

Introduction to Issue 2

One of the most relevant fields of research of our times - *comparative law and language* - necessarily rests on the parallelism between comparative law as a science, and language as a means of communication. As in traditional legal comparison, what is measured are similarities and differences among systems of rules it follows that the outcomes of comparative law research are brought to light thanks to language or are the consequences of conceptual linguistic differences.

Language and law are therefore joint disciplines in the identification of legal data and in the visualization of the results of a comparative scientific operation.

This relationship between comparative law and language has, however, a deeper, intrinsic complexity.

Once upon a time the theme recalled an apparent contribution of hierarchy in the analysis of equal dignity, rather than a conceptual symmetry between the two scientific fields of legal comparison and language: language was in an ancillary position in comparative analysis and only recently has legal translation started to be perceived as a method, and no longer as a simple means of expressing foreign law.

The contributions contained in this Issue of CLL Journal highlight how the relationship between comparative law and language demonstrate that these disciplines are not bound in a grid, simplifying, and classifying their aims, but they are more and more expanding their respective spheres of analysis.

Jan Engberg clarifies specifically that under the title of the journal *Comparative Law and Language* his contribution focuses the interest on comparisons of aspects of language and law in their interaction (Comparative Law-and-Language, instead of the also possible Comparative-Law and Language). Thus, the core of the analysis is upon the idea that law and language are each other's prerequisites, as the "law must be expressed in language in order to exist in the world—and the language elements used must be selected in order to comply with the expectations of the receivers in order to be understandable in the intended way and let the law come to existence".

However, the expanding complexity of the analysis of the relation between comparative law and language is also due to the fact that these two areas lie on an implicit pattern, fabric of reality.

This is clear in the work of Mario Ricca on "e-Health" *Transducing Bodies, Translating Health Intercultural e-Health and Legal Chorology*. Telemedicine constitutes an extraordinary tool in solving many of the problems resulting from geographical distance between patients and doctors. However, its benefit of providing medical assistance also depends on the fact that technological displacement of sick bodies requires and involves a transplant of their legal connotations, thereby a linguistic-political translation/transduction of them. The Author underlines that on the one side, the symbolic-normative dimension is a bridge between the transportation of bodies and their translation. On the other hand, "material" body is also a semantic entity to be translated as well as transported, as a part of the ecological space of lived experience and does not escape from the chorological *continuum*.

Janny Leung's contribution *Shortcuts and Shortfalls in Meta's Content Moderation Practices: a Glimpse from its Oversight Board's First Year of Operation* describes Meta's (formerly Facebook) *Oversight Board*, a body recently set up by Meta in order to handle final appeals of content moderation decisions and issues policy recommendations. The article examines the role of the Board in steering changes, by analyzing the first 20 decisions published during its first year of operation. The cases examined by the Author rise questions about the necessity of an external oversight also on the existence of Meta's system of rules, granting a quality assurance having impact beyond individual cases and achieving a reasonable balance among competing demands.



In Maria Vittoria Buiatti's article *Gender Neutral Legal Language: A Comparative Overview* attention is dedicated to language and vocabulary from the viewpoint of gender-neutral legal language drafting. The Author posits that Gender neutrality in language can make a greatly positive impact and difference in society, as it is directly linked to human rights and their protection. What is highlighted in the contribution is often and in different legal traditions the presence of provisions already drafted in a gender-neutral legal language which significantly improves and facilitates courts and judges in granting protection of rights.

Words Travel Worlds: Language in the EU Internal Market, Linguistic Diversity and the National Identity of the Member States is a case law overview of the decisions of Court of Justice of the European Union underlining the role language and national constitutional identity play in the free movement rights of persons Hanneke Van Eijken and Eva Meyermans Spelmans. The core of the Author's analysis is the role language plays in the European free movement and how cultural diversity and national constitutional identity should be balanced with language barriers.

The Issue is completed by an interesting and profitable *Literature Review on Comparative Law and Legal Language* by Caterina Bergomi.

Elena Ioriatti, Editor – in Chief, on behalf of CLL Editorial Board