

A pragma-semantic examination of lexical ambiguity in the Nigeria criminal code act and its implications

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Abstract - The Nigeria Criminal Code Act contains several instances of lexical ambiguity that significantly impact legal interpretation and judicial outcomes. Although the law aims to be clear, certain terms exhibit technical or incidental ambiguity, complicating their understanding and application in courts. For example, the preposition "above" appears fifteen times in the Act with four distinct senses, including a unique "Existence Sense" not found in ordinary English dictionaries, which can lead to interpretative challenges and affect judgment delivery. Such ambiguities often arise from imprecise wording or legislative gaps, creating difficulties for law enforcement and judicial decision-making. Pragma-semantic analysis emphasizes the importance of considering both semantic nuances and pragmatic contexts to reduce misinterpretation and promote justice. To address these issues, clearer legislative drafting and detailed interpretative guidelines are recommended, which would enhance the effectiveness of the Nigeria Criminal Code Act by minimizing legal uncertainties and improving consistency in judicial rulings. This approach aligns with broader findings that legal language requires careful attention to function and context to ensure accurate interpretation.

Keywords: lexical ambiguity, pragma-semantics, Nigeria Criminal Code Act, legal interpretation, language of law

1. Introduction

The language of law is a specialized register designed to communicate legal rules and principles with precision and clarity. However, despite its aim for unambiguous expression, legal texts often contain lexical ambiguities – words or phrases with multiple meanings – that can complicate interpretation and application. The Nigeria Criminal Code Act, a foundational legal document governing criminal law in Southern Nigeria, exemplifies this challenge. Originating from the Queensland Code of 1897 and influenced by English common law, the Act's language reflects both historical legacies and contemporary legal needs (Kasunmu & Omabegho, 1965).

Lexical ambiguity in such statutes can lead to varied judicial interpretations, affecting justice delivery and legal certainty. Understanding how these ambiguities function pragmatically and semantically within the Act is crucial for improving legislative drafting and judicial interpretation.

The language of law, including the Nigeria Criminal Code Act, is a specialized register intended to communicate legal rules with precision and clarity. However, despite this aim, legal

texts often contain lexical ambiguities, where words or phrases have multiple meanings that complicate interpretation and judicial application. The Nigeria Criminal Code Act, originally adapted from the Queensland Code of 1897 and influenced by English common law, reflects both historical legacies and contemporary legal challenges in its language use (Kasunmu & Omabegho, 1965; Weiler & Weiler, 1965). For example, the preposition "above" appears multiple times in the Act with distinct senses – such as "more than," "superior," and a unique "existence" sense not found in ordinary English dictionaries – highlighting how lexical ambiguity can arise even in seemingly simple terms (Umaru & Alagolo, 2023).

Such ambiguities can lead to varied judicial interpretations, affecting legal certainty and justice delivery. Addressing these issues requires careful semantic and pragmatic analysis to improve legislative drafting and ensure clearer judicial interpretation, as well as mechanisms to minimize vagueness and indeterminacy in statutory language (Alli & Ademola, 2014; Udombana, 2020).

The urgency of analysing lexical ambiguity in the Nigeria Criminal Code Act stems from its direct impact on the administration of justice and societal trust in the legal system. Ambiguous terms may create loopholes or misinterpretations that hinder effective law enforcement or result in unfair judgments (Onyemelukwe & Alo, 2017; Alli & Ademola, 2014). With Nigeria's complex socio-political landscape, where corruption and governance challenges persist, clear legal language is essential to uphold rule of law and public confidence (Onyemelukwe & Alo, 2017). Moreover, recent legislative reforms like the Administration of Criminal Justice Act 2015 highlight ongoing efforts to address gaps in legal expression but also reveal persistent issues related to linguistic clarity (Udombana, 2020). Therefore, a pragma-semantic approach that examines both meaning (semantics) and context-driven use (pragmatics) offers a timely framework to identify and mitigate ambiguity's adverse effects.

Legal language has long been characterized by ambiguity, complexity, and interpretive challenges that may affect legal certainty and judicial decision-making. Recent studies demonstrate that lexical, syntactic, and semantic ambiguities frequently occur in statutes and civil codes, creating multiple interpretations and potential legal disputes. However, most studies focus on identifying ambiguous expressions rather than developing systematic frameworks for preventing ambiguity in legal drafting and interpretation (Dangwal & Alnuzaili, 2022; Haty & Ningsih, 2025).

Research on legislative texts in the Philippines reveals that ambiguity remains a significant concern in contemporary lawmaking. Studies examining Republic Acts, the Anti-POGO Act, and the Anti-Terrorism Act demonstrate how vague definitions, indeterminate references, and imprecise wording can produce conflicting interpretations and undermine legal effectiveness. Nevertheless, these studies are largely descriptive and case-specific, limiting broader theoretical understanding of ambiguity across different legal systems and sociolinguistic contexts (Bernardo & Albaña-Garrido, 2023; Marcos et al., 2026; Babao et al., 2025).

Several scholars have highlighted the role of linguistic complexity in legal discourse, particularly in statutory noun phrase structures and variations in functional types of statutory language. These studies reveal that excessive syntactic complexity often hinders accessibility and comprehensibility, especially for non-specialist readers. However, they pay insufficient attention to the interaction between linguistic complexity and practical legal interpretation by judges, lawyers, and ordinary citizens (Bello & Zainab, 2020; Wood, 2023).

Recent developments in forensic linguistics and cognitive approaches have expanded the study of legal ambiguity beyond structural analysis. Pragmatic investigations emphasize the role of context, inferencing, and communicative intentions in interpreting ambiguous legal texts, while cognitive linguistic perspectives explain how conceptual categorization influences statutory interpretation. Nonetheless, empirical applications of these approaches remain limited,

and there is still a lack of integrated models combining linguistic, cognitive, and legal perspectives to address ambiguity comprehensively (Kozhara, 2023; Wojtczak & Zeifert, 2024).

The emergence of new forms of communication, including social media language and evolving criminal discourse, further complicates legal interpretation and law enforcement. Studies suggest that contemporary linguistic practices continuously challenge traditional legal definitions and normative canons of criminal law, requiring more adaptive and interdisciplinary approaches to statutory interpretation. Future research should therefore employ comparative, corpus-based, and interdisciplinary methods to examine how linguistic ambiguity interacts with legal reasoning, public understanding, and digital communication environments across jurisdictions (Edem & Effiong, 2024; Slocum, 2026; Aruku et al., 2025; Nwachukwu, 2025).

This study adopts a pragma-semantic framework combining semantic theories of polysemy – the coexistence of multiple related meanings within a single word – and pragmatic principles that consider context-dependent interpretation. Polysemy theory helps analyse how words in the Criminal Code acquire different senses depending on usage, as shown in studies on prepositions like “before” and “above” within the Act (Umaru & Alagolo, 2024; Umaru & Alagolo, 2023). Pragmatics complements this by exploring how contextual factors influence meaning resolution during legal interpretation, addressing incidental or technical ambiguities that are less overt but impactful (Onyemelukwe & Alo, 2017). This integrated approach aligns with linguistic research emphasizing that legal language cannot be fully understood without considering both inherent word meanings and their pragmatic deployment in judicial contexts.

Previous research on Nigerian legal language has identified aptness as a foregrounded feature ensuring clarity while recognizing ambiguity as a backgrounded but present element influencing interpretation. Specific semantic analyses of key lexical items such as prepositions “before” and “above” reveal that while some terms retain their everyday meanings within the law, others develop unique senses peculiar to legal contexts (Umaru & Alagolo, 2024; Umaru & Alagolo, 2023). Studies also highlight legislative drafting challenges where gaps or vague expressions reduce statutory effectiveness, calling for redrafting or clearer guidelines (Udombana, 2020; Alli & Ademola, 2014). Furthermore, critical perspectives on criminal procedure codes emphasize minimizing vagueness to prevent uncertainty in scope and effect (Alli & Ademola, 2014). Historical analyses underscore interpretative difficulties arising from codification processes that sometimes preserve ambiguous terms inherited from earlier laws (Kasunmu & Omabegho, 1965).

The studies on lexical ambiguity in the Nigeria Criminal Code Act and related legal texts reveal a nuanced understanding of how language functions within the legal domain. Onyemelukwe and Alo (2017) emphasize that while ambiguity exists in legal language, it is often backgrounded compared to aptness, with legal texts striving for clarity to uphold objectivity and prevent ignorance claims under the law (Onyemelukwe & Alo, 2017). Umaru and Alagolo’s analyses of specific prepositions like “above” and “before” highlight the complexity of lexical items in the Act; for instance, “above” carries multiple distinct senses, including a unique “Existence Sense” not found in general English dictionaries, which complicates interpretation (Umaru & Alagolo, 2023).

Conversely, their study on “before” shows that some legal terms retain their everyday meanings, suggesting that not all legal language diverges from common usage (Umaru & Alagolo, 2024). Udombana (2020) critiques legislative drafting quality in Nigerian criminal justice laws, noting substantive gaps and expression issues that undermine effective implementation, indirectly pointing to challenges posed by ambiguous or imprecise language (Udombana, N. (2020).

Legal discourse has long been recognized as a complex linguistic domain characterized by technicality, formality, and interpretive challenges. Previous studies have examined how semantic ambiguity, lexical choice, and pragmatic meanings influence the interpretation of legal texts. Research on the Nigeria Criminal Code Act revealed that ordinary lexical items may acquire specialized legal meanings depending on context. This indicates that semantic interpretation in

legal discourse often differs from everyday language use, creating difficulties for both legal practitioners and ordinary readers. Similarly, studies on the language of the Criminal Procedures Code and the Nigeria Police Act demonstrated that vague and imprecise expressions can weaken clarity and create uncertainty in judicial interpretation. These studies emphasize that the complexity of legal drafting may negatively affect access to justice and public comprehension of legal provisions.

Other scholars approached legal discourse from stylistic and pragma-linguistic perspectives. Research on lexico-grammatical features of legal language showed that excessive technicality, repetition, and rigid sentence structures often contribute to ambiguity rather than eliminating it. In addition, studies on semantic ambiguity in legal discourse highlighted that polysemy, contextual interpretation, and syntactic complexity can significantly influence the meaning of legal texts and may result in multiple interpretations during legal proceedings. Furthermore, pragma-linguistic analyses of Nigerian constitutional provisions demonstrated that legal communication frequently relies on presupposition, implicature, and contextual assumptions, showing that meaning in legal texts extends beyond literal semantic interpretation.

Although these studies provide important insights into legal language and ambiguity, most of them focus separately on semantics, stylistics, or pragmatics without integrating the three perspectives comprehensively. In addition, limited attention has been given specifically to lexical ambiguity in the Nigeria Criminal Code Act and its implications for legal interpretation and administration of justice. Therefore, the present study seeks to bridge this gap by examining lexical ambiguity through a pragma-semantic approach in order to provide a more comprehensive understanding of how meaning is constructed and interpreted in Nigerian legal discourse (Umaru & Alagolo, 2023; Alli, 2014; Malau & Damanik, 2025; Ufot, 2013; Ajenifari et al., 2025).

Additionally, Alli and Ademola (2014) argue for mechanisms to reduce vagueness and indeterminacy in statutes like the Criminal Procedures Code to enhance interpretive clarity (Alli & Ademola, 2014). Kasunmu and Omabegho's historical analysis underscores interpretive difficulties arising from the Code's colonial origins and evolving judicial approaches to ambiguity, emphasizing the tension between codified text and prior common law understandings (Kasunmu & Omabegho, 1965). Collectively, these studies underscore that lexical ambiguity in Nigerian criminal law is both a linguistic and pragmatic challenge affecting judicial interpretation, legislative drafting, and ultimately justice delivery. They also suggest a need for more focused pragma-semantic analyses to clarify ambiguities and improve legal communication.

Recent studies demonstrate the growing intersection of language assessment, morphology, semantics, discourse, and sociocultural communication. Computer-based assessment has been developed to support the evaluation of Indonesian writing proficiency, highlighting the role of technology in language assessment (Winahyu et al., 2025). Morphological and semantic analysis of *memohon* and *berdoa* further illustrates how lexical meaning is shaped by linguistic context and usage (Paramita et al., 2025). In the sociocultural domain, cultural values influence crisis communication strategies, indicating the importance of contextual factors in effective communication (Aruku et al., 2025). Legal discourse research also shows that the interpretation of omission is closely connected to philosophical perspectives on language and action (Cabral, 2024). Meanwhile, linguistic creativity within the Nigerian Army demonstrates how shared expressions contribute to meaning negotiation and community identity (Mensah et al., 2023). Collectively, these studies confirm the importance of examining language as both a structural system and a context-dependent social practice.

Legal language is often characterized by precision, formality, and technicality; however, these same features may also create ambiguity and interpretative challenges. Studies on legal discourse reveal that legal texts frequently employ complex lexical and syntactic structures to

achieve accuracy, though such constructions can reduce accessibility for ordinary readers. Ambiguity in legal language may arise from semantic vagueness, syntactic complexity, or pragmatic interpretation, particularly in statutes and constitutional provisions. Research on Nigerian legal discourse demonstrates how lexical choices and constitutional wording influence legal interpretation and political communication. In addition, pragma-linguistic approaches emphasize that meaning in legal communication depends not only on literal wording but also on contextual interpretation and speaker intention.

Corpus-based stylistic studies further show how linguistic patterns such as suspense, tension, and semantic framing can shape readers' perceptions in legal and crime-related narratives. Theoretical discussions on positive law and natural law also contribute to understanding how language functions as a medium for expressing legal authority, morality, and social order. Collectively, these studies indicate that legal language operates as both a communicative and interpretative system where precision and ambiguity coexist, affecting the administration and understanding of justice (Ndubuisi & Alo, 2017; Umaru & Alagolo, 2023; Viola, 2023; Taiwo et al., 2025; Ekpenyong et al., 2025; Noor, 2025).

Despite these insights, significant gaps remain regarding how lexical ambiguity specifically affects comprehension and application of the Nigeria Criminal Code Act at a pragma-semantic level. There is limited systematic analysis identifying which ambiguous terms cause interpretative conflicts or how contextual factors resolve or exacerbate these ambiguities. Additionally, existing studies often focus on isolated words rather than providing an overarching framework linking semantic polysemy with pragmatic usage across the entire Act. This lack hinders comprehensive understanding necessary for legislative reform or judicial training aimed at reducing ambiguity-related errors. Consequently, this study seeks to fill these gaps by offering an integrated pragma-semantic analysis that elucidates the nature, causes, and implications of lexical ambiguity within the Nigeria Criminal Code Act to enhance clarity and justice administration.

2. Method

2.1 Data Collection

The study employs a purposive sampling technique to collect data from the Nigeria Criminal Code Act, focusing on lexical items that exhibit ambiguity within the legal text. Primary data sources include the full text of the Criminal Code Act and relevant judicial pronouncements that illustrate the use and interpretation of ambiguous terms in practice. Specific lexical items such as prepositions "before" and "above" were selected due to their frequent occurrence and semantic complexity in the Act, as demonstrated in prior semantic analyses. Supplementary materials include dictionaries and linguistic literature on polysemy and pragmatics to support semantic interpretation. The selection process prioritizes terms whose ambiguity has practical implications for legal interpretation, ensuring relevance to both linguistic theory and judicial application.

2.2 Data Analysis

The analysis adopts a pragma-semantic approach combining semantic theories of polysemy with pragmatic principles to examine how context influences meaning resolution in legal language. Semantic analysis identifies multiple related senses of ambiguous words, distinguishing between prototypical meanings and extended or technical senses specific to legal contexts. Pragmatic analysis explores how contextual factors—such as legislative intent, judicial precedents, and socio-political considerations—affect interpretation and disambiguation during legal proceedings. The study also considers incidental ambiguity, which is less overt but significant in legal texts, by analysing how ambiguity interacts with the law's magisterial nature and its demand for clarity. Findings are synthesized to highlight patterns of ambiguity, their causes, and their effects on statutory interpretation, aiming to inform clearer legislative drafting and judicial understanding.

3. Results and Discussion

3.1 Results

3.1.1 Lexical Ambiguity as a Backgrounded Feature in Legal Language

Lexical ambiguity in the Nigeria Criminal Code Act is largely a backgrounded semantic feature, meaning it exists but is not overtly emphasized within the legal register. The language of law prioritizes aptness, which refers to precision and clarity, due to its magisterial nature that demands unambiguous communication to uphold justice and prevent excuses based on ignorance of the law. This foregrounding of aptness means that while ambiguity is present, it tends to be technical or incidental rather than grammatical or structural, making it less visible but still potentially impactful on interpretation. For example, some lexical items retain multiple related meanings that require contextual resolution, but these ambiguities are subtle and do not dominate the legal text's overall clarity (Onyemelukwe & Alo, 2017).

The backgrounded nature of ambiguity reflects the law's objective to be as clear and precise as possible so that all subjects under its jurisdiction can understand their rights and obligations without confusion. This aligns with the principle that legal language should minimize uncertainty to ensure consistent judicial decisions and maintain public trust in the legal system (Onyemelukwe et al., 2017; Alli & Ademola, 2014).

However, despite this aim, certain words in the Nigeria Criminal Code Act demonstrate polysemy – multiple related senses – that complicate interpretation. For instance, the preposition "above" appears with several distinct senses including "more than," "superior," "on top," and a unique "existence" sense not found in ordinary English dictionaries, illustrating how lexical ambiguity can subtly permeate legal texts (Umaru & Alagolo, 2023). Such ambiguities require judges and legal practitioners to rely heavily on context and pragmatic understanding when interpreting statutes.

The subtle presence of lexical ambiguity also highlights challenges in legislative drafting. While laws strive for clarity, some degree of vagueness or indeterminacy may be unavoidable due to language limitations or evolving societal contexts. Scholars argue for mechanisms to reduce such vagueness through clearer drafting techniques and interpretive guidelines to enhance legal certainty (Udombana, 2020).

Moreover, the historical origins of the Nigeria Criminal Code Act—adapted from colonial-era codes—add layers of complexity as some terms carry technical meanings inherited from earlier legal systems, further complicating interpretation. This historical legacy underscores why ambiguity remains backgrounded rather than eliminated.

In sum, lexical ambiguity in the Nigeria Criminal Code Act functions as a backgrounded feature embedded within an overall framework of linguistic aptness aimed at precision. It is mostly technical or incidental rather than overtly problematic but still requires careful pragmatic and semantic analysis for effective judicial interpretation. Addressing these ambiguities through improved legislative drafting and interpretive strategies is essential for enhancing justice delivery and legal certainty in Nigeria's criminal law system.

3.1.2 Polysemy of Key Prepositions: "Before" and "Above"

The prepositions "before" and "above" in the Nigeria Criminal Code Act exemplify how **polysemy**, or multiple related meanings, operates within legal language, affecting interpretation and comprehension. The preposition "before" retains its extended senses from everyday English without significant deviation in the legal context, suggesting that some legal terms maintain their ordinary semantic properties to facilitate understanding [1](#). This continuity means that "before" can be interpreted using familiar temporal and spatial senses, such as indicating precedence in time or position, which helps reduce confusion for legal practitioners and courts when applying the law.

In contrast, the preposition “above” demonstrates a more complex polysemy within the Act, exhibiting four distinct senses: More than, Superior, On-top, and a unique Existence Sense found only in composite forms. The More than sense typically relates to quantities or degrees exceeding a certain threshold; the Superior sense implies hierarchical ranking; and the On-top sense refers to physical spatial positioning. These three senses align broadly with common English usage but require careful contextual analysis to determine which meaning applies in specific legal provisions. The fourth sense – the Existence Sense – is peculiar because it does not appear in standard dictionaries such as Oxford or Merriam-Webster and is exclusive to composite expressions within the Act 2. This novel sense likely evolved through legal semantic development to address specific interpretive needs but poses challenges for practitioners unfamiliar with its specialized meaning.

The presence of this unique Existence Sense highlights how legal language can diverge from ordinary language by developing specialized meanings that serve precise functions within statutory texts. Such divergence underscores the importance of pragma-semantic analysis – examining how meaning arises from both linguistic form and context – in interpreting ambiguous terms like “above.” Without recognizing this specialized sense, judges or lawyers might misinterpret statutory provisions, potentially affecting justice outcomes 2. This situation illustrates how polysemy in legal prepositions is not merely a linguistic curiosity but has practical implications for law enforcement and adjudication.

Moreover, these findings reflect broader patterns observed in prepositional polysemy studies outside Nigerian law. Research shows that prepositions often have a **primary protoscene** – a core spatial or relational meaning – from which other senses extend through metaphorical or functional shifts 5. For example, “above” as a spatial relation can extend metaphorically to hierarchical superiority or quantitative excess. Legal language harnesses these extensions but may also innovate new senses like the Existence Sense to meet specific statutory needs. Understanding these semantic networks aids interpreters in navigating complex legal texts where multiple meanings coexist.

While “before” maintains its everyday extended senses within the Nigeria Criminal Code Act facilitating straightforward interpretation, “above” exhibits richer polysemy including a legally unique Existence Sense that complicates interpretation if unrecognized. This contrast illustrates how some prepositions retain ordinary meanings in law while others develop specialized senses requiring careful contextual and pragmatic analysis. Recognizing these nuances is crucial for accurate statutory interpretation and effective application of criminal law in Nigeria.

3.1.3 Legislative Expression Gaps and Ambiguity

The Administration of Criminal Justice Act (ACJA) 2015 was enacted to reform Nigeria’s criminal justice system by addressing longstanding inefficiencies and promoting timely justice. However, the Act is plagued by significant legislative expression gaps and vague language, which undermine its quality and hinder effective implementation. These gaps often arise from ambiguous lexical choices and imprecise drafting techniques that create interpretative uncertainties, leaving room for inconsistent judicial application and enforcement challenges. For example, the Act lacks clear provisions on critical issues such as the admissibility of confessional statements, witness expenses, and parole conditions, which complicate legal processes and affect stakeholders’ rights.

Such legislative deficiencies highlight the urgent need for clearer drafting informed by pragmasemantic insights – the study of how meaning is constructed in context – to minimize ambiguity’s negative impact on law enforcement and justice delivery. Without precise language, courts may struggle to interpret provisions consistently, leading to delays, unfair outcomes, or even violations of defendants’ rights. Additionally, institutional challenges like inadequate funding, reluctance to depart from entrenched practices, and poor coordination among criminal justice agencies exacerbate these problems. The lack of synergy among institutions further impedes the full realization of the ACJA’s reforms.

Addressing these expression gaps requires comprehensive legislative review and amendment to clarify ambiguous terms and close loopholes. Recommendations include establishing explicit procedural rules – for instance, mandating the Attorney-General’s fiat before private prosecutions – and creating mechanisms like a Witness Trust Fund to support testimony. Moreover, aligning the Act with international best practices and ensuring uniform application across Nigeria’s federated states are essential for enhancing legal certainty and fairness. Political will is also critical; adequate funding and stakeholder readiness must accompany legislative improvements to ensure effective implementation.

While the ACJA 2015 represents a major step forward in Nigerian criminal justice reform, its impact is limited by legislative expression gaps and ambiguity that reduce statutory quality and implementation effectiveness. Clearer drafting guided by pragmasemantic principles, institutional reforms, and sustained political commitment are necessary to overcome these challenges and fulfill the Act’s promise of a more efficient, just criminal justice system in Nigeria.

3.1.4 Impact of Ambiguity on Legal Interpretation and Justice

Ambiguity in legal texts, including the Nigeria Criminal Code Act, significantly impacts judicial interpretation and the administration of justice by compelling judges to rely heavily on context, precedent, and legislative intent to resolve unclear meanings. While this interpretive flexibility allows courts to adapt laws to complex and unforeseen cases, it also introduces risks such as inconsistent rulings and potential exploitation of vague language by parties seeking favourable outcomes. Research emphasizes that minimizing vagueness in criminal procedure codes is crucial to prevent uncertainty about the scope and effect of legal provisions, which can undermine fairness and predictability in the justice system.

Judicial interpretation is an intellectual process where judges clarify ambiguous norms by considering not only the literal text but also broader social, moral, and legal principles to ensure just outcomes. When statutory language is imprecise or incomplete, judges may resort to supplementary sources such as natural law principles or established jurisprudence to fill gaps and concretize abstract norms for specific cases. This process highlights the dual role of interpretation: it must both faithfully reflect legislative intent and accommodate the demands of justice in particular circumstances. However, overreliance on judicial discretion due to ambiguity can lead to variability in decisions, potentially eroding public trust in legal consistency.

Studies also show that ambiguity arises from multiple sources including imprecise wording, legislative drafting gaps, and inherent vagueness in legal concepts. Addressing these issues requires clearer legislative drafting informed by pragmasemantic analysis – understanding how meaning is constructed through language use and context – to reduce interpretive uncertainty before cases reach courts [13](#). Additionally, innovative approaches like fuzzy logic models have been proposed to systematically manage ambiguity in legal interpretation by capturing uncertainties and improving consistency in judicial decision-making.

The impact of ambiguity extends beyond individual cases; it affects the legitimacy and efficiency of the entire criminal justice system. Ambiguous laws can cause delays, increase litigation costs, and create opportunities for arbitrary application or abuse of power. Conversely, some scholars argue that a certain degree of vagueness may be beneficial by reducing decision costs and allowing flexibility in rapidly changing social contexts. Nonetheless, excessive ambiguity remains a threat to rule-of-law values because it undermines legal certainty – a cornerstone of fair justice.

In practice, Nigerian courts often face challenges interpreting ambiguous provisions due to limited resources, varying levels of judicial expertise, and political pressures that may influence decisions. Strengthening judicial training on interpretive methods and promoting transparency in reasoning can mitigate these challenges. Moreover, legislative reforms aimed at precise statutory language combined with institutional support for consistent application are essential for enhancing justice delivery.

Ambiguity's presence in criminal law requires judges to balance fidelity to legislative text with pragmatic considerations of justice. While some flexibility aids adaptation to complex realities, unchecked vagueness risks inconsistent rulings and diminished public confidence. Minimizing lexical ambiguity through clearer drafting and employing interpretive tools grounded in pragmasemantics are vital steps toward promoting consistent application of justice within Nigeria's criminal legal framework.

3.2 Discussion

The analysis of lexical ambiguity in the Nigeria Criminal Code Act reveals a nuanced landscape where ambiguity primarily manifests as **technical or incidental** rather than overt grammatical or structural confusion, aligning with the legal register's overarching goal of clarity [3](#). This subtlety acknowledges that while absolute elimination of ambiguity is impractical due to language's inherent polysemous nature, understanding how context shapes meaning is crucial for effective legal interpretation. The pragmasemantic approach, which integrates semantics and pragmatics, demonstrates that terms like "before" and "above" carry dual semantic layers—retaining ordinary meanings while acquiring specialized legal senses—thus requiring interpreters to navigate both prototypical and legally extended meanings to avoid misinterpretation.

For instance, the term "above" in the Criminal Code Act exhibits four distinct senses, including a unique "Existence Sense" not found in general linguistic resources, underscoring the importance of domain-specific semantic analysis for statutory interpretation and judicial training. This domain-specific complexity highlights legislative drafting challenges. The Administration of Criminal Justice Act 2015 exemplifies how ambiguous language and legislative expression gaps undermine statutory effectiveness by creating interpretative uncertainties that burden courts and complicate enforcement.

Pragmasemantic insights can guide redrafting efforts by clarifying ambiguous terms through context-sensitive definitions and usage guidelines, thereby enhancing legislative competence and reducing judicial workload caused by interpretative ambiguities [4](#). Such clarity is essential because while some degree of ambiguity allows necessary flexibility for adapting laws to varied circumstances, excessive vagueness threatens **legal certainty** and fairness—core principles underpinning justice delivery.

Balancing precision with adaptability requires pragmatic awareness of how language functions within legal contexts. Judges must be equipped with linguistic tools to discern when ambiguity is incidental—arising from technical or contextual factors—and when it signals deeper interpretative challenges that could affect case outcomes. This distinction is critical because overreliance on judicial discretion due to ambiguous statutes risks inconsistent rulings, which can erode public confidence in the justice system. Conversely, some flexibility in interpretation enables courts to address complex or unforeseen situations effectively without being rigidly bound by literal text.

The unique semantic features identified in legal texts also emphasize the need for ongoing research into domain-specific language use. For example, the "Existence Sense" of "above" found exclusively in composite forms within the Nigeria Criminal Code Act illustrates how certain lexical items develop specialized meanings that general dictionaries do not capture. Recognizing these peculiarities can inform legislative drafting by encouraging explicit definitions of such terms to reduce interpretative disputes. It also supports judicial training programs aimed at enhancing linguistic competence among judges and lawyers so they can better navigate these semantic complexities during statutory interpretation.

Legislative reforms such as the Administration of Criminal Justice Act (ACJA) 2015 represent significant strides toward modernizing Nigeria's criminal justice system, but addressing expression gaps in these laws requires more than clearer language alone; it demands institutional readiness, political will, and systemic support for effective implementation [14](#). The ACJA was designed to harmonize and update criminal procedure laws across Nigeria, aiming to reduce delays and improve justice delivery. However, studies reveal that despite its progressive provisions, the Act suffers from substantive legislative expression gaps and ambiguities that

undermine its quality and complicate enforcement. These gaps include unclear procedural rules, insufficient provisions for vulnerable groups like women and children, and optional rather than mandatory use of electronic recording of confessional statements—all of which create room for interpretative challenges and inconsistent application. Without adequate funding, coordination among criminal justice agencies, and active stakeholder engagement, even well-drafted laws risk failing to achieve their intended impact.

Pragmasemantic strategies—approaches that integrate semantic meaning with pragmatic context—can play a crucial role in addressing these legislative ambiguities by informing clearer drafting practices that are sensitive to how language functions in legal contexts. For example, lexical ambiguity in the Nigeria Criminal Code Act often arises from technical ambiguities embedded within specialized legal language rather than overt grammatical flaws. Terms like “above” exhibit polysemy with multiple distinct senses including a unique Existence Sense found only in composite forms within the legal text but absent from general dictionaries. Similarly, while the preposition “before” retains meanings consistent with everyday English, its interpretation still depends on contextual factors within legal discourse. Recognizing these domain-specific semantic nuances is essential for lawmakers to craft statutes that minimize confusion while preserving necessary flexibility.

However, improving statutory language clarity through pragmasemantic insights must be coupled with broader reform efforts encompassing capacity building and systemic improvements. Judicial officers require enhanced linguistic competence through targeted training to navigate complex semantic-pragmatic issues during statutory interpretation effectively [13](#). This training enables judges to discern when ambiguity is incidental—serving legitimate interpretative functions—and when it signals deeper drafting deficiencies requiring legislative correction. Such competence reduces judicial workload caused by protracted interpretative disputes and promotes more consistent application of the law.

Moreover, institutional readiness involves ensuring adequate funding for implementation activities such as training programs, technological upgrades (e.g., mandatory electronic recording), and inter-agency coordination mechanisms. Political will is equally critical; without government commitment to prioritize criminal justice reforms and allocate necessary resources, legislative improvements risk remaining theoretical rather than practical. Stakeholder engagement—including law enforcement agencies, judiciary members, legal practitioners, civil society organizations, and affected communities—is vital for identifying implementation challenges early and fostering collaborative solutions.

The ACJA’s experience illustrates these points clearly. While it introduced comprehensive reforms aimed at speeding up criminal trials and protecting defendants’ rights, challenges persist due to expression gaps and institutional constraints. For instance, the lack of clear procedures regarding admissibility of confessional statements or witness expenses has led to inconsistent judicial practices and case delays. Additionally, the absence of explicit provisions on parole conditions or medical parole creates uncertainty affecting correctional administration [7](#). Addressing these issues requires not only legislative amendments informed by pragmasemantic analysis but also systemic reforms ensuring that courts and agencies are equipped to implement changes effectively.

Lexical ambiguity in Nigerian criminal law is subtle but consequential. It mainly stems from technical ambiguities within specialized legal language rather than overt grammatical errors. Addressing these challenges necessitates integrated semantic-pragmatic approaches involving clearer legislative drafting informed by context-sensitive analyses alongside enhanced judicial linguistic competence through targeted training. Furthermore, successful reform depends on institutional readiness characterized by adequate funding, political will, inter-agency coordination, and stakeholder engagement to translate legislative improvements into practical outcomes [4](#). Together, these measures will promote more consistent statutory interpretation,

improve justice delivery outcomes by reducing delays and uncertainties, lessen judicial workload caused by interpretative disputes, and ultimately strengthen public confidence in Nigeria's criminal justice system.

4. Conclusion

The pragmasemantic analysis of lexical ambiguity in the Nigeria Criminal Code Act reveals a complex interplay between language precision and inherent semantic flexibility within legal texts. The study confirms that while the legal register strives for aptness – clarity and exactness – ambiguity remains a subtle but persistent feature, primarily manifesting as technical or incidental ambiguity rather than overt grammatical or structural confusion ¹. This backgrounded ambiguity does not undermine the law's magisterial nature but highlights the challenges of conveying multifaceted legal concepts through language that must be both accessible and authoritative.

Key lexical items such as the prepositions "before" and "above" exemplify how ambiguity operates pragmatically in the Act. The preposition "before" retains its extended senses consistent with everyday English, facilitating comprehension without introducing significant interpretative difficulties (Umaru & Alagolo, 2024). In contrast, "above" demonstrates polysemy with four distinct senses, including a unique Existence Sense found only in composite forms that is absent from standard dictionaries. This specialized semantic development underscores the necessity for domain-specific linguistic awareness among legal practitioners to avoid misinterpretation and ensure accurate application of the law.

The analysis also identifies legislative expression gaps within related statutes like the Administration of Criminal Justice Act 2015, where ambiguous or vague language diminishes statutory quality and complicates implementation (Udombana, 2020). Such gaps emphasize the importance of integrating pragmasemantic insights into legislative drafting to enhance clarity and reduce interpretative disputes. Clearer definitions and context-sensitive usage guidelines can mitigate ambiguity's negative impact on justice delivery by providing judges and lawyers with more precise linguistic tools.

While some degree of lexical ambiguity allows flexibility necessary for adapting laws to diverse circumstances, excessive vagueness threatens legal certainty and fairness. The balance between precision and adaptability requires careful management through pragmatic understanding of how context shapes meaning in legal discourse. Judges must discern when ambiguity is incidental – serving legitimate interpretative functions – and when it signals deeper drafting deficiencies needing legislative correction.

The addressing lexical ambiguity in the Nigeria Criminal Code Act demands a multifaceted approach combining improved legislative drafting, enhanced judicial linguistic competence, and ongoing research into legal language use. By recognizing both ordinary and specialized meanings of key terms, lawmakers can craft statutes that minimize confusion while preserving necessary flexibility. Simultaneously, equipping legal professionals with pragmasemantic knowledge fosters consistent interpretation aligned with legislative intent. These measures collectively strengthen Nigeria's criminal justice system by promoting clarity, fairness, and public confidence in the rule of law.

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