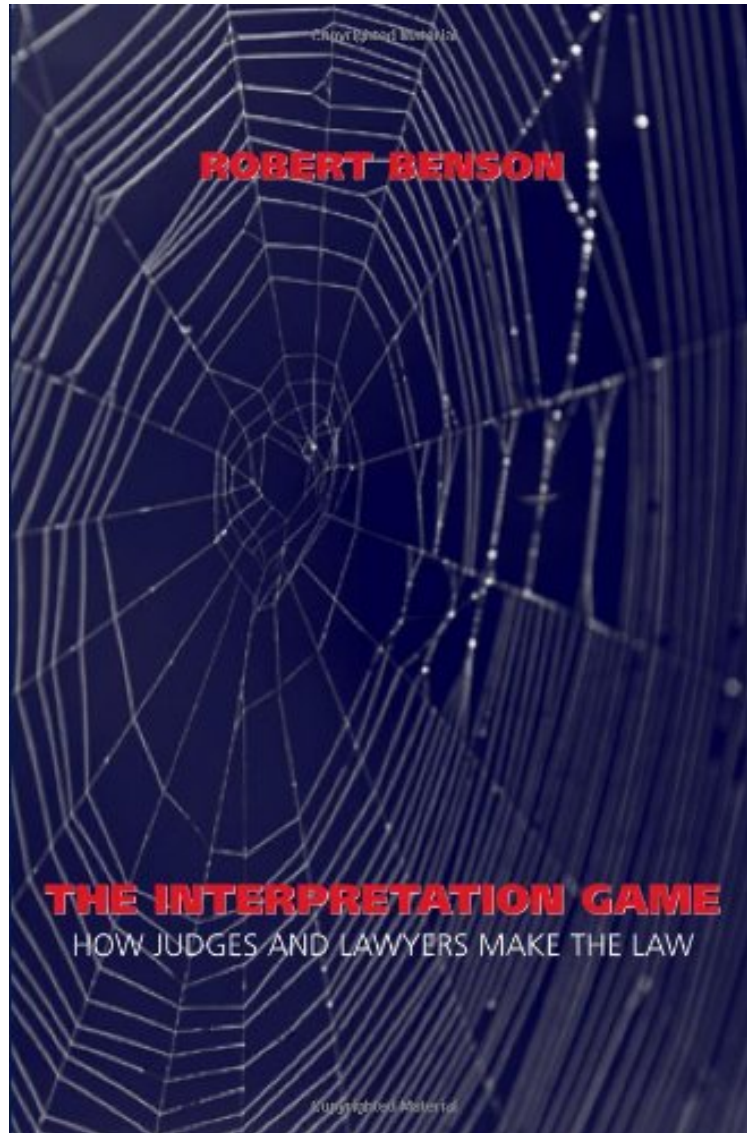


[FREE] The Interpretation Game

The Interpretation Game

Robert Benson

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#3527325 in Books Carolina Academic Press 2007-12-31 Original language: English PDF # 1 8.75 x 6.00 x .50l, .75 Binding: Perfect Paperback 204 pages | File size: 31.Mb

Robert Benson : The Interpretation Game before purchasing it in order to gauge whether or not it would be worth my time, and all praised The Interpretation Game:

0 of 1 people found the following review helpful. This tells it like it really is By John Lawyer
The Interpretation Game As a practicing trial lawyer for more than 40 years, this book really tells it like it is. The various courts do just that, play a game with the law. The author cites to one of the greats, Justice Cardozo's Palsgraph case to make his point. If Justices Cardozo and Holmes are guilty of playing the game, who isn't. Clearly the judges come up with the result desired, according to the values they treasure, at the time, and then play the interpretation game to justify the

result. In my recent Supreme Court cases, the game has been played so boldly that it is a joke. I am sorry that I did not read and heed this book many years before.³ of 3 people found the following review helpful. invaluable
By Jennifer Van Bergen
Benson's book is more important than he lets on. He starts with a small kernel of a thesis which he gradually expands into a wide panorama that encompasses far more than law. It is a book, in the end, about the philosophy of law. But, again, it's not. Benson talks about schools of legal thought in a way that makes the ideas easily understandable, accessible, and interesting to all readers, lawyers and nonlawyers, philosophers and practitioners, the curious and the bored. One would think such a work would be depressing. After all, Benson debunks the idea that judges decide cases based on unchanging legal precedent and principle. But it is not depressing. I found it enlightening and uplifting. The book should certainly be required reading for all students interested in pursuing law. But more than just a good book for lawyers or lawyers-to-be, it is a book that provides background and history to the law. Schools should pick this book up for their civics or humanities classes.

This book questions traditional methods of legal interpretation and challenges the position that objective interpretation of law is possible. Legal interpretation, the author avers, is unavoidably subjective. Benson suggests that plain meaning, purpose, intent, structure, strict construction, precedent, and other legal mysticisms are merely pieces manipulated in a game. Those interested in legal process, legal writing, constitutional law, statutory interpretation, and jurisprudence will find his arguments provocative and engaging. Whether one is a lawyer, judge, journalist, or informed citizen, this look at the on-going battle about whether judges and lawyers find the law; or make the law will be a stimulating read.

The Interpretation Game is a sobering lesson grounded in the soil of realism. In that regard, Robert Benson is a sort of modern-day Niccolo Machiavelli, though not in any pejorative sense. To reweave a thread of thought borrowed from the father of modern political science: Others will tell you what the law should be, but I will tell you what it is. --From the Foreword by Ronald K.L. Collins, co-author of *The Death of Discourse*
About the Author
The late Robert Benson was a Professor of Law at Loyola Law School Los Angeles.