

- 1) Which idea is the distinctive idea of legal positivism?
- 2) Name the leading historical figures of the legal positivist tradition.
- 3) Explain the difference between sources and merits of law.
- 4) Explain the difference between hard (exclusive) and soft (inclusive) legal positivism.
- 5) The main idea of legal positivism is normatively inert. What does it mean?
- 6) What does it mean to be a positivity-welcomer?
- 7) Can anyone be an anarchist and legal positivist at the same time?
- 8) Imagine rules that are drastically deficient relative to the ideal of the rule of law. Can such rules be legally valid? What would Herbert Hart say about it?
- 9) How should we understand the claim that legal positivism is not a whole theory of law's nature?
- 10) Are legal positivists committed to the view that judges should completely exclude moral reasons from their decision making?
- 11) Do the legal positivists think that all law-making is necessarily legislative law-making?
- 12) Can we say that judicial law is a kind of positive law?
- 13) Must legal positivists favor textualism as a method of legal interpretation?
- 14) Are legal positivists committed to the view that there is no necessary connection between law and morality?
- 15) Is legal positivism a theory of legal validity?

Summarizing question: What is legal positivism?