Document generated on 04/25/2024 7:09 p.m.

Paideusis

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Volume 1, Number 1, 1987

URI: https://id.erudit.org/iderudit/1071144ar
DOI: https://doi.org/10.7202/1071144ar

See table of contents

Publisher(s)

Canadian Philosophy of Education Society

ISSN

0838-4517 (print)
1916-0348 (digital)

Explore this journal

Cite this article

Coombs, J. (1987). Respect for Law: An Educational Objective. *Paideusis*, *1*(1), 33–47. https://doi.org/10.7202/1071144ar

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Respect for Law: An Educational Objective

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Programs of law related education appear to be increasingly popular in North America. Given the resources devoted to them and their potential for shaping students' views about society, it is important that their goals or aims receive careful scrutiny. In his comprehensive review of Law Related Education programs, Case notes that several programs include among their list of objectives respect for law or respect for the rule of law.[1] Although such an objective seems consistent with the widespread opinion that citizens should respect and obey the law, it is not clear that there are good reasons for adopting it. Laws may, after all, be stupid, unjust or otherwise immoral. The purpose of this paper is to clarify what beliefs, attitudes or dispositions might be implied by the phrases 'respect for law' and 'respect for the rule of law' and to consider which, if any, of these there are good reasons for adopting as goals of Law Related Education.

Kinds of Respect for Law

Let us consider first what might be implied by the phrase "respect for law." Joseph Raz identifies two components of respect for law: cognitive respect and practical respect. Cognitive respect consists in believing that the law has moral value and in having the dispositions appropriate to that belief. Having cognitive respect for law does not entail believing that all of the specific laws of one's society are just or good, but merely that the structure of law is, in general, beneficial and fair.[2] Given this belief, a person is likely also to have certain dispositions, such as reluctance to support changes in legal institutions and willingness to encourage others to value the law. Practical respect consists primarily in the disposition to obey the law because one believes that one has a moral obligation to obey laws. While Raz acknowledges that these two components often occur together, he believes it is possible for persons to have either one without the other. One could have respect for the structure of the legal system without having the disposition to obey every law, or one could have the disposition to obey the law without having respect for the legal system.

Although Raz's distinction is useful, his way of characterizing it invites misunderstanding. Respect, of whatever sort, always entails

both cognitive belief and disposition to act. One sort of respect is neither more cognitive nor more practical than another. A person who respects her parents, for example, necessarily believes that their interests and points of view should be important considerations in her deliberations about what to believe and how to act. Lacking such a belief, she will not be accounted as respecting her parents even though she acts in the way a respectful daughter would act (perhaps because she wishes to inherit their money). On the other hand, were she typically to behave in a manner different from the way in which a respectful daughter would act, she would be judged not to have respect, regardless of her avowed beliefs. Similar conditions apply when the object of respect is other than a person. To respect a person's privacy, for example, is not merely to avoid invading it, but to do so because that is believed to be the right or good thing to do. What Raz has actually distinguished are two different objects of respect—legal systems, and individual laws. A person having what Raz calls "cognitive respect" has respect for the legal system or general structure of laws of a society. Someone with "practical respect," on the other hand, respects individual laws. Accordingly, it is more apt to refer to these kinds of respect as legal system respect and particular law respect.

As explicated by Raz these kinds of respect exhibit two important differences. First, whereas one may respect the legal system in greater or lesser degree depending on the degree of worth one believes the legal system to have, respect for particular laws does not admit of degrees. One either believes that it is morally wrong to break the law or that it is not. Second, the set of dispositions associated with legal system respect is less determinate that that associated with particular law respect. Depending upon one's further beliefs and inclinations it may, but need not, include dispositions to resist changing the legal system without strong justification, defend the system against its detractors, urge others to adopt similar systems, praise the system publicly, and perform symbolic gestures indicative of respect. Particular law respect, on the other hand, necessarily involves the disposition to do what the law requires.

But this picture of kinds of respect for law is too simple, for particular law respect can be either qualified or unqualified. What Raz has described is unqualified respect wherein the one who respects believes it is always morally wrong to disobey the law. One who has qualified particular law respect believes that it is wrong to disobey the law except when one has specific, morally justifying reasons for disobeying it. These reasons may be of two sorts: first, reasons for believing that acting in the way the law requires is immoral and, second, reasons for believing that the law constitutes an unwarranted infringement of persons' moral rights (for example, censorship laws). The dispositions associated with qualified particular law respect are,

of course, somewhat different from those associated with unqualified particular law respect. A person having qualified particular law respect will not necessarily have any disposition concerning obedience to the law in those cases where disobeying the law is believed to be justified. Such a person may even be disposed to break the law when doing what the law requires is believed to be immoral. Moreover, qualified particular law respect involves the disposition to take seriously arguments purporting to show the moral deficiencies of individual laws.

Because the phrase "rule of law" has become a rather vague slogan in recent years, it is difficult to determine what respect for the rule of law may reasonably be taken to imply. According to Raz, two conditions must be present when the rule of law obtains. Government officials who apply the law, as well as those to whom it is applied, are ruled by the law and subject to it. Second, the law is clear enough that people are able to be guided by it.[3] Lyons makes much the same point but with somewhat different emphases.

> Decisions should be made according to existing law and . . . they should be made on the merits of the alternatives . . . Desirable procedures should ensure scrupulous adherence to the law by requiring the collection of relevant information, and by compensating for human fallibility as far as that is feasible . . . But officials who apply problematic law should be required to make publicly clear what they are doing and how they arrive at their controversial decision.[4]

Among the more important principles which can be derived from the rule of law are the following:

1. All laws should be prospective, open, and clear.

2. Laws should be relatively stable.

3. The making of particular laws (particular legal orders) should be guided by open, stable, clear and general rules.

4. The independence of the judiciary must be guaranteed.

5. The principles of natural justice must be observed.

6. The courts should have review powers over the implementation of the other principles.

7. The courts should be easily accessible.

8. The discretion of the crime preventing agencies should not be allowed to pervert the law.[5]

Given this analysis of the meaning of "rule of law," having respect for the rule of law would seem to imply believing it is a good thing for legal systems to have those features (essentially the features outlined by Raz) which ensure that officials adhere to the law and that people are able to be guided by it. It also implies the possession of dispositions appropriate to such beliefs, such as the disposition to take action against officials who do not adhere to the law and the disposition to urge reform of laws which are overly vague. Notice that having respect for the rule of law does not imply the possession of any particular beliefs about one's actual legal system, nor does it imply any dispositions toward is the instantiation of an ideal in actual legal procedures and sets of laws. Accordingly, it will be useful to refer to this sort of respect as ideal legal process respect.

Ideal legal process respect is not the only sort of act which might legitimately be associated with respect for the rule of law. A second possibility is respect for the institution of law, that is, for law governed society as opposed to lawlessness or anarchy. At the heart of this sort of respect is the belief that law governed societies, even when the legal system is flawed, provide substantial benefits for members of the society, benefits which would not be forthcoming without the existence of a legal system. Dispositions appropriate to this belief may include willingness to support a legal system even when it has substantial defects, and inclination to support measures to ensure the law is changed only by means which ensure the continued existence and stability of the basic legal structure of society. This sort of respect might aptly be termed existence of law respect.

In sum, there are five different kinds of respect associated with the phrases "respect for law" and "respect for the rule of law."

1. Existence of Law Respect. The belief that having a system of laws enables persons to have substantial benefits they could not otherwise have, and the dispositions appropriate to this belief.

2. Ideal Legal Process Respect. The belief that it is a good thing to have a legal system which ensures that officials adhere to the law and that people are able to be guided by it, together with the dispositions appropriate to such beliefs.

3. Legal System Respect. The belief that one's legal system

is good in that it promotes the welfare and protects the rights of persons subject to it, together with the dispositions appropriate to this belief.

4. Unqualified Particular Law Respect. The belief that one ought always obey the law and the dispositions appropriate to this belief.

5. Qualified Particular Law Respect. The belief that one ought to obey the law except when there is a specific moral justification for disobeying it.

Standards for Judging Educational Goals

With the exception of qualified particular law respect, all of these kinds of respect are popularly considered to be desirable characteristics of citizens of our society. The question I wish to consider is whether or not we are justified in taking the promotion of these various kinds of respect to be defensible goals for educational programs in our society.

Before this question can be considered, however, it is necessary to determine what standards or criteria are appropriate for judging the defensibility of proposed educational goals. Doing justice to this large and complex topic would take us far afield from the present concern with respect for law. Nonetheless, if my conclusions are to have rational appeal, it is necessary to offer at least a brief defence of the standards I shall use for judging whether or not the various kinds of respect to law are justifiable goals of educational programs. Such standards cannot be derived simply from an analysis of the meanings of the term "education," for it is quite clear that persons often disagree about the defensibility of a proposed educational goal even though they know quite well what "education" means and what is implied by the claim that someone is an educated person. The continuing debates concerning the defensibility of various moral education proposals are but one example of such disagreement.[6] Obviously, if there are standards of defensibility implicit in our use of the term "education," they are not sufficiently determinate to be useful in settling such important issues of defensibility as this. Moreover, standards of defensibility implicit in our ordinary concept of education cannot be considered immune from criticism and reconstruction in light of our further purposes and values.

These considerations suggest that determining what standards are appropriate for judging the defensibility of proposed educational goals is a matter to be decided by practical reasoning. That is to say, we must consider the plausible alternative standards and decide

which one, all things considered, we have sufficient reason to choose. Thus, the following discussion identifies alternative standards of defensibility which I believe are plausible options for persons in our society and considers which we have reason to adopt.

Having cautioned against attempting to derive standards of defensibility from the concept of education, I want nonetheless to suggest that our uses of the term "education," the judgments we make with it, suggest defensibility standards which are plausible options for persons in our society. In his highly influential analysis of the meanings of the term "education," Richard Peters makes the claim that the term has two senses, one of which implies the promotion of desirable learning and one of which implies the transmission of worthwhile knowledge.[7] Whether or not this claim is accurate as an analysis of the meanings of the term "education," it is, I think, an accurate portrayal of the standards the majority of persons in our society currently use to judge what sorts of things qualify for inclusion in an educational program. Thus, Peters' analysis suggests two possible kinds of standards for judging whether or not fostering a particular sort of learning such as a belief or attitude is a defensible goal of an educational program: a desirability standard and a knowledge standard.

The desirability standard claims, in effect, that fostering any learning outcome is a defensible educational goal as long as it is desirable for persons to acquire it. The validity of the desirability standard seems to me indisputable. If it can be shown that a given belief or attitude is a desirable one for persons to have, clearly we have adequate grounds for regarding its fostering to be a defensible educational goal. In order to provide such grounds, however, we must have an authoritative way of establishing that any given belief, attitude, or disposition is desirable or undesirable for persons to have. Given that human history is largely a history of contention concerning the beliefs and attitudes that persons should have, the possibility of discovering an authoritative test of desirability is extremely remote.

It could be argued that democratic decision making obviates the need for an authoritative way of establishing the desirability of beliefs and attitudes. Thus, it might be supposed that any educational goal resulting from the democratic choice of the persons served by the educational program is defensible. This argument will not do, for it is a commonplace that democratic decision procedures may result in violations of rights of individuals. We can accept the deliverances of democratic procedures for selecting educational goals only if we are assured that the rights of individuals, particularly students, will not be violated. Students, regardless of their degree of maturity, share with all other moral agents the right to be treated as ends and not merely as means to achieving the ends of others.

Educational goals may be chosen to promote the interests of in-

dividual learners or the goals of society as determined by its political processes. What we must ensure is that democratic processes will not select goals for educational programs such that students are treated as mere means for achieving social ends or the ends of the dominant groups in our society. Determining how we can operationalize this constraint on what objectives may legitimately be selected is thus one of the central problems of educational theory.

One of the primary attractions of the knowledge standard for judging educational goals is the promise it holds for solving this problem. To adopt the knowledge standard is to take the position that the educational defensibility of fostering any given learning is determined by whether or not the learning counts as the acquisition of knowledge, a necessary precondition or presupposition of having knowledge, or learning which has instrumental value for securing knowledge. Knowledge is here construed as encompassing skills and abilities as well as true or warranted beliefs. The discussion which follows, however, will be primarily concerned with beliefs and dispositions, for these are the sorts of learnings implicit in acquiring respect for law. The virtues of the knowledge standard are fairly obvious. Knowledge is thought to be worthwhile both to the learner and to other persons in her society simply by virtue of its truth or efficacy. Moreover, to have knowledge is to have beliefs which are warranted as true or efficacious by procedures and standards which ensure the greatest degree of objectivity persons can attain. Thus, while judgments of truth or efficacy are dependent upon the established epistemic values of our community, They are not dependent upon the dominant social values, myths, and ideology of our society. Our convictions that knowledge is worthwhile to the person who has it and that it is warranted by procedures which ensure objectivity persuade us that fostering knowledge in a student cannot be a case of treating her as a mere means, even when having that knowledge is also worthwhile for others or for her society in general.

Unfortunately, the knowledge standard is not well suited for the purposes of the present inquiry. Using it, we could clearly judge it defensible for educational programs to foster belief in the warranted conclusions of mathematics, science, and history together with belief in the value of the techniques and standards of inquiry relevant to establishing such conclusions. Clearly indefensible would be the fostering of belief in such things as the principles and techniques of astrology, phrenology, and alchemy. But this very nearly exhausts the range of applicability of the knowledge standard, for at this point we reach the end of any workable agreement concerning the extension of the word "knowledge." Some people claim we can have moral, aesthetic, and religious knowledge, while others deny this. Even among those who believe such knowledge is possible, these is no agreement about which knowledge claims of this sort are to be ac-

cepted or how we should determine the acceptability of such claims. Thus, the knowledge standard provides no guidance concerning the educational defensibility of fostering non-epistemic value beliefs. But this is precisely the sort of learning we must foster if we are to promote any sort of respect for law.

At this point, there would appear to be three possible directions to take in this inquiry into defensibility standards. We could conclude that anything which is not indisputably knowledge is educationally indefensible, attempt to interpret John Dewey's "growth" standard in such a way as to make it clear and supportable,[8] or attempt to reinterpret the knowledge standard in such a way as to make it applicable to our present concern. We must reject the first alternative, primarily because it would put beyond the pale of education much learning which there is very good reason to believe it desirable for anyone to have. Although the second alternative is interesting and promising, it will not, I believe, yield any results we cannot obtain much more directly by adopting the third alternative.

Beliefs and ways of acting which count as knowledge are thought to be worth having because there are good reasons for anyone to regard them as true or efficacious. We are convinced, that is, that any properly trained person who rationally considers the evidence for and against the belief will have good and sufficient reason to adopt it. Moreover, the fostering of knowledge is thought to be non-exploitive or non-manipulative on precisely the same grounds, namely, that the beliefs being fostered are ones the learners have good and sufficient reason for accepting. This suggests that the knowledge standard can be interpreted as essentially a standard of good and sufficient reason.

As applied to learning of respect, the standard of good and sufficient reason suggests that the fostering of any sort of respect is defensible as an educational goal if and only if there is good reason to believe that any student, were she to engage in rational consideration of the reasons for and against having that sort of respect, would acquire the respect. Adopting the standard of good and sufficient reason will not preclude debate about the educational defensibility of fostering any particular value beliefs, including those implicit in having respect for law. What it should do, however, is refocus debate. We will not argue about what values students in our society ought to learn, but about what values they have good and sufficient reason to adopt, that is, what values they would learn were they to engage in rational consideration of reasons for and against adopting the values.[9]

Grounds for Respecting Law

Let us consider, then, what reasons there are for having that kind of respect I have termed "ideal legal process" respect. Ideal legal process respect would seem to be a legitimate educational goal in so far as there are adequate reasons for believing that legal systems should embody those features associated with the rule of law. I believe there are such reasons, assuming that the law serves good ends such as promoting cooperation, protecting rights, and settling disputes peacefully. Lyons argues that the procedural principles associated with the rule of law are desirable on two grounds. First, adherence to them is necessary if we are to be able to count on substantive law having its intended effects. Substantive law cannot realize its intended values unless those charged with applying the law actually do adhere to it. Second, adherence to these principles is required by moral considerations of fairness and autonomy, for such considerations suggest that it is wrong to penalize people for doing what they had no reason to believe would be illegal.[10]

As Raz points out, adherence to the rule of law is only one virtue of a legal system, but it is an important virtue in that the realization of other values depends upon it.[11] Notice that, if students acquire ideal legal process respect, they are not thereby acquiring respect for any actual legal processes, but only for an ideal to which actual processes may adhere in greater or lesser degree. There is, thus, an important interconnection between ideal legal process respect and legal system respect. One appropriate standard for judging the respect due a legal system is the degree to which it instantiates the ideal of the rule of law.

Since there are adequate reasons for anyone's believing the rule of law to be a good thing, promoting this belief and its associated dispositions can quality as an educational goal. Moreover, given the enormous importance of the legal system for all members of society, there appears to be good reason for adopting it as a goal of public education. In this case, too, the goal should be not merely valuing the rule of law, but valuing it for appropriate reasons.

Adopting the development of legal system respect as an educational goal would seem to be justified only if our legal system is deserving of respect. Given that legal system respect can be had in varying degrees, educators are warranted in fostering only the degree of respect the legal system merits—no more and no less. The fact that reasonable people can and do disagree about the degree of respect our legal system deserves does not mean that it is a mistake to conceive of our goal as fostering respect. What it does mean, however, is that fostering respect cannot be our immediate goal. Rather, it must be seen as contingent upon achieving another goal,

namely, appreciation of the consequences for human welfare of adopting our legal system as compared to plausible alternatives.

In arguing that education must aim at understanding and rational, informed acquisition of legal system respect, I have not meant to rule out the possibility that some other objective might be a legitimate aim of formal schooling. Were children in general subjected to non-school influences that induce blind hatred or distrust of our legal system, or were the legal system in danger of imminent collapse because of lack of support, one might be able to make a good case for schools' seeking to secure legal system respect with little concern for whether or not students understand what they are valuing and why. Since neither of these conditions presently obtains, we should have no hesitancy in helping students to make their own informed and critical evaluations of our legal system.

It is widely believed that citizens, at least of a liberal democracy, should have particular law respect for the laws of their country. That is, they should be disposed to obey the law because they believe that it is the right thing to do. Whether or not laws should be accorded this sort of unqualified respect has been a topic of philosophical dispute at least since Socrates' famous defence of obedience to law in the *Crito*. In recent years, a number of philosophers have argued persuasively that persons do not have any moral obligation to obey the law. Rebutting the more persuasive arguments by which philosophers have tried to establish that persons are morally obligated to obey the law, they conclude that there are not adequate reasons for believing persons to have such an obligation.

Among the arguments advanced to establish a moral obligation to obey the law, the following appear to be taken most seriously.[12]

1. The conceptual argument claims that part of the meaning of "illegal" is "immoral". To determine that an act is illegal is to determine that it is immoral.

2. The bad example argument claims that one person's breaking the law would set a bad example and cause others to break the law.

3. The universal consequences argument suggests that the principle that law breaking may be justified cannot be consistently defended, since not everyone can act on it without disastrous consequences.

4. The breach of agreement claims that it is always morally wrong to break the law because it is unfair to accept the results of a democratic decision procedure only when one

approves of the outcome. Participation in democratic decision making requires that all abide by the decisions. Failure to do so is not only unfair, it also undermines the authority of the decision making process.

5. Closely related to the breach of agreement argument is the fairness argument which maintains that because we benefit from others' obeying the law, fairness obliges us to obey the law so as to allow others to reap its benefits.

6. The fallibility argument suggests that accepting the view that one may be justified in breaking the law will, in fact, lead to the law's often being broken without adequate justification. In the long run, the consequences for all concerned will be better if we adopt the view that no one is ever justified in disobeying the law.

In his rebuttal to these sorts of arguments, Lyons claims that:

> the reasons that might be given in support of the claim that there is a general moral obligation to obey the law do not apply generally enough. They refer to conditions that can, but do not always exist.[13]

The breach of agreement argument, for example, supposes that all or most people subject to the law have freely taken part in the democratic decision processes by which laws are made. Obviously this assumption is false. Similarly, the fairness argument assumes that everyone benefits from others' obeying the law. But clearly this assumption is also flawed. Laws, even of a democratic state, can systematically discriminate against some persons. Where lies the unfairness in disobeying such laws?

Although Lyons' rebuttal does not undermine the conceptual, bad example, universal consequences or fallibility arguments, there are, I believe, good reasons for rejecting each of these. The conceptual arguments must be rejected because it is clearly not contradictory to judge an action illegal yet morally required. This is precisely the judgment that was generally made concerning actions which broke the segregation laws of Southern States in the U.S. The bad example argument must be rejected because it makes the unwarranted empirical assumption that one person's breaking a particular law for a given reason will encourage others to break not only the law in question but laws in general. No one, to my knowledge, has produced sufficient evidence to substantiate this claim. Acts of civil disobedience to protest public policies or laws regarded as wrong or immoral do not appear to spark widespread lawlessness. The univer-

sal consequences argument rests on the mistaken view that those who deny the existence of a moral obligation to obey the law must regard as acceptable the consequences of everyone's breaking the law indiscriminately or whenever they please. Actually, all we need be prepared to accept are the consequences of everyone's breaking the law when they have what they take to be good moral reasons for doing so. That these consequences would be less desirable than those which would ensue from everyone's always obeying the law is not only all certain. The fallibility argument founders on precisely the same point. It is not at all obvious that the long run consequences would be better if everyone were to believe that they have unqualified moral obligation to obey the law than if they were to believe that their obligation to obey the law is, at best, a qualified one.

I think it must be granted that these arguments are inadequate to establish that persons have good reasons for having unqualified particular law respect. If, as seems likely, no better arguments are forthcoming, we should reject unqualified particular law respect as a legitimate goal for Law Related Education. This is not to suggest, however, that qualified particular law respect is similarly unjustified. Qualified respect, you will recall, consists in regarding the fact that the law prescribes or prohibits an action as a reason for engaging in the action, but not necessarily a sufficient reason. It also entails that one regard any given case of law breaking as requiring specific moral justification. What we must consider, then, is whether there are good reasons for having this sort of respect. Recent works by Raz and Lyons suggest that there are not.

Raz argues that there is no general obligation to obey the law, even the laws of a good and just legal system. Basically, his argument rests on the contention that having the status of law confers no special moral status on a rule of conduct. Only if the rule is independently a justified moral prescription does it acquire moral force. He concludes that, since there is no moral obligation to obey the law, one is justified in having no general moral attitude toward the law.[14] The crucial part of Raz's argument is his contention that having the status of law confers no special moral status on a rule of conduct. That laws have moral status is precisely what the conceptual, breach of agreement, and fairness arguments were meant to show. Although the counterarguments reviewed above may persuade us that particular laws have no moral weight that cannot be overridden by other moral consideration, they do not, as Raz seems to suppose, force us to the view that laws have no moral status at all.

Lyons, too, seems to suppose that the fairness and breach of agreement arguments fail to support the conclusion that laws have special moral status, for he takes the counterarguments as telling against the view "that there is always a moral obligation to obey the

law, a significant moral reason to obey, but . . . in some circumstances one might be morally justified in disobeying the law."[15]

I am persuaded that it is possible to mount a good argument in support of the view that laws have moral status or authority just because they are laws and that consequently the attitude of qualified particular law respect is the most appropriate attitude to take toward laws. The canons of good practical reasoning require that our argument be comparative in nature. We want to know not whether qualified particular law respect is good or bad, but whether it is better or more appropriate than plausible alternative attitudes one could adopt. Plausible alternatives in this case would appear to include unqualified particular law respect and the attitude of regarding the fact that a rule is a law as bearing on one's decision to act only by providing prudential reasons for acting.

The argument supporting the claim that qualified particular law respect is the most appropriate attitude to take starts out along lines similar to the fairness argument. Systems of law bring substantial benefit to persons by providing them with protection from evils perpetrated by others and enabling persons to pursue co-operative enterprises to realize human values. The system of laws confers these benefits only if members of society, by and large, conform to the laws. Moreover, conformity to law must take place in contexts wherein persons do not necessarily understand what values particular laws realize. As Lyons notes, "rules may be contrived to serve . . . values indirectly, in a way that will not be apparent to one who simply understands what the rules generally require and allow."[16] To a considerable extent, laws convey benefits on persons through solving what has come to be referred to in ethics as the assurance problem. They provide persons with assurance that, if they adhere to mutually beneficial rules of conduct, others will also.

I assume that in deciding among the three alternatives we will want to choose so as to realize in so far as possible the following values.

1. We will want to secure the benefits of having a legal system. We will not therefore opt for any alternative which moves us in the direction of Hobbes' state of nature.

2. We will want to treat others, and have others treat us, fairly and in a morally responsible manner.

3. We will want to retain our moral autonomy including our right to object to laws on moral grounds.

If we are to optimize the realization of these values, we must, I

think, adopt that attitude which I have called qualified particular law respect. The attitude of unqualified particular law respect would not be chosen because it permits, or even encourages, one to act immorally whenever the law requires it. Qualified particular law respect would be chosen over no particular law respect for several reasons. First, although neither requires that one adhere to immoral laws, or treat others unfairly, qualified particular law respect has the advantage of explicitly committing one to what fairness requires, namely, that we share the burdens as well as the benefits of our legal system unless we have good moral reasons for doing otherwise in a particular case. Moreover, qualified particular law respect is more likely than no respect to ensure that persons will follow a law which realizes values for others even when they fail to see the point of the law. Finally, it should be noted that one cannot, if she is to be consistent, be committed to the rule of law yet uncommitted to qualified particular law respect. I conclude, therefore, that qualified particular law respect is a justifiable goal for Law Related Education programs.

Notes

[1]Roland Case, *On the Threshold: Canadian Law Related Education* (Vancouver, B.C.: Center for the Study of Curriculum and Instruction, University of British Columbia, 1985), 125.

[2]Joseph Raz, *The Authority of Law* (Oxford: Clarendon Press, 1979), 251.

[3]*Ibid.*, 212-14.

[4]David Lyons, *Ethics and the Rule of Law* (Cambridge: Cambridge University Press, 1984), 200.

[5]Raz, *op. cit.*, 214-18.

[6]The depth of the disagreement is exemplified by Jane Roland Martin's reaction to Peters' analysis in "The Ideal of the Educated Person," in *Philosophy of Education* 1981, Daniel De Nivola (Ed.) (Normal, Ill., Philosophy of Education Society, 1982).

[7]Richard Peters, "Education and the Educated Man," in *Education and the Development of Reason*, R.F. Dearden, P.H. Hirst and R.S. Peters (Eds.) (London: Routledge & Kegan Paul), 1972.

[8]This standard is discussed in John Dewey, *Democracy and Education* (New York: Macmillan, 1916), 49-62.

[9]I am aware that the notion of rational consideration of reasons for value beliefs is a contentious issue. For an exploration of this issue and an account of the standard which consideration of reasons must meet to be rational see Jerrold R. Coombs, "Education and Practical Rationality," in *Philosophy of Education*, Nicholas Burbules (Ed.) (Normal, Ill.: Philosophy of Education Society, 1987.)

[10]Lyons, *op. cit.*, 194-208.

[11]Raz, "The Obligation to Obey the Law," *op. cit.*, 219-23.

[12]For a thorough discussion of these arguments, see Richard A. Wasserstrom, *University of California Los Angeles Law Review*, 10 (1963): 780-807.

[13]Lyons, *op. cit.*, 211.

[14]Raz, *op. cit.*, 233-42

[15]Lyons, *op. cit.*, 210

[16]*Ibid.*, 199.