

3 — Kinds of Interpretation.

There are three fundamental kinds of interpretation.

1 — **Legislative.** Legislative interpretation emanates from the legislative authority. It takes place when a legislative enactment is wrongly understood by the court and, so, the legislature feels obliged to enact a new law to clarify the meaning aimed at in the previous legislation.

2 — **Judicial.** From the point of view of practice, judicial interpretation is the more common. It is exercised by the courts, in which judges are required to exert every effort to deduce the meaning of the terms used by the legislature. In most cases, the judge in order to arrive at the actual meaning, use all the means of interpretation, be it linguistic, logical, or rational. He often refers to the material and historical sources, and the preparatory materials (*travaux préparatoires*) of the law to be interpreted.

3 — **Juristic.** Undoubtedly, juristic interpretation is the widest mode, because of the unrestricted freedom of the jurist to build his understanding of the law the way he deems fit. The jurist is not tied down by certain actual cases, nor is his effort fettered by strict standards to be adopted.