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REASONS AND FORMS OF LEGAL HERMENEUTICS

ABSTRACT: Hermeneutics, or interpretation, can be defined as a procedure to clarify something that is incomprehensible, unclear or insufficiently understandable, insufficiently clear, and to interpret it to the level of comprehensibility. Hermeneutics can rightfully be called the art of understanding. Legal hermeneutics as an art is, in principle, a very complex process that can also be characterized as a process requiring the application of knowledge from various scientific fields. Legal knowledge, in the specific case of interpreting legal norms by procedural bodies, cannot be disputed. However, legal knowledge is not always sufficient to ensure adequate interpretation and application of law in a given case. The need for legal hermeneutics arises in situations where there is a discrepancy between the spirit and letter of a legal norm, when the legal norm is unclear, contradictory, ambiguous, or even polysemous, and of course, in situations where there is an absence of legal norms regulating a specific issue. The above indicates the importance and dimension of the application of legal hermeneutics as a timeless skill in the field of law and the application of

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legal norms. In line with the topic, the paper analyzes several important questions: how to define the term legal hermeneutics, what are the reasons leading to the need for legal hermeneutics, and finally, which characteristic forms of legal hermeneutics can be singled out and presented more closely, according to the criterion of means or methods of interpretation.

Keywords: *interpretation of law, hermeneutics, legal norms, value judgements, theory of law.*

1. Introduction

Hermeneutics, or interpretation, can be defined as a procedure to actually clarify something that is incomprehensible, unclear or insufficiently understandable, insufficiently clear, and to interpret it to the level of comprehensibility. Hermeneutics can rightly be called the art of understanding, or clarification, and it originates from Greek mythology. In this regard, the authors point out that "the youngest of the twelve Olympian gods – Hermes – was the mediator, transmitter and interpreter of the will of the gods" (Srejović & Cermanović, 1979, p. 473). In modern theory, one can often read the position that interpretation is "the skill of understanding a text and discovering its meaning" (Vukadinović & Stepanov, 2003, p. 400), or also that it is "the skill of avoiding misunderstanding" (Beti, 1988, p. 53), as well as the fact that in contemporary hermeneutics "linguistic universality and linguistic environment are very important, bearing in mind that the understanding of the world is based on speech and understanding" (Aćimović, 1999, p. 109). In addition to this, it should also be emphasized that "the basic interest of hermeneutics is language and especially language in its written form, and accordingly, hermeneutics, above all, represents learning about the skill of understanding a written text" (Spaić, 2014, p. 147).

Some authors emphasize that different texts can be the subjected to interpretation, and that therefore attention should be paid to this, because, ultimately, which form of interpretation will be applied depends primarily on the type of text being interpreted. One of the oldest divisions of hermeneutics as a skill implies a dichotomous division – into "*hermeneutica sacra* and *hermeneutica profana*" (Vasić & Čavoški, 1996, p. 230). On the other hand, a number of authors advocate the position that no division should be made according to the subject of interpretation, but that the emphasis when interpreting any text should be the usefulness of the interpreted in practical application. This is especially true for legal hermeneutics.

Here, Medar (2014) points out that "all humanities are based on the interpretation of texts, whereby the interpretation of law is one of the most complex and most subtle issues of general legal theory and philosophy of law, the importance of which stems from the fact that it realizes the interdependence between legal theory and positive legal disciplines, on the one hand, as well as between them and the practical application of law, on the other hand. The practical significance of the interpretation of law is that it finalizes the positive legal regulation, making it ready for immediate application" (pp. 224-225).

According to some authors, "interpretation works in all stages of the application of a legal norm – from the recognition of a legally relevant relationship, through the choice of a legal norm and the determination of facts and normative qualifications, to the explanation of a new normative action" (Visković, 1989, p. 145; Medar, 2014, p. 225).

Ćorić (2013) points out that "the position of the interpreter assumes that he is a step higher and ahead in relation to the one to whom they are interpreting something. Establishing equality between reality and the legal text, which in its formulation often bears the burden of time, tradition and social relations of the time in which it was created, is an extremely difficult and demanding job" (p. 321).

In accordance with the topic and the introduction, the paper will discuss several important questions – how to define the concept of legal hermeneutics, what are the reasons that lead to the need for legal hermeneutics, and finally, which characteristic forms of legal hermeneutics can be distinguished and presented more closely, according to the criterion of means, that is, the method of interpretation.

2. The concept of legal hermeneutics

In order to apply the legal norm, "as a previous step, it is necessary to perform an interpretation. Sometimes it will be easy to interpret a legal norm, but in difficult cases it will be necessary to apply different methods, arguments and techniques in order to determine and choose the sense of the legal norm that is best used" (Tomić, 2020, p. 106). It is almost impossible to say "that in some legal system there is a legal norm that can be applied without interpretation" (Visković, 2001, p. 248).

In the triadic hermeneutic phenomenology represented by Emilio Betti, "a special place is occupied by normative interpretation, which covers the field of legal science and theology. In contrast to the contemplative orientation of historical interpretation, the interpretation of lawyers and theologians has a

directional or normative task. Legal hermeneutics is undoubtedly an integral part of general hermeneutics, in which it has always had great significance" (Medar, 2014, p. 224; Betti, 1988, p. 111).

According to Lukić (1995), "interpreting a legal norm is nothing more than determining the true meaning of a norm, a meaning that is not always easy to discover" (p. 223). Kelsen (2012) believes that interpretation is "an act of the mind that accompanies the law-making process in its progression" (Kelsen, 2012, p. 73; Kelsen, 1949, p. 133). Vrban states that "interpretation in law represents finding the meaning of legal expressions, statements, messages and texts" (Vrban, 1998, p. 80).

It is important to note that some authors specify the term interpretation in their review of legal hermeneutics. Namely, Lukić (1995) states that there are "two types of interpretation – one is the interpretation of law in a narrower sense, i.e. the interpretation of law through the existing legal norm, and the other is the interpretation of law in a broader sense, i.e. the interpretation when the norm does not exist, when there is legal gap, that is, the search for a norm that will fill the legal gap" (p. 223). According to Ćorić (2021), "it seems that life in the world of legal norms is easy: you have rules of conduct that guide you in many life situations and what will happen to you if you do not behave as determined. Legal norms predict the future, in a certain way, and give us guidelines for life. Although the legal system tries to cover all areas of social life with its rules, there are situations that cannot be foreseen at the time of the adoption of this regulation" (p. 31).

The interpretation of law in the narrower sense is also designated in theory as the immediate object of interpretation, while the interpretation of law in the broader sense is also designated as the indirect object of interpretation.

Interpretation of law in the narrower sense "exists when the immediate object of interpretation is one or several closely related legal norms. That is why it is said to represent the true interpretation, according to the position that only the existing legal norm can be interpreted" (Mitrović, 2008, p. 237).

When interpreting legal norms, "it should be borne in mind that no norm has a completely precisely determined meaning, except perhaps for technical legal norms" (Matijašević Obradović, 2016, p. 29). In fact, legal norms acquire meaning "only when they are brought into connection with other norms, their sets, and even with the entire legal system of which they are a part, which means that a concrete norm as an immediate object of interpretation is only a reason for interpreting the legal system as a circumstantial, intermediate object. Therefore, the subject of interpretation is always twofold: either one norm, i.e. their smaller or larger set, or entire legal areas and the entire legal

system. In this way, the so-called circles of interpretation are obtained, where the first circle consists of one or more norms that are the immediate subject of interpretation, the second circle is of closely related norms, the third circle is of one or more narrower or wider sets of related norms, etc., all the way to the legal system itself" (Lukić, 1977, p. 324).

Interpretation in a broader sense exists "when the immediate object of interpretation is not one or several closely related legal norms, but one or more sets of closely related norms or the entire legal system. Based on this, interpretation in a broader sense can be said to represent the interpretation of legal norms that exist, and not norms that 'do not exist'. However, the interpretation of the legal system, based on its 'spirit', is very rarely used, that is, only in one and very rare case can the entire legal system be the subject of direct interpretation. This is a case of filling several large legal gaps, i.e. areas, based on the spirit of the entire legal system. This happens because law can never fully encompass life, which is always more complex and faster than law. From this discrepancy arise legal gaps, i.e. social relations that are not regulated by law, although they should be due to social interest. But not all legally unregulated relationships are legal gaps. A legal gap is not represented by social relations that are regulated only by an individual norm, nor by relations for which the social interest does not require that they be regulated by a general or individual legal norm. Beyond those two areas, therefore, there is the area of legal gaps" (Mitrović, 2008, p. 238).

The interpretation of law, namely, represents "only one subtype of a very complex and diverse phenomenon of interpretation in general. It is a complex intellectual activity that consists of determining the true, real meaning of a legal norm. Interpretation of law is a necessary constant activity, without which the existence of law cannot be imagined" (Lukić, 1977, p. 318).

Observed from the aspect of the obligation of interpretation and from the aspect of the subject who performs the interpretation, there is a very significant division into authentic (original) interpretation, judicial interpretation and doctrinal (interpretation of legal science).

Ćorić (2015) states that "the procedure and effects of interpretation are completely different when they are performed by state bodies and when they are performed by non-state bodies. The interpretation of acts performed by state bodies, if the same act was passed by the body that interprets it, is binding for the body and its subordinate state bodies, as well as for other subjects to which these norms apply. The legislative body takes an exceptional approach to the interpretation of the acts it passes. If it does so, the same interpretation is called authentic interpretation or interpretative law, and forms an organic unity with the

act that was the subject of interpretation. Courts, on the other hand, approach the so-called casuistic interpretation of law, because they do it in order to sum up a specific situation on the occasion of which they have to make a certain decision under certain general legal norms" (p. 521). Thus, judicial interpretation of legal provisions is "binding only for that specific case in which the interpretation is performed. In theory, it has no binding force for any other case, in criminal proceedings. In practice, the situation is somewhat different. Court decisions, especially those of higher courts, have a significant impact on other procedures and decisions, especially those of lower courts. This points to the conclusion that judicial practice affects the interpretation and application of legal norms in criminal proceedings" (Lukić, 1977, p. 324). Finally, doctrinal (interpretation of legal science) "is given by legal science and is a type of optional interpretation that is of great importance, although the goal of this type of interpretation is not the direct application of a legal norm to a specific case. It is also said that doctrinal interpretation belongs to the category of directly non-authoritative interpretations, but still indirectly very important for practical application and creation" (Lukić, 1977, p. 325; Bejatović, 2014, p. 46; Matijašević Obradović, 2016, p. 32).

It is interesting to mention the classification of hermeneutics into binding and non-binding interpretation.

Namely, "the binding interpretation is the one performed by the entities that exercise some form of legal authority and to whom the powers are assigned by the legal norm that regulates the competence of those bodies" (Antić, 2015, p. 622; Tomić, 2020, p. 110). Miličić (2003) builds on this position by stating that "explanations of only certain individuals and/or institutions have binding power" (p. 354). The category of binding interpretation includes authentic and judicial interpretation, as previously presented.

Non-binding interpretation is the interpretation "made by individuals in order to establish a legally permissible framework and align their behavior with this framework. A special type of interpretation that can be classified as a non-binding is the interpretation of legal science, which is considered extremely significant because it can significantly influence the entities that make regulations, as well as those that apply them" (Antić, 2015, p. 622).

3. The reasons for legal hermeneutics

It is completely justified to ask why do we even need to interpret legal norms, that is, why are they not so rarely unclear, insufficiently clear or even ambiguous? In his work, Tasić (1938) arouses interest with the question: "How does it come to be that a seemingly simple procedure such as sending

the signs of a norm and understanding them can be a problem? Because the expression of the norm is one thing, and the meaning is another" (p. 273).

In legal theory, the interpretation of law as an art attracted attention in the first half of the 20th century. In this period, they began to "deal more seriously with the problem of legal interpretation, albeit to a limited extent, due to the fact that the treatment of interpretation in law at that time was reduced to the application of analogy" (Joksić, 2015, p. 313). From the very beginning, the need to interpret legal norms was often associated with "failures in the work of police and judicial authorities. They primarily refer to a large number of canceled verdicts, unfounded deprivation of liberty and attempts to find justification for such actions in the so-called legal action. From a historical point of view, such situations were known before, so it is interesting to review the provision of Article 5 of Hammurabi's Code, according to which – *If a judge presides over the process and renders a verdict, and if he later cancels his verdict and it is proven that the verdict he made, is annulled, he will receive twelve times the punishment, which was determined in that process, and he will be publicly driven from the judge's chair, so that he will no longer return to the judge's place in the process*" (Joksić, 2015, p. 313). Here one can actually see the true sense of the reasons that speak in favor of legal hermeneutics. Namely, "without a properly learned norm, there is no application of it either. The subject to whom the norm applies cannot adjust his behavior to it if he does not know it, or worse, if he does not know it properly. Then the subject will violate the norm, even though he has the desire to harmonize his behavior with the request it sets" (Lukić, 1961, pp. 18-19).

Legal hermeneutics finds the reasons for its application in the fact that before applying a legal norm to a specific case, "it is necessary to first determine its content and its meaning. This work on research and determination of legal regulations cannot be purely mechanical. By its very nature, an abstract general rule of law cannot be realized by itself as an automatic mechanism, but requires a conscious and human will to adapt its application to a given situation. That action consists in defining the meaning of a legal text and determining its content, considering its application to a specific factual situation" (Stojković, 1941, p. 151). It can also be noted here that modern legal norms are characterized by a general approach, which corresponds to different social relations. And that can pose quite a significant problem in the area of interpretation. Namely, "the more social relations a legal norm has to cover, the more general it is. The more general the norm, the harder it is to recognize a specific case in it" (Vuković, 1953, p. 99).

Interpretation is, therefore, "a condition for the application of law. Only then can it be said that the right has been exercised, that is, that it is effective" (Mandić, 1971, p. 128).

Here, Ristivojević (2009) notes that problems in the application of legal norms "obviously arise when signs are not understood in the same way" (p. 348). According to Žižić (1988), "the first cause of misunderstanding is the language – certainly the most important system of signs that human society uses today" (p. 431). Anyone who "uses even one language knows how imperfect, sketchy or undeveloped it can be" (Ristivojević, 2009, p. 348). Another cause of misunderstanding, according to Lukić (1961), is "knowledge of the language. It is quite possible that both the subject sending the signs and the subject interpreting them do not know the language well enough" (p. 7). The third cause of misunderstanding, according to Vuković (1953), is the most significant one – "it will often happen that the sender of signs is not completely sure what meaning he wants to attach to the signs, that is, he does not know what he wants" (p. 7).

Vukadinović and Stepanov (2003) singled out four basic reasons for approaching the interpretation of law. Those reasons are presented below in Table 1.

Table 1. The reasons for approaching the interpretation of law

	Reason	**Explanation of the reason**
First reason	The relationship between complex social relations and the attitude of the legislator	The extraordinary complexity of social reality, the layering and dynamics of the social-political reality that the lawmaker regulates, especially when it comes to a general norm, cannot always be fully and precisely expressed in words.
Second reason	Peculiarities of linguistic expressions	Linguistic expressions themselves do not have unique and precise meanings, but are always more or less polysemic. In other words, linguistic expressions can have (and often do have) multiple possible meanings. Therefore, the identification of their adequate meaning (in a given situation) is often very difficult, complex and relatively unreliable.

	Reason	Explanation of the reason
Third reason	Dynamics of changing social relations	Social relations (economic, political, cultural, religious) that are regulated by the norms are changing, so when changing older norms, the meanings of those norms should also be changed, in order to adapt them to the changed relations, while some old, obsolete or inappropriate meanings should also be changed and be given new meanings so that norms can really influence social life and be effective.
Fourth reason	Change of values and ideologies	It should be borne in mind that the values and ideologies that determine the content of a legal norm also change, which also causes changes in the meaning of that norm over time.

Source: Vukadinović & Stepanov, 2003, pp. 404-405.

4. Division of legal hermeneutics according to means (methods) of interpretation

Of all the divisions of interpretation, "probably the most significant is the division according to the means or methods of interpretation. The very act of interpretation in the narrowest sense of the word refers to the application of these means. Hence, the application of one of these tools is itself called an interpretation, which is linked to that tool. Thus, interpretation using language is called linguistic interpretation, using logic logical interpretation, etc." (Ristivojević, 2009, p. 363). Authors often classify the division of legal hermeneutics according to the means (methods) of interpretation into the group of general rules of interpretation.

Therefore, when interpreting any legal norm, one starts from these general rules of interpretation (Matijašević Obradović, 2016, p. 29). This group definitely includes:

- linguistic interpretation – this interpretation determines the meaning of the norm by linguistic rules that are standardized and codified in the science of language. According to Lukić (1961), "linguistic interpretation is the first task of the interpreter and it determines the linguistic meaning of the legal norm. The method of linguistic interpretation uses the rules to which language is subjected as a means of expressing legal norms. These rules are found in the science of language, which

can be divided into parts according to the elements of language that are the subject of their study. Thus, the basic elements of language are words, expressions, sentences and punctuation marks. Therefore the linguistic interpretation can be divided into lexical, grammatical, syntactic and punctuational interpretation" (p. 66);

- logical interpretation – this interpretation checks and determines the meaning of the norm by applying legal logic to the meanings obtained by other means of interpretation: linguistic, systematic, historical and objective ones. First of all, this interpretation "serves to check the meaning obtained by linguistic interpretation" (Mandić, 1971, p. 184; Lukić, 1961, p. 104). There are "four basic principles of logic that are used in this type of interpretation: the principle of sameness, the principle of contradiction, the principle of exclusion of the third and the principle of sufficient reason" (Mandić, 1971, p. 184);
- systematic interpretation – this interpretation determines the meaning of the norm by connecting it with other norms in the legal order. According to Vuković (1953), "every set of various details needs to be arranged in order to make it concise and thereby facilitate the knowledge of the set. This arrangement is achieved by systematizing according to one criterion in order to create a system. If by any chance more than one criterion were used, then the system would not be unique, and could not even be called a system. A system that is made correctly, on the basis of one standard, creates different relationships (equalities, similarities, opposites) between the details that make up a part of the system. Those relationships enable knowledge of parts of the system, although only to a certain extent" (pp. 119-120);
- historical-legal interpretation – this interpretation determines the meaning of the norm by examining the impact of various social circumstances on the adoption of the legal norm, as well as the types, but also the reasons for changes in meaning which the legal norm experienced from adoption to interpretation;
- objective (teleological) interpretation – this interpretation examines which and what kind of consequences are produced by different meanings of the norm, and then compares and ranks those consequences according to the quantity and quality of the achieved goal. The key issue with this method of interpretation is "the way in which the goal of the legal norm is determined, because this is how its true meaning is determined" (Ristivojević, 2009, p. 368). When "the goal of the norm is determined, then the result of interpretation by other methods

is compared with the goal of the norm. It should be determined which of the results of the interpretation, reached by other methods, achieves the goal of the norm in the best way and to the greatest extent. This is where the value assessment of the outcome of the interpretation is carried out from a social point of view" (Vuković, 1953, p. 110);

– comparative law interpretation – with this interpretation, the true meaning of the norm is arrived at by comparing the same or similar norms that are part of at least two parts of two different national laws.

5. Conclusion

Legal hermeneutics as a skill is, in principle, a very complex process that can also be described as a process that requires the application of a multidisciplinary approach, i.e. the application of knowledge from different scientific fields. Legal knowledge, in the specific case of interpretation of legal norms by the procedural authorities, cannot be contested, however, legal knowledge is not always sufficient to ensure adequate interpretation and application of law in a given case. A legal norm, no matter how clear and complete it may seem at first glance, is often general, abstract, with hidden content or outdated by life situations that occur in practice, and it is necessary to correctly and completely determine its true and full meaning. Therefore, in the field of legal hermeneutics, the knowledge and skill of all those who participate in its application can be best observed and emphasized.

It is important to note that it is very wrong to define the field of legal hermeneutics as the exclusive activity of acting representatives of the judiciary, which is often done in practice. On the contrary, representatives of legal doctrine play an important role in the field of legal hermeneutics, because, more often than not, they are the objective party that has the opportunity to see the wider dimension of the legal norms being interpreted. Accordingly, it should be emphasized that the interpretation of law, that is, legal hermeneutics, carries with it a great responsibility for those who participate in that interpretation.

The paper discussed several important questions – how to define the concept of legal hermeneutics, what are the reasons that lead to the need for legal hermeneutics, and finally, which characteristic forms of legal hermeneutics can be distinguished and presented more closely, according to the criterion of means, and methods of interpretation. We should not lose sight of the fact that the need for legal hermeneutics arises in situations where there is a certain bypassing of the spirit and letter of the legal norm, when the legal norm is unclear, contradictory, twofold and even manyfold, and of course, in

situations where there is no legal norm that would regulate a certain question. The above indicates the importance and dimension of the application of legal hermeneutics as a timeless skill in the field of law and the application of legal norms.

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RAZLOZI I OBLICI JURISTIČKE HERMENEUTIKE

APSTRAKT: Hermeneutika, odnosno tumačenje može se opredeliti kao postupak da se nešto što je nerazumljivo, nejasno ili nedovoljno razumljivo, nedovoljno jasno, zapravo razjasni, tj. protumači do nivoa razumljivog. Hermeneutika se sa punim pravom može nazvati veštinom razumevanja. Juristička hermeneutika kao veština u načelu je veoma složen proces koji se može označiti i kao proces sa potrebama primene znanja iz različitih naučnih oblasti. Pravničko znanje se, u konkretnom slučaju tumačenja pravnih normi od strane organa postupka, ne može osporiti, međutim, pravničko znanje nije uvek dovoljno da bi se u datom slučaju moglo osigurati adekvatno tumačenje i primena prava. Potreba za juristočkom hermeneutikom javlja se u situacijama kada postoji određeno mimoilaženje duha i slova pravne norme, kada je pravna norma nejasna, kontradiktorna, dvosmislena ili čak i višesmislena, i naravno, u situacijama odsustva pravne norme koje bi regulisale određeno pitanje. Rečeno ukazuje na značaj i dimenziju primene juristočke hermeneutike kao vanvremenske veštine u oblasti prava i primene pravnih normi. U radu se, shodno temi, analizira

nekoliko važnih pitanja – kako opredeliti pojam jurističke hermeneutike, koji su razlozi koji vode ka potrebi jurističke hermeneutike, i konačno, koji se karakteristični oblici jurističke hermeneutike mogu izdvojiti i bliže predstaviti, shodno kriterijumu sredstava, odnosno metoda tumačenja.

Ključne reči: *tumačenje prava, hermeneutika, pravne norme, vrednosni stavovi, teorija prava.*

References

1. Aćimović, M. (1999). *Uvod u logiku* [*Introduction to logic*]. Novi Sad: Filozofski fakultet
2. Antić, T. (2015). Vjerodostojno tumačenje zakona [Credible interpretation of the law]. *Zbornik Pravnog fakulteta Sveučilišta u Rijeci*, *36*(1), pp. 619-644
3. Bejatović, S. (2014). *Krivično procesno pravo* [*Criminal procedural law*]. Beograd: JP Službeni glasnik
4. Beti, E. (1988). *Hermeneutika kao opšta metoda duhovnih nauka* [*Hermeneutics as a general method of spiritual sciences*]. Novi Sad: Književna zajednica Novog Sada.
5. Ćorić, D. (2013). Persons' Case – primer tumačenja prava koji je promenio angloameričku pravnu teoriju i praksu [Persons' Case – an example of legal interpretation that changed Anglo-American law legal theory and practice]. *Pravna riječ*, *10*(35), pp. 321-322
6. Ćorić, D. (2015). Glosa o autentičnom tumačenju prava [Gloss on authentic interpretation of law]. In: Marković, G. (ured.), *Odnos prava u regionu i prava Evropske unije* [*The relationship between the rights in the region and the rights of the European Union*] (pp. 520-534). Istočno Sarajevo: Pravni fakultet Univerziteta u Istočnom Sarajevu
7. Ćorić, D. (2021). The importance of thought experiments. *Pravo – teorija i praksa*, *38*(2), pp. 31-42
8. Joksić, I. (2015). Tumačenje u krivičnom pravu [Interpretation in criminal law]. *Glasnik Advokatske komore Vojvodine*, *86*(6), pp. 311-326
9. Kelsen, H. (1949). *General theory of law and state*. Cambridge: Harward University Press
10. Kelsen, H. (2012). *Čista teorija prava* [*A pure theory of law*]. Zagreb: Naklada Breza
11. Lukić, R. (1961). *Tumačenje prava* [*Interpretation of law*]. Beograd: Savremena administracija

12. Lukić, R. (1977). *Metodologija prava* [*Methodology of law*]. Beograd: Srpska akademija nauka i umetnosti
13. Lukić, R. (1995). *Teorija države i prava – teorija prava* [*Theory of the state and law – theory of law*]. Beograd: Zavod za udžbenike i nastavna sredstva
14. Mandić, O. (1971). *Sistem i interpretacija prava* [*System and interpretation of law*]. Zagreb: Narodne novine
15. Matijašević Obradović, J. (2016). *Krivično procesno pravo, opšti deo* [*Criminal procedural law, general part*]. Novi Sad: Univerzitet Privredna akademija u Novom Sadu.
16. Medar, S. (2014). Opseg logike u tumačenju prava [The scope of logic in the interpretation of law]. *Zbornik radova Pravnog fakulteta u Nišu*, *52*(66), pp. 223-240.
17. Miličić, V. (2003). *Opća teorija prava i države* [*General theory of law and the state*]. Zagreb: Pravni fakultet Sveučilišta u Zagrebu
18. Mitrović, D. (2008). *Osnovi prava* [*The basis of law*]. Beograd: Univerzitet Singidunum
19. Ristivojević, B. (2009). Upotreba medota tumačenja u krivičnom pravu [The use of the method of interpretation in criminal law]. *Zbornik radova Pravnog fakulteta u Novom Sadu*, *43*(2), pp. 345-379
20. Srejović, D. & Cermanović, , A. (1979). *Rečnik grčke i rimske mitologije* [*Dictionary of Greek and Roman Mythology*]. Beograd: Srpska književna zadruga
21. Spaić, B. (2014). Analitička i hermeneutička teorija prava [Analytical and hermeneutic theory of law]. *Anali Pravnog fakulteta u Beogradu*, *62*(1), pp. 131-151
22. Stojković, S. (1941). *Enciklopedija prava* [*Encyclopedia of Law*]. Beograd: Udruženje studenata Ekonomsko – komercijalne visoke škole
23. Tasić, Đ. (1938). Značaj jezika pri tumačenju [The importance of language in interpreting]. *Arhiv za pravne i društvene nauke*, *33*(3), pp. 273-278
24. Tomić, I. (2020). Tumačenje, pravne praznine i načelo zakonitosti [Interpretation, legal loopholes and the principle of legality]. *Zbornik radova Pravnog fakulteta Sveučilišta u Mostaru*, 1 (28), pp. 106-128
25. Vasić, R. & Čavoški, K. (1996). *Uvod u pravo II* [*Introduction to law II*]. Novi Sad: Draganić
26. Visković, N. (1989). *Jezik prava* [*The language of law*]. Zagreb: ITRO „Naprijed“
27. Visković, T. (2001). *Teorija države i prava* [*Theory of the state and law*]. Zagreb: Birotehnika

28. Vrban, D. (1998). *Uvod u državu i pravo* [*Introduction to the state and law*]. Zagreb: Birotehnika
29. Vukadinović, G. & Stepanov, R. (2003). *Teorija države i prava* [*Theory of the state and law*]. Petrovaradin: Futura
30. Vuković, M. (1953). *Interpretacija pravnih propisa* [*Interpretation of legal regulations*]. Zagreb: Školska knjiga
31. Žižić, Z. (1988). Tumačenje ugovora [Interpretation of contracts]. *Pravni život*, *37*(10-12), pp. 430-438