



Chinese Legal Translation and Language Planning in the New Era

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The book *Chinese Legal Translation and Language Planning in the New Era*, authored by Xiaobo Dong and Yafang Zhang, explores the intricacies of legal translation and the evolving landscape of the legal domain in China by drawing on insights and approaches from linguistics, translation, law and culture to create a systematic and inter-disciplinary overview of legal language planning.

The book has made significant contributions in two areas. Firstly, it inspires language planning practices globally. While grounded in the Chinese context, the authors adopt a broader perspective that transcends geographical boundaries, shedding light on the challenges faced by legal translators in various cultural and linguistic settings. This global perspective encourages readers to consider their own methods of language planning and adapt them for diverse contexts, fostering effective cross-cultural communication. Secondly, the book provides a framework for language planning within the realm of legal language, adopting a problem-oriented approach and covering four types of language planning. Building on Cooper's (1989) classification into status, corpus, and acquisition planning, the authors recognize the distinctive requirements of language and cultural exchange within the legal domain. They propose the inclusion of a fourth category—broadcasting planning—which focuses on ensuring effective communication of legal language across different linguistic and cultural contexts. This addition enriches the classification of legal language planning.

Divided into nine informative chapters, the book presents a deep understanding of the following crucial aspects. The opening chapter establishes a foundational understanding of the relationship between semiotics, language and law, highlighting the significance of linguistic analysis in legal studies, particularly in light of the linguistic turn in jurisprudence. By shifting the focus from pure normative and deductive analysis to the role of language in shaping legal concepts and understanding,

the chapter provides valuable insights into the evolving landscape of legal thoughts. Following that, Chapter 2 unravels the complex connection between language and law. It delves into the various ways language influences the legal framework and examines how linguistic factors impact legal proceedings. The authors emphasize that language permeates every aspect of the law, from the creation and interpretation of legislation to the functioning of the courts. In today's increasingly globalized world, effective cross-cultural communication within the legal domain is more critical than ever. The book highlights the significance of legal translation, asserting that it goes beyond mere linguistic trans-coding. It requires a profound grasp of both legal systems and languages to accurately convey the intended meaning. Therefore, legal translation is "an act of communication in the mechanism of law instead of a process of linguistic trans-coding" (Šarčević, 1997).

The third chapter provides a detailed analysis of the Chinese legal system, enabling readers to grasp its unique features and structure. The distinct characteristics of the Chinese legal system are rooted in its national identity and people-oriented nature. The national identity acknowledges that the Chinese legal system is deeply influenced by traditional Chinese legal culture in aspects such as "harmony is the most precious", "no lawsuit under heaven", "morality given priority over penalty" (Wang, 2012), while also assimilating valuable contributions from foreign legal cultures. The people-oriented nature highlights the socialist legal system with Chinese characteristics, which places a strong emphasis on prioritizing the well-being of the people. Chapter 4 explores the complexities of translating Chinese legal classics, shedding light on the challenges faced in preserving their essence and meaning. Chinese legal classics, comprise ancient texts that have shaped Chinese legal thought and ethical traditions for centuries and are "the crystallization of wisdom" (p. 53). Translating Chinese legal classics presents numerous challenges because of linguistic complexities, cultural nuances, and the need to capture specific legal terminology accurately. Translators must navigate archaic language structures, metaphorical expressions, and idiosyncrasies within the text while preserving the original meaning and cultural connotations.

Chapter 5 focuses on the translation of contemporary Chinese laws and regulations, which often involve technical terminology, specialized vocabulary, and complex sentence structures. After introducing the challenges of accurately conveying legal concepts and nuances while ensuring comprehension for target language readers, the authors show that translators need to consider cultural differences as well as the source and

target legal systems involved and find appropriate equivalents in the target language to bridge the gap and ensure accurate understanding. In Chapter 6, the authors explore the theoretical framework in law and regulation translation, identify the possible violation of norms, and discuss the implications of maintaining fidelity while ensuring clarity and comprehensibility. Relevant theories are referenced to support the discussion: functional equivalence theory emphasizes “the shared function of a particular concept in the legal system between the target language and the source language” (p. 92); Skopos theory focuses on the purpose or function of the translation within the target context.

Chapter 7 provides readers with valuable examples and illustrates effective approaches to legal terminology translation. Accurate translations of legal terms require comparative analysis, clear definition of legal concepts, and harmonization of terminology. The implications of precise legal translations encompass legal accuracy, effective cross-border communication, and increased understanding among legal professionals. Additionally, cultural sensitivity is crucial in ensuring translations align with the socio-legal context of the target language. In Chapter 8, the authors explore various strategies applicable in modern legal translation contexts, taking into account linguistic nuances and cultural sensitivities. Strategies such as “the consistency of terms and expressions” (p. 99), contextual understanding, comparative analysis, clear language use, collaboration, and continuous professional development contribute to achieving high-quality translations.

The final chapter examines the role of language planning in the evolving legal landscape and addresses “the main-body layer as well as the specific language problem concerning field of Chinese law from macro, medium and micro levels” (p. 113). The chapter underscores the importance of adaptability to technological advancements, such as artificial intelligence and machine learning, as well as the significance of cultural diversity in legal language planning. In order to enhance clarity, accessibility, and consistency in legal communication, the chapter advocates simplifying complex legal jargon, employing clear and concise language, and structuring legal documents in reader-friendly formats. Terminology planning, multilingualism promotion, and the strategic utilization of technology are also highlighted as valuable methods in effective legal language planning. Take legal terminology planning for example. It becomes necessary mainly in relation to legal and administrative concepts, due to “the system-bound nature of legal language” (p. 110). By implementing legal terminology

research, extraction, validation, standardization, management and dissemination, legal terminology planning contributes to establishing and maintaining terminological consistency.

While there are several books on general language planning, this work narrows down its scope to legal language planning, and introduces an interdisciplinary perspective by emphasizing the connection between language planning and the broader field of legal studies. It highlights the intimate relationship between language, law, and culture, underscoring how effective language planning can contribute to the harmonization of legal systems, cross-cultural communication and the proper implementation of legal principles. In spite of various insights, some chapters could benefit from discussions or case studies exploring the transferability of language planning strategies from the legal field to other domains such as news media, healthcare, economy, etc. This expansion would not only attract a wider range of readers but also demonstrate the broader relevance and effectiveness of language planning strategies beyond the legal domain. In addition, providing insights or comparative analysis on how language planning frameworks can be adapted or modified to suit different sociocultural contexts would enhance the practicality and global relevance of the book's findings.

Language planning is undergoing rapid development, with constant improvement in its level and continuous expansion of its scope. Overall, the book is a groundbreaking work in the field of Chinese legal language planning. Its significance lies in its potential to drive advancements in field and area language planning. Translation professionals, legal practitioners, academics, researchers, language planners, cross-cultural professionals, and language and translation students can all benefit from its insights into the challenges and strategies involved in legal language translation and planning. This book serves as a source of inspiration for future researchers to explore the diverse language needs, characteristics, policies and planning across multiple fields to advance language studies and the harmonious development of social language practices.

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References

Cooper, R. L. (1989). *Language planning and social change*. Cambridge University Press.

Šarčević, S. (1997). *New approach to legal translation*. Kluwer Law International.

Wang, G. G. (2012). The New Haven school of legal theory from the perspective of traditional Chinese culture. *Asian Pacific Law Review*, 20(2), 211-231.

