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Chapter 3 Natural Law and the Nature of Law Kelsen's Paradox

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December 27th, 2018 - legal theory and philosophy all proceed in the opposite direction to that of Kelsen 1 1 I refer in particular to conceptions of law as argumentation namely those for which legal reasoning is not only an aspect of the concept of law but its heart

Chapter 6 Constitutionalism and Value Free Method Kelsen

January 19th, 2019 - morality and the Kelsenian value free character of the legal science in the description of the existing law as well as the essential discretionary nature of judicial decision making in the interpretation and enforcement of the law

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