

# AMBIGUITY IN STATUTES: HOW COURTS ADDRESS AND RESOLVE UNCERTAIN LANGUAGE

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**Abstract-** When the Statutes are ambiguous and not clearly stated, ambiguity results. Legal scholars and judges will be the ones interpreting the ambiguity that has been raised. The art of interpretation involves giving a law's terms their ordinary, natural meaning in order to ascertain its true meaning. It is the process of figuring out what a law's actual wording means. Since the Court is not expected to interpret in an unstructured manner, some norms have developed from the courts' ongoing practise. This article begins by discussing the legality principle and how statutes should be interpreted in accordance with the fundamental laws of the land. It then analyses the various types and natures of ambiguities in the statutes and discusses approaches and solutions for resolving those ambiguities. Lastly, it talks about how the judiciary's interpretation of the statutes is limited because every judge has a distinct understanding of the statute.

**Key words:** Ambiguity, interpretation, court, rule of law, judiciary, constitution

## Introduction

A key component of the legal system is the interpretation of statutes, which influences how laws are put into practise and how individual rights are safeguarded. Because statutory wording is frequently complicated, judges' interpretations of it can produce a range of results when it comes to unclear or confusing sections. Vague, conflicting, or ambiguous language in statutes causes ambiguity, and courts are essential in clearing up these issues. In legal procedures, ambiguity in statutes is frequently a problem. A statute that leaves room for multiple acceptable interpretations is said to be ambiguous. Courts must decide which interpretation the legislator intended in these situations<sup>i</sup>. In order to achieve this, they take into account a number of factors, such as the need and occasion for the law, the circumstances surrounding its enactment, the wrong to be corrected, the goal to be achieved, any prior laws pertaining to the same or related subjects, the implications of a particular interpretation, the legislative history of the time, and legislative and administrative interpretation of the statute.

## What is Ambiguity in Statutes?

Statutory ambiguity describes circumstances in which a statute's or legal provision's wording is vague, ambiguous, or susceptible to different interpretations. Legal issues and difficulties in executing or complying with the law can arise from ambiguous statutes, which can cause misunderstanding and disagreements over their interpretation and application. Ambiguity can result from a number of things, such as badly written legislation, linguistic or contextual changes over time, or complexity in the area being controlled. Courts and other legal authorities may need to interpret ambiguous statutes to ascertain their intended meaning. To clear up any confusion and reach a fair interpretation, they can draw on legal precedent, legislative history, statutory construction principles, and other resources. Legislative action may be necessary in some circumstances to explain or change the statute due to the ambiguity. Finding the legislative intent and making sure the law is applied in a way that is compatible with it, while also upholding the rule of law and due process, are the objectives of legal interpretation in the face of ambiguity. In the subject of legal interpretation, ambiguity in statutes is a frequent problem that can lead to disagreements and litigation.

## Principle of Legality

One of the key ideas in interpreting statutes is the principle of legality. In a democratic state, official activity must be expressly permitted by law. The rule of law, which is essential to democratic society, is intimately related to the legality principle. It is focused on the true intent of the law. According to the legality principle, statutes must be read in a way that is consistent with the nation's fundamental laws, such as the Constitution. Unless the language of the act is clearly and unambiguously to the contrary, the concept of legality demands that statutes be interpreted in a way that is consistent with the fundamental rights protected by the Constitution. Although the legality principle has been around for a while, some have criticized it for being unclear about what it means and how it works. A crucial instrument for making sure that government conduct is legal and that the rule of law is respected is the concept of legality.

The case *State of Punjab v. Devans Modern Breweries Ltd.*<sup>ii</sup> is one that exemplifies the legality concept. In this instance, the Supreme Court ruled that the legality principle necessitates interpreting statutes in a way that is consistent with the Indian Constitution. The court decided that, unless the statute's language is expressly and unambiguously stated to the contrary, the legality principle requires that statutes be read in a way that is consistent with the fundamental rights protected by the Constitution.

According to the legality principle, government action in a democracy must be expressly permitted by the law. It is a crucial instrument for making sure that government behavior is legal and is intimately related to the rule of law. Unless the statute's language is expressly and unambiguously stated to the contrary, the principle of legality mandates that statutes be interpreted in a way that is consistent with the country's fundamental laws, the Constitution, and the fundamental rights it guarantees.

## Nature of ambiguity in statutes

### 1. Lexical Ambiguity

One sort of ambiguity that occurs when a word or phrase has many meanings is called lexical ambiguity. Lexical ambiguity can cause confusion when interpreting statutes, making it difficult to understand what a statute actually means. A statute is deemed ambiguous if there are multiple legitimate interpretations that might be applied to it. Courts interpret statutes and resolve ambiguities using a variety of instruments and strategies. Some of the methods courts use to resolve lexical ambiguity in legislation interpretation are as follows: The Plain Meaning Rule mandates that courts interpret words in statutes according to their ordinary and natural meaning. The court must apply the statute as written if the language is explicit and clear.

**Legislative History:** In order to ascertain the legislative intent behind an act, courts may consult its legislative history. Examining committee reports, floor discussions, and other records pertaining to the statute's enactment may fall under this category.

**Canons of Construction:** When a statute is unclear, courts can settle it by applying general rules of interpretation known as canons of construction. For instance, every ambiguity in a criminal statute must be interpreted in the defendant's favour according to the principle of lenity.

**Context:** When interpreting a statute, courts may consider the circumstances surrounding its enactment. Examining concurrently passed statutes or the statute's intended use are two possible ways to do this.

"Estate of Bishop v. Commissioner"<sup>iii</sup> is a well-known case that addresses the problem of lexical ambiguity in statute interpretation. The Internal Revenue Code's definition of "income" had to be applied in this case by the U.S. Tax Court. The particular provision under consideration was sec 691(b), which addressed the taxation of income pertaining to a deceased individual. The question at hand concerned whether an insurance policy's annuity payments to a taxpayer qualified as taxable income for purposes of the Internal Revenue Code. The Code interpreted "income in respect of a decedent" as anything "not properly includible in respect of the decedent in the gross income of the decedent for the taxable year in which falls the date of his death or a prior taxable year." "The interpretation of the phrase "not properly includible" was the source of the ambiguity in this instance. Under this provision, the estate argued that the annuity payments should not be included as taxable income, while the Commissioner maintained that they should. In resolving the lexical ambiguity around the term "not properly includible," the Tax Court considered the intended meaning of the term. Despite the statutory language's ambiguity, the court ultimately decided that the annuity payments constituted taxable income in the decedent's case.

### 2. Syntactic Ambiguity

Syntactic ambiguity is a kind of ambiguity that results from a sentence or phrase's structure and grammar rather than the words that are used specifically. It happens when a sentence's elemental arrangement or unclear structural design allow for many interpretations or parses of the sentence. The same language may be interpreted in several ways, possibly contradicting one another, as a result of this ambiguity. Take the following sentence as an example: "I saw the man with the telescope." Because it's unclear if "with the telescope" refers to the man's identity or the act of seeing, syntactic ambiguity occurs. The speaker perceived a man with a telescope, according to one interpretation. According to a different reading, the speaker saw a man via a telescope. The sentence's structure exhibits syntactic ambiguity by permitting both readings. Understanding syntactic ambiguity in language and law is crucial because, particularly in legal documents and contracts, it can result in misinterpretations or disagreements on the intended meaning of a statement. In order to overcome syntactic ambiguity and provide a precise and understandable interpretation, courts and interpreters need to pay close attention to the sentence structure and context.

### 3. Semantic Ambiguity

A persistent problem in legal language, semantic ambiguity in law interpretation puts the very underpinnings of the judicial system at jeopardy. It describes circumstances in which a statute's wording leaves room for varying interpretations, creating ambiguity and disagreements about how to apply it. This uncertainty may result from vague language, unclear terminology, or contradicting legal provisions. A major implication of semantic ambiguity is that it might lead to inconsistent and unpredictable legal decisions. Divergent opinions among judges, solicitors, and academics over the intended interpretation of a statute can lead to legal ambiguity and drawn-out litigation. Additionally, the fact that language is always changing can make matters more difficult because words and phrases can take on new meanings over time, leading to unintended consequences in legal interpretations. Strict statutory construction that takes into account the legislative intent, the context, and accepted legal principles is necessary to address semantic ambiguity. Canons of legislative interpretation are frequently used by courts to clear out these misunderstandings and guarantee equitable and just results. It is still a fine balancing act, though, because the interpretation process has to honour both the legislative intent and the text's literal meaning.

### 4. Contextual Ambiguity

A key component of the legal system is statutory interpretation, which calls for accuracy and clarity in determining the intent of the legislature. However, this work is difficult due to the frequent occurrence of contextual ambiguity. When a statute's terms are taken out of context, they can be interpreted in a variety of ways, leading to contextual ambiguity. In these situations, interpreting the intended meaning of the law depends heavily on the surrounding context, legislative history, and the statute's intended purpose. This uncertainty emphasises how crucial it is for jurists and academics studying law to thoroughly weigh all pertinent considerations in order to guarantee fairness and uniformity in the application of the law and maintain the integrity of the legal system.

The case of *Eicher Tractors Ltd. v. Union of India* (1999)<sup>iv</sup> is a noteworthy example of contextual uncertainty in the interpretation of statutes in India. In this instance, the issue concerned how to interpret the phrase "agricultural operations" as it appears in Income Tax Act of 1961 Section 10(29). The act offered tax advantages for earnings from "agricultural operations," although the definition of the phrase was ambiguous. The question was whether the term applied just to fundamental agricultural activities or to activities such as the production and selling of tractors used in agriculture. The aim, context, and legislative intent of the law were all taken into account by the Supreme Court of India. In the end, the court decided that activities that either directly or indirectly promote agricultural practises should be included in the broad interpretation of the phrase "agricultural operations". This case emphasises

how crucial it is to comprehend a statute's larger context in addition to its exact wording, particularly where there is contextual ambiguity.

## Approaches to resolve ambiguity

### 1. Plain meaning rule

The plain meaning rule is a statutory interpretation theory that mandates judges read a statute's text in accordance with its ordinary meaning, disregarding extrinsic evidence like legislative history or the drafters' intentions. The rule is predicated on the notion that a statute's language provides the most accurate indication of the legislature's intentions and that courts shouldn't interpret a statute's words beyond their plain meaning.<sup>v</sup> In addition to the golden rule and the mischief rule, which permit courts to deviate from the plain meaning of a statute under specific conditions, the plain meaning rule is frequently applied in conjunction with other statutory interpretation rules. If applying a statute in its plain language would result in an absurd or unreasonable outcome, for instance, courts may deviate from it under the golden rule.

Many states have adopted the plain meaning rule, and courts frequently use it to settle legal disputes involving the interpretation of statutes. Nonetheless, a few scholars and judges have criticized the rule, claiming that in some circumstances it may have unintended or unfair consequences. There are those who argue that a more flexible approach to statutory interpretation that considers the context and purpose of the statute should replace the plain meaning rule<sup>vi</sup>.

### 2. Legislative history

An essential component of statutory interpretation is legislative history, which offers important insights into the legislative process and the purpose of statutes. It includes a variety of papers and recordings, such as committee reports, floor discussions, and sponsor comments, that trace the passage of a bill through the legislative branch. In order to resolve statutory ambiguity and guarantee the proper implementation of the law, it is crucial to comprehend the genuine intent of legislators, which can only be achieved by a thorough research of legislative history.<sup>vii</sup> It is impossible to overestimate the importance of legislative history for interpreting statutes. By providing context and background information that sheds light on the legislative purpose, it aids judges and legal scholars in interpreting statutory language that may be ambiguous or imprecise. Committee reports, for example, provide insight into the issues the law sought to address and the suggested remedies.

Legislative history also promotes uniformity in the application and interpretation of the law. It helps to uphold the rule of law, encourage predictability, and build confidence in the judicial system. Legislative history is still a vital resource for achieving fair and accurate statutory interpretation, notwithstanding certain difficulties. Essentially, it makes sure that laws fulfil their intended functions and protect the integrity of the legal system, which benefits society as a whole.

### 3. Statutory Purpose and object

Understanding the goal and object of legislation is an essential principle in the field of legal interpretation that helps judges, attorneys, and legal scholars evaluate statutes and determine their meanings. The goal of statutory interpretation, which is a difficult process that seeks to understand the legislative meaning underlying a law, is to determine the purpose and intention of the statute. A law's statutory purpose is its overarching justification for being passed. It provides an explanation for the legislature's motivation for enacting that law. This goal may be motivated by a number of societal issues, such as fostering community safety, guaranteeing fairness, defending individual rights, or controlling particular behaviours. Legal experts can interpret a statute in a way that best reflects the legislative intent by finding and understanding the purpose. In actuality, statutory purpose and goal are crucial instruments for filling in the blanks and ambiguities in statutes, balancing contradictory language, and modifying the law to reflect changing conditions.

In interpreting a legislation, it is crucial to take into account the purpose and object of the statute, as demonstrated by the well-known *Gujarat Urja Vikas Nigam Ltd. v. Essar Power Ltd.* case<sup>viii</sup>. The Supreme Court of India rendered a decision in this case, which is frequently referenced as a key precedent in statutory interpretation. The Supreme Court reaffirmed in this case the well-established rule that a court's interpretation of a statute must take into account the legislative intent, purpose, and goal of the legislation, in addition to the statute's plain language. The court highlighted that determining the legislature's intention when adopting a statute is the ultimate purpose of statutory interpretation.

### 4. Maxims and aids

Maxims and aids are essential resources for judges and legal professionals to understand the intended meaning and purpose of legislative provisions, and they are vital in the interpretation of legislation. These guidelines are necessary to guarantee that the law is administered equitably and consistently. First of all, by taking into account the context in which words are employed, maxims like "ejusdem generis" and "noscitur a sociis" aid in the interpretation of confusing or obscure statutory wording. For example, "ejusdem generis" limits the scope of a broad term by indicating that it should only be read in the same specific context as the terms it follows. Second, intrinsic tools like a statute's preamble, titles, and definitions offer important hints about the legislative intent. They aid in the interpretation of the law by providing clarification on its intent and boundaries. Thirdly, extrinsic aids such as legislative history and reports can clarify the context and intent of a statute, helping courts resolve ambiguities or inconsistencies in the language.

### 5. Public policy considerations

This process of interpretation frequently revolves around public policy considerations. The values and ideals that society considers significant at any particular time are reflected in public policy. The courts have to balance these broader public policy considerations against the law's exact text when interpreting statutes<sup>ix</sup>. First of all, statutes are sometimes confusing or obscure, and how their

provisions are interpreted can have a huge impact. In these situations, judges are likely to construe statutes in a way that supports the goals of the dominant public policy. This guarantees that the law stays current and adjusts to the demands of a shifting society. Second, the judiciary may be directed by public policy considerations when addressing statute conflicts. Courts have the authority to reconcile apparent conflicts between two laws by interpreting them in a way that achieves the overall aims of public policy. Thirdly, when it comes to new scientific discoveries, technological innovations, or societal challenges that are only starting to surface, public policy can also influence how laws are interpreted. Courts have an obligation to maintain the flexibility of the law to accommodate changing situations and moral principles. Public policy considerations are a crucial component in statutory interpretation. They offer the foundational structure required to guarantee that the law upholds the integrity and coherence of the law while adjusting to the shifting requirements and ideals of society.

### Limitations of Interpretation of Statutes by Judiciary

The court plays a vital role in ensuring that the laws passed by the legislature are applied fairly and consistently by interpreting statutes. This procedure does have certain drawbacks, though. Many variables limit the judiciary's ability to interpret statutes, and a just and efficient legal system depends on the understanding of these constraints. First off, interpreting statutes by the judiciary is severely hampered by language's limits. Laws are written in words, and words are ambiguous and vulnerable to different interpretations. It can occasionally result in ambiguity and confusion for judges to interpret statutes because they must rely on their wording. The predictability of the legal system may be compromised by this restriction, which may lead to conflicting legal decisions. Second, the idea of judicial restraint limits the scope of judicial interpretation. It is required of judges to uphold the separation of powers and refrain from invading the legislative branch. This implies that they should interpret statutes exactly as written rather than revising or amending them. This restriction might be problematic when a statute's language appears ineffective or ambiguous because it might need legislative action to address the problem. The possibility of subjective interpretation is another drawback. Judges influence the interpretation process with their own viewpoints, morals, and prejudices. Due to this subjectivity, different judges may read the same statute in various ways, which could lead to inconsistent legal precedent. Limitations might also result from changes in society norms and ideals. Laws may have been drafted with a certain context in mind, and it may be difficult to apply them to modern circumstances due to shifting social views. The judiciary is faced with the challenge of bringing these statutes up to date, which frequently calls for cautious and innovative interpretation. It is essential that we recognise and tackle these constraints in order to provide an equitable and efficient legal framework that preserves the rule of law.

### Conclusions

Legislators create statutes with the intention of serving the people for an appropriate duration of time. When discrepancies emerge, judges, lawyers, and legal academics typically settle them. When interpreting a statute to clear up any ambiguities, the person doing so must ensure that they are adhering to the rules of interpretation and not acting beyond them. They must also consider the history of the statute, the legislature's original intent when creating it, and other internal and external resources to ensure that the interpretation is accurate. Additionally, a judge must weigh all of his ingredients—philosophy, logic, analogies, history, conventions, sense of justice, and everything else—and decide, as carefully as possible, which weight will tip the scales by adding and subtracting points. The judge should be the only one to apply different legal interpretation principles to the particular facts, much like a knowledgeable chemist who may make an appropriate treatment from a generic recipe.<sup>x</sup>

### REFERENCES:

1. Jain, N., 2021. Approaches to Interpretation of Statutes.
2. State of Punjab v. Devans Modern Breweries Ltd., MANU/SC/0961/2003.
3. Bishop v. Commtissmoter, 152 F2d 389 (9th Cir. 1945)
4. Eicher Tractors Ltd. v. Union of India, 7-8 of 1998, Supreme Court of India, 28 January, 1999. (n.d.). IndianKanoon.org.
5. Sharma, M. and Asarpota, N.B., 2021. Role of Judges in the Art of Interpretation of Statutes. *Issue 4 Int'l JL Mgmt. & Human.*, 4, p.826.
6. Lasky, E.S., 1998. Perplexing Problems with Plain Meaning. *Hofstra L. Rev.*, 27, p.891.
7. Baude, W. and Doerfler, R.D., 2017. The (not so) plain meaning rule. *U. Chi. L. Rev.*, 84, p.539.
8. Gujarat Urja Vikash Nigam Ltd vs Essar Power Ltd, Civil Appeal No. 1940 of 2008, Supreme Court of India, 13 March, 2008, Judges: H.K. Sema and Markandey Katju. (n.d.). JUDIS.NIC.IN.
9. Posner, R.A., 2013. Legal formalism, legal realism, and the interpretation of statutes and the constitution. In *Precedents, Statutes, and Analysis of Legal Concepts* (pp. 145-183). Routledge.
10. Pushkerray, T.A., 2014. The process of interpretation of law and the judge.