

## 1 — Definition.

Interpretation, generally, means the elucidation of obscurity in the law, filling the gaps in its structure, and the reconciliation of its conflicting provisions. In other words, interpretation is the determination of the content of a legal rule, and the definition of its elements and characteristics.

## 2 — The Need for Interpretation.

All matters which come before a court, whether they be human conduct, natural events, judicial decisions, or legislative enactments must in a sense be interpreted, so that their legal significance must be assessed. Experience shows that no draftsman can altogether avoid such flaws as ambiguity, obscurity, or conflict of sections, and even if he could, new problems arise which could not possibly have been foreseen and new social philosophers become popular which are out of keeping with the basis on which the code is built.

The causes of ambiguity in enacted law, which in its turn makes interpretations an inevitable process, may be referred to:-

- 1 — Technical causes arising from the great difficulty to encompass all the facts of life in order to specify a governing rule for each. Thus, the legislature contends itself with enacting general rules, leaving minor details aside for interpretation to determine whether they are likewise governed by the general rule, or any other.
- 2 — Political or social reasons may oblige the legislature to formulate the second rules in an ambiguous way, leaving the abstraction of the meaning aimed at to the courts. A good example is when the legislative authority leaves to the judge the discretion to determine whether a certain crime is political, or ordinary.