EDITORIAL: JURISPRUDENCE TODAY

I continue the great tradition to writing editorials for *Jurisprudence* whilst sitting in airport lounges and seeking inspiration from my surrounds. Today’s airport, Auckland, reminds me of how jurisprudence pervades everyday lives. Just a moment ago, I noticed an interchange been a guard manning an x-ray machine and a passenger carrying an umbrella. The guard insisted that the women carrying the umbrella was prohibited from doing so because it could be used as a weapon, which, he claimed, are specifically prohibited by statute. Interestingly, the definition of weapon, upon my further enquiries, does not seem to be defined in most national or international instruments.

The case of the ‘weapon’ in the airport reminds me of Professor HLA Hart’s example of a sign reading ‘no vehicles in the park.’¹ If the sign is taken as the definitive exposition of the law, would a child riding a bicycle be committing an offence? How are we to interpret such as sign, just as how are passenger to know that umbrellas can be viewed as weapons by airport screeners?

Codified or statutory law does little to offer us insights, since statutory law is generally viewed as prescribing behavior not developing a semantic dictionary. The ‘open-texture’ of language is a challenge that is not widely considered by black-letter legal practice, but is the core problem, some would say, for jurisprudence.

When I founded *The Journal Jurisprudence* many years ago, I thought the field was suffering without clear categorical imperatives and structure. The more articles I read and review, the more I come to the conclusion that jurisprudence, as a field, defies neat categories. Instead, like ‘weapon’ or ‘vehicle’, ‘jurisprudence’ is a living term that reflects attitudes in both the academy and the profession. The articles selected for this issue reflects this view of jurisprudence as an open-textured field, more so than just asking mere question on the nature of law but examining law and legal problems holistically, often using tools developed in other academic disciplines.

This issue is a milestone for the journal, in that we are celebrating producing ten issues. In more than two thousand pages of content, the impact of our little publication is now felt throughout the world. I am astounded how, in such a short time, our publication had impacting discussions and debates throughout the world. Articles has appeared on the core reading list for law students at many major law schools and have been citied in courts in most of the common law jurisdictions.

‘Jurisprudence’ and *Jurisprudence* today are not just living but growing. I do hope that the articles in this issue contribute to the continued relevance of legal philosophy to legal practice, which has always been our core mission.

Aron Ping D’Souza
8 July 2011
Auckland, New Zealand