"We do not inquire what the legislature meant, we ask only what the statute means."

- Holmes, "The Theory of Legal Interpretation" (1899) 417, 419
Philbrick, Language and the Law (1949).
Chafe, The Dis orderly Conduct of Words (1941).
"The Dis orderly Conduct of Words." (1941).

Philbrick, Language and the Law (1949).
Chafe, The Dis orderly Conduct of Words (1941).
"The Dis orderly Conduct of Words." (1941).

Philbrick, Language and the Law (1949).
Chafe, The Dis orderly Conduct of Words (1941).
"The Dis orderly Conduct of Words." (1941).

Philbrick, Language and the Law (1949).
Chafe, The Dis orderly Conduct of Words (1941).
"The Dis orderly Conduct of Words." (1941).
Eagleton, Literary Theory (1983); Hirsch, Validity in Interpretation (1967); Hirsch, The
ing Theory of Interpretation (1979); Fish, Is There A Text in This Class? (1980, 1986); Ellis, The
n Theory of Literary Criticism: A Logical Analysis (1974); and Lentric, Deconstructive Criticism

er (1982).

Walser, "Interpretation and the Postmodern Vision." 60 Texas L. Rev. (1982) 495; and

Dworkin, "Law as Interpretation," 60 Texas L. Rev. (1982) 527; Fish, "Working on the


Dworkin, "My Reply to Stanley Fish" (and: Afterword) in James Chetwood, Beyond

Walter Benn Michaels: "Please Don't Talk About Objectivity Any More" The Politics of

Bruce, "Law as - and 

Interpretation" (Mitchell ed., 1982), 287


Herman, "Phenomenology, Structuralism, Hermeneutics and Legal Study." 24

Application of Contemporary Continental Thought to Legal Phenomena." 36 U. of Miami

L. Rev. (1982) 379, 402: "One assumption of modern hermeneutics is that a complete

interpretation of anything thought to have meaning is impossible. Every interpretation

reflects a standpoint. The interpreter's conclusions, therefore, depend on what he wishes

to know; an interpretation is a reflection of the questions that one asks." Witherpoon.

Administrative Discretion to Determine Statutory Meaning: "The High". 25

Friedman, "Legal Philosophy and the Modern Court. 1981, 821

Cuesto-Ruiz, Judicial Methods of Interpretation of the Law (1981) 205, 249
Radin, “A Short Way With Statutes” 56 H.L.Rev. (1942) 388, 400: “The Statute is hereby expressed in definite written words. They have been selected not for their symbolic or esoteric value, nor even for their logical or aesthetic quality, but primarily to let us know the statutory purpose.” Lamhot, Comments Cases and Materials on Legislation [1949] 540; Dworkin, “Law as Interpretation” supra note 23.


Hart and Sacks, The Legal Process. Basic Problems in the Making and Application of Law (1963) 1053: “The enactment of any statute is, of necessity, a purposive act, and no statute can be properly interpreted without considering the purpose which ought to be attributed to it... every statute must be conclusively presumed to be a purposive act. The idea of a statute without an intelligible purpose is foreign to the idea of law and Breitel, “The Courts and Lawmaking” Legal Institutions Today §2, admissable” and Tomorrow (Paulson ed., 1959) 1, 27: “There is no statute without a legislative intent or purpose. It is a gibb superfluous to suggest otherwise.” Corby, “Administrative Law and the Interpretation of Statutes” U of Toronto L.J. (1935) 296: “Though the intention of the Legislature is a fiction, the purpose or object of the legislation is very real. No enactment is ever passed for the sake of its details. It is passed in an attempt to realize a social purpose.”  Llewellyn, “Remarks on the Theory of Appellate Decision and the Rules or Canons About How Statutes Are To Be Construed” 3 Vanderbilt L.Rev. (1950) 365, 400: “If a statute is to make sense, it must be read in the light of some assumed purpose. A statute merely declaring a rule, with no purpose or objective, is nonsense”.

The major premise of the theory of Holmes is that the conclusion expressed in a statute, the change of policy that induces the enactment, may not be set out in terms, but it is not an adequate discharge of duty for courts to say: We see what you are driving at, but you have not said it, and therefore we shall go on as.

Johnstone, U.S. 163 F. 30, 32 (1908): "The major premise of the theory of Holmes is that the conclusion expressed in a statute, the change of policy that induces the enactment, may not be set out in terms, but it is not an adequate discharge of duty for courts to say: We see what you are driving at, but you have not said it, and therefore we shall go on as.

McIntosh, "Legal Hermeneutics: A Philosophical Critique." 35, 128 (1986): "In legal hermeneutics the phrase 'institutionalized purpose' should be substituted for 'institutional purpose' because law is so highly purposeful in nature. Here, the purpose is part of the essence of the thing. Unlike the literary text, which is often regarded as being autotelic, the legal text is teleological. It does not serve any purpose. Rather, it serves a social purpose, to promote some change."
כיבונת דרכי ההלכה לא הולמה: מבית לינון שנים
שלא פסקו הפרטיניות והgefährות, או ניצפו אליהם או ניצפו מאלו בקול.
ản Inhalen, "Interpretation of Statutes" 65 U. of Penn. L.Rev. (1917) 207, 208.
.45
.46

.47
.48

.49
.50

.51

Brunner, "Interpretation of Written Law" 25 Yale L.J. 129 (1915); Levi, "An Introduction


Stone, Legal (1921) 126 39.


Fiss, "Objectivity and Interpretation" 34 J.B.L.Rev. (1982) 739 43.


17 U. of P. L. Rev. 3 46.

Unger, "The Critical Legal Studies Movement" 96 H.L.R. 561 47.


17 U. of P. L. Rev. 3 49.


17 U. of P. L. Rev. 3 51.


Stone, Legal (1921) 126 53.

"Free rechechre scientifique" - " the rebirth of research Methods of philosophy of law and of methodology of law. 54.

"libre recherche scientifique" - " the rebirth of research Methods of philosophy of law and of methodology of law. 55.

Stone, Legal (1921) 126 56.

"Free rechechre scientifique" - " the rebirth of research Methods of philosophy of law and of methodology of law. 57.


Nutting, “The Relevance of Legislative Intention to Statutory Interpretation” 23 Indiana L.J. 23 (1948).


Cabezì v. Markham, 148 F. 2d 717, 718 (8th Cir. 1945).

“Gleed, gleed, gleed, there he goes again, he is goin’ to the market, and he is goin’ to the market again.” 252 U.S. 357, 358 (1920), quoting from the Gleed v. Gleed, 148 F.2d 717, 718 (8th Cir. 1945)
The notion that because the words of a statute are plain, its meaning is also plain, is merely pernicious oversimplification.

Hart and Sacks, supra note 32, at p. 1157: "The meaning of a statute is never plain. ..."

Unless it fits with some intelligible purpose. Any judicial opinion... which finds a plain meaning in a statute without considering of its purpose, condemns itself on its face. The opinion is linguistically, philosophically, and generally ignorant. It is deserving of Mertz. "The Meaninglessness of the Plain Meaning Rule" 4 & 7; Day, nothing but contemplated.

U.S. v. Dayton L.R. 1978 1

Berle & Means (1932)
The formulation of the problem of interpretation to say that there are two separate questions to be asked, first, "is the Act plain and unambiguous?" and secondly, if it is not, "Can the words be interpreted so as to further the probable intention of Parliament?" The first question is not independent of the second and sometimes it better reflects the actual process of interpretation to reverse them. The primary question then is, "What was the statute trying to do?" Next come the questions: "Will a particular proposed interpretation effectively that object?" and only lastly "is the interpretation ruled out by the language?"
Massachusetts Bonding Ins. Co. v. U.S. (Frankfurter) .88
322 U.S. 128, 133 (1945). "Of course one begins with the words of a statute to ascertain its meaning, but one does not end with them. The notion that the plain meaning of words of a statute define the meaning of a statute reminds one of T.H. Huxley's gay observation that at last a theory survives long after its brains are knocked out."
Thomas, “Statutory Construction When Legislation is Viewed As a ‘Legal act’.” .55

Instillation”  “Har J. of Law” (1956) 1951.

Radin, supra Note 20, at, p. 671: “When the legislature has altered the words of a law.” 107 99

statute is functio officii.

meritor.

Howell, “Legislative Motive and the law.” 76 76

Legislative Purpose in the Invalidation of a Civil Right Statute” 47 Vir., L. Rev. (1961). 439

Menin, “The right to be heard before a decision is made (final act): the test.” 101

Reynolds, Judicial Process” (1960) 210 210

Frankfurter, supra note 73, at, p. 538: “You may have observed that I have not yet said the .100

used the word ‘intention’. All these years I have avoided speaking of the ‘legislative intent’ and I shall continue to be on my guard against using it.” 100

intention of the statute’” 100

Corry, supra note 52, at, p. 292

Frankfurter, supra note 73, at, p. 538: “You may have observed that I have not yet said the .100

used the word ‘intention’. All these years I have avoided speaking of the ‘legislative intent’ and I shall continue to be on my guard against using it.” 100

intention of the statute’” 100

Corry, supra note 52, at, p. 292

Frankfurter, supra note 73, at, p. 538: “You may have observed that I have not yet said the .100

used the word ‘intention’. All these years I have avoided speaking of the ‘legislative intent’ and I shall continue to be on my guard against using it.” 100

intention of the statute’” 100

Corry, supra note 52, at, p. 292

Frankfurter, supra note 73, at, p. 538: “You may have observed that I have not yet said the .100

used the word ‘intention’. All these years I have avoided speaking of the ‘legislative intent’ and I shall continue to be on my guard against using it.” 100

intention of the statute’” 100

Corry, supra note 52, at, p. 292

Frankfurter, supra note 73, at, p. 538: “You may have observed that I have not yet said the .100

used the word ‘intention’. All these years I have avoided speaking of the ‘legislative intent’ and I shall continue to be on my guard against using it.” 100

intention of the statute’” 100

Corry, supra note 52, at, p. 292

Frankfurter, supra note 73, at, p. 538: “You may have observed that I have not yet said the .100

used the word ‘intention’. All these years I have avoided speaking of the ‘legislative intent’ and I shall continue to be on my guard against using it.” 100

intention of the statute’” 100

Corry, supra note 52, at, p. 292

Frankfurter, supra note 73, at, p. 538: “You may have observed that I have not yet said the .100

used the word ‘intention’. All these years I have avoided speaking of the ‘legislative intent’ and I shall continue to be on my guard against using it.” 100

intention of the statute’” 100

Corry, supra note 52, at, p. 292

Frankfurter, supra note 73, at, p. 538: “You may have observed that I have not yet said the .100

used the word ‘intention’. All these years I have avoided speaking of the ‘legislative intent’ and I shall continue to be on my guard against using it.” 100

intention of the statute’” 100

Corry, supra note 52, at, p. 292
The concept of 'point' is fundamental in geometry. In Euclidean geometry, a point is a location in space with no dimensions. It is a fundamental concept that serves as the building block for more complex geometric entities.

- Euclid's Elements (c. 300 BC) introduced the concept of a point as a location without size.
- In modern geometry, points are often represented by coordinates in a coordinate system.
- The point is a key concept in the study of vectors and vector spaces.
- Points are used in the definition of lines, planes, and other geometric objects.

The concept of a point is crucial in various fields, including physics, computer science, and engineering. It forms the basis for more advanced concepts such as vectors, line segments, and shapes.

---

...
An enactment is an organism in its environment. And the environment is not merely the immediate political or social context in which it is to be placed but the whole traditional system of law and law enforcement, of recognized remedies and procedures which are pressuposities of our law.


An enactment is an organism in its environment. The environment is not merely the immediate political or social context in which it is to be placed but the whole traditional system of law and law enforcement, of recognized remedies and procedures which are pressuposities of our law.


An enactment is an organism in its environment. The environment is not merely the immediate political or social context in which it is to be placed but the whole traditional system of law and law enforcement, of recognized remedies and procedures which are pressuposities of our law.

Fuller, Legal Fictions (1967)
לא ניתן לקרוא את התוכן של התמונה זו.