

The Norwegian Association for Legal Philosophy, Norsk Forening for Rettsfilosofi (NFRf)

On Tuesday 25. November at 1700h c.t. – 19.00h

* * *

Tara Smith

will make a presentation under the title

The Rule of Law – Why It's Vital & Why It's Dying

Some legal philosophers maintain that the Rule of Law is morally neutral and, indeed, that this neutrality is the very feature that renders this ideal universally commendable. Against that view, Dr. Smith argues that the Rule of Law is a valid ideal only because it is a good that serves a morally worthy purpose. Indeed, even a defender of the value-neutral position must inescapably incorporate some moral values, deliberately or not.

In her article *Neutrality Isn't Neutral: On the Value-Neutrality of the Rule of Law*,¹ Dr. Smith presents five distinct rationales in support of the value-neutral position, and offers a critique of each. Her lecture will make the positive case for the moral value of the Rule of Law, turning heavily on the nature of objectivity and the principle that form follows function.

While the issue may initially seem esoteric, what is at stake is a society's ability to truly enjoy the Rule of Law and its countless practical benefits.

* * *

Tara Smith PhD, Philosophy, Johns Hopkins University. Dr. Smith is professor of philosophy at the University of Texas, where she holds the BB&T Chair for the Study of Objectivism and the Anthem Foundation Fellowship. A specialist in moral, legal and political philosophy, she has published books on values, virtues and individual rights, and is now writing a book on objectivity in judicial review. Smith frequently lectures for the Ayn Rand Institute, and serves as a member of its Board of Directors.

* * *

Commentary by Tarjei Bekkedal (Ph.D.)

* * *

The meeting will take place in the large Meeting Room, top floor of Domus Bibliotheca, Faculty of Law, Karl Johansgate 47, Oslo and is co-arranged by the Institute of Public Law.

We are planning to transmit the meeting live to our members in Bergen and Tromsø.

Both members and non-members are welcome.

Norsk forening for Rettsfilosofi, NFRf - Norwegian Association for Legal Philosophy
The Association's President is Jørgen A. Stubberud, Department of Public and International Law, Faculty of Law,
University of Oslo, Karl Johans gate 47, P.O.Box 6706 St. Olavs plass, N-0130 Oslo, Norway. Tel: (47) 951 45 073, e-mail:
jorgen.stubberud@jus.uio.no

¹ 4 WASH. U. JUR. REV. 49 (2011).

Available at: http://openscholarship.wustl.edu/law_jurisprudence/vol4/iss1/3