

Rules of Interpretation: Why Are They Needed?

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ABSTRACT:

Ambiguities are a part of every law that is made. Since these are made by the lawmakers, they cannot be expected to be perfect. These ambiguities are not intentional and mainly arise out due to certain circumstances. These ambiguities cannot be left unresolved, these need to be looked after. Mainly because, once there is an ambiguity there are chances for it to become loopholes or there are chances that the innocent people are not rendered justice. Also, there are chances that the accused escapes the charges. Therefore, this article studies the various ways these statutes are interpreted and the ambiguities are resolved. There has to be rules of interpretation otherwise, it would be based on inclinations of persons interpreting them.

Keywords: interpretation, ambiguity, law makers, loopholes, justice, statutes.

INTRODUCTION:

Statutes are made to regulate the lives of the citizens in a nation, therefore when such statutes are made, they are generally in a way they are easily comprehensible. But in some cases, there is vagueness and ambiguity. Therefore, we can define interpretation as the methods the courts use to determine the intention of the legislature. In other words, the process the court undergoes to find out the true meaning and the purpose of the statute and apply it. Interpretation of statutes is in fact one of the primary and important duties of the judiciary. That too in a democratic nation like India, which has numerous statutes, rules, regulations etc., There needs to be clarity in what is what. The vagueness in the statutes are due to the fundamental nature of the language. Everything that is intended cannot be put into words precisely. At the same time simply taking the meaning of the word may lead to problems, as interpretation must consider the given set of facts as well. Further there need to be a certain set of rules that has to be followed while interpretation is done. These rules have evolved over the years since the time of Hindu civilizations. Interpretation is the process of finding out the meaning of the written text. In the judicial aspect, the way in which the correct meaning of the legislature or law is found out in order to be used effectively. Often interpretation and construction are confused and used simultaneously.

But in reality, both have different meanings. Interpretation means to derive meaning from the existing statute, whereas construction means deriving conclusions on the areas that are beyond the direct meaning of the text. Interpretation represents the true meaning or sense of the statute; this is rather a linguistic approach and also takes into account just the simple meaning of the text rather than much of analyzing. Construction on the other hand, tries to understand the meaning of the text beyond the outright expressions or representations of the direct text.

By now it is clear as to why interpretation is needed, at the same time it is important to understand there has to be a certain set of rules and regulations that has to be followed throughout in order to have uniform interpretation. If there are no rules to guide interpretation, one might derive meanings in their own ways

based on individual interest, which leads to further complications rather than resolving the vagueness. Starting from Mimansa Principles in India to various modern western rules of interpretation, there are many ways to derive meanings. Each method can be followed according to the facts of each case. That is because a single rule cannot be relied upon, the facts and circumstances vary and according to which the interpretation has to be done. Rules of Interpretation:

1. Literal Rule:

This is the starting point of interpretation. The terminology used in this work should be interpreted according to their common or natural meaning, as per this rule. If the interpretation of a statute is clear and unambiguous, then its provisions will be implemented without consideration to possible consequences. This rule states that the court's only responsibility is to give effect to a statute provided its language is clear and it's not its responsibility to consider any potential ramifications¹. The legislature will search for and consider a remedy if any severe repercussions develop, the courts only duty is to explain the law as it is. This rule observes the plain meaning of the text, the natural meaning of the text as they were written would. The main rule followed is that there is no addition of words, or no modification is done. This is also known as the primary rule of interpretation. This is considered so important because this is believed to bring certainty in interpretation. But there is one major criticism, that is it leads to harsh interpretations, leading to harsh outcomes. This rule was introduced to avoid bias in the judiciary, when there is vagueness in the statute it must be interpreted in a way that it doesn't favor any one particular person but rather must aim at bringing out the true sense of the statute. Since this interprets the statute the way it is, this ensures consistency and predictability in the statute. This rule requires the judges to interpret the statutes in its original form, that is this doesn't consider the intent and the context. This tries to explain what the statute unequivocally states. This considers the exact meaning of the statute and doesn't compromise even if such interpretations are harsh and complicated. To put it simple this rule doesn't allow the courts to depart from the ordinary meaning of the words.

2. Golden rule:

When applying the literal rule will result in an illogical or irrational outcome, courts will apply the Golden Rule of Interpretation. It permits the court to construe the language differently from its precise meaning, avoiding absurdity while adhering to the legislation's overall intent and context.

There are two ways to apply the golden rule:

1. Narrow application: It is applied when the statute's language is unclear. It gives the court the ability to determine which reasonable interpretation best serves the legislation's ultimate goal. The court will only alter the terms' exact meaning to the amount required to prevent absurdity.
2. Broad application: This is used when the statute's language is clear but a literal interpretation would produce ridiculous results. Even if it means changing or extending the statutory language, the court in this instance may deviate from the words' ordinary meaning in order to avoid absurdity.

In order to ensure that the best meaning is applied to the particular case at hand and that any absurdity is eliminated, the judge may alter the meaning of terms that have an abnormal or absurd interpretation by using the golden rule of interpretation. But others contend that the golden rule has flaws and can occasionally have disastrous outcomes.

LIMITATIONS:

When applying the literal rule to legislation would have illogical or unreasonable consequences, courts can use the Golden Rule of Interpretation as a useful tool. But it has several drawbacks:

Absence of explicit rules: When applying the Golden Rule, there are no explicit standards, so it can be difficult to know when to use it. This may result in inconsistent statutory interpretation.

Restricted application: The Golden Rule should only be applied in exceptional situations where a literal interpretation is inadequate. This limits how often it may be used and could make it difficult for people who rely on it, such as lawyers.

3. Mischief rule:

The Mischief Rule of Interpretation is a statutory interpretation rule that looks at the reasoning behind the legislation to ascertain the legislator's intentionⁱⁱ. Its fundamental objective is to repress the disorder and advance the right remedy where there is uncertainty in the text of a statute.

Heydon's Case in 1584 created the Mischief Rule. Courts will use the Mischief Rule, taking into account the legislation that came before the relevant legislation, any flaws in that law, the solution that Parliament enacted, and the rationale behind that remedy.

To sum up, the Mischief Rule of Interpretation

1. looks at the reasoning behind the legislation to ascertain the legislator's intention.
2. Is applied in cases where a statute's wording is unclear
3. Makes it possible for the court to interpret the law with greater purpose, putting an end to the trouble and putting the right remedy forward.

Some drawbacks of the Mischief Rule of Interpretation are as follows:

Personality: Different judges may arrive at different conclusions regarding the nature of the "mischief" or problem that the statute was intended to address, and the identification of that problem can be subjective.

Uncertainty: Businesses and individuals who must abide by the statute may experience uncertainty as a result of the Mischief Rule's application because they may not be sure how a court is going to read the statute in a particular case.

Manipulation: A judge may interpret a statute in an approach that conforms to their personal views or inclinations rather than strictly following the legislative intent, which allows them to manipulate the Mischief Rule to achieve their desired results.

Separation of powers violation: The Mischief Rule permits judges to employ their personal judgments and biases, which may be construed as a violation of the lawful and legislative branches' separation of powers.

CONCLUSION:

Interpretation of statutes are very important to clear the ambiguity in the laws. The laws are there to protect us, it is important they are applied correctly and efficiently. People should be benefited from them, the very same should not be against the people.

There are various reasons why statute interpretation is required.

Drafting mistakes: Legislative drafters frequently create statutes, and occasionally they include wording that is unclear or contradictory by accident. To fix these mistakes and guarantee that the law functions as the legislature intended, interpretation is necessary.

Changed circumstances: A statute's enactment circumstances may alter over time, requiring courts to interpret the statute in the context of the times in which it was passed. This could entail taking into account elements like changes in society values or technological advancements that weren't there when the law was passed.

Rules that aren't comprehensive: Laws might not address every scenario or circumstance that comes up. To close the gaps and apply the statute to situations that the legislature did not specifically foresee, interpretation is necessary. Preventing absurd outcomes: When interpreting a statute, one must avoid absurd or unreasonable consequences that may arise from applying it literally. In order to make sure that the statute functions as intended by the lawmakers, even when its literal interpretation produces an absurd result, this may entail applying tools like the Mischief Rule or the Plain Meaning Rule.

Directing future behavior: Legislative drafters, lawmakers, implementing organizations, and private parties can all benefit from the advice that courts provide on how to interpret statutes. Courts ensure that the law is understandable, practical, and adapts to changing situations and societal values by interpreting statutes.

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