

# **The Cultural Dimension in EC Law**

**Matthias Niedobitek**

Translated by James Benn and Robert Bray

 **KLUWER LAW  
INTERNATIONAL**

# Cultural Dimension In Ec Law

**Stephen Weatherill**



## **Cultural Dimension In Ec Law:**

*The Cultural Dimension in EC Law* Matthias Niedobitek, 1997-08-28 This work analyzes the options and powers which exist at Community level for taking action in the sphere of culture which is defined as education science and culture in its narrower sense and covers the question of the EC's cultural jurisdiction The definition of culture underlying this work has two functions firstly from the point of view of form it narrows down the subject matter under investigation and secondly it characterizes that subject matter substantively as the area covered by those manifestations of life in society which cannot be measured by the yardstick of economic efficiency a characterization which links together the three areas making up the field of culture education science and culture in the narrower sense Individual aspects of the EC's cultural jurisdiction particularly the question of the EC's powers in the field of broadcasting have previously been covered in varying degrees of detail in the literature prompted by decisions of the Court of Justice or the adoption of legislation by the Community institutions General investigations encompassing the various individual problems and the principles of the relationship between culture and EC law are always readily available but often lack the necessary depth because of their approach This study attempts to fill the gap which has been found to exist in the literature on European Community law It is an English version of the author's doctoral thesis which was awarded the Wolters Kluwer Award of 1993 In order to consider the changes brought about by the Maastricht Treaty the author has added a section on the Treaty on European Union which originally appeared as *Die kulturelle Dimension im Vertrag über die Europäische Union* in the journal *Europarecht* EUR 1995 349 376 [The Integration of Cultural Considerations in EU Law and Policies](#) Evangelia Psychogiopoulou, 2007-12-31 Pursuant to Article 151 4 EC when exercising its competences under the various policy areas within its purview the European Community must heed the cultural repercussions of its activities so as to refrain from jeopardising the preservation and further enhancement of Member States cultural diversity Evaluating the degree of accommodation or lack thereof of cultural considerations in EC law and action this book offers valuable insight into the plethora of ways in which the European institutions seek to balance cultural with other legitimate EC policy objectives The study draws upon a series of policy areas that are or can be enriched with a cultural dimension and examines concrete judicial and legislative instances attesting to the efforts deployed to deliver coherent culture sensitive policies at EC level [Language and Culture in EU Law](#) Susan Šarčević, 2016-03-09 Written by distinguished legal and linguistic scholars and practitioners from the EU institutions the contributions in this volume provide multidisciplinary perspectives on the vital role of language and culture as key forces shaping the dynamics of EU law The broad spectrum of topics sheds light on major Europeanization processes at work the gradual creation of a neutralized EU legal language with uniform concepts for example in the DCFR and CESL and the emergence of a European legal culture The main focus is on EU multilingual lawmaking with special emphasis on problems of legal translation and term formation in the multilingual and multicultural European context including comparative law aspects and an analysis of the advantages and

disadvantages of translating from a lingua franca Of equal importance are issues relating to the multilingual interpretation of EU legislation and case law by the national courts and interpretative techniques of the CJEU as well as the viability of the autonomy of EU legal concepts and the need for the professionalization of court interpreters Union wide in response to Directive 2010 64 EU Offering a good mix of theory and practice this book is intended for scholars practitioners and students with a special interest in the legal linguistic aspects of EU law and their impact on old and new Member States and candidate countries as well

*The Cultural Dimension of Human Rights* Ana Vrdoljak,2013-11 The intersection between culture and human rights have engaged some of the most heated and controversial debates across international law and theory To what extent should the law permit cultural defences to general rules What role does human rights law have in the protection of minority cultures This volume examines such pivotal questions

*Public Broadcasting and European Law* Irini Katsirea,2008-01-01 Although EU Member States share a tradition of regulating public broadcasting for the public interest such regulation has been in decline in recent years It has been challenged by the emergence of commercial television sworn to the market logic as well as by satellite services and the Internet EU law and policy has under pressure from powerful global forces abetted that decline The question thus arises Do cultural values still matter in European national broadcasting This important book examines the challenges posed to public service obligations by European Union media law and policy An in depth analysis of the extent to which six countries France Germany Greece Italy the Netherlands and the United Kingdom regulate broadcasting for the public interest reveals a range of vulnerability to national political pressures or alternatively to the ideology of market sovereignty The author examines the country of origin principle and the European quota rule of the Television without Frontiers Directive revealing the influence of European law on the definition and enforcement of programme requirements and shows how the case law of the European Court of Justice encourages deregulation at the national level without offering adequate safeguards at the supranational level in exchange She asks the question whether the alleged European audiovisual model actually persists that is whether broadcasting is still committed to protecting such values as cultural diversity the safety of minors the susceptibility of consumers to advertising media pluralism and the fight against racial and religious hatred The book concludes with an evaluation of the impact of the EU state aid regime on the licence fee based financing of public broadcasting Despite the increasing importance of the subject its study in a comparative context has been heretofore underdeveloped This book fully provides that context and more and will be of great value and interest to all parties concerned with the key role of communications in the development of European integration

Culture and European Union Law Rachael Craufurd Smith,2004 This book explores the relationship between European Union law culture and identity Community trade and competition rules have certainly affected many mundane though highly formative aspects of our day to day lives when we shop what we drink even which football matches we watch on television But Community law is not merely a vehicle for challenging established national rules which have a cultural dimension Article 151

of the EC Treaty which came into force in 1993 empowers the Community to contribute to the flowering of the cultures of the Member States whilst at the same time bringing the common cultural heritage to the fore This book explores some of the challenges facing the European Union in developing convincing and coherent policies in the cultural domain These challenges stem not only from the Union's fragmented institutional structure and Member State sensitivities but also from the uncertainty which surrounds the very meaning of the term culture itself The wide ranging contributions illustrate how cultural issues can be seen to permeate all aspects of European Union law by focussing on areas as diverse as international trade and aid education sport language use and the mass media

**The Language Question in Europe and Diverse Societies** Dario Castiglione, Christopher Longman, 2007-03-12 This multidisciplinary book studies and assesses the range of problems that form the language question in Europe and diverse societies

*A Guide to European Union Law* P. S. R. F. Mathijsen, 1999 This is a comprehensive overview of the European Union's institutions their functions and the substantive law Available in one volume it should give the reader a first stop introduction to EU Law It is easily accessible to both the student and inexperienced professional by being uncluttered with technical jargon Each chapter contains a selected reading list of publications enabling the reader to extend their knowledge if required

**Current Law Index**, 2007

**Language Ideologies in Language Laws** Simo Kalervo Maatta, 2004

European Community Law David Pollard, Malcolm Ross, 1994

European Community Law Text and Materials is the culmination of years of teaching Community law to students of law and social sciences It seeks to emphasise that EC law is not a system solely imposed by external EC institutions upon member states Rather it is an evolving independent system forming part of and receiving contributions from twelve national systems of law The book combines the expository virtues of a textbook with a comprehensive selection of important source documents These include extracts from the Treaties of Rome and Maastricht secondary legislation in the form of Regulations Directives and Decisions Judgements of the European Court of Justice periodical literature plus certain source materials to which students will rarely have access if at all It is designed to be as accessible as possible and to encompass the principal topics studied in relevant undergraduate courses

**An Ever More Complex Union** Roberto Toniatti, Francesco Palermo, Marco Dani, 2004

**The John Marshall Journal of Computer & Information Law**, 1996

**European Access**, 2000

**Constitutional and Administrative Law** Alex Carroll, 1998 This revised edition contains an Appendix on developments in constitutional reform The areas covered include changes in local government devolution the European Commission and Parliament sources of Community law The House of Lords Crown proceedings negligent exercise of statutory powers and duties judicial review civil liberties the ECHR Update Appendix brings the book right up to date with current developments in this fast changing area The book follows the contemporary trend for increased European emphasis both with respect to the EU and the ECHR Appropriate length and depth for new style modular degree courses concentrates on the core topics taught on most constitutional and administrative law courses

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