

The overarching objective of the project is to assess the role of folk psychology within the analytic philosophy of law. Folk psychology is the common sense understanding of the mind which enables the so-called “mindreading” of other persons, i.e. the ascription of intentions, beliefs and other types of thoughts on the grounds of the observed behavior. At the present moment, folk psychology is investigated mainly by philosophers and psychologists, interested in the question of how can we know the contents of another person’s mind.

The issue of the insight into another person’s mind is at the core of the contemporary legal philosophy, especially within the analytic tradition of philosophical reflection on the law. The reason for this is that the research method adopted by analytic legal philosophers is of an interpretative character. These thinkers answer the core questions of their discipline – such as the relation between the law and morality, the nature of legal rules and obligations or the specificity of legal philosophy in comparison to other scientific disciplines – from the perspective of the person who accepts legal rules and follows them in her behavior (e.g. from the perspective of a judge). In other words, this method consists in “mindreading” the practitioners of law and is often described metaphorically – according to the proposal by Herbert Hart who was the founding father of analytic legal philosophy – as taking the internal point of view on the law.

The main research hypothesis of the project states that the interpretative method of analytic legal philosophy utilizes the legal model of the mind which is a modification of the folk model of the mind. The legal model of the mind elaborates the common sense view on how the mind works, but preserves its core assumptions. Furthermore, the issue of consistency of the legal and the scientific models of the mind will be analyzed and the consequences of any significant inconsistencies between these models will be assessed in the context of the selected legal-philosophical problems, such as the methodology of law, the normativity of law and legal reasoning.

The reasons for choosing the research topics pertain to the methodological significance of the issue of the legal model of the mind within the analytic legal philosophy. In the last couple of decades, philosophy of law struggles with a certain kind of crisis, resulting, *inter alia*, from the ever growing number of answers to the questions about its goal, method and scope. Many doubts pertaining to the interpretative method of analytic legal philosophy arise because of the divergencies between this type of method and the more objective method which rejects the need to take into account the point of view of the investigated person and which is usually adopted in the social sciences. It is assumed within the project that the tension between the legal model of the mind – depicting a rather complicated psychological structure, built without the concern about the real-world features of the person – and its scientific counterpart is an often unnoticed or disregarded cause of the doubts concerning the methodological status of legal philosophy.