

the law, or book, or literature. However, that is not the end of the discussion, nor is it the most important part. Many laws have been around for years and the original intention may just not be viable any longer. He specifically mentions state of mind of the author at the time and that is something that needs to be taken into consideration as well (Dworkin, page 380).

Circling back to his original statement of the law being inherently political, Dworkin discusses why this also fails to really incorporate the author's intention that he previously talked about. Like the previous examples of novelists, those who write and create laws have intention, and quite complex intention at that, as Dworkin mentions, (Dworkin, page 386).

Where things become political is in the intersection of the interpretation of intention and also personal beliefs and thoughts of judges. Suppose a law was created with an inherently sexist intent, but a judge who was trying someone for breaking such a law was a feminist, the decision would come down to politics. Personal politics and following their own beliefs, or following the original intention of the law maker. This also comes down to which legal theory the judge follows. Many legal theories put personal beliefs aside, but it tends to come down to the judge. Dworkin recognizes the need for judges to be not just judges, but philosophers and interpreters as well, especially as the law is not entirely complete or all encompassing.