

# Whence the force of the law? John Rawls and the course of American legal philosophy

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## **The author:**

Dr. Bok received her A.B. in History from Harvard and was awarded a Marshall Scholarship to study for the M.Phil in Political Thought and Intellectual History at Cambridge, where she won the Quentin Skinner Prize. Kenzie remained in Cambridge to complete her Ph.D. on “The early Rawls and his path to A Theory of Justice” under the supervision of Dr. Joel Isaac. She returned to her hometown of Boston after graduation and is currently finishing a book on the young Rawls. Her work has been published in *Modern Intellectual History* and the *Journal of the History of Ideas*. As a Lecturer in Social Studies at Harvard University, Kenzie teaches undergraduate seminars on “Rawls & the Moral Feelings” and “Justice in Housing”. She also works in affordable housing as the Senior Advisor for Policy & Planning at the Boston Housing Authority.

## **The paper:**

Sixty years ago, in 1957, H.L.A. Hart gave the Oliver Wendell Holmes lecture at Harvard Law School, then sixty years after Holmes’s famous speech “The Path of the Law” (1897). Himself a British professor of jurisprudence at Oxford, Hart framed his argument for a version of legal positivism in homage to Holmes, perhaps America’s most celebrated legal thinker. This paper takes as its jumping-off point the ensuing 1958 debate between H.L.A. Hart and Lon Fuller in the pages of the *Harvard Law Review* over the connection between law and morals. It considers the midcentury context in which that debate occurred, then examines how the exchange informed the legal philosophy of two men who read it together in the spring of 1960: John Rawls, who would go on to shape American political and moral philosophy for the next half-century, and his undergraduate student David Souter, who would later become a Justice of the U.S. Supreme Court.