

# Criminal procedure

Law



Criminal Procedure Introduction The book 'A Matter of Interpretation' by Antonin Scalia elaborates about the methodology used for interpreting and implementing the constitution legal principles upon the cases addressed in the US Supreme court<sup>1</sup>. The interpretation of written laws on the basis of which the legislators have framed is referred to as 'textualism'. In this regard, the author is identified to be adherence to textualism<sup>2</sup>; 3.

Contextually, the essay majorly focuses towards understanding the patterns of textualisation as described by 'Antonin Scalia'.

### Discussion

In accordance with Justice Antonin Scalia, each and every constitutional law should be interpreted depending on the actual context and should not be subjected with the addition of multiple other associative meanings<sup>4</sup>; 5. On the contrary, the commentators appeared to have criticized Justice Antonin Scalia stating him to be highly concentrative on the understandable meaning of the constitutional laws<sup>6</sup>. The commentators elaborated the necessity of the textualist towards understanding of the situation depending on which he /she should be interpreting the constitution laws. In accordance with the second commentator, textualisation of a constitutional law can either be projected as a narrowed down aspects or a broadened principle. Thus, the second comment implies the alignment of the commentator with the statements made by the first commentator<sup>7</sup>.

The second commentator left a vagueness within the understanding of the situation as per which the narrowing or the broadening of the contextual textualisation should take place. Irrespective of all these, the third commenter presented his views upon the two types of textualists i. e. 'semantic-originalists' and 'expectation-originalists' that take specific

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consideration of the law writer's intention in terms of imparting a specific meaning of the constitution that appears to be misaligned with the facts mentioned by Justice Antonin Scalia<sup>8</sup>. Justice Antonin Scalia also proved the fourth comment regarding the attainment of associated meaning from the constitutional interpretation as vague by stating that the legislation only possesses the authority of structuring the rules and it should remain confined to a specific meaning<sup>9</sup>.

The alternative mentioned by Justice Antonin Scalia in terms of interpreting the constitutional laws can be considered as effective in recommending appropriate legal texts. The facts mentioned within the book has also been observed to be laying significant amount of focus on the development and introduction of a new 'metaframework' that can be considered as effective enough in terms of projecting an appropriate meaning of the constitutional laws rather than just concentrating on the vagueness of the historical interpretive patterns<sup>10</sup>.

### Conclusion

Some of the comments made by the commentators can be considered as applicable under specific scenarios, but certain conditions should be abided upon regarding constitutional misinterpretation and in the formation of associated judgmental laws. Thus, the analysis also provides suggestions based on which improvements can be made in the US constitution.

### Reference

Scalia, A. (1998). *A matter of interpretation: Federal courts and the law*. USA: Princeton University Press.