

EDITORIAL: THE JURISPRUDENCE OF REASONING

As I write my eighth editorial for *Jurisprudence*, I am stuck in purgatory. More correctly, I am in my fifteenth hour of being delayed in Dubai airport due to a snow storm in England. The reasoning of airline staff to delay me for so long defies logic. However, in this vacuum of reason, one has an opportunity to consider “the Jurisprudence of Reason,” the central theme of this issue. Our focus is not the legal philosophy of reasoning, but the various approaches scholar have taken to reasoning in legal philosophy. Unlike airlines, law has reasons for its decisions. Any course of action taken by a legal philosophy, barrister, solicitor or judge, is bound in reason – even if we critique the foundations and approaches taken.

How we, as members of the legal fraternity, reason is basis of all other aspect of law and jurisprudence. The science of jurisprudence, if it so could be called, would be a science of reason. Our three contributors have illustrate the diversity of reasoning taken in law.

Dr. Pier Luigi M. Lucatuorto of the University of Bologna emphasises a very scientific approach built upon the work of Robert Alexy. His article is insightful and, giving the recent resurgence in administrative theory, appropriately timed. Dr Lucatuorto’s work is, undoubtedly, a ground breaking application of a novel method of reasoning in administrative law.

Dr. David M. Finkelstein, who was clerking for the distinguished Judge Rosemary S. Pooler of the U.S. Court of Appeals for the Second Circuit at the time he wrote his article, and who has since accepted a position with the U.S. Department of Justice, offers an exciting article on Wittgenstein contribution to legal theory. His article is of importance to both scholars of law and Wittgenstein. He grounds his article within critical legal studies, and it makes an important advancement upon an ongoing debate.

Professor Edgardo Rotman of the University of Miami reports on how law can be therapeutic – i.e., able to improve the physical and mental health of participants. Building upon the notion of human dignity and continuing through a detailed analysis of the jurisprudence, Professor Rotman displays a detained and original reasoning to reach a conclusion on the validity of the death penalty. This is an important article which contributes to the real-world deliberations.

I have greatly enjoyed curating this issue, after having the supports of two guest editors for this year's issues. Furthermore, I am pleased to report that EBSCO, one of the world's largest and most sophisticated distributors of academic scholarship have partnered with our publishers to extend the reach of *Jurisprudence*. This is an important relationship that allows readers from nearly 90% of American libraries access to the Journal. EBSCO's distribution channels built upon our existing relationships with Gale Cengage and HeinOnline, as well as the reach of our publisher, Elias Clark.

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