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Difficulties in Chinese, English and Polish Legal Translation

The progressive globalisation and the growing importance of China as an economic power make the understanding of Chinese legal language necessary. Unfortunately there has not been done much in the field of translation of documents formulated in Chinese legal language.

As far as formulating the laws, the PRC has been influenced by a number of sources including the traditional Chinese law, the PRC's socialist background, the German-based law of the English-based common law, the law of United States and Japan. The modern, legal Chinese language is very often a translated language.

Therefore linguistic features and cultural backgrounds that characterize legal language in China, Poland and English-speaking countries differ significantly. Many rules and practices of Chinese law can only be understood by applying Chinese legal thinking, cultural archetypes, history and common linguistics patterns. The difficulties in legal translation between Polish, English and Chinese are: conceptual gaps between Polish, English and Chinese laws, dissimilar legal interpretations, losing the Chinese connotation in translating to Polish, different application of law terms, etc.

In this paper the author will examine the language of statutory clauses in Chinese, English and Polish. The emphasis will be put on prohibitive, empowering, imperative, authorizing, penal, amending, derogative, penal and commencement and extent clauses.

Biographical Information

Joanna Grzybek received her M.A. degree in Ethnolinguistics from Adam Mickiewicz University in Poznan, Poland. She is currently working on her Ph.D. thesis. Her main research interests are legal Chinese, forensic linguistics and translation theory.