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978-1-107-11640-5 - Law's Ethical, Global and Theoretical Contexts: Essays in Honour of William Twining

Edited by Upendra Baxi, Christopher McCrudden and Abdul Paliwala

Excerpt

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## 1

## An intellectual journey with William Twining: an interview

*Manuel Atienza and Raymundo Gama*

### Introduction

In December 2009 we asked William Twining to give an interview for the journal *Doxa, Cuadernos de Filosofía del Derecho*. We followed the format used with many other legal philosophers interviewed in the last decades (Bobbio, Hart, von Wright, Carrió, Bulygin, Raz, Alexy, MacCormick, Finnis. . .) and covered several aspects of his intellectual biography, as well as central problems within legal theory. We believed then, as we believe now, that an interview with William Twining would be significant for Continental and Latin American legal theorists and jurists, given his contributions to legal theory, intellectual history, legal method, legal education, evidence and globalisation. Twining accepted enthusiastically and answered all the questions in depth (with the exception of the last query, which he answered in a concise but fascinating way), providing valuable insights into several aspects of his life, work and thinking. The result was a revealing interview whose interest goes beyond our initially intended readership, extending to other audiences and contexts as well.

In May 2010, Twining went to Alicante to give a lecture on Wigmore's chart method and the logic of proof in the Legal Argumentation course of the University of Alicante. He discussed the niceties of the chart method with an audience of professors and lawyers from Spain and several Latin American countries. We all had the impression that we were attending a memorable lecture, from which one could take an important lesson: the fundamental assumptions of the method are basically the same, irrespective of whether it is a common law or a civil law system. We are very glad that the interview appears now in English as a separate chapter in this volume. As for the title of this piece, we believe that it may serve as an invitation to an intellectual journey with an outstanding legal scholar.

### Interview with William Twining

**1. Professor Twining, we would like to begin this interview with some biographical notes. Can you give us some information about your background?**

I was born in Uganda in 1934. I sometimes say that I had a colonial childhood, an anti-colonial adolescence, a neo-colonial start to my career, and a post-colonial

middle age. This is open to more than one interpretation, but the facts are that the first ten years of my life were spent in Uganda and Mauritius; that I went to school and university in England, but spent several holidays and vacations in East Africa; that from 1958 to 1965 I taught law first in Khartoum, then in Dar-es-Salaam; and that since then I have maintained contacts and interest in several countries in Eastern Africa – Sudan, Tanzania, Kenya, Uganda and, to a lesser extent, Rwanda and Ethiopia. I have not written much about this, but it remains an important part of my background.

## 2. How did you decide to study Law?

I drifted into Law. I wanted to escape from a rigorous but joyless classical education. I wished to study History, but my father – a self-taught historian – dismissed it as a non-subject. Law appeased his desire for practicality and my elder brother offered me his notes.

## 3. We would like to ask you about your experience at Oxford. Who were the professors who most inspired you as an undergraduate and, in particular, what was your relationship with H. L. A. Hart?

I went up to Brasenose College, Oxford in 1952, the year that H. L. A. Hart was elected to the Corpus Chair of Jurisprudence. Law in Oxford was at an early stage of its post-War development. Teaching was mainly centred in individual colleges and was very uneven in intensity and rigour. I was lucky because Brasenose had a strong tradition in Law. My closest contacts as an undergraduate were with two Roman lawyers, both of whom became Professors of Comparative Law. J. B. K. M. (Barry) Nicholas was my main tutor; he was an excellent Socratic teacher. Professor F. H. Lawson was an important mentor. Ronald Maudsley taught me what little English law I learned and G. D. G. Hall stimulated my interest in Legal History. I was well taught, but within a narrow tradition that was far removed from legal practice and social reality.

Towards the end of my second year I attended Professor Hart's lectures, which became the precursors of *The Concept of Law*.<sup>1</sup> I was fascinated and learned for the first time that Law could be intellectually interesting. I spent much of the summer of 1954 puzzling over Hart's inaugural lecture on 'Definition and Theory in Jurisprudence',<sup>2</sup> helped by a fellow undergraduate, Michael Woods, who later became a respected philosopher. I was captivated, indeed obsessed, by what was then crudely called 'linguistic analysis'.

<sup>1</sup> H. L. A. Hart, *The Concept of Law* (2nd edn including Postscript). (Oxford University Press, 1961/1994).

<sup>2</sup> H. L. A. Hart, 'Definition and Theory in Jurisprudence' (Inaugural Lecture). (Oxford University Press, 1953). Reprinted in Hart, *Essays in Jurisprudence and Philosophy* (Oxford University Press, 1983), ch. 1.

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It was entirely due to Hart that I became a jurist. To begin with, I was a devoted disciple. Later, our relations were ambivalent. I have always recognized the value of conceptual analysis and have greatly respected Hart's intellect – indeed I was awed by him – but from an early stage I felt that something was missing. In the 1970s and 1980s Hart and I worked closely and cordially together on the definitive edition of Bentham's *Collected Works*,<sup>3</sup> but he was both puzzled and disappointed by my enthusiasm for Karl Llewellyn. His attitude towards me visibly cooled after 1979, when I published an article in the *Law Quarterly Review*,<sup>4</sup> which diplomatically and indirectly expressed my reservations. It is difficult for a former pupil to say that his teacher is not fulfilling his potential. This was the subtext of my essay, especially in regard to Hart's failure to bridge the divide between analytical jurisprudence and socio-legal studies. My final judgement on Hart was: 'Pellucid intellect, narrow agenda'.

#### 4. In this context, what is your opinion of Nicola Lacey's biography of Hart?

Part of the key to my disappointment is to be found in Nicola Lacey's superb biography: *H. L. A. Hart: The Nightmare and the Noble Dream*.<sup>5</sup> For me, this is a very sad book. It brilliantly evokes Hart's background and the contexts in which Hart's career developed, especially Oxford in the period 1945 until his death in 1992. It reveals a great deal about his troubled inner life. There has been some rather muted controversy about the question of how far an intimate biography of a respected jurist is appropriate or relevant to understanding his work. My own view is that the details of his personal life throw little light on his juristic ideas, but they go a long way to explaining the trajectory of his career: why, for example, *The Concept of Law*, which was conceived as a mere prolegomenon, came to be treated as his *magnum opus*; his obsession with only one of his many critics, Ronald Dworkin; and his relatively early abandonment of intellectual work at the frontiers of his subject in favour of public service, academic administration and editing Bentham (a task for which he was ill-suited). For me, Lacey's biography tells a tragic story of a potential unfulfilled.

<sup>3</sup> Jeremy Bentham (1748–1832), *The Collected Works of Jeremy Bentham*. (Charlottesville, VA: InteLex Corporation; University College, London: Bentham Committee).

<sup>4</sup> William Twining, 'Academic Law and Legal Philosophy: The Significance of Herbert Hart' 95 *Law Quarterly Rev.* (1979) 557 reprinted in Twining, *The Great Juristic Bazaar: Jurists' Texts and Lawyers' Stories* (Aldershot: Ashgate, 2002), ch. 4.

<sup>5</sup> Nicola Lacey, *A Life of H.L.A. Hart: The Nightmare and the Noble Dream* (Oxford University Press, 2004).

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**5. What aroused your interest in Legal Realism and what was the significance of your relationship with Karl Llewellyn? Could you describe the academic atmosphere at the University of Chicago? Did you find a lot of differences with education at Oxford?**

I graduated from Oxford in 1955, shortly before I was twenty-one. I did not know what I wanted to do or be. The main options at the time seemed to be to practice at the Bar, to pursue an academic career in Law, to seek work in Africa (probably in education), or to try to become a writer. I disliked the atmosphere of the Inns of Court, I was not really interested in law, there were few jobs in 'acceptable Africa' (i.e. not South Africa or the Rhodesias) in the era of decolonization, and writing offered no means of support. Eventually I combined Africa, law teaching and writing, but for two years after graduation I in effect 'dropped out'. I did some part-time teaching in Oxford, travelled widely in Europe and Africa and pursued an intensive, eclectic course of reading and self-education in which literature, philosophy, African history, politics and anthropology featured at least as much as law and legal theory. Towards the end of this period I opted to do postgraduate work in the United States.

It was largely by chance that I went to Chicago and worked with Karl Llewellyn. Professor Lawson was responsible for placing promising Oxford graduates in leading American law schools. Knowing of my interest in Jurisprudence, he asked me: which living American jurists did I most admire? I needed notice of that question, as I was largely ignorant of American legal theory, except for caricatures of American Realism, which was treated as a form of jazz jurisprudence – easy to criticise, but not worth taking seriously. After some investigation I came back to Lawson with two names: 1. Lon Fuller at Harvard; 2. Karl Llewellyn at the University of Chicago. The latter institution offered me a Fellowship, so in September 1958, newly married, I went there.

Was I predisposed to be attracted to Llewellyn and American Legal Realism? Not consciously. There were, however, some prior influences. First, while I was an undergraduate my brother had encouraged me to read Wolfgang Friedmann's *Law and Social Change in Contemporary Britain*<sup>6</sup> and similar works, including Maine's *Ancient Law*.<sup>7</sup> These were attractive, but unsettling, because they seemed to have almost no connection with what I was studying for my BA in Jurisprudence at Oxford. Later I came across *The Right of Property*<sup>8</sup> by a Danish jurist, Vinding Kruse, which included some rather poor photographs of houses and other buildings. A law book with *pictures* was a new and disturbing idea. Closely related to this, after graduation I

<sup>6</sup> Wolfgang Friedmann, *Law and Social Change in Contemporary Britain* (London: Stevens and Sons, 1951).

<sup>7</sup> Henry Sumner Maine, *Ancient Law: Its Connection with the Early History of Society and its Relation to Modern Ideas* (10th edn 1884) (London: J. Murray, 1861).

<sup>8</sup> Vinding Kruse, *The Right of Property* (London, New York: Oxford University Press, 1939).

experienced a series of culture shocks about the divide between what I had learned at Oxford and the practice of law. To give just one example: the eleventh edition of *Salmond on Torts*<sup>9</sup> was the main textbook on that subject. It was an admirable expository work – clear, succinct, even interesting. Nowhere did it mention that in negligence litigation a very high percentage of cases (today over ninety percent) are settled by negotiation out of court; that in most litigated cases at least one insurance company is in the background; that availability of legal aid influences patterns of torts litigation; and that most disputed torts claims turn on questions of fact rather than questions of law. This book was *unrealistic* in ways that are not fully captured by abstract distinctions between theory and practice or the law in books and the law in action. Throughout my academic career, getting more of the action into the books has been a central concern. Patrick Atiyah's *Accidents, Compensation and the Law* (now in its seventh edition)<sup>10</sup> is one of the most successful attempts to integrate legal doctrine with issues of policy and the 'realities' of litigation. It provides a sharp contrast with *Salmond on Torts*.

There is a third, less obvious, reason why I may have been predisposed to favour Legal Realism: my African background. I was born in Uganda, spent part of my late adolescence in East Africa, and even had some exposure to what later became known as African law. One did not need to be very alert or sensitive to realize that, despite British influence, law in East Africa (Kenya, Tanzania and Uganda were classified as 'common law countries') was radically different from law in England and Wales and that many of the differences can only be explained by reference to what is vaguely labelled 'context' – history, culture, economic conditions and politics. It is no coincidence that many of the leading members of the Law in Context movement in the United Kingdom spent part of their early careers in Africa or other colonial and post-colonial countries.

The University of Chicago, the Law School and the Windy City all provided new experiences. The University, financed largely by Rockefeller money, ruthlessly pursued Excellence; it did this in an abrasive dialectical fashion, so that one found that whenever one opened one's mouth one's assumptions were liable to be challenged, even at breakfast. The Law School fitted that culture. It was also more grown-up and professional than undergraduate Oxford. The students were older, worked harder, and were more competitive and ambitious than those I was used to. Orally, they were more articulate and forthcoming than English students, but fortunately for a bemused Oxonian they had not learned how to write. At the time I did not realize that the faculty included some of the most famous names in American academic law: Dean Edward Levi, Harry Kalven, Max Rheinstein, Kenneth Culp Davies, Walter Blum and

<sup>9</sup> John William Salmond, *Salmond on the Law of Torts* (11th edn). (London: Sweet and Maxwell, 1953).

<sup>10</sup> Patrick Atiyah, *Accidents, Compensation and the Law* (7th edn, P. Cane, 2006). (Cambridge University Press, 1970).

Malcolm Sharp, as well as Karl Llewellyn and his formidable wife, Soia Mentschikoff. I found nearly all of them friendly, approachable and not unduly concerned about their reputation. When I arrived I had simply assumed the superiority of Oxford and it took me a long time to learn otherwise.

It also took some time to grasp some profound ideological differences. In England I considered myself quite progressive, but I had often had to be on the defensive because I was not a wholehearted socialist or Marxist. In Chicago I encountered free market economics for the first time. In 1957–8 the first shoots of what became Law and Economics were sprouting. Dean Edward Levi was the impresario; Aaron Director was the vehicle, or –as I saw it – the hatchet man. Some of my encounters with Director may be of interest.

When I arrived in Chicago, I found that my faculty supervisor had put me down to do Director's course on 'The General Theory of Price'. I consulted some fellow students, who told me that this was the easiest course to pass in the Law School, provided you agreed with the instructor. Outraged, I confronted my supervisor: 'I thought that I had come to the University of Chicago, not the University of Moscow,' – this was the year of Sputnik – 'I am told that you pass Mr Director's course only if you agree with him. I disagree with him.' I won that encounter, was excused the course, and never learned any economics – a serious mistake.

The second episode occurred when a group of foreign students was taken to see a well-known programme for urban renewal. This involved replacing acres of slums with 'low cost housing'. It was clear to me that the former inhabitants could not have afforded the rents. We were not told what happened to them. At a party after this outing, I raised this question with my neighbour, who turned out to be Aaron Director. He said: 'They were not economically fit to survive.' At first, I thought this crass caricature of Darwin was intended as a joke. It was not. I never recovered from this first encounter with economic fundamentalism.

The third episode took place a few years later when I returned to Chicago to give some lectures and inspect Karl Llewellyn's papers. On my arrival from Dar-es-Salaam, jet-lagged and unshowered, I was met by Denis Cowen, the Director of the New Nations Program, who said: 'You must come to the Law School immediately; Aaron Director is giving a lecture on "Economic Development in Africa".' 'But he has never been to Africa,' I objected. I went. Director started by stating the familiar postulates of Friedmanite economics: economic development can only take place under certain rigorous conditions for a free market economy. He then proceeded to spell out the logical implications of his premises. When he finished, I got up wearily and said: 'I have not been to *all* of the African countries that Mr Director was talking about; but I have lived in some and have visited others, and I can say categorically that not a single government has in the past, does now, or is ever likely to accept his starting premises.' I sat down. 'I was talking economics, not politics,' was the succinct reply.

There is not space to give an adequate account of my experiences in Chicago, so let me move on to Karl Llewellyn. I have written about him and our relationship at great length elsewhere, so let me be brief. In 1957–8 more than half my timetable was taken up by other courses, but I took Llewellyn's course on 'Law in our Society' and spent a fair amount of time reading and researching under his direction. After his death I got to know him much better by putting his papers in order (1963–4), writing his intellectual biography and dealing guardedly, but intimately, with his widow, Soia Mentschikoff. Llewellyn and I got on very well together: he was intrigued by my interest in Africa and found my loyalty to Hartian jurisprudence a challenge. In retrospect, I recognize that his vision of law offered to fill in most of the shortcomings in my early legal education that I had sensed but not articulated. Obviously, there are specific ideas that I have assimilated, used or even refined in my own work: the law jobs theory; juristic method; styles of judging and argumentation; type fact situation; horse sense (uncommon sense based on experience); his interpretation of 'realism'. Apart from such specifics and our personal relationship, it was also a matter of attitude: he was *proud* of being a lawyer (a new idea to me); he was familiar with German law, but *loved* the common law all the more; he was *fascinated* by details of how things worked (crafts, techniques, technology); jurisprudence is about understanding law, rather than contributing to philosophy (not all questions that are jurisprudentially interesting are philosophically interesting); 'realism' was not a philosophy nor a doctrine nor a theory of law nor an epistemology, but rather a way of looking: see it fresh, see it whole, see it as it works. His philosophical underpinnings were close to classical pragmatism, especially John Dewey. He had moral and political commitments, but they were not doctrinaire. One of his favourite aphorisms was: 'Technique without ideals is a menace; ideals without technique are a mess.'

In writing about the topic, I emphasise a distinction between 'realism' as a concept and American Legal Realism as a label for the ideas of a few individuals at a particular period in American history – mainly between 1915 and about 1940. Some of the myths about American Legal Realism just do not fit the facts: that it was only or even mainly concerned with adjudication of questions of law; that it was a philosophy or a School or a theory of law; that it was a form of skepticism; and, I would add, that strange, parochial idea, that concern with being 'realistic' is an American exclusive. Llewellyn was responsible for the label and, in part, for inviting generalisations about the ideas of some quite disparate thinkers, whose most distinctive ideas were not shared by others – Jerome Frank's fact-skepticism, Leon Green's theory of causation, Underhill Moore's 'scientific fact research', and Llewellyn's law-jobs theory.



## 6. Apart from Hart and Llewellyn, would you include any other philosopher or jurist that has played an important role in your intellectual development?

It is difficult to distinguish between affinity and influence, and influence is often unconscious. When I think of all the teachers, writers, collaborators, colleagues, friends and critics to whom I owe intellectual debts, I sometimes feel like a sponge assimilating any liquid that comes its way and exuding a pale, diluted, contaminated mixture when squeezed. Apart from Hart and Llewellyn, I have conversed with, taught and written about so many jurists that it is difficult to single out two or three. Bentham has been a regular sounding board, but I am not a Benthamite. R. G. Collingwood's *Autobiography*<sup>11</sup> made a striking impact when I read it shortly after I graduated – my emphasis on standpoint, the idea of reading and writing about texts as a form of self-definition, a particular approach to reading juristic texts (the historical, the analytical and the applied) and some ideas about historical reconstruction are all in part attributable to him. Jerome Frank, John Henry Wigmore, Bentham again and David Schum all feature prominently in my work on Evidence, as does thirty years of friendship and collaboration with Terry Anderson. Over a similar period, Susan Haack has been my main philosophical sounding board, especially in relation to epistemology and pragmatism. My close friend, the late Neil MacCormick is discussed below. David Miers is a long-term close collaborator. In recent years I have been entranced by the writings of Italo Calvino, who has helped me greatly in sorting out my ambivalences about 'post-modernism': I value multiple perspectives, I recognize almost infinite complexity, I believe that imagination is required for understanding, but underneath I am an old-style cognitivist who distinguishes between epistemology and ontology.

## 7. Before we proceed to talk about your conception of Jurisprudence, could you provide a general overview of your work? What would you say are your most important works and under what circumstances did they arise? Would you say there have been different periods in your academic work?

At first sight, my writings appear to fall into three main categories: legal theory, including intellectual history (e.g. *Karl Llewellyn and the Realist Movement*,<sup>12</sup> *The Great Juristic Bazaar*,<sup>13</sup> *General Jurisprudence*);<sup>14</sup> writings about law as a discipline – i.e. legal scholarship, legal theory and legal education (e.g.

<sup>11</sup> R. G. Collingwood, *An Autobiography* (Oxford University Press, 1938/2002).

<sup>12</sup> William Twining, *Karl Llewellyn and the Realist Movement* (2nd edn) (Cambridge University Press, 2014).

<sup>13</sup> William Twining, *The Great Juristic Bazaar: Jurists' Texts and Lawyers' Stories* (Aldershot: Ashgate, 2002).

<sup>14</sup> William Twining, *General Jurisprudence. Understanding Law from a Global Perspective* (Cambridge, New York: Cambridge University Press, 2009).



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*Blackstone's Tower*,<sup>15</sup> *Law in Context: Enlarging a Discipline*);<sup>16</sup> and evidence and proof (e.g. *Analysis of Evidence*<sup>17</sup> (with Anderson and Schum); and *Rethinking Evidence*).<sup>18</sup> Those listed here are the most substantial; which of them are significant is for others to judge.

However, there are other patterns that cut across these categories. In particular, while some of my writings are relatively detached works of scholarship or theorising (e.g. most of the writings about Llewellyn, Bentham, and the Anglo-American tradition of evidence scholarship), others are by-products of more activist enterprises, such as campaigning for reform in legal education, advancing legal education in Africa and the Commonwealth, trying to broaden academic law publishing, or to influence policies on legal records or access to legal education. Editing the *Law in Context* series, helping in the development of law schools in Dar-es-Salaam, Warwick and elsewhere, were practical ways of advancing causes, which I also wrote about. For over fifty years I have been involved in what Americans call 'Law and Development', in a variety of capacities, but I have made only modest contributions to the scholarly literature. *Analysis of Evidence* and *How To Do Things With Rules*<sup>19</sup> (with David Miers) are concrete manifestations of an interest in teaching intellectual skills to law students and more generally in the idea of 'legal method' broadly conceived.

Similarly, my career falls into recognizable periods, which do not coincide neatly with my intellectual interests. Very roughly, between 1958 and 1965, I taught law in Sudan and East Africa, but I have maintained my interest in that region for much longer. Between 1963 and 1973 my main scholarly project was on Karl Llewellyn and this was mostly carried out in Chicago, New Haven and Belfast. While in Belfast (1966–72) my interests in Jeremy Bentham, legal education and 'law in context' developed significantly in addition to working on Llewellyn. My work on Evidence began at Warwick (1972–82) and continued at University College London, where I have been based since 1983, but I was also involved in a range of other activities. About 1995 I began to explore the implications of so-called 'globalisation' for legal theory and law as a discipline and I deliberately revived some of my Eastern African interests in connection with this.

Some of the main themes in my writings cut across these periods and subject matters. I am not conscious of having 'developed' in the sense of radically changing my views since the mid-1960s, but clearly my later work on evidence,

<sup>15</sup> William Twining, *Blackstone's Tower: The English Law School* (London: Sweet and Maxwell, 1994).

<sup>16</sup> William Twining, *Law in Context: Enlarging a Discipline* (Oxford University Press, 1997).

<sup>17</sup> T. Anderson, D. Schum and W. Twining, *Analysis of evidence* (2nd edn) (New York: Cambridge University Press, 2008).

<sup>18</sup> William Twining, *Rethinking Evidence: Exploratory Essays* (2nd edn) (Cambridge University Press, 2006).

<sup>19</sup> William Twining and David Miers, *How to Do Things With Rules* (4th edn) (London, New York: Cambridge University Press, 2010).

globalisation and jurisprudence could not have been anticipated even twenty years ago. In 1972 Soia Mentschikoff, Karl Llewellyn's widow, became Dean of the University of Miami Law School. She recruited a number of Chicago graduates, including myself as a regular visitor, to assist in transforming the institution along Llewellynesque lines. For over thirty years I have continued to visit – mainly in the Spring, for I am also a Montesquieuite, who believes in the importance of climate. This arrangement has kept me in touch with Llewellyn's legacy, including collaboration and co-teaching Analysis of Evidence with Terry Anderson (also a pupil of Llewellyn's), and has given me the opportunity to develop my ideas through a seminar on 'Globalisation and Law'.

#### **8. What is your conception of Jurisprudence and what would you say are the main tasks for a legal theorist?**

The goal of an academic discipline is to advance and disseminate understanding of the subject matters of that discipline. This applies to the discipline of law. I favour a broad and open-ended interpretation of 'understanding law' in this context, involving multiple perspectives and diverse subject matters. Jurisprudence, in this view, is the theoretical part of law as a discipline. A theoretical question is a general question, one posed at a relatively high level of abstraction. Abstraction is a relative matter. 'Legal philosophy' roughly designates that aspect of Jurisprudence that deals with very abstract questions. It is an important part of Jurisprudence, but it is only one part. Some questions, such as 'What is justice?', 'What is a valid argument?', are philosophical questions. 'What constitutes a valid and cogent argument on a question of law?' is part philosophical, in part depends on the meaning of 'a question of law', which in turn depends on how that is conceived in a given legal tradition or a particular legal system. 'What constitutes a valid, cogent and appropriate argument about a question of law in the Supreme Court of the United States or the Cour de Cassation in France?' requires some local legal knowledge and sensibility. In my experience, very few jurists have made significant contributions to philosophy and only a handful of philosophers have sufficiently immersed themselves in legal materials to contribute much to understanding law. So I deplore the practice of treating legal philosophy as co-extensive with Jurisprudence – or the only interesting part. Jurists should be concerned with jurisprudentially interesting questions, not just philosophically interesting ones.

In my view, Jurisprudence can usefully be viewed as a heritage, as an ideology, and as an activity. In any given intellectual tradition there is a vast heritage of texts, debates, arguments and ideas. Much juristic activity is devoted to engaging with selected texts – interpreting, explaining, comparing, assessing, conversing with, criticizing and using them. One purpose of engaging with juristic texts is to clarify one's own ideas. An important justification for getting students to read such texts is as an exercise in self-definition, to