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European Opportunities in the Field of Lawyer-Linguists – Irish Perspective

Conference on Opportunities for Law Graduates

as Lawyerlinguists with the EU. Dublin, (7 March 2018), The
Honorable Society of King's Inns

Abstract: Multilingualism is now considered as the mean of achieving common goals on the European ground. This term can be referred to speaking several languages at the same time, and as to an official requirement for the employees of an organisation or a company who should communicate internally and externally by using more than one language and finally, as to multiculturalism which can apply to an individual's capability to master several languages. But since the EU has extended equal treatment to 24 languages spoken in all of its member countries, there is a huge demand for translators, interpreters, linguists and lawyer-linguists. The Irish language, being a working one, while not yet a XX language is an interesting example of achieving the largest scope of multilingualism in the EU.

Keywords: *European Union, lawyer-linguist, linguist, multilingualism, Irish, Irish language*

Multilingualism in the European Union

The European Union, having 24 official languages of the member states, requires from its institutions and agencies use the following languages with the same respect: Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Irish, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish. Nonetheless, three of them possess, the so-called, procedural “superiority”. English, French and German are the working languages of the European Commission. This legislative body is responsible for implementing decisions and guarding so the treaties [namely Treaty on European Union and Treaty on the Functioning of the European Union]

would be followed by each EU institution, as well as every member state. Procedural languages, the so-called treaty languages, are processed when it comes to maintaining internal business and legislative cooperation.

But since the EU has extended equal treatment to 24 languages spoken in all of its member countries, there is a huge demand for translators, interpreters, linguists and all level highly educated professionals working on more than just one procedural language. Language learning and linguistic diversity have become new trends not only at the universities, through the theoreticians and academics of the European law doctrine. In accordance with the principle of “subsidiarity” there can be observed an increased interest into linguists being able to reconcile different languages, but also knowing varied legal cultures and public administration traditions. Therefore, multilingualism is now considered as the mean of achieving common goals on the European ground. Based on the EU policy, multiculturalism can mean a situation, a procedure and a person’s ability. This term can be referred to speaking several languages at the same time, an official requirement that the employees of an organisation or a company should communicate internally and externally by using more than one language and finally, multiculturalism can refer to an individual’s capability to master several languages.

The EU has stated in its various legal acts and political decisions on how much multiculturalism is important and consequently what would the European institutions, and equally the member states, gain from promoting and respecting this phenomenon. Firstly, an intercultural dialogue and a more inclusive society would enable the EU to successfully, and perhaps more easily, achieve its aims. The citizens of 28 states are, contrary to the other regional organisations, given the EU citizenship. Moreover, they are able to enjoy the rights derived from this privilege. Multiculturalism is strongly connected to and depending on multilingualism, so it can in fact develop a sense of the European citizenship. Having opportunities to study and work abroad, especially young people may open up on new markets within the EU, as well as run competing businesses at the global level. The Single Market gives the biggest advantage from unlimited education and job opportunities guarded in the treaties by the EU policies. But there is also cultural and social factor, while not directly economically efficiency. The “mother tongue + 2” objective was set by the European Council during the Barcelona summit on 16 March 2002. The Barcelona objective implies teaching at least two languages in addition to one’s own mother tongue. In addition, in 2008 the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions issued the communication (legally not binding, but having the strong political signal) entitled: “Multilingualism: an asset for Europe and a shared commitment”. This document enhances student and worker mobility, supports projects involving language and communication technologies, as well as expands the lifelong learning programme (LLP), more commonly known in Poland thanks to Erasmus student exchange.

Lawyer-linguists wanted as the EU staff

EU law, based on the treaties, safeguards rights and obligations regarding languages. The European Union Treaty, in its Art. 3 (3) states: “The Union shall (...) respect its rich cultural and linguistic diversity (...)” The Charter of Fundamental Rights of the European Union underlines the principle of equity through non-discrimination and cultural, religious and linguistic diversity. Art. 21 (1) provides that any discrimination based on any ground, such as linguistic, shall be prohibited.

Undeniably, the role of the specially trained translators and interpreters, well aware of the EU functioning is beyond question. The service of both linguists and lawyers who have mastered several European languages does strengthen multilingualism in the European Union. Other main goal is to help bring the organisation’s policies closer to the citizens. In order to gain the UE transparency, efficiency and legitimacy, lawyer-linguists inform citizens about their rights and obligations under EU law in their own languages. The EU defines four groups of linguists working for the organisation. Those are: translators (of the written documents), conference interpreters (working at venues organised *ad hoc*, mostly not having any possibility to get prepared to a particular service), proofreaders /language editors (paying special attention to style and typography) and lawyer-linguist. The latter play a vital role in the law-making process. Their responsibility is to ensure that all EU legislation has the same meaning in every European language. The due reason for that is so every citizen or person living in the EU would be aware of their rights and duties, including the right to appeal to the European courts. It is important to underline that lawyer-linguists are not only translators. They provide assistance on legal terminology. Secondly, they offer legal analysis in collaboration with other departments. In order to become a lawyer-linguist, the candidate must have a law degree and the level of languages as mentioned below:

- Language 1: requires a perfect command of own mother tongue / the main language used by the candidate;
- Language 2: necessity for a thorough knowledge of English, French or German. However, in order to work in the Court of Justice of the European Union, these language skills must include French;
- Language 3: finally decisive skill – a thorough knowledge of a second official language of the EU and the ability to translate it.

In addition, the previous experience of translating legal texts, whether as a lawyer or a translator, is an asset. The recruitment process in an open one, as selection for lawyer-linguists is being launched throughout the year, although it occurs usually in spring or autumn. For some more information, please see the European Personnel Selection Office (EPSO) website: https://epso.europa.eu/how-to-apply_en

Irish language as an important factor in maintaining tradition and legal culture

The Republic of Ireland joined the European Economic Community in 1973. In accordance with the Irish Constitution, precisely Art. 8 (1) states that: “The Irish language as the national language is the first official language.” However, even though Irish was accorded minority-language status in the Northern Ireland, the language was “only” having the treaty language status of the EU, while not the procedural status. In 2007, the Council Regulation from 2005 amending two regulations on determining the language to be used by the European Economic Community and the European Atomic Energy Community came into effect. Nonetheless, there is still a derogation, which stipulates that not every document has to be translated into Irish (unlike it is the case with the other official languages). Such a temporary derogation on the full use of Irish comes to an end in 2022. Despite the huge dogmatic value of this EU decision, it has to be added that it was solely political, not practical solution. Irish is the only official language among all member states that is not the most widely spoken language in the mother country. Irish (*Gaelic* or *Gaeilge*) is spoken by approximately 39.8% [based on the 2016 data]. It is mainly spoken in areas along Ireland’s western coast (*gaeltachtaí*), where Irish is the predominant language. The national language is taught at schools, in order to be admitted to the college it is necessary to pass the language exam, and finally, in case of conflict between the documents (including legal acts and decisions) the text in the national language shall prevail (over a text written in English).

The public sphere is widely laced with the Irish language, not only due to the official regulations, like dual street names, traffic signs, public commuters, but also by giving new born children the Irish names, political campaigns stressing the importance of separation from the British occupants (including the lingual sovereignty), and finally private and academic initiatives.

Founded in 1541, the Honorable¹ Society of King’s Inns in Dublin is the oldest legal institution and oldest School of Law in Ireland. The King’s Inns is proud of having many famous legal and political figures over the past centuries as the society’s members or former participants in the legal education courses. On 7 March 2018 the Society organised a conference entitled: “Conference on opportunities for law graduates as lawyerlinguists with the EU”. The main idea was brought by Dáithí Mac Cárthaigh, a barrister and law & Irish coordinator at the King’s Inn. He is famous for its huge contribution to promote the Irish language and its usage in a law career in through training lawyer, linguists and legal translators for the EU posts.² It brought together retired judges of the Dublin courts, deans of law faculties,

¹ The full title retains the historical spelling: <https://www.kingsinns.ie/>

² On 28 March 2018, the author had a pleasure to interview Dáithí Mac Cárthaigh, who was also a representative of the Irish commission sent to the John Paul II Catholic University of Lublin in Poland, where the Irish language was taught. Nowadays, this language is taught as an additional course.

diplomats residing in the capital, as well as Minister of State for European Affairs, Helen McEntee and Minister for the Gaeltacht and the Irish language, Joe McHugh. Justice Seán Ryan, President of the Court of Appeal opened the event by the solemn welcoming. The Attorney General Séamus Woulfe spoke on the role of the legal profession in the European projects.

Helen McEntee gave an outstanding speech on career opportunities for Irish and English language lawyer-linguists at the Court of Justice of the European Union. Due to many practical recommendations and hints how to successfully “climb the EU ladder”, the Minister’s presentation started a long discussion. The uniqueness of the Court, in its multilingual side, was the main curiosity but at the same time difficulty for the law students gathered at the conference. Next, the mixed translation system turned out to be an interesting matter, also for the local politicians and representative of the city council. Distribution of pivot languages is based on the principle of the relay interpreting. It means interpreting from language A into language B via other language C.³ There are four pivot languages (also called the bridge languages), used as an intermediary language for translation between different languages: German, English, Italian and Spanish. Polish language is along with Belgian, Estonian, Finnish and Dutch in the German pivot group. However, from 2019 Polish will be a pivot language itself.

After a month from this conference, on 13 April 2018, the European Parliament Information Office in Ireland organised a round table in its Europe House. The meeting was entitled: “Multilingualism in the European Parliament: careers for linguists”. It was chaired by is an Irish television presenter and *Gaeilgeoir* (Irish speaking person), Síle Seoige. She worked for the Raidió Teilifís Éireann (RTÉ) and the Irish-language station TG4. In case of this morning round table and afternoon drop-in session, the audience was composed mainly by the (future) linguists or students of the European courses. The legal value of the multilingualism was not the key point; therefore it has brought other aspects than the King’s Inn venue. That was not the first, and definitely not the last such meeting, as there has been shown a big interest into the language usage in the EU. The next conferenced organised by the Honorable Society of King’s Inns in Dublin is planned on the beginning of 2019.

According to the Eurobarometer survey conducted in 2012, almost 90% of the EU citizens say that the ability to speak foreign languages is very useful, while almost 100% of them believe that mastering languages will be good for their children’s future. Europeans are generally aware of multilingualism’s benefits: 53% use languages at work and 45% consider they got a better job in their country thanks to their foreign language skills.

³ For example, if the English booth has nobody who translates out of Danish but the French booth does it, then when Danish is being spoken the English speaking interpreter will interpret what is coming out of the French booth, while not than what is coming directly from the speaker.

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