Since semiotics has been broadly defined since the early 1960's as the science of signs, including the transmission of messages of all kinds by means of intermediate sign-systems, it is appropriate to understand a particular aspect of that general mode of inquiry, such as the semiotics of law, as a scientific investigation of signs peculiar to law: its theory, its practice, its complex codes and manner of representation.

Peirce, who rightly regarded himself as a pioneer in this new field of inquiry, distinguished three distinct phases of the inquiry process into three stages in the evolution or development of any continuum idea: the iconical stage, the indexical stage and the symbolical stage. The development of all new thought thus corresponds to these three ways of identifying and describing the processing of emergent significance as aspects of interpreting, i.e., of ideas-as-sign functions interpreting their referents. The Immediate Interpretant is that aspect of this semiotic process which stands for the initial, imagistic presentation of an idea in question singled out for analysis. The Dynamical Interpretant — an oppositional structure — is that aspect of semiotic inquiry which grounds inquiry in the actual world of experience characterized by tension and opposition. The Final Interpretant stands for provisional resolution of an open problem or question into a judgement, at least for the time being.

We are especially interested in this paper in exploring certain correspondences between the Peircean assumption, that a living legal system in an open-ended free society is indeterminate, and the role of indeterminacy in present-day chaos theory. Further, when chaos and indeterminacy take on honorific connotations rather than the more ancient (defunct) metaphysical meanings, images of chaos may come
to represent new possibilities for freedom rather than impending dis-
solution. Thus an unstable Justice may be interpreted as a sign of un-
precedented equitable social interrelations in a new, complex, recip-
rocally self-organizing human world.

The old classic western image of Justice is a balance. But this old
image presupposes a closed universe, a model in which constancy,
absoluteness, stability and predictable order were analogous hall-
marks of human character, i.e., of firm principle. Among the tacit
values of this hallowed presupposition is the conviction that the ideal
of a perfect society represented, even resembled as mirror-image, a ce-
lestial and divine counterpart and referent. It assumes that two or
more existents may share a common origin and evolve in parallel
fashion. It does not understand that the behavior of every existent is
its response to the peculiarities of its environment such that each
meeting is not mere accident but a possible turning point of evolution
for the existent in passage. A thought, or system of thoughts such as
law, is such an existent. It becomes in response to its encounters. In
the case of open systems we may begin to speak of its aperiodicity, its
instability as manifesting a movement toward greater freedom, via
chaos or turbulence.

It is this potentiality for expanding boundaries and for stretching
the limits of space, of temporality, i.e., of the ideational stuff of which
images are made for new ideas, that especially characterizes a
Peircean dynamical approach to semiotic analysis of sign-systems. In
brief, for our purposes here, the Peircean theory of signs holds that
even if two images appear identical they are not absolutely the same.
Indeed, the appearance of sameness may be misinforming since simi-
larity of appearance is not in itself sufficient to predict how each will
possibly respond in different ways to similar provocations. At every
stage in the transformation of idea, from image to index to symbol,
there is an opportunity or chance that the system or idea will change
course, will become unpredicted, anomalous.

We should not then be surprised when we read that Montesquieu
observes that laws which may appear to be the same (i.e., "look
alike"), do not bring about the same consequences, since they do not
act alike, necessarily, and so are not alike.¹ I was surprised since I had

¹ Montesquieu (Charles-Louis de Secondat), The Spirit of the Laws, Vol. I.,
Book XXI, Nugent translation, ed. Franz Neumann (New York: Hafuer