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**Zwischen der Skylla der Beständigkeit und der Charybdis der Veränderlichkeit der
Rechtsprechung
(Strukturierung einiger offener Fragen)**

It is in the nature of law that it is prospective. The key issue is how to reinforce the predictability of statutes when deciding cases that took place in the past. There are four basic approaches (with their corresponding transformations) at the judge's disposal, which are known as subjectivist-static, subjectivist-dynamic, objectivist-static and objectivist-dynamic interpretations.

The decision is always made here and now, yet this must not mean that the objectivist-dynamic aspect is *a priori* the dominant one. It is the leading one in that it helps to find the direction of where to look for answers. This direction is not and must not be an arbitrary one. The correct derivation is the one rejecting any forbidden retroactive loosening of the law and at the same time being capable of enquiring which solution is closest to the basic human rights and legal principles in the individual field of law.