consequently, there are more problems in each lesson than would be found, for example, in many textbooks. In addition, a special effort has been made to have easy, medium, and difficult problems in each Problem Set. In this way the problem sets are designed to offer a challenge to all students, from those most in need of a logic course to the very best students.

Galileo and the Art of Reasoning

This collection contains studies on justice, juridical reasoning and argumenta tion which contributed to my ideas on the new rhetoric. My reflections on justice, from 1944 to the present day, have given rise to various studies. The ftrst of these was published in English as The Idea of Justice and the Problem of Argument (Routledge & Kegan Paul, London, 1963).

The others, of which several are out of print or have never previously been published, are reunited in the present volume. As justice is, for me, the prime example of a "confused notion", of a notion which, like many philosophical concepts, cannot be reduced to clarity without being distorted, one cannot treat it without recourse to the methods of reasoning analyzed by the new rhetoric. In actuality, these methods have long been put into practice by jurists. Legal reasoning is fertile ground for the study of argumentation: it is to the new rhetoric what mathematics is to formal logic and to the theory of demonstrative proof. It is important, then, that philosophers should not limit their methodologi cal studies to mathematics and the natural sciences. They must not neglect law in the search for practical reason. I hope that these essays lead to be a better understanding of how law can enrich philosophical thought. CH. P.

Introduction to Classical Legal Rhetoric

What makes an argument in a law case good or bad? Can legal decisions be justified by purely rational argument or are they ultimately determined by more subjective influences? These questions are central to the study of jurisprudence, and are thoroughly and critically examined in Legal Reasoning and Legal Theory, now with a new and up-to-date foreword. Its clarity of explanation and argument make this classic legal text readily accessible to lawyers, philosophers, and any general reader interested in legal processes, human reasoning, or practical logic.

Methods of Legal Reasoning

Despite the tepid reception of Regents of the University of California v. Bakke in 1978, the Supreme Court has thrice affirmed its holding: universities can use race as an admissions factor to achieve the goal of a diverse student body. This book examines the process of rhetorical invention followed by Justice Lewis F. Powell Jr., his colleagues, and other interlocutors as they sifted through arguments surrounding affirmative action policies to settle on diversity as affirmative action's best constitutional justification. Here M. Kelly Carr explores the goals, constraints, and argumentative tools of the various parties as they utilized the linguistic resources available to them, including arguments about race, merit, and the role of the public university in civic life. Using public address texts, legal briefs, memoranda, and draft opinions, Carr looks at how public arguments informed the amicus briefs, chambers memos, and legal principles before concluding that Powell's pragmatic decision making fused the principle of individualism with an appreciation of multiculturalism to accommodate his colleagues' differing opinions. She argues that Bakke is thus a legal and rhetorical milestone that helped to shift the justificatory grounds of race-conscious policy away from a recognition of historical discrimination and its call for reparative equality, and toward an appreciation of racial diversity.

The Force of Logic

Legal Argument: The Structure and Language of Effective Advocacy is a full-featured guide designed primarily for law students in research, writing, analysis and trial advocacy classes and moot court programs. Inside you'll find detailed explanations of how lawyers construct legal arguments and practical guidelines to the process of molding the raw materials of litigation - cases, statutes, testimony, documents, common sense - into instruments of persuasive advocacy. You'll also find writing guidelines that show you how to present a well-constructed legal argument in writing in a way that legal decision makers will find persuasive. The centerpiece of this indispensable work is its syllogism-based step-by-step method, designed to walk the advocate through the process of crafting a winning argument. Intuitive organization presents the material in five parts: • Part I sets out a general methodology for constructing legal arguments. • Part II focuses more closely on the construction of persuasive, well-grounded legal premises, and covers the effective integration of legal doctrine and evidence into the argument's structure. • Part III shows how to put the method to work by giving two detailed examples of the construction of complete legal arguments from scratch. • Part IV provides a detailed protocol for reducing well-constructed legal arguments to written form, along with a concrete illustration of that process. It also provides concrete advice on how to recognize and avoid a host of common mistakes in the written presentation of legal arguments. • Part V moves from the basics into more advanced techniques of persuasive legal argument, including rhetorical tactics like framing and emphasis, how to respond to

arguments, maintaining professionalism in advocacy, and the ethical limits of argument.

Logically Fallacious

Have you ever read a legal opinion and come across an odd term like the fallacy of denying the antecedent, the fallacy of the undistributed middle, or the fallacy of the illicit process and wondered how you missed that in law school? You're not alone: every day, lawyers make arguments that fatally trespass the rules of formal logic—without realizing it—because traditional legal education often overlooks imparting the practical wisdom of ancient philosophy as it teaches students how to "think like a lawyer." In his book, The Force of Logic: Using Formal Logic as a Tool in the Craft of Legal Argument, lawyer and law professor Stephen M. Rice guides you to develop your powers of legal reasoning in a new way, through effective tips and tactics that will forever change the way you argue your cases. Rice contends that formal logic provides tools that help lawyers distinguish good arguments from bad ones and, moreover, that they are simple to learn and use. When you know how to recognize logical fallacies, you will not only strengthen your own arguments, but you will also be able to punch holes in your opponent's—and that can make the difference between winning and losing. In this book, Rice builds on the theoretical foundation of formal logic by demonstrating logical fallacies through the use of anecdotes, examples, graphical illustrations, and exercises for you to try that are derived from common case documents. It is a hands-

on primer that presents a practical approach for understanding and mastering the place of formal logic in the art of legal reasoning. Whether you are a lawyer, a judge, a scholar, or a student, The Force of Logic will inspire you to love legal argument, and appreciate its beauty and complexity in a brand new way.

Logic as a Liberal Art

This collection contains studies on justice, juridical reasoning and argumenta tion which contributed to my ideas on the new rhetoric. My reflections on justice, from 1944 to the present day, have given rise to various studies. The ftrst of these was published in English as The Idea of Justice and the Problem of Argument (Routledge & Kegan Paul, London, 1963). The others, of which several are out of print or have never previously been published, are reunited in the present volume. As justice is, for me, the prime example of a "confused notion", of a notion which, like many philosophical concepts, cannot be reduced to clarity without being distorted, one cannot treat it without recourse to the methods of reasoning analyzed by the new rhetoric. In actuality, these methods have long been put into practice by jurists. Legal reasoning is fertile ground for the study of argumentation: it is to the new rhetoric what mathematics is to formal logic and to the theory of demonstrative proof. It is important, then, that philosophers should not limit their methodologi cal studies to mathematics and the natural sciences. They must not neglect law in the search for practical

reason. I hope that these essays lead to be a better understanding of how law can enrich philosophical thought. CH. P.

Studies in Legal Logic

In this remarkable collaboration, one of the nation's leading civil rights lawyers joins forces with one of the world's foremost cultural psychologists to put American constitutional law into an American cultural context. By close readings of key Supreme Court opinions, they show how storytelling tactics and deeply rooted mythic structures shape the Court's decisions about race, family law, and the death penalty. Minding the Law explores crucial psychological processes involved in the work of lawyers and judges: deciding whether particular cases fit within a legal rule ("categorizing"), telling stories to justify one's claims or undercut those of an adversary ("narrative"), and tailoring one's language to be persuasive without appearing partisan ("rhetorics"). Because these processes are not unique to the law, courts' decisions cannot rest solely upon legal logic but must also depend vitally upon the underlying culture's storehouse of familiar tales of heroes and villains. But a culture's stock of stories is not changeless. Amsterdam and Bruner argue that culture itself is a dialectic constantly in progress, a conflict between the established canon and newly imagined "possible worlds." They illustrate the swings of this dialectic by a masterly analysis of the Supreme Court's race-discrimination decisions during the past century. A passionate plea for heightened

consciousness about the way law is practiced and made, Minding the Law/tilte will be welcomed by a new generation concerned with renewing law's commitment to a humane justice. Table of Contents: 1. Invitation to a Journey 2. On Categories 3. Categorizing at the Supreme Court Missouri v. Jenkins and Michael H. v. Gerald D. 4. On Narrative 5. Narratives at Court Prigg v. Pennsylvania and Freeman v. Pitts 6. On Rhetorics 7. The Rhetorics of Death McCleskey v. Kemp 8. On the Dialectic of Culture 9. Race, the Court, and America's Dialectic From Plessy through Brown to Pitts and Jenkins 10. Reflections on a Voyage Appendix: Analysis of Nouns and Verbs in the Prigg, Pitts, and Brown Opinions Notes Table of Cases Index Reviews of this book: Amsterdam, a distinguished Supreme Court litigator, wanted to do more than share the fruits of his practical experience. He also wanted toget students to think about thinking like a lawyerTo decode what he calls "law-think," he enlisted the aid of the venerable cognitive psychologist Jerome Bruner[and] the collaboration has resulted in [this] unusual book. --James Ryerson, Lingua Franca Reviews of this book: It is hard to imagine a better time for the publication of Minding the Law, a brilliant dissection of the court's work by two eminent scholars, law professor Anthony G. Amsterdam and cultural anthropologist Jerome BrunerIssue by issue, case by case, Amsterdam and Bruner make mincemeat of the court's handling of the most important constitutional issue of the modern era: how to eradicate the American legacy of race discrimination, especially against blacks. --Edward Lazarus, Los Angeles Times Book Review Reviews of this book: This book is a gem[Its thesis] is easily

stated but remarkably unrecognized among a shockingly large number of lawyers and law professors: law is a storytelling enterprise thoroughly entrenched in culture.Whereas critical legal theorists have talked among themselves for the past two decades, Amsterdam and Bruner seek to engage all of us in a dialogue. For that, they should be applauded. --Daniel R. Williams, New York Law Journal Reviews of this book: In Minding the Law, Anthony Amsterdam and Jerome Bruner show us how the Supreme Court creates the magic of inevitability. They are angry at what they see. Their book is premised on the conviction that many of the choices made in Supreme Court opinions 'lack any justification in the text'Their method is to analyze the text of opinions and to show how the conclusions reached do not always follow from the logic of the argument. They also show how the Court casts its rhetoric like a spell, mesmerizing its audience, and making the highly contingent shine with the light of inevitability. --Mitchell Goodman, News and Observer (Raleigh, North Carolina) Reviews of this book: What do controversial Supreme Court decisions and classic age-old tales of adultery, villainy, and combat have in common? Everything--at least in the eyes of [Amsterdam and Bruner]. In this substantial study, which is equal parts dense and entertaining, the authors use theoretical discussions of literary technique and myths to expose what they see as the secret intentions of Supreme Court opinionsStudying how lawyers and judges employ the various literary devices at their disposal and noting the similarities between legal thinking and classic tactics of storytelling and persuasion, they believe, can have 'astonishing consciousness-retrieving

unconsciously--to justify the results they want to reach. --Jack Greenberg, Professor of Law, Columbia Law School

Rhetoric and The Rule of Law

Lawyers, law students and their teachers all too frequently overlook the most comprehensive, adaptable and practical analysis of legal discourse ever devised: the classical art of rhetoric. Classical analysis of legal reasoning, methods and strategy is the foundation and source for most modern theories on the topic. Beginning with Aristotle's Rhetoric and culminating with Cicero's De Oratore and Quintilian's Institutio Oratoria, Greek and Roman rhetoricians created a clear, experience-based theoretical framework for analyzing legal discourse. This book is the first to systematically examine the connections between classical rhetoric and modern legal discourse. It traces the history of legal rhetoric from the classical period to the present day and shows how modern theorists have unknowingly benefited from the classical works. It also applies classical rhetorical principles to modern appellate briefs and judicial opinions to demonstrate how a greater familiarity with the classical sources can deepen our understanding of legal reasoning.

Ad Hominem Arguments

In this book, the pervasive use of analogies in the reasoning of lawyers and judges is explained in clear, simple, untechnical prose.

The New Rhetoric and the Humanities

A leading expert in informal logic, Douglas Walton turns his attention in this new book to how reasoning operates in trials and other legal contexts, with special emphasis on the law of evidence. The new model he develops, drawing on methods of argumentation theory that are gaining wide acceptance in computing fields like artificial intelligence, can be used to identify, analyze, and evaluate specific types of legal argument. In contrast with approaches that rely on deductive and inductive logic and rule out many common types of argument as fallacious, Walton&'s aim is to provide a more expansive view of what can be considered &"reasonable&" in legal argument when it is construed as a dynamic, rule-governed, and goal-directed conversation. This dialogical model gives new meaning to the key notions of relevance and probative weight, with the latter analyzed in terms of pragmatic criteria for what constitutes plausible evidence rather than truth.

Legal Reasoning

In The Art of Rhetoric, Aristotle demonstrates the purpose of rhetoric—the ability to convince people using your skill as a speaker rather than the validity or logic of your arguments—and outlines its many forms and techniques. Defining important philosophical terms like ethos, pathos, and logos, Aristotle establishes the earliest foundations of modern understanding of rhetoric, while providing

insight into its historic role in ancient Greek culture. Aristotle's work, which dates from the fourth century B.C., was written while the author lived in Athens, remains one of the most influential pillars of philosophy and has been studied for centuries by orators, public figures, and politicians alike. HarperTorch brings great works of non-fiction and the dramatic arts to life in digital format, upholding the highest standards in ebook production and celebrating reading in all its forms. Look for more titles in the HarperTorch collection to build your digital library.

Rhetoric for Legal Writers

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).

Legal Reason

This book is designed to engage students' interest and promote their writing abilities while teaching them to think critically and creatively. Dowden takes an activist stance on critical thinking, asking students to create and revise arguments rather than simply

recognizing and criticizing them. His book emphasizes inductive reasoning and the analysis of individual claims in the beginning, leaving deductive arguments for consideration later in the course.

Legal Argumentation and Evidence

Essential to an understanding of argumentation and logic, Ad Hominem Arguments is a vital contribution to legal theory and media and civic discourse. In the 1860s, northern newspapers attacked Abraham Lincoln's policies by attacking his character, using the terms "drunk," "baboon," "too slow," "foolish," and "dishonest." Steadily on the increase in political argumentation since then, the argumentum ad hominem, or personal attack argument, has now been carefully refined as an instrument of "oppo tactics" and "going negative" by the public relations experts who craft political campaigns at the national level. In this definitive treatment of one of the most important concepts in argumentation theory and informal logic, Douglas Walton presents a normative framework for identifying and evaluating ad hominem or personal attack arguments. Personal attack arguments have often proved to be so effective, in election campaigns, for example, that even while condemning them, politicians have not stopped using them. In the media, in the courtroom, and in everyday confrontation, ad hominem arguments are easy to put forward as accusations, are difficult to refute, and often have an extremely powerful effect on persuading an audience. Walton gives a clear method for analyzing and evaluating cases of ad hominem arguments found in

everyday argumentation. His analysis classifies the ad hominem argument into five clearly defined subtypes—abusive (direct), circumstantial, bias, "poisoning the well," and tu quoque ("you're just as bad") arguments—and gives methods for evaluating each type. Each subtype is given a well-defined form as a recognizable type of argument. The numerous case studies show in concrete terms many practical aspects of how to use textual evidence to identify and analyze fallacies and to evaluate argumentation as fallacious or not in particular cases.

Logic and Contemporary Rhetoric: The Use of Reason in Everyday Life

Modern logic has Wldergone some remarkable developments in the last hun dred years. These have contributed to the extraordinary use of formal logic which has become essentially the concern of mathematicians. This has led to attempts to identify logic with formal logic. The claim has even been made that all non-formal reasoning, to the extent that it cannot be formalized, no longer belongs to logic. This conception leads to a genuine impoverishment of logic as well as to a narrow conception of reason. It means that as soon as demonstrative proofs are no longer available reason will no longer dominate. Even the idea of the 'reasonable' becomes foreign to logic and such expres sions as 'reasonable decisions', 'reasonable choice' or 'reasonable hypotheses' would be put aside as meaningless. The domain of action, including method ology and everything that is given over to deliberation or controversy - i.e., foreign to

formal logic - would become a battleground where necessarily the reason of the strongest would always prevail.

Logic, Epistemology, and the Unity of Science

This new book is intended for use by writing professors who want to inject more substance into their first-year legal research and writing course, as well as advanced legal writing students and upper-class students taking a seminar on rhetoric. The book is divided into two main sections: The first section examines rhetorical theory and its impact on legal argument from the time of ancient Greece to date. The second section, organized by the canons of classical rhetoric, discusses practical applications of rhetorical theory to the specific task of learning to think and write like a lawyer in the twenty-first century. By fusing theory and practice, a legal writer acquires depth-the ability to analyze an issue effectively using all available resources-as well as breadth-the ability to transfer her talent from one context to another. Each chapter includes questions for consideration by the students as well as samples exercises and suggested answers.

Logic, Rhetoric and Legal Reasoning in the Qur'an

This classic text has introduced tens of thousands of students to sound reasoning using a wealth of current, relevant, and stimulating examples all put

together and explained in a witty and invigorating writing style. Long the choice of instructors who want to keep students engaged, LOGIC AND CONTEMPORARY RHETORIC: THE USE OF REASON IN EVERYDAY LIFE, Twelfth Edition, combines examples from television, newspapers, magazines, advertisements, and our nation's political dialogue. The text not only brings the concepts to life for students but also puts critical-thinking skills into a context that students will retain and use throughout their lives. Important Notice: Media content referenced within the product description or the product text may not be available in the ebook version.

Handbook of Legal Reasoning and Argumentation

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.

The Story of the Qur'an

This book is a crash course in effective reasoning, meant to catapult you into a world where you start to see things how they really are, not how you think they are. The focus of this book is on logical fallacies, which loosely defined, are simply errors in reasoning. With the reading of each page, you can make significant improvements in the way you reason and make decisions. Logically Fallacious is one of the most comprehensive collections of logical fallacies with all original examples and easy to understand descriptions, perfect for educators, debaters, or anyone who wants to improve his or her reasoning skills. "Expose an irrational belief, keep a person rational for a day. Expose irrational thinking, keep a person rational for a lifetime." - Bo Bennett This 2021 Edition includes dozens of more logical fallacies with many updated examples.

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