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 Research Article

Comparative Legal Translation in Uzbek And Chinese From the Point of View of Cultural Factors

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ABSTRACT

Law is an important tool for maintaining and regulating international and social relations, so the study of legal translation is of great significance. In addition, due to the different cultural background between countries, it is inevitable to study cultural factors in legal translation. This article will examine legal translation into Uzbek and Chinese under the influence of cultural factors from three aspects: the concept of culture, the characteristics of legal translation, and the strategies and methods of translating cultural factors in legal translation. This study not only adapts to the background of global development, but also contributes to the cultural study of legal translation.

KEYWORDS

Cultural factors; legal translation; legal characteristics; translation strategies and techniques.

INTRODUCTION

Since the 21st century, under the globalization environment, the role of law in resolving various contradictions and harmonizing the interests of all parties has become increasingly important. Therefore, legal translation will have a constructive influence on modern law, and the quality of translated legal texts will affect the development of various fields in China. Since legal knowledge is characterized by accuracy, fairness and professionalism, its language is characterized by authority and effectiveness. On the other

hand, since the law reflects the values, religious beliefs and social customs of a country. Therefore, the translator needs to convey the exact meaning of the source text and maintain the authority of the law in accordance with the relevant legal provisions. Therefore, this article aims to analyze legal translation under the influence of cultural factors and emphasize its importance. In addition, some specific translation methods will be introduced under the guidance of two main strategies.

The famous modern translation theorist Eugene A. Nida noted that translation is communication between two cultures. For a truly successful translation, understanding two cultures is more important than mastering two languages. Therefore, the problem of accurately translating different meanings of the same word cannot be solved by a simple transformation [1]. Tang Zaixi pointed out that in the process of translation, the understanding of the source text is not just the literal meaning, but is deeply dependent on and limited by culture. Language is one of the components of culture and will be dependent on and limited by it. In the process of translation, whether a translator understands a certain text correctly depends mainly on his understanding of the relevant culture. For a translator, if he does not understand the similarities and differences between two cultures, it is impossible to handle the language through accurate understanding and correct expression [2].

In a similar cultural context, for similar parts, the translation can achieve equivalent transmission of information, but for different parts, translators need to study the relevant cultural connotations, deeply understand the meaning of language, way of thinking, habits of expression, and fully grasp the cultural differences in translation, so as to provide readers with “original” translations. The purpose of translation is not only to convey simple information, but more importantly, to convey cultural connotations and communicate the values and meanings of different cultures, so that people from different cultural contexts can express themselves and understand each other. Therefore, cultural factors in translation play a very important role in the translation process. Only by fully considering the relevant cultural traditions, values, ways of thinking, etc., can translators overcome the difficulties caused by cultural differences, and ultimately ensure that the translation can have “true”, “authentic” and “accurate” form and content.

Because language and culture complement each other, that is, language is an important carrier of culture, while culture limits language [3]. More importantly, unlike theoretical language, literary language and common language, legal language itself does not have an independent phonetic, grammatical structure and vocabulary system, but has its own special vocabulary, terminology and sentence structure. Therefore, understanding some characteristics of legal language in a cultural context will help translators to accurately understand the language when translating legal texts in order to apply appropriate translation strategies and techniques.

In terms of legal Uzbek vocabulary, first of all, it is professional because it has its own complete set of professional vocabulary. It is very necessary to be familiar with professional legal knowledge of the Uzbek

language. Legal language consists of two parts: vocabulary with specific legal meanings and common expressions. Secondly, legal Uzbek vocabulary is precise. According to the principle of strict interpretation, written laws are the only basis for judges to interpret and apply laws. Since legal texts are intended to clarify rights and obligations, in order to avoid disputes caused by ambiguity in the application process, legal Uzbek vocabulary must be very precise in terms of wording, which can ensure that each word or sentence is flawless, and adverbs used to express scope or degree are also used very strictly. Finally, legal Uzbek vocabulary is formal. Since laws and regulations reflect the restrictions and mandatory provisions of judicial subjects in relation to judicial objects, they usually require judicial objects to do something. Therefore, modal verbs are the most common in the legal Uzbek language. The characteristics of these legal terms reflect the preservation and stability of the legal Uzbek vocabulary. Mastering the characteristics of these terms will help to accurately and standardize the translation of legal texts.

Only by understanding the specific factors affecting legal translation can we make the translation sound and accurate in the translation process, avoid translation errors caused by insufficient understanding, and thus process and integrate the text well and ultimately achieve accurate text output.

When dealing with cultural factors in legal translation, some translation strategies are often applied. Translation strategies are principles and schemes adopted in translation activities to achieve certain translation goals. “Domestication” and “foreignization” are two translation strategies, and there have been many debates about which one is more important [4]. Domestication and foreignization of translation were proposed by American scholar Lawrence Venuti in 1995. If readers are allowed to approach the author, that is, the source language is the center, it is called foreignization; if the author is allowed to approach the reader, that is, the target language is the center, it is called domestication [5].

On the one hand, in the process of legal translation, due to the existence of legal cultural background and the mutual influence of cultural knowledge, the translator should translate the source text in a way that is familiar to the target language readers. For example, in the case of several non-authoritative translations, the general Anglo-American laws are familiar to ordinary readers, and the translation should be done in a way that is familiar to the target language readers. When the readers do not have relevant professional knowledge and subject background and only need to understand some common sense, non-authoritative translation is very important compared with accurate translation. Translators should pay more attention to the effectiveness of communication and acceptance by readers. In this case, it is more appropriate to use naturalized translation [6].

On the other hand, in the process of legal translation, the text must be translated accurately to ensure its high authority. For example, when translating official legal texts such as codes and precedents, it is necessary to take into account the linguistic features of the legal Uzbek language. In order to ensure absolute authority and accuracy, the translation must accurately and faithfully convey the meaning of the

source text. It is necessary to adopt an alienated translation, mainly to ensure that the translation is consistent with the source text, and the translation must be consistent with the expression habits of the source language.

The omissions in legal translation refer to some words or other contents in the source text that do not need to be translated. This is because the omitted words or their meanings have been reflected in the translation, otherwise the translation will be cumbersome, awkward or break the habits of Chinese expression. According to the meaning of the words in the dictionary, the translator can accurately and completely translate the source text under normal circumstances. However, in some special cases, the literal translation according to the meaning in the dictionary will always confuse those who use the translation as their native language. They will think that this expression is very inappropriate.

In this case, the translator should change the meaning of the word according to the expression of the target language and use other translations to express the true meaning of the author. Interpretation means abandoning the specific image of the source text and expressing its intention and connotation in the target language. This method is often used in translating some legal terms with national characteristics, but there is no exact corresponding word in the target language, which makes translation very difficult. In addition, the translator may only pay attention to one meaning of the term and ignore other meanings, or only know its general meaning and ignore its special meaning in a special context, or make mistakes due to imprecise wording. At this time, the translator needs to explain the term [7]. Annotation is one of the most important skills in legal translation, and it is often used to provide the necessary relevant cultural information. Annotations can be placed at the end of a page, chapter or book, or in supplementary dictionary and professional dictionaries. Annotations have two advantages. One is to make the translation concise, readable and quantitative. Another way is to maximize the semantic accuracy of the source text, since annotations are not limited in number. As an auxiliary method, often used in combination with other translation methods, annotations play an important role in providing cultural information. Readers can find the information they need to know, but cannot find in the text, in annotations. It is an important tool to help readers fully understand the cultural background of sentences and words and read the translation without ambiguity.

Since law is a behavioral language closely related to specific social life and cultural traditions, it is very important to accurately and faithfully reproduce legal language in another language. Legal translation has a direct impact on social relations and is especially important in human communication. Therefore, translators must take into account cultural factors, including differences in history, social customs, ways of thinking and legal systems of different countries. Striving to build bridges and channels across these differences is the best way to accurately convey textual information. Translators need to take these cultural factors into account and make full use of various translation methods and techniques to achieve

equivalence between the target language and the source language in legal functions based on accurate translation of legal texts, so as to truly protect the authority of the law, public order and the interests of the people.

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