Why Translation Matters?
What would happen if you rely on a bad translation?
Hit (your) head
Meet (idiom)
Mind/Watch
Careful
Asian Legal Information In English: Availability, Accessibility, and Quality Control

AALL 2016
Topics & Speakers

Mainland China
Alex Zhang (Michigan)

Hong Kong & Macau
Anne Mostad-Jensen (North Dakota)

South Korea
Jootaek "Juice" Lee (Northeastern)

Japan
Mike McArthur (Michigan)
English Translation of Primary Laws in Mainland China
Value of English Translation

• Informational Purpose, *unless*
  – English is an official language

• What about “official” translation?
  – e.g. Translation by the National People’s Congress (“NPC”) or its Standing Committee (“NPCSC”)?
Reliable Sources: “Official” Translation

- Two major official issuing bodies: Laws and Regulations
  - NPC and NPCSC: legislative branch
    - Online: [NPC Laws and Regulations](#)
      - Coverage: scope and date
      - Search features
  - State Council: executive branch
    - Paper: Laws and Regulations of the People’s Republic of China (1949- <2002>)
    - Online: [State Council’s Laws and Regulations Website](#)
Reliable Sources: Commercial Vendors

• LawInfoChina (Beida Fabao)
  – Coverage: comprehensive (laws and regulations) and up to date
  – "keycite" / "shepard’s"
  – Judicial decisions
  – Expensive
• Westlaw China
• Lexis China
Now, you have located a translation, what is next?
Qualities of Translation

The question in legal translation is not which translation is *right*, but much more modestly, which one is *less wrong*.

— Uwe Kischel
Why difficult?

• Due to the nature of legal translation (Cao, 2007)
  – Legal terminologies
    • Gong Zheng (公证): “Notary Public”
  – Linguistic difficulties
    • Punctuation mark: Dunhao (顿号) “、”: A、B: A and B? A or B?
  – High context (Chinese) v. Low context (English) language
    • Shall, must, should - what if it is not included the SL (Source Language)?
Strategies

- **Compare**: “official”, commercial and other open-access versions. Compare and Contrast

- **Evaluate**:
  - Gain necessary background information: legal system, substantive area of law
  - Evaluation Criteria

- **Ask**: professional translators, bilingual attorneys etc.