

Law & Morality

Law

Where legal obligation and moral obligation diverge.

Legal positivism

- Law is what has been validly enacted
- Its validity is separate from its merit
- An unjust law is still law
- Focus on the rule of recognition
- Clear separation of description and evaluation

Natural law

- Law connects to moral standards
- A gravely unjust rule may not bind
- Purpose and justice inform validity
- Underpins some rights reasoning
- Contested boundary in hard cases

THE DIFFERENCE THAT MATTERS

The debate matters practically at the extremes: whether officials in an unjust system were bound by its rules.

Educational reference. Both traditions accept that law and morality overlap; they disagree about whether the link is definitional.