

II. STATUTORY CONSTRUCTION

I. Definition:

- constantly evolving of language

- legal intent by the law

- In our jurisdiction, statutory construction has been defined as the art of process of discovering and expounding the meaning and intention of the authors of the law with respect to its application to a given case, where that intention is rendered doubtful, among others, by reason of the fact that the given case is not explicitly provided for in the law. *Caltex vs. Palomar*, 18 SCRA 247
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B. Legal Hermeneutics

- legal interpretations

- Science or art of construction and interpretation
- Applicable to the construction and interpretation of legal writings
- **Close interpretation** is adopted if just reasons connected with the character and formation of the text induce as to take the words in their narrowest meaning. This specie of interpretation is also generally called "literal."
- **Extensive interpretation**, also called liberal interpretation, adopts a more comprehensive signification of the words.
- **Extravagant interpretation** is that which substitutes a meaning evidently beyond the true one. It is therefore not genuine interpretation.
- **Free or unrestricted interpretation** proceeds simply on the general principles of interpretation in good faith, not bound by any specific or superior principle.
- **Limited or restricted interpretation** is when we are influenced by other principles than the strictly hermeneutic ones.
- **Predestined interpretation** takes place if the interpreter, laboring under a strong bias of mind, makes the text subservient to his preconceived views and desires.

C. Object or Purpose

- there should have a system to interpret framework

The cardinal rule in the interpretation of all laws is to ascertain, and give effect to, the intent of the law.

- The object of all judicial interpretation of a statute is to determine legislative intent, what intention is conveyed, either expressly or impliedly, by the language used, so far as it is necessary for ascertaining whether the particular case or state of facts presented to the court comes within it.
- The office of statutory interpretation is to determine legislative intent.
- The true object of all interpretation is to ascertain the meaning and will of the law-making body, to the end that it may be enforced.

D. Significance of the Statutory Construction.

- separate the good and the better lawyer

The significance of statutory construction extends to its impact on legal outcomes. By accurately interpreting statutes, courts can uphold the rule of law, protect individual rights, and maintain the balance of power among the branches of government. Misinterpretation can lead to unjust applications of the law, highlighting the importance of careful statutory construction in legal practice. In summary, statutory construction is a vital aspect of the legal system, ensuring that laws are interpreted and applied in a manner that reflects legislative intent and upholds justice. Its principles guide courts in making decisions that affect individuals and society as a whole.

