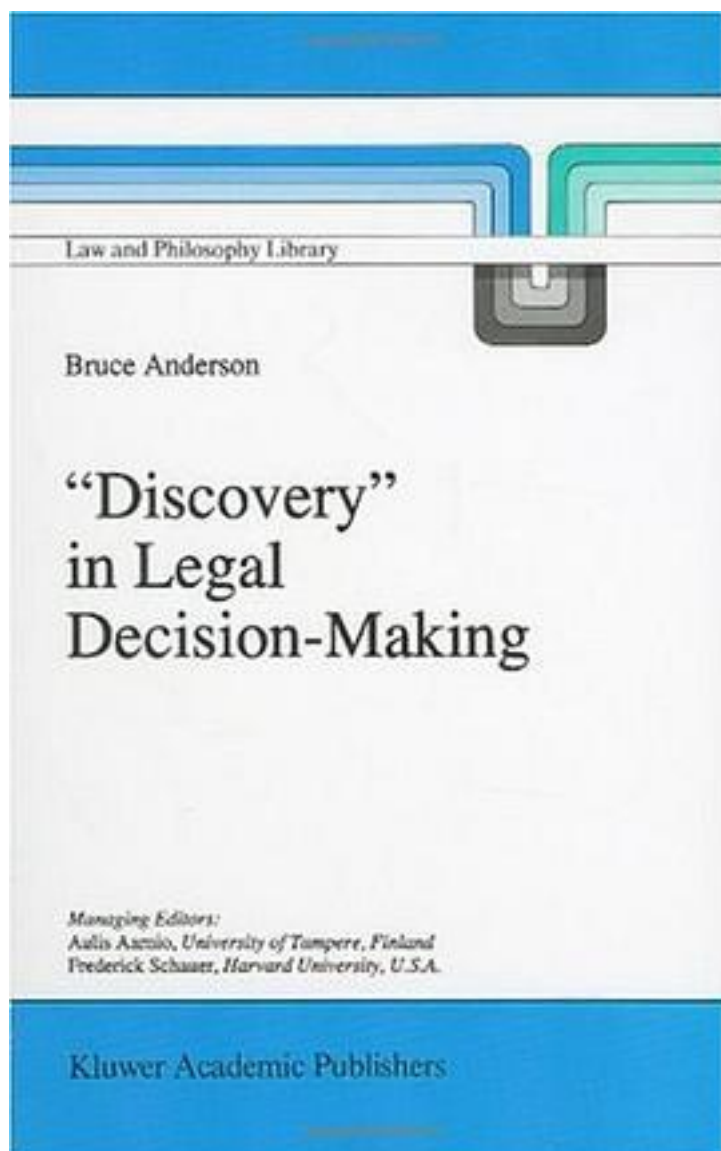


Discovery in Legal Decision-Making



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This book deals with a central problem throughout the legal profession - 'What is the nature of discovery in legal decision-making?' It begins by identifying fundamental problems about the nature of discovery, expression and introspection that emerge in the work of legal theorists and psychologists who have a reflective interest in the discovery process. Related problems are raised in analyses of the spontaneous efforts of an arbitrator and a judge to solve legal problems. The work of the Canadian philosopher and theologian, Bernard Lonergan, on 'insight' in non-legal fields is brought to bear on the problem. A plausible interpretation of various facets of discovery is provided. In fact, the author offers a new context in which to examine discovery, expression, and justification. This is the first book to focus primarily on the discovery process in legal reasoning. Audience: Essential reading for anyone - legal theorists, philosophers, psychologists, judges, lawyers and students - interested in legal reasoning.

作者介绍:

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