

Contents

<i>List of Abbreviations</i>	ix
<i>List of Contributors</i>	xi

Legal Defeasibility: An Introduction <i>Jordi Ferrer Beltrán and Giovanni Battista Ratti</i>	1
---	---

PART I GENERAL FEATURES OF DEFEASIBILITY IN LAW AND LOGIC

1. Defeasibility and Legality: A Survey <i>Jordi Ferrer Beltrán and Giovanni Battista Ratti</i>	11
2. On Law and Logic <i>Carlos E. Alchourrón</i>	39
3. Defeasibility, Contributory Conditionals, and Refinement of Legal Systems <i>Juliano S.A. Maranhão</i>	53
4. Is Defeasibility an Essential Property of Law? <i>Frederick Schauer</i>	77
5. Against Defeasibility of Legal Rules <i>Jorge L. Rodríguez</i>	89
6. Defeasibility in Legal Reasoning <i>Giovanni Sartor</i>	108
7. Defeasible Properties <i>Rafael Hernández Marín</i>	137

PART II DEFEASIBILITY AND INTERPRETATION

8. Defeasibility and Legal Indeterminacy <i>Pierluigi Chiassoni</i>	151
9. Defeasibility, Axiological Gaps, and Interpretation <i>Riccardo Guastini</i>	182
10. Defeasibility and Open Texture <i>Brian H. Bix</i>	193
11. Exceptions <i>Daniel Mendonca</i>	202
12. Acts, Normative Formulations, and Defeasible Norms <i>Ricardo Caracciolo</i>	209

PART III DEFEASIBILITY AND THE CONCEPTIONS OF LAW

- | | |
|--|-----|
| 13. Legal Defeasibility and the Connection between Law and Morality
<i>José Juan Moreso</i> | 225 |
| 14. Rules, Principles, and Defeasibility
<i>Manuel Atienza and Juan Ruiz Manero</i> | 238 |
| 15. Defeasibility and Legal Positivism
<i>Wilfrid J. Waluchow</i> | 254 |
| 16. True Exceptions: Defeasibility and Particularism
<i>Bruno Celano</i> | 268 |
| 17. Principles, Conflicts, and Defeats: An Approach from a
Coherentist Theory
<i>Juan Manuel Pérez Bermejo</i> | 288 |
| 18. Reasons for Action and Defeasibility
<i>María Cristina Redondo</i> | 309 |

PART IV DEFEASIBILITY AND ADJUDICATION

- | | |
|---|-----|
| 19. Legislation and Adjudication
<i>Fernando Atria</i> | 327 |
| 20. Defeasibility and Adjudication
<i>Richard H.S. Tur</i> | 362 |
| 21. Legal Defeasibility in Context and the Emergence of Substantial
Indefeasibility
<i>Jonathan R. Nash</i> | 377 |
| 22. Defeasible Rules and Interpersonal Accountability
<i>Bruce Chapman</i> | 401 |
| <i>Index</i> | 417 |