



The role of language as a dynamic part of a legal tradition

Special session organised by the Swiss Institute of Comparative Law

It should be clear to all lawyers that language and the law are closely linked and that the study of legal language (even outside the specialised sphere of legal translation) has developed into a discipline of its own. In the context of comparative law, the link between language and the law raises additional questions. Thus, the possibilities of accessing and understanding a legal system, without having the corresponding linguistic knowledge, have been debated since the earliest days of comparative law as an independent discipline.

This “Special Session”, organised by the Swiss Institute of Comparative Law, aims to look more closely at one aspect of the relationship between language and the law, which highlights some interesting issues of comparative law: whether and how a legal system can be altered by the influence of foreign languages. That question is obviously closely linked to the international dissemination of concepts and standards. The Swiss Institute of Comparative Law, in the context of a research project which may be limited to specific areas of law, proposes to examine and compare country reports responding to the following, inter-related questions:

- Which languages shape the legal system under examination? Have the linguistic influences changed in recent times? In which fields?
- Do foreign languages exert particular influences upon the legal system, and if so, which ones and why? What is the impact of these influences?
- How does the legal system deal with these influences? Are they encouraged, channelled or limited? What justification is provided? What are the consequences?

These research papers will be presented as part of the “Special Session”, taking place on the morning of Wednesday, 23 July 2014, at the Juridicum. The Session will continue with a round table, at which selected experts will have the opportunity to discuss the issues arising out of the presentations, and end with a convivial lunch for participants and accompanying persons, to be held at an attractive outside venue.