Law & Social Inquiry
Journal of the American Bar Foundation

Law & Social Inquiry
Volume 42, Issue 1, 4–5, Winter 2017

Symposium: How Law Works—Editor's Introduction

For this issue of *Law & Social Inquiry*, it is my pleasure to introduce a symposium exploring the contributions of two important recent books that examine how law works in society.

In *The Force of Law* (2015), Frederick Schauer takes on the long-running debate over whether people comply with the law because they fear the sanctions that would result from noncompliance or because they accept law's legitimacy. As indicated in the title of his book, Schauer comes out squarely on the side of the former. What differentiates law from other rules that operate in society, he argues, is law's coercive power. Sanctions, not moral sensibilities or a belief in the legitimacy of law, are at the heart of Schauer's account of legal compliance.

In *The Expressive Powers of Law: Theories and Limits* (2015), Richard H. McAdams charts a different course. He pushes beyond the deterrence-versus-legitimacy debate and considers the role of "expressive mechanisms"—particularly the coordination of behavior and the promulgation of information—in explaining why people comply with the law. The expressive powers of the law, McAdams argues, cannot be reduced to either the fear of legal sanctions or the perceived legitimacy of the legal system. They constitute an underappreciated factor in explaining the phenomenon of legal compliance.

These are major works of scholarship by two leading figures in the legal academy. Each book has attracted considerable, overwhelmingly laudatory attention (see, e.g., Dawood 2015; Gulati 2015; Geisinger and Stein 2016; Greenberg 2016). *The Force of Law* has already been the subject of legal philosophy symposia (Bezemek and Ladavac 2016; Canale and Tuzet 2016).

LSI's symposium offers a fresh assessment of Schauer's and McAdams's books. First, by considering these two books together, contributors bring additional insights to the task of evaluating each. Second, this symposium offers a distinctively interdisciplinary approach to assessing the contribution of these books. It brings together some of the most creative minds in the legal academy to assess the achievement of these two books from a variety of methodological and disciplinary perspectives. This kind of interdisciplinary synthesis, drawing on methodologies from multiple disciplines to engage with questions of deep interest to legal academics and legal practitioners, exemplifies what I believe to be *LSI*'s unique place in the world of law-and-society scholarship.

I would like to thank the six contributors to this symposium for producing such insightful essays and Richard McAdams and Fred Schauer for their thoughtful, generous responses. I also would like to thank the University of Chicago Law School and the University of Virginia Law School for sponsoring the "How Law

© 2017 American Bar Foundation.

https://doi.org/10.1111/lsi.12291 Published online by Cambridge University Press

Works" conference, held at the University of Chicago in October 2015, which featured presentations by each of the contributors to this symposium.

REFERENCES

Bezemek, Christoph, and Nicoletta Ladavac, eds. 2016. *The Force of Law Reaffirmed: Frederick Schauer Meets the Critics*. Switzerland: Springer.

Canale, Damiano, and Giovanni Tuzet, eds. 2016. Symposium on Frederick Schauer's *The Force of Law*. *Ratio Juris* 29:June and September.

Dawood, Yasmin. 2015. Coercion and the Law, Review of *The Force of Law*, by Frederick Schauer. *New Rambler*, October 15.

Geisinger, Alex C., and Michael Ashley Stein. 2016. Expressive Law and the Americans with Disabilities Act. *Michigan Law Review* 114:1061–79.

Greenberg, Mark. 2016. How to Explain Things with Force. *Harvard Law Review* 129:1932–79.

Gulati, Mitu. 2015. Compliance on the Cheap, Review of *The Expressive Powers of Law: Theories and Limits*, by Richard McAdams. *New Rambler*, August 10.

McAdams, Richard H. 2015. *The Expressive Powers of Law: Theories and Limits*. Cambridge: Harvard University Press.

Schauer, Frederick. 2015. *The Force of Law*. Cambridge: Harvard University Press.

https://doi.org/10.1111/lsi.12291 Published online by Cambridge University Press