



# Jurisprudence

Fifth Edition

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# Jurisprudence

DEDICATED TO THE  
AUTHORS OF  
'THE MEANING OF MEANING' (1923)

# Preface

The study of jurisprudence is an opportunity for lawyers to bring theory and life into focus, for it concerns human thought in relation to society. It is always the hope of teachers of law to encourage pupils to learn how to think rather than just what to know, and Jurisprudence is suited to this end because it can set law in wider contexts and proceed by way of stimulation and not simply by instruction. This book does not evolve or demonstrate a particular theory, but seeks instead to provide a way of thinking about law. It tries also to furnish material for the evolution of ideas and the understanding of other theories and in this respect serves as a prelude to these contributions by providing an informed and critical background to them. A guarantee of independence and originality in thought is breadth of view, a sense of perspective and appreciation of what people have said and are saying. No one theory provides the best or exclusive avenue to the 'truth', and those who choose to tread one path rather than another are not for that reason misguided. Jurisprudence is a field traversed by many paths, none being superior to another, since much depends on whither one wishes to go.

To give effect to this aim an attempt has been made to offer guiding threads to the extensive literature on the topics dealt with, which will give readers an idea of those topics and the issues and problems they involve. The reading lists appended to each chapter are no more than pointers. Side by side with this, a parallel attempt has been made to provide fuller references for those wishing to delve more deeply, which are contained in the companion volume, *A Bibliography of Jurisprudence*, the object of which is to enable readers to steep themselves in as many aspects as possible of various topics by consulting a wide range of views and shades of opinion.

The only consistent theme throughout the various editions of this book has been in the Prefaces announcing changes since the previous edition. This stems from the fact that the book was born before being conceived, which is why its gestation has been unusual, to say the least. The 'achievement of justice' as a general concern of law, which was the plan according to which the last edition was revised, is continued. The book is divided back into three Parts, and not two as before, and the material of the whole book has been revised and redistributed. The first three chapters are differently presented and Chapter 3 is new. Other new material has been put in, but there has also been a good deal of shortening and excision so as to prevent the book growing larger; hopefully to make it shorter. The different style and format of this edition make it difficult to gauge how far these hopes have been realised.

The acknowledgment of the debts to others is always the pleasantest task. The help given by those mentioned in previous Prefaces has been of per-

this edition, my gratitude to them can never diminish. However, a special word of thanks should continue to be given to that unfailingly helpful body of critics, the undergraduates, whom I have met over the years in discussions and classes. It is for their successors that this work is designed, and if it proves to be of value to them, that might atone in some measure for the experiments inflicted upon their predecessors.

In conclusion, I would like to record my appreciation of the efficiency and indulgence of the Publishers and Printers, who have made the business of production as smooth as possible.

**RWM DIAS**

August 1985

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