

Tactics In Combatting Word-Game Trickery

Post by “Cassius” of July 17, 2019 at 7:00 PM

These are not witty, but they are appropriate rules to keep in mind when trying to piece together philosophical meaning from the ancient texts (and thereby avoid getting tripped up by word games):

- (1) Whole-Text Canon. The text must be construed as a whole.
- (2) Presumption of Consistent Usage. A word or phrase is presumed to bear the same meaning throughout a text; a material variation in terms suggests a variation in meaning.
- (3) Surplusage Canon. If possible, every word and every provision is to be given effect (*verba cum effectu sunt accipienda*). None should be ignored. None should needlessly be given an interpretation that causes it to duplicate another provision or to have no consequence.
- (4) Harmonious-Reading Canon. The provisions of a text should be interpreted in a way that renders them compatible, not contradictory.
- (5) General/Specific Canon. If there is a conflict between a general provision and a specific provision, the specific provision prevails (*generalia specialibus non derogant*).
- (6) Irreconcilability Canon. If a text contains truly irreconcilable provisions at the same level of generality, and they have been simultaneously adopted, neither provision should be given effect.
- (7) Predicate-Act Canon. Authorization of an act also authorizes a necessary predicate act.
- (8) *Noscitur a sociis* - Associated-Words Canon. Associated words bear on one another's meaning.
- (9) *Ejusdem Generis* Canon. Where general words follow an enumeration of two or more things, they apply only to persons or things of the same general kind or class specifically mentioned (*ejusdem generis*).
- (10) Distributive -Phrasing Canon. Distributive phrasing applies each expression to its appropriate referent (*reddendo singula singulis*).
- (11) Prefatory -Materials Canon. A preamble, purpose clause, or recital is a permissible indicator of meaning.
- (12) Title-and-Headings Canon. The title and headings are permissible indicators of meaning.

(13) Interpretive-Direction Canon. Definition sections and interpretation clauses are to be carefully followed.

(14) Absurdity Doctrine. A provision may be either disregarded or judicially corrected as an error (when the correction is textually simple) if failing to do so would result in a disposition that no reasonable person could approve.

Source: [Scalia and Garner](#)