



THE CENTRE FOR INTERNATIONAL AND PUBLIC
LAW (CIPL) ANU COLLEGE OF LAW & AUSTRALIAN
INSTITUTE OF ABORIGINAL AND TORRES STRAIT
ISLANDER STUDIES (AIATSIS) PRESENTS:



PUBLIC SEMINAR

The Grammar of Customary Law

Professor Jeremy Webber

University of Victoria, Canada



Thursday, 22 October 2009, 3–4pm

Phillipa Weeks Staff Library

ANU College of Law (Bldg 5), Fellows Rd, ANU

The Australian National University

Please RSVP (by cob Wednesday 21 October) to E: rsvp@law.anu.edu.au
Enquiries to T: (02) 6125 0454

This event is free and open to the public.

ABSTRACT

In this paper, Professor Webber argues for the customary nature of law – all law. He builds on the pragmatist conception of law developed by Lon Fuller and Gerald Postema. He substantially modifies their approach, however, arguing that concerns of facilitation and efficiency are less responsible for the content of law and that the various conceptual languages of the law play a much greater role. In doing so, he offers an understanding of how law is related to its various societies. His argument has important implications for the value of comparative law, for how one should do comparative law, and for how one should structure societies that contain more than one legal order. Although the paper's argument is not limited to customary legal orders in the narrow sense, it does draw upon comparisons across indigenous and non-indigenous orders to make its arguments.

BIOGRAPHY

Jeremy Webber holds the Canada Research Chair in Law and Society at the University of Victoria. He came to Victoria in August 2002, after more than four years as Dean of Law at the University of Sydney in Australia and eleven years on the Faculty of Law at McGill University. Professor Webber's current work is primarily in the fields of legal and political theory, constitutional law, and indigenous rights. His principal work is *Reimagining Canada: Language, Culture, Community, and the Canadian Constitution* (Montreal: McGill-Queen's University Press, 1994).

The views expressed in this seminar are those of the presenter and do not necessarily represent the views of The Australian National University.