

P·E·R

Pioneer in peer-reviewed,
open access online law publications

Authors

Natasha Ravyse
Michael Laubscher

Affiliation

North-West University,
South Africa

Email

Natasha.Ravyse@nwu.ac.za
Michael.Laubscher@nwu.ac.za

Date Submitted

28 November 2023

Date Published

29 February 2024

Guest Editors

Ms N Ravyse
Mr M Laubscher

Journal Editor

Prof C Rautenbach

How to cite this contribution

"Editorial: "Language and Law"
PER / PELJ 2024(27) – DOI
<http://dx.doi.org/10.17159/1727-3781/2024/v27i0a17366>

Copyright



DOI

<http://dx.doi.org/10.17159/1727-3781/2024/v27i0a17366>

With unbridled enthusiasm and eager anticipation, we extend a warm welcome to this special issue of the *Potchefstroom Electronic Law Journal*, meticulously crafted to spotlight the fascinating intersection of language and law. Spanning the realms of comparative law, legal philosophy and forensic linguistics, the profound interconnection between language and law has ignited a myriad of inquiries across diverse research domains.

Initiated against the backdrop of the NWU Faculty of Law's inaugural "Justice in Practice" colloquium in March 2022, this collection of articles represents an independent and meticulously scrutinised body of work. While inspired by the colloquium's overarching theme, each contribution has undergone a rigorous, blind peer review process, ensuring scholarly rigor and individual merit. The colloquium served as a catalyst for exploring uncharted territories in language and law research, emphasising the global South's unique perspective enriched by multilingualism and multiculturalism. In the complex tapestry of human society, the dynamic interplay between language and the legal domain emerges as a dynamic and evolving field demanding scholarly exploration and understanding.

Thus, this curated compilation aims to delve into the nuanced ways in which language independently shapes, influences, and interacts with the intricate frameworks of law.

Mr Michael Laubscher initiates the discussion with a book review focusing on the significant work, "Linguistics for Legal Interpretation," authored by the esteemed Prof. TR Carney. This review sheds light on the critical themes and scholarly contributions presented by Prof. Carney in the complex sphere of linguistic principles applied to legal interpretation.

Dr Zakeera Docrat utilises forensic linguistics and critiques the practice of administering language tests for citizenship in South Africa. The themes explored in her contribution include South African constitutional and legislative provisions, the link between language, citizenship, and xenophobia, and a case study of Operation Dudula's xenophobic acts under the guise of citizenship.

Prof Klaus Beiter addresses the threat to the cultural survival of vulnerable minority and indigenous groups due to a lack of educational and cultural literacy materials in their languages. He explains that while translation could address this gap, international copyright law poses challenges to the translation of works. The article argues for a reinterpretation of the Berne Convention and other intellectual property instruments in light of internationally protected linguistic human rights.

Prof Avitus Agbor underscores the critical role of language in a diverse and democratic society, primarily as a tool for realising the right to freedom of expression. The interplay of language with the rights to dignity and equality is emphasized. He argues that when language has the potential to cause harm, incite hatred, discrimination, or violence, legal instruments must intervene for regulation. Finally, the contribution contends that scapegoating foreign nationals for the country's socio-economic challenges is not only dishonest but constitutes a form of political corruption.

Prof Neels Killian explores the intersection between language and law through a broader consideration of transparency, communication, and compliance within the legal and regulatory framework of the insurance industry. His contribution delves into the critical examination of the Solvency Capital Requirement (SCR) and Minimum Capital Requirement (MCR) formulae, emphasising the necessity for external auditors of insurers to audit and disclose these elements in the financial statements.

In closing, our sincere appreciation goes to the authors whose invaluable contributions have enriched this collective endeavour. Their expertise has illuminated the diverse facets of language and law, transcending boundaries and fostering a deeper understanding of this dynamic intersection. As the pages of this special edition unfold, we extend our anticipation that it will stand as a lasting resource, resonating with scholars, practitioners, and enthusiasts alike. May this compilation inspire further exploration and dialogue, fuelling the ongoing quest for knowledge at the nexus of language and law.

N Ravyse

M Laubscher

* Natasha Ravyse. Bed Senior Phase and FET (Unisa) BA Hons Literature (NWU) MA English (NWU) PhD Linguistics and Literary Theory (NWU). Senior Lecturer faculty of law, North-West University, Vandebijlpark, South Africa. Email: Natasha.Ravyse@nwu.ac.za. ORCID: <https://orcid.org/0000-0003-2117-2189>.

** Michael Laubscher. LLB (Unisa) MA English (NWU). Lecturer faculty of law, North-West University, Potchefstroom, South Africa. Email: Michael.Laubscher@nwu.ac.za. ORCID: <https://orcid.org/0000-0001-7825-5650>.