

1 盎格魯文

1.1 Vocabulary

The Unexpected Scalia

• **at times**: occasionally. —..., *at times vexingly so*.

• **vexingly**: extremely. —..., *at times vexingly so*.

LATINA vexātiō (*shaking*)

• **on the merits**: based upon fact and law. —*In fact, the number totals 135 out of 867 opinions on the merits*.

• **compel**: to force. —...*that his legal philosophy compelled him to do so*.

LATINA compellere (*to compel*)

• **ahistorical**: to lack historical context. —*His conservative views on the Second Amendment seem ahistorical, but then, ...*

• **doctrine**: a belief or principle. —... *to subject the doctrine of originalism to serious scrutiny*.

LATINA doctrīna (*teaching, instruction*)

• **scrutiny**: intense study of sth. —... *to subject the doctrine of originalism to serious scrutiny*.

LATINA scrūtīnium (*a search, an inquiry*)

• **construe**: to interpret. —... *the Constitution should be construed the same way it was understood ...*

LATINA cōstruere (*to pile together*)

• **reactionary**: Favoring a return to the past. —*While an amazing document for its time, the eighteenth-century Constitution would be a reactionary document today*.

FRANÇAIS réactionnaire (*a person opposing the revolution*)

• **abomination**: a disgusting vice. —*While those abominations have largely been eliminated ...*

LATINA abōminātiō (*abomination*)

• **sedition**: related to rebellion. —... *Congress could pass a law criminalizing seditious libel and executing someone for forgery*.

LATINA sēditiō (*insurrection, rebellion*)

- **libel**: a false statement to damage reputation. —... *Congress could pass a law criminalizing seditious **libel** and executing someone for forgery.*

LATINA libellus (petition)

- **forgery**: fraudulently making or altering a writing or signature. —
...*Congress could pass a law criminalizing seditious libel and executing someone for **forgery**.*

LATINA fabricāre (fabricate)

- **germane**: related to. —... *information about the understanding of the Framers, ..., that are germane to present issues are so few ...*

LATINA germānus (of brothers or sisters)

- **resort to**: the using of sth because it is the only thing available. —
... *that many constitutional judgments cannot be determined by **resort to** history.*

- **advocacy**: the act to arguing or advocating. —..., *they undoubtedly have had a greater impact on his influence, including his status as role model and molder of Supreme Court **advocacy**.*

LATINA advocāre (to call for)

- **laugh sth out of court**: to reject an idea as absurd. —*I join the opinion of the Court except that portion which which takes seriously, ..., an argument that should be **laughed out of the court**.*

- **dismissive**: showing disregard. —*Scalia was equally **dismissive** of some of Kennedy's opinions, ...*

LATINA dimissus (to sent away, dismiss)

- **sweet-mystery-of-life passage**: * 雞湯判決書. —..., *ridiculing, for example, what he called Kennedy's "**sweet-mystery-of-life passage**" in *Lawrence v. Texas* (2003) ...*

- **aphorism**: saying. —*The SCOTUS has descended from the disciplined legal reasoning of John Marshall and Joseph Story to the mystical **aphorisms** of the fortune cookie.*

LATINA aphorismus (aphorism)

- **fortune cookie**: * 籤語餅. —*The SCOTUS has descended from the disciplined legal reasoning of John Marshall and Joseph Story to the mystical aphorisms of the **fortune cookie**.*

- **perceived**: widely recognized to be true. — *What seemed to bother Scalia most was the **perceived** absence of a coherent and rigorous philosophy on the part of Stevens, ...*

LATINA percipere (observe, note)

- **coherent**: logically organized. — *What seemed to bother Scalia most was the perceived absence of a **coherent** and rigorous philosophy on the part of Stevens, ...*

LATINA cohaerens (uniting)

Judgements

- **balance of possibilities**: burden of proof, more likely than not. —... *the accused has a good defence if he can prove on the **balance of possibilities** that ...*
- **be confined to**: be restricted to. —... *the accused **is confined to** relying on the statutory defences expressly provided for ...*

Latin Phrases and Abbreviations

- **ad hoc**: formed or done for a particular purpose only. — *An **ad hoc** committee was set up to oversee the matter.*
- **ad nauseam**: repeating or continuing to the point of boredom. — *The apparent risks of secondary smoking have been debated **ad nauseam**.*
- **bona fide**: in good faith. — *Although he failed, the prime minister made a **bona fide** attempt to repair the nation's damaged economy.*
- **c.**: circa, approximately. — *The house was built **c.** 1870.*
- **compos mentis**: in control of the mind . — *Please call me back later when I'm **compos mentis**.*
- **de facto**: in fact. — *Although the Emperor was the head of state, the **de facto** ruler of Japan was the Shogun.*
- **ergo**: therefore. — *Neither side would have an incentive to start a war. **ergo**, peace would reign.*
- **erratum**: error. — *An **erratum** is a correction of a published text.*
- **ex gratia**: from kindness or grace ,without recognizing any liability or legal obligation. — *They received an undisclosed **ex gratia** payment.*

- **in loco parentis**: in the place of a parent. — *Teachers sometimes have to act **in loco parentis**.*
- **in situ**: in its original place. — *The paintings have been taken to the museum but the statues have been left **in situ**.*
- **inter alia**: among other things. — *The report covers, **inter alia**, computers, telecommunications and air travel.*
- **n.b.**: nota bene, note well. — *I have corrected the issue with the new flash update. **N.B.** if you manually install the update when prompted your software will break again.*
- **p.a.**: per annum, for each year. — *The population is increasing by about 2% **p.a.**.*
- **per se**: in itself/themselves; intrinsically. — *These facts **per se** are not important.*
- **post-mortem**: autopsy. — *The **post-mortem** revealed that she had been murdered.*
- **pro rata**: proportional; proportionally. — *The car rental charge is \$50 per day and then **pro rata** for part of a day.*
- **quid pro quo**: favour or advantage given or expected in return for something. — *Is it simply a wild fantasy, or a mistake on the part of the old man — some impossible **quid pro quo**?*
- **verbatim**: in exactly the same words. — *I had to memorize the text **verbatim**.*
- **persona non grata**: unacceptable or unwelcome person. — *From now on, you may consider yourself **persona non grata** in this house.*

45 new vocabularies in total.