

GUEST EDITOR'S INTRODUCTION:  
SPECIAL EDITION: PHILOSOPHY OF LAW

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This volume of *Journal of East-West Thought* is dedicated to studies in the philosophy of law. The field is conceived broadly to include inquiries into the nature and evaluation of norms governing social conduct. Accordingly, this volume offers essays about the essence of law itself and its relation to morality, about international diplomacy, professional ethics, and controversial practices as yet largely beyond the jurisdiction of specific social norms.

In this *JET* Special Edition, William L. McBride presents a critical paper "The Philosophy of Law Reconsidered." This paper constitutes a brief overview of Western philosophy of law, with special emphasis on its putative (at least to some) originator, Hegel while not forgetting the importance of law for a number of more classical Western philosophers. It takes note of the contribution of the legal positivist, Hans Kelsen, to elevating the importance of international law – somewhat paradoxical, given the traditionally cosmopolitan outlook of natural law, which Kelsen despised – and then goes on to criticize the tendency of many textbooks, especially those published in the United States, to concentrate in a quite provincial way on, above all, American Constitutional Law, comparable to the concentration on then-contemporary Prussian institutions in Hegel's *Philosophy of Right*. It urges greater attention, in the future, both to international law, with its global context, and to legal systems other than those of the United States and the United Kingdom, particularly to those of non-Western countries.

Xunwu Chen, in "Positive Law and Natural Law: Han Feizi, Hobbes, and Habermas," advances our understanding of the longstanding questions about whether there are any natural laws, and, if so, what their connection with positive laws should be. Chen offers a comparative study of the thinking of an ancient Chinese philosopher, a philosopher of the Enlightenment, and a contemporary critical theorist. Prof. Chen brings out how natural law enters the thinking of Han Feizi and Hobbes in a quest for valid, rational, and good positive laws while

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Habermas makes no such appeal. A split on the issue over the ages mirrors the disagreement in contemporary jurisprudence.

James J. Marquardt and Rui Zhu investigate how rival conceptions of *transparency* have impeded meaningful dialogue between the United States and the People's Republic of China. Their article, "Transparency Conflicts in Sino-American Relations," attributes these variations to cultural differences. Profs. Marquardt and Zhu clarify how there can be a genuine, transparent dialogue between these nations as they map out how the competing views diverge and overlap, and they conclude by considering the implications of their study for transparent dialogue on a global scale or the possibility of a public reason.

Is partisan reporting in the field of international broadcasting compatible with the values of objectivity and impartiality that drive the profession of journalism? Juha Räikkä explores this question in "Public Diplomacy: A Justification" and concludes that there is no conflict. Prof. Räikkä's analysis hinges on the depiction of international broadcasting as an activity in the realm of public diplomacy where the standard of professional conduct is "accurate, balanced and fair newswriting."

The volume concludes with Manuel "Mandel" Cabrera Jr.'s article, "The Revenge of the Cute: Human Dolls and the Mortification of the Female Body." Prof. Mandel considers the phenomenon in Korea of women taking steps to make themselves doll-like, or adorably child-like. To further this end, they adopt certain gestures and linguistic expressions and go so far as to undergo multiple facial plastic surgeries. However much this self-mortification seems to exacerbate sexist and bigoted images of women, Prof. Mandel argues that it may well serve as a symbolic revenge in its potential for emancipating and enlightening the bigots.