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Multiplicity of Identities

The Indian Diaspora

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General

Lost in the Eurofog

The book examines the impact of Poland's accession to the European Union on legal Polish. With the help of corpus-based methods, the Eurofog project investigates the textual fit of EU Polish against nontranslated national law and verifies empirically how the unprecedented inflow of translations has affected post-accession legal Polish.

Research Methods in Legal Translation and Interpreting

The field of Legal translation and interpreting has strongly expanded over recent years. As it has developed into an independent branch of Translation Studies, this book advocates for a substantiated discussion of methods and methodology, as well as knowledge about the variety of approaches actually applied in the field. It is argued that, complex and multifaceted as it is, legal translation calls for research that might cross boundaries across research approaches and disciplines in order to shed light on the many facets of this social practice. The volume addresses the challenge of methodological consolidation, triangulation and refinement. The work presents examples of the variety of theoretical approaches which have been developed in the discipline and of the methodological sophistication which is currently being called for. In this regard, by combining different perspectives, they expand our understanding of the roles played by legal translators and interpreters, who emerge as linguistic and intercultural mediators dealing with a rich variety of legal texts; as knowledge communicators and as builders of specialised knowledge; as social agents performing a socially-situated activity; as decision-makers and agents subject to and redefining power relations, and as political actors shaping legal cultures and negotiating cultural identities, as well as their own professional identity. Chapter 2 of this book is freely available as a downloadable Open Access PDF under a Creative Commons Attribution-Non Commercial-No Derivatives 4.0 license. https://tandfbis.s3-us-west-2.amazonaws.com/rt-files/docs/Open+Access+Chapters/9781138492103 oachapter2.pdf

Research Handbook on Jurilinguistics

This Research Handbook offers a comprehensive study of jurilinguistics that not only presents the latest international research findings among academics and practitioners, but also provides a new approach to the phenomena and nature of communicative flexibility, legal genres, vulnerability of interlingual legal communication, and the cultural landscape of legal translation.

Legal Translation

In this anthology renowned scholars working in the area of legal translation studies (LTS) focus on current issues and challenges in legal translation emerging from today's globalisation and internationalisation. Considering both theoretical and practical points of view the contributions present interdisciplinary approaches to legal translation dealing with legal systems in national, EU and international settings, and include civil law and common law as well as supranational and private international law. In addition to the historical evolution of legal systems and of legal translation the papers discuss specific features of legal language and challenges in legal translation, as well as new didactic strategies to deal with the future profiles of legal translators.

Between Text, Meaning and Legal Languages

This collection on legal interpretation in a broad sense presents state-of-the-art linguistic approaches that are applied for studying interpretation and meaning generation in various legal settings. It covers different aspects of the concepts like judicial dissent, court argumentation, investigating sociological meaning, or comparing legal meaning in comparative law. Scholars can turn to the volume for methods and findings to ground their own inquiries, and students will find guides to topics and methods in the field of law, meaning generation, and language.

Legal Integration and Language Diversity

Introduction -- Articulating the task of EU translation -- Formalizing the primacy of English -- The mixed approach of current EU translation -- Considering a source-oriented alternative -- The implementation and its challenges

Handbook of Terminology

As a core component of legal language used to draft, enforce and practice law, legal terms have fascinated lawyers, linguists, terminologists and other scholars for centuries. Third in the series, this Handbook offers a comprehensive compendium of the current state of knowledge on legal terminology. It is the first attempt to bring together perspectives from the domains of Terminology, Translation Studies, Linguistics, Law and Information Technology in a single place. This interdisciplinary endeavour comprises systematic reviews, case studies and research papers which overview key properties of legal terms and concepts, terminological tools and resources, training aspects, as well as translation in national contexts and multilingual organizations. The Handbook attests to the complex multifaceted nature of legal terminology and showcases its cultural, communicative, cognitive and social contexts in diverse legal systems. It is a rich resource for scholars, practitioners, trainers and students, presenting vibrant research and practice in this area.

Lost in the Eurofog

The book examines the impact of Poland's accession to the European Union on legal Polish. With the help of corpus-based methods, the Eurofog project investigates the textual fit of EU Polish against nontranslated national law and verifies empirically how the unprecedented inflow of translations has affected post-accession legal Polish.

Basiswissen deutsches Recht für Übersetzer

Mit der Internationalisierung des Rechts hat sich der Bedarf an juristischen Übersetzungen deutlich erhöht und mit ihm auch die Ansprüche an Qualität und Rechtssicherheit. Diese kann der Übersetzer nur erfüllen, wenn Sachwissen, Terminologiekenntnisse und Vertrautsein mit den spezifischen kommunikativen und kognitiven Strategien die grundlegende Kompetenz für den Transfer zwischen Ausgangsund Zielrechtsordnung bilden. Für die qualitativ sensible Schnittstelle zwischen Rechts- und Übersetzungswissenschaft bietet sich dieses Buch als geeignete Ausbildungsgrundlage an: Konsequent vermittelt es das notwendige juristische Grundlagenwissen und führt von dort zu den Möglichkeiten des Übersetzens in andere Sprachen und Rechtssysteme. Hierzu greift die didaktisch angelegte und gut verständliche Darstellung stets auf vielfältige Textsorten und für die Berufspraxis repräsentative Texte als Übersetzungsübung zurück und bietet Verständnisfragen zur Selbstprüfung.

Language and Culture in EU Law

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.

Fachkommunikation im Fokus – Paradigmen, Positionen, Perspektiven

Die aus der Fachsprachenforschung hervorgegangene Fachkommunikationsforschung kann zahlreiche wegweisende Erkenntnisse im Themenspektrum für sich verbuchen. PARADIGMATISCH ist sie eng mit den Methoden der Interdisziplinarität verknüpft. In ihrer WissenschaftsPOSITION oszilliert sie zwischen Linguistik, Translationswissenschaft, Sachfachforschung und Kulturwissenschaft als eigen-

ständige Disziplin mit einem Fokus auf der praxisnahen Angewandtheit. Sie reagiert sensibel auf die Belange der Öffentlichkeit und bietet kreative PERSPEKTIVEN für die fachliche Kommunikation sowie für deren Übersetzung in andere Kulturen. Der vorliegende 'Tour d'Horizon' über PARADIGMEN, POSITIONEN und PERSPEKTIVEN dieser vernetzten Disziplin repräsentiert den aktuellen Stand fachsprachlicher Interessen, fachwissenschaftlicher Fragestellungen und interdisziplinärer Angebote für die prosperierende Gesellschaft.

Multilingualism and the Harmonisation of European Law

As European lawyers dealing with cross-border issues quickly learn, the terms contract, contrat, and contratto signify three very different legal concepts. This illustration highlights the importance of studying the relationships between language and law, particularly in the context of strong pressure from the European Community to harmonise the laws of the Member States a process which appears difficult, if not impossible, unless there is an understanding of the profound differences which exist between the various legal systems, and the development of a common European legal language from the 21 official languages now a feature of the European Union. This admirable collection of essays brings together the work of practitioners and scholars in three fields pertinent to this endeavour: representatives of Community institutions who are involved in drafting, translating, and interpreting multilingual texts; jurists and comparative lawyers from both civil law and common law systems; and researchers in linguistics and language issues. Among the many relevant matters they discuss are the following: terminologies of rights and remedies; the role of the European Court of Justice as interpreter; multilingualism in parliamentary practice; the role of the European Commissions legal revisers; and translation at the European Court of Justice. The essays were originally presented as papers at a conference held in Como in April 2005, organised by the Faculty of Law of the University of Insubria together with the Centro Interuniversitario di Ricerca in Diritto Comparato (Interuniversity Centre for Research in Comparative Law) set up by the Universities of Milan, Bologna and Insubria. This event took place in the context of a research project co-financed by the University of Insubria and the Italian Ministry of Education, University and Research. The particular objective of the conference was to make a comparison between the day-to-day working requirements within the Community institutions, each with its own particular needs, and the longer-term analysis which the academic world could bring to bear on the problems of the translatability of legal terms. As the first in-depth appraisal of this crucial matter, this book cannot fail to find interested readers among all the branches of European law, practitioners and scholars, local and international. It is sure to be a highly valuable resource for many years to come.

The Language of EU and Polish Judges

The book investigates EU judicial language and its impact on the language of national judges. It is the first comprehensive study of the judicial variety of the Polish Eurolect. The monograph applies the relation of textual fit to measure the linguistic distance between EU translations and non-translated Polish texts in corpora of judgments.

Legal Integration and Language Diversity

How can the European Union create laws that are uniform in a multitude of languages? Specifically, how can it attain both legal integration and language diversity simultaneously, without the latter compromising the former? C.J.W. Baaij argues that the answer lies in the domain of translation. A uniform interpretation and application of EU law begins with the ways in which translators and jurist-linguists of the EU legislative bodies translate the original legislative draft texts into the various language versions. In the European Union, law and language are inherently connected. The EU pursues legal integration, i.e. the incremental harmonization and unification of its Member States' laws, for the purpose of reducing national regulatory differences between Member States. However, in its commitment to the diversity of European languages, its legislative institutions enact legislative instruments in 24 languages. Language Diversity and Legal Integration assesses these seemingly incompatible policy objectives and contemporary translation practices in the EU legislative procedure, and proposes an alternative, source-oriented approach that better serves EU policy objectives. Contrary to the orthodox view in academic literature and to the current policies of the EU, this book suggests that the English language version should serve as the original and only authentic legislative text. Translation into the other language versions should furthermore avoid prioritizing clarity and fluency over syntactic correspondence and employ neologisms for distinctly EU legal concepts. Ultimately, Baaij provides

practical solutions to the conflict between the equality of all language versions, and the need for uniform interpretation and application of EU law.

Institutional Translation for International Governance

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 Translation of European Union Legislation

This volume is a study into the norms that come into play in the translation of European Union legislation. With a focus on expressions of modality, the study adopts a corpus-based Descriptive Translation Studies approach to analyse the translation strategies used in a bilingual English/Italian parallel corpus of European Union legislation and identify the most frequent translational patterns. The book outlines the principles at the basis of the multilingual policy at the European Union and provides a detailed outline of the context in which the drafting and translation processes take place as a key to understanding the translational choices. The impact of sometimes contrasting factors such as the conventions of legal drafting at the European Union and those within the target culture, the principle of equal authenticity and the attention to the quality and readability of legislative texts is revealed in the analysis. Evidence in support of the theories concerning translation universals is also found and their implications for EU legal translation are discussed. The results lead to the formulation of several hypotheses as regards the norms governing the translation of EU legislative texts. The book also reflects on the impact that the translational choices have on the development of European Union legal language as an independent variety. This volume will be of interest to researchers and students in the fields of Legal Translation Studies and Linguistics, as well as practising translators.

Legal Linguistics Beyond Borders: Language and Law in a World of Media, Globalisation and Social Conflicts

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.

Legal Certainty in Multilingual EU Law

How can multilingualism and legal certainty be reconciled in EU law? Despite the importance of multilingualism for the European project, it has attracted only limited attention from legal scholars. This book provides a valuable contribution to this otherwise neglected area. Whilst firmly situated within the field of EU law, the book also employs theories developed in linguistics and translation studies. More particularly, it explores the uncertainty surrounding the meaning of multilingual EU law and the impact of multilingualism on judicial reasoning at the European Court of Justice. To reconceptualize legal certainty in EU law, the book highlights the importance of transparent judicial reasoning and dialogue between courts and suggests a discursive model for adjudication at the European Court of Justice.

Based on both theory and case law analysis, this interdisciplinary study is an important contribution to the field of European legal reasoning and to the study of multilingualism within EU legal scholarship.

Research Methods in Legal Translation and Interpreting

The field of Legal translation and interpreting has strongly expanded over recent years. As it has developed into an independent branch of Translation Studies, this book advocates for a substantiated discussion of methods and methodology, as well as knowledge about the variety of approaches actually applied in the field. It is argued that, complex and multifaceted as it is, legal translation calls for research that might cross boundaries across research approaches and disciplines in order to shed light on the many facets of this social practice. The volume addresses the challenge of methodological consolidation, triangulation and refinement. The work presents examples of the variety of theoretical approaches which have been developed in the discipline and of the methodological sophistication which is currently being called for. In this regard, by combining different perspectives, they expand our understanding of the roles played by legal translators and interpreters, who emerge as linguistic and intercultural mediators dealing with a rich variety of legal texts; as knowledge communicators and as builders of specialised knowledge; as social agents performing a socially-situated activity; as decision-makers and agents subject to and redefining power relations, and as political actors shaping legal cultures and negotiating cultural identities, as well as their own professional identity. Chapter 2 of this book is freely available as a downloadable Open Access PDF at http://www.taylorfrancis.com under a Creative Commons Attribution-Non Commercial-No Derivatives (CC-BY-NC-ND) 4.0 license.

Institutional Translation and Interpreting

This collection brings together new insights around current translation and interpreting practices in national and supranational settings. The book illustrates the importance of further reflection on issues around quality and assessment, given the increased development of resources for translators and interpreters. The first part of the volume focuses on these issues as embodied in case studies from a range of national and regional contexts, including Finland, Switzerland, Italy, Spain and the United States. The second part takes a broader perspective to look at best practices and questions of quality through the lens of international bodies and organizations and the shifting roles of translation and interpreting practitioners in working to manage these issues. Taken together, this collection demonstrates the relevance of critically examining processes, competences and products in current institutional translation and interpreting settings at the national and supranational levels, paving the way for further research and quality assurance strategies in the field. The Introduction, Chapter 7, and Conclusion of this book are freely available as downloadable Open Access PDFs at http://www.taylorfrancis.com under a Creative Commons Attribution-Non Commercial-No Derivatives (CC-BY-NC-ND) 4.0 license.

Institutional Translation for International Governance

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The Role of Legal Translation in Legal Harmonization

Nine distinguished contributors, all leading experts and scholars in multilingual EU Law making, legal translation studies, comparative law or European (private) law, explore and analyse the legal translation praxis within EU legislative institutions appropriate for the purpose of legal harmonization, and examine both the potential and limitations of legal translation in the context of the developments of a single but multilingual EU Legal language.

Language and Law

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".

Linguistic Diversity and European Democracy

What role does linguistic diversity play in European democratic and legal processes? Is it an obstacle to deliberative democracy and a hindrance to legal certainty, or a cultural and economic asset and a prerequisite for the free movement of citizens? This book examines the tensions and contradictions of European language laws and policy from a multi-disciplinary perspective. With contributions from leading researchers in EU law and legal theory, political science, sociology, sociolinguistic and cognitive linguistics, it combines mutually exclusive and competing perspectives of linguistic diversity. The work will be a valuable resource for academics and researchers in the areas of European law, legal theory and linguistics.

How to Translate - English Translation Guide in European Union

This study concentrates on three major issues creating a basis for the making of the "Czech-English Law Dictionary with Explanations\

Legal Translation and the Dictionary

Scholarship in language and the law is these days developing at an unprecedented rate, as the academic presence and social impact of the field are becoming more and more significant in an ever growing number of national environments. This collection offers a glimpse into the work of scholars investigating the ways in which legal substance intersects with language description in a variety of legal and linguistic systems worldwide. The 23 contributions from linguists and lawyers working in 19 countries on five continents investigate aspects of multilingualism, legal translation and interpreting, legal and courtroom discourse, statutory interpretation, police interviews, trade name semantics and forensic linguistics.

Language and the Law

International law is usually communicated in more than one language and reflects common norms that lawyers and adjudicators across national legal cultures agree on and develop together. As a result, the negotiation of the wording and meaning of international legislative texts is an integral part of legal interpretation in international law. This book sheds light on that essential interpretation process. Language and Legal Interpretation in International Law treats the subject from the perspective of recent legal and linguistic theories of meaning. Anne Lise Kjær and Joanna Lam bring together internationally renowned experts to provide strong theoretical and practical foundations for the study of legal interpretation in such fields as human rights law, international trade, investment and commercial law, EU law, and international criminal law. The volume explains how the positivist tradition--in which interpretation is understood as an automatic process by which judges simply apply the text of legislative instruments to specific fact situations--cannot be upheld in an era of pragmatic and cognitive meaning theories. Those theories instead focus on the context of interpretation and on the interpreter as a co-producer of meaning. Through a collection of thoroughly researched and timely essays, this book explores the linguistically and culturally diversified world of meaning-making in international law.

Language and Legal Interpretation in International Law

Incorporates the recommendations of the EU Grotius Project 98/GR/131.

Language and Culture in EU Law

Globalization and migration are producing societies of increasing linguistic diversity. At the same time, English is achieving unprecedented global dominance, smaller languages are becoming 'extinct' at an alarming rate, and ethnic tensions in countries from Belgium to Tibet continue to centre on questions of language. Against this background, the issue of how to ensure justice between speakers of different languages becomes a pressing social concern. Matters of 'linguistic justice' are therefore drawing increasing scholarly attention across a range of disciplines. How does international law contribute to linguistic justice? This book explores that question by conducting a comprehensive, interdisciplinary examination of international law on language, analysing the many disparate fields of international law which affect language use both directly (human rights, cultural heritage laws, and EU legislation, for example) and indirectly (international trade law and international labour standards, among others). Moving beyond the technical analysis of legal provisions, the book explores the conceptual framework which underpins international law on language, unearthing underlying assumptions and ideas about what constitutes a 'just' language policy from a legal perspective. In doing so, the book draws on the methodology of sociologist Pierre Bourdieu, whose ideas of 'habitus' and 'field' offer a way of understanding the changing significance of language to human identity, and the way in which language becomes a focal point for the exercise of social power. This analysis reveals the limitations of contemporary international law on language, and charts a course towards the achievement of greater 'linguistic justice'.

The Translation of European Union Legislation. A Corpus-based Study of Norms

This book addresses the importance of bilingualism in legal education. Written by respected experts in the field, it presents reports on bilingual legal education in countries with such diverse cultures and histories as Belgium, Canada, China, the Czech Republic, Finland, France, Germany, Italy, Japan, Mexico, Romania, Singapore, Taiwan and the USA. The findings are also summarized in a General Report that was presented at the 20th IACL General Congress in Fukuoka, Japan.

Aequitas

Globalisation impacts every aspect of modern society and today's law graduates are expected to deal with complex legal problems that require knowledge and training that goes beyond domestic law. This textbook provides an overview of how law is becoming increasingly transnational, facilitating theoretical and practical engagement with transnational legal institutions and phenomena. It advances an analytic framework that will help students to understand what to look for when they encounter transnational legal institutions and practices, and what are the practical and normative implications of their findings. By considering both the theory and practice of transnational law and taking a discursive approach to the material, students are encouraged to arrive at their own conclusions. Adopting interdisciplinary techniques and using case studies from around the world, this book offers a holistic, balanced exploration of a new and emerging discipline.

Linguistic Justice

The book "Criminal proceedings, languages and the European Union: linguistic and legal issues" — the first attempt on this subject — deals with the current situation in the jurislinguistic studies, which cover comparative law, language and translation, towards the aim of the circulation of equivalent legal concepts in systems which are still very different from one another. In the absence of common cultures and languages, in criminal procedure it is possible to distinguish features that are typical of common law systems and features that are typical of civil law systems, according to the two different models of adversarial and inquisitorial trials. Therefore, the most problematic challenges are for the European Union legislator to define generic measures that can be easily implemented at the national level, and for the individual Member States to choose corresponding domestic measures that can best implement these broad definitions, so as to pursue objectives set at the European level. In this scenario, the book assesses the new framework within which criminal lawyers and practitioners need to operate under the Lisbon Treaty (Part I), and focuses on the different versions of its provisions concerning cooperation in criminal matters, which will need to be implemented at the national level (Part III). The book analyses

the issues raised by multilingualism in the EU decision-making process and subsequent interpretation of legal acts from the viewpoint of all the players involved (EU officials, civil, penal and linguistic lawyers: Part II), explores the possible impact of the EU legal acts concerning environmental protection, where the study of ascending and descending circulation of polysemantic words is especially relevant (Part IV), and investigates the new legal and linguistic concepts in the field of data retention, protection of victims, European investigation orders and coercive measures (Part V).

Legal Translation

This volume examines the problems of legal and linguistic diversity in the EU legal system. In a union of 27 member states, with 23 different languages, how can the coherence of EU law be guaranteed? The volume addresses this central question from a range of theoretical and practical perspectives.

Aspects of Legal Language and Legal Translation

An essential guide for lawmakers, scholars, and students of law, this work takes on the formidable task of providing a detailed overview of the harmonization of law in the European Union. Skillfully researched, the authors seek to approach this topic with an eye to the recent enlargement process. In highlighting the most recent actions of the European Court of Justice and the Court of First Instance, the book seeks to analyze the future strengths and pitfalls of EU Common Law. Court rulings are quoted at length, and work in conjunction with text inserts in providing a format that breaks down complex information. This open style of the book gives researchers the ability to quickly locate useful information and cite statements from EU institutions. In outlining the sources and institutions of Community Law, and the challenges in harmonizing national and supra-national law-books, 'A Common Law for Europe' has done a tremendous service for academics and future leaders of the European Union.

Bilingual Study and Research

The book takes stock of the on-going 'methodological turn' in the field of EU law scholarship. Introducing a new generation of scholars of the European Court of Justice from law, history, sociology, political science and linguistics, it provides a set of novel interdisciplinary research strategies and empirical materials for the study of the Court of Justice of the European Union. The twelve case studies included challenge the usual top-down approach to EU law and the CJEU and instead suggest a more localized and fine-grained observation of the socio-legal actors and practices involved in the making of CJEU case-law. Moving beyond mainstream legal scholarship and the established 'grand narratives' of legal integration, the volume provides a more historically-informed and sociologically-grounded account of the EU law's uneven embeddedness in Europe's economies and societies.

Transnational Law

Criminal Proceedings, Languages and the European Union

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Brotherhood

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