EDITORIAL COMMENT

The task of establishing a journal that seeks to straddle previously discrete intellectual domains (one goal outlined in the editorial of the first issue) has clearly demonstrated to us the persistence of old suspicions. It is not only in physics that the law "to every action there is an equal and opposite reaction" applies. So in the course of discussions seeking to resolve questions as to the form and content of this issue there have been some problems orbiting round the question of "jargon". Specifically, this has involved the impugning of some contributions on the basis of their being "jargonistic", written in impenetrable prose and so on. The criticisms are, of course, perfectly legitimate on one level — as long as they are not used as a way of dismissing the content of which the alleged "jargon" is an expression. There is a very real danger in using the "jargon" label indiscriminately for it can lead to a dismissive, pulling-down-the-shutters anti-intellectualism. It is crucial to realise that through new terms, phrases and words, our conceptual apparatus for attaining knowledge of the world is advanced. The argument against jargon is certainly valid where abstruse terms are used to explain simple ideas. However, many theorists legitimately use terms which are not reducible to the simplicities of "ordinary language" precisely because those terms represent concepts which are not contained in contemporary knowledge and therefore current language. As such, neologisms are often a prerequisite for the identification, not just of new phenomena, but of new explanations of hidden aspects of old phenomena.

All this, of course, is particularly important as far as lawyers and legal academics are concerned. There is an obvious contradiction involved in at one moment freely using terms like "restrictive covenant", "sovereignty", "contingent remainder" and expecting students of law to come to terms with them while at the same time refusing to come to terms with words like "reification" or "structuralism" because it is claimed *they* are jargonistic. One suspects that one aspect of professionalism is at work, namely, rejection at any cost of alternative modes of cognition on the basis that they threaten the expertise of the reader.

We reaffirm, as a continuing feature of the journal, that interdisciplinary learning can only take place on the basis that theorists in one field be open-minded enough to engage in genuine reciprocal exchange with theorists in other fields. This is a fundamental prerequisite for any intellectual discourse. So we would want to eschew critiques such as that articulated by one legal academic recently in reviewing a book by sociologists on the professions (including the legal profession) where the critique was cast predominantly in terms of a dislike of unfamiliar terminology. Without wanting to make too much of the "people in glass houses" theme, where such critiques are *not* accompanied by substantive criticisms of the ideas behind the alleged jargon, one can only presume that there has been no genuine attempt to come to terms with the substantive argument at all. This is clearly an impediment to any interdisciplinary learning.

In recent years feminists have most convincingly exposed the capacity of ordinary language to obscure, distort and misrepresent reality, emphasising that we need to change our language as a pre-condition for changing our world. Consequently we feel that a refusal to entertain new usages is not only an impediment to the free flow of ideas, but can be a systematic obstacle to any sort of social change. While this journal generally aims to present ideas in words which can be readily understood, "ordinary language" is often inadequate and may be positively misleading. There can be no assumption that current language is the only, or indeed, the best way to express ideas. The burden of proof should be on those who assert the purity of their language to defend that language, not on the grounds that it is current, but on the grounds that it is the best linguistic practice. If this journal can extend debate on law and society to fundamental presuppositions such as this then it will be performing an intellectual function that is generally missing in Australian legal scholarship.

Three of the articles in this second issue demonstrate this theme. Yvonne de Michiel's article represents an application of some of the ideas of the very influential work of Michel Foucault to industrial injury. This issue could not be more topical given the recent New South Wales Occupational Health and Safety Act and the forthcoming Victorian occupational health and safety legislation, and the debate these have fuelled. Peter Fitzpatrick's article explores on a rather more abstract level the adequacy of what he terms "totalising Marxist theories" in explaining the operation of institutions such as the prison and the family. "Social justice" is a much-used term today and Matthew Foley's article picks out some of its central notions in recent legal scholarship. Our interest in developments overseas continues with Ailsa Burns' article on family policy in China. The articles collectively employ perspectives from non-legal disciplines which can provide fresh insights into the operation and analysis of law. As such, they may be unfamiliar to some readers. But this, we would argue, is necessarily incidental to the nature of our interdisciplinary aims.