Towards Transdisciplinarity in Legal Education and Practice: A Call for Academic Leadership

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Abstract

This chapter surveys the interfaces between the law and language in the context of legal practice, emphasising the critical need to integrate linguistic insights into legal education and professional training. The use of language is explored in legislative drafting, statutory interpretation, evidence, legal communication and court proceedings, underscoring its significance in the operation of a legal system. By examining these interfaces, the chapter demonstrates the necessity of fostering a nuanced understanding of language within the legal profession. It concludes by proposing enhancement of legal education and practice through transdisciplinary academic leadership, focussing on research, collaboration, consultancy and research-led law curriculum and professional training. This approach aims to equip prospective and current legal professionals with the linguistic skills necessary to navigate the cultural complexity of modern law practice.

Keywords: *transdisciplinarity, legal education, law practice, legal communication, legal linguistics, legal translation, comparative law.*

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1. Introduction

The existence of law is predicated on the language from which the law derives its meaning, yet linguistic aspects of law practice tend not to be appreciated in legal education. Despite the relationship between law and language being the subject of interdisciplinary research, such as legal linguistics,[1] semiotics of

[1] For an overview of the characteristics and functions of legal language as a language for special

law,[2] legal pragmatics,[3] forensic linguistics,[4] legal translation,[5] language rights and policy,[6] and, to some extent, comparative law,[7] there seems to be relatively minimal, if any, knowledge transfer between these disciplines for the purposes of legal education or practice. This chapter explores some of the interfaces between language and the law, highlighting the benefits of incorporating transdisciplinary insights into the law curriculum and provision of legal services. It concludes by considering the role of a transdisciplinary chair in promoting a holistic approach to the law and its operation, as a means of addressing the multifaceted nature and global character of modern law practice.

2. Sources of Law

The law is enshrined in its sources, which are specific to each jurisdiction, and encompass such types of sources as a constitution, legislation, legal codes (in civil law systems), case law (in common law systems) and customs.[8] For example, the primary sources of English law are legislation and case law. Statutes are passed by Parliament[9] (the legislative branch of power) and legislation is then applied by the courts (the judiciary being a separate branch of power) to facts of the cases before them. When applying legislation, the courts construe the statutes according to the corresponding legislative intentions,[10] hence it is important that legislation is drafted is a clear, precise, unambiguous and error-free manner.[11]

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purposes, see e.g. Heikki E. S. Mattila, *Comparative Legal Linguistics: Language of Law, Latin and Modern Lingua Francas* (2nd ed. London and New York: Routledge, 2013).

[2] See e.g. Anne Wagner, Tracey Summerfield and Farid Samir Benavides Vanegas, ed., *Contemporary Issues of the Semiotics of Law* (Oxford and Portland, Oregon: Hart Publishing, 2005).

[3] For a wide spectrum of the latest approaches in this area, see Dennis Kurzon and Barbara Kryk-Kastovsky, ed., *Legal Pragmatics* (Amsterdam and Philadelphia: John Benjamins, 2018).

[4] A comprehensive survey of this field is provided in Victoria Guillén-Nieto and Dieter Stein, ed., *Language as Evidence. Doing Forensic Linguistics* (Cham: Palgrave Macmillan, 2022).

[5] For a classic text on legal translation, see Susan Šarčević, *New Approach to Legal Translation* (The Hague: Kluwer Law International, 1997).

[6] For a review of this field at its outset, see Christina Bratt Paulston, "Language Policies and Language Rights," *Annual Review of Anthropology* 26 (1997): 73-85.

[7] For a discussion of linguistic approaches to comparative law, see e.g. Mathias Siems, *Comparative Law* (3rd ed. Cambridge: Cambridge University Press, 2022), chap. 5C and Jaakko Husa, *A New Introduction to Comparative Law* (2nd ed. Oxford, New York and Dublin: Hart Publishing, 2023), 50-51.

[8] In addition to domestic sources of law, there are also sources of international and supranational law, such as, in the European context, the European Convention on Human Rights and European Union law.

[9] In addition, legislative power can be delegated to specific persons or bodies, thus resulting in delegated (subordinate) legislation.

[10] In Lord Reid's words, the function of the judiciary is to seek "… not what Parliament meant but the true meaning of what they said" (*Black-Clawson International Ltd v Papierwerke Waldhof-Aschaffenburg AG* [1975] AC 591).

[11] In this context, legislation tends to be drafted with greater precision and thus its interpretation

When construing statutory meaning, the courts rely on the principles[12] of statutory interpretation,[13] such as the literal rule,[14] the golden rule[15] and the mischief rule[16], as well as the contemporary purposive approach.[17] Statutory interpretation constitutes an aid to legal reasoning,[18] whereby judges ascertain whether the facts of a case before them satisfy the conditions of a particular rule. In addition, per the doctrine of *stare decisis*,[19] in their decision- making the courts must normally follow binding precedents, i.e. judgments from courts binding on them in cases with the same or similar material facts.[20]

While a relative minority of law graduates will go on to practise law, let alone be involved in legislative drafting or become a member of the judiciary, legal problem solving is one of the key skills developed as part of the law curriculum. Nevertheless, linguistic aspects of the sources of law, their interpretation and application remain largely ignored in law study. It is submitted that both prospective and current practitioners would benefit from developing a degree of linguistic awareness, particularly in relation to the legal lexicon, its semantic structure and sense relations as well as sentence structure (syntax) and its levels. Considering the wordiness, complex syntax and the use of specialised terminology, including archaisms, that characterise the language of the law,[21] such knowledge, however minimal, would be helpful in navigating the web of legal meaning within and between legal sources, and determining the legislative intent behind them, to ensure correct application of the law. Since the law operates in context and legal texts may be drafted with varying levels of precision, the awareness of pragmatic

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tends to be narrower than in civil law systems. See further in Siems, *Comparative Law,* 53-54.

[12] While the principles of legal interpretation are often referred to as "rules", they are "principles" in the Dworkian sense.

[13] There are also rules of particular application, such as the ejusdem generis rule, whereby "… where particular words are followed by general words, the general words are limited to the same kind as the particular words" (P. G. Osborn, *A Concise Law Dictionary* (5th ed. London: Sweet & Maxwell, 1964), 119). See also Ian McLeod, *Legal Method* (9th ed. Basingstoke: Palgrave Macmillan, 2013), 268.

[14] The literal rule is also referred to as grammatical interpretation (Jaap Hage, "Legal Reasoning," in *Elgar Encyclopedia of Comparative Law*, ed. Jan M. Smits and others, chap. 42 (Cheltenham: Edward Elgar Publishing Limited, 2023)).

[15] *Grey v Pearson* (1857) 6 HLC 61, 106 (Lord Wensleydale).

[16] The mischief rule is also referred to as "… interpretation according to legislative intent" (in making the rule) (Hage, *Legal Reasoning*).

[17] *Kamins Ballrooms Co Ltd v Zenith Investments (Torquay) Ltd* [1971] AC 850. See also *Carter v Bradbeer* [1975] 3 All ER 158 (Lord Diplock).

[18] Brian Bix, *Law, Language, and Legal Determinacy* (Oxford: Clarendon Press, 1993), 4.

[19] From Latin: "to stand by things decided".

[20] As such, there are no canons of interpretation in relation to case law. See further in Hage, *Legal Reasoning*.

[21] David Mellinkoff, *The Language of the Law* (Boston: Little, Brown and Co, 1963), 399; Mattila, *Comparative Legal Linguistics: Language of Law, Latin and Modern Lingua Francas,* 1-2. See also an in-depth discussion of the characteristics of legal language in Peter M. Tiersma, *Legal Language* (Chicago and London: The University of Chicago Press, 2000), pt 2 and Mattila, *Comparative Legal Linguistics: Language of Law, Latin and Modern Lingua Francas,* 87-136.

aspects of communication is also crucial in discovering the implied meaning and thus the intended effect of the law as applied to a particular scenario. Overall, even rudimentary knowledge of the aforementioned branches of linguistics would be invaluable to both the aspiring lawyer and the practitioner, and of overwhelming importance in the course of legal proceedings in light of their implications for the parties involved.

3. Language as Evidence

Since the application of the law to the facts requires that evidence be first adduced before the court, oral and/or written testimony is provided by the parties to the proceedings in the medium of language. An assessment of such evidence is needed in order to formulate legal arguments, which may require addressing not only substantive law issues but also the manner in which the evidence is adduced and its impact on the judge(s) and/or the jury.

The matter subject to litigation may be in the form of language, which requires analysis as the law is applied to the facts. An example of linguistic analysis in the context of tort law is an inquiry into the meaning of the defendant's statement published[22] to a third party that is conducted in the course of defamation proceedings, to determine whether such meaning is defamatory[23] in nature and thus capable of damaging the claimant's reputation. Other torts that may involve the use of language include negligent misstatements,[24] passing off[25] and breach of confidence,[26] in the cases of which communication of a message by the defendant results in the claimant's detriment. Language and its use may also be considered as evidence in intellectual property law disputes to establish whether property rights such as trademarks[27] or copyright[28] have been infringed, and precise and accurate use of language is crucial when filing an application for a patent[29] or design registration,[30] to ensure their adequate protection. In criminal law, certain criminal offences can be committed by a particular use of language that is

[22] In the legal sense, i.e. communicated. See e.g. *Pullman v Walter Hill & Co* [1891] 1 QB 524, 527.
[23] To that end, the "lowering of reputation test" is typically applied in English law, as expounded in *Sim v Stretch* [1936] 2 All ER 1237, 1240 (Lord Atkin). This requirement is, however, not sufficient for a defamation claim to be successful, as other elements of the tort of defamation must also be made out and, in England and Wales, the serious harm requirement must be satisfied, per s. 1 of the Defamation Act 2013.
[24] *Hedley Byrne & Co v Heller & Partners* [1964] AC 465.
[25] *Reckitt & Colman Products Ltd v Borden Inc* [1990] 1 All ER 873. NB This tort also applies in the context of intellectual property rights.
[26] *Coco v AN Clark Engineers Ltd* [1968] FSR 415.
[27] The Trade Marks Act 1994, s. 1(1).
[28] The Copyright, Designs and Patents Act 1988, ss 1(1)(a) and 3.
[29] The Patents Act 1977, ss 14(2)(b) and 14(5).
[30] In relation to the declaration of novelty and individual character, as required by s. 1B of the Registered Designs Act 1949.

prohibited, either in speech or writing, such as perjury,[31] harassment,[32] hate speech,[33] threats to kill,[34] fraud by false representation,[35] malicious communication causing distress or anxiety to the recipient[36] or communication of a message that is grossly offensive, indecent, obscene or menacing in character.[37] In such cases the meaning of the message, the intent behind it, its perception by and/or impact on the victim may need to be examined from the perspective of prohibited behaviour. In a business or employment context, the wording of contracts may too be subject to linguistic scrutiny if disputes arise between the contracting parties in relation to their terms or, preferably, before their conclusion, to prevent such issues from arising in the first place. These are only a few examples demonstrating legal implications that a particular use of language may have in criminal and civil law, and it is posited that linguistic issues are encountered in any area of law practice.

Interestingly, these and similar linguistic issues raised by the application of the law to the facts are navigated by law practitioners without relevant transdisciplinary expertise, with a tendency to use the natural or ordinary (i.e. literal) meaning as a starting point in language analysis.[38] Arguably, developing a degree of linguistic awareness as part of law studies would enhance the student's analytical and critical thinking skills, which are crucial to legal problem solving. While it is commonly known that the presence or absence of a comma or its particular placement within a sentence may affect its meaning,[39] attention should also be paid to the semantic, syntactic and pragmatic aspects of language, i.e. the choice of language at word, sentence and discourse levels and its meaning in context, viewed from the perspective of its legal effect. The aim of including such transdisciplinary insights would be to broaden the students' or prospective practitioners' horizons, rather than develop linguistic expertise. Where expertise from other disciplines is needed in order to guide decision-making, relevant experts should be engaged, considering the legal implications that may follow. To illustrate this, in addition to the issue of meaning, authorship attribution may be in dispute in cases ranging from criminal matters to claims of copyright infringement. For the

[31] The Perjury Act 1911.
[32] The Protection from Harassment Act 1997. See also "harassment, alarm or distress" under s. 5 of the Public Order Act 1986. NB In English law harassment is also a civil wrong.
[33] For instance, in the context of race or religion—see pt III of the Public Order Act 1986 and the Racial and Religious Hatred Act 2006.
[34] Section 16 of the Offences Against the Person Act 1861, as amended by schedule 12 of the Criminal Law Act 1977.
[35] The Fraud Act 2006, s. 2.
[36] The Malicious Communications Act 1988, s. 1.
[37] The Communications Act 2003, s. 127(1).
[38] *Pinner v Everett* [1969] 1 WLR 1266 (HL), 1273 (Lord Reid). NB Extrinsic aids, such as dictionaries, are sometimes used to assist in the process of interpretation of legal meaning.
[39] Punctuation may also serve as an aid to interpreting statutes where there is ambiguity—see, for instance, *Hanlon v Law Society* [1981] AC 124 (HL), 198 (Lord Lowry).

purposes of authorship identification, expert witnesses may be engaged to conduct forensic analysis of text or speech and give evidence before the court.[40] Clearly, this level of linguistic expertise could not be provided by law practitioners and aspects of language and its use, such as authorship, are distinct from interpretation of its meaning.

Another aspect of language use in court proceedings is related to the manner in which evidence is adduced. When a case proceeds to a hearing in an adversarial legal system, witnesses are examined, cross-examined and sometimes re-examined by counsel. Research into the use of language in this setting has resulted in some insightful observations. For instance, court discourse analysis has identified some features of a powerless speech style used by some witnesses and its impact on the jury's and courts' decision-making process, and counsel's techniques of controlling witnesses' testimony have been pinpointed.[41] The power dynamics in the court room have been found to be further complicated in the context of bi- or multilingual proceedings,[42] where the witness is not fluent in the language used by the court, the parties are assisted by interpreters and/or the evidence includes translated documents. Considering its relevance to the legal process, it is astounding, that such research is not used in mooting and professional legal training. Undoubtedly, the practitioner's advocacy and interpersonal skills could be significantly enhanced by inclusion of such transdisciplinary insights in their development, thus increasing the legal professional's awareness of their own and others' language use, and its effect on the legal process and its outcome.

4. Legal Communication

The language of the law is a special purpose language,[43] which derives its meaning from the respective legal system and is often characterised by distinct lexical, syntactic, pragmatic and stylistic features, such as archaic, formal and technical vocabulary, lengthy and complex sentences, and verbose and obscure discourse.[44] As a result, it tends to be difficult to understand by the layperson,

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[40] For an overview of services provided by forensic linguists, see e.g. Guillén-Nieto and Stein, *Language as Evidence. Doing Forensic Linguistics*.

[41] See e.g. Elizabeth Loftus and Guido Zanni, "Eyewitnes testimony: Influence of the wording of a question," *Bulletin of the Psychonomic Society* 5 (1975): 86-88; Brenda Danet and Nicole Kermish, "Courtroom questioning: A sociolinguistic perspective," in *Psychology and Persuasion in Advocacy,* ed. Louis N. Massery II (Washington: Association of Trial Lawyers of America, National College of Advocacy, 1978); William O'Barr, *Linguistic Evidence: Language, Power, and Strategy in the Courtroom* (New York: Academic Press, 1982).

[42] See e.g. Sandra Hale, "Interpreters' treatment of discourse markers in courtroom questions," *Forensic Linguistics* 6 (1999): 57-82, Susan Berk-Seligson, "Linguistic Issues in Courtroom Interpretation," in *The Oxford Handbook of Language and Law*, ed. Peter M. Tiersma and Lawrence M. Solan (Oxford: Oxford University Press, 2012).

[43] Also referred to as a technolect. See further in Mattila, *Comparative Legal Linguistics: Language of Law, Latin and Modern Lingua Francas,* 1.

[44] For exhaustive description of legal language, see Mellinkoff, *The Language of the Law,* or

who may require explanation of legal concepts and procedures by the law practitioner, and, in particular, the application of the law to their individual circumstances.[45] While the issues surrounding the inherent propensity of the language of the law to impede its understanding have been recognised and attempts have been made to remedy them through plain language[46] campaigns, this aspect of law practice remains largely unaddressed in legal education and professional training. A communication in plain language has been defined by the International Plain Language Federation as one whose "… wording, structure, and design are so clear that the intended reader can easily find what they need, understand what they find, and use that information."[47] Naturally, construing communications in a fashion that is comprehensible to clients from all manner of social strata and clear articulation, both in speech and in writing, of legal reasoning that underpins the legal process require a degree of linguistic insight and self-awareness. Not only is the knowledge of general characteristics of the language of the law and their implications required for this purpose, but also a skill of intralingual translation of meaning from the technical language of the law into the vernacular, which, it is submitted, could be developed through transdisciplinary legal education.

Comprehension issues that may arise in the course of monolingual law practice are likely to be compounded in practice that transcends jurisdictional and cultural boundaries. In this context, unless supranational or international law is applicable, law practice relies on translation of legal meaning between two (or more) legal cultures. Regardless of whether such translation is intra- or interlingual, a non-linguist would be aided in their performance by insights from legal semiotics, translation studies and language teaching. Firstly, from a semiotic perspective, an awareness is important of the triadic notion of meaning,[48] whereby a legal term that refers to a particular object, e.g. a person, act or institution (also referred to as a reference or denotation), has a corresponding concept which mediates between the two (also known as a sense or connotation) and which is derived from a particular legal culture. In the context of cross-jurisdictional law practice, conceptual variation between legal systems may create a linguistic gap

Tiersma, *Legal Language*, chap. 4, 12. See also Heikki E.S. Mattila, 'Legal Vocabulary,' in *The Oxford Handbook of Language and Law*, ed. Peter M. Tiersma and Lawrence M. Solan (Oxford: Oxford University Press, 2012).

[45] Michael Doherty, ed., *English and European Legal Systems* (London: Old Bailey Press, 2003), 25-26.

[46] See further in e.g. Christopher Williams, *The Impact of Plain Language on Legal English in the United Kingdom* (Abingdon and New York: Routledge, 2023), chap.1.

[47] "Plain language definitions," International Plain Language Federation, accessed July 1, 2024, https://www.iplfederation.org/plain-language/.

[48] Charles K. Ogden and Ivor A. Richards, *The Meaning of Meaning: A Study of the Influence of Language upon Thought and of the Science of Symbolism* (London: Routledge & Kegan Paul, 1923), 11.

that needs to be bridged through the application of appropriate translation techniques if effective communication between the practitioner and their foreign language-speaking peers or clients is to be achieved. When communication is attempted by the practitioner in their own language that is foreign to their peer or client, there may be a cognitive gap resulting from the lawyer's overestimation of their peer's or client's foreign language competence. Arguably, even a rudimentary awareness of the language proficiency levels used in foreign language teaching, which would allow practitioners to discern between basic, independent and proficient users of a language[49] and their corresponding lexical ranges, would offer useful guidance for legal and legal-lay communication in such circumstances. Such transdisciplinary insights are important due to communication in modern law practice becoming increasingly global, however they would also benefit the construction of meaning in law practice itself.

5. Cross-Jurisdictional Law Practice

Globalisation processes characterising the last few decades have had an effect on both communication and practice in the legal sector. Law practice often crosses jurisdictional and cultural boundaries, resulting in encounters with foreign legal systems and speakers of other languages. To bridge cultural gaps arising in the legal context,[50] which may range from different expectations of legal services to incommensurability of legal concepts,[51] one needs to resort to the functional method employed by comparative law[52] and legal translation.[53] In theory, a greater awareness of legal variation across cultures, combined with the ability to make an inquiry into the effects of foreign rules within their legal systems and conduct their interjurisdictional comparison, would allow the practitioner to discern relevant legal differences between the given jurisdictions. It would also inform their advice provided to clients as well as legal steps taken on their behalf. In practice, however, a transdisciplinary approach is rarely, if ever,

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[49] See the "Common European Framework of Reference for Languages (CEFR)", Council of Europe, accessed July 1, 2024, https://www.coe.int/en/web/common-european-framework-referen ce-languages/table-1-cefr-3.3-common-reference-levels-global-scale.

[50] See e.g. Pierre Legrand, "European Legal Systems are not Converging," *International and Comparative Law Quarterly* 45 (1996): 52-81, 60; Husa, *A New Introduction to Comparative Law*, 140ff.

[51] Paulina E. Wilson, "Interjural Incommensurability in Criminal Law: Constructing a Framework for Micro-Comparisons for Translation Purposes," in *Language and Law in Social Practice Research*, ed. Girolamo Tessuto and Rita Salvi (Mantova: Universitas Studiorum, 2015).

[52] See e.g. Hans-Joachim Bartels, *Methode und Gegenstand intersystemarer Rechtsvergleichung* (Tübingen: JCB Mohr, 1982).

[53] See e.g. Martin Weston, *An English Reader's Guide to the French Legal System* (New York and Oxford: Berg, 1991), 23; Barbara Z. Kielar, *Language of the Law in the Aspect of Translation* (Warszawa: Wydawnictwa Uniwersytetu Warszawskiego, 1977); Šarčević, *New Approach to Legal Translation,* 236.

adopted in this context and cultivating interjurisdictional competence[54] in law students does not appear to be a priority in the law curriculum.[55] Legal education is typically domestic law-oriented and seldom pays more than fleeting attention to foreign legal frameworks, with opportunities for legal comparisons being relatively limited. Where such opportunities exist, linguistic aspects of foreign legal cultures tend to be excluded from legal comparisons. Nevertheless, in light of the multidimensional character of legal cultures and the inextricable link between law and language, global law practice is one of the settings that would significantly benefit from transdisciplinary input, particularly in terms of the practitioner's skillset, confidence and career prospects, as well as the perception of their service quality by their clients. To that end, linguistic and cultural awareness ought to be developed as part of law studies and, in addition, study of foreign languages should be encouraged in order to broaden the students' horizons.

In the same vein, transdisciplinary knowledge and skills are also pertinent to language professionals who enable cross-cultural law practice by providing interpreting and translation services. Despite their linguistic expertise, they often lack legal competence, yet the process of legal translation necessarily requires the practice of comparative law.[56] While full competence in both law and translation would require comprehensive education in both disciplines and thus would not be feasible for most linguists, legal methods and skills, and elements of comparative law should, ideally, feature in the syllabi of specialised legal translation and court interpreting modules. Furthermore, it is submitted that transdisciplinarity should be cultivated in students of both disciplines by encouraging law students to audit linguistic, translation and/or foreign language modules as part of their degree and, likewise, offering language students an opportunity to audit courses in law. Arguably, this would also encourage interlingual and intercultural communication between the two cohorts, expanding their skillsets and preparing them for professional practice in global settings.

6. The Role of a Transdisciplinary Chair

As the discussion above demonstrates, accurate interpretation and application of the law requires the adoption of a holistic, rather than discipline-spe-

[54] Paulina E Wilson, "Comparative law outside the ivory tower: an interdisciplinary perspective," *Legal Studies* 43 (2023): 641-57.

[55] Paulina E. Wilson, "Comparative Law in Legal Education: An Interdisciplinary Perspective," *Juridical Tribune - Review of Comparative and International Law* 14, no. 3 (October 2024, forthcoming).

[56] Gerard-René de Groot, "Problems of legal translation from the point of view of a comparative lawyer," in *Netherlands Reports to the Twelfth International Congress of Comparative Law* (The Hague: TMC Asser Institute, 1987), following Harold Cooke Gutteridge, *Comparative law: an introduction to the comparative method of legal study and research* (Cambridge: The University Press, 1946).

cific, approach. In order to achieve this, both in the academia and beyond, transdisciplinary leadership is necessary, which, ideally, would take the form of a transdisciplinary chair with both academic and practical experience that transcends the relevant disciplines. It is envisaged that a person in this role would not only explore the intersections of the law and language in their research, with a view to bridging the interdisciplinary gap, but also contribute to professional practice. Their contribution could take the form of developing methodologies that integrate the knowledge and skills from the relevant disciplines, for instance by incorporating linguistic analysis into legal studies in the context of legal drafting, statutory interpretation, legal problem solving and advocacy, thus innovating the law curriculum. The role of a transdisciplinary chair would also entail the promotion of and engagement in collaborative projects with experts in the relevant disciplines, both scholars and practitioners, with a view to producing research informing legal education and policy in language-related areas of law, as well as developing training programmes for stakeholders in the legal process. Furthermore, a transdisciplinary chair would be perfectly placed to offer consultancy and expert witness services to guide legal and judicial decision-making where legal issues require analysis of sources of law or evidence from a linguistic perspective, to ensure their correct interpretation and application of the law in a given context.

7. Conclusion

While legal education is discipline-specific, the law does not operate in a vacuum. Law practitioners address legal issues by applying the law to the facts of a particular case. Legal rules are, however, conveyed in the form of technical language that requires interpretation of its meaning to ensure correct application of the law; lawyers communicate with peers and clients, some of whom are speakers of other languages; some legal issues require the analysis of linguistic evidence; and the outcome of legal proceedings may depend on the lawyers' advocacy skills, particularly the persuasiveness of their argument. Legal practice thus requires a holistic approach to the law, which includes the language of the law, the language of the evidence and the language of the legal process. To instil such a holistic understanding of the law in students and prospective practitioners, academic leadership is required that transcends the disciplinary boundaries between the law and language.

It is submitted that a transdisciplinary chair could address both the theoretical and practical aspects of the gap between the disciplines. While some excellent interdisciplinary research has been and is being conducted at some of the interfaces between the law and language, there is scope for its further development and practical application to achieve true transdisciplinarity. For instance, transdisciplinarity could be promoted at all levels of research, from LLB and LLM dissertations, through PhD theses to post-doctoral and academic projects, with a view to its dissemination and application by practitioners to solve real-life

problems.[57] Greater collaboration is also needed between experts from the respective disciplines in order to integrate their methodologies, knowledge and skills, and thus approach legal issues from a perspective that acknowledges their context and its complexity. In the spirit of transdisciplinarity, such work must not be confined to the ivory tower but it must be used to inform law practice through provision of continuous professional development (CPD) training post-qualification, influencing policy, offering guidance for judicial decision-making and other forms of engagement with stakeholders in the legal process. All is all, it is imperative that academic leadership in this area be firmly rooted in transdisciplinarity in order to address the urgent yet unmet need to contextualise the law within its operational framework[58] and thus effectively advance legal education and practice.

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[57] See, in particular, art. 11 of the "Charter of Transdisciplinarity," First World Congress of Transdisciplinarity, Convento da Arrábida, Portugal, November 2-6, 1994, https://ciret-transdisci plinarity.org/chart.php.
[58] Ibid, arts 2 and 3.

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