

been reshaped by a new postmodern perspective. The author commences by examining the causes leading to the decline of traditional jurisprudence. He then summarises the four movements, law and economics, critical legal studies, feminist legal theory and law and literature, which have had profound impact in the 1980s and 1990s. The influence of these movements in shaping current debates about law and adjudication are evaluated. The author concludes by offering some thoughts on the state of jurisprudence at century's end.

**Beyond cut flowers: developing a clinical perspective on critical legal theory**

P Goldfarb

43 *Hastings L J*, 4, April 1992, pp 717-748 \*

In her essay, Professor Goldfarb examines the relationship between clinical legal education and critical legal theory. She highlights the resemblances between the two movements while elaborating a clinical educator's perspective on and critique of some of the ideas associated with critical legal studies. Critical legal studies is associated with "rule scepticism" and clinical legal education with "fact scepticism", but both are engaged in theoretical deconstruction and aim to generate social change. The author argues that much of clinical legal study is inconsequential, whereas clinical education theory is better able to test the value of critical theory's insights and use them to effect change.

**The faces of law in theory and practice: doctrine, rhetoric and social context**

R Boldt & M Feldman

43 *Hastings L J*, 4, April 1992, pp 1111-1146 \*

Although the Realist critique of Langdellian educational practice has been widely accepted, Professors Boldt and Feldman demonstrate how the impact of this critique is minimised because of the disjointed way in which it is presented in the classroom. They offer an account of an integrated reconception of legal doctrine. They describe their attempts to break down the barriers in legal education and in the legal profession more generally by uncovering the doctrinal and rhetorical

strategies employed by actors within the legal system to disclaim the political dimension of law and to reinforce a sense of institutional powerlessness.

**Intellectual authority and institutional authority**

C W Collier

42 *J Legal Educ*, 2, June 1993, pp 151-185

The existence of intellectual authority as distinct from institutional authority is discussed. In law, institutional authority manifests itself as the doctrine of precedent. The tension between institutional and intellectual authority is particularly apparent when considering whether a precedent should be overruled. Heuristics (rules of thumb) and obedience are also examined as potential sources of institutional authority. Blind reviewing of legal and literary papers leads to the inevitable conclusion that even in the academic world, where intellectual authority should rule supreme, institutional bias is rife. The author concludes that justice demands a strict separation of intellectual and institutional authority, for the scholar and judge alike.

**A moral appraisal of legal education: a plea for a return to forgotten truths**

M P Ambrosio

22 *Seton Hall L Rev*, 4, 1992, pp 1177-1224

Legal positivism, which treats law as a system of rules separate and distinct from morals and justice, is the prevailing and current conception of law in legal education and theory. By failing to explore the connection between law and morals, law schools have marginalised that which should be at the core of their efforts - teaching of justice. The moral instruction gained in clinical programs and professional responsibility and jurisprudential courses, should be supplemented by constant resort to morality and justice in other courses. A review of the intimate link between law and justice in constitutional law, civil procedure, contracts, property law and criminal law is proffered. Law schools should be aiming to produce graduates that are qualified to and capable of, advising clients on the moral and ethical dimensions of their use of the law. To create morally and ethically astute graduates, reintroduction of natural law

theory is advocated. The writings of John Finnis and also John Rawls are especially appropriate for training law students in the method of moral analysis and natural law.

**The deprofessionalisation of legal teaching and scholarship**

R A Posner

[see Purpose]

**The growth of interdisciplinary research and the industrial structure of the production of legal ideas: a reply to Judge Edwards**

G L Priest

[see Purpose]

**Plus ça change**

P Brest

[see Purpose]

**A response from the visitor from another planet**

J C Gordon

[see Purpose]

**Mad midwifery: bringing theory, doctrine, and practice to life**

B B Woodhouse

[see Purpose]

**Harry Edwards' nostalgia**

P D Reingold

[see Purpose]

**Judge Edwards' indictment of "impractical" scholars: the need for a bill of particulars**

S Levinson

[see Purpose]

**Students as teachers, teachers as learners**

D Bell & E Edmonds

[see Purpose]

**Lawyers, scholars and the "middle ground"**

R W Gordon

[see Purpose]

**The disjunction between Judge Edwards and Professor Priest**

L H Pollak

[see Purpose]