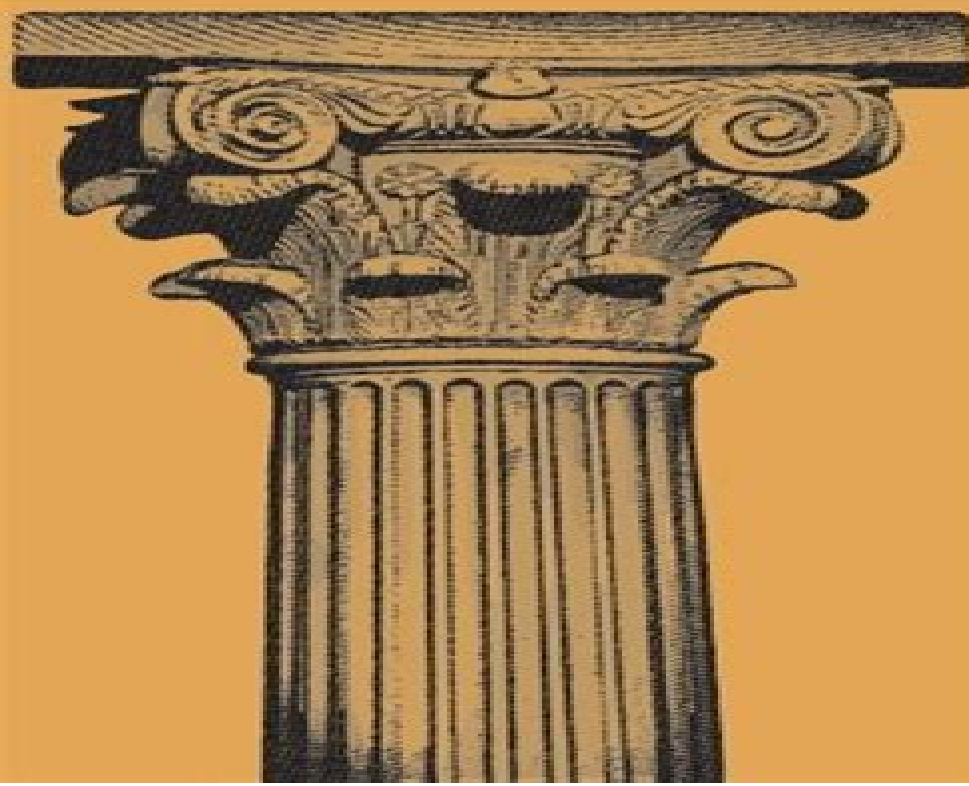


The THEORY *and* PRACTICE
of STATUTORY INTERPRETATION



Frank B. Cross

The Theory And Practice Of Statutory Interpretation

University of Chicago Law Review

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penal law Where the habits of legality are weak how can they be invigorated A number of factors combine to constrict the rule of law in the criminal process A crime epidemic of alarming proportions places enormous burdens on the system and gives rise to a war on crime that often oversteps the limits of legality The institutional structure of the United States is severely fragmented rendering coherent penal policy difficult or impossible and often freeing public officials of accountability for their uses of public authority Even the courts and legislatures the primary law making agencies of society often operate to weaken rather than strengthen the rule of law Francis A Allen asserts the vital and continuing importance of the legality principle to democratic societies discusses how the habits of legality in American criminal justice can be strengthened and demonstrates that a closer adherence to the rule of law may not only protect the rights of persons more efficiently but also contribute to more rational and effective penal policy The Habits of Legality offers solutions on how to revitalize the rule of law It will be of interest to scholars and students of criminology and law as well as the general reader concerned with issues of criminal justice The U.S. Supreme Court and New Federalism Christopher P. Banks, John C. Blakeman, 2012-07-30 Constitutional scholars Christopher P Banks and John C Blakeman offer the most current and the first book length study of the U S Supreme Court s new federalism begun by the Rehnquist Court and now flourishing under Chief Justice John Roberts While the Rehnquist Court reinvigorated new federalism by protecting state sovereignty and set new constitutional limits on federal power Banks and Blakeman show that in the Roberts Court new federalism continues to evolve in a docket increasingly attentive to statutory construction preemption and business litigation **Reason in Law** Lief H. Carter, Thomas F. Burke, 2016-03-04 Newly updated ninth edition A superbly written pedagogically rich historically and conceptually informed introduction to legal reasoning Law and Politics Book Review Over the decades it has been in print Reason in Law has established itself as the place to start for understanding legal reasoning a critical component of the rule of law This ninth edition brings the book s analyses and examples up to date adding new cases while retaining old ones whose lessons remain potent It examines several recent controversial Supreme Court decisions including rulings on the constitutionality and proper interpretation of the Affordable Care Act and Justice Scalia s powerful dissent in Maryland v King Also new to this edition are cases on same sex marriage the Voting Rights Act and the legalization of marijuana A new appendix explains the historical evolution of legal reasoning and the rule of law in civic life The result is an indispensable introduction to the workings of the law **A Companion to Philosophy of Law and Legal Theory** Dennis Patterson, 2010-01-15 The articles in this new edition of A Companion to Philosophy of Law and Legal Theory have been updated throughout and the addition of ten new articles ensures that the volume continues to offer the most up to date coverage of current thinking in legal philosophy Represents the definitive handbook of philosophy of law and contemporary legal theory invaluable to anyone with an interest in legal philosophy Now features ten entirely new articles covering the areas of risk regulatory theory methodology overcriminalization intention coercion unjust enrichment the rule of law law and society and Kantian legal philosophy Essays

are written by an international team of leading scholars **Accountability in the Contemporary Constitution** Nicholas Bamforth, Peter Leyland, 2013-09 Accountability in the context of constitutional and administrative law is a complex concept This book examines the legal framework of public institutions in light of contemporary accountability debates the role of human rights in public accountability accountability in regulation and the operation of accountability in multi layered government *The Theory and Practice of Private International Law* Ludwig von Bar, 1892 *Judging Social Rights* Jeff King, 2012-05-10 Jeff King argues in favour of constitutionalising social rights and presents an incrementalist approach to judicial enforcement *The Constitutional Value of Sunset Clauses* Antonios Kouroutakis, 2016-10-04 In recent years sunset clauses have mostly been associated with emergency legislation introduced in the wake of terrorist attacks However as this book demonstrates they have a long history and a substantial constitutional impact on the separation of powers and the rule of law In addition the constitutional value of such clauses is examined from certain neglected normative aspects pertaining to concepts such as deliberative and consensus democracy parliamentary sovereignty and constitutional dialogue The work is an amalgam of three perspectives the historical the positive and the normative All three are intertwined and each subsequent part builds upon the findings of the previous one The historical perspective investigates the historical development of sunset clauses since the first Parliaments in England The positive perspective examines the legal effect and the contemporary utility of sunset clauses Finally the normative perspective analyses their interaction with several models of separation of powers and their influence on the dialogue between various institutions as it values their impact on the rule of law formal and substantive The detailed examination of this topical subject will be a valuable resource for academics researchers and policy makers *The Theory, Practice and Interpretation of Customary International Law* Panos Merkouris, Jörg Kammerhofer, Noora Arajärvi, Nina Mileva, 2022-05-26 Provides an in depth study of the theory history practice and interpretation of customary international law *Select Essays on Governance and Accountability Issues in Public Law* Hennie Strydom, Joanna Botha, 2020-10-27 The essays in this book authored by academics from the Faculties of Law at the University of Johannesburg and Nelson Mandela University respectively emanate from a joint research project and conference arranged by the Faculties in 2018 The essays focus on public law issues impacting on governance and accountability in South African law and in international and regional law but with a specific focus on problems afflicting the African continent **Gadamer and Law** Francis J. Mootz III, 2017-07-05 Hans Georg Gadamer's philosophical hermeneutics is especially relevant for law which is grounded in the interpretation of authoritative texts from the past to resolve present day disputes In this collection leading scholars consider the importance of Gadamer's philosophy for ongoing disputes in legal theory The work of prominent philosophers including Fred Dallmayr P Christopher Smith and David Hoy is joined with the work of leading legal theorists such as William Eskridge Lawrence Solum and Dennis Patterson to provide an overview of the connections between law and Gadamer's hermeneutical philosophy Part I considers the relevance of Gadamer's

philosophy to longstanding disputes in legal theory such as the debate over originalism the rule of law and proper modes of statutory and constitutional exegesis Part II demonstrates Gadamer s significance for legal theory by comparing his approach to the work of Nietzsche Habermas and Dworkin **Trends in the Judiciary** Wendell C. Wallace,Michael M. Berlin,Dilip K. Das,2021-12-30 Trends in the Judiciary Interviews with Judges from Across the Globe Volume Four provides insights into the lives working environments and social milieus of a select group of judges These legal luminaries often viewed as pedantic in their ontology serve the crucial role of preserving the human rights of individuals This text offers detailed data emanating from the narratives of judges who were interviewed by a wide range of academicians from emerging and mid career scholars to professionals and established professors The narratives of the judges are interspersed with research data and country details in an effort to enhance the knowledge base of the readership Judges from Asia Africa the Caribbean Europe the Pacific Islands New Zealand North America and South America all contributed to this text by sharing information on their careers as well as insights as they traversed their profession The readership of this manuscript will experience the thought processes of judges in relation to the social cultural economic and political context of their respective nations and the gender issues subtle attempts at juridical control dealing with powerful criminals and the lives of judges who have other interests besides interpreting and applying the law The international cross cultural perspectives presented in this book should be of significant interest to academics practitioners students criminologists and the criminal justice community and those interested in comparative legal studies across the globe **The Hastings Law Journal** ,2010

The Theory And Practice Of Statutory Interpretation Book Review: Unveiling the Power of Words

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