

MULTILINGUAL EU LEGISLATION - A MULTICULTURAL CHALLENGE

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28 COUNTRIES – 24 LANGUAGES – ONE LAW

- ✘ The European Union is the largest union of States with a common body of legislation which is applied in numerous areas of life.
- ✘ EU legislation is transposed into national law and applied in the official language of each country.
- ✘ Some 80% of the laws of the Member States are based on European legal acts.

ADAPTATION TO EACH CULTURE?

- ✘ ‘EU legislation’ is based on highly complex cooperation between representatives of the Member States: Commissioners, Ministers and parliamentarians. At the Institutions, each of them represents the interests of his own country, and also the culture of his own people.

OR IS THE AIM A COMMON CULTURE?

- ✘ Are these constant compromises based on an effort to arrive at a common way of thinking, which sooner or later will make it easier to legislate, because it will be based on common principles, common customs and common interests?
- ✘ Or will the EU continue to base its action on cooperation between governments which **primarily** represent the national interests of the individual countries?

A FEW POSITIVE SIGNS...

- ✘ Common cultural projects, such as the European Capitals of Culture, subsidy schemes for research projects, e.g. Horizon 2020, and the alteration of educational procedures, such as 'Bologna', are examples of efforts to create a common culture.

THREE CULTURES IN THE LEGISLATURE

The Commission

The Commission has the special role of initiating laws and then guaranteeing their application. However, these legal acts are adopted by other institutions and applied by national governments. The Commission primarily assumes the role of an expert and consultant to EU governments and their representatives in the various fields of European legislation.

The Council

The Council of Ministers and the European Council aim to arrive at a compromise between extremely different interests rather than at a common policy based on common principles and rules.

Parliament

Parliament has the 'last word' in the legislative process, but its composition and its very complex mode of functioning with more than 700 Members from so many different countries, regions and political parties can only with great difficulty impose uniform democratic scrutiny.

NORTH - SOUTH / EAST - WEST

- ✘ The disparities in the styles of government of countries in Northern and Southern Europe are very great, which is mainly due to the different cultures and attitudes of their peoples. Even within the same country, different mentalities can often be found in the North and South, which also lead to an economic gulf.
- ✘ The simultaneous accession to the EU of many States in the former Eastern Bloc with their State structures still strongly marked by the Soviet era has also made it clear that there is an unmistakable gulf between a Western culture and an Eastern one. It will take many years to bridge it.

OLD AND YOUNG

States and languages before 2004

- ✘ For nearly 40 years, 10 and then 15 members adopted EU legislation and moulded it. They decided the ground rules and procedures for cooperation. Their cultures and their languages determined the community character of the European family.

States and languages since 2004

- ✘ The new Member States are trying to assert their own culture: on the one hand within the group of new States and on the other hand within a European Union which is already very united, to which they are finding it very difficult to adjust and into which they can only integrate with considerable difficulties. Their cultures and languages by no means enjoy equal status as regards use and education.

ONE STATE, MULTIPLE CULTURES

- ✘ The cultural diversity of the continent of Europe is also visible in each individual country. Over time, the 'Europe of the Regions' will replace the 'Europe of States'. The more often the imposition of common rules causes crises, such as the euro crisis or the refugee crisis, the more languages and cultures will want to assert themselves.
- ✘ This regionalisation is gradually bringing about a transfer of many powers from central governments to local decision-makers and is accompanied by an intensification of autonomy movements and by their reinforcement by democratic procedures, as the elections in Spain (Catalonia) or France (Corsica) show.

ONE STATE, MULTIPLE LANGUAGES

- ✘ The diversity and challenge presented by multilingualism within a number of States is reflected in the European Union as a whole.
- ✘ Examples of national multilingualism: Belgium (regional division), Spain (special status), Luxembourg (new official language)
- ✘ Minority languages are gradually also gaining a foothold in education.
- ✘ New official languages for the EU: in 2022, Irish will become a full official language of the EU and Turkish will probably soon enrich the EU's linguistic diversity as an official language of Cyprus.

DIFFERENCES OF POLITICAL STRUCTURE

States with central administration

- ✘ The political power of the regions is secondary, and the regions are not clearly defined. All decisions are taken by central government, and cultural policy and education policy are uniform.

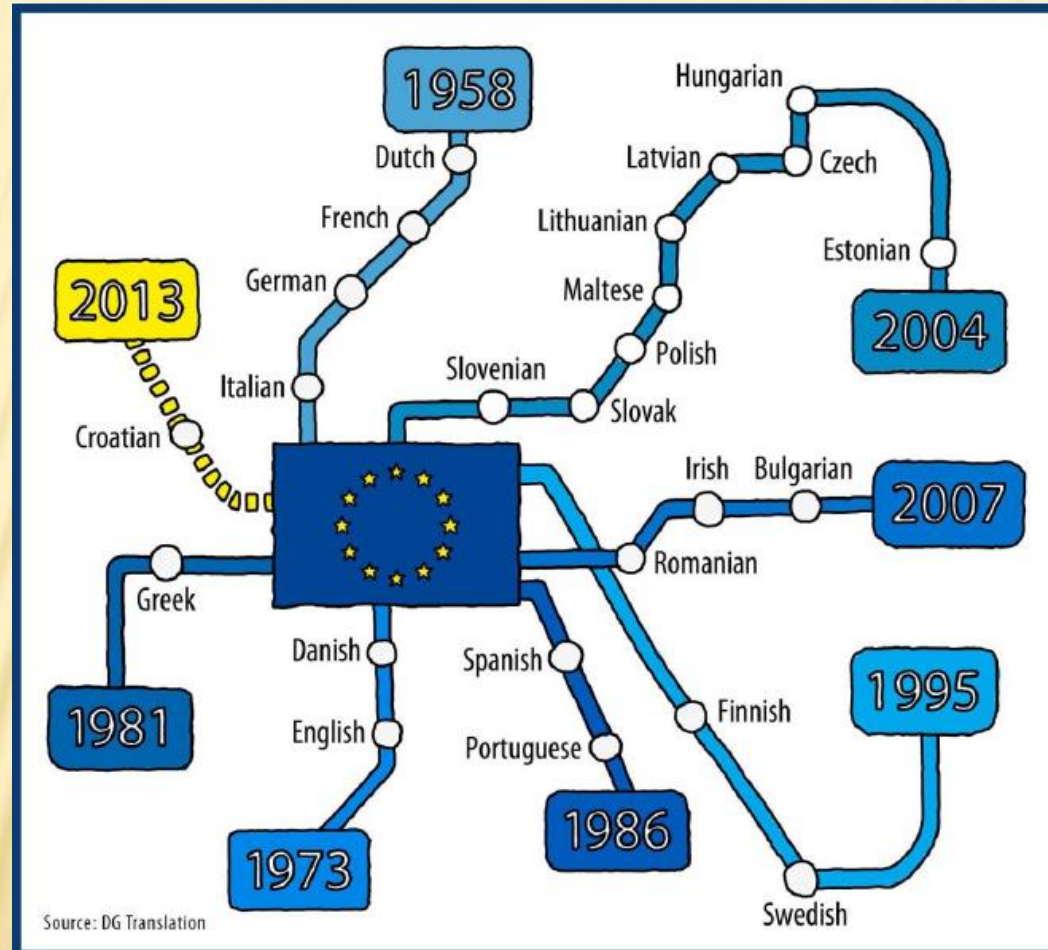
States with a regional structure

- ✘ The regions, autonomous territories or federal states have strong political influence and powers of decision based on political institutions, particularly in the fields of culture and education.

THE EU AND MULTILINGUALISM

- ✘ The very first regulation of the European Union stipulated that all official languages, of which there were 4 at the time, were to be used on a footing of equality and that all documents should be translated into those languages. This meant that each official language was recognised as an original language for each legal act.
- ✘ Symbolically, the multilingualism regulation has retained its number – 1 – while the number of official languages has gradually increased, with the addition of a further 20 languages.

THE EU AND MULTILINGUALISM



THE CONCEPT OF THE OFFICIAL LANGUAGE

- ✘ An 'official language' is the language officially used by a State for legislation and administration and in courts and schools. The identification of an official language gives citizens the right to expect the State to communicate with them in that language. In many countries, national languages of minorities are also legally guaranteed as additional official languages.
- ✘ Each national official language becomes an official language of the EU **only** if the Member State concerned seeks that status for it.

GUIDE TO TRANSLATION

- ✘ Translation accompanies every step in the legislative process; from the first draft, which originates with the Commission's experts, through all the negotiations with national departments and with the Council and Parliament, to the ultimate legal act, on which a vote is taken in each national Parliament and which then becomes an 'original law'.

THE 'PIVOT' LANGUAGES

- ✘ Since the most recent massive enlargement of the EU, it has become impossible for practical reasons to use the 552 language combinations which ought to be used on a footing of equality for the unrestricted application of EU Regulation No 1.
- ✘ Most texts are first translated into English, French and German, so that these translations can then be used as originals and translated by relay.

THE ROLE OF TERMINOLOGY

- ✘ In implementing the same legal acts in all States and in all the languages of the European Union, the most important point is that fundamental linguistic concepts should be understood in the same way everywhere.
- ✘ This is only possible thanks to a shared and consistent terminology.
- ✘ IATE is a concept-oriented database covering more than 100 fields.

DESCRIPTIVE OR PRESCRIPTIVE

- ✘ Many EU Institutions concern themselves with descriptive terminology, as they collect terminology from national databases: the Central Bank, Court of Justice, Translation Centre (with the terminology of the agencies)
- ✘ The Commission and the Council produce their own terminology (Eurojargon – in part, normative terminology)

IATE: ONE CONCEPT – MULTIPLE TERMS

One language

- ✘ A law which enters a national legislative system from the European Union must use standardised terminology.

Multiple countries

- ✘ But how can the problem of different terminologies in the same language, which is used in administration in different States, be solved?

IATE: 'PREFERRED' – ACCORDING TO WHAT CRITERION?

- ✘ Is there a dominant country for one and the same language?
- ✘ Language as a medium of culture and communication
- ✘ Language as an official language

QUESTIONS?

- ✘ Do you have any questions?
- ✘ Or.... answers to my open questions?

