

Why Does Case Law Exist?

The Founders knew that a moral, informed electorate was the only *real* safeguard of Liberty.

They also knew that *every* American must take *personal responsibility* for his or her own actions according to a clear understanding of the written *law*.

It is a long established principle that the law is written to mean *exactly what it says*, and is not subject to interpretation or inference in any way whatsoever.

Regarding the federal rules governing statutory construction, the Supreme Court stated in the case *U.S. v. Goldberg* (1897), quote:

"... the intent of the lawmaker is to be found in the language that he has used". (emphasis added)

Consider The Following Statements:

- America was founded as a constitutional *Republic*
- All law in a Republic is *written* law
- The legislature *understands the English language*
- The *intent* of the law is the *force* of the law
- The *words* in the law mean *exactly* what they say
- The law is *not* subject to *interpretation* or *inference*.
- Any law which *cannot* be understood by any person of average intelligence is "*void for vagueness*"
- A specific court action (trial) applies *to the litigants in that case only!*

Now ask yourself this simple, logical and reasonable question. If the above statements are all *true* (and they *are!*) then ...

Why is there case law at all?

Could it be because our finest legal institutions have been churning out generations of lawyers and judges who *don't* understand English? Or our form of government? Or the *law* itself? Or *all* of the above?