

Introduction to the 2014 Editors' Symposium: *Laurence Claus's Law's Evolution and Human Understanding*

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The outstanding collection of articles following this Introduction constitutes the 2014 Editors' Symposium of the *San Diego Law Review*. The Editors' Symposium, an annual event, began with the 2004 Symposium, *What Is Legal Interpretation?*, which appeared in these pages in Volume 42.¹ It was followed in 2005 by the Symposium, *The Meaning of Marriage*;² in 2006 by the Symposium, *The Rights and Wrongs of Discrimination*;³ in 2007 by the Symposium, *Informational Privacy: Philosophical Foundations and Legal Implications*;⁴ in 2008 by the Symposium, *National Borders and Immigration*;⁵ in 2009 by the Symposium, *Isaiah Berlin, Value Pluralism, and the Law*;⁶ in 2010 by the Symposium, *Freedom of Conscience: Stranger in a Secular Land*;⁷ in 2011 by the Symposium, *The*

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1. Symposium, *What Is Legal Interpretation?*, 42 SAN DIEGO L. REV. 461 (2005).

2. Symposium, *The Meaning of Marriage*, 42 SAN DIEGO L. REV. 821 (2005).

3. Symposium, *The Rights and Wrongs of Discrimination*, 43 SAN DIEGO L. REV. 733 (2006).

4. Symposium, *Informational Privacy: Philosophical Foundations and Legal Implications*, 44 SAN DIEGO L. REV. 695 (2007).

5. Symposium, *National Borders and Immigration*, 45 SAN DIEGO L. REV. 863 (2008).

6. Symposium, *Isaiah Berlin, Value Pluralism, and the Law*, 46 SAN DIEGO L. REV. 753 (2009).

7. Symposium, *Freedom of Conscience: Stranger in a Secular Land*, 47 SAN DIEGO L. REV. 899 (2010).

Morality of Preventive Restriction of Liberty;⁸ in 2012 by the Symposium, *The Philosophical Foundations of Intellectual Property*,⁹ and in 2013 by the Symposium, *The Status of International Law and International Human Rights*.¹⁰ All eleven symposia were organized by the Institute for Law and Philosophy at the University of San Diego School of Law, and all consisted of papers and comments presented at the School of Law. The 2015 Editors' Symposium, *Global Justice and Global Trade*, will take place in April 2015, with subsequent publication of its papers forthcoming in Volume 52 of the *San Diego Law Review*.

What is the relation between law and morality? What is the relation between law and authority? Is law something that should be obeyed irrespective of its moral demerits? These perennial questions of jurisprudence are the questions Professor Laurence Claus takes up in his book, but the answers to them he gives and particularly his reasons for those answers are anything but orthodox. Claus rejects the "because I said so" notion of legal authority and argues for a communicative conception of law. Law tells its subjects "this is what's done here" and thus what reactions to expect to one's conduct. But law does not require authority it cannot possess, authority that overrides what is right. The latter point Claus illustrates by telling the story of Corporal Dakota Meyer of the U.S. Marines, who received the Congressional Medal of Honor for heroism in combat despite having disobeyed lawful orders.

In this Symposium, four very distinguished legal theorists give their assessments of Claus's quite original view of law. Their critiques are then responded to by Claus. This is truly a remarkable set of articles on an age-old topic.

In seeking to make an annual Editors' Symposium a reality, the Institute and the *San Diego Law Review* have worked to build a permanent endowment sufficient to finance it. To that end, we have solicited—and shall continue to solicit—donations from all former editors of the *San Diego Law Review*. Those who have contributed to date are listed at the beginning of the issue. We are very, very grateful for your generosity and hope this product vindicates our seeking your support. Thank you.

8. Symposium, *The Morality of Preventive Restriction of Liberty*, 48 SAN DIEGO L. REV. 1075 (2011).

9. Symposium, *The Philosophical Foundations of Intellectual Property*, 49 SAN DIEGO L. REV. 955 (2012).

10. Symposium, *The Status of International Law and International Human Rights*, 50 SAN DIEGO L. REV. 773 (2013).