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theorists should treat
it, along with morals
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Legalism (Western philosophy) - Wikipedia

Morality was of no concern to the legalist philosophers because they felt it played no

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part in people's decision-making process. In Legalism, laws direct one's natural inclinations for the betterment of all. The person who wants to kill their neighbor is prevented by law but would be allowed to kill others by joining the army.

Legalism — Judith N. Shklar | Harvard University Press

Judith N. Shklar,
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(1964). "If ... the law and the lawyer are to make a socially valuable contribution to the operation of the social security system, there must be abandoned old-established habits of thought as to the nature of law and the whole gamut of practices summed up in the layman's word of deadly insult, 'legalism'

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— his word for rigid attachment to legal precedent, the substitution of legal rule for policy, the fettering of ...

What is LEGALISM?

Legalism has occurred both in civil and common law traditions. It underlines both natural law and legal positivism. In its narrower versions, legalism may endorse the notion that the pre-

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existing body of authoritative legal materials already contains a uniquely pre-determined right answer to any legal problem that may arise.

Book Reviews

an ideology tends to mask the political rather than transcend it, and, in doing so, ironically, legalism is deployed as a way to naturalise and

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preserve certain political arrangements that have particular outcomes. When law is a framework for legitimate political action, it has distri-

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separating jurisprudence from other kinds of social theory by explaining why, in the view of historians and political theorists, legalism has fallen short in its approach to both morals and politics. Judith Shklar proposes that, instead of regarding law as a discrete entity resting upon a rigid system of definitions, legal theorists should treat

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**Judith N. Shklar -
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The first part of the
Legalism examines law
and morals and
criticizes the approach
to morals of both the
analytical positivists
and the natural law
theorists. Legalism and
Anti-Confucianism in
Maoist Politics. An
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Limits of Law and the
Possibilities of Politics.
Essays in Legal and
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**The Empire of
International
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The uses of law and
legalism to promote
political ends must
always be evaluated by
the appropriateness of
this use of law to
contribute to legalism
as a political ideology.
And in most domestic

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(Harvard University
Press, 1964) - A look
into political theory
and jurisprudence,
thereby analyzing
legalism Men and
Citizens: A Study of
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Theory (Cambridge

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University Press ,
1969) - A close look at
Rousseau and his
social theory

**Legalism — Judith N.
Shklar | Harvard
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The broad questions
presented on its pages
are fundamental to a
proper conception of
the tasks of legal
philosophy... In
particular, her analysis
of legalism is a fully
convincing explanation

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of the connection between law, and ethics and politics; and a demonstration of the need for law to come forth from its not-so-splendid solitude...

The Politics of Global Legalism and Human Security

generally drawn by professional legal philosophers between "jurisprudence" and political and moral philosophy are artificial

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and unjustified. 6

Third, she argued that legalism, because of its insistence on the morality of conduct that conforms with rules

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The international rule of law is a political system of governance. It rests on the expectation that

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governments will abide by their legal obligations and so defines what counts as appropriate behavior for states.

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