CONTENTS

I. PERSISTENT QUESTIONS	I
1. Perplexities of Legal Theory	I
2. Three Recurrent Issues	6
3. Definition	13
II. LAWS, COMMANDS, AND ORDERS	18
1. Varieties of Imperatives	18
2. Law as Coercive Orders	20
III. THE VARIETY OF LAWS	26
1. The Content of Laws	27
2. The Range of Application	42
3. Modes of Origin	44
IV. SOVEREIGN AND SUBJECT	50
1. The Habit of Obedience and the	
Continuity of Law	51
2. The Persistence of Law	61
3. Legal Limitations on Legislative Power	66
4. The Sovereign behind the Legislature	71
V. LAW AS THE UNION OF PRIMARY AND	
SECONDARY RULES	79
1. A Fresh Start	79
2. The Idea of Obligation	82
3. The Elements of Law	91
VI. THE FOUNDATIONS OF A LEGAL	
SYSTEM	100
1. Rule of Recognition and Legal Validity	IOO
2. New Questions	IIO
3. The Pathology of a Legal System	I I 7
VII. FORMALISM AND RULE-SCEPTICISM	I 24
1. The Open Texture of Law	I 24
2. Varieties of Rule-Scepticism	136

CONTENTS

3. Finality and Infallibility in Judicial	
Decision	141
4. Uncertainty in the Rule of Recognition	147
VIII. JUSTICE AND MORALITY	I 55
1. Principles of Justice	157
2. Moral and Legal Obligation	167
3. Moral Ideals and Social Criticism	180
IX. LAWS AND MORALS	185
1. Natural Law and Legal Positivism	185
2. The Minimum Content of Natural Law	193
3. Legal Validity and Moral Value	200
X. INTERNATIONAL LAW	213
1. Sources of Doubt	213
2. Obligations and Sanctions	216
3. Obligation and the Sovereignty of States	220
4. International Law and Morality	227
5. Analogies of Form and Content	232
Postscript	238
Introductory	238
1. The Nature of Legal Theory	239
2. The Nature of Legal Positivism	244
(i) Positivism as a Semantic Theory	244
(ii) Positivism as an Interpretive Theory	248
(iii) Soft Positivism	250
3. The Nature of Rules	254
(i) The Practice Theory of Rules	254
(ii) Rules and Principles	259
4. Principles and the Rule of Recognition	263
Pedigree and Interpretation	263
5. Law and Morality	268
(i) Rights and Duties	268
(ii) The Identification of the Law	269
6. Judicial Discretion	272
Notes	277
Index	309