

## NEWS

### Law, Language and Diplomacy

By Prof. Richard Falk & Prof. Hilar Elver

Princeton University and University of California - Santa Barbara

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In December 2007, we had the pleasure of delivering a special module at MEDAC on law, language and diplomacy.

Language is important for the conduct of successful diplomacy: the words we choose to describe a conflict, the words we avoid, can make a huge difference. Shaping foreign policy intelligently and effectively means being aware of this role that language plays.

This importance of language is surprising even to many sophisticated students of world politics and international law. This is because many diplomats are mainly taught to see reality through the self-serving lens of nationalism. Such a 'nationalization of truth' makes it difficult to understand how controversial policy issues are seen by outsiders, and impossible to appreciate the perception of an adversary. Yet it may be exceedingly helpful to have this understanding if the purpose is to contain a conflict or work toward its reconciliation.

Whether we choose to identify one side in a conflict as responsible for 'genocide' makes a big difference as to whether outside forces should 'intervene' to protect the part of the society that is at risk. The word 'intervene' is itself troublesome as it seems to encroach upon sovereign rights, and so the United Nations has come up with a new way of describing such an initiative: 'the right to protect.' The behavior is the same, yet it does not verbally challenge sovereignty. Will this make a difference to the target society? It depends. While language is important, it is not everything.

The challenge of using the right language in various situations is a vital instrument of diplomacy, especially in high profile situations. The media, especially TV, have an independent role in shaping public opinion about world events, and its choice of words and images can create political pressure on the government to act or not to act in relation to events taking place outside the country. Currently, some commentary refers to the Kenyan election results as 'rigged,' pushing the country toward civil war. Other comments emphasize the duty of the international community to act rapidly to avoid a repeat of the sort of massive killing that took place in Rwanda in 1994.

Achieving the proper bond between language and law is also a crucial tool for creative diplomacy. The basic ideal of law to treat equals equally is jeopardized unless the language of blame and responsibility is used consistently. If used unequally



From left to right: Prof. Falk, Prof. Elver, Prof. De Marco and Prof. Callerya at the MEDAC library.

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# Language Law And Diplomacy

**Janny H.C. Leung**



## Language Law And Diplomacy:

*Language, Law, and Diplomacy: The problem: An inquiry into the status of diplomatic languages in international law* Alexander Ostrower, 1965      **Language, Law, and Diplomacy** Alexander Ostrower, 1965      **Language, Law, and Diplomacy** Alexander Ostrower, 1965      EC Law and Minority Language Policy Niamh Nic Shuibhne, 2021-10-25 The European Community has pledged respect for the cultural and linguistic diversity of its Member States and has recognized minority languages as an inherent constituent in this regard This development reflects a broader trend within the Community towards grappling with less obvious aspects of supranational governance Minority language groups turn optimistically to Europe in response But despite rhetorical promises just what can the EC actually be expected to do in the realm of minority language protection a politically sensitive and traditionally domestic concern Arguments put forward to date focus primarily on philosophical moral economic and political discourse While these considerations are a vital aspect of the debate on minority languages and on linguistic diversity more generally the question of legal basis remains largely unanswered For the first time this book traces comprehensively the existence of an appropriate legal basis for action undertaken by the EC in this domain striving in particular to locate a pragmatic yet effective balance between legitimate possibility and acceptable limitations      **Language, law, and diplomacy** Alexander Ostrower, 1965      **Language and Legal Interpretation in International Law** Anne Lise Kjær, Joanna Lam, 2022 Language and Legal Interpretation in International Law sheds light on the complicated process of language interpretation that adjudicators judges and arbitrators and legal practitioners adopt when they act within international legal systems The book also analyzes the role that language and the diversity of languages and national legal cultures plays in different international legal systems      Language as a medium of legal norms Lutz Edzard, Wolfgang Molter, 1998      *Language, Law, and Diplomacy ... Vol. 1* A. Ostrower, 1965      **On the Way to Diplomacy** Costas M. Constantinou, 1996 What does theory have to do with the concept let alone the practice of diplomacy More than we might think a Costas M Constantinou amply demonstrates in this provocative reconsideration of both the concept of diplomacy and the working of theory      *Language, Law, and Diplomacy ... Vol. 2* A. Ostrower, 1965      **Law and Language** Harold J. Berman, 2013-08-08 Completed in 1964 Harold J Berman s long lost tract shows how properly negotiated translated and formalised legal language is essential to fostering peace and understanding within local and international communities Exemplifying interdisciplinary and comparative legal scholarship long before they were fashionable it is a fascinating prequel to Berman s monumental Law and Revolution series It also anticipates many of the main themes of the modern movements of law language and ethics In his Introduction John Witte Jr a student and colleague of Berman contextualises the text within the development of Berman s legal thought and in the evolution of interdisciplinary legal studies He has also pieced together some of the missing sections from Berman s other early writings and provided notes and critical apparatus throughout An Afterword by Tibor V rady another student and colleague of Berman illustrates via modern cases the wisdom and utility of

Berman's theories of law language and community

### **Shallow Equality and Symbolic Jurisprudence in Multilingual**

**Legal Orders** Janny H.C. Leung, 2019-01-28 What challenges face jurisdictions that attempt to conduct law in two or more languages How does choosing a legal language affect the way in which justice is delivered Answers to these questions are vital for the 75 officially bilingual and multilingual states of the world as well as for other states contemplating a move towards multilingualism Arguably such questions have implications for all countries in a world characterized by the pressures of globalization economic integration population mobility decolonization and linguistic re colonization For lawyers addressing such challenges is made essential by the increased frequency and scale of transnational legal dealings and proceedings as well as by the lengthening reach of international law But it is not only policy makers legislators and other legal practitioners who must think about such questions The relationship between societal multilingualism and law also raises questions for the burgeoning field of language and law which posits among other tenets the centrality of language in legal processes In this book Janny H C Leung examines key aspects of legal multilingualism Drawing extensively on case studies she describes the implications of the legal practical and ideological dilemmas encountered in a given country when it becomes bilingual or multilingual discussing such issues as how legal certainty and the linguistic ideology of authenticity may be challenged in a multilingual jurisdiction how courts balance the language preferences of different courtroom participants and what historical socio political and economic factors may influence the decision to cement a given language as a jurisdiction's official language Throughout Leung elaborates a theory of symbolic jurisprudence to explore common dilemmas found across countries despite their varied political and cultural settings and argues that linguistic equality as proclaimed and practiced today is a shallow kind of equality Although officially multilingual jurisdictions appear to be more inclusive than their monolingual counterparts they run the risk of disguising substantive inequalities and displacing real efforts for more progressive social change This is the first book to offer overarching discussion of how such issues relate to each other and the first systematic study of legal multilingualism as a global phenomenon

### **The SAGE Handbook of Diplomacy**

Costas M. Constantinou, Pauline Kerr, Paul Sharp, 2016-08-12 The SAGE Handbook of Diplomacy provides a major thematic overview of Diplomacy and its study that is theoretically and historically informed and in sync with the current and future needs of diplomatic practice Original contributions from a brilliant team of global experts are organised into four thematic sections Section One Diplomatic Concepts Theories Section Two Diplomatic Institutions Section Three Diplomatic Relations Section Four Types of Diplomatic Engagement

### **A Study of Diplomatic Protocol and Etiquette** Jiali Zhou, Guobin

Zhang, 2022-04-25 This book with its focus on the study of diplomatic protocol and etiquette collects high quality papers written by scholars in diplomatic protocol from nine countries including US UK Russia Japan Canada Netherlands India and China As a result of in depth international academic cooperation it explores diplomatic protocol from three dimensions of theory practice and country specific and has the characteristics of internationality and nationality From a global perspective

it is the first time that experts from so many countries work together in diplomatic protocol which makes this book present a more comprehensive and diverse overview This book as an effort made to enhance understanding among different cultures and facilitate the harmonious coexistence of people across the world is remarkably helpful for promoting the research of diplomatic protocol and etiquette exploring the true connotation of protocol and etiquette and improving its practicality in realities

*Conversational Nuance: A Journey Through the Dynamics of Language and Culture* Pasquale De Marco, 2025-03-23 Embark on a captivating journey through the intricate relationship between language and culture in this thought provoking book Discover how language reflects and shapes our perception of reality our social interactions and our cultural heritage Delve into the fascinating world of linguistic relativity exploring the profound influence of language on our cognition and worldview Uncover the power of metaphors and how they shape our thinking enabling us to understand abstract concepts and make sense of the world around us Witness the remarkable role of language in cultural transmission serving as a conduit for passing down traditions values and beliefs across generations Explore the dynamic interplay between language and society uncovering how language reflects and reinforces social hierarchies constructs and maintains social identities and can be a tool for both oppression and liberation Examine the intricate relationship between language and cultural norms and values and how these norms and values in turn influence the way we use language Discover the impact of language on communication conflict resolution and diplomacy gaining insights into how language can bridge divides resolve misunderstandings and foster cooperation Navigate the challenges and opportunities of multilingualism in a globalized world exploring the complexities of language learning translation and intercultural communication Witness the transformative power of technology on language delving into the digital revolution and how it is reshaping the way we communicate and interact with each other Explore the rise of artificial intelligence and natural language processing and their implications for the future of language and communication This book is an invitation to explore the captivating world of language and culture to gain a deeper understanding of their profound interconnectedness and to appreciate the remarkable ways in which they shape our lives Join us on this intellectual adventure as we unravel the mysteries of language and culture and discover the hidden depths of human communication If you like this book write a review

*Cultures of Power in Europe during the Long Eighteenth Century* Hamish Scott, Brendan Simms, 2007-07-05 This volume seeks to get behind the surface of political events and to identify the forces which shaped politics and culture from 1680 to 1840 in Germany France and Great Britain The contributors all leading specialists in the field explore critically how culture defined in the widest sense was exploited during the long eighteenth century to buttress authority in all its forms and how politics infused culture Individual essays explore topics ranging from the military culture of Central Europe through the political culture of Germany France and Great Britain music court intrigue and diplomatic practice religious conflict and political ideas the role of the Enlightenment to the very new dispensations which prevailed during and after the French Revolution and the Napoleonic watershed The book will be

essential reading for all scholars of eighteenth century European history      *Translation as a Set of Frames* Ali Almanna, Chonglong Gu, 2021-07-14 Envisioned as a much needed celebration of the massive strides made in translation and interpreting studies this eclectic volume takes stock of the latest cutting edge research that exemplifies how translation and interpreting might interact with such topics as power ideological discourse representation hegemony and identity In this exciting volume we have articles from different language combinations e g Arabic English Hungarian and Chinese and from a wide range of sociopolitical cultural and institutional contexts and geographical locales China Iran Malaysia Russia and Nigeria Those chapters also draw on a diverse range of theoretical perspectives and methodological approaches e g critical discourse analysis Bourdieu s sociological theories corpus linguistics narrative theory and structuration theory focusing on translation and interpreting relating to various settings and specialised genres traditional media digital media subtitling manga etc As such this volume serves as a dynamic forum for intercultural and interlingual communication and an exciting arena for interdisciplinary dialogues thus enabling us to look beyond the traditionally more static mechanical and linguistics oriented views of translation and interpreting This book appeals to scholars and students interested in translation and interpreting studies and issues of power ideology identity in interlingual and intercultural communication      *Plural Diplomacies* Noé Cornago, 2013-06-01 In *Plural Diplomacies Normative Predicaments and Functional Imperatives* Noé Cornago asserts the need to restore the long interrupted continuity between the relevance of diplomacy as *raison de syst me* in a world which is much more than a world of States and its unique value as a way to mediate the many alienations experienced by individuals and social groups The book contends that an incursion beyond conventional understanding of diplomatic studies into fields of knowledge such as social studies of science psychology critical sociology of law or conceptual history offers expanded potential within the field by addressing the modern complexities of global life With particular attention to the semantics of diplomacy pluralization of diplomacy diplomacy within states commodity diplomacy and finally antidiplomacy *Plural Diplomacies Normative Predicaments and Functional Imperatives* offers a new vision of diplomacy for the twenty first century      **Interpreters at the United Nations. A history** Jesús Baigorri Jalón, 2004-01-01      **Language, Law, and Diplomacy: Prefatory summation of parts I and II on languages of official intercourse** Alexander Ostrower, 1965

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