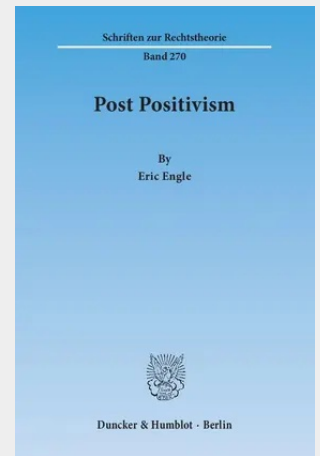


Post Positivism.

Post-positivism presents a materialist, holist, monist, cognitivist theory of law and justice. It argues that positivism and natural law are complementary, not conflicting, and that normative inference (is-to-ought) can be a valid form of logical reasoning. These are two key breaks from 20th Century legal theory, which wrongly assumed that normative inferencing was logically flawed and consequently that positivism and natural law were logically contradictory. David Hume never rejected normative inferencing. Hume's counsel was that whoever wishes to make a normative inference must express their implicit premises. Normative propositions can be recast as logical conditionals and thus be used as premises of syllogisms. Laws are best understood as logical conditionals (if-then statements). Logic consists of two branches, theoretical rationality and practical reasoning. The inadequacy of binary logic to accurately describe law is seen in several logical paradoxes about law, which can be avoided by multivariate logic.

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