

SINGAPORE SYMPOSIUM IN LEGAL THEORY

THE FORCE OF LAW

BY Professor Frederick Schauer

David and Mary Harrison Distinguished Professor of Law at the University of Virginia

16 JANUARY 2015, FRIDAY

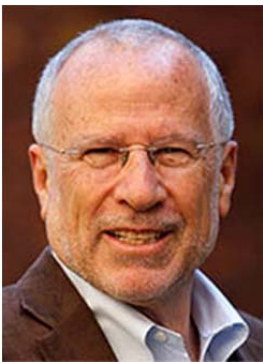
4.00PM – 6.00PM

LEE SHERIDAN CONFERENCE ROOM, LEVEL 1, EU TONG SEN BUILDING
FACULTY OF LAW, NUS (BUKIT TIMAH CAMPUS)

ABSTRACT

This lecture seeks to challenge two of the prevailing orthodoxies of contemporary analytic jurisprudence. First, that the task of jurisprudence is to locate the necessary properties of the concept of law, that is, what is essential to law in all possible legal systems in all possible worlds. Second, that force, coercion, and sanctions, although common in all actual legal systems, are not necessary properties of law and thus not part of explaining the very nature of law. In challenging both of these orthodoxies, the lecture supports the conclusion that we best understand the nature of law by examining its typical properties rather than its logically essential ones, and that the typically characteristic and distinguishing feature of law is its heavy reliance, as Bentham and Austin argued in the past, on force, coercion, and sanctions.

ABOUT THE SPEAKER



Frederick Schauer is David and Mary Harrison Distinguished Professor of Law at the University of Virginia. From 1990 to 2008 he was Frank Stanton Professor of the First Amendment at Harvard University, and was previously Professor of Law at the University of Michigan; Visiting Professor of Law at the Columbia Law School, the University of Chicago, and the University of Toronto; Visiting Fellow at the Australian National University and New York University; and Eastman Professor and Fellow of Balliol College at Oxford University. A Fellow of the American Academy of Arts and Sciences and recipient of a Guggenheim Fellowship, Schauer is the author of *The Law of Obscenity* (1976), *Free Speech: A Philosophical Enquiry* (1982), *Playing By the Rules: A Philosophical Examination of Rule-Based Decision-Making in Law and in Life* (1991), *Profiles, Probabilities, and Stereotypes* (2003), *Thinking Like a Lawyer: A New Introduction to Legal Reasoning* (2009), and *The Force of Law* (2015); the editor of Karl Llewellyn, *The Theory of Rules* (2011); and a founding editor of the journal *Legal Theory*.

Participation is By Invitation Only

Registration commences at 3.30pm and light refreshments will be served. For more information, please contact Ms Yvonne Lim at lawylhh@nus.edu.sg