

LANGUAGE AND CULTURE IN EU LAW

MULTIDISCIPLINARY PERSPECTIVES

Edited by
Susan Šarčević

LAW, LANGUAGE AND COMMUNICATION

Language And Culture In Eu Law Multidisciplinary Perspectives Law Language And Communication

Sara Laviosa, Meng Ji



Language And Culture In Eu Law Multidisciplinary Perspectives Law Language And Communication:

Language and Culture in EU Law Susan Šarčević, 2016-03-09 Written by distinguished legal and linguistic scholars and practitioners from the EU institutions the contributions in this volume provide multidisciplinary perspectives on the vital role of language and culture as key forces shaping the dynamics of EU law The broad spectrum of topics sheds light on major Europeanization processes at work the gradual creation of a neutralized EU legal language with uniform concepts for example in the DCFR and CESL and the emergence of a European legal culture The main focus is on EU multilingual lawmaking with special emphasis on problems of legal translation and term formation in the multilingual and multicultural European context including comparative law aspects and an analysis of the advantages and disadvantages of translating from a lingua franca Of equal importance are issues relating to the multilingual interpretation of EU legislation and case law by the national courts and interpretative techniques of the CJEU as well as the viability of the autonomy of EU legal concepts and the need for the professionalization of court interpreters Union wide in response to Directive 2010/64/EU Offering a good mix of theory and practice this book is intended for scholars practitioners and students with a special interest in the legal linguistic aspects of EU law and their impact on old and new Member States and candidate countries as well

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Observing Eurolects Laura Mori, 2018-12-15 Focusing on the multi faceted topic of Eurolects this volume brings together knowledge and methodologies from various disciplines including sociolinguistics legal linguistics corpus linguistics and translation studies The legislative varieties of eleven EU official and working languages Dutch English Finnish French German Greek Italian Latvian Maltese Polish Spanish are analyzed using corpus methodologies in order to investigate the variational dynamics and translation induced patterns of the different languages The underlying assumption

is that within the sociolinguistic continua of the EU languages it is possible to single out specific legislative varieties Eurolects that originate at a supra national level This research hypothesis is strongly supported by the empirical findings derived from detailed corpus analyses of each language This work represents the first systematic and comprehensive linguistic research conducted on a wide range of EU languages using the same protocol and applying corpus methodologies to the extensive Eurolect Observatory Multilingual Corpus

Language and Law Silvia Marino, Lucja Biel, Martina Bajčić, Vilemini Sosoni, 2018-10-30 The book provides an overview of EU competition law with a focus on the main developments in Italy Spain Greece Poland and Croatia and offers an in depth analysis of the role of language translation and multilingualism in its implementation and interpretation The first part of the book focuses on the main developments in EU competition law in action which includes legislation case law and praxis This part can be divided into two subparts the private enforcement of EU competition law and the cooperation among enforcers i e the EU Commission the national competition authorities and the national courts Language is of paramount importance in the enforcement of EU competition law and as such the second part highlights legal linguistic skills showcasing the advantages and the challenges of multilingualism especially in the context of the predominant use of English as the EU drafting and vehicular language The volume brings together contributions prepared and presented as part of the EU funded research project Training Action for Legal Practitioners Linguistic Skills and Translation in EU Competition Law

Phraseology in Legal and Institutional Settings Stanislaw Goźdz-Roszkowski, Gianluca Pontrandolfo, 2017-08-07 This volume presents a comprehensive and up to date overview of major developments in the study of how phraseology is used in a wide range of different legal and institutional contexts This recent interest has been mainly sparked by the development of corpus linguistics research which has both demonstrated the centrality of phraseological patterns in language and provided researchers with new and powerful analytical tools However there have been relatively few empirical studies of word combinations in the domain of law and in the many different contexts where legal discourse is used This book seeks to address this gap by presenting some of the latest developments in the study of this linguistic phenomenon from corpus based and interdisciplinary perspectives The volume draws on current research in legal phraseology from a variety of perspectives translation comparative contrastive studies terminology lexicography discourse analysis and forensic linguistics It contains contributions from leading experts in the field focusing on a wide range of issues amply illustrated through in depth corpus informed analyses and case studies Most contributions to this book are multilingual featuring different legal systems and legal languages The volume will be a valuable resource for linguists interested in phraseology as well as lawyers and legal scholars translators lexicographers terminologists and students who wish to pursue research in the area

Handbook of Communication in the Legal Sphere Jacqueline Visconti, 2018-09-24 This volume explores communication and its implications on interpretation vagueness multilingualism and multiculturalism It investigates cross cultural perspectives with original methods models and arguments

emphasizing national EU and international perspectives Both traditional fields of investigations along with an emerging new field Legal Visual Studies are discussed Communication addresses the necessity of an ongoing interaction between jurilinguists and legal professionals This interaction requires persuasive convincing and acceptable reasons in justifying transparency visual analyses and dialogue with the relevant audience The book is divided into five complementary sections Professional Legal Communication Legal Language in a Multilingual and Multicultural Context Legal Communication in the Courtroom Laws on Language and Language Rights and Visualizing Legal Communication The book shows the diversity in the understanding and practicing of legal communication and paves the way to an interdisciplinary and cross cultural operation in our common understanding of legal communication This book is suitable for advanced students in Linguistics and Law and for academics and researchers working in the field of Language and Law and jurilinguists Synesthetic Legalities Sarah Marusek,2016-12-01 Synesthesia is the phenomenon where sensual perceptions are joined together as a combined experience that is the ability to feel color hear the visual or even smell emotion These types of unions expand the normativity of our legal thinking as the abilities to represent the tethering of emotion place and concept to law are magnified In this way interpretations of law and legal phenomena that are enriched with embodied meaning contribute to our understanding of how law works namely through sensory input sensory output and the attachment that happens within these sensory unions This edited volume explores the richly complex manifestations of synesthesia and law drawing from a plurality of approaches including legal studies philosophy social science linguistics history cultural studies and the humanities Contributions in the volume discuss how we feel taste smell see hear law within the synesthetic scope of legal interpretation legal consciousness and legal culture The collection examines aspects of embodiment place and presence that constitutively frame law amidst social cultural and historical contexts International Arbitration Discourse and Practices in Asia Vijay K. Bhatia,Maurizio Gotti,Azirah Hashim,Philip Koh,Sundra Rajoo,2017-07-28 International business exchanges between and with Asian countries have increased enormously over the last few years As a natural consequence this has brought about an increasing number of trade disputes that are being resolved through arbitration as an effective alternative to more expensive litigation This volume offers a variety of perspectives on this important international dispute resolution practice in Asia Essentially interdisciplinary in approach it brings together specialists in law international commercial arbitration and discourse analysis The contributing authors include practitioners as well as academics Together they explore the interrelations between discourses and practices in the field of arbitration in Asia The work also investigates the extent to which the integrity of arbitration principles typical of international commercial arbitration practice is maintained in various Asian contexts The authors focus particularly on arbitration norms and practices as they are influenced by local juridical cultural and linguistic factors The book will be a valuable resource for academics and practitioners working in the areas of arbitration and dispute resolution as well as researchers with an interest in language communication and discourse analysis

Shari`a in the Secular State Russell Powell, 2016-06-10 Words in both law and religion can shape power relationships and are often highly disputed Shari a lies within the overlap of these two spheres and provides a unique subject for the study of meaning in that liminal space This book contributes important insights related to Islamic jurisprudence and secularism in the Turkish context and regarding the role of language in contested legal and religious contexts The study begins by providing a historical framework for the ideas and terms covered including concepts of religion in general Shari a in particular and secularism in the Turkish state It goes on to examine empirical research to describe and analyze contemporary Turkish understandings of religion and Shari a The author s research indicates that there is often a disconnect between supporting the adoption of Shari a and supporting the regulation of everyday behavior through civil codes Thus Shari a seems to have taken on new meanings as groups have sought either to appropriate or criticize it It is a quintessential example of fractured and contextual meaning at the center of both religious and legal traditions This book is essential reading for both academics and those interested in law linguistics history political science anthropology sociology religious studies or Near Eastern studies

Institutional Translation for International Governance Fernando Prieto Ramos, 2018-02-08 This volume provides a state of the art overview of institutional translation issues related to the development of international law and policies for supranational integration and governance These issues are explored from various angles in selected papers by guest specialists and findings of a large scale research project led by the editor Focus is placed on key methodological and policy aspects of legal communication and translation quality in a variety of institutional settings including several comparative studies of the United Nations and European Union institutions The first book of its kind on institutional translation with a focus on quality of legal communication this work offers a unique combination of perspectives drawn together through a multilayered examination of methods e g corpus analysis comparative law for translation and terminological analysis skills and working procedures The chapters are organized into three sections 1 contemporary issues and methods 2 translation quality in law and policy making and implementation and 3 translation and multilingual case law

The Language of Comparative Constitutional Law Erika Arban, Maartje De Visser, Jeong-In Yun, 2025-10-02 This volume is the first in depth collection to explore the impact of language on the field of comparative constitutional law It addresses the epistemological and conceptual implications of English as the lingua franca In this regard it considers the global influence of Anglophone jurisdictions in orienting the discourse through the identification of concepts designs and ideas that warrant engagement and exploration outside of those origin jurisdictions In doing so the book underscores that language is not a neutral device but can produce hegemonic pressures and expectations It further makes the role of language in conducting comparative constitutional law explicit so that its users can be more deliberate in their selection of foreign materials and are made conscious of the limitations of their findings due to language barriers The book calls for a reckoning with the rich constitutional vocabulary that non Anglophone jurisdictions have to offer to ensure a more

holistic approach to the creation of knowledge It also emphasises the need for the contextualised study of constitutional phenomena to appreciate how these are shaped by linguistic choices In addition to raising awareness about language s significance as an epistemological conceptual and methodological device the volume also puts forward constructive tools and techniques to harness language s potential making it an indispensable resource for scholars students lawmakers and judges

Language for Legislation and Legislation through Language Tímea Drinóczi, Giulia A. Pennisi, Helen

Xanthaki, 2025-09-30 This collection teaches us how language and legislation interact to produce effective laws It brings linguistics lawyers theory and practices together to show how linguistic tools concepts and methodologies can be applied to improve the law s clarity transparency and efficiency thus widening its social reach Drawing on case studies across Europe chapters critically reflect on the dynamics of legislative drafting and the dissemination of legislation and the ways in which drafted legislation both creates laws and serves to communicate their meaning This volume features perspectives from national and transnational examples to demonstrate the impact of varied stakeholders legislative bodies law interpreters and law enforcers on the implementation of legislation particularly when legislative texts are translated and interpreted across different settings Through the lens of discourse analysis legislative texts are analyzed in lexico grammatical and textual terms highlighting the disparity between what is conceived and what might be expressed clearly in words and how this knowledge can inform better drafting practices This collection charts a way forward for linguistics as a discipline to contribute to a better understanding of the nuances around effective legislative expression This book will appeal to scholars and stakeholders working at the intersection of language and the law in such fields as applied linguistics forensic linguistics regulation legislation and legislative drafting

Dimensions of Evidence in European Civil Procedure Vesna

Rijavec, Tomaž Keresteš, 2015-12-29 Greater efficiency in civil dispute resolution is very much dependent on organized but fair fact finding Under European law however no clear cut categorisation of means of evidence exists as yet and significantly diverging interpretations persist of what is considered evidence in the sense of the foundational Council Regulation EC No 1206/2001 EER The EER fails to provide comprehensive rules for many other aspects of evidence taking pointing instead to national legislation for solutions As long as evidentiary rules remain different from country to country there is an inherent risk of conflict of laws between different systems in the course of cooperation between courts in cross border matters leading to mistrust amongst judiciary and other participants in the proceedings Focusing on national rules and using a comparative method which takes into consideration legal experiences from all legal circles in the EU this book explains and analyses how the law of evidence works in Europe today The authors draw on the vast base of relevant information collected in twenty seven Member States by national reporters Following the classical enumeration of types of evidence production of documents examination of witnesses expert evidence inspection by the judge and examination of the parties chapters encompass such issues and topics as the following judicial cooperation in cross border cases general principles in evidence taking the right to

be heard oral vs written form directness of evidence burden of proof judges case management powers regarding evidence means of evidence extent of influence of traditional principles and evidentiary rules on electronic evidence application of communication technology in cross border proceedings legal costs language inadmissible evidence and instances in which a court can refuse a request for evidence The authors offer well grounded recommendations on requested judge s entitlements direct and convenient communication cost issues revised provisions concerning language obstacles unification of presumptions and much more Armed with the wide ranging knowledge presented here practitioners handling civil cases anywhere in Europe will derive great practical benefit from this book As a masterful synthesis of how evidence is used in national courts in EU Member States and of how that use is changing the book will be greatly valued as a unique resource by legal scholars and academics With featured recommendations it can contribute to the development of mutual trust among the national courts inside the EU as well as trust among policymakers and national courts

The Oxford Handbook of Translation and Social Practices Sara Laviosa, Meng Ji, 2020-12-01 The discipline of translation studies has gained increasing importance at the beginning of the 21st century as a result of rapid globalization and the development of computer based translation methods Today changing political economic health and environmental realities across the world are generating previously unknown inter language communication challenges that can only be understood through a socially oriented and data driven approach The Oxford Handbook of Translation and Social Practices draws on a wide array of case studies from all over the world to demonstrate the value of different forms of translation written oral audiovisual as social practices that are essential to achieve sustainability accessibility inclusion multiculturalism and multilingualism Edited by Meng Ji and Sara Laviosa this timely collection illustrates the manifold interactions between translation studies and the social and natural sciences enabling for the first time the exchange of research resources and methods between translation and other domains experts Twenty nine chapters by international scholars and professional translators apply translation studies methods to a wide range of fields including healthcare environmental policy geological and cultural heritage conservation education tourism comparative politics conflict mediation international law commercial law immigration and indigenous rights The articles engage with numerous languages from European and Latin American contexts to Asian and Australian languages giving unprecedented weight to the translation of indigenous languages The Handbook highlights how translation studies generate innovative solutions to long standing and emerging social issues thus reformulating the scope of this discipline as a socially oriented empirical and ethical research field in the 21st century

Cultural Diplomacy in Europe Caterina Carta, Richard Higgott, 2019-06-24 This edited volume explores European cultural diplomacy a topic of growing interest across the scholarly and applied public policy communities in recent years The contributions focus on Europe culture and diplomacy and the way they are interlinked in the contemporary international context The European Union increasingly resorts to cultural assets and activity for both internal and external purposes to foster European cohesion and advancing

integration and to mitigate the demise of other foreign policy components respectively This calls for an analysis of the strategic role of culture especially as it relates to the realm of EU external action The chapters provide a conceptual discussion of culture in international relations and examine how this concept relates to cultural diplomacy and cultural strategy The authors discuss roles and relationships with the EU s 2016 Global Strategy and current EU attempts to foster the EU s political and societal resilience *EU Regulations as a Hybrid Genre* Virginia Vecchiato, 2024-08-12 The study based on the principles of genre analysis speech act theory applied to legal discourse and thick description of legal texts was carried out on a corpus of ninety EU regulations on subjects e g customs union competition rules that fall under the exclusive competence of the European Union according to the principle of conferral The findings shed light on a new approach to hybridity in EU secondary legislation EU regulations which are hybrid legal texts are inevitably influenced by the legal framework from which they originate and by the political and historical reasons that led the founding fathers of the former European Community to address the problem of the so called democratic deficit also from a textual point of view and not only by means of economic and political strategies The textual peculiarity of EU regulation is particularly significant when combined with the contractual nature of EU law Thus the results of this study support the hypothesis according to which EU regulations are an instrument created to regulate social behaviour and to address the phenomenon of the democratic deficit from a textual perspective

Constructing Legal Discourses and Social Practices Girolamo Tessuto, 2016-05-11 Over recent decades legal language and its representation of social action social actors and social practices have provided systematic insights into the meaning and function of text discourse or talk realised in academic professional and institutional sites of communication and generated a variety of data for analysis method and theory Constructing Legal Discourses and Social Practices the first issue of the Legal Discourse and Communication international series looks descriptively and interpretatively at the realised forms of legal discourse and how these are framed and organised by social practices within distinctive sites of legal communication The four main parts of the book provide a broad coverage of key issues and perspectives arising from a variety of genres spoken as well as written employed in institutional professional and organisational communication of the law and bring into focus recent research where language and law play out in the real world This invaluable book is multi dimensional and multi perspectival in its design and implementation and will be an essential reference for those researching and working in the areas of applied linguistics and for postgraduate students

The Language(s) of Politics Nils Ringe, 2022-01-19 Multilingualism is an ever present feature in political contexts around the world including multilingual states and international organizations Increasingly consequential political decisions are negotiated between politicians who do not share a common native language Nils Ringe uses the European Union to investigate how politicians reliance on shared foreign languages and translation services affects politics and policy making Ringe s research illustrates how multilingualism is an inherent and consequential feature of EU politics that it depoliticizes

policy making by reducing its political nature and potential for conflict An atmosphere with both foreign language use and a reliance on translation leads to communication that is simple utilitarian neutralized and involves commonly shared phrases and expressions Policymakers tend to disregard politically charged language and they are constrained in their ability to use vague or ambiguous language to gloss over disagreements by the need for consistency across languages *Legal Linguistics Beyond Borders: Language and Law in a World of Media, Globalisation and Social Conflicts* Friedemann Vogel, 2019-07-31 The world of law has changed in the last decades it has become more globalized multilingual and digital The sections and contributions of this volume continue the interdisciplinary discussion about the challenges of this change for theory and practice of law and for the International Language and Law Association ILLA relaunched in 2017 First the book gives a broad overview to the research field of legal linguistics its history research directions and open questions in different parts of the world United States Africa Italy Spain Germany Nordic countries and Russia The second section consists of contributions about the relation of language law and justice in a globalized world with a focus on multilingual and supranational law in the EU The third section focuses on digitalization and mediatization of the law the last section reports about the discussion at the ILLA relaunch conference in 2017

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