

Courts' judgments as well as other decisions made in the process of application of law depend on not just the wording of regulations and provisions, but first and foremost on interpretation of their respective texts, and so on the interpretive tools used (such as dictionaries, legislative materials, interpretive canons). This leads to differences in the understanding of the same regulations or even creation of different lines of case-law or, in other words, a situation in which the same legislation and the same facts of the case lead to courts issuing considerably different judgments.

For the most part, interpretive tools and interpretive guidelines are not part of the law as such and do not follow from provisions of the law, but from the commonly accepted ruling practice or views expressed in literature. In other words, bodies applying the law use not just law but also a number of additional directives of an extralegal nature. The impact of tools and directives making up "interpretive law" on judgments is an invitation to reflect on the status of interpretive law as such and the status of its different components.

The first objective of this research project is to establish what the status of interpretive law is. In particular, this research aims to determine whether the status of interpretive law is uniform or different in different legal cultures. The second objective is to establish whether it is possible and legitimate to create hierarchies of interpretive tools used in the process of interpretation of law in selected countries.

The research will involve a comparison of the Polish, Anglo-Saxon, and Spanish system. The Anglo-Saxon system was chosen, because it is in the common law countries that research was conducted that allowed for the conclusion that not only does interpretive law not give clear answers, but it in fact makes the understanding of legal texts more complicated. The Anglo-Saxon system differs from the Polish and Spanish one, and comparison of different systems may yield interesting results. The choice of the Spanish system stems not only from the fact that it differs from the Anglo-Saxon one, but also from the fact that it offers a number of solutions that are not available in Polish law. The research would be more than just an extension of the research carried out in the common law countries to Poland and Spain, but also a supplementation of this research. Analysis and comparison of the catalogue and hierarchy of interpretive tools in Poland, Spain, and common law countries may lead to valuable findings, as it will make it possible to evaluate the impact of the legal culture on the status of interpretive law and selection of interpretive tools. If the research reveals that this impact is marginal, it will still provide an opportunity to find universal answers as to the use of interpretive tools in the process of interpretation of law.

The research method will be the analysis of court judgments, legal literature, interpretation acts and other legal acts that may potentially contain interpretive tools and directives of preference of these tools. The research would in particular allow for evaluation of the impact of a legal culture on the status of interpretive law. It would furthermore make it possible to find a rule for identification of interpretive tools in different cultures. The research would also make it possible to divide interpretive tools based on their status. Last but not least, the research could also trigger discussion on ways and limitations of realisation of such values as legal certainty.