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# **LITERAL VS PURPOSIVE INTERPRETATION A COMPARATIVE ANALYSIS**

AUTHORED BY - MANISH NAYAK & PRATHAM DAS

## **Abstract**

Judicial decision making is centered on statutory interpretation. Debates over how judges should interpret law usually framed by two major approaches: literal interpretation and purposive interpretation. A comparative evaluation of these approaches is provided in this paper, which traces their doctrinal and historical roots, explains their theoretical justifications, examines their benefits and drawbacks, surveys their application in various legal systems, and evaluates their practical implications for rights protections, predictability, and democratic legitimacy. According to the study, neither approach is inherently better; rather, the rule of law and accountability in democracy are best served by a contextually and hierarchically informed interpretation practice that blends adherence to the statutory text with methodical, purposeful investigation.

## **Introduction**

For millennia, legal theory and judiciary practice have been driven by the question of how to read statutes. Fundamentally, the argument is straightforward: should courts interpret legislation literally, giving respect to its terms, or should they consider the legislative intent, context, and wider goals that the law seeks to accomplish? It is stated that the literal approach ensures predictability and respects legislative authority by trying to interpret the words of the act. Contrarily, the purposive method enables interpreters to consider societal context, legislative history, and intent and purpose, allowing laws to apply logically to situations that lawmakers would not have anticipated.

The purpose of this essay is to contrast these two paradigms of interpretation. After a brief historical overview, it delves into the theoretical underpinnings of literal and purposive interpretation, highlighting important construction principles and maxims. It then examines the benefits and limitations of each strategy, supported by doctrinal arguments and instances. The comparative element examines how various legal frameworks- including common law and civil law-Influenced Jurisdictions- balance these strategies. The study concludes by discussing the

practical ramifications for legislative preparation, Judicial credibility, rights protection, and legal certainty<sup>1</sup>. It suggests a morally sound compromise: disciplined purposivism limited by institutional deference and textual anchoring.

### **Historical and Doctrinal Background**

Rather of being a single cohesive theory, statutory interpretation has developed as a collection of methods and beliefs. Early continental jurists placed a strong emphasis on systematic and theoretical reasoning based on codified systems, whereas early common-law courts historically relied largely on textual reading. Purposive reasoning gradually permeated common-law judicial practice, in part because legislators passed expansive, policy-driven statutes that necessitated purposive application and in part because legislation grew more ntricate and comprehensive.

The interpretive toolkit has been molded by a number of traditional guidelines and maxims:

- **Literal Rule:** Statutory terms should be interpreted in their common sense: the court has an obligation to implement this interpretation, even if it seems to have a harsh outcome.
- **Golden Rule:** It is an adaptation of the literal Interpretation that permits deviation from the literal meaning to prevent absurdity.
- **Mischief Rule (Heydon's Case):** To quash the mischief and forward the cure, courts should consider the "mischief" that the act was meant to remedy<sup>2</sup>.
- **Purposive Methodology:** is frequently employed In Interpretive statutes or in situations where legislation is remedial; It centers on the purpose of the statute and seeks to give effect to the legislative intent or objective<sup>3</sup>.

Developments in doctrine, such as the expanding use of purposive reasoning in administrative justice and human rights Jurisprudence, show a growing understanding that pure textualism can occasionally produce results that are Incompatible with the goals of legislation or fundamental rights.

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<sup>1</sup> G.P. Singh, *Principles of Statutory Interpretation* (14th Edn, LexisNexis, 2023) 83

<sup>2</sup> Heydon's Case, (1584) 3 Co. Rep. 7a, 76 Eng. Rep. 637

<sup>3</sup> Justice G.P. Singh, "Interpretation: Literal and Purposive Approaches" (Indian Law Review, 2019), 47

## Theoretical Foundations

### Literal (Textual) Interpretation

- The rationale and philosophy: Since the legislature's text is the main source of legal authority, literal interpretation is based on faithfulness to the passed legislation<sup>4</sup>. Textualists place a strong emphasis on legal certainty- that is, that people should be able to depend on the written laws' ordinary meaning- and the separation of powers - that judges shouldn't establish laws under the pretense of interpretation.
- Approach: The interpreter starts with the text of the statute, looks at the words' normal meanings (In the context of the statute), uses grammatical and syntactical norms, and only uses extrinsic aids when the text is truly unclear. Textualism frequently uses grammatical norms, construction canons (e.g., *expressio unius est exclusio alterius*, *eiusdem generis*), and consistent usage throughout a statute.
- Appeal: Textualism preserves democratic legitimacy and predictability by limiting judicial authority. Concentrating on what the legislature stated rather than what the court feels the legislature ought to have done, it also restrains Judicial activism.

### Purposive Interpretation

- The rationale and philosophy: According to the theory of purposeful interpretation, words serve a purpose, and statutes are tools for achieving goals. Interpreters should consider purpose, context, history, and policy when interpreting statutes with ambiguous language or when applying the law literally would defeat its goals. Contextual approaches, such as taking into account legislative history, reports, preambles, and social repercussions, are frequently incorporated into modern purposivism<sup>5</sup>.
- Method: After considering the goals of the statute and the issue it was intended to address, judges interpret it in a way that advances its goals. This could entail reducing meaning to prevent undermining the legislative goal or reading widely if the intention warrants coverage beyond the precise wording.
- Appeal: In addition to ensuring that laws are enforced in a way that makes sense in evolving social and technological circumstances, purposivism advances substantive Justice. It is especially appealing for regulatory frameworks, human rights protections,

<sup>4</sup> Aharon Barak, *Purposive Interpretation in Law* (Princeton University Press, 2005) 12

<sup>5</sup> K.C. Wheare, *Modern Constitutions* (Oxford University Press, 1966) 54

and remedial legislation where strict textualism runs the risk of yielding ridiculous, unfair, or ineffectual outcomes.

## **Advantages and Disadvantages**

### **Advantages of Literal Interpretation**

1. **Rule of law and predictability:** Having clear textual norms makes it easier for officials and citizens to foresee any legal repercussions.
2. **Democratic Legitimacy:** Judges follow the law as written rather than replacing elected lawmakers' policy decisions with their own.
3. **Limitation of Judicial Discretion:** Lowers the possibility of arbitrary or policy-driven court rulings.
4. **Formalism and Simplicity:** Provides a clear decision-making process based on common sense.

### **Disadvantages of Literal Interpretation**

1. **Rigidity:** Can lead to absurd or unjust outcomes when legislative drafters did not foresee contingencies<sup>6</sup>.
2. **Underenforcement of Purpose:** May frustrate legislative aims if words are narrowly construed despite broader objectives.
3. **Reliance on Ordinary Meaning is Not Neutral:** Determinations of "ordinary meaning" often involve latent normative judgments and context-dependent choices.

### **Advantages of Purposive Interpretation**

1. **Flexibility and Practicality:** Enables legislation to be implemented effectively and adjust to changing conditions (such as technology advancements).
2. **Promoting Legislative Intent:** Assists courts in carrying out the legislature's selected social agenda.
3. **Protection of Rights:** When statutes are unclear, it makes it easier to interpret them in ways that uphold fundamental rights and constitutional values.

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<sup>6</sup> Union of India v Elphinstone Spinning and Weaving Co. Ltd. AIR 2001 SC 724

### **Disadvantages of Purposive Interpretation**

1. **Activism in the Judiciary Risk:** Judges may establish policy rather than interpret the law if they put purpose above interpretation.
2. **Indeterminacy:** Purposive inquiry can be manipulated since legislative goals may be conflicting, multiple, or ambiguous.
3. **Diminished Democratic Legitimacy:** The text passed by representative bodies may be replaced by more exogenous sources.

### **Comparative Jurisprudence: How Different Systems Balance the Approaches**

Depending on the legislative process, judicial philosophy, and constitutional framework, various nations have adopted different combinations of literal and purposive reasoning.

#### **United Kingdom / Commonwealth**

English courts have historically placed a strong emphasis on the literal rule while keeping the golden rule and mischief rule as corrective measures. Courts adopted a more purposeful approach over time, especially in the later half of the 20th century, particularly in areas pertaining to human rights and statutory interpretation. To prevent absurdity or to implement underlying goals, the modern approach frequently begins with the text and adds purposive reasoning<sup>7</sup>.

Similar pluralism can be seen in Commonwealth jurisdictions (such as Canada and Australia), where courts frequently expressly support purposive Interpretation while enforcing textual restrictions. Purposive reasoning is stronger in jurisdictions with interpretation legislation that instruct courts to favor Interpretations that best serve the goals of the legislature.

#### **United States**

Since the late 20th century, there has been a significant textualist trend in American practice, especially in the federal judiciary. American textualism frequently rejects dependence on legislative history in favor of emphasizing statutory text and everyday significance. However, the U.S. Supreme Court has occasionally relied on legislative history and purpose to guide decisions, resulting in a diverse body of jurisprudence. Purposive reasoning is still applied in

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<sup>7</sup> Mangalore Chemicals & Fertilizers Ltd. v Deputy Commissioner (1991) 55 ELT 437 (SC)

many areas, such as administrative law and constitutional statute interpretation.

### **Civil Law Systems in the European Union**

Teleological interpretation, which emphasizes the intent of statutes and their position within a systematic code, has long been used in civil law systems. Teleological methods are also used in EU law, where directives and rules are construed with a purpose in mind to accomplish the goals of the European project. Purposive thinking is therefore included into judicial practice and institutionalized in such systems<sup>8</sup>.

### **India**

A practical approach that incorporates both text and intent has been embraced by Indian courts. The Supreme Court's jurisprudence has shown a readiness to move beyond the literal text to safeguard constitutional ideals and socio-economic justice, while using textual anchors when needed. The Indian Constitution and statutes frequently call for readings that are purposeful and rights protective.

### **Doctrinal Tools and Limits: How Courts Combine Methods**

Courts seldom rely on a single technique. Doctrinal tools help to channel both literal and purposive impulses:

1. **Canons of Construction:** Conventional rules such as *noscitur a sociis*, *eiusdem generis*, and others function as textual aids but can also be used for specific purposes.
2. **Preambles and Purpose Clauses:** Courts have the right to use legislation with clear purpose declarations as a guidance when interpreting them.
3. **Legislative History:** Purposive inquiry may be informed by bills, committee reports, and parliamentary debates, although the relative importance of each depends on the jurisdiction.
4. **Constitutional Restraints:** The language and tenets of the Constitution may restrict the range of interpretations that are acceptable (e.g., reading statutes to prevent unconstitutionality).
5. **Presumption Against Absurdity:** When doing so would lead to absurd outcomes or compromise the purpose of the act, courts may deviate from the language as written.

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<sup>8</sup> Union of India v Filip Tiago De Gama (1990) 1 SCC 277

6. Principle of Legality: Courts frequently need explicit statute language in criminal and human rights contexts to permit infringement with fundamental rights (a textualist protection within purposive frameworks)

These tools demonstrate that interpretation is a regulated process: when text is unclear, ambiguous, or produces undesirable outcomes, purposive considerations direct interpretation, whereas textual fidelity is given priority as the first port of call.

### Case Examples and Hypothetical Illustrations

Concrete examples make approaches easier to understand in practice (the following examples are not related to any particular published decision, but rather are representative of common judicial reasoning patterns).

Example 1: Broad Purpose, Narrow Text. A law holds anyone who "sells a product without labeling accountable. Through its platform, an online marketplace enables independent traders to offer things. The marketplace itself does not "sell," according to a literalist but rather enables sales, which releases it from responsibility. Because platform operators are essentially part of the distribution chain, a purposivist can question whether the act is intended to safeguard consumers and guarantee labeling compliance and come to the conclusion that they are subject to regulation<sup>9</sup>.

Example 2: Strict Text Saving Rights. In the second example, a criminal statute punishes a limited set of behaviours: unclear wording may result in punitive extension. Before subjecting anyone to criminal culpability, textualists insist that the statute be written clearly. Purposivists may attempt to interpret the law in a way that penalizes wrongdoing but the legality principle usually directs judges to the text in order to preserve liberty.

Example 3: The Evolution of Technology. A law that was passed many years ago forbids "telegrams" from including pornographic content. By determining the fundamental regulatory interest and applying it to similar communications, a purposive reading would expand the restriction beyond telegrams to include the contemporary equivalents, such as emails and instant messages<sup>10</sup>.

<sup>9</sup> *Whitely v Chappell* (1868-1869) LR 4 QB 147

<sup>10</sup> *Cheape v Wheatley* (1801) 3 East 333

These examples demonstrate why the best outcomes are frequently obtained with a mixed strategy that prioritizes text and purpose.

### **Normative Assessment: Which Approach Should Prevail?**

The ideals of democracy, predictability, fairness, adaptability, and rights protection must all be balanced in a normative assessment.

1. **Democratic Responsibility:** The appeal of literal interpretation is that it links court rulings to the legislation passed by the legislature. Purposive interpretation, however, more closely matches results with democratically approved policy decisions in cases when legislative wording is ambiguous or where legislation uses broad, policy laden language.
2. **Legal certainty and predictability:** Predictability is Improved by textual authenticity. However, when literal results clash with established legal standards or fundamental rights, strict formalism can have unanticipated social repercussions.
3. **Efficiency and Flexibility:** As societies change, purposive interpretation gives judges the latitude they need to ensure that laws continue to work in novel situations. This is especially important in the fields of technology, business, and regulatory laws.
4. **Fundamental values and rights:** Adopting interpretive restrictions is necessary to protect individual rights (e.g., seeking explicit legislative language for constitutional limitations). However, when legal language is unclear, purposive reasoning is essential to achieving substantive rights enshrined in constitutional languages<sup>11</sup>.

Overall, these principles are best reconciled by a contextual, restricted purposivism, which begins with the place of writing but employee purposive methods when the texts is unclear or produces results that are inconsistent with core values.

### **Practical Implications**

For Legislative Drafting

- Legislators can lessen ambiguity in interpretation by:
- Utilising precise drafting, purpose clauses, and precise definitions.
- Where possible, anticipating changes in facts and technology.
- Passing Interpretive laws that point courts in the direction of particular approaches (such as laws mandating that the Act's intent be taken into account).

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<sup>11</sup> Reserve Bank of India v Peerless General Finance and Investment Co. Ltd. (1987) 1 SCC 424

Improved drafting towers litigation expenses and the requirement for judicial lawmaking.

### **For Judicial Practice:**

Judges must:

- Start with the ordinary meaning and the wording of the statute
- When text is unclear or would produce ludicrous or unfair outcomes, use contextual and purposeful materials.
- Use Interpretive boundaries when dealing with situations that are sensitive to rights (such as criminal law)<sup>12</sup>.
- Be open and honest in your argument; provide sources of legislative aim and provide Justification for any deviations from the text's precise meaning.

### **For Legal Predictability and Access to Justice**

By striking a balance between predictability and equity, a mixed interpretive approach enhances outcomes for litigants. Courts must, however, avoid opportunistic purposivism; in order to preserve public confidence, fundamental judicial restraint and lucid reasoning are essential.

### **Comparative Policy Recommendations**

- Legislators ought to incorporate explicit purpose clauses in which the goals of the policy are the main focus. These lessen the need for external information and offer judicial foundations for purposive interpretation.
- Governments can constrain judicial discretion and clarify the interpretive hierarchy by enacting interpretive legislation that teach courts. For example, they can instruct that statutes must be read in light of their objective or that legislative precedent may be employed.
- Assumption of Rights: In criminal and rights-limiting circumstances, uphold the assumption of certainty by requiring explicit expression before drawing conclusions about rights violations or criminality.
- Judicial Methodology Statements: To encourage uniformity, higher courts should sporadically state methodological principles, elucidating when textual faithfulness must take precedence and when purposive investigation is appropriate.

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<sup>12</sup> Bennion on Statutory Interpretation (7th Edn, LexisNexis, 2023) Preface

- Guidelines and Training: To enhance the caliber of legislation, judicial and legislature writers ought to be trained in statutory writing and interpretation methods.

### **Addressing Common Objections**

Rebuttal: Purposivism Gives Judges the Ability to Make Policies.

Reaction: If courts restrict purposive inference to instances of true ambiguity or absurdity and where judicial reasoning is clear and based on recognizable legislative elements, then purposivism need not result in legislation. Only when courts accept legislative goals as negotiable or replace individual policy preferences does purpose-based interpretation become problematic.

Textualism is value-neutral, according to the argument.

Answer: There is never an impartial way to determine ordinary meaning; decisions concerning dictionary sources, present usage, and contextual significance affect the results. By acknowledging this, arguments that textualism places special restrictions on judges are refuted.

Reaction: Transparent, principled approaches are more conducive to predictability than slavish formalism. Predictability and justice are maintained by having explicit guidelines regarding when to deviate from the text (for example, to prevent absurdity or to defend rights guaranteed by the constitution)<sup>13</sup>.

### **A Pragmatic Framework for Judicial Choice**

#### **Step 1: Textual Primacy as Default**

Start with the text. Examine terms in their grammatical, statutory, and everyday contexts. This respects democratic origins and promotes predictability.

#### **Step 2: Assess Clarity and Scope**

Use the text if it is understandable and addresses the contentious issue without becoming illogical or obviously ridiculous. Otherwise, continue.

#### **Step 3: Check Internal Coherence**

To guarantee interpretation consistency, take into account the statute's definitions, structure,

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<sup>13</sup> Ibid, at 638 (“The Mischief Rule”)

and other clauses (*noscitur a sociis, ejusdem generis*). Prefer such reading if internal coherence eliminates uncertainty.

#### **Step 4: Evaluate Constitutional and Fundamental Values**

Using constitutional protection and purposive restrictions to choose an interpretation that, whenever feasible, coincides with higher law when the literal interpretation implicates basic principles or constitutional rights.

#### **Step 5: Use Extrinsic Materials Carefully**

Consult extrinsic materials with strict criteria if there is still uncertainty or if applying the statute literally defeats its purpose:

- Give priority to authoritative Information, such as adopted explanatory memos, Legislative preambles, and lengthy committee findings<sup>14</sup>.
- Give legislative history little weight if it is unclear or disputed,
- Clearly state how the selected interpretation is related to the purpose and how the purpose is informed by external material.

#### **Step 6: Apply Doctrinal Safeguards**

Clear legislative authority is necessary when purposive reasoning results in extensive enlargement of liability or rights limitation. On the other hand, record the normative justification when a statute is narrowed to safeguard rights through purposive reading.

#### **Step 7: Reason Transparently and offer Predictive Guidance**

For future actors to anticipate legal repercussions, judges should provide both textual and purposeful justifications for their rulings. When deviating from the text's meaning, provide justification for why maintaining literal accuracy will compromise the statute's purpose or core ideas.

This hybrid approach responds to the legitimacy of democracy, rule-of-law principles, and the need for justice by maintaining textual precedence but allowing purposive instruments when supported by doctrinal thresholds<sup>15</sup>.

<sup>14</sup> Nathi Devi vs. Radha Devi Gupta, (2005) 2 SCC 271

<sup>15</sup> Justice Ruma Pal, "Interpretation and Judicial Creativity" (2004) 46 Journal of the Indian Institute 1

## Conclusion

Both literal and purposive interpretative approaches promote principles that are essential to the legal system; the former place more emphasis on textual integrity, predictability, and democratic legitimacy, while the latter place more emphasis on substantive justice, flexibility, and purposive integrity. It is both impractical and undesirable to choose one strategy at the expense of the other due to the complexity of contemporary government, technical advancement, and rights protection.

The preferred judicial approach is hierarchical and contextually sensitive: start with the ordinary meaning and statutory text; apply grammatical rules and construction canons; and use purposive tools—depending on preambles, defined objectives, legislative background, and social circumstances - if the text is unclear, absurd, or would compromise constitutional values or statutory purpose. Document justifications and restrict the scope of purposive changes. For their part, legislatures can lessen interpretation conflicts by crafting more understandable legislation and, when necessary, include purpose clauses.

In the end, responsible interpretation strikes a compromise between the requirement for the law to make sense in a changing reality and respect for democratic procedures. The hybrid strategy suggested here protects democratic legitimacy, upholds the rule of law, and strengthens the ability of the law to produce just and cogent results.

## References

1. Barak, Aharon. *Purposive Interpretation in Law*. Princeton University Press, 2005.
2. Bennion, Francis. *Bennion on Statutory Interpretation*. 7th edn, LexisNexis, 2023.
3. Cross, Rupert. *Statutory Interpretation*. 3rd edn, Butterworths, 1995.
4. Fuller, Lon L. *The Morality of Law*. Yale University Press, 1969.
5. Hart, H.L.A. and A.M. Honoré. *Causation in the Law*. Oxford University Press, 1985.
6. Jain, M.P. *Indian Constitutional Law*. 8th edn, LexisNexis, 2021.
7. Langan, P. St. J. *Maxwell on the Interpretation of Statutes*. 12th edn, Butterworths, 2010.
8. Sarathi, Vepa P. *Interpretation of Statutes*. 5th edn, LexisNexis, 2019.
9. Singh, G.P. *Principles of Statutory Interpretation*. 14th edn, LexisNexis, 2023.
10. Wheare, K.C. *Modern Constitutions*. Oxford University Press, 1966.

11. Justice Ruma Pal, "Interpretation and Judicial Creativity" (2004) 46 JILI 1.
12. Justice G.P. Singh, "Interpretation: Literal and Purposive Approach (2019) Indian Law Review 47.
13. Law Commission of India, Report No. 60: The General Clauses Act, 1897 (1974),
14. V.R. Krishna Iyer, "Interpretation of Statutes: An Instrument of Justice" (1984) 26 JILI 15.
15. Aharon Barak, "The Role of the Judge in a Democracy" (2002) 116 Harv L Rev 16.
16. Heydon's Case (1584) 3 Co Rep 7a, 76 ER 637.
17. Grey v Pearson (1857) 6 HL Cas 61; 10 ER 1216.
18. Whitely v Chappell (1868–69) LR 4 QB 147.
19. Fisher v Bell [1961] 1 QB 394.
20. Smith v Hughes [1960] 1 WLR 830.
21. Royal College of Nursing v DHSS [1981] AC 800.
22. Magor and St Mellons RDC v Newport Corporation [1952] AC 189.
23. R (Quintavalle) v Secretary of State for Health [2003] 2 AC 687.
24. Tirath Singh v Bachittar Singh AIR 1955 SC 830.
25. K.P. Varghese v ITO AIR 1981 SC 1922.
26. RBI v Peerless General Finance and Investment Co. Ltd. (1987) 1 SCC 424.
27. CIT v J.H. Gotla (1985) 4 SCC 343.
28. Nathi Devi v Radha Devi Gupta (2005) 2 SCC 271.
29. Mangalore Chemicals & Fertilizers Ltd. v Deputy Commissioner (1991) 55 ELT 4
30. State of Rajasthan v Leela Jain AIR 1965 SC 1296.
31. Union of India v Filip Tiago De Gama (1990) 1 SCC 277.
32. State of Gujarat v Mirzapur Moti Kureshi kassab Jamat (2005) 8 SCC 534.