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Maurizio Gotti



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Specialised Discourse in Multilingual and Multicultural Contexts

Maurizio Gotti

1. Globalisation in specialised contexts

- 1 In recent years, the dismantling of cultural, disciplinary and national barriers, especially in the context of co-operation and collaboration in international trade, has accelerated moves towards the globalisation of socio-cultural, business and communication issues. This process of globalisation offers a topical illustration of the interaction between linguistic and cultural factors in the construction of discourse, both within specialised domains and in wider contexts.¹ Domain-specific languages are prone to the pressures of intercultural variation, as it is not only the socio-cultural factors inherent in a text but also the interpretive schemata which deeply affect its realisation and interpretation within the host professional community (Gotti 2003). Moreover, intercultural communication is often made more complex by the locutors' need to make their texts as adaptable as possible to contextual features and pragmatic purposes, thus frequently originating great variation in professional genres as well as phenomena of intertextuality and interdiscursivity (Foucault 1984, Bakhtin 1986, Fairclough 1992). This is particularly evident in certain fields – such as that of mediation (Candlin & Maley 1997) – which require excellent social and linguistic skills, as well as the ability to draw creatively upon other related and more established professions with their associated discourses. In such a way, not only are novel (inter)texts constructed, but novel (inter)discourses also make an appearance, representing new and as yet not fully stable orders of discourse.
- 2 The globalising trend has also affected the legal field, where an international perspective is becoming more and more widespread. Legal discourse is thus another significant area where intercultural factors may be investigated. Although legal discourse is often thought to be less likely, in respect to other professional genres, to display strong cross-cultural variations, since law texts are commonly aimed at practitioners closely linked to

national legal contexts, cultural aspects do represent an important conditioning factor on its construction and interpretation. Indeed, legal discourse – which used to be employed in narrow professional and local milieus and thus more closely geared to specific cultural values and identity systems – is now more and more frequently involved in globalisation processes, which have relevant consequences on the discourse produced by both native and non-native practitioners working in intercultural and cross-cultural settings. Nowadays many of the texts in use at a local level are the result of a process of translation or adaptation of more general documents formulated at an international level. This is the consequence of the fact that in the context of co-operation and collaboration in international trade, law too is fast assuming an international perspective rather than remaining a purely domestic concern. The increasing need at an international level for accurate and authoritative translation of legal texts and documents across languages relies on the need for them to convey appropriately in both languages the pragmatic and functional intentions and implications of the original text.

- 3 An excellent example of this trend is the need for a common European legal framework; this task is much more complex than simply translating common normative documents into all the languages of the European Union (EU), because this newly created framework is meant to be interpreted within the contexts of a diversity of individual legal systems and tongues. Significant differentiations may arise in the various member countries of Western Europe, especially when one needs to interpret such issues as human rights, international agreements and contracts, freedom of speech, freedom of trade, protection of intellectual property, all of which have very strong socio-political and cultural constraints. Although all legal documents in all languages address these issues, they do so in distinctive and also in overlapping ways, because of the different languages in which they are constructed and the cultural differences of the societies in question and of their legal systems. Indeed, legal terminology is so culture-bound (the reasons being at the same time historical, sociological, political and jurisprudential) that a satisfactory translation of all the legal terms of one text from one context to another is at times impossible.² David underlines this difficulty with a few examples:

To translate into English technical words used by lawyers in France, in Spain, or in Germany is in many cases an impossible task, and conversely there are no words in the languages of the continent to express the most elementary notions of English law. The words *common law* and *equity* are the best examples thereof; we have to keep the English words [...] because no words in French or in any other language are adequate to convey the meaning of these words, clearly linked as they are to the specific history of English law alone. (David 1980: 39)

- 4 The adoption of a particular term instead of another may give rise to ambiguity and misinterpretation. Several examples of this are given by Fletcher (1999), who examines the translation into various languages of the English text of the European Convention on Human Rights. For instance, the translation provided for the expression “*fair and regular trial*” into “*juicio justo y imparcial*” (Spanish) and “*procès juste et équitable*” (French) is not satisfactory, as the use of the non-equivalent adjectives “*regular*” (English)/“*imparcial*” (Spanish) /“*équitable*” (French) can easily show. The same could be said for the rendering of the concept of “*reasonableness*”, basic in common law systems, where expressions such as “*reasonable steps, reasonable measures, reasonable person*” and “*proof beyond a reasonable doubt*” frequently occur. This concept, instead, when translated into languages spoken in countries adopting a civil law system is considered too vague and its rendering as “*ragionevole, raisonnée*” or “*vernünftig*” often gives rise to criticism and dissatisfaction.

- 5 Other excellent examples of translation discrepancies can easily be found in texts relating to the process of building a common European legal framework. For example, translators into English find it difficult to express such culturally-specific French collocations as “*acteurs sociaux, acteurs économiques, acteurs institutionnels, acteurs publics, acteurs politiques*”, which have no direct equivalent in the target language (Salmasi 2003: 117), and they sometimes transliterate terms or create calques from one language into another, relying on the false premise of a very close relationship between similar lexemes in different languages (see the examples of “*transmettre/transmit*” and “*prévoir/ foresee*” in Seymour 2002). Indeed, in Europe the legal drafting issue has become extremely important with the elaboration of a multilingual legislation concerning the European Union. This depends on the fact that the official languages of the European Union are those of its Member States, and as new countries join the Union, their languages are added to the number. This is part of a precise policy aiming to build a community of peoples respecting and safeguarding at the same time the existing variety of customs and cultural identities, a principle based on the conviction that the languages of Europe are part of its immense and diverse cultural heritage, and therefore it is considered the duty of the Union to guarantee their preservation.
- 6 As European Union legislation must be published in all Member States’ official languages in order to be valid also at a national level, in the elaboration of European legislation and its introduction into the various national contexts, a fundamental role is played by legal drafting and translation. As regards the former, the elaboration of the texts is carried out in a parallel fashion by the various teams, making use of a common multilingual terminological database and relying on shared Community concepts and institutions. This procedure, however, encounters problems mainly due to the presence of different legal systems in the various countries and the existence of a specific tradition of the legal register in each Member State. Indeed, closer co-operation between the various legal systems of the EU members has not been achieved through the creation of a new legislative framework to replace the existing one. Such systems are still in use and only in very few cases have the more evident discrepancies been eliminated.
- 7 The European authorities are aware of these problems and greater and greater emphasis is being laid on the quality of legislation drafting at supranational level. An example of this is the ‘Declaration on the Quality of the Drafting of Community Legislation’ which is an important part of the Treaty of Amsterdam (1998); this document explicitly states that “the quality of the drafting of Community legislation is crucial if it is to be properly implemented by the competent national authorities and better understood by the public and in business circles.” This has led to much greater uniformity in the translation of European directives into the various languages of the Union and to more marked homogeneity and interdependence of the resulting texts. Translators work in single-language units of approximately twenty people and translate, almost without exception, into their mother tongue. Their command of foreign languages is expected to be backed up by a good general knowledge and some competence in at least one specialised area such as law, technology, economics, etc. Translators are also assumed to possess word processing and other computer skills such as database interrogation, as they frequently rely on terminology and documentation available in electronic versions.

2. The hegemony of English in intercultural settings

- 8 This process of globalisation has certainly favoured English, and in the last century English undoubtedly became the language of international communication in most international contexts. Indeed, now English is the main language of international business and academic conferences, and is commonly used in a variety of domains: from science to technology, from diplomacy to sport, from pop music to advertising. On a worldwide level English is perceived as having the highest “utility and exchange values” (Coulmas 1991), as it offers the possibility of making use of the language for the widest range of purposes and in the largest number of places all over the world. These high utility and exchange values have caused a growing need for learning English as an international language, which in turn has determined a dramatic increase in its teaching (Dickson & Cumming 1996). Even a country such as China, which for decades placed limits on the teaching of English for ideological reasons, has recently decided to favour the improvement of the competence of its population in this language (Zhongshi & Yu 2002). In China, as is the case in many other countries, the role and status of English is higher than ever before in history as evidenced by its position as a key subject in the curriculum, and as a crucial determinant for university entrance and procuring well-paid jobs in the commercial sector.
- 9 In several countries English is becoming the second language of many people who use it regularly, especially for work. This is the case in many European countries, such as the Netherlands and Scandinavia, where big companies such as Royal Dutch Shell, ABB and Nokia implement strong English-language policies. In these contexts the use of English is not only seen as favouring international communication within and outside the company, but also has a significant role to play in the creation of corporate culture within British subsidiaries abroad (Nickerson 2000) or in the enhancement of in-group togetherness in business meetings (Poncini 2004a). In both cases communication is seen as a tool in the strategic management of international operations, and language skills are deemed essential for performing daily activities. In these multinational contexts, however, instead of providing a better solution for internal and external interaction, the use of English as a common company language at times appears to create problems of mutual understanding. According to Bartlett and Johnson (1998), the English used in these contexts is a sort of creole language, which is more difficult for native speakers rather than non-native ones to understand. Another consequence of the use of English in multinational companies is that those able to master the foreign language tend to centralise communication within the company, probably because of the fewer problems they have in making acquaintance with all kinds of people and interacting with them in a competent way. This centralisation of communication is often associated with a concentration of power into the hands of those who can cope with communication in an autonomous way, while those who have to rely on intermediaries experience a loss of power. Therefore, language skills may become an important tool in internal company politics with consequent significant strategic potentialities.
- 10 These hegemonic tendencies of English have been shown to have relevant ideological and ethical implications in the marginalisation, mitigation or even obliteration of existing differences among ‘colonised’ communities, thus preventing the attainment of authentic intercultural discourse (Canagarajah 1999, Clyne 1994, Pauwels 1994, Scollon & Wong

Scollon 1995, Wierzbicka 1991). As globalising trends commonly rely on covert strategies meant to reduce participants' specificities, they thus hybridise local identities in favour of alternative Anglocentric textual models. Indeed, the complex interaction that combines, opposes and often merges globalising and particular localising trends contains evidence of hybrid forms of discourse which are as unstable and provisional as the socio-cultural identities configured in them (Robertson 1992, Wright 2000). Domain-specific languages, connected with communities linked to local roots as well as to international conventions, have proved to be fertile ground for analysis of intercultural variation, both at a textual level and in the development of those communicative strategies inherent in professional textualisations.

- 11 The spread of English, which frequently furthers exchange and contact between nations, also raises the crucial issue of the non-neutrality of language. For example, in business communication, an area in which English represents a means of contact and interaction among people from different cultures allowing concrete common goals to be negotiated and achieved, the recurrent use of this language – while guaranteeing an international and global dimension – is necessarily culturally marked and consequently requires some kind of adaptation on the part of interactants. Culturally marked in a similar way is the choice among the variant forms of English, the consideration of their status and the attitude towards their modes of interpretation. All this can have a noticeable effect on intercultural communication, as unawareness of these factors can lead to situations where the apparent understanding between members of different cultures conceals actual differences or confusion related to the identity and discourse practices of the speaker or writer, possibly having a negative impact. In these cases comprehension is merely at a surface rather than a deep level.
- 12 These issues are present both in face-to-face communication in general and in the case of professional/organisational/institutional encounters and their professional/organizational/institutional memberships (Firth 1995, Bargiela-Chiappini & Harris 1996, Trosborg 1995, Poncini 2004a). They can also be found in written texts, which, beyond the apparent surface uniformity linked to the specific field, are influenced at a rhetorical and textual level by the cognitive patterns and discourse conventions of the community of the speakers or writers (Yli-Jokipii 1996, Nickerson 1998, Niemeier *et al.* 1998, Gunnarsson 2000). These issues concern not only the language used, but also the different way of managing communication and the patterns of interpersonal behaviour in general. Their importance in workplace contexts and professions is considered so relevant that intercultural communication awareness training has been implemented (Gumperz & Roberts 1980, McGregor & Williams 1984, Roberts 1998, Pan *et al.* 2002).
- 13 In spite of the fact that specialised discourse has traditionally been considered objective and impersonal, in recent years linguistic research has shown both the existence of overt and covert strategies that modulate the author's control of the recipient's response, and the presence of discursual realisations aiming at presenting facts and concepts from a non-neutral perspective. This is a confirmation of the fact that language is generally marked both in its cultural content and in the range of available linguistic variants (Kuper 1999), and that people involved in cross-cultural communication clearly construct discourse to suit the communicative needs of an international audience, adapting their native identities to a common plan which implies a new framework of values and shared behaviours. This process is most evident in domains of use (such as academic, technical

and scientific communication) where the socialisation of knowledge plays a crucial cohesive role.

- 14 As intercultural differences are bound to influence the comprehension of events in people belonging to different cultures, research in the field of contrastive rhetoric (Connor 1998) has greatly helped the identification of those textual aspects which could be attributed to culturally determined schemata reproducing a 'world view' typical of the native culture. It has been shown that the non-native, when communicating in English, is confronted with a psycho-cognitive situation where his/her native linguistic and cultural schemata conflict with the English schemata dominant in international professional communities, and is thus forced to negotiate and redefine his/her cultural identity in order to successfully communicate in international and intercultural settings. Furthermore, anthropological and sociological accounts of cultural interaction in international communities and organizations (Hofstede 1991) suggest the possibility of hybrid communicative schemata in which a new set of cultural values and identities – functional to communication in the wider community – is created in response to the need to communicate internationally. Thus the new, contaminated system, while generally adopting the norms and features of the dominant language and culture in the specific wider discourse community, retains some key traits of the native language and culture. At the same time, English as the language dominant in international exchanges within the professions has a backwash effect, thus contaminating and hybridizing the native system.
- 15 In businesses and other organisations this scenario is complicated by the presence of cultural models and communicative repertoires associated with the corporate culture predominant in different economic systems and different countries, an aspect which has been widely explored in the literature (Hofstede 1984, Trompenaars & Hampden-Turner 1997). Studies on the definition of ethnolinguistic identity within multicultural groups (Applegate & Sypher 1988, Collier & Thomas 1988) have shown that the bi- or plurilingualism brought about by the use of English as a *lingua franca* in international relations presents particular features, because the actors involved are not part of the same linguistic community. In business communication research, much attention has also been paid to business negotiations (Firth 1994, Hendon *et al.* 1996, Ghauri & Usunier 1996), also with studies from a linguistic point of view (e.g., Bargiela-Chiappini & Harris 1997a, 1997b; Nickerson 2000; Bargiela-Chiappini 2004, Bargiela-Chiappini & Gotti 2005) aimed at explaining intercultural variables in the behaviour of individuals belonging to different national/corporate communities. Indeed, the use of English as an international language for communication is more widespread in economics and business than in other specialised fields, particularly as regards *lingua franca* functions. This is a counterpart of the ongoing process of economic globalisation, of which it is both an expression and an instrument. The consequence is an inevitable move towards global communicative models. However, local components are not eliminated and lead to forms of resistance, partly traceable to divergences in ways of categorisation resulting from the acquisition of the native language (Gumperz & Levinson 1996) and partly due to the desire to contrast linguistic/cultural homogenization and the homologation potentially imposed by globalisation. In this reaction to globalisation, three different perspectives have been identified according to the various ways in which the linguistic-cultural identities of the different actors emerge in the use of English as *lingua franca*:
- 16 1. The spontaneous emergence, in written and oral exchanges, of elements connected to the ethnic/cultural identity of the actors involved; it is indeed almost inevitable that

communicative acts are characterized by linguistically and culturally marked elements, identifiable above all at a discursive level. In this perspective, for the examination of written texts, genre analysis (Swales 1990, 2004; Bhatia 1993, 2004; Berkenkotter & Huckin 1995, Bargiela-Chiappini & Nickerson 1999, Gillaerts & Gotti 2005) has proved to be particularly suited to identifying the discrepancies between global textual conventions and concrete realisations. For example, investigations on a corpus of company documents have identified recurring pragmatic and discursive features in texts produced by Italian native speakers, showing that they can be traced back to factors correlated to cultural identity and Italian business practices (Garzone 2000, 2004).

- 17 2. The deliberate construction of cultural identity in different discourse types, e.g., to promote an image for the sale of traditional products or products with a strong cultural connotation (for example, typical foods, handicrafts, industries linked to the image of a country, e.g., fashion and tourism in Italy); also in this area, specific studies have already been carried out (Poncini 2004b).
- 18 3. The 'affirmative' representation of identity by companies and other organisations (e.g., banks, financial institutions, organisations focusing on fair trade and solidarity), which, through the use of discourse and linguistic practices, manifest their intention to disassociate themselves from the social and cultural practices of globalisation.
- 19 Issues like these are also crucial for the construction, interpretation and use of legal language across languages and legal systems. They are especially relevant in international trade, which often involves contracts written in English but incorporating statutes and regulations issued by a third country. Indeed, in the great, rapid changes taking place all over the world, there is a tendency for a single global standard to evolve and dominate over all others – i.e., English. The position of English as the language for international communication is a very strong one and is to become even stronger, due to the need for a common global language. However, as has often been remarked, the adoption of a *lingua franca* may have important consequences on the approach adopted locally. Indeed, when the language chosen for the international arbitration procedure is English, there is a tendency to adopt procedures typical of common law countries:
- Frequently the presence of American (or British) lawyers in a procedure normally leads to the *de facto* use of US (or English) procedures. (Lazareff 1999: 37)
- 20 The influential role played by this language is much more significant now that English is so frequently used also in cases in which no native English-speaking party is involved. The frequency of this situation is confirmed by Taniguchi's testimony:
- There are very many different arbitral practices associated with different legal and commercial cultures. However, the world has been unmistakably proceeding toward a single commercial culture. Japanese businessmen, for example, are negotiating business in the English language not only with English speaking businessmen but also Korean, European and middle eastern businessmen. This is one of the realities of international trade today. (Taniguchi 1998: 39)
- 21 The increasing role of English as a *lingua franca* can also be seen at the European Union level, where the use of English has become prevalent. Indeed, at the Translation Service of the European Union, nearly three-fifths of the documents sent for translation are drafted originally in English. This is nearly twice the quantity of material drafted in French, which for decades was the dominant language. The great increase in the use of English in this context is due to the fact that English is often adopted as a 'relay language' for translations between combinations of languages, such as the Baltic languages and

almost any other, for which the EU institutions are unlikely to find enough translators who can bridge the gap directly: the first translation is into English and from this a text in another language is then produced.

- 22 In this way, English terms are creeping into local legal terminologies. For example, over the last two decades, because of the rapid internationalisation of commerce, an increasing number of English legal terms (such as “*leasing*, *factoring*”, and “*franchising*”) has been introduced into Italian legal language. Legislators often attempt to translate some of these terms, as for example the term “*antitrust rules*”, which has been adopted by Parliament using the expression “*leggi per la tutela della competizione e del mercato*” [rules in order to safeguard competition and market]; the original English term avoided by Parliament has recently been reintroduced by the Government in a few legislative decrees (Belotti *et al.* 2003: 214). In some cases the original word has been maintained as the concept itself did not exist in that context; this is the case of the term “*joint venture*”, the English expression commonly in use also because of the inaccuracy of the numerous translations that have been proposed.

3. Domain reconquest efforts

- 23 The strong English-language policies frequently adopted by multinational companies and public authorities in many countries have aroused people’s awareness of the risk that the increasing use of English in business, the media, publishing and higher education might greatly reduce the role of national languages for professional and scholarly purposes. This risk is not at all remote; as Ammon (2001) documented in detail, English has already become dominant as the language for scholarly publications in several countries. In Finland, for example, the number of doctoral dissertations written in English has risen dramatically from 7.1% of all those presented before 1949 to 95% in the 1990s. This highly influential role is favoured by the fact that the education and training of researchers is more and more frequently taking place in English-speaking countries, thus determining the loss of local specificities. The story of the Egyptian marine biologist, Salwa, reported by Swales (1990: 204) shows that in order to have her dissertation accepted, she had to rewrite it several times modifying the original style typical of the Arabic way of writing and adopting the rhetorical conventions commonly shared by the American scientific community. Also the policy favouring English as a research language adopted by the many universities in non-English-speaking countries increases the danger that some researchers may not learn to master the specialised language usage of their own field completely in their first language. Moreover, the demands associated with writing and publishing in English are usually very strict and can thus be used by specialised publications to filter foreign contributions. Indeed, since only the British or American varieties are considered valid, a failure to comply with the journal’s linguistic standards is usually penalised with rejection.
- 24 Many countries are becoming aware of the problem of erosion of functionality of their languages and have now started a policy aimed at strengthening the role of the local tongues at different stages of education and in various domains of communication. This is particularly true of some European nations, where a stance has been taken to defend the prestige of the local language. For example, the Academy of the German Language has warned universities against reducing the standards of scholarly German and replacing it by “bad simple English”, and has pointed out the dangers of reducing German to “a

system with restricted functional range” (Görlach 2002: 16). The Nordic countries have set up a research project called *Nordens språk som vetenskapsspråk* [The Nordic languages as languages of science] to defend the use of their languages for academic and scientific purposes, as they deem this use fundamental for the acquisition of a strong competitive position in culture, science and business. Stimulated by the results of this project, policies of domain (re)conquest (Laurén *et al.* 2002) have been promoted in several contexts. Laurén (2002), for example, reports the case of Norwegians working on oil-drilling platforms who had had to adapt themselves to the use of English terminology and adopt an English special language in order to talk and write about their tasks because of the lack of Norwegian lexis in this field. In recent years, however, both Norwegian companies and governmental authorities have realised the strategic importance – both for the defence of their economic interests in the oil industry and for the enhancement of safety on the platforms – of developing an independent set of terms relating to oil drilling. A data bank covering more than 10,000 concepts belonging to about sixty different systems and structures has been developed, thus facilitating the communication tasks of Norwegian firms in their contacts with national authorities.

4. Adaptation to global contexts

- 25 The greater and greater use of English for international communication has caused important changes in this language itself. For example, a high degree of language adaptation to the needs of global communication has already been seen in the sectors of marine telecommunication and international aviation, with projects such as SEASPEAK and AIRSPEAK, aimed at developing linguistic codes to enable pilots of ships or planes to interact adequately with port authorities or air traffic controllers. In order to overcome the phonetic and linguistic difficulties experienced by non-native speakers, the structure and elements of these codes have been greatly simplified so as to avoid pointless redundancy and excessive difficulties in comprehension and expression. Thus specific phrases have been codified, each with its specific function and well-defined meaning, and message/reply markers have been coined to identify the pragmatic value of each utterance. To ensure that the message has been received correctly, SEASPEAK relies on MESSAGE CHECK to enable the sender to check whether the message has been received correctly. Here is an example of the sequence:

1st Speaker: QUESTION: What is your ETA at the dock entrance?

2nd Speaker: ANSWER: My ETA at the dock entrance is time: one-six-zero-zero GMT.

1st Speaker: Understood, time: one-six-zero-zero GMT. (Weeks *et al.* 1984: 47)

- 26 Since radio-mediated maritime communication is essentially oral, SEASPEAK researchers have looked closely at its phonetic realisations. In fact, radio transmission is always prone to faulty reception due to interference from other broadcasts and frequency fluctuations. These technical problems are worsened by specifically linguistic considerations, as comprehension is often made difficult (if not impossible) by the speaker’s excessive speed of delivery or unusual accent. As many accidents are caused by the mistaken comprehension of letters and figures, the SEASPEAK researchers have redefined pronunciation. When referring to a letter of the alphabet, their advice is to use whole words in order to avoid ambiguity and misunderstanding. For example, the letter A is pronounced *alpha*, B is *bravo*, C *Charlie* and so forth. Numbers, which are all in English, are

also sometimes read differently for greater clarity. This particularly affects the following numbers:

- 3 TREE
- 4 FOWER
- 5 FIFE
- 9 NINER
- 1000 TOUSAND (Weeks *et al.* 1984: 6)

- 27 Simplifications have been introduced also as regards syntactic structures, meant to reduce the difficulties of expression and comprehension among the non-native users of this 'special' language. The increasing role of English as the *lingua franca* of international communications is thus leading to continuous adjustments and additions to the conventional rules of this language, and new research projects have followed the success of SEASPEAK.

Conclusion

- 28 As has been seen, the recent strong moves towards globalisation have implied relevant consequences in socio-cultural and communication terms. Indeed, intercultural communication has been shown to affect the strategies themselves whereby discourse is negotiated and where social practices are shaped by cultural diversity and a strong need for a language for mutual comprehension. Also the role and status of English in increasingly numerous communities and domains constitute a complex issue, especially because the adoption and influence of this language often has controversial political, social and economic implications. As a result, elements of linguistic and intercultural conflict are bound to arise, determining changes in the forms and uses of both the donor and receiving languages.
- 29 Moreover, the globalising trend pervading all specialised domains has also shown that, in spite of the growing efforts of the international community to guarantee greater and greater harmonisation in legislation and procedures, local constraints and specific cultural aspects still represent a relevant conditioning factor. This is clearly visible in the normative texts in use in the various contexts which show discrepancies deriving not only from differing legal and cultural systems, but also from the use of different linguistic codes. Indeed, nowadays many of the texts in use at a local level are the result of a process of translation or adaptation of more general documents formulated at an international level. For example, the investigation of the process of adaptation of the international legislation to different national realities (e.g., Bhatia, Candlin & Gotti 2003) has pointed out several cases in which the source text offers the input on the basis of which new autonomous texts are created taking into consideration the needs of the final users. Thus, these international documents have been shown to possess clear traits of 'hybrid' discourse, as their final form shows that they "are arrived at as an outcome of negotiations between cultures and the norms and conventions involved" (Trosborg 1997: 146).

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NOTES

1. This theme is so relevant that it has been the object of several studies in recent years, among others, Wierzbicka 1991, Mauranen 1993, Clyne 1994, Pauwels 1994, Scollon & Wong Scollon 1995, Ulijn & Murray 1995, Ventola & Mauranen 1996, Pan, Wong Scollon & Scollon 2002, Candlin & Gotti 2004a, 2004b.
2. This also applies to different contexts using the same language. As Nadelmann and Mehren rightly exemplify, "Even in the same language the meaning of a legal term may differ from

system to system. Thus, 'domicile' has one meaning in English law and quite different meanings in American jurisdictions." (1967: 195). As Nida aptly remarks, "competent translators are always aware that ultimately words only have meaning in terms of the corresponding culture" (Nida 2001: 13).

ABSTRACTS

The paper investigates the effects of the great developments that have taken place in the last few decades in specialised domains as a consequence of a continuous process of economic globalisation. This globalising trend has not only raised important socio-cultural, business and communication issues, but has also affected the legal field, where an international perspective is becoming more and more widespread. However, in spite of the growing efforts of the international community to guarantee greater and greater harmonization in legislation and procedures, local constraints and specific cultural aspects still represent a relevant conditioning factor. This is clearly visible in the normative texts in use in the various contexts which show discrepancies deriving not only from differing legal and cultural systems, but also from the use of different linguistic codes. This is due to the fact that nowadays many of the texts in use at a local level are the result of a process of translation or adaptation of more general documents formulated at an international level.

Cet article examine les effets du développement récent des domaines spécialisés, sous l'effet d'un processus continu de mondialisation économique. Cette tendance à la globalisation a non seulement soulevé d'importantes questions socioculturelles, commerciales et de communication, mais a également affecté le domaine juridique, où une perspective internationale s'est généralisée. Cependant, malgré les efforts croissants de la communauté internationale pour garantir une harmonisation toujours plus importante de la législation et des procédures, certaines contraintes locales et des aspects culturels spécifiques continuent de représenter un facteur de conditionnement pertinent. Ceci est particulièrement visible dans les textes normatifs en vigueur dans divers contextes, qui montrent des écarts dus non seulement à des systèmes juridiques et culturels différents, mais également à l'usage de codes linguistiques différents. Aujourd'hui, nombre de textes en vigueur au niveau local sont en effet le produit d'un processus de traduction ou d'adaptation de documents plus généraux, rédigés à un niveau international.

INDEX

Mots-clés: contexte multiculturel, contexte multilingue, discours spécialisé, mondialisation

Keywords: globalisation, multicultural context, multilingual context, specialised discourse

AUTHOR

MAURIZIO GOTTI

Maurizio Gotti is Professor of English Linguistics and Director of the Language Centre at the University of Bergamo. He is currently President of the Italian Association of University

Language Centres and Director of CERLIS, the research centre on specialised languages based at the University of Bergamo. From 1999 to 2001 he was President of the Italian Association of English Studies. From 2000 to 2004 he was President of the European Confederation of University Language Centres. His main research fields are the features and origins of specialised discourse (*I linguaggi specialistici*, La Nuova Italia 1991; *Robert Boyle and the Language of Science*, Guerini 1996, *Specialized Discourse: Linguistic Features and Changing Conventions*, Peter Lang 2003). He is also interested in English syntax (*English Diachronic Syntax* (ed.), Guerini 1993; *Variation in Central Modals* (co-author), Peter Lang 2002) and English lexicology and lexicography, with particular regard to specialised terminology and canting (*The Language of Thieves and Vagabonds*, Niemeyer 1999). He is a member of the Editorial Board of national and international journals, and edits the *Linguistic Insights* series for Peter Lang. m.gotti@unibg.it