

**CALL FOR PAPERS
INTERNATIONAL CONFERENCE**

**COMPARATIVE LAW:
ENGAGING TRANSLATION**

21-22 June 2012

**Kent Centre for European and Comparative Law
Kent Law School, Canterbury, UK**

The Kent Centre for European and Comparative Law invites participation in an international conference entitled “Comparative Law: Engaging Translation” to be held at Kent Law School, Canterbury, UK on 21-22 June 2012.

This international conference aims to promote a heightened understanding of the complex translational implications of comparative legal research. The conference’s main assumption is that the question of comparative law is through and through one of translation. Yet, even in today’s globalised world where the need to communicate beyond borders arises in ways that are possibly unprecedented, most comparatists, for reasons which participants will want to explore, continue not to address the issue of translation as it pertains to comparative law. For example, after more than forty years in print and three editions, the leading textbook in the field remains silent on the subject-matter of translation. This conference seeks to attract critical and interdisciplinary papers that will draw on fields such as translation studies, linguistics, literary theory, sociology, philosophy or postcolonial studies in order to analyse the central role of translation in comparative law, understood both in its literal and metaphorical senses.

Confirmed Keynote Speakers

Professor Michael Cronin, Dublin City University

Michael Cronin holds a Personal Chair in the Faculty of Humanities and Social Sciences at Dublin City University. He researches in Irish translation history and translation with specific reference to globalization. Professor Cronin is the author of *Translation Goes to the Movies* (Routledge, 2009); *Translation and Identity* (Routledge, 2006); *Translation and Globalization* (Routledge, 2003); *Across the Lines: Travel, Language and Translation* (Cork University Press, 2000); and *Translating Ireland: Translation, Languages, Identities* (Cork University Press, 1996). He is co-editor of *Transforming Ireland: Challenges, Critiques, Resources* (Manchester University Press, 2010, with Debbie Ging and Peadar Kirby); *The Languages of Ireland* (Four Courts Press, 2003, with Cormac Ó Cuilleain); and *Unity in Diversity? Current Trends in Translation Studies* (St. Jerome Publishing, 1998, with Lynne Bowker, Dorothy Kenny and Jennifer Pearson). Professor Cronin is a member of the Royal Irish Academy and co-editor of *The Irish Review*. He has acted as visiting professor in Canada and Peru.

Professor Alexis Nouss, Cardiff University

Alexis Nouss is Professor of Modern Cultural Studies in the School of European Studies at Cardiff University and Associate Professor in the Department of Linguistics and Translation at the Université de Montréal. Professor Nouss researches in the fields of European culture and translation studies. His recent publications include *Paul Celan: les lieux d’un déplacement* (Le Bord de l’eau, 2010); *Plaidoyer pour un monde métis* (Textuel, 2005); *Métissages* (Pauvert, 2001, with François Laplantine); *Dire l’événement, est-ce possible?* (L’Harmattan, 1997, with Jacques Derrida and Gad Soussana); *Le Métissage* (Flammarion, 1997, with François Laplantine); and *La Modernité* (Presses Universitaires de France, 1995). He has taught as visiting professor in Brazil, France, Spain and Turkey. Professor Nouss is the founder and director of “Poexil” (www.poexil.umontreal.ca), a research group working on the cultural expressions of exilic and diasporic experiences. He sits on the editorial board of *Traduction, terminologie et rédaction (TTR)* and *Meta: Translators’ Journal*.

**The Kent Centre for European and Comparative Law
solicits the submission of papers for the following three panels**

Panel 1 – Translatability Matters

Convenor: Professor Kwai Ng, University of California, San Diego

Kwai Ng is Associate Professor of sociology at the University of California, San Diego. He is interested primarily in studying institutionalized language practices in the common law tradition. Professor Ng has undertaken empirical research on the bilingual legal system of Hong Kong and the use of court interpreters in the United States. He is currently working on a project that studies comparatively several postcolonial common law jurisdictions in Asia. His book, *The Common Law in Two Voices – Language, Law, and the Postcolonial Dilemma in Hong Kong* (Stanford University Press, 2009; joint recipient of the Distinguished Book Award, American Sociological Association’s Section on Sociology of Law), explores how the introduction of Chinese into the common law has reshaped the social and moral character of the law in Hong Kong. His other research interests include social theory, emotions and culture.

No serious reflection on comparative law and translation can escape the initial consideration of threshold questions having to do with translatability. Is translation possible? Can translation overcome the epistemological encumbrance of the translator? Can a translation ever said to be true? How much knowledge of a language and culture is required for a valid translation to happen?

Panel 2 - The Specificity of Comparative Law

Convenor: Dr Simone Glanert, Kent Law School

Simone Glanert teaches French law, comparative law and statutory interpretation at Kent Law School. She has acted as visiting professor at the Sorbonne, in Timisoara (Romania) and in Grenoble. Her research focuses on theoretical issues arising from the practice of comparison in the context of globalization and Europeanization. Recent publications include *De la traductibilité du droit* (Dalloz, 2011; in press); “Comparaison et traduction des droits: à l’impossible tous sont tenus”, in *Comparer les droits, résolument*, ed. by Pierre Legrand (Presses Universitaires de France, 2009); and “Speaking Language to Law: The Case of Europe”, (2008) *Legal Studies*. Dr Glanert has been researching the question of method in comparative legal studies with particular reference to the skeptical dispositions shown by philosophers like Hans-Georg Gadamer, Jacques Derrida and Paul Feyerabend. She is undertaking further work on the relevance of Gadamer’s philosophical hermeneutics for comparatists.

In the light of the knowledge emerging from the first panel it becomes necessary to focus on the specificity of a comparative enterprise having foreign law as its object of study. Can the very notion of comparative law be said to be interchangeable with that of translation? Does the fact of normativity which attaches to legal texts affect the translation process in comparative legal studies? Must strategies of legal translation vary according to the type of comparative legal research being pursued? Can the foundations of the dominant theoretical model within the field (“*praesumptio similitudinis*”, functionalism, etc.) be reconciled with the lessons derived from a reflection on legal translation?

Panel 3 – Translation Beyond Translation

Convenor: Professor Pierre Legrand, Ecole de droit de la Sorbonne

Pierre Legrand directs the postgraduate programme in globalization and legal pluralism at the Sorbonne. He acts as Distinguished Visiting Professor of Law at the University of San Diego Law School and teaches regularly on the postgraduate programme at Melbourne Law School. He has recently held visiting professorships at the universities of Toronto and Copenhagen and at Georgetown Law School. He also lectures in China and Brazil. Representative publications include “The Same and the Different”, in *Comparative Legal Studies: Traditions and Transitions*, ed. by Pierre Legrand and Roderick Munday (Cambridge University Press, 2003); “On the Singularity of Law”, (2006) *Harvard International Law Journal*; “Issues in the Translatability of Law”, in *Nation, Language, and the Ethics of Translation*, ed. by Sandra Bermann and Michael Wood (Princeton University Press, 2005) and “Econocentrism”, (2010) *University of Toronto Law Journal*.

Against the background of an intensified interaction between different cultures driven by economic, legal, political and social interests, the third panel highlights translation’s more figurative senses. Specifically, it refers to the negotiation and emergence of meaning — a fact always already laden with power relations but pregnant with new discursive and material possibilities — through the disorientation or repositioning of traditional identities. Can processes of Europeanization or globalisation usefully generate a new legal language? Can a practice of constitutionalism be meaningfully referred to in another constitutional context? Can law be translated into economic language so as to allow for the rankings being defended by the promoters of “legal origins”?

Scholars interested in presenting a paper at the conference should submit an abstract of no more than 400 words accompanied by a short biographical note to Dr Simone Glanert, Joint Director of the Kent Centre for European and Comparative Law (S.Glanert@kent.ac.uk) by **1 September 2011**. The composition of the panels will be released by 21 September 2011. Invited participants will be asked to produce a first draft of their paper for advance circulation by **1 June 2012**.

A selection of papers presented at the conference will subsequently be published with a major European law publisher (details will be communicated in due course). Contributors will be required to hand in the final version of their paper by **1 January 2013**. The final version of the paper must not exceed 15,000 words (inclusive of notes).

Participants at the conference must assume that they will have to cover their travel and accommodation costs. Moreover, there will be a conference fee (£90), to be paid in cash upon arrival, which will include lunches and coffee/tea breaks on 21 and 22 June 2012 and the conference dinner on 21 June 2012. Postgraduate students and unwaged delegates may apply for a fee reduction or waiver.

Canterbury is easily reached by fast train out of London St Pancras (1 hour) or out of Paris (2 hours on the Eurostar to Ashford International and 20 minutes on a local connecting train). A number of B&Bs and small hotels are to be found in the city centre within a few minutes' reach of the university campus (see <http://www.guesthousesincanterbury.co.uk/>).