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Nota di contenuto	Cover; Title page; Copyright page; Contents; Volume 1 RULES AND ORDER; CONSOLIDATED PREFACE; INTRODUCTION; 1 REASON AND EVOLUTION; Construction and evolution; The tenets of Cartesian rationalism; The permanent limitations of our factual knowledge; Factual knowledge and science; The concurrent evolution of mind and society: the role of rules; The false dichotomy of 'natural' and 'artificial'; The rise of the evolutionary approach; The persistence of constructivism in current thought; Our anthropomorphic language; Reason and abstraction Why the extreme forms of constructivist rationalism regularly lead to a revolt against reason2 COSMOS AND TAXIS; The concept of order; The two sources of order; The distinguishing properties of spontaneous orders; Spontaneous orders in nature; In society, reliance on spontaneous order both extends and limits our powers of control; Spontaneous orders result from their elements obeying certain rules of

conduct; The spontaneous order of society is made up of individuals and organizations; The rules of spontaneous orders and the rules of organization; The terms 'organism' and 'organization'

3 PRINCIPLES AND EXPEDIENCY Individual aims and collective benefits; Freedom can be preserved only by following principles and is destroyed by following expediency; The 'necessities' of policy are generally the consequences of earlier measures; The danger of attaching greater importance to the predictable rather than to the merely possible consequences of our actions; Spurious realism and the required courage to consider utopia; The role of the lawyer in political evolution; The modern development of law has been guided largely by false economics;

4 THE CHANGING CONCEPT OF LAW Law is older than legislation The lessons of ethology and cultural anthropology; The process of articulation of practices; Factual and normative rules; Early law; The classical and the medieval tradition; The distinctive attributes of law arising from custom and precedent; Why grown law requires correction by legislation; The origin of legislative bodies; Allegiance and sovereignty;

5 NOMOS: THE LAW OF LIBERTY; The functions of the judge; How the task of the judge differs from that of the head of an organization; The aim of jurisdiction is the maintenance of an ongoing order of actions 'Actions towards others' and the protection of expectations In a dynamic order of actions only some expectations can be protected; The maximal coincidence of expectations is achieved by the delimitation of protected domains; The general problem of the effects of values on facts; The 'purpose' of law; The articulations of the law and the predictability of judicial decisions; The function of the judge is confined to a spontaneous order;

Conclusions;

6 THESIS: THE LAW OF LEGISLATION; Legislation originates from the necessity of establishing rules of organization Law and statute-the enforcement of law and the execution of commands

Sommario/riassunto

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