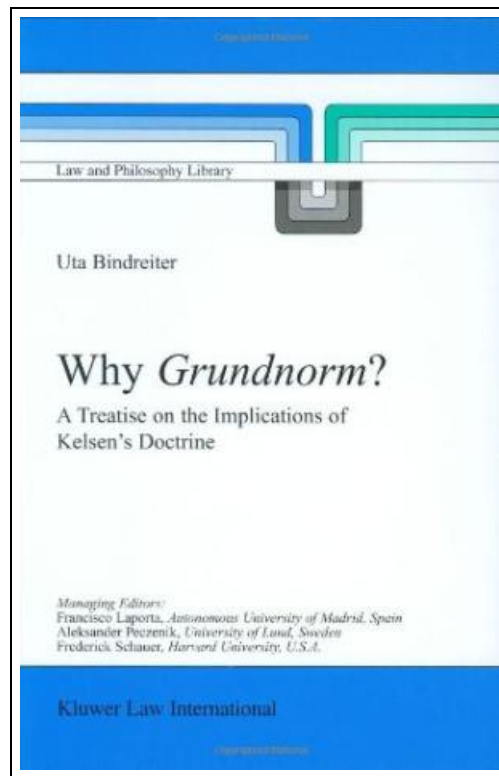


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Kluwer Law International, Netherlands, 2003. Hardback. Condition: New. 2003 ed.. Language: English . Brand New Book \*\*\*\*\* Print on Demand \*\*\*\*\*.Who presupposes Kelsen s basic norm? Is it possible to defend the presupposition in a way that is convincing? And what difference does the presupposition make? Endeavouring to highlight the role of basic assumptions in the law, the author argues that the verb to presuppose , with Kelsen, has not only a conceptual but also a normative dimension; and that the expression presupposing the basic norm is adequate in so far as it marks the descriptive-normative nature of utterances made in specifically legal speech-situations. Addressed to legal theorists in general, the treatise purports to show that Kelsen s doctrine lends itself to an interpretation according to which the very act of presupposing the Grundnorm can be understood as a Grund, i.e. normative source of all positive law; and, what is more, that this interpretation admits of addressing the issue of the (formal) legitimacy of supra-national and directly applicable rules and other norms.



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