Teleological Interpretation

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A. Definition of Teleological Interpretation

1

The method of teleological interpretation may be defined as the method of interpretation used by courts, when they interpret legislative provisions in the light of the purpose, values, legal, social and economical goals these provisions aim to achieve. European national constitutional courts as well as the European Court of Human Rights apply this method. It is also considered to be the method of interpretation utilized most by the European Court of Justice (ECJ).

2

In the EU legal order teleological interpretation is of significant importance. According to General Advocate Miguel Poiares Maduro “Teleological interpretation in EU law does not refer exclusively to a purpose driven interpretation of the relevant legal rules. It refers to a particular systemic understanding of the EU legal order that permeates the interpretation of all its rules.”

B. Application of teleological interpretation by the European Court of Justice

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The ECJ uses teleological interpretation seeking to achieve the objectives set by the Treaties, specially the one of greater intergration. The Court does so by taking into account not only the teleological interpretation of a single provision but its teleological interpretation in the whole context of EU legal order.

4

The ECJ also pointed out, that when beginning to interpret community law, it must be borne in mind that Community legislation is drafted in several languages and that the different language versions are all equally authentic. So a further reason that the ECJ applies teleological interpretation is to exclude any misconception in the texts of different but equivalent languages within the EU.

C. ECJ’s cases with the application of teleological interpretation

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In the “CILFIT case” the ECJ affirmed that “every provision of Community law must be placed in its context and interpreted in the light of the provisions of E. C. law as a whole, regard being had to the objectives thereof and to its state of evolution at the date on which the provision in question is to be applied.”

6

Another case that states the application of teleological interpretation by the ECJ, is the van Gend en Loos case (C-26/62). In this case the ECJ established the principle of direct effect of Treaties in the legal order of the Member States. The outcome of the case was that the national judge should take into consideration that no statutory implementation act was needed by his State to apply the Treaty of Rome. In this case the ECJ based its reasoning in the teleological interpretation of the Treaty.

4 Miguel Poiares Maduro, as above
6 ECJ, C-283/81 (Srl CILFIT and Lanificio di Gavardo SpA v Ministry of Health) 06/10/1982, para. 18
7 ECJ, C-283/81 (Srl CILFIT and Lanificio di Gavardo SpA v Ministry of Health) 06/10/1982, para. 20.
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