

AMA Announcement: Monday 9/26 12PM ET - Kenneth M. Ehrenberg (Alabama) on philosophy of law

A Definite Description ¹ and r/Science AMAs¹

¹Affiliation not available

April 17, 2023

Abstract

As previously announced, /r/philosophy is hosting an AMA series this fall semester which kicked off with AMAs by Caspar Hare (MIT) and Kevin Scharp. Check out our series announcement post to see all the upcoming AMAs this semester. We continue our series this upcoming Monday with Kenneth M. Ehrenberg, Assistant Professor of Philosophy and Adjunct Professor of Law at the University of Alabama. Hear it from Professor Ehrenberg himself: After getting my JD from Yale in '97 I worked for two years as a lawyer, one with the NYC Parks Dept and one with the firm O'Melveny & Myers (doing first environmental insurance defense and then a private antitrust case against Microsoft), before going back for my PhD in philosophy at Columbia. There I studied under Jeremy Waldron and Joseph Raz and had worked with Jules Coleman at Yale and when he visited Columbia. My dissertation was about doing legal philosophy by investigating the functions of law in general and legal systems. Some of the ideas are reprised in my new book, *The Functions of Law* (OUP 2016), although it is a completely newly written work with a completely new ontological claim. OUP is offering a 30% discount on the book: UK addressees can use the code ALAUTH16 and US addressees can use the code ALAUTHC4 for 30% off. After finishing my PhD, I took my first tenure track job at University at Buffalo, SUNY, taking leave to do a term at Oxford as the HLA Hart visiting fellow in 2010. In 2012 I took a second tenure track job at University of Alabama, heading up their jurisprudence specialization. My main areas of interest are in analytic general jurisprudence (especially the ontology of law and methodology of legal philosophy), the relation of law to morality and grounds of legal authority, and the epistemology of evidence law. The following is a short description of the book. This book seeks to contribute to a legal positivist picture of law by defending two metaphysical claims about law and investigating their methodological implications. One claim is that the law is a kind of artifact, a thoroughgoing human creation for performing certain tasks or accomplishing certain goals. That is, artifacts are generally understood in terms of their functions. When discussing artifacts, the notion of function need not be as mysterious or problematic as might be the case with biological functions. The other claim is that the law is an institution, a specific kind of artifact that creates artificial roles which allow for the establishment and manipulation of rights and duties among those subject to the institution. The methodological implication of this picture of law is that it is best understood in terms of the social functions that it performs and that the job of the legal philosopher is to investigate those functions. This position is advanced against non-positivist theories of law that nonetheless rely upon notions of law's function, and is also advanced against positivist pictures that tend to de-emphasize or overlook the central role that function must play to understand the nature of law. One key implication of this picture is that it can help explain how law might give people reasons to act beyond its use of force to do so. AMA Professor Ehrenberg will join us Monday for a couple hours of live Q&A on his research in the philosophy of law. Please feel free to post questions for Professor Ehrenberg here. He will look at this thread before he starts and begin with some questions from here while the initial questions in the new thread come in. Please join me in welcoming Professor Ehrenberg to our community!

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ADEFINITEDESCRIPTION [R/SCIENCE](#)

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AMA

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