

Contributors

João Maurício Adeodato is Professor of Juridical Rhetoric and the Philosophy of Law at the Faculty of Law of Vitoria and Former Full Professor of the Theory of Law at the Federal University of Pernambuco.

Richard Bett is Professor of Philosophy, The Johns Hopkins University.

Andrés Botero-Bernal is Professor at the School of Philosophy of the Industrial University of Santander, Colombia.

Véronique Champeil-Desplats is Professor of Public Law at the University of Paris-Nanterre.

Pierluigi Chiassoni is Professor of Jurisprudence at the Tarello Institute for Legal Philosophy at the University of Genoa.

Leslie Francis is Distinguished Alfred C. Emery Professor of Law, Distinguished Professor of Philosophy, and Director of the Center for Law & Biomedical Sciences, University of Utah.

Marcelo Campos Galuppo is Professor of the Philosophy of Law at the Pontifical Catholic University of Minas Gerais and at the Federal University of Minas Gerais.

Ricardo A. Guibourg is Professor Emeritus of the General Theory of Law at the University of Buenos Aires.

Joshua Kassner is Associate Professor of Philosophy at the University of Baltimore.

Stephan Kirste is University Professor and Head of the Academic Group of the Philosophy of Law and Social Philosophy at the University of Salzburg.

Matthias Mahlmann is Professor of the Philosophy of Law, the Sociology of Law, and Public International Law at the University of Zurich.

Marijan Pavčnik is Professor of Law at the University of Ljubljana.

Mortimer Newlin Stead Sellers is Regents Professor of the University System of Maryland and Director of the University of Baltimore Center for International and Comparative Law.

Colin Starger is Professor of Law at the University of Baltimore School of Law.

Sanne Taekema is Professor of Jurisprudence at Erasmus University Rotterdam.

Gülriiz Uygur is Professor of Law at Ankara University.



Mortimer Newlin Stead Sellers

Foreword

Professor Mortimer Newlin Stead Sellers celebrated his 60th birthday on April 21, 2019. These essays mark that occasion and the conclusion of his four years as President of the International Association for the Philosophy of Law and Social Philosophy (Internationale Vereinigung für Rechts- und Sozialphilosophie or “IVR”). Most of the chapters in this volume were delivered as papers at a special meeting of the IVR hosted by the University of Baltimore in July 2018, celebrating Professor Sellers’ 30th year as Professor of the Philosophy of Law. The editors of this volume, Professors Joshua Kassner and Professor Colin Starger, are his colleagues on the Baltimore Faculty of Philosophy (Prof. Kassner) and the School of Law (Prof. Starger). Professor Kassner began his career in the Philosophy of Law as a student of Professor Sellers, almost three decades ago.

Professor Sellers’ writings on the Philosophy of Law, Social Philosophy, Legal History, Comparative Law, and Constitutionalism led to his appointment as Regents Professor of the University System of Maryland, on April 11, 2003. This volume takes its title from the subject of his inaugural lecture, which found the value of law in its service to justice, the value of justice in its service to society, and the value of society in its service to human nature, which is to say, in large part, to human affection, the most important and useful of the human emotions. The papers gathered here pursue and challenge these assertions, investigate arguments that arise from them, and discuss other aspects of Professor Sellers’ scholarship. We have invited him to conclude this volume with a valedictory response.

In addition to his achievements as an author, teacher, and philosopher, Professor Sellers has worked throughout his career as a lawyer, an administrator, and editor. As a lawyer with a focus on public, constitutional, and international law, he advised governments and others seeking to reform national legal and judicial institutions or to receive international legal standards into domestic law. This led to long associations with South American, European, African, and Asian colleagues, and intensive long-term law reform and institution-building projects in many places, most notably Brazil, Ukraine, and China. As Director since 1994 of the University of Baltimore Center for International and Comparative Law Professor Sellers brought numerous scholars, lawyers, judges and public officials from every corner of the world to Baltimore for extended study and sent American lawyers to work with and learn from partners overseas. His

Center's book series, *Ius Gentium*, published its 75th volume in 2019. Professor Sellers also edits (with Mark Agrast) the *ASIL Studies in International Legal Theory* and (with David Gerber) the *ASCL Studies in Comparative Law*, both published by Cambridge University Press. With Professor Stephan Kirste he is editor of the *IVR Encyclopedia of the Philosophy of Law*.

Professor Sellers received his doctorate and civil law degree from Oxford University, where he was a Rhodes Scholar and T. H. Green Fellow and has enjoyed a recurrent association with University College. He received his bachelor's degree (*summa cum laude*) and law degree (*cum laude*) from Harvard University, where he was a Frank Knox Fellow and John Harvard Scholar and received the Edwards Whitaker and Detur prizes. He is an elected member of the International Academy of Comparative Law and of the International Association of Constitutional Law. Professor Sellers has been the H. L. A. Hart Fellow in Jurisprudence at University College, and a visiting professor at the Lauterpacht Research Center of Cambridge University, Erasmus University Rotterdam, Georgetown University, and the Hague Academy of International Law.

Romulus founded Rome (we are told) on April 21, 753 B. C. Professor Sellers was born in Philadelphia on April 21, 1959. This highly appropriate congruence highlights the classical nature of his legal and social philosophy. Professor Sellers helped to revive a "republican" concept of law grounded in the common good and social solidarity in the midst of a global legal and political turn towards individualism, domination and cruelty. Professor Sellers' pursuit of global justice has found partners and allies throughout the world. His good friends, the contributors to this volume, illustrate the cosmopolitan expanse of his affections.

Baltimore, April 21, 2019
Dean Ronald Weich
University of Baltimore School of Law

Curriculum Vitae and List of Publications

Mortimer Newlin Stead Sellers

Born April 21, 1959 in Philadelphia

Professional Career

2003–present	Regents Professor of the University System of Maryland
1994–present	Director, University of Baltimore Center for International and Comparative Law
2017–2018	H. L. A. Hart Fellow, University College, Oxford
2009–2011	Visiting Professor, Georgetown University Law Center
2005–2006	Visiting Fellow, Lauterpacht Research Centre for International Law, Cambridge
2005–2006	Visiting Fellow, Wolfson College, Cambridge
2000–2001	EACLE Professor of Comparative Law, Erasmus University, Rotterdam
2000	Visiting Scholar, Hague Academy of International Law
1997–2003	Professor of Law, University of Baltimore
1994–1997	Associate Professor of Law, University of Baltimore
1991–1994	Director, Hoffberger Center for Professional Ethics
1989–1994	Assistant Professor of Law, University of Baltimore
1989	Lawyer, Drinker, Biddle, and Reath, Philadelphia
1988–1989	Judicial Clerk, United States Court of Appeals for the Third Circuit, Judge James Hunter, III
1987–1988	Frank Knox Fellow, University College, Oxford
1985–1988	Resident Tutor in Law and Teaching Fellow in Classics, Dudley House, Harvard University
1983–1984	Lecturer in Latin, Bryn Mawr College

Education

- 1987–1988 B. C. L. in Civil Law, University College, Oxford (Frank Knox Fellow)
 1985–1987 J. D. in Law, Harvard Law School, *cum laude* (Fellow of Dudley House)
 1980–1985 D. Phil in Literae Humaniores, University College, Oxford (Rhodes Scholar)
 1976–1980 A. B. in History, Harvard College, *summa cum laude* (John Harvard Scholar)

Professional Activities and Organizations

International Association for the Philosophy of Law and Social Philosophy (IVR) President, 2015-present

American Branch of the International Association for the Philosophy of Law and Social Philosophy (AMINTAPHIL)

President, 2012–2014

Vice President, 2010–2012

Executive Committee, 2002–present

American Society of Comparative Law

Treasurer, 2013-present

Executive Committee, 2013-present

Editor, ASCL Studies in Comparative Law, 2014–present

Prizes Committee, 2010-present

American Society of International Law

Editor, ASIL Studies in International Legal Theory, 1996–present

Book Prize Committee, 2014–2016 (Chair, 2015–2016)

Association of American Law Schools

Section on Comparative Law, Executive Committee, 2003–2004

Section on International Law, Executive Committee, 2000–present (Chair, 2005)

Section on Jurisprudence, Executive Committee, 2002–2005

Section on Legal History, Executive Committee, 1999–2004 (Chair, 2003)

Section on Scholarship, Executive Committee, 1998–2004 (Chair, 2002)

International Academy of Comparative Law

Associate Member, 2011–present

International Association of Constitutional Law

Associate Member, 2011–present

Editorships

Book Series

AMINTAPHIL: The Philosophical Foundations of Law and Justice (with Ann Cudd), Springer.

ASCL Studies in Comparative Law (with David Gerber), Cambridge University Press.

ASIL Studies in International Legal Theory (with Mark Agrast), Cambridge University Press.

Ius Gentium: Comparative Perspectives on Law and Justice (with James Maxeiner), Springer.

Studies in the History of Law and Justice (with Georges Martyn), Springer.

Encyclopedia Editor

Encyclopedia of the Philosophy of Law and Social Philosophy (with Stephan Kirste), Springer.

Journal Editor

Associate Editor, *American Journal of Comparative Law*

Editorial Board, *Archiv für Rechts- und Sozialphilosophie*

Editorial Board, *Lusíada Direito*

Editorial Board, *Notícia do Direito Brasileiro*

Publications

Books

Peace Based on Human Rights (ed. with Jose Brito and Gulriz Uygur) (ARSP, 2019)

Formal and Informal Constitutional Amendment (ed.) (Springer, 2019)

Law, Reason, and Emotion (ed.) (Cambridge, 2017).

Parochialism, Cosmopolitanism, and the Foundations of International Law (ed.) (Cambridge, 2012).

- The Rule of Law in Comparative Perspective* (ed. with Tadeusz Tomaszewski) (Springer, 2010).
- The Internationalization of Law and Legal Education* (ed. with Jan Klabbers) (Springer, 2008).
- Autonomy in the Law* (ed.) (Springer, 2007).
- Republican Principles in International Law: The Fundamental Requirements of a Just World Order* (Palgrave Macmillan, 2006).
- Universal Human Rights: Moral Order in a Divided World* (ed. with David Reidy) (Rowman and Littlefield, 2005).
- Place, Memory and Time* (ed. with Anthony F. C. Wallace and H. Dabbs Woodfin) (Newlin Foundation, 2004).
- Republican Legal Theory: The History, Constitution and Purposes of Law in a Free State* (Palgrave Macmillan, 2003).
- The Sacred Fire of Liberty: Republicanism, Liberalism and the Law* (Macmillan and NYU Press, 1998).
- The New World Order: Sovereignty, Human Rights, and the Self-Determination of Peoples* (ed.) (Berg, 1996).
- American Republicanism: Roman Ideology in the United States Constitution* (Macmillan and NYU Press, 1994).
- An Ethical Education: Community and Morality in the Multicultural University* (ed.) (Berg, 1994).

Seminar Volumes Edited

- A Just World Under Law (*International Legal Theory*, volume 12, 2006).
- Agreements (*Ius Gentium*, volume 12, 2006).
- Why Obey International Law? (*International Legal Theory*, volume 11, 2005).
- Legal Personality (*Ius Gentium*, volume 11, 2005).
- International Criminal Law (*International Legal Theory*, volume 10, 2004).
- Security (*Ius Gentium*, volume 10, 2004).
- Human Rights (*International Legal Theory*, volume 9, 2003).
- Federalism (*Ius Gentium*, volume 9, 2003).
- The International Court of Justice (*International Legal Theory*, volume 8, 2002).
- Truth Commissions (*Ius Gentium*, volume 8, 2002).
- Humanitarian Intervention (*International Legal Theory*, volume 7, 2001).
- Paritary Rights (*Ius Gentium*, volume 7, 2001).
- Rawls' Theory of Justice (*International Legal Theory*, volume 6.2, 2000).
- The Golden Age of International Law (with Francesco Parisi) (*International Legal Theory*, volume 6.1, 2000).