



NUS
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Centre for Legal Theory
Faculty of Law

“The Basis of Authorities of Law under the Circumstances of Plurality of Laws”

BY Professor Tatsuya Yokohama
Shizuoka University

14 MARCH 2019, THURSDAY

4.00PM – 6.00PM (*REFRESHMENT STARTS AT 3.45PM*)

NUS LAW (BUKIT TIMAH CAMPUS)

FEDERAL BUILDING LEVEL 1, FEDERAL CONFERENCE ROOM

ABSTRACT

Legal Pluralism is a project to tackle with the circumstances under which non-state laws and regulations are made and applied by multiple actors. Though there are controversies about what we can and should make clear in the Legal Pluralism project, many may agree that it is necessary to show the normative bases of legal pluralism. Especially what values does legal pluralism protect?

In the presentation, firstly, we compare some arguments for legal monism and those for legal pluralism. As for the latter, for example, value and cultural pluralism, diversity and locality of specialized knowledge which is indispensable for good governance, dispersion of risks, and difficulty of social integration under one system of law and government.

However, it is important not to ignore the importance of legitimacy of laws under the circumstances of politics (Jeremy Waldron). We disagree even about the most basic conceptions of justice, and laws are expected to solve the disagreement legitimately. How should we argue the conditions of legitimacy or authority of laws? Though many legal pluralists support functional justifications of authority of law, we can and should look for relational justifications, which are quintessential in theories of political obligation. We will examine prominent justifications of authority of laws briefly, then will find more hopeful way in the theory of deference to governors which is a revision and extension of Philip Soper's view.

ABOUT THE SPEAKER



Professor Yokohama comes from Shizuoka University, Japan. His specialisation is legal philosophy and he is especially interested in obligation to obey the law, normative theories of legislation, critical study of normative theories of nationalism, and immigration justice. Recently, he published a book about obligation to obey the law (Junpo Sekimu Ron, *A Theory of Obligation to Obey the Law*) and a translation and commentary of Joseph Carens' *Immigrants and the Right to Stay*.

During his stay in NUS, Professor Yokohama will be pursuing research on legal pluralism and immigration justice. As for legal pluralism, he will assess critically whether legal pluralism succeed to explain a large variety of phenomena of laws, social rules, and regulations under globalization, and whether it can show desirable solutions of social conflicts caused by diversities of values and cultures.

As for immigration justice, Professor Yokohama is especially concerned with social exclusions of migrants in host countries. Not a few migrants come to host countries to escape their predicaments caused by poverty, discriminations, political and social difficulties. However, in host countries, they are facing not only relative poverties but also relatively unfavourable conditions of employment, education, residence, and so on. Professor Yokohama believes successful immigration policies should consider how to solve migrants' social exclusions and how to share the burdens of migrants' inclusions with the host people. He will engage himself studying migrants' circumstances in Singapore, one of the countries founded by immigrants, for constructing a promising theory of immigration justice.

Participation is by Invitation Only

Registration commences at 3.45pm and light refreshments will be served.

For more information, please contact Ms Atikah Shaftee at atikah.shaftee@nus.edu.sg