

What are laws, and do they necessarily have any basis in morality? The present work argues that laws are governmental assurances of protections of rights and that concepts of law and legal obligation must therefore be understood in moral terms. There are, of course, many immoral laws. But once certain basic truths are taken into account – in particular, that moral principles have a “dimension of weight”, to use an expression of Ronald Dworkin’s, and also that principled relations are not always expressed by perfect statistical concomitances – the existence of iniquitous laws poses no significant threat to a moralistic analysis of law. Special attention is paid to the debate between Ronald Dworkin and H.L.A. Hart. Dworkin’s over-all position is argued to be correct, but issue is taken with his argument for that position. Hart’s analysis is found to be vitiated by an impoverished conception of morality and also of the nature of government.

Our analysis of law enables us to answer three questions that, at this juncture of history, are of special importance: Are there international laws? If not, could such laws exist? And if they could exist, would their existence *necessarily* be desirable? The answers to these questions are, respectively: “no”, “yes”, and “no.”

Our analysis of law enables us to hold onto the presumption that so-called legal interpretation is a principled endeavor, and that some legal interpretations are truer to existing laws than others. At the same time, it accommodates the obvious fact that the sense in which a physicist interprets meter-readings, or in which a physician interprets a patient’s symptoms, is different from the sense in which judges interpret the law. So our analysis of law enables us to avoid the extreme views that have thus far dominated debates concerning the nature of legal interpretation. On the one hand, it becomes possible to avoid the cynical view (held by the so-called “legal realists”) that legal interpretation is *mere* legislation and that no legal interpretation is more correct than any other. On the other hand, it becomes possible to avoid Blackstone’s view (rightly descried by Austin as a “childish fiction”) that judges merely discover, and do not create, the law.