



2018  
—Tang Prize—  
Rule of Law

★★ Joseph Raz ★★

Joseph Raz

# Why him?

01. Joseph Raz is a **leading legal philosopher** of our time. For almost fifty years he has been tirelessly teaching and writing on a wide range of philosophical issues.
02. Through thorough analyses, his works deepen our understanding of the **nature of law, legal reasoning, and the relationship between law, morality and freedom.**
03. He excels and specializes in **legal, moral, and political philosophy**; every articulation and theorization of his is dedicated to critical thinking of fundamental issues.



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## Raz's way of legal philosophy

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Raz was described a **mountaineer** who's climbed almost every mountain in the range of concepts in **law**, **politics**, and **morality**, paying the closest scrutiny along the paths, thus portraying a holistic scene of the world of ideas for those who follow his footsteps.



## Raz on the nature of law

Why should people obey **law**?



1 Law necessarily claims **authority**.



2 The existence of law is based on **social facts**, not dependent on its morality.



3 The existence of authority is for the purpose of **social coordination**.



# Illustration of Raz's concept of law - Part 1



Raz assumes that:

Every legal system in force has *de facto* and legitimate authority.



## Illustration of Raz's concept of law - Part 2

Can we cross, even on a **red light**?

### Dependent Reasons

Common sense says...



### Law (mediator)

= Traffic Safety Regulations, Punitive Regulations concerning Road and Traffic Safety...etc

First-order reasons for action  
everyone may have different reasons.

Second-order reasons  
(exclusionary reasons)

when serving public interest in road safety, the law excludes various first-order reasons.



Raz's theories lead us to see law as it is, enabling us to **reflect on the essence of law and legal institutions.** 

