

Meta-theoretical strategies in private law theory

Prof. Péter Cserne (University of Aberdeen/HIAS)

The aim of the paper is to suggest a systematisation of meta-theoretical strategies in private law theory. Attempts at a reconciliation or integration of instrumental (including economic) and intrinsic justifications of private law doctrine range from the simplest reduction or division of labour to various kinds of integration. I distinguish four stages of combination, indicate various possibilities at each stage, along with examples from the jurisprudential literature. Along with a typology, the paper discusses various strategies to defend economic theories of private law against philosophical objections.