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# Inter-lingual uncertainty in bilingual and multilingual law

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### Abstract

Uncertainty, linguistic or otherwise, may lead to legal disputes. More complications are likely to arise when more than one language is involved. Inter-lingual uncertainty such as ambiguity, vagueness and other meaning indeterminacy is an area that has not received sufficient attention, in particular with regard to language used in law. This essay focuses on inter-lingual uncertainty with specific reference to legislative texts. It identifies three sources of gap in meaning in bilingual and multilingual laws, and discusses how the courts in Canada, Hong Kong and the European Court of Justice approach and construe meaning in such cases of linguistic uncertainty. It argues that judicial interpretation in the case of linguistic uncertainty is unique and is constrained by established laws, statutory interpretive rules, policy and other considerations. This is particularly the case for bilingual and multilingual law for the reconciliation of legal meanings and harmonisation of laws. The court has to resolve linguistic uncertainties to provide the uniform interpretation that the law requires. This has implications for the study of legal language, legal translation and pragmatics.

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## Keywords

Linguistic and legal ambiguity and vagueness; Bilingual and multilingual law; Statutory interpretation; Legal translation

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