

# Interpretation Of The Law

**interpretation of the law: Reading Law** Antonin Scalia, Bryan A. Garner, 2012 In this groundbreaking book, Scalia and Garner systematically explain all the most important principles of constitutional, statutory, and contractual interpretation in an engaging and informative style with hundreds of illustrations from actual cases. Is a burrito a sandwich? Is a corporation entitled to personal privacy? If you trade a gun for drugs, are you using a gun in a drug transaction? The authors grapple with these and dozens of equally curious questions while explaining the most principled, lucid, and reliable techniques for deriving meaning from authoritative texts. Meanwhile, the book takes up some of the most controversial issues in modern jurisprudence. What, exactly, is textualism? Why is strict construction a bad thing? What is the true doctrine of originalism? And which is more important: the spirit of the law, or the letter? The authors write with a well-argued point of view that is definitive yet nuanced, straightforward yet sophisticated.

**interpretation of the law: Statutory and Common Law Interpretation** Kent Greenawalt, 2013 Kent Greenawalt's second volume on aspects of legal interpretation analyzes statutory and common law interpretation, suggesting that multiple factors are important for each, and that the relation between them influences both. The book argues against any simple textualism, claiming that even reader understanding of statutes depends partly on perceived intent. In respect to common law interpretation, use of reasoning by analogy is defended and any simple dichotomy of holding and dictum is resisted.

**interpretation of the law: Judging Statutes** Robert A. Katzmann, 2014-08-14 In an ideal world, the laws of Congress--known as federal statutes--would always be clearly worded and easily understood by the judges tasked with interpreting them. But many laws feature ambiguous or even contradictory wording. How, then, should judges divine their meaning? Should they stick only to the text? To what degree, if any, should they consult aids beyond the statutes themselves? Are the purposes of lawmakers in writing law relevant? Some judges, such as Supreme Court Justice Antonin Scalia, believe courts should look to the language of the statute and virtually nothing else. Chief Judge Robert A. Katzmann of the U.S. Court of Appeals for the Second Circuit respectfully disagrees. In *Judging Statutes*, Katzmann, who is a trained political scientist as well as a judge, argues that our constitutional system charges Congress with enacting laws; therefore, how Congress makes its purposes known through both the laws themselves and reliable accompanying materials should be respected. He looks at how the American government works, including how laws come to be and how various agencies construe legislation. He then explains the judicial process of interpreting and applying these laws through the demonstration of two interpretative approaches, purposivism (focusing on the purpose of a law) and textualism (focusing solely on the text of the written law). Katzmann draws from his experience to show how this process plays out in the real world, and concludes with some suggestions to promote understanding between the courts and Congress. When courts interpret the laws of Congress, they should be mindful of how Congress actually functions, how lawmakers signal the meaning of statutes, and what those legislators expect of courts construing their laws. The legislative record behind a law is in truth part of its foundation, and therefore merits consideration.

**interpretation of the law: Purposive Interpretation in Law** Aharon Barak, 2011-10-16 This book presents a comprehensive theory of legal interpretation, by a leading judge and legal theorist. Currently, legal philosophers and jurists apply different theories of interpretation to constitutions, statutes, rules, wills, and contracts. Aharon Barak argues that an alternative approach--purposive interpretation--allows jurists and scholars to approach all legal texts in a similar manner while remaining sensitive to the important differences. Moreover, regardless of whether purposive interpretation amounts to a unifying theory, it would still be superior to other methods of

interpretation in tackling each kind of text separately. Barak explains purposive interpretation as follows: All legal interpretation must start by establishing a range of semantic meanings for a given text, from which the legal meaning is then drawn. In purposive interpretation, the text's purpose is the criterion for establishing which of the semantic meanings yields the legal meaning. Establishing the ultimate purpose--and thus the legal meaning--depends on the relationship between the subjective and objective purposes; that is, between the original intent of the text's author and the intent of a reasonable author and of the legal system at the time of interpretation. This is easy to establish when the subjective and objective purposes coincide. But when they don't, the relative weight given to each purpose depends on the nature of the text. For example, subjective purpose is given substantial weight in interpreting a will; objective purpose, in interpreting a constitution. Barak develops this theory with masterful scholarship and close attention to its practical application. Throughout, he contrasts his approach with that of textualists and neotextualists such as Antonin Scalia, pragmatists such as Richard Posner, and legal philosophers such as Ronald Dworkin. This book represents a profoundly important contribution to legal scholarship and a major alternative to interpretive approaches advanced by other leading figures in the judicial world.

**interpretation of the law: LEGISLATING STATUTORY INTERPRETATION** CHRISTOPHER. HUNT, 2018

**interpretation of the law: Legal Interpretation: Perspectives from Other Disciplines and Private Texts** Kent Greenawalt, 2010-10-27 In *Legal Interpretation*, Kent Greenawalt focuses on the complex and multi-faceted topic of textual interpretation of the law. All law needs to be interpreted, and there are many ways to do it. But what sorts of questions must one seek to answer in interpreting law and what approach should one take in each case? Whose interpretations should be prioritized? Why would one be drawn to one strategy over another? And should legal interpretation seek to satisfy specific aims or general objectives? In order to provide the answers to these questions, Greenawalt explores the ways in which interpretive strategies from other disciplines--the philosophy of language, literary and musical interpretation, religious interpretation, and general interpretive theory--can augment and enrich methods of legal interpretation. Over the course of the book, he suggests how such forms of interpretation are analogous to legal interpretation--and points to those cases in which interpretation must rest on the distinctive aspects of legal theory, such as is the case with private documents. Furthermore, Greenawalt's meditation suggests that interpretive strategies from other disciplines can shed light on the essential nature of legal interpretation and provide roads by which to account for dissonance between various methods of interpretation. *Legal Interpretation* is a thought-provoking reflection on the ways that insights from a range of intellectual traditions can deepen our understanding of law, particularly with regard to constitutional law.

**interpretation of the law: *A Matter of Interpretation*** Elizabeth Mac Donald, 2021-06 It's 13th-century Europe and a young monk, Michael Scot, has been asked by the Holy Roman Emperor to translate the works of Aristotle and recover his lost knowledge. The Scot sets to his task, traveling from the Emperor's Italian court to the translation schools of Toledo and from there to the Moorish library of Córdoba. But when the Pope deems the translations heretical, the Scot refuses to desist. So begins a battle for power between Church and State--one that has shaped how we view the world today.

**interpretation of the law: *Legal Interpretation of Tax Law*** Robert F. van Brederode, Richard E. Krever, 2017 *Legal Interpretation of Tax Law* is a comprehensive multi-jurisdiction survey of the interpretation of the corporate income tax and VAT and GST or other general sales tax laws. As a result of the globalization of trade and business, tax departments and their external advisors are increasingly required to deal with the tax law of foreign jurisdictions. Effective consulting, whether internal or external, requires not only knowledge of tax law per se but also of how tax law is explained and interpreted by the courts of foreign jurisdictions. This book is the first to deal comparatively with tax law interpretation in economies engaged in cross-border investment at a global level.00The introduction outlines the theoretical approaches to legal interpretation in general and gives an overview of issues and topics relevant to taxation ? designed to help readers

understand the jurisdictional chapters that follow. Each author pays detailed attention to such documentary elements as explanatory memoranda, administrative rulings, judicial precedents, judgments of foreign courts, legislative debates, and OECD guidelines.

**interpretation of the law: *Interpretation, Law and the Construction of Meaning*** Anne Wagner, Wouter Werner, Deborah Cao, 2007-05-16 The study of legal semiotics emphasizes the contingency and fluidity of legal concepts and stresses the existence of overlapping, competing and coexisting legal discourses. New problems, changing power structures and societal norms and new faces of injustice – all these force reconsideration, reformulation and even replacement of established doctrines. This book focuses on the application of law in a wide variety of contexts, including international politics and diplomatic practice.

**interpretation of the law: *The Nature of Legal Interpretation*** Brian G. Slocum, 2017-05-17 Language shapes and reflects how we think about the world. It engages and intrigues us. Our everyday use of language is quite effortless—we are all experts on our native tongues. Despite this, issues of language and meaning have long flummoxed the judges on whom we depend for the interpretation of our most fundamental legal texts. Should a judge feel confident in defining common words in the texts without the aid of a linguist? How is the meaning communicated by the text determined? Should the communicative meaning of texts be decisive, or at least influential? To fully engage and probe these questions of interpretation, this volume draws upon a variety of experts from several fields, who collectively examine the interpretation of legal texts. In *The Nature of Legal Interpretation*, the contributors argue that the meaning of language is crucial to the interpretation of legal texts, such as statutes, constitutions, and contracts. Accordingly, expert analysis of language from linguists, philosophers, and legal scholars should influence how courts interpret legal texts. Offering insightful new interdisciplinary perspectives on originalism and legal interpretation, these essays put forth a significant and provocative discussion of how best to characterize the nature of language in legal texts.

**interpretation of the law: *The Theory, Practice and Interpretation of Customary International Law*** Panos Merkouris, Jörg Kammerhofer, Noora Arajärvi, 2022-05-26 Provides an in-depth study of the theory, history, practice, and interpretation of customary international law.

**interpretation of the law: *Modern Statutory Interpretation*** Linda D. Jellum, David Charles Hricik, 2009 This book is designed to teach statutory interpretation skills. It uses a combination of traditional cases along with problems to accomplish that objective. Broadly organized around the process of interpretation, it focuses first on the plain meaning of the text and then addresses the question of whether and, if so, when courts will examine sources other than the text. The book addresses the various approaches and theories to interpretation and examines how those approaches have been applied to particular interpretative problems, such as implied rights, administrative interpretations, and the interpretation of uniform statutes. Within each chapter, subjects are introduced with concise summaries of the core concepts. After the introduction, a well-edited case explores the uncertainties and boundaries of those core concepts. The notes and questions following each principal case are designed to help focus the students' thoughts and understanding of the case before they come to class. Finally, problems are included to ensure that the students use the statutory interpretation skills they have just learned. Each problem lends itself to at least two arguments (often more) and allows for further inquiry into the concepts in the chapter. The second edition has been revised and updated to include more problems and a few new cases. Additionally, the legislative and administrative chapters have been substantially revised. An electronic Teacher's Manual is available. To request the file, please email crutan (at) cap-press (dot) com.

**interpretation of the law: *Dynamic Statutory Interpretation*** William N. Eskridge, 1994 Contrary to traditional theories of statutory interpretation, which ground statutes in the original legislative text or intent, legal scholar William Eskridge argues that statutory interpretation changes in response to new political alignments, new interpreters, and new ideologies. It does so, first of all, because it involves richer authoritative texts than does either common law or constitutional

interpretation: statutes are often complex and have a detailed legislative history. Second, Congress can, and often does, rewrite statutes when it disagrees with their interpretations; and agencies and courts attend to current as well as historical congressional preferences when they interpret statutes. Third, since statutory interpretation is as much agency-centered as judge-centered and since agency executives see their creativity as more legitimate than judges see theirs, statutory interpretation in the modern regulatory state is particularly dynamic. Eskridge also considers how different normative theories of jurisprudence--liberal, legal process, and antiliberal--inform debates about statutory interpretation. He explores what theory of statutory interpretation--if any--is required by the rule of law or by democratic theory. Finally, he provides an analytical and jurisprudential history of important debates on statutory interpretation.

**interpretation of the law: *The Language of Statutes*** Lawrence Solan, 2010-12 We are capable of writing crisp yet flexible laws, but Solan explains that difficult cases result when the ways in which our cognitive and linguistic faculties are structured fail to produce a single, clear interpretation. Though we are predisposed to absorb new situations into categories we have previously formed, our conceptualization is not always as crisp as the legislative and judicial realms demand. In such cases, Solan contends that other values, most importantly legislative intent, must come into play. *The Language of Statutes* provides an excellent introduction to statutory interpretation, rejecting the extreme arguments that judges have either too much or too little leeway, and explaining how and why a certain number of interpretive problems are simply inevitable. --Book Jacket.

**interpretation of the law: *Purposive Interpretation in Law*** Aharon Barak, 2007-09-16 This book presents a comprehensive theory of legal interpretation which allows all legal texts to be approached in a similar manner, while remaining sensitive to their important differences.

**interpretation of the law: *The Theory and Practice of Statutory Interpretation*** Frank B. Cross, 2008-11-19 Today, statutes make up the bulk of the relevant law heard in federal courts and arguably represent the most important source of American law. The proper means of judicial interpretation of those statutes have been the subject of great attention and dispute over the years. This book provides new insights into the theory and practice of statutory interpretation by courts. Cross offers the first comprehensive analysis of statutory interpretation and includes extensive empirical evidence of Supreme Court practice. He offers a thorough review of the active disputes over the appropriate approaches to statutory interpretations, namely whether courts should rely exclusively on the text or also examine the legislative history. The book then considers the use of these approaches by the justices of the recent Rehnquist Court and the degree to which they were applied by the justices, either sincerely or in pursuit of an ideological agenda.

**interpretation of the law: *The Interpretation and Application of Statutes*** Frederick Reed Dickerson, 1975 This work discusses the constitutional foundations that govern the relations between the legislature and the courts and the issues of separation of powers with respect to statutes. Concepts of legislative meaning, intent, purpose, and context are described in detail.

**interpretation of the law: *Interpretation in International Law*** Andrea Bianchi, Daniel Peat, Matthew Windsor, 2015 International lawyers have long recognised the importance of interpretation to their academic discipline and professional practice. As new insights on interpretation abound in other fields, international law and international lawyers have largely remained wedded to a rule-based approach, focusing almost exclusively on the Vienna Convention on the Law of Treaties. Such an approach neglects interpretation as a distinct and broader field of theoretical inquiry. *Interpretation in International Law* brings international legal scholars together to engage in sustained reflection on the theme of interpretation. The book is creatively structured around the metaphor of the game, which captures and illuminates the constituent elements of an act of interpretation. The object of the game of interpretation is to persuade the audience that one's interpretation of the law is correct. The rules of play are known and complied with by the players, even though much is left to their skills and strategies. There is also a meta-discourse about the game of interpretation - 'playing the game of game-playing' - which involves consideration of the nature of

the game, its underlying stakes, and who gets to decide by what rules one should play. Through a series of diverse contributions, *Interpretation in International Law* reveals interpretation as an inescapable feature of all areas of international law. It will be of interest and utility to all international lawyers whose work touches upon theoretical or practical aspects of interpretation.

**interpretation of the law:** *Interpretation of Law in the Age of Enlightenment* Yasutomo Morigiwa, Michael Stolleis, Jean-Louis Halperin, 2011-06-29 A collaboration of leading historians of European law and philosophers of law and politics identifying and explaining the practice of interpretation of law in the 18th century. The goal: establishing the actual practice in the Age of Enlightenment, and explaining why this was the case. The ideology of the Age was that law, i.e., the will of the sovereign, can be explicitly and appropriately stated, thus making interpretation redundant. However, the reality was that in the 18th century, there was no one leading source of national law that would be the object of interpretation. Instead, there was a plurality of sources of law: the Roman Law, local customary law, and the royal ordinance. However, in deciding a case in a court of law, the law must speak with one voice. Hence, interpretation to unify the norms was inevitable. What was the process? What role did justification in terms of reason, the hallmark of the Enlightenment, play? These are some of the questions addressed.

**interpretation of the law:** *Judicial Methods of Interpretation of the Law* Julio C. Cueto-Rua, 1981

**interpretation of the law:** *A Matter of Interpretation* Antonin Scalia, 2018-01-30 We are all familiar with the image of the immensely clever judge who discerns the best rule of common law for the case at hand. According to U.S. Supreme Court Justice Antonin Scalia, a judge like this can maneuver through earlier cases to achieve the desired aim—"distinguishing one prior case on his left, straight-arming another one on his right, high-stepping away from another precedent about to tackle him from the rear, until (bravo!) he reaches the goal—good law. But is this common-law mindset, which is appropriate in its place, suitable also in statutory and constitutional interpretation? In a witty and trenchant essay, Justice Scalia answers this question with a resounding negative. In exploring the neglected art of statutory interpretation, Scalia urges that judges resist the temptation to use legislative intention and legislative history. In his view, it is incompatible with democratic government to allow the meaning of a statute to be determined by what the judges think the lawgivers meant rather than by what the legislature actually promulgated. Eschewing the judicial lawmaking that is the essence of common law, judges should interpret statutes and regulations by focusing on the text itself. Scalia then extends this principle to constitutional law. He proposes that we abandon the notion of an everchanging Constitution and pay attention to the Constitution's original meaning. Although not subscribing to the "strict constructionism" that would prevent applying the Constitution to modern circumstances, Scalia emphatically rejects the idea that judges can properly "smuggle" in new rights or deny old rights by using the Due Process Clause, for instance. In fact, such judicial discretion might lead to the destruction of the Bill of Rights if a majority of the judges ever wished to reach that most undesirable of goals. This essay is followed by four commentaries by Professors Gordon Wood, Laurence Tribe, Mary Ann Glendon, and Ronald Dworkin, who engage Justice Scalia's ideas about judicial interpretation from varying standpoints. In the spirit of debate, Justice Scalia responds to these critics. Featuring a new foreword that discusses Scalia's impact, jurisprudence, and legacy, this witty and trenchant exchange illuminates the brilliance of one of the most influential legal minds of our time.

**interpretation of the law: Philosophy of Law** Raymond Wacks, 2014-02 Raymond Wacks reveals the intriguing and challenging nature of legal philosophy, exploring the notion of law and its role in our lives. He refers to key thinkers from Aristotle to Rawls, from Bentham to Derrida and looks at the central questions behind legal theory, and law's relation to justice, morality, and democracy.

**interpretation of the law: Handbook on the Construction and Interpretation of the Laws** Henry Campbell Black, 2018-10-21 This work has been selected by scholars as being culturally

important and is part of the knowledge base of civilization as we know it. This work is in the public domain in the United States of America, and possibly other nations. Within the United States, you may freely copy and distribute this work, as no entity (individual or corporate) has a copyright on the body of the work. Scholars believe, and we concur, that this work is important enough to be preserved, reproduced, and made generally available to the public. To ensure a quality reading experience, this work has been proofread and republished using a format that seamlessly blends the original graphical elements with text in an easy-to-read typeface. We appreciate your support of the preservation process, and thank you for being an important part of keeping this knowledge alive and relevant.

**interpretation of the law:** Between the Lines of the Vienna Convention? Joseph Klingler, Yuri Parkhomenko, Constantinos Salonidis, 2018-12-18 The 1969 Vienna Convention on the Law of Treaties makes no express reference to many of the most common canons and interpretative principles derived from international jurisprudence over many years. This volume represents the first modern, freestanding analysis of such canons and principles, their role in treaty interpretation and their relationship with the Vienna Convention regime. A top-flight roster of respected scholars and practitioners of public international law offers an in-depth examination of, among other things: • the origins of canons and interpretive principles; • their utility and limits in treaty interpretation; and • the application of numerous individual canons and interpretive principles, including *effet utile*, *expressio unius*, *lex specialis*, *ejusdem generis*, *in dubio mitius*, *in pari materia*, *ex abundante cautela*, the principles of contemporaneity and evolutive interpretation, and more. Extensive analysis of case law and scholarship provides insightful interpretive guidance across virtually every subfield of public international law. With its valuable insights into when the application of particular canons or principles of interpretation is most likely to be appropriate and persuasive, the volume will be of great value to lawyers representing parties (whether states, corporations or individuals) before international dispute resolution bodies, as well as to judges and arbitrators, legal officials at ministries of foreign affairs, and scholars of public international law.

**interpretation of the law: Some Reflections on the Reading of Statutes** Felix Frankfurter, 1947

**interpretation of the law:** *Statutory Construction and Interpretation*, 2010-06-15 This book reviews the primary rules courts apply to discern a statute's meaning. However, each matter of interpretation before a court presents its own challenges, and there is no unified, systematic approach used in all cases. While schools of statutory interpretation may vary on what factors should be considered, all approaches start (if not necessarily end) with the language and structure of the statute itself. In analyzing a statute's text, courts are guided by the basic principle that a statute should be read as a harmonious whole, with its separate parts being interpreted within their broader statutory context.

**interpretation of the law:** Legislation and Statutory Interpretation William N. Eskridge (Jr.), Philip P. Frickey, Elizabeth Garrett, 2006 Suitable for students or practitioners, this authoritative overview of the legislative process and statutory interpretation moves smoothly and understandably between the theoretical and the practical. It contains in-depth discussion of such topics as theories of legislation and representation, electoral and legislative structures, extrinsic sources for statutory interpretation, and substantive canons of statutory interpretation. Reap the benefits of the authors' experience, opinions, and insight and gain a working knowledge of the area.

**interpretation of the law: Statutory Interpretation** Douglas Walton, Fabrizio Macagno, Giovanni Sartor, 2021-01-21 Combining pragmatics, dialectics, analytics, and legal theory, this work translates interpretative canons into patterns of natural argument.

**interpretation of the law:** *The Interpretation of Acts and Rules in Public International Law* Alexander Orakhelashvili, 2008 This monograph examines international legal regulation, analyses how it interacts with non-legal factors, and seeks to understand and confront the alleged inherent ambiguity and indeterminacy.

**interpretation of the law: Between Authority and Interpretation** Joseph Raz, 2009-02-19 In

this book Joseph Raz develops his views on some of the central questions in practical philosophy: legal, political, and moral. The book provides an overview of Raz's work on jurisprudence and the nature of law in the context of broader questions in the philosophy of practical reason. The book opens with a discussion of methodological issues, focusing on understanding the nature of jurisprudence. It asks how the nature of law can be explained, and how the success of a legal theory can be established. The book then addresses central questions on the nature of law, its relation to morality, the nature and justification of authority, and the nature of legal reasoning. It explains how legitimate law, while being a branch of applied morality, is also a relatively autonomous system, which has the potential to bridge moral differences among its subjects. Raz offers responses to some critical reactions to his theory of authority, adumbrating, and modifying the theory to meet some of them. The final part of the book brings together for the first time Raz's work on the nature of interpretation in law and the humanities. It includes a new essay explaining interpretive pluralism and the possibility of interpretive innovation. Taken together, the essays in the volume offer a valuable introduction for students coming for the first time to Raz's work in the philosophy of law, and an original contribution to many of the current debates in practical philosophy.

**interpretation of the law: Law and Legal Interpretation** Fernando Atria Lemaitre, Neil MacCormick, 2017-11-01 This title was first published in 2003. Leading contemporary essays on interpretation are assembled in this volume, which offsets them against a small number of classical works from earlier periods. It has long been recognized that textual sources (constitutions, statutes, precedents, commentaries) are central to developed systems of law and that interpretation of such texts is one highly important element in adjudication, legal practice and legal scholarship. Scholars have also contended that the totality of legal activity is interpretive in a wider sense and debates about objectivity have raged. The reasons for this development are here critically scrutinized.

**interpretation of the law: Statutes in Court** William D. Popkin, 1999 A history of the discretion accorded U.S. judges in interpreting legislation (from the Revolution to the present), culminating in the author's own theory of the proper scope of judicial discretion.

**interpretation of the law: Constitutional Interpretation in Singapore** Jaclyn L Neo, 2016-06-17 At the heart of constitutional interpretation is the struggle between, on the one hand, fidelity to founding meanings, and, on the other hand, creative interpretation to suit the context and needs of an evolving society. This book considers the recent growth of constitutional cases in Singapore in the last ten years. It examines the underpinnings of Singapore's constitutional system, explores how Singapore courts have dealt with issues related to rights and power, and sets developments in Singapore in the wider context of new thinking and constitutional developments worldwide. It argues that Singapore is witnessing a shift in legal and political culture as both judges and citizens display an increasing willingness to engage with constitutional ideas and norms.

**interpretation of the law: Ordinary Meaning** Brian G. Slocum, 2015-12-22 Brian G. Slocum's *Ordinary Meaning* offers an extended legal-linguistic analysis of the eponymous interpretive doctrine. A centuries-old consensus exists among courts and legal scholars that words in legal texts should be interpreted in light of accepted standards of communication. Therefore the questions of what makes some meaning the ordinary one, and how the determinants of ordinary meaning are identified and conceptualized, are of crucial importance to the interpretation of legal texts. Arguing against reliance on acontextual dictionary definitions, *Ordinary Meaning* rigorously explores the contributions that specific context makes to meaning, along with linguistic phenomena such as indexicals and quantifiers. Slocum provides a theory and a robust general framework for how the determinants of ordinary meaning should be identified and developed.

**interpretation of the law: The Law of Bilingual Interpretation** Michel Bastarache, 2008 Canadian lawyers, legal academics and particularly judges face a constant challenge when interpreting bilingual federal or, in some cases, provincial legislation. While statutes are drafted in a manner that aspires to have both versions mirror one another, in practice, dual versions are often open for different interpretations, a situation that can prove extremely problematic.--pub. desc.

**interpretation of the law: Legal Methods** JANE C.. LOUK GINSBURG (DAVID S.), David S.

Louk, 2020-06-25 This updated casebook serves a course in introduction to legal reasoning. It is designed to initiate students in the legal methods of case law analysis and statutory interpretation. In a course of this kind, students should acquire or refine the techniques of close reading, analogizing, distinguishing, positing related fact patterns, and criticizing judicial and legislative exposition and logic. Law students' introduction to law can be unsettling: the sink or swim approach favored by many schools casts students adrift in a sea of substantive rules, forms and methods. By contrast, the Legal Methods course seeks to acquaint students with their new rhetorical and logical surroundings before, or together with, the students' first encounters with the substance of contracts, torts, or other first year courses. This approach may not only be user friendly; it should also prompt students to take a critical distance from the wielding of the methods. In this way, students may avoid (or at least broaden) the tunnel vision that so often afflicts beginning law students. The fifth edition features a substantially revised chapter on statutory interpretation. It not only highlights recent Supreme Court decisions, but also confronts students with statutory texts to construe independently of judicial exposition. The chapter also includes new sections on ordinary meaning, the use of dictionaries and corpus linguistics, and temporal problems in statutory interpretation.

**interpretation of the law: *Interpretation and Construction*** Robert Stecker, 2008-04-15  
*Interpretation and Construction* examines the interpretation and products of intentional human behavior, focusing primarily on issues in art, law, and everyday speech. Focuses on artistic interpretation, but also includes extended discussion of interpretation of the law and everyday speech and communication. Written by one of the leading theorists of interpretation. Theoretical discussions are consistently centered around examples for ease of comprehension.

**interpretation of the law: *Statutory Interpretation*** HILLEL Y. LEVIN, 2020-10-22 This book is for instructors of Statutory Interpretation and related courses who want to introduce practical lawyering skills into the doctrinal curriculum. It is also comparatively inexpensive for students. Much like any law school case book, *Statutory Interpretation: A Practical Lawyering Course* covers the leading cases; but it also offers much more. For example, it includes: interpretive exercises to concretize lessons and to help students to self-assess their learning; legislative negotiation and drafting exercises to give students practical experience and a deeper understanding of the complexities of the legislative process; lawyers' briefs and case documents to help students understand how cases and arguments are put together; case files and brief-writing exercises to teach students to craft arguments based on their doctrinal studies; exercises that require students to problem-solve, prompting them to think strategically; a mix of heavily-edited, lightly-edited, and unedited cases to help students prepare to work in the real world; issues and questions for students to focus on as they read cases and other materials.

**interpretation of the law: *Judging Under Uncertainty*** Adrian Vermeule, 2006 In this book, Adrian Vermeule shows that any approach to legal interpretation rests on institutional and empirical premises about the capacities of judges and the systemic effects of their rulings. He argues that legal interpretation is above all an exercise in decisionmaking under severe empirical uncertainty.

**interpretation of the law: *Statutory Interpretation in Private Law*** Prue Vines, Scott Donald, 2019-04-30



## Interpretation Of The Law Introduction

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