Reading Law The Interpretation Of Legal Texts Antonin Scalia

The Freedom to ReadThe Laws of Human NatureMaking Our Democracy WorkInterpreting LawReading LawOrdinary MeaningConstitutional InterpretationThe Federal JudiciaryCausation and CounterfactualsFreedom's LawInfinite JestScalia DissentsJumpstart Constitutional LawThe Theory and Practice of Statutory InterpretationReading Law as NarrativeHBR Guide to Better Business Writing (HBR Guide Series)The Law of Judicial PrecedentThe ReformerActive LibertyCourts And Their JudgmentsLeviathanStatutory InterpretationThe 48 Laws of PowerJuvenile JusticeIn Defense of LootingPoint MadeA Matter of InterpretationBurning the ReichstagReflections on JudgingCommentaries on the Laws of EnglandAmerica's Unwritten ConstitutionLegal Writing in Plain English, Second EditionJudging StatutesThe Civil Law:A Matter of InterpretationThe Winning Brief: 100 Tips for Persuasive Briefing in Trial and Appellate CourtsReading LawScalia V. ScaliaMaking Your CaseMisreading Law, Misreading Democracy

The Freedom to Read

Brilliant. Colorful. Visionary. Tenacious. Witty. Since his appointment to the Supreme Court in 1986, Associate Justice Antonin Scalia has been described as all of these things and for good reason. He is perhaps the best-known justice on the Supreme Court today and certainly the most controversial. Yet most Americans have probably not read even one of his several hundred Supreme Court opinions. In Scalia Dissents, Kevin Ring, former counsel to the U.S. Senate's Constitution Subcommittee, lets Justice Scalia speak for himself. This volume—the first of its kind— showcases the quotable justice's take on many of today's most contentious constitutional debates. Scalia Dissents contains over a dozen of the justice's most compelling and controversial opinions. Ring also provides helpful background on the opinions and a primer on Justice Scalia's judicial philosophy. Scalia Dissents is the perfect book for readers who love scintillating prose and penetrating insight on the most important constitutional issues of our time.

The Laws of Human Nature

Making Our Democracy Work

Provides an introduction to the main concepts and issues in juvenile justice, and provides a consolidated overview of the dynamics of youth crime and the institutions of social control. The book not only provides basic information about the actual workings of the juvenile justice system but also raises a number of questions.

Interpreting Law

Amoral, cunning, ruthless, and instructive, this multi-million-copy New York Times bestseller is the definitive manual for anyone interested in gaining, observing, or

defending against ultimate control – from the author of The Laws of Human Nature. In the book that People magazine proclaimed “beguiling” and “fascinating,” Robert Greene and Joost Elffers have distilled three thousand years of the history of power into 48 essential laws by drawing from the philosophies of Machiavelli, Sun Tzu, and Carl Von Clausewitz and also from the lives of figures ranging from Henry Kissinger to P.T. Barnum. Some laws teach the need for prudence (“Law 1: Never Outshine the Master”), others teach the value of confidence (“Law 28: Enter Action with Boldness”), and many recommend absolute self-preservation (“Law 15: Crush Your Enemy Totally”). Every law, though, has one thing in common: an interest in total domination. In a bold and arresting two-color package, The 48 Laws of Power is ideal whether your aim is conquest, self-defense, or simply to understand the rules of the game.

Reading Law

The reader will find these articles rewarding reading, for they are written in an attractive style for the readers of journalism. As they are not written for lawyers, they give a broad view of the leading majority judgement without a detailed legal analysis appropriate to a text book.

Ordinary Meaning

For Richard Posner, legal formalism and formalist judges--notably Antonin Scalia--present the main obstacles to coping with the dizzying pace of technological advance. Posner calls for legal realism--gathering facts, considering context, and reaching a sensible conclusion that inflicts little collateral damage on other areas of the law.

Constitutional Interpretation

DON'T LET YOUR WRITING HOLD YOU BACK. When you’re fumbling for words and pressed for time, you might be tempted to dismiss good business writing as a luxury. But it’s a skill you must cultivate to succeed: You’ll lose time, money, and influence if your e-mails, proposals, and other important documents fail to win people over. The HBR Guide to Better Business Writing, by writing expert Bryan A. Garner, gives you the tools you need to express your ideas clearly and persuasively so clients, colleagues, stakeholders, and partners will get behind them. This book will help you: • Push past writer’s block • Grab—and keep—readers’ attention • Earn credibility with tough audiences • Trim the fat from your writing • Strike the right tone • Brush up on grammar, punctuation, and usage

The Federal Judiciary

The Supreme Court is one of the most extraordinary institutions in our system of government. Charged with the responsibility of interpreting the Constitution, the nine unelected justices of the Court have the awesome power to strike down laws enacted by our elected representatives. Why does the public accept the Court’s decisions as legitimate and follow them, even when those decisions are highly

unpopular? What must the Court do to maintain the public's faith? How can the Court help make our democracy work? These are the questions that Justice Stephen Breyer tackles in this groundbreaking book. Today we assume that when the Court rules, the public will obey. But Breyer declares that we cannot take the public's confidence in the Court for granted. He reminds us that at various moments in our history, the Court's decisions were disobeyed or ignored. And through investigations of past cases, concerning the Cherokee Indians, slavery, and Brown v. Board of Education, he brilliantly captures the steps—and the missteps—the Court took on the road to establishing its legitimacy as the guardian of the Constitution. Justice Breyer discusses what the Court must do going forward to maintain that public confidence and argues for interpreting the Constitution in a way that works in practice. He forcefully rejects competing approaches that look exclusively to the Constitution's text or to the eighteenth-century views of the framers. Instead, he advocates a pragmatic approach that applies unchanging constitutional values to ever-changing circumstances—an approach that will best demonstrate to the public that the Constitution continues to serve us well. The Court, he believes, must also respect the roles that other actors—such as the president, Congress, administrative agencies, and the states—play in our democracy, and he emphasizes the Court's obligation to build cooperative relationships with them. Finally, Justice Breyer examines the Court's recent decisions concerning the detainees held at Guantánamo Bay, contrasting these decisions with rulings concerning the internment of Japanese-Americans during World War II. He uses these cases to show how the Court can promote workable government by respecting the roles of other constitutional actors without compromising constitutional principles. Making Our Democracy Work is a tour de force of history and philosophy, offering an original approach to interpreting the Constitution that judges, lawyers, and scholars will look to for many years to come. And it further establishes Justice Breyer as one of the Court's greatest intellectuals and a leading legal voice of our time. From the Hardcover edition.

Causation and Counterfactuals

Freedom's Law

Delving into the controversy surrounding the fire that burned down the Reichstag and ignited the Third Reich, this gripping account of Hitler's rise to dictatorship reopens the arson case, profiling key figures and making use of new sources and archives to reinvestigate one of the greatest mysteries of the Nazi period.

Infinite Jest

Watts here argues that conventions of oral rhetoric were adapted to shape the literary form and contents of the Pentateuch. The large-scale structure-stories introducing lists of laws that conclude with divine sanctions-reproduces a common ancient strategy for persuasion. The laws' use of direct address, historical motivations and frequent repetitions serve rhetorical ends, and even the legal contradictions seem designed to appeal to competing constituencies. The instructional speeches of God and Moses reinforce the persuasive appeal by

characterizing God as a just ruler and Moses as a faithful scribe. The Pentateuch was designed to persuade Persian-period Judaeans that this Torah should define their identity as Israel.

Scalia Dissents

A collection of important recent work on thecounterfactual analysis of causation.

Jumpstart Constitutional Law

The Corpus Juris Civilis or the Body of Civil Law was Complied from 529 to 534 by order of Justinian I; thus, it is sometimes referred to as the Code of Justinian. It however contains the body Roman law previous to the reign of Justinian. This compilation, translated by S.P. Scott into English, and formatted into Three volumes, contains: The Twelve Tables, The Institutes of Gaius, The Rules of Ulpian, The Opinions of Paulus, The Enactments of Justinian, and The Constitutions of Leo

The Theory and Practice of Statutory Interpretation

In Point Made, Ross Guberman uses the work of great advocates as the basis of a valuable, step-by-step brief-writing and motion-writing strategy for practitioners. The author takes an empirical approach, drawing heavily on the writings of the nation's 50 most influential lawyers.

Reading Law as Narrative

Victoria Nourse argues that lawyers must be educated on the basic procedures that define how Congress operates today. Lawmaking creates winners and losers. If lawyers and judges do not understand this, they may embrace the meanings of those who opposed legislation, turning legislative losers into judicial winners and standing democracy on its head.

HBR Guide to Better Business Writing (HBR Guide Series)

A gargantuan, mind-altering comedy about the Pursuit of Happiness in America set in an addicts' halfway house and a tennis academy, and featuring the most endearingly screwed-up family to come along in recent fiction, Infinite Jest explores essential questions about what entertainment is and why it has come to so dominate our lives; about how our desire for entertainment affects our need to connect with other people; and about what the pleasures we choose say about who we are. Equal parts philosophical quest and screwball comedy, Infinite Jest bends every rule of fiction without sacrificing for a moment its own entertainment value. It is an exuberant, uniquely American exploration of the passions that make us human - and one of those rare books that renew the idea of what a novel can do.

The Law of Judicial Precedent

The Reformer

Good legal writing wins court cases. It its first edition, The Winning Brief proved that the key to writing well is understanding the judicial readership. Now, in a revised and updated version of this modern classic, Bryan A. Garner explains the art of effective writing in 100 concise, practical, and easy-to-use sections. Covering everything from the rules for planning and organizing a brief to openers that can capture a judge's attention from the first few words, these tips add up to the most compelling, orderly, and visually appealing brief that an advocate can present. In Garner's view, good writing is good thinking put to paper. "Never write a sentence that you couldn't easily speak," he warns-and demonstrates how to do just that. Beginning each tip with a set of quotable quotes from experts, he then gives masterly advice on building sound paragraphs, drafting crisp sentences, choosing the best words ("Strike pursuant to from your vocabulary."), quoting authority, citing sources, and designing a document that looks as impressive as it reads. Throughout, he shows how to edit for maximal impact, using vivid before-and-after examples that apply the basics of rhetoric to persuasive writing. Filled with examples of good and bad writing from actual briefs filed in courts of all types, The Winning Brief also covers the new appellate rules for preparing federal briefs. Constantly collecting material from his seminars and polling judges for their preferences, the second edition delivers the same solid guidelines with even more supporting evidence. Including for the first time sections on the ever-changing rules of acceptable legal writing, Garner's new edition keeps even the most seasoned lawyers on their toes and writing briefs that win cases. An invaluable resource for attorneys, law clerks, judges, paralegals, law students and their teachers, The Winning Brief has the qualities that make all of Garner's books so popular: authority, accessibility, and page after page of techniques that work. If you're writing to win a case, this book shouldn't merely be on your shelf--it should be open on your desk.

Active Liberty

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.

Courts And Their Judgments

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.

Leviathan

Constitutional interpretation -- The dilemmas of contemporary constitutional theory -- The authority of originalism and the nature of the written Constitution -- A defense of originalism and the written Constitution -- Popular sovereignty and originalism -- The nature and limits of originalist jurisprudence.

Statutory Interpretation

Presents the basics of writing legal briefs and giving oral arguments, with discussions on the essentials of building a case through legal reasoning and the key elements of persuasive and successful oral pleading in the courtroom.

The 48 Laws of Power

Casuistic or case law in the Pentateuch deals with real human affairs; each case law entails a compressed story that can encourage reader engagement with seemingly "dry" legal text. This book is the first to present an interpretive method integrating biblical law, jurisprudence, and literary theory, reflecting the current "law and literature" school within legal studies. It identifies the narrative elements that exist in the laws of the Pentateuch, exposes the narrative techniques employed by the authors, and discovers the poetics of biblical law, thus revealing

new or previously unconsidered aspects of the relationship between law and narrative in the Bible.

Juvenile Justice

Leviathan or The Matter, Forme and Power of a Common-Wealth Ecclesiastical and Civil is a book written by an English materialist philosopher Thomas Hobbes about problems of the state existence and development. Leviathan is a name of a Bible monster, a symbol of nature powers that belittles a man. Hobbes uses this character to describe a powerful state ("God of the death"). He starts with a postulate about a natural human state ("the war of all against all") and develops the idea "man is a wolf to a man". When people stay for a long time in the position of an inevitable extermination they give a part of their natural rights, for the sake of their lives and general peace, according to an unspoken agreement to someone who is obliged to maintain a free usage of the rest of their rights – to the state. The state, a union of people, where the will of a single one (the state) is compulsory for everybody, has a task to regulate the relations between all the people. The book was banned several times in England and Russia.

In Defense of Looting

This book is designed for 3-, 4-, or 5-credit courses about the general discipline of statutory interpretation. With extensive notes and lightly edited cases drawn from a variety of substantive fields, the book aspires both (1) to familiarize students with interpretive techniques commonly used by lawyers and judges and (2) to help students think rigorously and systematically about those techniques. Topics covered include: the interplay between purpose and text the canons debates over the use of legislative history the background supplied by other statutes, judicial decisions, and the common lawChevron deference the preemption of state law by federal statutes

Point Made

A fresh argument for rioting and looting as our most powerful tools for dismantling white supremacy Looting--a crowd of people publicly, openly, and directly seizing goods--is one of the more extreme actions that can take place in the midst of social unrest. Even self-identified radicals distance themselves from looters, fearing that violent tactics reflect badly on the broader movement. But Vicky Osterweil argues that stealing goods and destroying property are direct, pragmatic strategies of wealth redistribution and improving life for the working class--not to mention the brazen messages these methods send to the police and the state. All our beliefs about the innate righteousness of property and ownership, Osterweil explains, are built on the history of anti-Black, anti-Indigenous oppression. From slave revolts to labor strikes to the modern-day movements for climate change, Black lives, and police abolition, Osterweil makes a convincing case for rioting and looting as weapons that bludgeon the status quo while uplifting the poor and marginalized. In Defense of Looting is a history of violent protest sparking social change, a compelling reframing of revolutionary activism, and a practical vision for a dramatically restructured society.

A Matter of Interpretation

A renowned constitutional scholar explores the little-understood relationship between the written Constitution and the many external factors that shape our interpretations of this foundational document.

Burning the Reichstag

Reflections on Judging

Commentaries on the Laws of England

Admirably clear, concise, down-to-earth, and powerful—all too often, legal writing embodies none of these qualities. Its reputation for obscurity and needless legalese is widespread. Since 2001 Bryan A. Garner's Legal Writing in Plain English has helped address this problem by providing lawyers, judges, paralegals, law students, and legal scholars with sound advice and practical tools for improving their written work. Now the leading guide to clear writing in the field, this indispensable volume encourages legal writers to challenge conventions and offers valuable insights into the writing process that will appeal to other professionals: how to organize ideas, create and refine prose, and improve editing skills. Accessible and witty, Legal Writing in Plain English draws on real-life writing samples that Garner has gathered through decades of teaching experience. Trenchant advice covers all types of legal materials, from analytical and persuasive writing to legal drafting, and the book's principles are reinforced by sets of basic, intermediate, and advanced exercises in each section. In this new edition, Garner preserves the successful structure of the original while adjusting the content to make it even more classroom-friendly. He includes case examples from the past decade and addresses the widespread use of legal documents in electronic formats. His book remains the standard guide for producing the jargon-free language that clients demand and courts reward.

America's Unwritten Constitution

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."

Legal Writing in Plain English, Second Edition

Besides absolutists of the right (the tsar and his adherents) and left (Lenin and his fellow Bolsheviks), the Russian political landscape in 1917 featured moderates seeking liberal reform and a rapid evolution towards a constitutional monarchy. Vasily Maklakov, a lawyer, legislator and public intellectual, was among the most prominent of these, and the most articulate and sophisticated advocate of the rule of law, the linchpin of liberalism. This book tells the story of his efforts and his analysis of the reasons for their ultimate failure. It is thus, in part, an example for movements seeking to liberalize authoritarian countries today—both as a warning and a guide. Although never a cabinet member or the head of his political party—the Constitutional Democrats or “Kadets”—Maklakov was deeply involved in most of the political events of the period. He was defense counsel for individuals resisting the regime (or charged simply for being of the wrong ethnicity, such as Menahem Beilis, sometimes considered the Russian Dreyfus). He was continuously a member of the Kadets’ central committee and their most compelling orator. As a somewhat maverick (and moderate) Kadet, he stood not only between the country’s absolute extremes (the reactionary monarchists and the revolutionaries), but also between the two more or less liberal centrist parties, the Kadets on the center left, and the Octobrists on the center right. As a member of the Second, Third and Fourth Dumas (1907-1917), he advocated a wide range of reforms, especially in the realms of religious freedom, national minorities, judicial independence, citizens’ judicial remedies, and peasant rights.

Judging Statutes

It's thirteenth-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, travelling from the Emperor's Italian court to the translation schools of Toledo and from there to the Moorish library of C rdoba. 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.

The Civil Law:

An analysis of the discrepancy between the ways Supreme Court Justice Antonin Scalia argued the Constitution should be interpreted versus how he actually interpreted the law. Antonin Scalia is considered one of the most controversial justices to have been on the United States Supreme Court. A vocal advocate of textualist interpretation, Justice Scalia argued that the Constitution means only what it says and that interpretations of the document should be confined strictly to the directives supplied therein. This narrow form of constitutional interpretation, which limits constitutional meaning to the written text of the Constitution, is known as textualism. Scalia v. Scalia:Opportunistic Textualism in Constitutional Interpretation examines Scalia’s discussions of textualism in his speeches, extrajudicial writings, and judicial opinions. Throughout his writings, Scalia argues textualism is the only acceptable form of constitutional interpretation. Yet Scalia does not clearly define his textualism, nor does he always rely upon textualism to the exclusion of other interpretive means. Scalia is seen as the standard bearer for textualism. But when textualism fails to support his ideological aims (as in cases

that pertain to states' rights or separation of powers), Scalia reverts to other forms of argumentation. Langford analyzes Scalia's opinions in a clear area of law, the cruel and unusual punishment clause; a contested area of law, the free exercise and establishment cases; and a silent area of law, abortion. Through her analysis, Langford shows that Scalia uses rhetorical strategies beyond those of a textualist approach, concluding that Scalia is an opportunistic textualist and that textualism is as rhetorical as any other form of judicial interpretation.

A Matter of Interpretation

A brilliant new approach to the Constitution and courts of the United States by Supreme Court Justice Stephen Breyer.For Justice Breyer, the Constitution's primary role is to preserve and encourage what he calls "active liberty": citizen participation in shaping government and its laws. As this book argues, promoting active liberty requires judicial modesty and deference to Congress; it also means recognizing the changing needs and demands of the populace. Indeed, the Constitution's lasting brilliance is that its principles may be adapted to cope with unanticipated situations, and Breyer makes a powerful case against treating it as a static guide intended for a world that is dead and gone. Using contemporary examples from federalism to privacy to affirmative action, this is a vital contribution to the ongoing debate over the role and power of our courts.

The Winning Brief: 100 Tips for Persuasive Briefing in Trial and Appellate Courts

No sitting federal judge has ever written so trenchant a critique of the federal judiciary as Richard A. Posner does in this, his most confrontational book. He exposes the failures of the institution designed by the founders to check congressional and presidential power and resist its abuse, and offers practical prescriptions for reform.

Reading Law

Jumpstart Constitutional Law: Reading and Understanding Constitutional Law Cases, sheds light on the threshold issues and substantive questions common to all constitutional law cases thus bringing everything into focus for the student. Key to constructing cogent answers on a Constitutional Law exam, Jethro K. Lieberman s straightforward approach teaches students how to spot the issues and respond to the relevant questions in any constitutional law case. Features: Perspective A tour of the American Constitution from a bird s-eye view. Understanding threshold issues: Who may decide constitutional disputes? Under what circumstances may a court decide a case? Must the court take and answer a constitutional question in a property case? Identifying substantive issues: determining the scope of govenmental powers; federalism, and the relationship between federal and state powers; and, constitutional restraints that limit the exercise of governmental power. Interpreting the Constitution: using tests to determin the limits of power and the extent of rights; tools of analysis for interpreting the Constitution; and the role of precedent and change. Training real preparation for taking the Constitutional Law exam: a program for effective studying; sample constitutional

law exam questions and answers; and exam-taking strategies.

Scalia V. Scalia

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.

Making Your Case

Written by the world's best-known political and legal theorist, Freedom's Law: The Moral Reading of the American Constitution is a collection of essays that discuss almost all of the great constitutional issues of the last two decades, including abortion, euthanasia, capital punishment, homosexuality, pornography, and free speech. Professor Dworkin offers a consistently liberal view of the Constitution and argues that fidelity to it and to law demands that judges make moral judgments. He proposes that we all interpret the abstract language of the Constitution by reference to moral principles about political decency and justice. His `moral reading therefore brings political morality into the heart of constitutional law. The various chapters of this book were originally published separately and are now drawn together to provide the reader with a rich, full-length treatment of Dworkin's general theory of law.

Misreading Law, Misreading Democracy

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.