



The Indian Journal for Research in Law and Management

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THE ROLE OF UT RES MAGIS VALEAT QUAM PEREAT AND EXPRESSIO UNIUS IN HARMONIOUS CONSTRUCTION: AN ANALYTICAL APPROACH

~Sai Indira G

ABSTRACT

Statutory interpretation often involves the reconciliation of seemingly conflicting principles to uphold legislative intent. Two key maxims—*Ut Res Magis Valeat Quam Pereat* (a statute should be interpreted to give effect rather than render it void) and *Expressio Unius Est Exclusio Alterius* (the expression of one thing implies the exclusion of another)—frequently intersect in judicial reasoning. While the former promotes a purposive and expansive interpretation to sustain legislative functionality, the latter supports a restrictive approach by limiting the scope of statutory provisions based on explicit legislative choices.

This paper examines how courts balance these maxims through the doctrine of harmonious construction, ensuring that statutory enforcement remains effective without extending its reach beyond legislative intent. It analyses landmark Indian Supreme Court cases such as *G.P. Singh v. Union of India* (1980) and *Commissioner of Income Tax v. B.C. Srinivasa Setty* (1981), where the Court navigated between these maxims to uphold statutory coherence. The study also explores *State of Kerala v. Mathai Verghese* (1986) and *K.S. Paripoornan v. State of Kerala* (1995), which illustrate the judiciary's efforts to maintain legislative consistency without overriding express exclusions.

By evaluating these cases, the research highlights the challenges and methodologies courts employ to ensure that statutes are neither excessively expanded nor unjustly restricted. The



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findings contribute to a deeper understanding of judicial discretion in statutory interpretation and its implications for legislative drafting and legal reasoning in India.

Keywords: *Ut Res Magis, Expressio Unius, Statutory Interpretation, Judicial Reasoning, Harmonious Construction.*

INTRODUCTION

Statutory interpretation is both an art and a science, a domain where judges act as alchemists, transmuting the base metal of legislative prose into the gold of practical justice. The judicial landscape is often shaped by the delicate interplay between seemingly contradictory principles—*Ut Res Magis Valeat Quam Pereat* and *Expressio Unius Est Exclusio Alterius*. The former breathes life into statutes, ensuring they function as intended rather than being rendered void by technicalities, while the latter imposes necessary boundaries, reminding courts that what is explicitly stated excludes what is not. This intricate dance of interpretation requires a balancing act, one that Indian courts navigate through the doctrine of harmonious construction. By dissecting landmark cases such as *G.P. Singh v. Union of India* and *Commissioner of Income Tax v. B.C. Srinivasa Setty*, this exploration delves into the methodologies judges employ to uphold statutory coherence while respecting legislative intent. In this realm, words are not mere symbols but tools of power—shaping rights, defining duties, and constructing the legal reality that governs society.¹

UT RES MAGIS VALEAT QUAM PEREAT

The Latin maxim *Ut Res Magis Valeat Quam Pereat* translates to "It is better for a thing to have effect than to be void." This principle is fundamental to legal interpretation, ensuring

¹ Prateek Dwivedi, Interpretation of Statutes: A Sweet Will of Legislature,



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that laws, contracts, and constitutional provisions retain their effectiveness rather than being nullified due to technicalities or overly rigid readings.

Rooted in Roman law, this maxim embodies a purposive approach to legal interpretation. It prioritizes the intended effect of legal instruments over strict literalism, emphasizing that legal texts should be interpreted in a way that upholds justice, stability, and continuity. Courts across different jurisdictions apply this principle to sustain legal structures, preventing laws from being rendered ineffective due to minor ambiguities or technical defects.

This principle extends beyond mere legal interpretation and reflects broader governance ideals, promoting institutional stability and adaptability. It suggests that laws and organizational frameworks should evolve to remain functional, ensuring resilience and sustainability in legal and administrative structures.

LEGAL SIGNIFICANCE AND APPLICATIONS

In statutory interpretation, *Ut Res Magis Valeat Quam Pereat* ensures that legislative intent prevails despite ambiguities. Courts strive to interpret statutes in a manner that upholds their effectiveness rather than allowing technical deficiencies to render them invalid. In *Tinsukhia Electric Supply Co. Ltd. v. State of Assam* (1989)², the Supreme Court of India emphasized that laws should be interpreted to sustain their purpose. This aligns with the *Mischief Rule* from *Heydon's Case* (1584)³, which considers the law's prior state, the mischief it aims to remedy, the legislative solution, and the rationale behind it.⁴

In contract law, this principle ensures that contracts remain enforceable despite minor defects. Courts favor interpretations that uphold contractual validity in line with the parties' intentions.

² *Tinsukhia Elec. Supply Co. v. State of Assam*, (1989) 3 S.C.C. 709 (India).

³ *Heydon's Case*, (1584) 76 Eng. Rep. 637 (Exch.).

⁴ Arie Rosen, *Statutory Interpretation and the Many Virtues of Legislation*, 37 *Oxford J. Legal Stud.* 134, 134–62 (2017).



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In *Bhikraj Jaipuria v. Union of India* (1962)⁵, the Supreme Court upheld a contractual obligation despite minor irregularities, reinforcing that trivial defects should not invalidate an otherwise enforceable agreement.

In constitutional law, this maxim preserves constitutional effectiveness. In *Kesavananda Bharati v. State of Kerala* (1973)⁶, the Supreme Court reinforced the *Basic Structure Doctrine*, ensuring constitutional amendments do not undermine fundamental principles like democracy and fundamental rights. This approach maintains constitutional integrity while allowing for its evolution.

EXPRESSIO UNIUS EST EXCLUSIO ALTERIUS

The legal maxim *Expressio Unius Est Exclusio Alterius* translates to "the expression of one thing is the exclusion of another." This principle suggests that when specific items are explicitly mentioned in a statute, any omission is presumed intentional. It is based on the assumption that legislators carefully choose their words, and any unmentioned elements are excluded by design.⁷⁸

This principle prevents expansive statutory interpretations that could lead to unintended consequences. It is particularly significant in criminal law, regulatory frameworks, and administrative law, where precise statutory language dictates legal rights and obligations.⁹

For example, in *Fisher v. Bell* (1961)¹⁰, the UK court ruled that displaying a prohibited item in a shop window did not amount to "selling" under the Restriction of Offensive Weapons Act.

⁵ *Bhikraj Jaipuria v. Union of India*, (1962) 2 S.C.R. 880 (India).

⁶ *Kesavananda Bharati v. State of Kerala*, (1973) 4 S.C.C. 225 (India).

⁷ Keyes, John Mark, *Expressio Unius: The Expression That Proves the Rule*, 10 Statute L. Rev. 1 (1989).

⁸ Mureinik, E, *Expressio Unius: Exclusio Alterius*, 104 S. African LJ 264 (1987).

⁹ Williams, Clifton, *Expressio Unius Est Exclusio Alterius*, 15 Marq. L. Rev. 191 (1930).

¹⁰ *Fisher v. Bell*, [1961] 1 Q.B. 394 (Eng.).



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The statute explicitly mentioned "selling" but omitted "offering for sale," leading to a strict interpretation that excluded unmentioned acts.

Similarly, in *Colt Industries Inc. v. United States* (1992)¹¹, a tax exemption statute specifically listed certain industries. The court ruled that industries not explicitly mentioned were not eligible for the exemption, reinforcing the exclusionary effect of *Expressio Unius*.

Despite its utility, *Expressio Unius* has been criticized for its rigid approach. Legislative omissions may be due to oversight rather than deliberate exclusion, and excessive reliance on the principle can lead to unjust interpretations. Courts often mitigate these limitations by considering legislative intent and employing complementary interpretative methods, such as purposivism and contextual analysis.

INTERSECTION AND TENSION BETWEEN THE TWO MAXIMS

The interplay between *Ut Res Magis Valeat Quam Pereat* and *Expressio Unius* often leads to interpretative challenges. While *Ut Res Magis Valeat* promotes interpretations that uphold legislative effectiveness, *Expressio Unius* constrains statutory meaning to explicitly stated elements. Courts must navigate between these doctrines to balance legislative intent and statutory clarity.

For instance, in *State of Rajasthan v. Basant Agrotech* (2013)¹², the Supreme Court of India had to interpret a provision listing specific exemptions. The Court weighed the explicit statutory language against broader legislative intent to arrive at a just and effective ruling.

Similarly, in *United States v. Locke* (1985)¹³, the Supreme Court applied *Expressio Unius* to uphold a statutory deadline, ruling that late filings were impermissible since Congress had

¹¹ *Colt Indus., Inc. v. United States*, 880 F.2d 1311 (Fed. Cir. 1989).

¹² *State of Rajasthan v. Basant Agrotech (India) Ltd.*, (2013) 15 S.C.C. 1 (India).

¹³ *United States v. Locke*, 471 U.S. 84 (1985).



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explicitly set a date. However, courts have sometimes preferred *Ut Res Magis Valeat* when a strict application of *Expressio Unius* would render the law ineffective.

THE ROLE OF JUDICIAL DISCRETION

Judicial discretion is crucial in reconciling these two maxims. Courts often consider broader legislative purposes to avoid unjust outcomes. The Mischief Rule, as seen in *Heydon's Case*, aligns with *Ut Res Magis Valeat* by directing courts to focus on the problem the law intends to address. This approach counterbalances the rigid exclusionary effect of *Expressio Unius*, preventing legal loopholes that could defeat legislative intent.¹⁴¹⁵

Both *Ut Res Magis Valeat Quam Pereat* and *Expressio Unius Est Exclusio Alterius* serve as vital tools in legal interpretation. While *Ut Res Magis Valeat* ensures that laws remain effective and purposeful, *Expressio Unius* provides clarity by constraining statutory scope to explicitly mentioned elements. The tension between these maxims underscores the necessity of judicial discretion, allowing courts to interpret laws in a manner that upholds justice, legislative intent, and practical utility.

THE DOCTRINE OF HARMONIOUS CONSTRUCTION

The Doctrine of Harmonious Construction is a fundamental principle of statutory interpretation in the Indian legal system. It serves as a guiding tool for the judiciary when faced with conflicting provisions within a statute or between statutes. The essence of this doctrine lies in

¹⁴ H. Miles Foy III, On Judicial Discretion in Statutory Interpretation, Admin. L. Rev. 292, 327

¹⁵ Dworkin, Ronald. "Judicial discretion." The Rule of Law and the Separation of Powers. Routledge, 2017. 157-171.



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ensuring that all provisions of a statute are interpreted in a manner that maintains their effectiveness and avoids rendering any provision redundant or inoperative.¹⁶¹⁷

The significance of the doctrine is evident in its role in resolving interpretative conflicts. When two provisions appear to be at odds, courts strive to interpret them in a way that allows both to coexist harmoniously. This doctrine is crucial in preserving the legislative intent, ensuring legal coherence, and maintaining the stability of legal frameworks.¹⁸

The Supreme Court of India has consistently upheld the importance of this doctrine in cases where statutory provisions, constitutional articles, or even fundamental rights and directive principles seem to be in conflict. The principle dictates that every effort should be made to give effect to all provisions rather than allowing one to override the other unnecessarily.¹⁹

JUDICIAL APPROACH IN BALANCING CONFLICTING PRINCIPLES

The judiciary adopts a holistic approach in balancing conflicting principles through the Doctrine of Harmonious Construction. Courts endeavor to interpret provisions in a manner that prevents direct contradictions and seeks to give meaning and effect to all provisions involved. Instead of nullifying any section, the judiciary examines the broader legislative intent and the social objectives the statute aims to achieve. The principle of *Ut Res Magis Valeat Quam Pereat*, meaning "it is better for a thing to have effect than to be made void," underscores the preference for interpretations that uphold the validity and utility of all statutory provisions.

¹⁶ Acharya, Ishani & Das, Rahul, The Doctrine of Harmonious Construction in the Interpretation and Construction of Statutes, INT'L J.L. & LEGAL JURIS. STUD. (2014).

¹⁷ Singh, Ananya, Interpretation of Statute: Analysis of the Rule of Harmonious Construction, 4 Int'l J.L. Mgmt. & Human. 6 (2023).

¹⁸ Kapadia, Hrishi, Analysing the Importance of the Doctrine of Harmonious Construction in the Indian Legal System, 5 Int'l J.L. Mgmt. & Human. 4 (2021).

¹⁹ Thomas, Cathy Ruby, The Principle of Harmonious Interpretation: The Approach of Indian Courts, 4 Int'l J.L. Mgmt. & Human. 4 (2021).



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Judicial precedents have played a significant role in shaping the application of this doctrine. Landmark judgments such as *CIT v. Hindustan Bulk Carriers (2003)*²⁰ and *Kesavananda Bharati v. State of Kerala (1973)*²¹ exemplify how courts balance competing legal principles while ensuring justice and constitutional integrity.²²

THE ROLE OF PURPOSIVE INTERPRETATION

Purposive interpretation plays a pivotal role in the application of the Doctrine of Harmonious Construction. Courts seek to align statutory interpretation with the broader objectives and purpose of the law rather than relying solely on a literal reading of the text. This approach ensures that:

- The law remains relevant and adaptable to changing societal needs.
- The intent of the legislature is effectively realized.
- Conflicts between provisions are resolved in a manner that upholds the spirit of justice.²³

For instance, in *Sirsilk Ltd. v. Government of Andhra Pradesh (1964)*²⁴, the Supreme Court applied a purposive approach to harmonize conflicting provisions of the Industrial Disputes Act, ensuring that legislative objectives were met without unnecessary procedural hurdles.²⁵

CASE LAWS

G.P. Singh v. Union of India (1980)²⁶ stands as a landmark case in Indian constitutional jurisprudence, clarifying the judiciary's interpretive powers, the scope of Article 14 (right to

²⁰ *CIT v. Hindustan Bulk Carriers*, (2003) 3 S.C.C. 57 (India)

²¹ *Kesavananda Bharati v. State of Kerala*, (1973) 4 S.C.C. 225 (India).

²² Veatch, Robert M., *Resolving Conflicts Among Principles: Ranking, Balancing, and Specifying*, 5.3 *Kennedy Inst. Ethics J.* 199 (1995).

²³ Weinrib, Jacob, *what is purposive interpretation?* 74.1 *U. TORONTO L.J.* 74 (2024).

²⁴ *Sirsilk Ltd. v. Government of Andhra Pradesh*, (1964) 2 S.C.R. 448 (India).

²⁵ Alexander Zhang, *Legislative Statutory Interpretation*, 99 *N.Y.U. L. Rev.* 950 (2024)

²⁶ *G.P. Singh v. Union of India*, 1980 AIR 1235, 1980 SCR (3) 662.



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equality), and the autonomy of public service. The case originated when G.P. Singh, an Indian Administrative Service officer, challenged amendments to recruitment rules that affected seniority based on caste and reservation provisions, arguing that these amendments violated Article 14 and adversely impacted his career. At the heart of the matter were two critical legal issues: the alleged violation of Article 14 through discriminatory rules undermining equality, and the extent of the judiciary's authority in overseeing administrative policy and defining what constitutes reasonable classification.

In its judgment, the Supreme Court emphasized the importance of balancing affirmative action with principles of fairness and equality, ruling that classifications for reservations must be reasonable and justifiable. Key takeaways from the case include the reaffirmation that while Article 15 allows special provisions for backward classes, these provisions should not infringe upon the rights of others or undermine the overarching principle of equality. Furthermore, the Court underscored the judiciary's role in ensuring that legislative and administrative actions align with constitutional guarantees, holding that administrative bodies must operate within the bounds of the law and are subject to judicial review. Additionally, the ruling highlighted the rights of public service officers to promotions and service conditions that cannot be arbitrarily altered. *G.P. Singh v. Union of India* has since served as a precedent for subsequent cases concerning equal opportunity in public employment and the application of reasonable classification in affirmative action, guiding policymakers, academics, and legal practitioners as India continues to address issues of social stratification and justice, and is cited in judgments balancing aid to the underprivileged with overall fairness.

In *Commissioner of Income Tax v. B.C. Srinivasa Setty* (1981)²⁷, the Supreme Court of India addressed a critical point in taxation law concerning legislative omissions within the Income Tax Act of 1961. The case arose when B.C. Srinivasa Setty, a property developer, faced assessment for capital gains tax on property sales, which he contested on the grounds that the

²⁷ CIT v. B.C. Srinivasa Setty, (1981) 2 S.C.C. 460 (India).



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Act did not explicitly tax capital gains from property trading. The Supreme Court, in its deliberation, emphasized the importance of clear and unambiguous language in tax statutes, underscoring that explicit legislative intent is paramount for imposing tax liabilities. The Court upheld the principle that when the legislature intentionally omits a specific provision, courts should refrain from inferring intent through interpretation, thereby respecting the legislature's prerogative.

Guided by the doctrine of strict construction of tax laws, the ruling highlighted that tax statutes should not impose burdens on taxpayers beyond what the law explicitly states. As the Income Tax Act did not clearly include property trading income under the ambit of capital gains, the Court ruled against the taxation, reinforcing the necessity for explicit statutory language to levy taxes. This decision had significant implications, reaffirming the principles of legal certainty and predictability in taxation, and reminding legislatures that statutory omissions do not equate to tacit permissions to levy taxes without clear supporting language. *Commissioner of Income Tax v. B.C. Srinivasa Setty* (1981) set a precedent for transparency in tax laws, bolstering taxpayer rights against arbitrary interpretations of tax liability and emphasizing the critical balance between legislative intent and judicial interpretation in the realm of taxation, serving as a vital reference for navigating the nuances of tax law and promoting just practices through clear and unambiguous statutory provisions.

State of Kerala v. Mathai Verghese (1986)²⁸ is a landmark case addressing statutory exclusions through the doctrine of harmonious interpretation. The dispute arose when Mathai Verghese challenged specific exemptions under the Kerala Land Reforms Act, arguing that they unfairly disadvantaged tenants and landowners. The core issue revolved around reconciling historical land tenure practices with the Act's objective of equitable land distribution.

²⁸ *State of Kerala v. Mathai Verghese*, (1986) 4 S.C.C. 746 (India).



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The Supreme Court applied the principle of harmonious interpretation, emphasizing that statutory provisions must be read in a way that upholds legislative intent rather than creating contradictions. The Court stressed that laws should be interpreted to achieve their purpose, ensuring fair and practical outcomes. It ruled that exclusions within the Act should not undermine tenancy reforms, as doing so would defeat the legislation's primary objective. Recognizing the historical context of land reforms, the Court ensured that exemptions did not perpetuate injustices but rather aligned with the goal of equitable land distribution.

This case set a crucial precedent for future legal interpretations involving statutory exclusions. It reinforced the necessity of clear legislative drafting and the judiciary's role in maintaining balance when resolving conflicts within statutes. By upholding the doctrine of harmonious interpretation, the ruling strengthened legal coherence and fairness in land reform laws. Ultimately, the judgment underscored the importance of judicial interpretation in safeguarding legislative objectives while promoting justice and socio-economic progress.

K.S. Paripoornan v. State of Kerala (1995)²⁹ is a significant case addressing the balance between statutory coherence and express exclusions in legal interpretation. The petitioner challenged provisions under Section 2 of the Kerala Land Reforms Act, 1963, concerning exemptions related to land ownership and transfer. The key issue was whether certain lands were exempt based on explicit statutory exclusions. The Supreme Court, in its ruling, emphasized the importance of adhering to the plain statutory text. While statutory coherence is crucial in ensuring a harmonious legal framework, it must not override express exclusions set by the legislature. The court held that when the legislature explicitly excludes certain matters, the judiciary must honour these boundaries and refrain from expanding the statute's scope beyond its intended limits.

²⁹ K.S. Paripoornan v. State of Kerala, (1995) 1 S.C.C. 367 (India).



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The judgment highlighted that statutory coherence seeks to harmonize provisions, whereas express exclusions establish clear limits. Inserting provisions that contradict these exclusions would disrupt the legal framework and undermine legislative intent. This case underscores the principle that judicial interpretation must respect clear statutory exclusions both in letter and spirit. It reinforces the delicate balance between statutory harmony and legislative specificity, reaffirming that judicial restraint is essential in maintaining statutory integrity. Ultimately, the ruling in *K.S. Paripoornan v. State of Kerala* ensures that coherence does not override express exclusions, preserving legal clarity, consistency, and the judiciary's role in upholding legislative intent without overreach.

CHALLENGES IN JUDICIAL APPLICATION: NAVIGATING DISCRETION, SUBJECTIVITY, AND LEGISLATIVE IMPLICATIONS

The realms of law and justice are often regarded as sanctuaries of objectivity and impartiality. However, the application of legal principles is fraught with complexities that involve judicial discretion and subjectivity in interpretation. These challenges not only complicate the adjudication process but also have significant implications for legislative drafting and the overall landscape of legal certainty.³⁰³¹

Judicial discretion is the power vested in judges to make decisions based on their interpretation of the law, facts, and moral considerations of a case. While discretion is a necessary component of the judiciary — enabling judges to tailor their rulings to the nuances of individual cases — it is not without its pitfalls. The degree of discretion afforded can lead to varied interpretations of the same law, resulting in inconsistent judgments across different courts or jurisdictions.³²

³⁰ Tampubolon, M., Decoding Legal Ambiguity: The Interplay between Law and Legal Semiotics in Modern Jurisprudence, *Int'l J. Semiot. Law* (2025).

³¹ Jonathan R. Macey & Geoffrey P. Miller, The Canons of Statutory Construction and Judicial Preferences, 45 *Vand. L. Rev.* 647 (1992)

³² Tanzilulloh, M. Ilham, et al., Understanding Judicial Discretion: A Comparative Study of judge's legal reasoning in Civil Law and Common Law Jurisdictions, (2024)



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Subjectivity, similarly, plays a crucial role in how laws are interpreted. Judges bring their own experiences, values, and beliefs to the bench, which inevitably colors their understanding of legal principles. This subjectivity can lead to decisions that reflect personal biases rather than a unified understanding of the law, undermining the goal of consistent and fair justice.³³³⁴

Adding complexity to the challenges of judicial interpretation is the dichotomy between excessive judicial activism and stringent textualism. Judicial activism refers to the inclination of judges to interpret the law broadly, sometimes stepping into the realm of policymaking. This approach can yield progressive outcomes that adapt to societal changes. Still, it risks overstepping judicial powers, straining the delicate balance between the branches of government.³⁵³⁶

Conversely, strict textualism advocates for a close adherence to the text of the law, minimizing discretion and interpretation. While this approach promotes predictability and uniformity, it can also result in rigid applications that may overlook the intent behind the legislation. In situations where the law is not adequately equipped to address contemporary issues, strict textualism can create obstacles to justice and impede the evolution of legal standards.³⁷³⁸

ADDITIONAL CHALLENGES IN JUDICIAL APPLICATION

1. **PRECEDENT OVERLOAD:** Courts rely on past rulings, but an overwhelming number of precedents can make legal interpretation complex. Judges may struggle to balance conflicting decisions, leading to unpredictability.

³³ D'Amato, Anthony, Legal Uncertainty (Northwestern University School of Law Scholarly Commons Faculty Working Papers, 2010).

³⁴ Easterbrook, Frank H., Judicial Discretion in Statutory Interpretation, 57 Okla. L. Rev. 1 (2004)

³⁵ McConnell, Michael W., Active Liberty: A Progressive Alternative to Textualism and Originalism, (2005).

³⁶ Pushaw Jr., Robert J., Talking Textualism, Practicing Pragmatism: Rethinking the Supreme Court's Approach to Statutory Interpretation, 51 Ga. L. Rev. 121 (2016)

³⁷ John F. Coyle, The Canons of Construction for Choice-of-Law Clauses, 92 Wash. L. Rev. 631 (2017)

³⁸ William N. Eskridge Jr., The New Textualism, 37 UCLA L. Rev. 621 (1990)



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2. **AMBIGUOUS LEGISLATION:** Some laws are vaguely worded, allowing for multiple interpretations. This ambiguity forces judges to exercise discretion in ways that can lead to inconsistent rulings.
3. **PUBLIC AND POLITICAL PRESSURE:** Judicial decisions, particularly in high-profile cases, can be influenced by societal expectations or political considerations, potentially compromising impartiality.
4. **TECHNOLOGICAL ADVANCEMENTS:** Emerging technologies pose new legal challenges that existing laws do not fully address. Judges must interpret outdated statutes to apply them to modern digital and scientific developments.
5. **RESOURCE CONSTRAINTS:** Courts often operate under significant workload pressures, which can impact the thoroughness of legal reasoning. Limited time and resources may lead to rushed or inadequately reasoned decisions.

The interplay between judicial discretion, subjectivity, and legislative drafting remains a central challenge within the legal system. As laws continue to evolve, addressing these challenges will be crucial for maintaining consistency, fairness, and adaptability in legal interpretation.³⁹

RECOMMENDATIONS

To address the challenges in judicial application, several recommendations can be proposed:

1. **Enhanced Legislative Clarity:** Legislatures should prioritize drafting statutes with clear and precise language to minimize ambiguity and the need for extensive judicial interpretation.

³⁹ Vidal, Isabel Lifante, *Interpretation and Judicial Discretion* (Vol. 2, Duncker & Humblot, 2003).



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Collaborating with legal experts during the drafting process can help anticipate potential interpretative issues.

2. **Structured Judicial Training:** Implement ongoing training programs for judges to enhance their understanding of interpretative principles and promote consistent application of legal maxims and doctrines. These programs should emphasize the importance of balancing textual analysis with purposive interpretation.

3. **Transparent Reasoning:** Encourage judges to provide detailed and transparent reasoning for their interpretations, explicitly addressing how they have balanced competing principles and considered legislative intent. This transparency can enhance the accountability and legitimacy of judicial decisions.

4. **Develop Interpretive Guidelines:** Legal scholars and judicial bodies should collaborate to develop comprehensive guidelines for statutory interpretation, offering a structured framework for balancing competing principles and promoting consistency across jurisdictions.

5. **Promote Interdisciplinary Dialogue:** Foster dialogue between legal practitioners, policymakers, and academics to address emerging legal challenges and promote a more nuanced understanding of the implications of statutory interpretation. This collaborative approach can inform legislative drafting and judicial decision-making.

By implementing these recommendations, the legal system can better navigate the challenges of judicial application, ensuring that statutory interpretation remains a tool for promoting justice, fairness, and the effective implementation of legislative intent.

CONCLUSION

This exploration of statutory interpretation, centered on the interplay between *Ut Res Magis Valeat Quam Pereat*, *Expressio Unius Est Exclusio Alterius*, *Harmonious Construction*, and



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relevant case laws, underscores the judiciary's complex role in shaping the application and effect of legislation. While maxims and doctrines provide valuable frameworks, the inherent ambiguities in legal texts and the challenges of balancing competing interpretative principles necessitate significant judicial discretion. Cases like *G.P. Singh v. Union of India* and *Commissioner of Income Tax v. B.C. Srinivasa Setty* demonstrate how courts navigate these complexities, striving to uphold legislative intent while ensuring fairness and consistency. Ultimately, effective statutory interpretation is crucial for maintaining the rule of law, protecting individual rights, and fostering a just and equitable society.