Contents

Introduction	1
PART I: MEANING, STATUS AND ESSENTIAL FEATURES	11
1. Meaning and Status Introduction The Semantic Question The Metaphysical Question Can the Law Make Any Claims at All? Is the Normative Claim of Law Contingent or Necessary? Conclusion	15 15 17 28 29 48 62
2. Generality and Moral Quality Introduction Inclusive Positivism and the Normative Claim of Law Failure of the Inclusive-Positivist Account Non-contingent Status of the Normative Claim of Law Moral Nature of the Normativity of Law General Scope of the Normative Claim of Law Conclusion	67 69 78 78 85 94 96
3. Content-dependence and Discursive Character Introduction Reconstructing Raz's Account of the Normative Claim of Law Engaging with Raz's Account Main Argument Objections and Counter-objections The Normative Claim of Law and its Authority Conclusion	99 101 107 108 114 121 131
PART II: GROUNDS	133
4. Why Grounds are Needed Introduction The Reductive Thesis The Irreducible Core of the Normativity of Law Legal-theoretical Considerations Metaethical Considerations Conclusion	139 139 140 152 160 169

vi Contents

5.	Grounding the Normativity of Practical Reason	171
	Introduction	171
	Kant's Account of the Source of the Normativity of Practical Reason	176
	Relevance and Shortcomings of Kant's Account	184
	The Modified Kantian Account	188
	Action and Human Agency	189
	Human Agency and Normativity	204
	A Reply to an Objection	212
	Conclusion	223
6.	Grounding the Normative Claim and Force of Law	225
	Introduction	225
	The Normativity of Law: the Fundamental Principle and its Implications	227
	The Normativity of Law in Detail	250
	Normative Claim	250
	Normative Force	254
Co	onclusion	271
Ap	pendix: The Modified Kantian Account and Kant's Legal Philosophy	277
Bil	bliography	289
Inc	dex	299