What the Law Requires: Riggs v. Palmer, Hart, and Dworkin

Introduction

The 1889 New York case Riggs v. Palmer has historically been standardised in debates over judicial reasoning and the nature of law. In this case, judges declined to apply a clear statute to prevent a morally abhorrent result, a murderer inheriting from his victim. Hence, the outcome of this case has brought about the provocative claim that there is no such thing as the law, or even if there is, it does not matter. The Riggs v. Palmer case showcased a scenario where the judges chose to ignore the black-letter law and impose a personal view of what the law ought to be. Therefore, this paper strives to critically examine the above-mentioned claim through the exploration of what the judges in Riggs were actually doing and how varying legal theories account for it. Specifically, this paper aims to answer dilemmas about whether this was a scenario of judges legislating from the bench or substituting personal morals for the law itself.

Background: Riggs v. Palmer and the Question of Judicial Reasoning

The case of Riggs v. Palmer involved the occurrence of a rather unnatural scenario. Elmer Palmer, a young man, had murdered his grandfather to secure an inheritance under the grandfather's will. At the time, the New York Statute of Wills had a clear set of rules for how a valid will was executed and could be revoked. However, nothing disqualified a beneficiary who killed the testator within that statute. Hence, legally, as per the literal readings of the statute, Elmer could rightfully inherit (Riggs v. Palmer 509-10). The plaintiffs, who were also the testator's daughters and were next in line to inherit, argued that the law should not allow a murderer to profit from his own crimes. Ultimately, a majority of the Court of Appeals agreed

with the plaintiffs and denied Elmer the inheritance. On the other hand, a dissenting judge argued that, as per the obligations of the court, the statute must be followed as written and could not judicially create any exceptions.

The majority reasoning was rather provocative, dare one say. Judge Robert Earl had acknowledged the fact that if the will was to be applied in literal terms verbatim, then the estate was to be given to Elmer. Hence, “If literally construed” with no modifications, the statutes governing wills “give this property to the murderer”. However, this was an extraordinary situation that demanded that the judiciary system not be bound by the literal text. Judge Earl then prompted a general legal maxim interwoven within the common law, “no one shall be permitted to profit by his own fraud, or to take advantage of his own wrong, or to found any claim upon his iniquity, or to acquire property by his own crime” (Riggs v. Palmer 511). In his argument he emphasizes that this principle is a deeply rooted public policy which in no means is inferior to statutes of any kind. The judges further reasoned that at the time of enactment of the law itself, it was not within the legislator’s intentions to frame a will statute which would permit killers to intentionally benefit from their actions. Hence, within a vivid passage, Judge Earl urged judges to put themselves within the lawmaker’s position when interpreting a statute. Therefore, a large proportion effectively read an implied exception into the statute, a murderer cannot inherit from his victim, even though the statute’s text was silent on this scenario. This was termed as an “equitable construction” of the law (Riggs v. Palmer 513). This essentially meant complying with the legal system’s fundamental principles and the statute’s spirit, rather than its mere letter. Therefore, the conclusion of it all did not mean that the judges were utterly defying all laws applicable, but rather giving effect to what the law actually intended to properly understand in

light of its purpose and underpinning principles required. Hence, Judge Earl ultimately cautioned that one must not "cling to the letter of the law" so much so that it defeats the purpose.

The dissenting judge, John Clinton Gray, on the other hand, adamantly disagreed. He viewed the law as the most absolute, and it was the court's duty to apply and adhere to the clear laws, no matter how morally repugnant the outcome. He viewed the execution and revocation of wills to be "strict and systematic" and had no allowance for judicial tampering. As per his interpretation, Elmer would be rightfully punished for murder under the criminal law, and the court has no legal authority to impose an additional penalty by altering the inheritance. He recognised the denial of Elmer's inheritance as an extra punishment which was not permitted or provided under any statute. To sum up, Judge Gray maintained that, however strongly one felt that Elmer should not inherit, and the court "cannot simply create or imagine" a new law to achieve a morally desirable result (Riggs v. Palmer 516). Hence, written law should never be overshadowed by moral sentiments; otherwise, it threatens the certainty of law. Legislators solely decide the content of inheritance rules, and judges must not usurp that role.

Superficially, the Riggs v. Palmer seems to approach and legitimize the view that "the law doesn't matter, judges will do what they think is right". That view, in a literal sense, is true because this is a situation where there is a clearly laid out written law that the majority chose to ignore in favour of a moral principle. This in itself supports the opening claim, where Riggs shows that there is no such thing as "the law" or that law is unimportant because judges eventually impose their own values. However, the narrative is far more complex than that. The majority in the case did not, in reality, see their decision as defying the law. Rather, they were of the view that they were enforcing the true law of the statute. In simpler terms, they felt that they were fulfilling the intention and principle behind the law, against an outcome the legislators

could not have intended. The principle that no one should profit from wrongdoing was not invented ad hoc by these judges, and instead, they have called it a "fundamental maxim of the common law". In other words, even though unwritten, the judges deemed it as applying a higher-order legal principle that had always been a part of the legal system's fabric. The dissenters had, however, seen it as a way of departing from the law based on morality. Hence, this situation showcased a deep disagreement within the nature of legal reasoning. More specifically, is the law a set of concrete, explicit rules meant to be mechanically applied, or does it encompass moral principles that are meant to be decoded and interpreted by judges? Therefore, this whole case foreshadows the modern debate illustrated between Hart's positivism and Dworkin's interpretivism.

Hart maintains the separability thesis, which states that law and morality are distinct, and that the validity of law is defined by social rules of recognition, not by its moral merit. From the perspective of the Hartian lens, Elmer Palmer's legal right to inherit existed under the statute until the judges exercised discretion to create an exception, effectively making a new law. Hence, in Hart's view, this appeal made in favour of a moral standing was not a discovery of law but an act of judicial legislation in a hard case. Dworkin, on the other hand, directly challenges this notion. He argues that the case shows that judges do not treat moral principles as optional extras or policy preferences; they treat them as binding legal principles that notify of the true interpretation of statutes. In Riggs, the debate did not intend to focus on whether or not to ignore the law, but to find out what the law actually required. In terms of Dworkin's language, this meant including principles of fairness and justice within the framework of law, which gives it integrity. Hence, this case is key within the microcosm of the two theories and the debate between them.

To add to the debate on an overall level, one might ponder whether the Riggs v. Palmer case was a Hard Case. A Hard case, in its essence, is a case where the legal rules are uncertain, contradictory, or even incomplete, so that reasonable judges might disagree on what the law actually requires from it. At a glance, the Riggs v. Palmer case could not be deemed a hard case because of the black-letter rule. The wills statute was straightforward and clearly included Elmer's situation. Essentially, it was the paradigm of an easy case. However, The majority argued that, from a deeper understanding, this case was and can be viewed as a hard case. The majority identified and understood that applying the clear rule would lead to an absurd or unjust conclusion, undermining the purpose of the law. From a theoretical perspective and in terms of Dworkin's views, the case did not lie within the "penumbra" of uncertainty but was "very clearly central" to the rule's ordinary meaning. However, despite the knowledge of this, judges felt compelled to deviate from that plain meaning. Hence, the difficulty and complexity of this case arose from a conflict between two legal directives, the positive law's text and a fundamental legal principle of justice. Therefore, from a standpoint of the level of principles, this case can be seen as a hard case. To further emphasize, it can be seen as so because the judges had to make a physical and existent decision on whether or not to adhere to the statute's literal command or to an overriding principle of justice. Ronald Dworkin also identified the fact that the case was in no way about what the judges personally wished for as a policy matter, but rather about what the law actually was, about what the statute required when properly read. Both sides of the case agreed that, as per the correct readings of the statute, Elmer should have the estate. However, they disagreed about the interpretation of the law itself. In that sense, Riggs presented a hard interpretive question because, should the law be interpreted to contain an implicit exception in the name of justice, or should it be applied literally, come what may? This in itself can be further

analyzed and theorized based on the understandings and teachings of H.L.A. Hart and Ronald Dworkin.

Hart's Legal Positivism: Morality, Law, and Judicial Discretion in Riggs.

H.L.A. Hart was a leading positivist who famously described the law as the "union of primary and secondary rules". In Hart's model, primary rules are the conduct rules imposed on society. In the case of Riggs, this was the rule that the beneficiary named in a valid will inherits the property. On the other hand, secondary rules are rules about how primary rules are made, changed, and identified, such as rules of legislative procedure, adjudication, and interpretation. Crucially, Hart posited that every legal system has an ultimate rule of recognition. A social rule used by officials to identify what counts as valid law in the system. Essentially, what officials usually accept as authoritative sources of law does not typically include moral criteria unless the society's legal practice explicitly incorporates them. In terms of Hart, there is a conceptual reparation of law and morality. Similarly, an earlier positivist, John Austin, had also put it as, "the existence of law is one thing, its merit or demerit is another" (The Province of Jurispudence Determined, Lecture V). Therefore, a rule can be legally valid despite its justness. Hart echoed the notion that calling a rule "law" does not mean we endorse it morally; one can recognise an unjust rule as legally binding while also saying it ought to be resisted or reformed. Essentially, one does not deny its status as law. Rather, one only underlines that legality and morality can diverge.

Therefore, one can ask what was "the law" in Riggs v. Palmer. The New York wills statute clearly states that a validly executed will is to be honored and can be revoked in certain

ways, such as by another will itself. No aspect of the statute stated that if the beneficiary murders the testator, the gift is void. Therefore, under the existing primary rules identified by the statute, Elmer Palmer was the rightful heir. Hence, Judge Gray's dissenting opinion clearly aligns with this positivist view, and there was no legal basis on which one could deny Elmer his right to inherit. Therefore, on this view, the majority did indeed depart from the "law as it is" and instead implemented what they thought the law should be.

However, Hart did acknowledge that not every case can be decided by a clear rule. He acknowledged that human situations and legal languages are open to interpretation and unforeseen cases are bound to arise. He says that within "hard cases," judges must exercise discretion to choose between creating exceptions and choosing between reasonable interpretations. He says that the judge's role is partly legislative, which involves making new law by deciding how the rule should apply. Therefore, within Hart's view, while using this discretion, judges are filling a gap, guided by their sense of what is best for society, while simultaneously being conscious of what closely aligns with the general legal policies and principles. This reasoning is core to this argument because it acknowledges that no set of rules is ever prepared to anticipate all possible scenarios. However, according to Hart, this is still a judicial decision that is confined to the clutches of uncertainty, and judges are still obligated to apply the rules as given.

Dworkin's Law as Integrity: Principle and the Cohesion of Law

Ronald Dworkin emerged as one of Hart's most prominent critics. He argued that legal positivism provides an impoverished account of the law and how judges decide cases. His view holds that law is not just a set of discrete rules established by pedigreed sources, but a coherent

system of principles that unfold over time. In practice, this means that when a hard case arises, a judge is not at liberty to legislate their preference; rather, the judge is obligated to construct an interpretation of the law that best fits with the established legal rules and principles and also presents the law under the best moral light possible. He identified the goal as being integrity. In essence, the consistency of principle across the law is the continued upholding of integrity. According to Dworkin, only a specific approach can justify labelling the law as a binding obligation. For instance, if the law treats citizens with equal respect by subjecting their dispute to principles that consistently apply to everyone. Law as integrity, therefore, ties legal obligation to moral justification. People then even have a legal obligation to obey the law in hard cases when the law is understood as embodying coherent principles that justify its coercive demand.

A keystone within Dworkin's argument is that legal principles are an imperative part of the law. These are principles that do not function like fast and hard rules but express moral duties and rights. In his well-known critique titled, "The Model of Rules," Dworkin highlighted cases as such the Riggs v. Palmer to highlight that there are often certain principles invoked by judges that are not enacted within any statute or formally recognised in any rule of recognition, yet they are treated as if they were binding. In the case of Riggs, Positivists would say that in regards to the final decision and ruling, one might say that the judges departed from the law for moral reasons. In response to which Dworkin would say that's not how the judges themselves conceived it. Instead, Dworkin would term the whole situation as both majority and dissent framed their disagreement as what the statute, properly interpreted, really means. Judge Earl did not label the law as unjust, nor did he demand a rewriting of the law. Nor did Judge Gray have evil intentions of claiming a moral right to enforce an evil law. So, as Dworkin further notes, the judges debated what the real legal rights of the parties were. They did not cast the issue as one of

extra legal policy. This indicates what the majority believed the principle against profiting from crime was a legal principle that informed the content of the statute, rather than an external moral sentiment they were free to ignore or apply at will.

Law as Integrity vs Positivism on Legal Obligation

In weighing the two models, Dworkin surely provides a more normative and aspirational account of legal obligation. If law is integrity then legal duties are inherently in par with and connected to justice. This in itself should be a reason to obey because humans obey the law because it basically is the refined morality of the political community. Hart on the other hand certainly provides a more descriptive account. He says that we as humans have legal obligations because of certain social practices, and whether or not one chooses to obey is a separate choice. The debate of which is more convincing narrows down to individual views on judicial candor and the nature of law. Dworkin's side is more preferred in the Riggs v. Palmer case because essentially it is a case where most people feel that the morally right outcome became the law, and that the law was working itself pure rather than being disregarded. Hence, the law with the moral arc was being implemented. Whereas, in an Hartian perspective they departed from the existing law in order to avoid a moral catastrophe.

In conclusion, Riggs v. Palmer does not demonstrate that "law doesn't matter"; rather, it demonstrates the extent of how much the law matters. In fact, it matters so much that even moral considerations had to be presented as legal arguments. Therefore, the law is complex and involves both principles and rules.

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