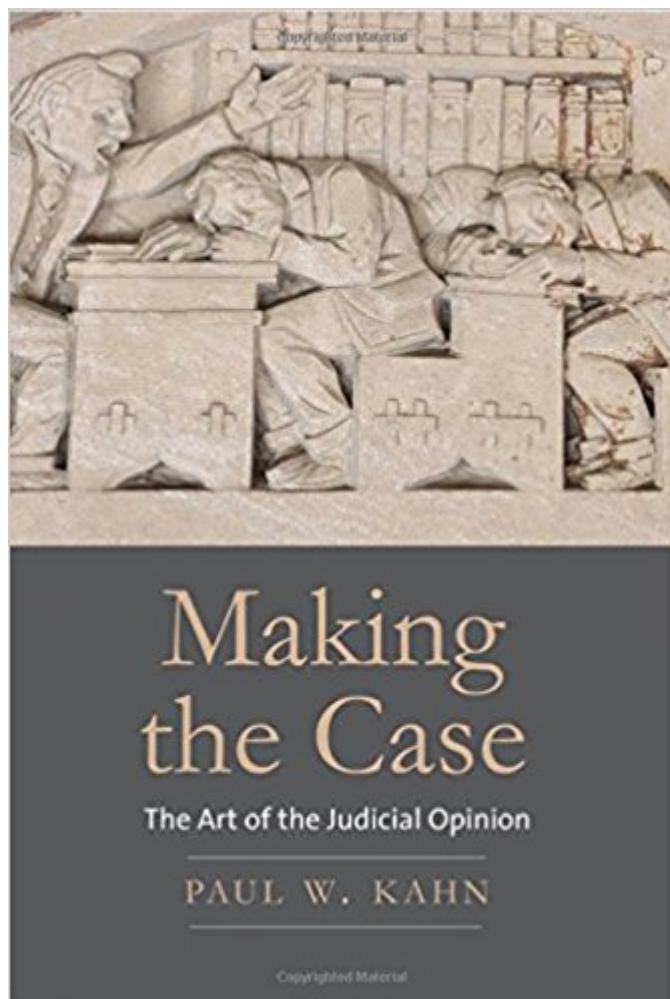


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Making The Case: The Art Of The Judicial Opinion



Synopsis

Writing in the tradition of Karl Llewellyn's classic *The Bramble Bush*, Paul Kahn speaks in this book simultaneously to students and scholars. Drawing on thirty years of teaching experience, Kahn introduces students to the deep, narrative structure of the judicial opinion. Learning to read the opinion, the student learns the nature of legal argument. Thus Kahn's exposition of the opinion simultaneously offers a theory of legal meaning that will be of great interest to scholars of law, humanities, and the social sciences. At the center of Kahn's approach are ideas of narrative, persuasion, and self-government. His sweeping account of interpretation in law offers innovative views of the nature of authorship, the development and decline of doctrine, and the construction of facts.

Book Information

Hardcover: 256 pages

Publisher: Yale University Press; 1 edition (April 26, 2016)

Language: English

ISBN-10: 0300212089

ISBN-13: 978-0300212082

Product Dimensions: 5.5 x 0.9 x 8.2 inches

Shipping Weight: 13.6 ounces (View shipping rates and policies)

Average Customer Review: 5.0 out of 5 stars 1 customer review

Best Sellers Rank: #1,382,112 in Books (See Top 100 in Books) #12 in Books > Law > Legal Education > Annotations & Citations #1005 in Books > Law > Legal Theory & Systems > Jurisprudence #1174 in Books > Textbooks > Law > Constitutional Law

Customer Reviews

"Every law student will want this book. Paul Kahn takes us beyond the typical holdings and precedents in judicial opinions to the all-important questions of how legal language convinces us of the truth it wants us to hear."--Robert Ferguson, Columbia Law School (Robert Ferguson) "Paying close attention to the legal opinion--how it is structured, the texture of its argument--leads us to the heart of what law is and does. Paul Kahn's book makes a wholly persuasive case for why we need to read the law."--Peter Brooks, Princeton University (Peter Brooks) "Paul Kahn is one of the greatest legal humanists the academy has ever produced. His lucid and profound book shows us that the legal case is a rhetorical genre no less deserving of systematic study than the novel, play, or sonnet. I knew long

before I finished the book that I would never read--or teach--the same way again." --Kenji Yoshino, NYU (Kenji Yoshino)

Paul W. Kahn is Robert W. Winner Professor of Law and the Humanities and director of Orville H. Schell, Jr. Center for International Human Rights at Yale Law School. He is the author of many books, including, most recently, Finding Ourselves at the Movies and Political Theology. Kahn lives in Killingworth, CT.

I just finished reading Making the Case last night and could hardly wait to tell you what a fine piece of writing it is. For the first time I have a deep understanding of the law, what it is, how it got to be what it is, and how it hopefully should work in a democracy. The book should be required reading for anyone who offers an opinion of the law. Sometimes I did have to struggle with some of the more "lawyerish" elements, but I never felt lost or abandoned. Certainly a major work of its kind.

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