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Interpreting Legal Findings: A Critical Discussion of Results in Light of Jurisprudential Frameworks

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ABSTRACT

This paper examines the interpretation of legal findings through the lens of established jurisprudential frameworks, analyzing how different theoretical approaches shape judicial reasoning and statutory construction. Drawing upon contemporary scholarship in legal philosophy, constitutional theory, and statutory interpretation, this study critically evaluates how positivist, interpretivist, pragmatic, and natural law frameworks inform the judicial function. The analysis demonstrates that legal interpretation is not merely a technical exercise of applying rules to facts, but rather a complex hermeneutic activity that implicates fundamental questions about the nature of law, the role of judges, and the relationship between legal authority and moral reasoning. By situating current debates within their historical and philosophical contexts, this paper contributes to ongoing discussions about methodological coherence in judicial decision-making and the legitimacy of interpretive pluralism in contemporary legal systems.

Keywords: *Legal Interpretation, Jurisprudence, Statutory Construction, Constitutional Theory, Judicial Reasoning, Hermeneutics*

Introduction

The interpretation of legal findings represents one of the most consequential activities within any legal system, yet the theoretical foundations that ground this interpretive enterprise remain contested terrain among scholars, jurists, and practitioners. When courts confront ambiguous statutory language, constitutional provisions, or common law precedents, they necessarily engage with deeper questions about the nature of legal authority, the sources of law, and the proper relationship between judicial power and democratic governance. These questions have acquired renewed urgency in contemporary legal discourse, as competing methodological approaches—ranging from textualism and originalism to purposivism and

common good constitutionalism vie for dominance in both academic debate and judicial practice.

The central thesis of this paper is that legal interpretation cannot be adequately understood or evaluated without reference to the jurisprudential frameworks that structure and constrain the interpretive enterprise. Rather than viewing interpretation as a purely technical or mechanical process of discovering pre-existing legal meaning, this paper argues that interpretation is fundamentally a hermeneutic activity that requires judges to engage with the normative dimensions of legal texts while remaining accountable to the institutional constraints that characterize the judicial role. This perspective draws upon Hans-Georg Gadamer's philosophical hermeneutics, which emphasizes that understanding is always historically situated and that the fusion of horizons between text and interpreter constitutes the essential condition for meaning-making in legal contexts.

The significance of this inquiry extends beyond academic jurisprudence to the practical administration of justice. As the Supreme Court and lower federal courts continue to grapple with interpretive methodology in high-stakes constitutional and statutory cases, the theoretical commitments underlying different approaches to interpretation have tangible consequences for individual rights, governmental power, and the rule of law. By critically examining these jurisprudential foundations, this paper aims to illuminate both the possibilities and limitations of various interpretive frameworks while contributing to the development of a more reflexive and methodologically self-conscious approach to legal interpretation.

Theoretical Foundations of Legal Interpretation

The contemporary landscape of legal interpretation is shaped by several competing jurisprudential frameworks, each offering distinct accounts of how judges should approach the task of construing legal texts. Understanding these frameworks requires examining their philosophical foundations, their institutional implications, and their capacity to provide coherent guidance for judicial decision-making in hard cases.

Legal positivism, particularly in its exclusive form as articulated by Joseph Raz, maintains that the existence and content of law can be determined by reference to social facts alone, without recourse to moral argumentation. Raz's service conception of authority provides the philosophical foundation for this approach, arguing that law claims legitimate authority precisely because it enables subjects to better conform to reasons that apply to them independently of the law's directives. According to this view, for law to serve as a genuine practical authority, its directives must be identifiable through source-based criteria such as enactment by a competent legislature or decision by a recognized court without requiring judges to engage in controversial moral reasoning. This framework has profound implications for statutory interpretation, suggesting that judges should focus on the plain meaning of legislative texts and the publicly accessible sources of legal validity rather than attempting to discern underlying legislative purposes or moral principles.

However, the positivist framework faces significant challenges when confronted with the interpretive practices of actual legal systems. Ronald Dworkin's critique of legal positivism, developed most systematically in *Law's Empire*, argues that legal interpretation necessarily involves constructive interpretation that seeks to portray the object of interpretation in its best possible light. Dworkin's theory of "law as integrity" requires judges to treat the legal system as a coherent narrative authored by a single voice, identifying legal rights and duties based on principles of justice and fairness that provide the best moral justification for existing legal practices. This interpretive approach rejects the positivist distinction between finding law and making law, arguing instead that all judicial decisions involve interpretation that is inherently normative and that legal rights extend beyond the explicit extension of political conventions to include principled extensions of past decisions.

The hermeneutic tradition, drawing particularly upon Gadamer's philosophical hermeneutics, offers a third framework that emphasizes the historical situatedness of all interpretive activity. Gadamer's concept of the "fusion of horizons" suggests that understanding occurs through a dialogical process in which the interpreter's preconceptions are challenged and transformed through engagement with the text. For legal interpretation, this framework implies that meaning is not fixed at the moment of enactment but emerges through the ongoing application of legal texts to new circumstances. As William Eskridge has argued in his theory of dynamic statutory interpretation, statutes acquire meaning through successive applications in contexts not anticipated by their authors, with the result that statutory meaning evolves beyond original expectations and sometimes even against them. This hermeneutic perspective challenges both positivist and originalist approaches that seek to fix meaning at a particular historical moment, instead emphasizing the productive tension between textual stability and interpretive innovation.

Contemporary Approaches to Constitutional and Statutory Interpretation

The theoretical frameworks discussed above find concrete expression in the competing methodologies that currently dominate constitutional and statutory interpretation in the United States. Originalism, which has achieved significant influence in recent decades, represents an attempt to constrain judicial discretion by tethering constitutional meaning to the original understanding of the text at the time of its ratification. As articulated by Justice Antonin Scalia and elaborated by scholars such as William Baude and Stephen Sachs, originalism maintains that the Constitution's meaning is fixed by its original public understanding and that this fixed meaning is binding on contemporary interpreters regardless of changed circumstances or evolving moral understandings.

The theoretical justification for originalism rests on claims about democratic legitimacy, the rule of law, and the constraints of written constitutionalism. Proponents argue that originalism prevents judges from imposing their own moral preferences under the guise of constitutional interpretation, thereby preserving the democratic prerogative of constitutional amendment for significant legal changes. However, critics have noted that originalism's claims to methodological neutrality often mask substantive moral commitments, and that the

historical record frequently underdetermines the answers to contemporary constitutional questions. As one analysis of Justice Scalia's jurisprudence observed, even the most committed originalist judges sometimes deviate from strict originalist methodology when confronted with cases where the historical materials suggest results that conflict with their preferred outcomes.

In contrast to originalism, living constitutionalism and active liberty approaches, associated with Justices such as Stephen Breyer, emphasize the Constitution's capacity to adapt to changing social circumstances and evolving moral understandings. Breyer's theory of active liberty argues that the Constitution's primary purpose is to preserve and encourage democratic participation, and that this purposive understanding should guide judicial interpretation. This approach views constitutional interpretation as an extension of statutory interpretation problems, requiring judges to consider the practical consequences of their decisions and to promote democratic governance rather than mechanically applying historical understandings. The pragmatic dimensions of this approach align with broader theories of legal pragmatism associated with scholars and judges such as Richard Posner, who argue that the ultimate criterion of pragmatic adjudication is reasonableness assessed in terms of concrete social consequences.

The emergence of common good constitutionalism, articulated by Adrian Vermeule, represents a more recent challenge to both originalism and progressive constitutionalism. This framework argues that law, including constitutional law, should be understood as a reasoned ordering to the common good that incorporates natural law principles and classical legal traditions. Common good constitutionalism explicitly rejects the liberal neutrality that characterizes much contemporary constitutional theory, instead advocating for a jurisprudence that promotes substantive moral goods including peace, justice, abundance, and health. While this approach has generated significant controversy and criticism, its influence in legal academia and its appearance in judicial opinions such as in *United States v. Tabor* demonstrates the ongoing vitality of natural law perspectives in American legal interpretation.

Hermeneutics and the Interpretive Turn in Legal Theory

The hermeneutic dimension of legal interpretation has received increasing scholarly attention as legal theorists have recognized the limitations of purely semantic or historical approaches to textual meaning. Gadamer's philosophical hermeneutics, with its emphasis on the ontological character of understanding and the dialectical relationship between interpreter and text, provides particularly rich resources for understanding the interpretive practices of lawyers and judges.

For Gadamer, legal interpretation holds "exemplary significance" for developing a post-Romantic theory of interpretation that moves beyond methodological attempts to determine authorial intent. The legal context demonstrates that interpretation is never merely the reconstruction of past meaning but always involves application to present circumstances. This insight has profound implications for statutory and constitutional interpretation, suggesting

that the attempt to fix meaning at the moment of enactment whether through originalism or strict textualism misunderstands the essential character of legal understanding. As legal hermeneuticists have emphasized, the meaning of legal texts is not static but dynamic, emerging through the ongoing dialogue between text and interpreter in which both parties are transformed.

The fusion of horizons that characterizes Gadamerian hermeneutics implies that legal interpretation requires what Gregory Leyh has termed "constitutional hermeneutics" an approach that explicitly acknowledges the role that history plays in the development of understanding and meaning, recognizes the irreducible conditions of all human knowing, and remains attentive to the political implications of interpretive choices. This hermeneutic self-understanding does not entail interpretive anarchy or unbounded judicial discretion; rather, it requires judges to engage in critical reflection on their own preconceptions and to remain open to the transformative possibilities of textual encounter. The hermeneutic circle where understanding the part requires understanding the whole and vice versa characterizes legal interpretation insofar as understanding particular legal provisions requires grasping the broader legal and moral principles that constitute the legal system as a coherent whole.

Critical Evaluation and Synthesis

The various jurisprudential frameworks examined in this paper each offer valuable insights into the nature of legal interpretation while also exhibiting characteristic limitations that must be acknowledged in any comprehensive assessment. A critical evaluation requires examining both the internal coherence of these approaches and their capacity to account for the actual practices of legal interpretation in contemporary judicial systems.

Legal positivism, particularly in Raz's sophisticated formulation, provides a compelling account of law's claim to authority and the institutional mechanisms through which legal systems coordinate social behavior. However, the exclusive positivist insistence that legal content can be determined without recourse to moral argumentation struggles to account for the pervasive role of moral reasoning in hard cases and the interpretive practices of constitutional courts. While Raz's service conception of authority captures important truths about law's practical function, it may underestimate the extent to which legal interpretation necessarily involves constructive moral reasoning about the best understanding of legal texts and institutions.

Dworkin's interpretivism offers a powerful corrective to positivist reductions of law to social facts, emphasizing the normative dimensions of legal practice and the role of principle in judicial reasoning. The ideal of law as integrity provides a compelling normative vision of adjudication that seeks to balance fidelity to past political decisions with the aspiration to justice. However, Dworkin's framework has been criticized for potentially collapsing the distinction between law and morality in ways that may undermine the predictability and stability that law provides. Furthermore, the ambitious moral reading of the Constitution that Dworkin advocates may strain the capacities of judges and risk substituting judicial moral philosophy for democratic deliberation.

The hermeneutic approach, with its emphasis on the historical situatedness and dialogical character of understanding, offers important methodological insights that can inform more reflective interpretive practices. However, Gadamerian hermeneutics alone cannot provide determinate guidance for resolving particular legal disputes, as the fusion of horizons describes the conditions for understanding rather than prescribing specific interpretive outcomes. The hermeneutic framework is most valuable when integrated with other jurisprudential approaches that provide more concrete guidance for institutional decision-making.

Originalism and textualism, despite their claims to methodological neutrality and constraint, frequently mask substantive moral and political commitments while providing less determinate guidance than their proponents suggest. The historical materials relevant to constitutional interpretation often underdetermine contemporary questions, and originalist judges must inevitably engage in constructive interpretation that resembles the approaches they criticize. Nevertheless, originalism serves important functions in emphasizing the constraints imposed by written constitutionalism and the democratic legitimacy that derives from ratification by the people.

Pragmatic and consequentialist approaches, including Breyer's active liberty theory and Posner's legal pragmatism, rightly emphasize the importance of practical effects and democratic participation in legal interpretation. However, these approaches risk collapsing into unprincipled result-orientation if not tempered by fidelity to legal texts and institutional constraints. The challenge for pragmatic jurisprudence is to develop criteria for evaluating consequences that do not simply reduce to the subjective preferences of individual judges.

Common good constitutionalism, despite its controversial reception, raises important questions about the relationship between law and substantive moral goods that cannot be dismissed through simple appeals to liberal neutrality. However, the specific moral content that Vermeule advocates rooted in particular religious and philosophical traditions raises legitimate concerns about pluralism and democratic legitimacy in morally diverse societies.

Implications for Judicial Practice and Legal Education

The theoretical analysis developed in this paper carries significant implications for both judicial practice and legal education. For judges, the recognition that interpretation is inherently hermeneutic and normatively laden suggests the importance of methodological self-consciousness and transparency in judicial reasoning. Rather than masking the constructive dimensions of interpretation behind claims of mechanical textual application, judges should explicitly acknowledge the jurisprudential commitments that structure their interpretive practices and subject these commitments to critical scrutiny.

The integration of hermeneutic insights with more traditional legal methodologies suggests a middle path between interpretive absolutism and unbounded discretion. Judges can recognize the historical situatedness of their interpretive activity while remaining accountable to the constraints imposed by legal texts, institutional precedents, and democratic values. This approach requires what might be termed "reflexive originalism" or "hermeneutic textualism"

methodologies that take seriously the historical dimensions of legal meaning while acknowledging the productive role of application in constituting that meaning.

For legal education, the analysis suggests the importance of integrating jurisprudential and philosophical training with doctrinal instruction. Law students should be equipped not only with technical skills of statutory construction and constitutional analysis but also with the theoretical frameworks necessary to critically evaluate the methodological choices that pervade legal practice. The study of legal hermeneutics, the philosophy of language, and the history of interpretive methodologies should be central components of legal education rather than peripheral electives.

Furthermore, legal education should cultivate what Gadamer termed "phronesis" practical wisdom that enables judges and lawyers to navigate the indeterminacies of legal interpretation while remaining faithful to the normative aspirations of the legal system. This practical wisdom requires not merely technical competence but also moral sensitivity, historical imagination, and the capacity for critical self-reflection that characterizes the hermeneutic attitude.

Conclusion

The interpretation of legal findings represents a complex hermeneutic activity that cannot be reduced to any single methodological formula or theoretical framework. This paper has argued that contemporary debates about legal interpretation are best understood through the lens of competing jurisprudential frameworks positivism, interpretivism, hermeneutics, originalism, pragmatism, and natural law that each capture important dimensions of legal practice while exhibiting characteristic limitations.

The path forward requires a synthetic approach that integrates the insights of these various frameworks while remaining critically aware of their respective blind spots. Such an approach would recognize that legal interpretation necessarily involves both fidelity to authoritative legal sources and constructive engagement with the normative principles that justify those sources; that meaning is neither purely fixed at the moment of enactment nor completely fluid and indeterminate; and that judges must navigate between the constraints of institutional role and the demands of justice in particular cases.

The hermeneutic framework, with its emphasis on the dialogical character of understanding and the fusion of horizons between text and interpreter, provides particularly valuable resources for developing this synthetic approach. By acknowledging that all interpretation is historically situated and that understanding always involves application, hermeneutics offers a framework for mediating between the legitimate demands of legal stability and the necessity of legal adaptation to changing circumstances.

Ultimately, the legitimacy of judicial interpretation depends not on the elimination of judicial discretion or the discovery of uniquely correct interpretive methods, but on the cultivation of interpretive practices that are transparent, accountable, and responsive to the complex demands of legal authority, democratic legitimacy, and substantive justice. The jurisprudential frameworks examined in this paper provide the conceptual resources

necessary for developing and critically evaluating such practices, even as they remind us that the interpretation of legal findings will remain an inherently contested and contestable enterprise.

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