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Volume 130

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Nicoletta Bersier Ladavac • Christoph Bezemek •  
Frederick Schauer  
Editors

# The Normative Force of the Factual

Legal Philosophy Between Is and Ought

 Springer

*Editors*

Nicoletta Bersier Ladavac  
Thémis Institute  
Genève, Switzerland

Christoph Bezemek  
Institute of Public Law and Political Science  
University of Graz  
Graz, Austria

Frederick Schauer  
School of Law  
University of Virginia  
Virginia, VA, USA

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# Preface

The idea for this volume originated in the aftermath of a panel organized by the editors at the XXVIII World Congress of the International Association for the Philosophy of Law and Social Philosophy (IVR) in the summer of 2017. Although the title of the panel was based on Georg Jellinek’s notion of a “Normative Force to the Factual,” the panelists came up with a broad range of ideas revolving around the topic so defined. Thus, the papers presented in Lisbon addressed not only Jellinek’s theory of how facts may merge into norms but also the dichotomy of “is” and “ought” according to Kelsenian theory, the connection between law and force, the question of how discourse shapes our understanding of the normative sphere, and the fundamental problems of the concept of “normativity.”

The diversity of these accounts reassured us that it would be useful to pursue further the topic of the interrelation of facts and norms and to ask still more friends and colleagues to join the conversation. We were pleased that so many of them accepted our invitation and we are even more pleased to present the result of our common efforts in this volume.

We would like to thank the editors of Springer’s “Law and Philosophy Library” for including the volume in the series and Anitha Chellamuthu of Springer International for diligently looking after the volume. Anja Krasser and Laura Christandl kindly assisted in correcting the proofs. We are grateful for their support.

Finally, we would like to thank the contributors to this volume for sharing their knowledge and wisdom and thereby significantly enhancing our understanding of many of the aspects that are to be considered when it comes to the ties of facts and norms. We hope that our readers will benefit from their insights just as much as we did.

Geneva, Switzerland  
Graz, Austria  
Charlottesville, VA, USA  
February 2019

Nicoletta Bersier Ladavac  
Christoph Bezemek  
Frederick Schauer

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