

Christian Bumke

Rechtsdogmatik

Eine Disziplin und ihre Arbeitsweise. Zugleich eine Studie über das rechtsdogmatische Arbeiten Friedrich Carl von Savignys

[Legal Dogmatics. A Discipline and its Way of Working. Including a Study about the Legal Dogmatics' Way of Working of Friedrich Carl von Savignys.]



Published in German.

The manner of thinking and working established by legal dogmatics (*Rechtsdogmatik*) exerts formative influence on German jurisprudence. Legal dogmatics is based on the crucial ideas of positive law having to be systemised, of law having an inherent function, and of dogmatic doctrine claiming truth. Dogmatics penetrates and orders the entirety of positive law in order to guide legal practice. This study aims to examine the work within dogmatic tradition, its underlying self-professed conception, its functions, and their actual realization. Thus, the outcome creates a map of legal dogmatics' way of thinking, and exemplarily reveals its way of working. It becomes apparent that, on the basis of common convictions, a fertile variety of diverging self-conceptions has arisen. However, there is some disunity, for example, over the meaning of normative judgements, over the relation of statutory law to work within legal dogmatics, as well as over the question of whether to concentrate on the application of law.

Christian Bumke Geboren 1963; 1996 Promotion; 2003 Habilitation; Inhaber des Commerzbank-Stiftungslehrstuhls Grundlagen des Rechts an der Bucerius Law School in Hamburg.

2017. XII, 284 pages.

ISBN 978-3-16-155239-7
sewn paper 39,00 €

Order now:

https://www.mohrsiebeck.com/en/book/rechtsdogmatik-9783161552397?no_cache=1

order@mohrsiebeck.com

Phone: +49 (0)7071-923-17

Fax: +49 (0)7071-51104