Record Nr. UNINA9910785169703321 Autore Schauer Frederick F **Titolo** Thinking like a lawyer [[electronic resource]]: a new introduction to legal reasoning / / Frederick Schauer Cambridge, Mass., : Harvard University Press, 2009 Pubbl/distr/stampa **ISBN** 0-674-05456-3 Descrizione fisica 1 online resource (xiv, 239 pages) 340/.1 Disciplina Soggetti Law - Methodology Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Note generali Bibliographic Level Mode of Issuance: Monograph Nota di bibliografia Includes bibliographical references and index. Introduction: Is there legal reasoning? -- Rules: in law and elsewhere Nota di contenuto -- The practice and problems of precedent -- Authority and authorities -- The use and abuse of analogies -- The idea of the common law --The challenge of legal realism -- The interpretation of statutes -- The judicial opinion -- Making law with rules and standards -- Law and fact -- The burden of proof and its cousins. Sommario/riassunto This primer on legal reasoning is aimed at law students and upperlevel undergraduates. But it is also an original exposition of basic legal concepts that scholars and lawyers will find stimulating. It covers such topics as rules, precedent, authority, analogical reasoning, the common law, statutory interpretation, legal realism, judicial opinions, legal facts,

and burden of proof.