

A CORPUS-BASED STUDY OF ETHICALLY SENSITIVE ISSUES IN EU DIRECTIVES, NATIONAL TRANSPOSITION MEASURES AND THE PRESS

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Abstract – This paper is set in the framework of the Eurolect Observatory Project, which is studying the differences between the EU varieties of legislative language (Eurolects) and their corresponding national legal varieties in 11 languages (Mori 2018). In this paper, our focus is on ethics and legislation: more specifically, the research question is whether any differences can be detected in the discursive construction of ethically sensitive issues in the English version of EU directives, their related national transposition measures adopted in the UK, and press articles reporting on the introduction, revision or implementation of such laws. In this sense, news reports and comments are seen as sitting at the end of a genre chain covering the whole spectre of knowledge dissemination, from the expert (legislation) to the popularising level (newspaper article). The ethically sensitive issues in question concern human health and animal welfare, and the corpora used for the study were selected from the English section of the EOMC (Eurolect Observatory Multilingual Corpus) and from the Lexis-Nexis database of press articles.

Keywords: Eurolect; national transposition measures; discursive construction; human health; animal welfare corpus.

1. Introduction¹

This paper is set in the framework of the Eurolect Observatory Project, which aims to describe the language varieties of EU legislative texts (i.e. Eurolects), vis-à-vis their corresponding national legal varieties. By comparing corpora of EU directives in 11 languages and the related national transposition measures (NTMs) adopted by the Member States, the first phase of the project has already identified specific features of Eurolects at different levels of language description; more specifically, it has shown English Eurolect to be more conservative than the national legislative variety (see section 2).

In this paper, attention is turned to the interface between the lexical and the discursive level, considering how some issues that pose strong ethical concerns are discursively constructed in EU and national legislation, and

¹ Although the paper is the product of a joint effort, Chiara Degano wrote sections 1, 3, 3.1 and 4.1, while Annalisa Sandrelli wrote sections 2, 3.2 and 4.2. The Conclusions were jointly drafted.

whether any differences can be identified that reflect different ideological perspectives. At the same time, the analysis will consider how the national press reported or commented on said EU measures and matching national transposition measures; thus, our study also takes into account a different register, aimed at the circulation of specialised contents to a broader lay audience.

Understanding ethics as a system of moral principles concerned with what is good for individuals and society, as a resultant of religious, philosophical and cultural forces, the law provides a codification of such principles by reflecting them and at the same time enforcing them, at least in those areas of social interaction that are legally regulated. However, insofar as competing systems of values may, and do, coexist in any given society, their codification in the law will inevitably offer a partial representation of ethics, enjoying an established threshold of consensus (as envisaged by the applicable laws), but rarely amounting to a unanimous consensus. This is all the truer when issues are highly controversial or divisive, and the legislative process is accompanied and influenced by a polarised debate in political circles and society at large. Further dialectical differences may arise when supranational legislation is passed, as is the case with EU directives. In addition to that, different genres can be driven by specific, and possibly conflicting logics: while legislative documents tend to adopt a principled and more detached approach to moral problems, media discourse generally takes a more clearly oriented approach, as giving voice to conflicting views is part of the business.

In European Commission documents, ethics is often explicitly cited with reference to research, with the most sensitive ethical issues including: the involvement of children, patients, vulnerable populations; the use of human embryonic stem cells; privacy and data protection issues; research on animals and non-human primates.² This paper will focus from an interdiscursivity perspective (Bhatia 2010; Candlin, Maley 1997) on two selected areas of legislation, namely human health and animal welfare. The research question is whether differences – be they lexical or at higher levels of discourse construction – can be detected in how the subject matter is codified in EU and national acts, and, whether differences, if any, may be the reflection of different ideological orientations. At the same time, attention will be paid to how the discursive constructions originated in the EU context are refracted in UK news discourse, with news reports and comments seen as sitting at the end of a genre chain covering the whole spectre of knowledge dissemination, from the expert to the popularising level.

² See https://ec.europa.eu/programmes/horizon_2020/en/h2020-section/ethics.

2. Multilingual legal drafting and English Eurolect: An overview

As was mentioned in the Introduction, the language used in EU legislation tends to differ considerably from legislative language used in domestic laws, even when such laws transpose the legal obligations of EU normative texts, as happens with European Commission directives and their respective national transposition measures.

The differences between Eurolects and the national varieties of legislative language stem from the specificity of the EU multilingual drafting process and the peculiar language contact situation in which EU norms are originated. More specifically, EU directives are produced in a multilingual environment in an iterative drafting process referred to as “multilingual legal drafting”: all the language versions thus produced are equally valid and authentic (Biel 2014; Stefaniak 2013; Strandvik 2015). What actually happens in practice is that each new text is drafted in one language and is then translated into the other official languages of the EU: since the 2004 round of enlargement and up to the time of writing the main drafting language has been English, which has thus acquired the role of institutional *lingua franca* of the EU³ (Felici 2015; Pozzo 2012; Robertson 2010). However, it has been estimated that only 13% of European Commission drafters are native speakers of English (Wagner 2010). Thus, over the years several guidance materials have been published to improve the quality of legislative drafting: the overall goal is to produce clear, unambiguous and (relatively) simple sentences. Recommendations include streamlining sentence structure, avoiding passive forms, nominalisation and synonyms (for the sake of terminological consistency), replacing archaisms with contemporary expressions, and refraining from using terms that are too closely related to any national legal culture. The latter is especially important in the light of the fact that legal English has evolved in the Common Law tradition, and is therefore not especially suitable to express EU law concepts. However, the upshot is that directives are often worded in fairly vague terms, since EU law “[...] tends towards a higher level of generalisation (and therefore abstraction) in order to accommodate all the national variations on a matter” (Robertson 2010, p. 157).

In order for directives to be applicable, they have to be transposed into national legislation: in the UK about 80-90% of directives are transposed into secondary legislation, i.e. Statutory Instruments (ministerial rules, orders or regulations), which is a faster and more efficient route than transposition by

³ The impact of Brexit on drafting and translation practices in the EU is yet to be determined.

an Act of Parliament (Steunenbergh, Voermans 2006). Legislators must first check whether existing national laws already cover the obligations imposed by any new EU directive (and if so, to what extent), to avoid “double-banking” (“when European legislation covers the same ground as existing domestic legislation”; HM Government 2013, p. 9). If a new norm is needed, the recommended method is “copy-out”, i.e. using the same wording as the directive. However, UK drafters are often obliged to resort to “elaboration” in order to spell out the legal obligations contained in the text, in keeping with the Common Law tradition which dictates that legislation be very detailed to be consistent with case law (Mattila 2013).

In 2013 a small research team at Università degli Studi Internazionali di Roma (UNINT) set up the Eurolect Observatory to investigate systematically the differences between the language of EU directives and the language used in the related national transposition measures, with a view to enhancing both translation and drafting practices. The project has gradually expanded to involve scholars from 17 universities and 11 European languages, namely Dutch, English, Finnish, French, German, Greek, Italian, Latvian, Maltese, Polish and Spanish. The first phase (2013-2016) of the project produced the Eurolect Observatory Multilingual Corpus (EOMC), which includes the 660 European Commission directives adopted between 1999 and 2008 in the above-mentioned languages (Corpus A) and the national transposition measures adopted in the various countries (Corpus B) over a slightly later time span, as transposition usually takes some time (2-3 years in the UK). The directives were downloaded from the Eur-Lex website, which also publishes the links to all the related NTMs: the metadata included in the headers of all the texts in both Corpus A and B allow easy retrieval of matching texts (see Tomatis 2018 for more details). A common research template (an analysis grid used to classify morphological, lexical and textual/discursive features) was adopted by the whole research team to ensure data consistency and comparability. Differences were identified at several levels of language description (morphological, syntactic, lexical and textual) not only in English, but in the other European languages involved, albeit not all to the same degree: thus, it is possible to talk of ‘Eurolects’, i.e. a distinct variety of legislative language (see Mori 2018 for a full overview).

The study of English Eurolect has made it possible to isolate and describe some distinguishing traits (Sandrelli 2018). English Eurolect tends to be more conservative and more formulaic than the legislative English used in national transposition measures: traditional “frozen” traits of legal English, such as archaisms, Latinisms, the modal “shall” and subjunctive verb forms still feature prominently, while in recent years their frequency has decreased in the national legislative variety as a result of the Plain Language Movement. In addition, there is an overrepresentation of loanwords and

calques (mostly from French) and of words with Greek and Latin prefixes, which may be a reflection of the multilingual law-making environment. Finally, there is an overabundance of certain formulaic text-organising patterns (complex prepositions and legal phrasemes providing intra-textual and extra-textual references). In English Eurolect the same phrasemes tend to be repeated over and over again, while in UK legislative English there is more diversity; this is probably for the sake of consistency and clarity in view of translation into all the other official languages.

In the second phase of the project (2017-2020), a Corpus C of domestic legislation entirely originated in each country (i.e. with no connection with the EU) has been added for English, German, Italian and Spanish, and the corpora (A, B and C) in these four languages have been POS-tagged. This will make it possible to carry out more sophisticated searches to further refine the description of Eurolects and their typical traits.⁴

3. Materials and methods

A corpus-driven analysis was carried out on a small number of directives (Corpus A) and national transposition measures (Corpus B) from the English section of the EOMC concerning two fields in which legislation evidently intersects more with ethics, namely human health and animal welfare. The discursive features emerging from the analysis of the two sets of legal documents was then contrasted with a corpus of national press reporting on the issues in question. The analysis proceeded by comparing the selection of directives with that of national legislation through the extraction of keywords, so as to be able to identify patterns (if any) that may suggest a different discursive construction. The corpus of directives was then compared with the press corpus (Corpus P), taken as a benchmark against which the specificity of legislative discourse can be better appreciated.

The human health and animal welfare directives were extracted manually from Corpus A of the EOMC; they all belong to the group of documents on “Environment, Consumers and Health Protection”, and they were chosen on the basis of the directive title. The corresponding national transposition measures were then looked for in corpus B. Finally, the press corpus was built starting from an automated search of news and comment articles retrieved from both quality newspapers and tabloids via the Lexis-Nexis database.⁵ Here, the search criteria were set to cover a longer period of

⁴ See <https://www.unint.eu/it/ricerca/progetti-di-ricerca/8-pagina/1219-eurolect-observatory-project.html>.

⁵ See <https://www.lexisnexis.com/en-us/gateway.page>.

time (1999-2018), as the debate around a given directive or its transposition may in fact resurface in the national press whenever a related topic makes headlines because of political or current affairs news. The search string pattern included the word ‘directive’, the Boolean operator AND and, in turn, key content words featured in the titles of the directives, such as ‘human tissues and cells’, ‘blood’, ‘animal feed’, ‘experiments’, ‘stockfarming’.

3.1. Human health

Ten directives dealing with human health were selected from the EOMC corpus, together with their UK national transposition measures. As can be seen in Table 1 below, the collection of directives (Human Health A) is roughly half the size of the corpus of domestic legislation (Human Health B). The Lexis-Nexis query produced 71 articles published between 1999 and 2018 which form the press corpus on this topic (Human Health P), totalling a slightly smaller number of words than the corpus of directives. Full corpus statistics are detailed in Table 1:

	Running words	Tokens in wordlist	STTR
Human Health A	68,096	64,498	29.73
Human Health B	139,547	130,025	23.70
Human Health P	60,532	59,070	46.35

Table 1
Human health, English.

3.2. Animal welfare

The seven directives on animal health, animal feed and stockfarming adopted between 1999 and 2008 were extracted from the EOMC corpus, together with their matching national transposition measures passed in the UK; finally, a collection of 100 related newspaper articles (79 on animal feed and 21 on animals in experiments) was compiled via Lexis-Nexis. In this case, the corpus of national legislation is about 3 times the size of the corpus of directives, while the press component is over twice as big as corpus B.

	Running words	Tokens in wordlist	STTR
Animal welfare A	16,084	14,387	29.20
Animal welfare B	47,741	42,257	22.06
Animal welfare P	100,728	98,056	46.49

Table 2
Animal welfare, English.

Alongside the main corpus investigation, the construction of animal welfare

discourse has also been analysed by means of a qualitative case study on a later directive (i.e. one that was not included in the EOMC), namely *Directive 2010/63 EU of the European Parliament and of the Council on the protection of animals used for scientific purposes*. The English and Italian versions of the Directive and the related NTMs adopted in the UK and Italy were compared and analysed via close reading and by means of WordSmith Tools. Table 3 provides information about the size of each component used in this small-scale study.

Documents	Tokens	Tokens in wordlist	STTR
A1 (Dir. 2010/63, English)	23,000	20,932	29.53
B1 (Statutory Instrument 2012 no. 3039, English)	27,659	25,846	23.11
A2 (Dir. 2010/63, Italian)	21,153	19,124	34.23
B2 (Leg. Decree 26, 4 March 2014, Italian)	23,534	21,494	34.2

Table 3
Case study on animals in experiments.

4. Data analysis

4.1. Human health

The keywords in Corpus Human Health A, extracted using corpus Human Health B as a reference corpus, can be organised in two semantic fields. One is related to *law implementation and control*, including deontic modals (*must, shall, should*), words referring to the competent authorities and their responsibilities (*authorities, personnel, ensure, assess, control, testing*), often expressed through nominalisations (*implementation, scrutiny, evaluation, surveillance, identification*), and words pointing to the attendant protocols and regulations (*procedure, standards, regulatory, documented, documentation, validated, accreditation*). The other semantic field refers more directly to the matter regulated by the directives, represented by keywords such as *human tissues, cells, blood, plasma*, (featured in the titles of directives as well), but also *reproductive, autologous, transfusion, donor(s), recipient*, and the nominalisations *donation, procurement, processing*. Within this content-specific semantic field, a subgroup can be identified, dealing with *safety*, which partly overlaps with that of law enforcement and control. It contains the word *safety* itself, some words connotated as desirable (such as *quality, protection, traceability*, and others connotated negatively as the risks to be warded off (*risk, infection, contamination, transmission*). The negative keywords in the directives (i.e.

those words that are significantly less frequent in corpus Human Health A than in corpus Human Health B) include *ethics* – interestingly enough – and words related to the sphere of the individual, namely *child*, *individual* itself, *person*, *holder*, the pronouns *his* and *him*, alongside the scientific terms *embryos* and *gametes*.

The trend suggested by the above keyword analysis is that the directives codify the matter they regulate more abstractly than the UK transposition measures, and with a focus on quality standards. In the NTMs the keywords suggest a more direct representation of the relations among participants and the processes they are involved in through the transitivity system (Halliday, Matthiessen 2004), with a lesser incidence of nominalisation. This may be either an effect of the Plain Language Movement on legislative drafting, or of the case law requirement that legal obligations be clearly set out in the text (cf. section 2), or possibly a combination of both. As a result, a more personalised discursive construction emerges, with responsibilities assigned to a person (*an authorised person*, *the qualified person*, *the responsible person*), and rights to health and safety expressly connected with individuals. The latter are placed in a political dimension when it is stated, for example, that notices restricting the availability of medical devices may be issued “in order to protect the health or safety of any *individual* [...] *of any class or description*”.

The keywords in the press corpus (Human Health P), extracted using Human Health A as a reference corpus, testify to an even greater personalisation of the discourse at issue, quite predictably. The only keyword related to the semantic field of legislation in the press is *regulation*, often used vaguely, without any reference to specific norms (e.g. *tobacco regulation*, *chemical regulation*, *environmental regulation*), while actors include *scientists* and *companies* involved in the medtech industry. However, the largest semantic field is that of stem-cells research, associated with fertility, cancer (*stem* and *cells* – often occurring in the phrase *human embryonic stem cells – cord*, *embryos/embryonic*, *fertility*, *eggs*, and *cancer*) and, occasionally, animal testing. These keywords suggest a heightened focus on the social relevance of the issues regulated by the directives, with research on stem cells grabbing the most attention, thanks to its novelty and cure potential, but also to its ideologically divisive nature. In order to observe more closely how the directive discourse is remediated in the press, the analysis will move on to a small-scale case study, based on the close reading of articles from corpus Human Health P that deal with Directive 2004/23/EC, setting quality and safety standards for research and clinical practices involving human tissues and cells. The press corpus contains reference to said Directive since its early stages, when it was submitted to the European Parliament prior to its final approval.

4.1.1. Case study

Even a cursory look at the articles dealing with Directive 2004/23/EC reveals that both the novelty and cure potential, on the one hand, and ideological division on the other are largely topicalised. Besides an explanation of the European legislative process, which the lay reader may not be familiar with, the complexity of the stem-cell research procedures calls for the popularisation of the topic, while its controversial nature is reflected in the highly evaluative stances emerging from the news. Although the Directive is apparently technical, stipulating that the operational protocols and standards must be clearly defined for those who carry out this research, during the parliamentary debate attempts had been made to interpret the text restrictively, so as to ban research on human embryonic stem cells.

In line with the findings of earlier studies on the popularisation of scientific (Calsamiglia, van Dijk 2004) and legal discourse (Cavalieri 2017; Williams 2013), the articles reporting or commenting the Directive present examples of explanation, definition, exemplification and metaphor. The explicatory intent is sometimes made explicit by the presence of a specific marker, such as a rhetorical question (“What are stem cells?”), or the code gloss (Hyland 2005) ‘which means’ introducing a periphrasis, as in the excerpt below:

- (1) [Stem cells] found in early-stage embryos are pluripotent, *which means* they can potentially become any type of tissue in the human body. (*Yorkshire Post*, April 10, 2003)

Other times a definition is used, as is the case with the string “transfer of somatic nuclei (cloning)”, where a highly technical concept, the *definiens*, is made more readily accessible by juxtaposing its *definiendum* in brackets. Similar popularisation strategies are used also with regard to legal matters, where efforts to bridge the gap between experts and lay readers entail mostly an explication of the mechanisms through which Directives become law, as is shown below.

- (2) With MEPs having the right of veto over the proposal, the parliament is expected during its second reading of the proposals to negotiate changes to the regulations agreed by the Council. (*The Times Higher Education Supplement*, July 18, 2003)
- (3) There are still a number of stages to go before the amendments can become law. They will be considered by health ministers in June, and must return to the European Parliament for a final vote. (*Yorkshire Post*, April 10, 2003)

Metaphor is also frequently used both with regard to scientific concepts and to the effects of the new Directive. Stem cells are defined as “the ‘master cells’ of the body,” i.e. cells “that can be programmed to become other types of cells”, or as the ‘mother’ of all the other cells. However, as is normally the case, metaphors express not only informative but also evaluative contents. In the newspaper articles at issue, the metaphorically conveyed evaluation is generally positive when referred to the potential of stem cells, and often rests on the conventional cognitive metaphor SCIENTIFIC PROGRESS IS WALKING FORWARD, whereby scientific breakthroughs are presented as inherently positive (“Stem cells *open the door* to novel therapies”, “Our stem cell lines will be a significant *step forward*”). In another case, less conventionally, regenerative medicines are cast as a “game changer”, the underlying metaphor being that scientists are playing a match against diseases, and thanks to stem cells they are more likely to overturn the scores and lead the team to victory. Or again, drawing on an economic metaphor, the first stem lines produced in the UK are hailed as an invaluable “gold standard”, i.e. starting material against which future achievements will be measured.

Conversely, restrictive legislation is at times represented as an illness (“...a resulting near *paralysis* in the field,” “the research has been *handicapped*”), or as a violent act (“increasing regulation is *threatening* the future of pioneering research”, “the vote was a *blow* for medical research”, “the European Parliament had allowed itself to be *hijacked* by a few zealots opposed to progress”).

The effects of legislation are also illustrated using examples that help make the scope of the Directive tangible. Detractors normally bring examples of the restrictive effect of legislation (“As a result of the 2004 directive a major Huntington’s disease trial [...] had to be *put on hold*”), or quote the diseases for which stem cell research may produce a cure, like Parkinson’s and Alzheimer’s.

Evaluation, at times, becomes so central as to override the explanatory drive. Referring back to the hijacking metaphor – a quote generically attributed to ‘Scientists’ – no explanation is given of how, if any, the vote deviated from legitimate procedures, so as to justify the “hijacking” frame. The ratio for the hijacking metaphor is elaborated by saying that the original intention of the ‘laudable’ Directive was to protect the health of the recipients of donated tissues and cells, whereas this round of votes (which presumably was taken in compliance with the norms of the EU Parliament) resulted in a restriction on allowed stem cell research.

The expression of negative evaluation is possibly the greatest difference between the popularisation of scientific and legislative discourse. While both focus on communicating the effects of new accomplishments,

scientific results are generally presented as positive, adding something valuable to human knowledge or bearing some desirable effect on people's lives. New legislation, falling in the realm of policy-making, inevitably draws more polarised opinions, as is the case with the human cells and tissues Directive. Reporters and commentators tend to take sides in the heated debate between pragmatists (in favour of loosening legislative constraints) and the supporters of pro-life positions (calling for further restrictions), thus making their 'explanation' far from neutral.

All in all, the newspaper articles about the Directive bring to the fore ethical and political controversies related to stem cell research practices that remain carefully untouched in the Directive, which eventually set quality standards for stem-cell related research, whilst preserving the right for individual countries to introduce stricter regulation, if they so wished.

4.2. Animal welfare

As was explained in section 3.2, the animal welfare corpus includes 7 directives, the related NTMs and a collection of newspaper articles. The first step in the analysis was to compare keywords in the 3 corpora via the KeyWords tool in WordSmith Tools.

When comparing the Animal Welfare A and B corpora, the keywords emerging in the collection of directives feature many references to the legal framework concerned with animal protection (EU institutions and norms); they also include several abstract nouns and expressions related to animal nutrition (e.g. *nutrition, animal growth, undesirable substances*) and to potential dangers posed by certain substances in animal feed (*risk/ danger to human health, human consumption, etc.*). Negative keywords (i.e. emerging as more frequent in the NTMs than in the directives) indicate that national transposition measures tend to be more concrete, referring to *feeding stuffs* and their composition (rather than to the generic *nutrition* of directives), and to UK laws that contain the specific norms to be followed (e.g. *paragraph, regulations, case...*). The keywords comparison between Animal Welfare A and the press corpus (Animal Welfare P) returned a number of references to the legal framework and EU institutions, and also showed that scientific terms (*hormones, additives, oestradiol, residue* and so on) feature more prominently in directives than in newspaper articles; conversely, the only negative keyword (i.e. characterising the press corpus vs. the directives) is an everyday word like *food*. Finally, the comparison between the NTMs and the press corpus highlighted references to UK laws and parts of them (*regulations, paragraph, annex*) and to the processing and production of animal feed (*protein, compound, sodium, calcium, magnesium, acids* and so on). This is because national transposition measures need to be very detailed in relation to the precise obligations that companies, research institutes and

universities involved in animal feed and stockfarming need to comply with in the UK; by contrast, the negative keywords show that the press articles on such issues tend to use common (non-technical) words and to focus on topics such as the safety of production processes (*waste, food, standards*) and potential dangers to human health (*disease*).

To sum up, it could be said that the analysis of these 3 small corpora on animal health, animal feed and animal protection has confirmed that EU directives tend to describe such issues in very general terms, whereas UK laws are more detailed, in line with what was discussed in section 2. At the same time, while both legislative corpora tend to be more focused on technical (legal and scientific) descriptions of what is or is not allowed in animal feed, newspapers focus their attention on the potential repercussions of the animal foodstuffs industry on human health. Interestingly, despite the obvious ethical relevance of the normative texts in the two legislative corpora analysed here, no occurrence of the words *ethical* or *moral* was found in either the directives or in the domestic laws; by contrast, there were 9 occurrences of *ethical* in the press corpus, and they were all related to the use of animals in experiments.

Therefore, it was decided to expand our investigation by adding a qualitative case study on a later Directive focused on the latter issue, namely *Directive 2010/63 EU of the European Parliament and of the Council on the protection of animals used for scientific purposes*.⁶ More specifically, the first step was a close parallel reading of the Directive and the UK Statutory Instrument, followed by a reading of the Italian version of the Directive and the Italian legislative decree that transposed it; then, the two language versions of the Directive were compared, to detect any usage differences. This led to the identification of two potentially interesting semantic areas, namely the *use* of animals in experiments and the notion of *pain* potentially suffered by animals during scientific procedures. The frequency of key terms related to these two semantic areas was checked in all four documents; in addition, as the four documents differ in size, frequency data were normalised to one million to make them directly comparable. Table 4 includes frequency data of terms related to the notion of “using” animals in scientific experiments.

⁶ The Directive was not included in the EOMC, because the collection stops at the year 2008.

English	A1	B1	Italian	A2	B2
Use (n.)	6,609	4,085	Uso/-are	3,073	680
Re-use (n.)					
Use (v.)					
			Utilizzo/-are riutilizzo	6,092	467
			Impiego/-are	236	552
TOTAL	6,609	4,085		9,401	1,699

Table 4
“Using” animals in scientific experiments.

The first observation that can be made is that, while both the English version of the Directive and the UK Statutory Instrument only employ the word *use* (as a noun and as a verb), the two Italian documents use three different synonyms (*uso*, *impiego* and *utilizzo*, and the related verbs *usare*, *impiegare* and *utilizzare*). The preferred option in the Italian version of the Directive is *utilizzo*, which Italian dictionaries such as Gabrielli and Treccani define as the technical, bureaucratic term for “use”; by contrast, the Italian transposition decree employs all three words in a fairly balanced manner, with a slight preference for *uso* and related verb forms. In addition, the overall frequency of expressions related to the use of animals in scientific experiments is much lower in the Italian decree in comparison with both the Italian Directive and the two English corpora. The difference between the Italian Directive and the Italian decree is all the more striking in the light of the fact that the decree is a considerably longer text (about 2,400 words longer): in other words, it would seem that the latter talks (proportionately) less about animal use in experiments.

Let us move on to the description of the potential effects of experiments on animals, namely their “*ability to experience pain, suffering, distress and lasting harm*” (Directive 2010/63, English version). These concepts, together with *stress* and references to animal *welfare*, are repeated over and over in the Directive in both language versions, and are also featured in the two decrees. Care was taken to check the frequency of the above items used as nouns and verbs (in English) and to check the presence of the related nouns and verb forms in Italian; likewise, adjectives related to the above, such as *painful/ painless* and *harmful* were also looked up. All frequency figures below have been normalised to a million.

English	A1	B1	Italian	A2	B2
pain/painful/painless	2478	1699	dolore	2364	1487
suffering/suffer	2391	1663	sofferenza/soffrire	2600	1657
distress	2261	1374	angoscia	2458	637
			distress	0	765
harm/harmful	1217	940	danno/danneggiare	1371	892

Table 5
“Pain” in scientific experiments on animals.

As can be seen in Table 5, the relative frequency of the above terms in the two language versions of the Directive is quite similar, as they are parallel versions of the same text; moreover, all four concepts are also prominent in the two national laws. Interestingly, however, the Italian transposition decree does not use the copy-out method when it comes to describing animal distress in experiments: while the Italian Directive translated this concept as *angoscia*, the Italian decree uses both *angoscia* and the English word *distress* as a loanword. The combined overall frequency of the two terms, however, is much lower than the frequency of *distress* in the Directive. Moreover, the Italian decree includes a definition of the English loanword *distress* in article 3, where key terms used in the decree are defined:

- (4) “Distress”
Art. 3 (definizioni)
Ai fini del presente decreto si intende per:
[...]
p) *distress*, condizione di non adattamento dell'animale a stimoli stressanti
(Legislative Decree 26 4 March 2014)

It is unclear why it was felt necessary to introduce an Anglicism and a technical definition of it in the decree; moreover, the absence of a definition of the term *angoscia* may potentially cause legal ambiguity, since the terms *angoscia* and *distress* are actually used interchangeably in the text and readers are left wondering whether there is any difference between the two. In other words, there does not seem to be any valid legal or linguistic reason for introducing a loanword here. What the use of *distress* does produce is a sort of emotional detachment from the concept being expressed, as the foreign word used in an Italian sentence does not have the same impact of *angoscia* on readers. While it can only be hypothesised that this was a deliberate strategy on the part of the Italian drafters, it can be concluded that the fact that the English word is more frequent than the Italian equivalent has the effect of softening the overall import of the text and, consequently, the ethical implications of the scientific procedures therein described.

5. Conclusions

The analysis carried out here has revealed notable differences in how ethically sensitive issues are discursively constructed in EU directives, national transposition measures and the press. The greatest difference was found between the corpus of directives and the press corpus, with the UK transposition measures straddling across them.

The Keyword analysis has shown that the language used in directives is more abstract than that used in national transposition measures and in the press articles on the same topics, resulting in a less personalised construction. Nominalisations, which allow an agentless representation, and reference to institutional actors of other legislative texts characterise directives, and (to a lesser extent) UK transposition measures. Operationalising the directives' content, the UK national transposition measures are much more detailed, and reference is more frequently made to non-institutional actors (*person, individual, parents, children, patients*, and so on). One of the reasons for this is the different nature of the normative texts in question: directives are aimed at the national institutions of the Member States, but are not directly applicable to citizens. The parliaments of each Member State have the task of ensuring that the obligations contained in directives are correctly transposed into national laws which therefore contain many more references to citizens, categories of people, businesses and so on. This shows that, while to an extent impersonal drafting is typical of legislative discourse, it is not a given in absolute terms. At the same time, as an effect of the highly depersonalised construction of directives, distance is taken from the ethically disturbing aspects of the legislation at issue, such as the destruction of human embryos and animal suffering.

Two small-scale case studies have allowed a closer look at the texts, highlighting some traits of interdiscursive variation along the Directive-NTM-press chain, from an interlingual perspective, too. The case studies have confirmed the pattern highlighted by the keyword analysis. Avoidance of loaded language, for example with a lower frequency of terms indicating experiments on animals and their pain, may be aimed at 'sanitising' ethically controversial topics. The same seems to be true of the use of an Anglicism (*'distress'*) in an Italian decree to refer to the suffering inflicted to animals in lab experiments.

The content of directives becomes more contextualised in the UK transposition measures and all the more so in the popularisation of legal matters carried out by the press. Here, the focus is on the effects of legislation (be it medical research or animal nutrition) on people's lives, or alternatively, on the most controversial aspects touched upon in the law in question. The popularising structure which most clearly contributes to this process is the

use of metaphors to connote (positively or negatively) the effects of legislation.

All in all, it can be observed that the greatest difference between the directives and the press articles – respectively the beginning and the end of an interdiscursive chain – is the extent to which ethical dilemmas are allowed to come to the surface. The directives seem to armour their content by means of a discursive construction that keeps reference to ethically sensitive elements (potentially divisive) to a minimum. The human dimension of the subject matter they regulate, whether affecting human beings directly or posing ethical problems for them, is placed in the background, possibly as a result of the supranational law-making process where several political, national and cultural identities must be catered for. Going from directives to NTMs and, above all, the press, legal technicalities lose relevance and what becomes topicalised are the practical implications of the law, which in a way enhance the presence of ethical issues. Drawing from stylistics, it could be said that the human being increasingly becomes the ‘focaliser’ of the subject matter (Toolan 2006, p. 471), i.e. the one through whose eyes the reader sees the ‘events’, irrespectively of who is telling the story, and the anchorage point for deictic relations. Out of metaphor, in the NTMs and the press the human ‘eye’ is more perceptible than in the directives, restoring the matter covered by the legislation to the most human dimension of emotions, ethical dilemmas and ideological strife.

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