Logical Models of Legal Argumentation

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Logical Models Of Legal Argumentation

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Logical Models Of Legal Argumentation:

Logical Models of Legal Argumentation Henry Prakken,Giovanni Sartor,1997 In the study of forms of legal reasoning logic and argumentation theory long followed separate tracks Recently however developments in Artificial Intelligence and Law have paved the way for overcoming this separation Logic has widened its scope to defeasible argumentation and informal accounts of analogy and dialectics have inspired the construction of computer programs Thus the prospect is emerging of an integrated logical and dialectical account of legal argument adding to the understanding of legal reasoning and providing a formal basis for computer tools that assist and mediate legal debates while leaving room for human initiative

Logical Models of Legal Argumentation Henry Prakken,Giovanni Sartor,1996 *Logical Models of Legal Argumentation* H. Prakken,Giovanni Sartor,2012-12-06 In the study of forms of legal reasoning logic and argumentation theory long followed separate tracks Legal logicians tended to focus on a deductive reconstruction of justifying a decision disregarding the dialectical process leading to the chosen justification Others instead emphasized the adversarial and discretionary nature of legal reasoning involving reasonable evaluation of alternative choices and the use of analogical reasoning Recently however developments in Artificial Intelligence and Law have paved the way for overcoming this separation Logic has widened its scope to defensible argumentation and informal accounts of analogy and dialectics have inspired the construction of computer programs Thus the prospect is emerging of an integrated logical and dialectical account of legal argument adding to the understanding of legal reasoning and providing a formal basis for computer tools that assist and mediate legal debates while leaving room for human initiative This book presents contributions to this development From a logical point of view it covers topics such as evaluating conflicting arguments weighing reasons modelling legal disputes as a dialogue game the role of the burden of proof the relation between principles rules reasons and facts and the relation between deductive and nondeductive arguments Written by leading scholars in the field and building on recent developments in logic and Artificial Intelligence the chapters provide a state of the art account of research on the logical aspects of legal argument **Logical Tools for Modelling Legal Argument** H. Prakken,2013-04-17 This book is a revised and extended version of my PhD Thesis Logical Tools for Modelling Legal Argument which I defended on 14 January 1993 at the Free University Amsterdam The first five chapters of the thesis have remained almost completely unchanged but the other chapters have undergone considerable revision and expansion Most importantly I have replaced the formal argument based system of the old Chapters 6 7 and 8 with a revised and extended system whieh I have developed during the last three years in collaboration with Giovanni Sartor Apart from some technical improvements the main additions to the old system are the enriehment of its language with a nonprovability operator and the ability to formalise reasoning about preference criteria Moreover the new system has a very intuitive dialectieal form as opposed to the rather unintuitive fixed point appearance of the old system Another important revision is the split of the old Chapter 9 into two new chapters The

oldSection 9 1 on related research has been updated and expanded into a whole chapter while the rest of the old chapter is now in revised form in Chapter 10 This chapter also contains two new contributions a detailed discussion of Gordon s Pleadings Game and a general description of a multi Iayered overall view on the structure of argu mentation comprising a logieal dialectical procedural and strategie layer Finally in the revised conclusion I have paid more attention to the relevance of my investigations for legal philosophy and argumentation theory **The Logic of Legal Argumentation** Marko Novak,2024-02-26 Multi modal argumentation with its logical emotional visceral and kisceral arguments is an important addition to logical argumentation especially when real life situations are considered It does not discard logic but adds other modes of argumentation to complement it to emphasize the realistic environments of communication In this sense the multi modal theory is important for the area of legal argumentation where even in the reasoning of judicial decisions traces of a flesh and blood personality who decided the case and wrote the reasons can be found This book presents a comprehensive analysis of this informal logic in legal argumentation and its practicality within the law It argues that by building on the dialectical and rhetorical models of legal argument the former being important for clear cases while the latter for unclear ones the multi modal theory of legal argumentation brings together logic and psychology in a holistic or integral perspective The approach is not only descriptive identifying the traces of alternate arguments in judicial decisions but is also normative presenting the criteria for evaluation that multi modal arguments need to face to attain validity in the legal context The work will be of interest to academics and researchers in the areas of Legal Theory Legal Linguistics Philosophy of Law and Communication Studies **Fundamentals of Legal Argumentation** Eveline T. Feteris,2017-07-10 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 relevanttheoretical factors both from various continental law traditions and common law countries   Computer Applications for Handling Legal Evidence, Police Investigation and Case Argumentation Ephraim Nissan,2012-06-15 This book provides an overview of computer techniques and tools especially from artificial intelligence AI for handling legal evidence police intelligence crime analysis or detection and forensic testing with a sustained discussion of methods for the modelling of reasoning and forming an opinion about the evidence methods for the modelling of argumentation and computational approaches to dealing with legal or any narratives By the 2000s the modelling of reasoning on legal evidence has emerged as a significant area within the well established field of AI Law An overview such as this one has never been attempted before It offers a panoramic view of topics techniques and tools It is more than a survey as topic after topic the reader can get a closer view of approaches and techniques One aim is to introduce practitioners of AI to the modelling legal evidence Another aim is to introduce legal professionals as well as the more technically oriented among law enforcement professionals or researchers in police science to information technology resources from which their own respective field stands to benefit Computer scientists must not blunder into design choices resulting in tools objectionable for legal professionals so it is important to be aware of ongoing controversies A survey is provided of argumentation tools or methods for reasoning about the evidence Another class of tools considered here is intended to assist in organisational aspects of managing of the evidence Moreover tools appropriate for crime detection intelligence and investigation include tools based on link analysis and data mining Concepts and techniques are introduced along with case studies So are areas in the forensic sciences Special chapters are devoted to VIRTOPSY a procedure for legal medicine and FLINTS a tool for the police This is both an introductory book possibly a textbook and a reference for specialists from various quarters   *New Developments in Legal Reasoning and Logic* Shahid Rahman,Matthias Armgardt,Hans Christian Nordtveit Kvernenes,2021-12-16 This book intends to unite studies in different fields related to the development of the relations between logic law and legal reasoning Combining historical and philosophical studies on legal reasoning in Civil and Common Law and on the often neglected Arabic and Talmudic traditions of jurisprudence this project unites these areas with recent technical developments in computer science This combination has resulted in renewed interest in deontic logic and logic of norms that stems from the interaction between artificial intelligence and law and their applications to these areas of logic The book also aims to motivate and launch a more intense interaction between the historical and philosophical work of Arabic Talmudic and European jurisprudence The publication discusses new insights in the interaction between logic and law and more precisely the study of different answers to the question what role does logic play in legal reasoning Varying perspectives include that of foundational studies such as logical

principles and frameworks to applications and historical perspectives   The Handbook of Rationality Markus Knauff,Wolfgang Spohn,2021-12-14 The first reference on rationality that integrates accounts from psychology and philosophy covering descriptive and normative theories from both disciplines Both analytic philosophy and cognitive psychology have made dramatic advances in understanding rationality but there has been little interaction between the disciplines This volume offers the first integrated overview of the state of the art in the psychology and philosophy of rationality Written by leading experts from both disciplines The Handbook of Rationality covers the main normative and descriptive theories of rationality how people ought to think how they actually think and why we often deviate from what we can call rational It also offers insights from other fields such as artificial intelligence economics the social sciences and cognitive neuroscience The Handbook proposes a novel classification system for researchers in human rationality and it creates new connections between rationality research in philosophy psychology and other disciplines Following the basic distinction between theoretical and practical rationality the book first considers the theoretical side including normative and descriptive theories of logical probabilistic causal and defeasible reasoning It then turns to the practical side discussing topics such as decision making bounded rationality game theory deontic and legal reasoning and the relation between rationality and morality Finally it covers topics that arise in both theoretical and practical rationality including visual and spatial thinking scientific rationality how children learn to reason rationally and the connection between intelligence and rationality   Handbook of Legal Reasoning and Argumentation Giorgio Bongiovanni,Gerald Postema,Antonino Rotolo,Giovanni Sartor,Chiara Valentini,Douglas Walton,2018-07-02 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

Intelligent Computers, Algorithms, and Applications Chunjie Luo,Weiping Li,2025-05-22 This book constitutes the proceedings of the 4th BenchCouncil International Symposium on Intelligent Computers Algorithms and Applications IC 2024 held in Guangzhou China during December 4 6 2024 The 16 full papers included in this book were carefully reviewed and selected from 31 submissions They were organized in topical sections as follows Algorithms Education Evaluation System

Legal Argumentation and Evidence Douglas Walton,2010-11-01 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 *Logic, Probability, and Presumptions in Legal Reasoning* Scott Brewer,2013-06-17 At least since plato and Aristotle thinkers have pondered the relationship between philosophical arguments and the sophistical arguments offered by the Sophists who were the first professional lawyers Judges wield substantial political power and the justifications they offer for their decisions are a vital means by which citizens can assess the legitimacy of how that power is exercised However to evaluate judicial justifications requires close attention to the method of reasoning behind decisions This new collection illuminates and explains the political and moral importance in justifying the exercise of judicial power

Legal Knowledge and Information Systems Bart Verheij,2001 This volume contains the proceedings of the fourteenth JURIX conference held December 13 14 2001 at the University of Amsterdam The Foundation for Legal Knowledge Based Systems JURIX is a forum for research in law and computer science Since 1988 JURIX has organized annual international conferences on research in the field Topics addressed range from the theoretical such as the modelling of the law and legal reasoning to the practical such as the design of systems that support legal decision making and teaching *Logic in the Theory and Practice of Lawmaking* Michał Araszkiewicz,Krzysztof Płeszka,2015-10-05 This book presents the current state of the art regarding the application of logical tools to the problems of theory and practice of lawmaking It shows how contemporary logic may be useful in the analysis of legislation legislative drafting and legal reasoning concerning different contexts of law making Elaborations of the process of law making have variously emphasised its political social or economic aspects Yet despite strong interest in logical analyses of law questions remains about the role of logical tools in law making This volume attempts to bridge that gap or at least to narrow it drawing together some important research problems and some possible solutions as seen through the work of leading contemporary academics The volume encompasses 20 chapters written by authors from 16 countries and it presents diversified views on the understanding of logic from strict mathematical approaches to the informal argumentative ones and differentiated choices concerning the aspects of law making taken into account The book presents a broad set of perspectives insights and results into the emerging field of research devoted to the logical analysis of the area of creation of law How does logic inform lawmaking Are legal systems consistent and complete How can legal rules be represented by means of formal calculi and visualization techniques Does the structure of statutes or of legal systems resemble the structure of deductive systems What are the logical relations between the basic concepts of jurisprudence that constitute the system of law How are theories of legal interpretation relevant to the process of legislation

How might the statutory text be analysed by means of contemporary computer programs These and other questions ranging from the theoretical to the immediately practical are addressed in this definitive collection   Arguments, Stories and Criminal Evidence Floris J. Bex,2011-02-15 In this book a theory of reasoning with evidence in the context of criminal cases is developed The main subject of this study is not the law of evidence but rather the rational process of proof which involves constructing testing and justifying scenarios about what happened using evidence and commonsense knowledge A central theme in the book is the analysis of ones reasoning so that complex patterns are made more explicit and clear This analysis uses stories about what happened and arguments to anchor these stories in evidence Thus the argumentative and the narrative approaches from the research in legal philosophy and legal psychology are combined Because the book describes its subjects in both an informal and a formal style it is relevant for scholars in legal philosophy AI logic and argumentation theory The book can also appeal to practitioners in the investigative and legal professions who are interested in the ways in which they can and should reason with evidence   Studies in Legal Logic Jaap Hage,2006-03-30 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   Handbook of Philosophical Logic Dov M. Gabbay,Franz Guenthner,2013-06-29 It is with great pleasure that we are presenting to the community the second edition of this extraordinary handbook It has been over 15 years since the publication of the first edition and there have been great changes in the landscape of philosophical logic since then The first edition has proved invaluable to generations of students and researchers in formal philosophy and language as well as to consumers of logic in many applied areas The main logic artiele in the Encyelopaedia Britannica 1999 has described the first edition as the best starting point for exploring any of the topics in logic We are confident that the second edition will prove to be just as good The first edition was the second handbook published for the logic commu nity It followed the North Holland one volume Handbook 0 Mathematical Logic published in 1977 edited by the late Jon Barwise The four volume Handbook 0 Philosophical Logic published 1983 1989 came at a fortunate temporal junction at the evolution of logic This was the time when logic was gaining ground in computer science and artificial intelligence cireles These areas were under increasing commercial press ure to provide devices which help andjor replace the human in his daily activity This pressure required the use of logic in the modelling of human activity and organisa tion on the one hand and to provide the

theoretical basis for the computer program constructs on the other   *Artificial Intelligence and Legal Analytics* Kevin D. Ashley,2017-07-10 The field of artificial intelligence AI and the law is on the cusp of a revolution that began with text analytic programs like IBM s Watson and Debater and the open source information management architectures on which they are based Today new legal applications are beginning to appear and this book designed to explain computational processes to non programmers describes how they will change the practice of law specifically by connecting computational models of legal reasoning directly with legal text generating arguments for and against particular outcomes predicting outcomes and explaining these predictions with reasons that legal professionals will be able to evaluate for themselves These legal applications will support conceptual legal information retrieval and allow cognitive computing enabling a collaboration between humans and computers in which each does what it can do best Anyone interested in how AI is changing the practice of law should read this illuminating work   **Computational Logic: Logic Programming and Beyond** Antonis C. Kakas,Fariba Sadri,2003-08-02 Alan Robinson This set of essays pays tribute to Bob Kowalski on his 60th birthday an anniversary which gives his friends and colleagues an excuse to celebrate his career as an original thinker a charismatic communicator and a forceful intellectual leader The logic programming community hereby and herein conveys its respect and thanks to him for his pivotal role in creating and fostering the conceptual paradigm which is its raison d tre The diversity of interests covered here reflects the variety of Bob s concerns Read on It is an intellectual feast Before you begin permit me to send him a brief personal but public message Bob how right you were and how wrong I was I should explain When Bob arrived in Edinburgh in 1967 resolution was as yet fairly new having taken several years to become at all widely known Research groups to investigate various aspects of resolution sprang up at several institutions the one organized by Bernard Meltzer at Edinburgh University being among the first For the half dozen years that Bob was a leading member of Bernard s group I was a frequent visitor to it and I saw a lot of him We had many discussions about logic computation and language

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