



A Matter of Interpretation: Federal Courts and the Law (The University Center for Human Values Series)

Antonin Scalia

Download now

[Click here](#) if your download doesn't start automatically

A Matter of Interpretation: Federal Courts and the Law (The University Center for Human Values Series)

Antonin Scalia

A Matter of Interpretation: Federal Courts and the Law (The University Center for Human Values Series) Antonin Scalia

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.

 [Download A Matter of Interpretation: Federal Courts and the ...pdf](#)

 [Read Online A Matter of Interpretation: Federal Courts and t ...pdf](#)

Download and Read Free Online A Matter of Interpretation: Federal Courts and the Law (The University Center for Human Values Series) Antonin Scalia

From reader reviews:

Clarence Bowen:

The book A Matter of Interpretation: Federal Courts and the Law (The University Center for Human Values Series) can give more knowledge and also the precise product information about everything you want. So just why must we leave a very important thing like a book A Matter of Interpretation: Federal Courts and the Law (The University Center for Human Values Series)? A number of you have a different opinion about reserve. But one aim that will book can give many details for us. It is absolutely proper. Right now, try to closer along with your book. Knowledge or info that you take for that, it is possible to give for each other; you can share all of these. Book A Matter of Interpretation: Federal Courts and the Law (The University Center for Human Values Series) has simple shape however, you know: it has great and massive function for you. You can look the enormous world by open up and read a publication. So it is very wonderful.

Many Shirley:

As people who live in the actual modest era should be revise about what going on or facts even knowledge to make these individuals keep up with the era that is certainly always change and move forward. Some of you maybe will certainly update themselves by reading through books. It is a good choice to suit your needs but the problems coming to a person is you don't know which you should start with. This A Matter of Interpretation: Federal Courts and the Law (The University Center for Human Values Series) is our recommendation to help you keep up with the world. Why, since this book serves what you want and need in this era.

Patricia Morales:

The reason? Because this A Matter of Interpretation: Federal Courts and the Law (The University Center for Human Values Series) is an unordinary book that the inside of the publication waiting for you to snap the idea but latter it will zap you with the secret it inside. Reading this book alongside it was fantastic author who also write the book in such wonderful way makes the content on the inside easier to understand, entertaining technique but still convey the meaning entirely. So , it is good for you because of not hesitating having this anymore or you going to regret it. This excellent book will give you a lot of positive aspects than the other book possess such as help improving your skill and your critical thinking way. So , still want to hold off having that book? If I have been you I will go to the e-book store hurriedly.

Christopher Hendrick:

Is it anyone who having spare time subsequently spend it whole day through watching television programs or just lying on the bed? Do you need something new? This A Matter of Interpretation: Federal Courts and the Law (The University Center for Human Values Series) can be the solution, oh how comes? The new book you know. You are therefore out of date, spending your time by reading in this fresh era is common not a geek activity. So what these ebooks have than the others?

Download and Read Online A Matter of Interpretation: Federal Courts and the Law (The University Center for Human Values Series) Antonin Scalia #WBO8F1ZAXSR

Read A Matter of Interpretation: Federal Courts and the Law (The University Center for Human Values Series) by Antonin Scalia for online ebook

A Matter of Interpretation: Federal Courts and the Law (The University Center for Human Values Series) by Antonin Scalia Free PDF d0wnl0ad, audio books, books to read, good books to read, cheap books, good books, online books, books online, book reviews epub, read books online, books to read online, online library, greatbooks to read, PDF best books to read, top books to read A Matter of Interpretation: Federal Courts and the Law (The University Center for Human Values Series) by Antonin Scalia books to read online.

Online A Matter of Interpretation: Federal Courts and the Law (The University Center for Human Values Series) by Antonin Scalia ebook PDF download

A Matter of Interpretation: Federal Courts and the Law (The University Center for Human Values Series) by Antonin Scalia Doc

A Matter of Interpretation: Federal Courts and the Law (The University Center for Human Values Series) by Antonin Scalia Mobipocket

A Matter of Interpretation: Federal Courts and the Law (The University Center for Human Values Series) by Antonin Scalia EPub