

Research on Translation Path of Chinese Legal Texts

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Abstract: This paper aims to explore the translation path of Chinese legal texts from the perspective of translation studies, taking into account the cultural, linguistic, and legal contexts. The study begins by introducing the concept of Chinese legal texts and their unique characteristics. It then examines the theoretical underpinnings of translation studies, with a focus on the concept of equivalence and the different translation methods. The paper then analyzes the challenges and strategies involved in translating Chinese legal texts into English, considering factors such as cultural differences, legal terminology, and narrative style. Finally, the paper proposes a translation path for Chinese legal texts that incorporates both fidelity and creativity. This path involves a series of steps, including text analysis, cultural adaptation, legal research, and linguistic refinement. The study concludes by highlighting the significance of the proposed translation path for promoting cross-cultural understanding and legal communication.

Keywords: Chinese legal texts, Translation studies, Equivalence, Cultural adaptation.

1. Introduction

Chinese legal Chinese legal texts serve as a distinctive literary genre that seamlessly intertwines legal principles with captivating narrative storytelling. This amalgamation offers profound insights into the intricacies of Chinese history, culture, and the legal system, making them a treasure trove for scholarly exploration in the field of translation studies. Nevertheless, the translation of Chinese legal texts into English presents a myriad of challenges stemming from cultural disparities, specialized legal terminology, and the distinctive narrative style employed. Hence, this paper seeks to delve into the translation journey of Chinese legal texts through the lens of translation studies. It sets out to scrutinize the concept of equivalence and the diverse translation methods, aiming to navigate through these challenges with precision and sensitivity in order to effectively convey the essence of the original texts.

2. Theoretical Underpinnings of Translation Studies

Translation studies is a multidisciplinary field that encompasses the theory, practice, and impact of translation. At its core lies the concept of equivalence, which refers to the extent to which a translation conveys the meaning of the source text. Equivalence is a complex and multifaceted concept, and there are various approaches to achieving it.

2.1. Types of Equivalence

Formal Equivalence: Prioritizes the preservation of the original text's linguistic and structural features. Aims to produce a translation that is faithful to the source text in terms of vocabulary, grammar, and syntax. Focuses on conveying the literal meaning of the source text, even if it results in awkward or unnatural language in the target text[1].

Dynamic Equivalence: Focuses on conveying the communicative intent and cultural significance of the source text. Aims to produce a translation that is natural and fluent in the target language while still preserving the meaning and

message of the source text. May involve adapting the source text's cultural references and expressions to make them more accessible to the target audience [2].

2.2. Approaches to Achieving Equivalence

Translators can employ a variety of strategies to achieve equivalence in their translations, including: **Direct Translation:** Translating words and phrases from the source text directly into their equivalents in the target language. This approach is often used for technical or scientific texts where precision is paramount. **Literal Translation:** Translating the source text word-for-word, preserving the original word order and grammatical structures. This approach is often used for legal or religious texts where accuracy is essential. **Adaptation:** Modifying the source text to make it more accessible to the target audience. This may involve simplifying language, explaining cultural references, or adapting the narrative style. **Reformulation:** Rephrasing the source text in a way that is more natural and idiomatic in the target language. This approach is often used for literary texts where preserving the author's voice and style is important. **Compensation:** Translating a particular element of the source text in a way that compensates for a loss of meaning elsewhere in the text. This approach is often used when dealing with untranslatable words or cultural concepts. The choice of translation method depends on the specific text, its purpose, and the intended audience. Translators must carefully consider the various factors involved in order to produce a translation that is both accurate and effective.

3. Challenges and Strategies in Translating Chinese Legal Texts

3.1. Cultural differences

Chinese legal texts are often rooted in Chinese culture and history, which may be unfamiliar to English-speaking readers. Translators need to find ways to convey these cultural elements in a manner that is accessible and meaningful to the target audience.

Legal terminology: Chinese legal texts often contain specialized legal terminology that may not have direct equivalents in English. Translators need to be familiar with both Chinese and English legal systems in order to accurately render these terms.

Narrative style: Chinese legal texts often employ a unique narrative style that may not be familiar to English-speaking readers. Translators need to be sensitive to these stylistic differences and adapt the translation accordingly.

3.2. Cultural adaptation

To address these challenges, translators can employ a variety of strategies, such as: Translators can adapt the cultural elements of the source text to make them more accessible to the target audience. This may involve explaining cultural concepts, providing background information, or using culturally appropriate equivalents. Translators can employ a variety of strategies, including:

Cultural Explanation: Translators can provide explanations or annotations to help the target audience understand cultural concepts and references in the source text.

Cultural Substitution: Translators can substitute culturally specific elements in the source text with culturally appropriate equivalents in the target text.

Cultural Mediation: Translators can act as cultural mediators, bridging the gap between the source and target cultures and helping the target audience understand the cultural context of the source text.

3.3. Legal research

Translators can conduct legal research to ensure that the translation accurately reflects the legal concepts and principles discussed in the source text. This may involve consulting with legal experts, reviewing legal documents, or conducting online research. Translators of Chinese legal texts need to conduct thorough legal research to ensure that the translation accurately reflects the legal concepts and principles discussed in the source text. This may involve:

Consulting Legal Experts: Translators can consult with legal experts, such as lawyers, judges, or legal scholars, to gain a deeper understanding of the legal issues and concepts discussed in the source text.

Reviewing Legal Documents: Translators can review relevant legal documents, such as statutes, regulations, and case law, to ensure that the translation is accurate and consistent with the applicable laws.

Conducting Online Research: Translators can conduct online research to gather information about the legal system, legal terminology, and cultural context of the source text.

3.4. Linguistic Refinement

After the initial translation is complete, translators should revise and refine the translation to improve its readability, clarity, and accuracy. This may involve:

Editing: Translators can edit the translation to correct errors in grammar, spelling, and punctuation.

Rephrasing: Translators can rephrase sentences or passages to make them more concise, clear, and idiomatic in the target language.

Smoothing: Translators can smooth out the translation to ensure that it flows smoothly and reads naturally.

By employing these strategies, translators can produce high-quality translations of Chinese legal texts that are both accurate and accessible to the target audience.

4. Translation Path for Chinese Legal Texts

Based on the theoretical underpinnings of translation studies and the challenges and strategies discussed above, this paper proposes a translation path for Chinese legal texts that incorporates both fidelity and creativity.

4.1. Sound legal translation management system

In November 2019, the Legal Affairs Committee of the Standing Committee of the National People's Congress established the Expert Committee on English Translation and Review of Laws.

The committee is composed of 17 members, all of whom are experts and scholars with both English and legal professional backgrounds, high level of Chinese-to-English translation, and conscientious and responsible work. They are mainly responsible for the initial translation of legal texts and the finalization of initial translations. They are from the Central Compilation and Translation Bureau, the Department of Treaty and Law of the Ministry of Commerce, the Department of the World Trade Organization, and the Department of the United Nations.

They came from the Central Compilation and Translation Bureau, the Department of Treaty Law and the Department of World Trade Organization of the Ministry of Commerce, the All China Lawyers Association, the Institute of Law of the Chinese Academy of Social Sciences and more than 10 universities. Law Institute of the Chinese Academy of Social Sciences, and more than 10 universities. Take the translation of the Civil Code organized by the Legal Affairs Commission of the Standing Committee of the National People's Congress as an example.

For example, the translation of the Civil Law Code organized by the Standing Committee of the National People's Congress (NPC) is in line with the strategic needs of the country, and is a translation project led by the state.

This translation practice is in line with the national strategic demand and is a translation project led by the state, which should be attributed to the national translation practice and not the individual behavior of the translators. The English translation is the result of collective translation.

The English translation is the result of collective translation, the crystallization of collective wisdom, and the quality of the translation is excellent. The quality of the translation is excellent.

The English translation is the fruit of collective wisdom, and the quality of the translation is excellent. The dissemination of the contents of the Civil Code has effectively promoted the dissemination of the rule of law in China.

4.2. Improve the training mechanism for legal translators

Xi Jinping emphasized at the Central Talent Work Conference that "the competition for comprehensive national power is, in the final analysis, the competition for talents, and talents are the most important factor in measuring a country's

competitiveness. Talent is an important indicator of a country's comprehensive national strength." (CCTV, 2021) The objective need of national talent cultivation is the source of motivation for translation education. With the "Belt and Road" Initiative and the concept of building a "community of human destiny", the demand for foreign exchanges and international communication is increasing day by day. With the increasing demand for foreign exchange and international communication, translation activities inside and outside universities are very active, and the role of translation has become more and more prominent. However, the deviation in the concept of translation talents has caused the evaluation of translation talents and the development of talents themselves to be "different". However, the deviation in the concept of translation talents has led to the "alienation" in the evaluation of translation talents and their own development, and the result is the egoization of their personality and values and the lack of national consciousness. The result is the egoization of the personality and values of the talents and the lack of national consciousness. China Translation Talent Development Report 2022 points out that there is a lack of high-quality professional Chinese translators and foreigners, professional Chinese and foreign translators are lacking, and there is a phenomenon of loss of talents in translation education. In this context, it is imperative to cultivate professional legal translation talents. One important element of Xi Jinping's thought on the rule of law is "to focus on building a socialist rule of law workforce that is loyal to the Party, the state, the people, and the law, and to promote the revolutionization, formalization, specialization, and professionalization of the specialized rule of law workforce" (Xi Jinping Thought on the Rule of Law Research Center, 2022). In order to implement Xi Jinping's thought on the rule of law, legal translation talents should be trained in a scientific and systematic way. We should implement Xi Jinping's thought on the rule of law in the preparation of teaching materials and in the teaching of the discipline of legal English, and strive to cultivate legal interpreters[3].

4.3. Target "precision", the pursuit of legal translation standardization

Accuracy is the fundamental principle of legal translation, and faithfulness to the original text and precision are the prominent features of legal translation. Taking the international dissemination of China's judicial cases as an example.

The launching of websites such as China's Open Court Trial Network and China's Judgment and Document Network has caused great repercussions in the international community.

The Selected Cases of the Supreme People's Court of the People's Republic of China The Selected Cases of the Supreme People's Court of the People's Republic of China (English version) has effectively disseminated judicial cases of socialism with Chinese characteristics to foreign countries. The English version of the Selected Cases of the Supreme People's Court of the People's Republic of China (English version) has vigorously disseminated the judicial philosophy of socialism with Chinese characteristics and the judicial wisdom of the Supreme People's Court. Accuracy and rigor are the key to the translation of legal terms.

Accuracy and rigor are the soul of legal terminology translation (Zhang Falian, 2016). Among them, the goal of "precision" is the first translation principle. Accuracy is the

first translation principle. In the context of the international community's urgent need for information on China's rule of law, China should expand the scope of case dissemination, and China should expand the scope of case dissemination and improve the dissemination effect. Therefore, the translation and introduction of Chinese cases should be strengthened to enhance the effectiveness of dissemination. Therefore, the translation and introduction of Chinese cases should be strengthened to enhance the accuracy of the dissemination of cases, especially to strengthen the translation of Supreme People's Court cases, typical cases, and cases involving the rule of law.

In particular, we should strengthen the translation and publicity of cases of the Supreme People's Court, typical cases, cases involving overseas parties and cases of concern to the overseas media.

In particular, the translation and publicity of Supreme People's Court cases, typical cases, cases involving overseas parties and cases of concern to overseas media should be strengthened.

4.4. Stabilize the position and possess the spirit of the rule of law

Only when legal translators have a clear national position, possess the spirit of the rule of law, clarify the connotation of translation, and respond calmly, can they receive the desired results. For example, in the English translation of "personality rights", the official translation of China's Civil Code is "personality rights". For example, the English translation of "personality rights", the official translation of China's Civil Code is personality rights. A highlight of the Civil Code is the establishment of a separate "personality rights section".

A major highlight of the Civil Code is the establishment of a separate "personality rights section", which has distinctive Chinese and contemporary characteristics. So it is extremely important to clarify the position of the state and utilize the thinking of the rule of law to understand the connotation of "personality rights". "Personality rights" refers to the rights of personal dignity and other aspects, the connotation is much richer than that of personality. It is much richer than personality. There is no such concept in common law. Therefore, the English translation of "personality rights" should emphasize the importance of the Civil Code in China[4].

Therefore, the English translation of "personality rights" should emphasize the innovation of China's Civil Code in the protection of citizens' personality, instead of using the old translation of personal rights, which can be translated as right of human dignity..

4.5. Normative harmonization and training in rule of law thinking

Rule of law thinking is a way of thinking and guiding actions with the rule of law as the value pursuit and the rule of law norms as the basic guideline. The rule of law thinking is a way of thinking that takes the rule of law as the value pursuit and the rule of law norms as the basic guideline to think about problems and guide actions.

Improving the ability of rule of law thinking is of great significance in upgrading the level of modernization of national governance. The plurality of English translations is actually not conducive to its external dissemination.

In fact, the diversity of English translations is not conducive to its dissemination abroad, and the more translated versions, the more confusing it is, which is easily misunderstood by foreign readers[5].

In order to maintain the standardization and unity of the English translation of the same term in the translation, and to enhance the seriousness and accuracy of the Civil Code, the English translation of the Minfadian should be uniformly translated as Civil Code of the People's Republic of China[6].

4.6. Serving the Audience, Striving for Impartiality

In legal translation, we need to consider that the translator should stand firm on the position of Chinese discourse and adopt a discourse translation with Chinese characteristics.

The translation should take the target language as the main reference and serve the audience from the point of view of serving the audience. At the same time, taking the target language as the main reference, from the perspective of serving the audience, the translator should consider the culture of the audience and the culture of China[7].

At the same time, taking the target language as the main reference, from the perspective of serving the audience, considering the differences between the audience's culture and our own, and adopting the audience's customary and understandable way of translation, in order to achieve the best results in internationalization[8].

The translation is done in a way that is customary and understandable to the audience, so as to be understood by the audience in international communication. For example, the legal term "private property" in China[9]. For example, for the English translation of China's legal term "private property", there are two ways of translating "private property", i.e., personal property and private property. If we can accurately understand the meaning of the two expressions in English, we can determine the English expression that the audience is accustomed to and understands. Personal property is defined as any movable or intangible thing that is subject to ownership and not classified as real property[10]. Therefore, understanding personal property as "personal movable property" is consistent with the meaning of the term. The meaning of private property is property-protected[11]. The meaning of private property is property-protected from public appropriation over which the owner has exclusive rights, i.e. the owner has exclusive and absolute rights over such property, which the law protects from public appropriation[12].

Protected from public appropriation over which the owner has exclusive and absolute rights Therefore, using private property to translate property owned only by individuals and including movable and immovable property, means that the owner has exclusive and absolute rights over which the owner has exclusive and absolute rights[13]. Therefore, it is more appropriate to translate as "private property", which is owned only by individuals and includes both movable and immovable property[14].

5. Conclusion

In this paper, we have explored various aspects of translation studies, from its theoretical underpinnings to practical approaches and challenges in translating Chinese legal texts. We have discussed the importance of equivalence

in translation and the different strategies that translators can employ to achieve equivalence, including direct translation, literal translation, adaptation, reformulation, and compensation.

We have also highlighted the challenges that translators face in translating Chinese legal texts, such as cultural differences, legal terminology, and narrative style. To address these challenges, translators can employ a variety of strategies, such as cultural adaptation, legal research, and linguistic refinement.

Finally, we have provided some suggestions for future research in translation studies. This includes investigating the use of artificial intelligence in translation, exploring the role of translation in intercultural communication, and developing new methods for assessing the quality of translations.

Some specific areas for future research in translation studies include:

Machine Translation and Artificial Intelligence: Investigate the potential of machine translation and artificial intelligence to assist human translators and improve the efficiency and accuracy of the translation process[15].

Translation and Intercultural Communication: Explore the role of translation in facilitating intercultural communication and understanding, and investigate how translation can be used to bridge cultural gaps and promote cross-cultural dialogue.

Translation Quality Assessment: Develop new methods and metrics for assessing the quality of translations, taking into account factors such as accuracy, fluency, and cultural appropriateness.

Translation and Legal Systems: Investigate the role of translation in legal systems around the world, and explore how translation can be used to promote access to justice and legal information for individuals and communities who do not speak the dominant language.

These are just a few examples of the many possible directions for future research in translation studies. By continuing to explore these and other topics, researchers can contribute to a deeper understanding of translation as a complex and multifaceted phenomenon, and help to improve the quality and effectiveness of translation practices in a variety of fields.

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