

TABLE OF CONTENTS

PREFACE	ix
KJELL ÅKE MODEER, Opening Speech	xi
CHAPTER 1: THEORY OF SCIENCE AND THEORY OF LAW	1
BERT C. van ROERMUND, Synopsis	1
BENGT HANSSON, Recent Trends in the Philosophy of Science	5
ENRIQUE ZULETA PUCEIRO, Legal Dogmatics as a Scientific Paradigm	13
AULIS AARNIO, Paradigms in Legal Dogmatics Towards a Theory of Change and Progress in Legal Science	25
MATTI SINTONEN, Pragmatic Metatheory for Legal Science	39
OTTO KAMSTRA/FRANK KUNNEMAN, On Making Implicit Methodologies Explicit	53
CHAPTER 2: ONTOLOGY AND EPISTEMOLOGY IN LEGAL SCIENCE	67
BERT C. van ROERMUND, Synopsis	67
HECTOR-NERI CASTANEDA, Ought, Reasons, Motivation, and the Unity of the Social Sciences: The Meta-theory of the Ought-Is Problem	71
ALEKSANDER PECZENIK, Legal Data. An Essay about the Ontology of Law	97
STIG JØRGENSEN, Pluralis Juris	121
JAN M. BROEKMAN, Changes of Paradigm in the Law	133
BERT C. van ROERMUND, Legal Norms: a Transformational Approach	145
JACQUES LENOBLE, Epistemology and Validity in Law	163
CSABA VARGA, Is Law a System of Enactments?	175
W.H. BALEKJIAN, The Concept of "Fact" in the Physical Sciences and in Law	183

CHAPTER 3: OBJECTIVITY AND RATIONALITY OF LEGAL JUSTIFICATION	189
ALEKSANDER PECZENIK, Synopsis	189
GORAN HERMERËN, Objectivity in the Social Sciences	195
OTA WEINBERGER, Objectivity and Rationality in Lawyer's Reasoning	217
NEIL MACCORMICK, Coherence in Legal Justification	235
JERZY WROBLEWSKI, Paradigms of Justifying Legal Decisions	253
SHELDON L. LEADER, Monism, Pluralism, Relativism and Right Answers in the Law	275
MARTIN P. GOLDING, Discovery and Justification in Science and Law	295
GUNNAR BERGHOLTZ, Reasons and Causes in Connection with Judicial Decisions	307
CHAPTER 4: TECHNICAL RATIONALITY IN THE LAW	315
ALEKSANDER PECZENIK, Synopsis	315
MAREK ZIRK-SADOWSKI, Legal Rationality Among Different Types of Rationality	319
AART HENDRIK DE WILD, Paradigms of Legal Research; Empirical Science and Legal Dogmatics	335
ROBERT S. SUMMERS, Goal Reasons in Common Law Cases - Are They Predictive?	345
PER OLOF EKELOF, Teleological Construction of Statutes	357
ENRICO PATTARO, Reason, Law and History	363
MATS MATTSSON, The Rule of Law in Legal Reasoning	373
CHAPTER 5: SOME SPECIAL TOPICS CONCERNING RATIONALITY AND LEGITIMACY IN THE LAW	383
ALEKSANDER PECZENIK, Synopsis	383
ALEJO DE CERVERA, An Ubiquitous Paralogism in Legal Thinking	385
MATS FLODIN, Power of Tolerance - On the Legitimacy of a Legal System	401
ROLAND SCHOTT, Sir Edward Coke's Legal Conservatism	413

YEMIMA BEN-MENAHM/HANINA BEN-MENAHM, Popper's Criterion of Refutability in the Legal Context	425
CHAPTER 6: CRITICISM AND DEVELOPMENTS IN PARTI- CULAR AREAS OF THE LAW: PROPERTY, CONTRACTS, AND TORTS	437
LARS LINDAHL, Synopsis	437
MARSHA P. HANEN, Theory Choice and Contract Law	441
JAN HELLNER, Trends in Legal Science Relating to Contracts and Torts	455
GORAN SKOGH, The Economics of Trade Laws	469
CHAPTER 7: INTERDISCIPLINARY BRIDGES BETWEEN LEGAL RESEARCH AND OTHER SCIENCES	483
ALEKSANDER PECZENIK, Synopsis	483
JØRGEN DALBERG-LARSEN, On Bridging the So-Called Gap Between Normative Legal Dogmatics and Empirical-Theoretical Social Science	487
FRANÇOIS OST/MICHEL van de KERCHOVE, Towards an Interdisciplinary Theory of Law	497
VITTORIO VILLA, Legal Science and Hermeneutic Point of View	509
HUBERT ROTTLEUTHNER, Legal Theory and Social Science	521
KAZIMIERZ OPAŁEK, Integration Between Legal Research and Social Science	531
CHAPTER 8: ANALYSIS OF LEGAL NORMS AND JURISTIC PROPOSITIONS	551
LARS LINDAHL, Synopsis	551
JAN EVERS, Karl Olivecrona's Theory of Legal Rules as Independent Imperatives	553
TORÉ STROMBERG, Norms of Competence in Scan- dinavian Jurisprudence	559
RICCARDO GUASTINI, A Tentative Analysis of Two Juristic Sentences	571
CHAPTER 9: LOGICAL AND PREFERENCE-THEORETICAL STRUCTURES IN THE LAW	583
LARS LINDAHL, Synopsis	583

ANTONIO A. MARTINO/CARLO BIAGIOLI/PAOLO MARIANI BIAGINI/GILBERTO DINI/FIORENZA SOCCI NATALI/ DANIELA TISCORNIA, Automated Analysis of Legislation	587
B. GHITA E. HOLMSTRÖM, Rights and Practical Possibilities	607
LARS LINDAHL, Requirements, Urgency, and Worth	617
CARL MARTIN ROOS, The Property Right of Sweden Today - Or a Requiem over an Outdated Way of Argueing	639
LIST OF PARTICIPANTS	649
INDEX OF NAMES	653