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Translating Words, Transferring Wisdom, Traversing Worlds

Edited by Mimi Yang

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Meet the editor

Mimi Yang, Ph.D., Professor Emerita at Carthage College, Wisconsin, USA, is a prolific writer on a wide range of themes in the Humanities and Social Sciences, coupled with over three decades of teaching languages and cultures in higher education. Her multicultural and multilingual background in English, Spanish, and Chinese laid a foundation for her scholarly leadership in Translation Studies. Dr. Yang's recently edited book, "Multilingualism in Its Multiple Dimensions", by IntechOpen, has gained traction. Articles published on language studies and pedagogy throughout Dr. Yang's career testify to her consistent effort to carve a scholarly space for multilingualism in translation and connection. Her book "Tricultural Personality: A Paradigm Crossing the English, Spanish, and Chinese Speaking Worlds" (Edwin Mellen, 2014) summarizes her beliefs about how languages and cultures are translatable across perceived distances.

Contents

Preface

This book does not treat Translation Studies as a mere linguistic conversion from one language to another or a textual exercise adjusting syntax and style. It unpacks the realms hidden behind words, ramified from textual lines, and woven into writers' horizons when translation occurs. From a multitude of realms of linguistic studies, cognitive sciences, geopolitics, history and social sciences, the chapter authors of the book converge here to prove that 21st-century Translation Studies unfolds on an unmistakably intercultural and interdisciplinary platform, where (inter)cultural agility, interpretative adaptability, and resonant creativity emerge as a galvanizing force in the field. The cutting-edge theories and concepts, such as trans-creation and eco-translation, are highlighted. More significantly, this book demonstrates how the intercultural and interdisciplinary platform integrates Translation Studies with Cultural Studies through close examinations of linguistic hierarchies distilled from colonial and postcolonial power structures, and through tried-and-true practices of "translatability" vs. "untranslatability" among traditions, cognitive frameworks, cultural precepts, and mental constructs. Instead of seeking an equivalent paradigm among languages in Translation Studies, the book postulates translation in the 21st century as a multimodal and multi-layered interaction in all human realms. Translation Studies has evolved into the transfer of our humanity and the dissemination of knowledge and wisdom, with the humanities and cultural studies at its center; it is both a linguistic and cultural endeavor.

For centuries, the role of translator has been to spread cultures via linguistic vehicles across time and space. While traditional word/text-based translation remains valid, the field advances beyond seeking equivalent linguistic expressions in the target language as it includes intertextual negotiation and contextual transportation. In mirroring a globally interconnected world, Translation Studies has become a site for cultural encounters before linguistic conversion and for meetings of the minds between author and translator before textual engagement. Like a virtual hub, translation enables the translator to bridge different worlds and connect distant people, then dispatching linguistic vehicles to culturally targeted destinations. To enter such a site or hub, translators must possess not only linguistic fluency but also cross-cultural competence, negotiation skills, and mediator problem-solving abilities, as well as an insider's position in both source and target cultures.

As a further and deeper step into the purposeful integration of cultural and historical studies in Translation Studies, the book sheds new light on the translator's role, expanding the linguistic focus into human conditions and social dimensions, and substantiating technical skills with cultural, historical, sociopolitical, and psychoanalytical attentions. For example, translating Shakespeare's "Hamlet" into Chinese requires a translator's cultural negotiation skills. Some Shakespearean idioms in the play, such as "Mind's eye" and "All that glitters is not gold", have a more universal nature and can easily find an equivalent in Chinese, thereby reducing cultural negotiations. However, idioms like "Good night, sweet prince" and "There are more

things in heaven and earth, Horatio, than are dreamt of in your philosophy" test a translator's ability to negotiate two seemingly distant cultures by interpreting (more than translating) the cultural frame of the source text and co-creating with Shakespear the target text fit with the Chinese perceptive model. Another example, the translation of the sacred book Popol Vuh from the Mayan language (K'iche') to Spanish, is mainly motivated by cultural preservation. It stretches a translator's horizon into a deep historical and philosophical understanding of the pre-Columbian people's cosmovision, far beyond a linguistic realm. The translator must grasp a nuanced understanding of Mayan cyclic worldviews and their cosmologically based cultural meaning of "Ball Games" to deliver a meaningful translation for the target audience.

Both cultural and historical studies involve the engagement of context. Cultural Studies relies on a more horizontal context, where correlations and confrontations of cultures, as well as interactions and interrelations among "owners of cultures", are studied. History Studies approaches the world, events, and people in a more vertical context, which makes the past speak to the present, or even predict the future. A translator of a text that is a product of both horizontal and vertical contexts must possess contextualizing ability and melt into the context upward, downward, and sideways. Such contextualizing abilities catapult translators into a third zone, between the world of the source text and the world of the target text, where two or more contexts emerge, and translators must be a simultaneous insider of all of them. When translating, they live and breathe in the third zone between two languages, two cultures, and two mental frames. Like the two-faced Roman god Janus, translators observe the expressions, frames, and scopes of the first two zones on both sides of the third zone. They then build bridges for the dwellers of the first two zones to cross and enter contact. Moreover, they link human feelings to create resonance across seemingly insurmountable distances. All is carried out through their multilingual skills and pluralistic consciousness.

Finally, the book provides space for discussion and debate on machine/AI translation tools. Acknowledging technological efficiency, the book raises questions about the machine's ability to grasp context, tone, and cultural subtleties and proposes a machine/human hybrid model in Translation Studies.

I wish to express my gratitude to the chapter authors for their dedication to the subject; they personify a scholarly community at the forefront of Translation Studies. The Publishing Process Manager of the book, Dominik Samardzija, was instrumental in setting up the process, facilitating multi-directional communications, and keeping tasks on schedule. I would also like to mention my life partner, Lhanoo, whose faith in me and reassuring encouragement helped me cross the finish line of this unforgettable "marathon".

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Chapter 1

Introductory Chapter: The Translator's Third Eye

Mimi Yang

1.Introduction

Translation is far from a straightforward and technical endeavor of converting words from one language to another. Translation is a linguistic/cultural double act. It is an all-embracing, intricate, and creative act, transporting humanity, with all its inherent qualities, from one cultural/social/historical sphere to another; two eyes are insufficient to oversee such a holistic undertaking. A third eye is needed in establishing "spherical" bridges of spirit, intelligence, wisdom, and energy while building "earthly" connections among humans, linguistically, culturally, and geographically. Across irreconcilable perceptive frameworks and particularized articulation norms, a translator needs a third eye to see the underlying invisible, reach the unreachable, and reveal the disguised. Linguistic fluidity and agility, deep learning, and contextual consciousness are considered a given quality in a translator.

Lawrence Venuti's seminal work, *The Translator's Invisibility* (2008), opens twenty-first-century debates on foreignization vs. domestication in translation studies. He critiques American translator Norman Shapiro's view on good translation that should not draw attention to itself but be transparent like "a pane of glass" [1]. Silvia Kadiu dissects the debate as one of the fundamental building blocks in translation studies:

> *[A pane of glass] is symptomatic of the regime of fluency prevailing in the Anglophone world, is problematic because by concealing the transformative component of translational activity, the transparent translation erases the foreignness of the foreign text and the translator's inscription in the translated text. Coining the concept of foreignization, Venuti advocates instead an approach to translation which seeks to resist fluency and highlights the fact that the text produced in the target culture is a translation ("Visibility," 21) [2]*

However, in Venuti's 1986 article "The Translator's Invisibility," a seemingly opposite argument was persuasively made: "... the more 'successful' the translation, the more invisible the translator, and the more visible the author or meaning of the original text" (179) [3]. The statement implies that good translation does not leave the translator's fingerprints but the original writer's maximized voice and persona. Venuti's 1986 position on translators' invisibility actually resonated with Norman's "pane of glass". Therefore, the debate on foreignization vs. domestication boils down to how and where the third eye of the translator should be positioned—source-text-based or target readership-oriented? This chapter follows the debate but avoids being

entangled with the question: does foreign flavor give more originality to the translated text/speech than nativelike speech? Or vice versa? Different translators can come up with a great variety of answers.

This chapter postulates that in either case, the translator can erase his/her "fingerprints" in the translated text, so long as he/she is galvanized by the third eye. The third eye focuses on the second reader(s) as they are the purpose and reason of translation. In translation, the third eye of the translator transcends the debate of foreignization vs. domestication by acknowledging the appeal of the former and the needs of the latter and by tapping into them strategically, flexibly, and contextually. Acting as a precondition for translation, the third eye oversees texts/speeches moving across borders, boundaries, and spheres; it captures and absorbs what is embedded in the source text, keeps the textual border in close sight, and gazes intently at the target readers' reception.

Humans are born with two eyes. Three-eyed entities are often associated with deities and figures with extraordinary vision across cultures. In Hinduism, Shiva ("Tryambaka Deva") is the three-eyed lord. His third eye, located in the middle of the forehead, is known as the mind's eye. It symbolizes knowledge and self-knowledge. Hindu mythology highlights, "The third eye is often invoked in prayers and rituals, symbolizing the quest for spiritual enlightenment and guidance" [4]. In Buddhism, the third eye in between the other two, embodies the unseen consciousness, enlightenment, and wisdom. In Taoism, the third eye is not depicted iconographically; it has to be cultivated and discerned. As the entry point of macro energy into the micro body, it integrates the two for superior human qualities. Quite fittingly, Michael Puett calls it "the practice of spirit visualization" (p. 228) [5]. In ancient Roman myth, the god of doorways, Janus, does not have three eyes but two faces looking in two opposite directions and connecting beginnings, transitions, and endings. Janus's superior and comprehensive vision made him the curator of the universe and is reminiscent of the third eye in Eastern cultures.

Acquiring the third eye with "godlike" qualities means possessing an above-average ability to observe and "absorb," an above-average agility to cross barriers, and an above-average skillset of finding similarities in differences. We take a close look at how "godlike" qualities can grow in a human who is a translator.

2. The duality of the third eye in translation

In a translator, the third eye sees and speaks of simultaneity, multiplicity, absorption of paradoxes, and negotiation of contradictions, which the other two eyes fall short of accomplishing.

2.1 The duality of "peripheral" and "central" visions

The practice of translation in the twenty-first century evolves in "peripheral" directions around the "central" (multi)linguistic studies. The translator's third eye watches cultural/multicultural streams trickling down to translation studies and creating an expanding "periphery." In recent decades, (multi)cultural studies have branched out into subjects like representational voices, cultural identities, and postcolonial power structures. Mirroring the transformation, translation studies are becoming increasingly interdisciplinary and intercultural across the humanities and social sciences, far beyond canonical linguistic studies. Scholars in translation

and culture studies coined the phenomenon "the translation turn," which directs the twenty-first-century translator's third eye to both linguistic and cultural studies and revolutionizes "the study of languages and cultures in ways perhaps no less profound than Saussurian linguistics" (Baer 139) [6]. Migration and mobility are a new norm in the postcolonial and postindustrial era, in which AI effectiveness and digital wonders rule almost every aspect of our existence. When writers, readers, and texts become diasporic in an unprecedentedly interconnected world, linguistic translation goes hand in hand with cultural translation. The third eye has to be developed into a bifocal or multifocal vision. As Elizabeth Lowe puts it, "Translation theory is reformulating the parameters of cultural studies, post-colonial studies, and the field of comparative literature—in short, reframing the very notion of the humanities" (Lowe 19) [7] [1]. Multi-angled, the translator's third eye operates with an integrated peripheral/central vision in response to the interdisciplinary and intercultural landscape of translation studies.

Moreover, in the digital and AI era, the peripheral vision of the third eye spots machine translation with social media, audiovisual, multimodal e-communication, virtual platforms, and digital formats. The field of translation studies expands. Like written words/texts, machine translation links languages, but can it replace humans as a means of translating texts, colors, sounds, and shapes of cultures across geographical boundaries? Machines do not think and feel. Despite its speed and efficiency, machine translation "is the most obvious example of an unreflective translation practice" (Kadiu, "Human", 74) [8], because "the machine proves unable to deal with lexical ambiguity (79)." A human agent is always embedded in the source and the translated texts. In the AI age, it is still the human translator at the front and center of the enterprise, with the third eye veering the background of culture and receptive frames and tapping into technological advancements. When translation acts like flowing blood from one linguistic/cultural body to another, the human agent and the AI and digital technology join together and make such "blood transfusion" readily available and meaningful for new life.

2.2 The duality of "foreignization" and "domestication"

The third eye sees the translator's multilingualism and multiculturalism as the bare minimum of the qualifications. Specialized terminology culturally loaded idioms, and linguistic localism are expected from a good translator. When the third eye turns to the context of the source text, if not written in the translator's native language, "foreignization" pertains to the translator but not necessarily to the translated text. The peripheral vision of the third eye directs the translator to the source culture, localism, history, and everything that produces the source text. When the third eye looks at the target/second readers, "domestication" applies to the translated text as the translator makes it fit into the target readers' perceptive frames and linguistic norms.

The peripheral vision sees a similar set of elements in the source and target contexts: linguistics, culture, localism, history, society, and everything. These elements are encoded in the source text but need to be decoded in the target text. The third eye zooms in on the target readers with a domesticated angle, making the translation sound familiar to them, or keeps the "foreign flavor" but weaves connective threads between the foreign writer and the domestic audience. Grounded in the third eye's

[1] This is a secondary quotation from Baer [6]. The original is from Lowe [7].

shifting perspectives, Venuti's textual opposites of foreignization vs. domestication become complementary and a duality.

Each language possesses culturally and regionally specific terms and idioms, which suggests a highly challenging process of transferring and blending them into a different language with a different set of receptive modes. Sometimes, the transfer is carried out smoothly, but other times, there are no appropriate counterparts to land on; that is, untranslatability. Lee Haring understands untranslatability as a non-verbal utterance in textual transportation. When "... some expressions defy full translation from one language to another...," it is not possible "finding words for something outside of text, something that wasn't in words to begin with" (148) [9]. Untranslatability is a result of seeing foreignization and domestication as opposites, not as a duality. The third eye sets out to transform the opposites into a duality by taking on "blockage" between languages and "outside of text."

Let us use an example of the translation between English and Spanish. "People of color" in the US English refers to non-White groups or individuals, with underlying topics like race relations, the nation's history, and immigration. It is a heavily loaded expression, but every American understands it from his/her cultural/racial/political background. When translated to Spanish, there are two scenarios. Scenario 1 is "personas de color." Linguistically, the English expression enters the Spanish translation with correct words and grammatical structure. However, domestication is not quite there as the Spanish-speaking world has different sociopolitical settings and histories, which affect the reception of the meaning. Especially, if the second audience—native Spanish speakers—does not know how the expression was born in the US context, foreignness overwhelms comprehensibility, at best; misunderstanding it as "someone playfully painted in different colors," at worst. Keeping "foreign flavor" does not work either. This scenario is an example of a "mechanical" and lifeless translation. In scenario 2, we let the peripheral vision of the third eye guide the translation and come up with "personas no blancas de grupos minoritarios." Although wordy, trans-created or recreated, and even not "faithful" to the source text, scenario 2 engages both linguistic and cultural "transplantation," does a "domesticating" job, and ensures that the connective tissue is built between the two languages. The untranslatable becomes trans-creatable, and the "blockage" of blood flow between English/Spanish-speaking people is removed. Not ideal, but there is a happy duality of foreignization and domestication.

The translator's third eye may not be as magical as the third eye of gods and deities, but its peripheral/central vision and foreign/domestic undertaking push the translator to be a communicator, a facilitator, and a bridge of cultures, perceptive frameworks, and an encyclopedic reference. The translator dwells in a "third zone", not A nor B but in between; his/her third eye keeps peeled and watches the traffic between A and B through the third zone for readiness and agility to cross whenever the translation is called upon.

3. The third eye's three dialogs: Two asynchronous and one synchronous

A synchronous dialog happens when the two parties are present at the same time, a taking-and-giving discussion or a questions-and-answers interaction. Both parties take turns playing the roles of the sender/originator and the receiver/learner of a message. An exchange of ideas, information, and knowledge takes place. Translator or not, anyone can conduct a synchronous dialog.

An asynchronous dialog, however, does not typically occur in day-to-day life, but it forms the process of translation. Only the third eye of the translator sees, steers, and sifts through it. In an asynchronous dialog, there is a time lapse between the two parties. Dictionary.com defines "asynchronous" as "not occurring at the same time… occurring or able to be completed independently according to a person's own self-paced schedule or within a broad window of time, but not coordinated to be completed in real time with another participant" [10].

In an asynchronous dialog, Party A has already articulated and elaborated the topic before the dialog, in writing or recording. During the dialog, however, party A remains silent, inactive, or unresponsive due to physical absence or with voice muted because of a particular circumstance. This forces party B, who is fully present, to carry out a one-sided and asynchronous dialog by responding, reacting, and interpreting what party A's writing or recording. In this dialog, the physically absent and yet textually present party A is the exclusive originator of messages, and the fully present party B is the exclusive receiver and learner of the messages composed and encoded by party A. Thus, the dialog turns out to be one-sided but far from a monolog; it is an asynchronous engagement. Let us dissect the asynchronicity and synchronicity in three dialogs through the third eye of the translator.

3.1 The first asynchronous dialog: Between writer and translator

The first asynchronous dialog takes place between the original writer and the translator. Here, the original writer is considered the first sender/originator of the message, and the translator is the first receiver and a learner. When the third eye turns to the intricate relationship between the two, we enter different time zones. The third eye takes the translator out of the synchronous, two-party communication mode, as there is no channel for the two to interact simultaneously. In many cases, the original writers are long gone. The dialog between the writer and the translator largely relies on textual encounters solely on the translator's side; the writer's articulations of messages always happen before the translator's reception even starts. Nonetheless, the two stay side by side through the source text. Thus, the two dialog parties—the writer and the translator—never appear in synchronicity of discussions or interactions of Q&As. One advantage of asynchronicity is time sequence. This is particularly helpful when trapped with untranslatability, the translator has the time to learn, absorb, and reflect upon what the original text represents and conveys. This prepares the translator to interpret and recreate the original message in a different language with his/her best ability and knowledge.

In the one-way and asynchronous dialog with the writer, the translator's third eye gauges the distance or closeness across different perceptive frameworks and expressive modes. Then, it negotiates disparities between the source text and the target text or guides the translation with smoothness. Let us look at a well-known idiom invented by Shakespeare, the "green-eyed monster," when it is translated into Spanish and Chinese—the two languages with different linguistic/cultural distances/closeness in relation to English. The idiom originated from Act III, Scene III in *Othello*, when the manipulative and vengeful Iago tries to plant the seeds of doubt and jealousy in Othello by insinuating his wife Desdemona's infidelity:

> *"O, beware, my lord, of jealousy;*
>
> *It is the green-eyed monster which doth mock the meat it feeds on." [11]*

Shakespeare had used "green-eyed jealousy" earlier in *The Merchant of Venice*. Now, green-eyed monster means jealousy in the modern English vernacular. When translated into Spanish, "monstruo de ojos verdes" does not convey at all what English means, although the linguistic and cultural distance between English and Spanish is considered shorter than the one between English and Chinese. The translator engages in an asynchronous, one-sided dialog with the Bard. It would go—"let me, your translator, study the origin of the idiom in your play *Othello* and get hold of the meaning of these words as a whole unit but not word-for-word meaning." Of course, Shakespeare would not respond to the translator. Once the translator studies the context and subtext of the idiom, whether through research or consultation with other knowledgeable individuals, s/he shifts his/her third eye to the target language, Spanish, for meaningful translation so that the second readers get it without distorting the meaning encoded in the source message [12].

Once the third eye sets upon Spanish, expressions like "ponerse verde de envidia" or "una puñalada de celos" surface. Not exactly word-for-word mirroring English, these expressions do the trick much more effectively than "monstrous de ojos verdes." The two languages share a perceptive frame of the color green ("verde") associated with jealousy/envidia, but they differentiate one another in metaphoric and literal expressions. "The green-eyed monster," in English, refers to a human, and "monster" is a metaphoric beastification of a jealousy-consumed human. In "verde de envidia," jealousy (envidia) is point-blank, while "monster" gets stuck in translation. More Spanish speakers understand "verde de envidia" than "monstruo de ojos verdes." It is self-evident that in the asynchronous dialog between the translator and Shakespeare, the translator also engages in another asynchronous dialog with the anticipated, targeted second audience, which we will elaborate on in the following pages.

When "green-eyed monster" is translated into Chinese, the same asynchronous dialog between Shakespeare and the translator happens. 绿眼怪物 strikes a chord in the color "green" (绿), although in a different perceptive frame. In Chinese culture, if a married woman has an affair with another man, her husband is regarded as wearing a green hat. So green signals a clandestine adultery by a married woman with an unsuspicious husband. However, the monster (怪物) and his eyes (眼) completely fail to convey the message of the originator. Transferring Shakespeare's original meaning of jealousy to Chinese poses both linguistic and perceptive barriers. The third eye sees them and directs the translator to remove the modifier "green" from the modified "monster" and instead let "green" modify a man's hat to fit Chinese cultural perceptual norms. A trans-creation or an interpretation of "a green-eyed monster" as "a man wearing a green hat," 戴绿帽的男人, is an outcome of the asynchronous dialog between the translator and Shakespeare. This is also the outcome of the asynchronous dialog between the translator and his/her anticipated second audience. "A green hat," although it departed from the original "green-eyed monster," allows Chinese native speakers to capture the original meaning of the source text accurately. Thus, due to the distance between perceptive frameworks and cultural norms, sometimes, in order to faithfully convey what the original writer means, the third eye of the translator engages in linguistic departure that leads to trans-creation, recreation, and interpretation of the source text.

In the first asynchronous dialog, whether dealing with Spanish or Chinese translation, a translator's third eye is also a learner's, scanning between lines and sentence/clause structures, detecting the inaudible, and discerning the cultural mind embedded in the source language. If the source language is not the translator's native tongue, the third eye "foreignizes" the translator at the deepest and broadest level possible.

The third eye examines, in Lila Ray's terms, "the significance of every inflection, every grammatical or syntactical turn" [13]. In the exhaustive process of studying and analyzing, the translator must gain insights into the original author's choice of one particular style and one particular expression over the other. S/he must look into how the source language is encoded beyond the linguistic domain so that when decoding it, the "primordial" message is retained in translation. The translator's experience determines how s/he reads and receives the source texts and, in turn, affects the (re) creative and interpretative qualities of the translation.

3.2 The second asynchronous dialog: Between the translator and the second audience

The second asynchronous dialog sets off between the translator and the second audience, there is a time lapse between the two, similar to the first dialog. Here, the translator becomes a message sender or originator (using a different language), but the secondary one after the writer; the targeted readers become the receiver/learner. Now, the third eye oversees a decoding-and-releasing process from the source language to the target language. The translator builds "the message in the new language and new context as closely as possible the same way, producing a work that sounds as natural to the second audience as it did to the first and evokes the same response" (Ray 124) [13].

Upon digesting the message of the source originator (the writer), the translator turns out to be the second sender/originator of the same message and enters the second asynchronous dialog with his/her intended second audience—the second receivers of the source messages. In our example above, whether the translator of Shakespeare's idiom to Spanish or Chinese, at the moment his/her third eye sets on the source text, it looks at two directions simultaneously, toward Shakespeare and toward the anticipated second audience whose native language is Spanish or Chinese. When the third eye spots potential linguistic and cultural barriers, its gaze shifts the first dialog to the second, thus jumping and scanning back and forth between the two. In conducting the second dialog, the third eye switches the translator's dialog partner from the original writer to the second readers/receivers of a target language and, most significantly, transforms the translator's role from a receiver to an originator.

The transformed role of the translator can be observed in the translation of the saying "Let us hit the sack," meaning let us go to sleep. It is generally believed that the expression stems from the medieval European era. There were no sleeping mattresses and beds, and the average person would sleep on sacks stuffed with straw. Once the translator gets the cultural background and the figurative and particular meaning of "sack," s/he needs to figure out how not to stray away from the original meaning in a different language. This is where the second asynchronous dialog kicks in. Let us examine the Spanish translation. In Spanish, "sack" is "bolsa," and "hit" is "golpear." The second dialog would go—the translator asks (in his/her mind): "do you, Spanish speakers, understand if I say 'vamos a golpear la bolsa'"? The Spanish speakers in physical absence but with cultural and perceptive presence reply: "What hell are you talking about?" Although correct in word choice and grammar, "vamos a golpear la bolsa" sounds like a mad person's talk. In anticipation of a meaningful transfer of the message, the translator may have to sacrifice the vivid cultural flavor in English and opt for the plain Spanish by saying "vamos a la cama." This would be an outcome of the second asynchronous dialog between the translator and the anticipated second reader/the receiver. Without grasping the figurative meaning of "the sack," the

translation would be incomprehensible. The translator must carry out a dialog with the culture behind the target language. An asynchronous dialog with the anticipated audience allows the translator to transport the meaning to any language with perceptive accuracy and cultural fit.

In the second asynchronous dialog, the translator's third eye transplaces vivid humanity with its meaning, message, knowledge, and wisdom from one language/cultural milieu to another. In a similar vein to the first dialog, the second dialog is a one-way traffic, with no synchronized interactions or engagements between the two conversationalists. However, it is not a monolog, as the cultural and perceptive presence of the second audience is anticipated by the translator. In other words, the absence of the second reader grounds the dialog and channels the translation. The translator always initiates the dialog and completes the translation before any of the second readers touches his/her work. By the time the second readers read the translation, they find themselves already in communication with the original writer, because of but not with the translator. The second dialog revolves around everything that makes the second audience/receiver receptive. It is also an opportunity for the translator to actively gather and display his/her knowledge, adjusting to the second receivers. Ray recognizes the active/passive hybridity in the translator, "Though he plays part of an originator he has none of an originator's freedom" (124). However, as the originator in the second dialog, the translator does have the freedom to be culturally and linguistically fit to the anticipated second reader, who is also the dialog partner.

3.3 The third dialog: Synchronous between the translator/receiver and the translator/originator

Unlike the first and second asynchronous dialogs, the third does not have a time lapse between the two parties, as the translator is split into two sides of the dialog—the originator and the receiver/negotiator. Not unlike the two faces of Janus, the translator looks in two opposite directions—the source text and the second audience. Under the watchful third eye, the two faces interface to create a translation that fits the targeted second audience without departing from the source text.

Let us dwell on Shakespeare's "green-eyed monster" for one more moment. When the translation takes place in Chinese, the translator's receiver side absorbs and internalizes the message of jealousy originating from "green-eyed monster," so much so that s/he almost has to emulate the Bard's voice in Chinese in order to convey the meaning to the second reader. At the same time, the third eye on the face of the originator has to turn to the Chinese culture and its registries to locate an equivalent expression. When unable to identify one, the third eye directs the translator to look at various possibilities to trans-create an equivalent that can be meaningfully received by the Chinese-speaking audience. Watched by the third eye, the transformation in the translator occurs—the receiver's face becomes the originator's face to ensure the message in English is received in Chinese without distortion. At that point, a synchronous dialog is carried out between the face of the receiver and the face of the originator. Both are fully present and reside in the same translator; they engage in synchronous interactions and negotiations. This is the third dialog; two-sided, it speaks of negotiation, interpretation, or trans-creation as a vital aspect of translation.

The translation of the movie title "Gone with the Wind" illustrates a translator's self-self dialog. It is rendered in Spanish "Lo que el viento se llevó," meaning "what the wind has taken." A word-for-word translation with regard only to the equivalent grammar structure would be "Ido con el viento." Thus, the two faces of the translator

enter the dialog—the originator: "I got the message from the source text perfectly and put it to Spanish without distortion." The receiver: "But 'Ido con el viento' does not give a clear idea, who is 'ido'? A man, a thing, a world, a dog, a project…? The translation confuses Spanish-speaking audiences and takes away the poetic and epic overarching of the movie. Let us add the pronoun 'lo que (what)' so that a native Spanish speaker captures the original English meaning. Further, the English passive 'gone' is in past participle form; this does not mean we have to use 'ido' to correspond. Spanish has other past participle-equivalent forms, such as reflexive forms to convey passive, such as 'llevarse.'" The synchronous dialog conducts cross-cultural linguistic negotiation and comes up with "Lo que el viento se llevó."

The translation of "Gone with the Wind" to Chinese shows the trans-creative aspect even more strikingly than in Spanish. It is interpreted, more than being translated, as 乱世佳人, meaning "Chaotic World and Refined (elite) People." How to get there? Let us hear the synchronous dialog of the two faces of the translator—the receiver: "The Chinese language does not have anything even remotely resembling a past participle like 'gone,' but that is the key word to the movie's theme." The originator: "Then, let us stay away from the English title, which is a dead end. Instead, let us reflect upon the movie's content and theme for a punchline." The receiver: "Are we recreating a movie title?" The originator: "Exactly. Let us interpret the title and do more than just translation." The receiver: "Isn't this domestication of English?" The originator: "Precisely. Part of the interpretation or trans-creation is domestication." Thus, 乱世佳人 begins to make sense to the Chinese ear when taking the storyline into consideration. The movie offers an epic view of the American Civil War from the perspective of the Confederacy in a world of bloodshed and political maneuvering, which is rendered as乱世. In contrast, there is this refined, delicate, romantic, and wealthy lady Scarlett O'Hara, representing everything that a war is not. So Southern wealthy, upper-class people like O'Hara are rendered as 佳人. The Chinese translation proves that the second readers "usually respond to the translation of a foreign text, whether prose or poetry, as if the text had been originally written in their language, as if it were not in fact a translation…" (Venuti, p. 179) [13].

What makes the third dialog synchronous is the asynchronicity in the first and second dialogs. What makes the two sides of the translator interactive and wholesome is the need to be the source speaker/writer's voice and the second reader's agent, both in one translator.

4. Conclusion

The third eye galvanizes a successful translation, which maximizes the original presence of the writer as s/he is the original creator of the message and meaning, and minimizes his/her own "fingerprints" in the translated text. Whether with a "foreignization" approach or a "domestication" style, the translator reenacts the writer's voice, tone, style, temperament, personality, and everything that makes a flesh-and-blood human. These elements also pertain to the translator, although not being acknowledged in him/her. A writer and his/her work and bio typically appear on a book's dust jackets, title pages, and book reviews, while all about the translator can easily sink into faceless and voiceless anonymity or as a footnote at best. Even when the translation is collected as a bibliographic entry in a library, the source writer is the protagonist, and the translator, who has gone through the three complex, laborious, and nuanced dialogs, is not the name to be remembered. Ironically, we consider all this a successful translation job.

There are many immortalized writers, but there is not "the translator." As "[a]ll translators are in some sense of the word 'go-betweens,' setting up or facilitating relations between often very diverse cultures and societies, and it is this that makes them such fascinating subjects for study..." (France, 296) [14]. When the two sides of the translator enter the dialog, the translator is translating him/herself into various versions, linguistically and culturally. As a go-between, the translator's self is fluid and on the move, partially concealed and partially revealed. When translating words and transporting wisdom, a translator is traversing different worlds in mind, in spirit, and in person. Only the third eye can see a translator's self in its entirety.

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Chapter 2

Translating Words, Transferring Wisdom: The Role of Translation in Bridging Cultures

Ali Hashemi

Abstract

In an increasingly globalized world, the role of the translator has transcended the mere act of linguistic conversion, evolving into that of a cultural mediator. This paper explores the shifting responsibilities of translators, focusing on their emerging role in bridging cultural gaps and fostering cross-cultural understanding. Drawing on various translation theories and case studies, this study examines how translators navigate the complexities of cultural nuances, ideologies, and power dynamics in translation practices. Through an analysis of translator strategies and challenges in culturally sensitive contexts, the research highlights the translator's influence on the preservation, transformation, and dissemination of cultural identities. It argues that translators, as cultural mediators, not only shape the content but also the reception and interpretation of ideas across linguistic borders. The study emphasizes the importance of ethical considerations, the need for cultural competence, and the collaborative nature of translation in today's interconnected world. Ultimately, this paper asserts that translation is not just an act of language transfer but a dynamic process of cultural negotiation that requires a deep understanding of both source and target cultures.

Keywords: translation, cultural mediation, linguistic diversity, cross-cultural communication, translation theories, language and identity, ethical challenges, technology in translation

1. Introduction

Translation is often perceived as a technical process of converting text from one language to another. However, this view significantly underestimates its true depth and impact. Translation is, in essence, a powerful form of cultural mediation that transcends mere linguistic conversion. It acts as a conduit for transmitting not only words but also the emotions, traditions, and values embedded within them.

In today's interconnected yet increasingly polarized world, the role of translators as cultural mediators is more critical than ever. They serve as bridges between diverse cultures, fostering mutual understanding and preserving cultural heritage. This article delves into the multifaceted role of translators, examining their contributions

through case studies in diplomacy, literature, endangered languages, and ethical challenges. By exploring these areas, we aim to shed light on how translation shapes our global landscape and enriches humanity's collective knowledge.

2. Translators as cultural mediators

Translators have long been recognized as vital agents in bridging linguistic and cultural gaps. While Section 2 emphasizes the translator's agency in this mediation, Section 6 shifts the focus to the independent role of the translated text in fostering cultural dialog, thus ensuring that both aspects are explored without redundancy. However, the role of the translator extends far beyond the transfer of words; it encompasses the complex task of mediating between cultures. Translation is a form of cultural negotiation, where the translator must balance fidelity to the source text with the demands and expectations of the target audience [1, 2]. The notion of cultural mediation has become increasingly important in translation studies, emphasizing the translator's role in facilitating understanding and communication between diverse linguistic communities.

One key dimension of this mediation is the responsibility of the translator in preserving and conveying cultural wisdom. Language is not merely a vessel for communication but a repository of collective human experience, values, and philosophical traditions. Not all speakers of a language are equally adept at capturing and transferring cultural wisdom, let alone doing so across languages. A translator must thus develop a heightened sensitivity to the cultural weight carried by words, particularly in proverbs, idiomatic expressions, and literary texts.

2.1 Translating wisdom: Beyond words to cultural heritage

Translating cultural wisdom requires an approach that goes beyond literal equivalence. Wisdom is often embedded in metaphors, historical references, and social norms that may not have direct parallels in another language. To maximize accuracy and validate cultural wisdom, translators employ several strategies:

- *Contextual adaptation:* Some culturally rich expressions have no direct equivalent in the target language. Instead of direct substitution, translators must find conceptually similar idioms or provide contextual adaptation that conveys the same cultural significance.

- *Annotations and footnotes:* Providing explanations for culturally specific wisdom can enhance the reader's understanding. This is particularly important in translating classical or philosophical texts.

- *Collaboration with subject matter experts:* Translators often work alongside historians, philosophers, and anthropologists to ensure the depth of meaning is retained.

- *Balancing foreignization and domestication:* As per Venuti's [2] framework, translators must decide whether to preserve the foreignness of a text (foreignization) or make it more accessible to the target audience (domestication). This decision plays a crucial role in transmitting cultural wisdom accurately.

By addressing these challenges, translators not only preserve the linguistic elements of a text but also safeguard the deeper layers of cultural heritage encoded within it.

2.2 Cultural context

The cultural context in which a text is produced is a fundamental factor that influences how it should be translated. Translation does not occur in a vacuum; rather, it is embedded in specific cultural, historical, and social contexts that shape the meaning of a text. As House [3] argues, translation involves more than just transferring linguistic meaning—it requires an understanding of how language is used to express cultural identity, values, and social norms.

Cultural context plays a crucial role in the translation process, as words and phrases often carry cultural connotations that cannot be directly conveyed in another language. For example, idiomatic expressions, humor, and metaphors can present significant challenges for translators, as they may not have direct equivalents in the target language. Furthermore, the translator must be sensitive to how the text will be received by the target audience, considering cultural differences in worldview, customs, and social practices.

The concept of "foreignization" versus "domestication" [2] exemplifies the different ways in which cultural context can influence translation decisions. Foreignization retains the foreignness of the source text, introducing the target audience to unfamiliar cultural elements, while domestication adapts the text to the cultural norms and expectations of the target audience. This decision often involves a delicate balancing act, where the translator must carefully consider the cultural significance of the text in both the source and target cultures.

Thus, understanding cultural context is an essential aspect of the translation process, as it enables the translator to mediate between languages and cultures while preserving the meaning and intent of the original text.

2.3 Real-life cases: Translating words, building bridges

In translation studies, real-life cases are often used to illustrate how translation serves as a bridge between cultures, facilitating communication and understanding. While these examples can be illustrative, they should be framed within a theoretical context to show how they exemplify the role of the translator as a cultural mediator. A well-known example is the translation of religious texts, such as the Bible, which has been translated into countless languages over the centuries. The translation of the Bible is not only a linguistic task but also a cultural and theological one, as translators must navigate the complex cultural and religious contexts of both the source and target communities [4].

Another example can be found in literary translation, where translators are tasked with conveying the esthetic, emotional, and cultural dimensions of a text. The translation of literary works, such as those by Haruki Murakami, presents unique challenges, as translators must capture the nuances of the author's style while ensuring that the cultural references resonate with the target audience. Murakami's works often contain references to Japanese culture, history, and social norms that may be unfamiliar to readers in other parts of the world. Translators must carefully decide how to either explain these references or adapt them to fit the target culture without losing their significance.

These examples help us better understand how translators mediate cultural differences and facilitate cross-cultural dialog. The next section will address the humanizing aspect of translation, highlighting the personal and emotional dimensions of the translator's work.

2.4 Humanizing translators: The stories behind the words

Translators have historically been viewed as invisible, often relegated to the background of the texts they produce. However, the translator's role is much more than a mechanical conversion of words; it involves an intricate process of cultural negotiation and emotional engagement. As Cronin [5] suggests, translators are not passive agents but active participants in the creation of meaning. This humanizing aspect of translation is essential, as translators bring their own cultural perspectives, experiences, and emotions to the work.

The emotional and human dimensions of translation are particularly evident in the translation of literature, where the translator must capture not only the linguistic meaning but also the tone, mood, and emotions of the original text. This is a deeply personal process, as translators must engage with the text on an emotional level to accurately convey its nuances. For example, when translating poetry, a translator must not only focus on the words but also on the rhythm, sound, and emotional impact of the poem, which requires a deep understanding of both the source and target cultures [6].

Moreover, translators often face ethical dilemmas in their work, as they must navigate the complexities of representing cultural differences without imposing their own biases. As Bhabha [1] points out, translation is an act of cultural negotiation, and translators must be sensitive to the power dynamics at play in the translation process. The translator's identity, cultural background, and personal experiences inevitably influence the way they approach the translation task, making the process both a linguistic and a deeply human endeavor.

Thus, the humanizing aspect of translation highlights the emotional, ethical, and personal dimensions of the translator's work. Translators are not merely linguistic experts; they are cultural mediators who bring their own humanity to the task of bridging cultures.

3. Historical foundations

The role of the translator as a cultural mediator is not a recent development but a historical constant. From antiquity to modern times, translators have played a pivotal role in bridging different civilizations, facilitating communication, and disseminating knowledge. As we examine the historical foundations of translation, we begin to see that translators have always been mediators, navigating the delicate balance between linguistic accuracy and cultural adaptation.

Historically, translators were not just linguistic experts but key figures in cultural and intellectual exchanges. For example, during the Islamic Golden Age, scholars translated Greek philosophical texts into Arabic, which allowed Western ideas to filter into the Islamic world and, in turn, were later translated into Latin and disseminated throughout Europe, influencing the Renaissance [7]. Similarly, in China, translators worked to make Buddhist scriptures accessible to the Chinese-speaking world, adapting the texts to fit the cultural and religious context of their audience [8].

These examples show how translators have historically been cultural mediators, bridging diverse worlds and making foreign knowledge comprehensible and relevant to new audiences.

In contemporary translation studies, scholars like Lawrence Venuti [2] and Michael Cronin [5] have emphasized the need to understand the historical roots of translation as a cultural act. Translation has always been an essential part of the cultural exchange that allows societies to understand one another, and this historical perspective can provide us with a deeper appreciation of the translator's role as a cultural mediator.

3.1 Religious texts: Bridging spiritual worlds

One of the earliest and most significant roles of translation was in the dissemination of religious texts. Translating sacred scriptures such as the Bible, the Quran, and the Bhagavad Gita allowed religious knowledge to spread across the globe, often facilitating intercultural dialog and the development of shared beliefs. Religious texts are not just linguistic entities; they are deeply imbued with cultural, spiritual, and historical significance. Translating them requires a profound understanding of both the original and the target culture's religious beliefs, practices, and values.

A notable example is the translation of the Bible into Latin by St. Jerome in the fourth century, which laid the foundation for Christian theological thought in the Western world. However, it was not just a linguistic act—it was a cultural negotiation. Jerome's translation decisions were shaped by his own religious and cultural context, and his work continues to influence modern translations [4]. Similarly, the translation of Buddhist scriptures into Chinese, which began in the early centuries of the Common Era, was a key element in adapting foreign religious ideas to Chinese thought and practice [8]. These examples underscore the idea that translating religious texts is not only about fidelity to the original language but also about recontextualizing the messages for new cultural and spiritual environments.

By examining the historical role of translation in the religious context, we gain a deeper understanding of the translator's role as a cultural mediator—someone who not only conveys the meaning of a text but also adapts its cultural significance for a new audience.

3.2 High-stakes diplomacy: The Camp David Accords

In the twentieth century, translation continued to play a key role in high-stakes diplomacy. One of the most famous examples of this is the translation of the Camp David Accords in 1978. This peace agreement between Egypt and Israel, brokered by U.S. President Jimmy Carter, required careful and precise translation to ensure that the delicate negotiations were accurately conveyed to all parties involved. Misinterpretations or mistranslations could have had serious political consequences, potentially derailing the entire peace process.

In the case of the Camp David Accords, translators not only had to be experts in language but also had to have an acute awareness of the political, cultural, and historical contexts of the parties involved. They were tasked with conveying not only the literal meaning of the words but also the diplomatic intent behind them. The translators had to navigate sensitive political language and ensure that the negotiations were understood and accepted by all sides, which required a high level of cultural sensitivity [7].

This case illustrates the importance of translation in high-stakes diplomatic situations, where cultural and political nuances must be carefully negotiated. It highlights the translator's role as a mediator of not just language but also of complex cultural, social, and political dynamics. The work of translators in such contexts often goes unnoticed, but it is vital to ensuring that communication is clear, accurate, and effective.

4. Translation in the modern era

The role of translation in the modern era has evolved dramatically, influenced by globalized communication, technological advancements, and an increasingly multicultural world. In the contemporary landscape, translators are faced with new challenges and opportunities, not only in bridging linguistic gaps but also in navigating complex cultural contexts. Case studies from literature, media, and technology provide valuable insights into how translation continues to function as a bridge between cultures in the modern world.

Modern translation practice is no longer solely confined to the linguistic transfer of words from one language to another. As Cronin [5] argues, it also entails the mediation of cultural, social, and political meanings. Translators are tasked with ensuring that messages are not only linguistically accurate but also culturally appropriate for diverse audiences. The following case studies illustrate the evolving role of translation in the modern era, showcasing its impact on literature, media, and technology.

4.1 Literature and global reach: The case of Haruki Murakami

One of the most prominent examples of translation's role in literature is the global reach of Japanese author Haruki Murakami. His novels, often imbued with elements of magical realism, existentialism, and contemporary Japanese culture, have been translated into dozens of languages and have found a worldwide audience. The success of Murakami's works in non-Japanese-speaking countries underscores the pivotal role of translators in introducing non-Western literary traditions to a global audience.

Translating Murakami's work is a complex cultural negotiation. As Venuti [2] notes, translators are often forced to make decisions that balance fidelity to the original text with the cultural expectations and conventions of the target language. Murakami's writing, which is deeply rooted in Japanese cultural references, idioms, and social contexts, requires translators to not only convert the language but also reframe these elements in a way that resonates with readers from diverse backgrounds. Translators like Alfred Birnbaum and Philip Gabriel have faced the challenge of maintaining the unique voice of Murakami's characters while adapting the cultural context to make it comprehensible and engaging for international readers.

This case study exemplifies how translation in the literary world is not simply about conveying meaning but about culturally adapting narratives to ensure they resonate across different social, political, and cultural contexts. It highlights the translator's role as a cultural mediator who helps facilitate the global spread of literary works while negotiating cultural boundaries.

4.2 Media and entertainment: The localization of Studio Ghibli films

In the world of media and entertainment, one of the most significant translation challenges is the localization of films, particularly those from non-Western countries

aimed at global audiences. A prime example of this is the work done on the films of Studio Ghibli, the renowned Japanese animation studio. Films such as *Spirited Away*, *My Neighbor Totoro*, and *Princess Mononoke* have been translated and localized for audiences around the world, playing a key role in introducing Japanese animation to a global audience.

Localization goes beyond translation by addressing cultural differences and adapting content for the target audience's cultural norms, values, and expectations. As O'Hagan [9] points out, this process involves much more than just language conversion; it includes changing cultural references, humor, and even visual elements to ensure that the film resonates with the target audience. For instance, in the English-language versions of Ghibli films, translators often modify culturally specific references, such as food, holidays, or societal norms, to make them more accessible to Western viewers.

Through these localization efforts, Studio Ghibli has been able to preserve the essence of Japanese culture while also making its films relatable to diverse global audiences. This case study underscores how translation and localization serve as powerful tools for cultural mediation, facilitating cross-cultural communication and understanding.

4.3 Technology and the digital age

The rise of digital technologies has fundamentally reshaped the practice of translation. One of the most significant developments in the modern era has been the advent of machine translation tools, such as Google Translate, which promise to bridge linguistic gaps instantaneously. While these tools offer a convenient way to translate text and speech in real-time, their impact on cross-cultural communication remains complex.

Google Translate, for instance, employs statistical algorithms and neural machine translation to produce translations. However, while it can translate phrases and sentences quickly, it often struggles with the nuances and subtleties of language that require a deeper cultural understanding. As Bauman and Briggs [10] argue, translation is not just about words but also about the cultural meanings embedded within those words. While machine translation can facilitate basic communication, it often falls short in contexts where cultural nuance plays a critical role. For example, idiomatic expressions, humor, and references to local customs or traditions are often lost or misinterpreted in machine translations.

Despite these limitations, Google Translate and similar tools have played an essential role in facilitating cross-cultural communication, especially in situations where human translators are not available. The technology has allowed people from different linguistic backgrounds to communicate in real-time, breaking down barriers and opening up new avenues for global dialog. However, this case also highlights the continued need for human translators who can navigate the complexities of cultural mediation—something that machines have not yet mastered.

5. Challenges and ethical considerations in translation

Translation is a complex, multifaceted process that involves not only linguistic competence but also ethical decision-making. Translators are often tasked with navigating delicate cultural, social, and political landscapes, which can pose significant

challenges. As translation has evolved into a cultural and ethical negotiation, the translator's role as a mediator between languages and cultures has become increasingly important. Translators must balance the tension between fidelity to the source text and the need for adaptation to the target culture, while also considering power dynamics, representation, and ethical concerns.

The ethical challenges faced by translators are influenced by a variety of factors, including political and ideological agendas, the sociocultural context of the text, and the demands of the target audience. This section explores key challenges and ethical dilemmas faced by translators, including the tension between fidelity and adaptation, issues of power and representation, and the impact of technology on translation practices.

5.1 Fidelity vs. adaptation: The translator's dilemma

One of the most enduring ethical dilemmas in translation is the tension between fidelity to the original text and the need for adaptation to the target culture. The question of whether a translator should remain faithful to the source text or adapt it to the cultural and linguistic norms of the target language is central to many debates in translation studies.

As Venuti [2] suggests, translators are often forced to make decisions that balance "foreignization" (remaining faithful to the source language and culture) and "domestication" (adapting the text to the target audience's cultural expectations). This dilemma is particularly evident in literary translation, where cultural references, idiomatic expressions, and humor may not have equivalents in the target language. In such cases, translators may have to decide whether to preserve the original meaning at the cost of cultural clarity or adapt the text to make it more comprehensible to the target audience.

This tension is illustrated in the translation of cultural works such as the *Mahabharata* or *The Divine Comedy*, where translators must decide whether to maintain the historical and cultural integrity of the original or adapt the narrative for modern readers. While some scholars argue that fidelity to the source text is essential for preserving cultural authenticity [11], others advocate for adaptation to ensure that the text resonates with contemporary readers [12]. The translator's decision ultimately shapes the way the target audience engages with the text, influencing both the ethical considerations and the cultural impact of the translation.

5.2 Power dynamics and representation

Translation is inherently political, and the act of translating often involves the negotiation of power dynamics. Translators are tasked with deciding which voices are heard and which are silenced, and their decisions can have profound implications for cultural representation. As Sapiro [13] argues, translation can either reinforce or challenge the power structures of the source and target cultures, particularly in cases where marginalized or minority voices are involved.

The representation of gender, race, and ethnicity in translation is a particularly sensitive area, as translators must navigate issues of bias, stereotyping, and cultural appropriation. For example, the translation of feminist literature, such as the works of Simone de Beauvoir or bell hooks, can raise questions about how gender and power are represented across cultures. Translators must make ethical choices regarding how to present the original text's feminist discourse while also ensuring that it aligns with the cultural norms and values of the target audience.

Furthermore, the translation of works from postcolonial contexts presents additional challenges. Translators must be aware of the historical and political implications of translating texts from formerly colonized nations. As Pym [14] notes, the translator's role in these contexts goes beyond linguistic competence; it requires an awareness of the power structures that shape the translation process and the ability to navigate these dynamics responsibly.

5.3 The translator's identity and the politics of translation

The identity of the translator plays a significant role in shaping the translation process. As translators are often positioned as cultural mediators, their own personal, cultural, and political identities can influence how they approach translation. This has led to debates about the politics of translation and the extent to which translators should remain invisible or engage with the text in a more visible, interventionist way.

One notable example is the translation of politically charged texts, such as works by authors in exile or dissident writers. Translators of such texts must be aware of the political ramifications of their work, as their translation choices may be scrutinized or criticized by both the source and target cultures. The decision to highlight or downplay certain aspects of the original text can reflect the translator's own ideological stance, raising questions about objectivity and ethical responsibility.

Some scholars, such as Berman [15], advocate for a more transparent approach, where translators openly acknowledge their presence in the text and the role they play in shaping its meaning. Others, however, argue that the translator should remain as invisible as possible, allowing the text to "speak for itself." The translator's identity and approach to the politics of translation are central to the ethical challenges they face, as these decisions can influence the cultural, social, and political impact of their work.

5.4 The role of technology in ethical translation

The advent of technology, particularly machine translation tools, has added a new layer of complexity to ethical issues in translation. While tools like Google Translate can facilitate fast, cost-effective translations, they raise concerns about the accuracy, reliability, and ethical implications of automated translation. As Loffredo and Perteghella [16] point out, machine translation often overlooks the cultural nuances that are essential for accurate translation, leading to the risk of miscommunication or misrepresentation.

Furthermore, the rise of machine translation has led to concerns about the commodification of translation, with the human element often being sidelined in favor of efficiency and speed. While machine translation can be a useful tool for basic communication, it cannot fully replace the nuanced, culturally sensitive decisions made by human translators. The ethical challenge, then, is to determine how to integrate technology into the translation process without compromising the quality and cultural integrity of the translation.

In this context, translators must navigate the tension between embracing technological advancements and maintaining the ethical standards of the profession. As O'Hagan [9] suggests, the future of translation lies in finding a balance between human expertise and technological innovation, where technology can assist translators while still respecting the cultural and ethical dimensions of the translation process.

6. Translation as a bridge for cultural dialog

While Section 2 focuses on the agency of translators, this section shifts to how translated texts themselves function as conduits for cultural dialog. A translated work, whether literary, religious, or philosophical, can extend the lifespan of cultural wisdom beyond its original linguistic boundaries, influencing new audiences and reshaping global conversations.

The role of the translated text in cultural exchange is particularly significant when considering texts that carry historical and philosophical significance. For instance, the translation of classical Persian poetry into English has introduced concepts such as *divine love (Ishq-e-Haqiqi)* and *self-awareness (Khudi)* to new audiences. These ideas, deeply embedded in Persian culture, have found resonance in the works of Western philosophers and poets, showcasing how translation fosters intellectual and spiritual cross-pollination.

Thus, this section highlights how translated texts act as independent agents in cultural mediation, shaping the intellectual and philosophical landscapes of different cultures. Through translation, wisdom transcends linguistic limitations, ensuring that ideas continue to inspire and enlighten across generations.

6.1 Facilitating cross-cultural communication

At its core, translation is a tool for facilitating cross-cultural communication. It enables individuals from different linguistic backgrounds to share ideas, experiences, and emotions, overcoming the barriers posed by language differences. In international diplomacy, for example, translation plays a central role in enabling communication between nations, ensuring that diplomatic negotiations can take place despite linguistic and cultural differences.

In literature, translation allows readers to engage with works from different cultures, broadening their perspectives and fostering empathy. The translation of works like Gabriel García Márquez's *One Hundred Years of Solitude* or Chimamanda Ngozi Adichie's *Americanah* opens up worlds that readers might never have access to otherwise, providing insight into the cultural, social, and historical contexts of the original text. In this way, translation becomes a tool for promoting cultural understanding and empathy, as it enables individuals to connect with the lived experiences of others.

6.2 Promoting mutual understanding and tolerance

Translation has the power to promote mutual understanding and tolerance by exposing readers to different worldviews and cultural practices. By presenting ideas and values from diverse cultures, translation can challenge stereotypes, debunk misconceptions, and foster a sense of shared humanity.

For example, the translation of works by authors from historically marginalized or oppressed communities, such as the works of African, Indigenous, or LGBTQ+ writers, can give voice to these groups and raise awareness of their struggles. Translators, in this case, play an essential role in giving these voices visibility in the global cultural conversation.

As Bhabha [1] emphasizes, translation also allows for a negotiation of meaning, as the translator works to mediate between cultures that may have different values and perspectives. In this negotiation, the translator can facilitate a more nuanced

understanding of cultural differences, moving beyond simplistic or reductive portrayals of "the other."

In the realm of international relations, translation can be instrumental in promoting tolerance and peaceful coexistence by fostering communication between conflicting parties. The translation of peace treaties, human rights documents, and conflict resolution literature can help to build mutual respect and understanding, laying the groundwork for collaboration and reconciliation.

6.3 The role of translation in the postcolonial world

In the postcolonial context, translation assumes a unique role in addressing historical power imbalances and promoting cultural equity. Translation, in this sense, is not just a linguistic task but a political one. The legacy of colonialism has often resulted in the marginalization of indigenous languages and cultures, and translation can serve as a tool for reclaiming and revitalizing these languages. As Said [17] notes, translation can challenge the hegemonic narratives imposed by colonial powers and provide space for alternative, indigenous voices to be heard on the global stage.

Postcolonial translation is particularly concerned with issues of power, representation, and cultural ownership. The act of translating texts from formerly colonized nations involves a conscious effort to resist the erasure of cultural identity and preserve the richness of indigenous knowledge systems. In this regard, translation plays a role in decolonizing knowledge and promoting cultural diversity.

Translators working within postcolonial contexts must be mindful of the historical, political, and ideological implications of their work. As Spivak [18] argues, the translator must resist the temptation to domesticate or simplify texts in ways that might dilute their original meaning or cultural significance. Instead, the translator must aim to preserve the integrity of the original text while making it accessible to a wider audience, thus contributing to the ongoing project of cultural decolonization.

6.4 The role of technology in facilitating cultural dialog

In recent years, technology has significantly impacted the way translation facilitates cultural dialog. With the advent of machine translation tools, online platforms, and real-time translation apps, the speed and efficiency of translation have increased, making it easier for people from different cultures to communicate in real-time. These technological advancements have the potential to democratize access to information and foster greater intercultural exchange.

However, as discussed earlier, technology alone cannot replace the human element in translation. While tools like Google Translate can provide quick translations, they often lack the cultural nuance and sensitivity required for effective communication. Therefore, human translators remain essential for ensuring that the cultural subtleties and ethical considerations are not lost in translation. In this sense, technology can complement human translation efforts, but it cannot fully replace the cultural mediation that human translators provide.

In the context of globalization, where people from diverse cultural backgrounds interact more frequently, the role of technology in translation is becoming increasingly important. By facilitating communication across linguistic and cultural boundaries, technology enables a more fluid exchange of ideas and information, contributing to a more interconnected and culturally aware global society.

7. Translation and cultural identity

Translation plays an integral role in shaping and expressing cultural identity. It serves as both a mirror and a window: a mirror reflecting the cultural values, beliefs, and norms of a particular community and a window offering insights into other cultures. As translation facilitates the exchange of ideas and narratives between cultures, it becomes a powerful tool in the construction and negotiation of cultural identity. This section examines how translation influences the formation and preservation of cultural identities, particularly in a globalized world where cultural boundaries are increasingly fluid.

Translation is often a medium through which cultural identity is preserved, particularly in the context of minority or endangered languages. It offers a means of transmitting cultural heritage across generations, ensuring that cultural practices, beliefs, and traditions are not lost in the face of globalization or cultural assimilation. At the same time, translation is an active process that shapes how a culture is perceived by others, influencing the ways in which it is represented and understood on the global stage.

7.1 The role of translation in constructing cultural identity

Cultural identity is constructed through a complex interplay of history, language, and social context. Translation plays a key role in this process by enabling the transmission of cultural narratives that shape collective memory and identity. Through translation, individuals can access the cultural stories, myths, and values of their own and other cultures, facilitating a deeper understanding of their place within the broader cultural landscape.

In postcolonial contexts, translation becomes a site of identity negotiation. As mentioned in the previous section, colonized peoples have often faced the erasure or distortion of their languages and cultural practices. Translation provides a means of recovering and reasserting these identities, challenging the dominant narratives imposed by colonial powers. Translators, in this sense, are not just linguistic experts but cultural activists who contribute to the preservation and revitalization of cultural heritage.

For instance, the translation of indigenous literature and oral traditions allows for the survival of these cultural practices in the face of language extinction. By translating such texts, translators help to preserve and share the rich cultural tapestries of indigenous communities, providing a platform for their voices to be heard globally.

7.2 Translation as a tool for preserving and revitalizing cultural heritage

In an era of rapid globalization, many cultures are at risk of losing their distinct identities due to the dominance of major world languages and cultures. Translation has become a critical tool for preserving cultural heritage, especially for minority languages and indigenous communities. Through translation, the cultural and linguistic diversity of these communities can be documented and shared with the world, helping to safeguard their legacies for future generations.

The translation of folklore, poetry, and traditional stories is one way in which cultures can preserve their unique cultural practices. For example, the translation of oral traditions in African languages or Native American languages helps to ensure that these important aspects of cultural heritage are not forgotten. As Pym [7] notes, translation is not merely about converting words from one language to another; it is a

means of preserving cultural memory and identity, ensuring that cultural traditions and knowledge systems continue to be transmitted across time and space.

Moreover, translation can play a pivotal role in revitalizing endangered languages. Through the translation of educational materials, literature, and cultural texts, translators contribute to the revitalization of languages that may otherwise be on the verge of extinction. The translation of these materials into global languages helps to create awareness of these endangered languages, fostering a sense of pride and value in preserving them.

7.3 The politics of translation and identity

While translation is a tool for cultural preservation, it is also a deeply political act. The politics of translation are concerned with who has the power to decide which texts are translated, how they are translated, and for what purpose. As translation scholars like Venuti [2] argue, translation is not a neutral process; it is shaped by power dynamics that reflect broader political, social, and economic structures.

In the context of cultural identity, translation can either reinforce or challenge dominant cultural norms. Translators are often faced with the dilemma of how to represent a culture faithfully while also making it accessible to a global audience. The translator's choices regarding which elements of a culture to preserve or adapt in the translation process can have significant implications for how that culture is perceived.

For example, the translation of works from marginalized or minority cultures often involves decisions about how to represent cultural practices, values, and beliefs that may be unfamiliar to the target audience. These choices are influenced by the translator's own cultural background, as well as the political context in which the translation takes place. In some cases, translators may be under pressure to conform to dominant cultural norms, leading to the erasure or distortion of the original text's cultural significance.

As translation becomes more intertwined with issues of cultural identity, the politics of translation become increasingly important. Translators must navigate the complex relationship between language, power, and identity, striving to preserve the authenticity of the original text while also ensuring that it resonates with the target audience.

8. The future of translation and cultural mediation

The role of translators has evolved significantly over the past few decades, and as technology continues to advance, this evolution shows no signs of slowing down. The future of translation is shaped by the intersection of human expertise and technological innovation. As machine translation tools and artificial intelligence become increasingly sophisticated, the question arises: What is the future of human translators in a world where technology can already perform many of the tasks traditionally reserved for them?

Translation, at its core, has always been more than just a linguistic task; it is also about cultural mediation. Translators not only convey the meaning of words but also navigate the cultural nuances, context, and ideologies embedded in those words. In this sense, translation is an inherently human endeavor, requiring empathy, cultural awareness, and a deep understanding of both the source and target cultures. While technology can assist in many aspects of translation, it is unlikely to replace the human touch entirely.

8.1 Technological advancements and their impact on translation

Technological advancements, particularly in machine translation (MT) and neural machine translation (NMT), have revolutionized the translation industry. Tools like Google Translate, DeepL, and other AI-driven platforms can now provide near-instantaneous translations, making cross-cultural communication faster and more accessible than ever before. These tools rely on vast databases of linguistic data to generate translations, and in many cases, they can produce translations that are functionally accurate, if not always culturally nuanced.

While these technologies have undoubtedly improved efficiency and accessibility, they also pose challenges. The most significant of these is the inability of machine translation systems to fully capture cultural context, tone, and emotion—elements that are essential in human communication. As translator training programs continue to incorporate technological tools, it is clear that the future of translation will require a balance between technological proficiency and the human skills that translators bring to the table.

For instance, machine translation can be an invaluable tool for quickly translating vast amounts of content, such as news articles or user-generated content. However, when it comes to more sensitive or culturally complex texts, such as literature, poetry, or diplomatic discourse, the role of the human translator remains indispensable. Human translators, as cultural mediators, possess the ability to interpret the deeper layers of meaning in a text, offering a richness and authenticity that technology cannot replicate.

8.2 The evolving role of translators

The role of the translator is evolving as the boundaries between languages, cultures, and technology continue to blur. In addition to their linguistic expertise, translators are increasingly expected to be cultural mediators, able to navigate complex political, social, and cultural landscapes. As the demand for cross-cultural communication grows, so too does the need for translators who can not only translate words but also contextualize them within specific cultural frameworks.

Furthermore, the rise of digital platforms and global communication has given translators a more visible and influential role in shaping the flow of information. Translators are no longer confined to the backrooms of publishing houses or government agencies; they are now central players in the global exchange of ideas. As global issues such as climate change, human rights, and public health require international cooperation, translators are becoming key figures in facilitating cross-cultural dialog and understanding.

In the future, the role of translators may expand beyond traditional linguistic tasks to include more strategic functions. Translators may become consultants for international organizations, advising on how best to navigate cultural differences and ensuring that communication is both accurate and culturally sensitive. As Pym [7] points out, the translator's role is not just about language but about positioning oneself within a global network of cultural exchange and influence.

9. Conclusion

The future of translation and cultural mediation will be shaped by the continuing interplay between human expertise and technological advancements. While machine

translation is becoming an indispensable tool for many types of communication, the need for human translators who can navigate the complexities of culture, emotion, and context remains critical. As the world becomes increasingly interconnected, translators will continue to serve as cultural bridges, facilitating understanding, cooperation, and dialog across linguistic and cultural boundaries.

In a globalized world, the role of translators as cultural mediators will only grow in importance. As technology continues to evolve, the profession will adapt, with translators embracing new tools and methodologies to enhance their work. However, the core mission of translation—to preserve, communicate, and mediate cultural identities—will remain unchanged. By striking a balance between technology and human expertise, the future of translation holds the potential to foster even deeper cross-cultural connections and understanding.

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Chapter 3

From Words to Worlds: Envisioning the Future of Translation

Abduh Almashy

Abstract

The contemporary practice of translation has evolved from a mere linguistic activity into a highly sophisticated system that interrelates with numerous disciplines, cultures, and identities while aiding communication. The role of translation included spreading knowledge, religion, and literature through civilizations. Nowadays, the incorporation of artificial intelligence (AI) and machine translation (MT) has both benefits and drawbacks. The concerns rest on whether ethnic sentiment, cultural authenticity, and the character of language, which is normally non-translatable, can still be maintained. This chapter analyzes the history of the development of translation, the theoretical discussions surrounding translatability, and the perennial relationship between human skill and modern technology. Moreover, this chapter illustrates the gaps and achievements of translation automation with focus on the use of machine intelligence in expression of ideas and contextual meanings that are dearly rooted in a culture. The geographical aspects of phenomena and the culturally embedded concepts with AI-driven translation enable non-linguists to approach translation work. On the other side, the humane post-processing tasks cover the spaces where the linguist stopped working: the translation as a piece of art instead of a word transformer. At its end, this chapter argues that the growing reliance on AI in translation will result in a captivating synergy of human imagination and machine efficiency in preserving cultural and linguistic diversity. The chapter concluded that though AI-based translating is useful for improving efficiency and accessibility, it still lacks cultural subtleties, emotional richness, and context-dependent meanings, which indicates the need for hybrid model.

Keywords: translation, machine translation, cultural authenticity, AI in translation, untranslatability, human translators

1. Introduction

The activity of translation has served a necessary role within any society as it allows for the transfer of knowledge and ideas as well as values among various cultures. It has evolved over the years, ever since ancient scholars tirelessly copied and interpreted various religious and philosophical writings when language barriers existed on the horizon. Today, as societies automate language processing using artificial intelligence, the expectations and needs of any individual have been accepted and

understood. Translation plays an essential role in diplomacy, trade, literature, science, and technology, bolstering the culture as well as human thought in the world and evolution as a whole.

In its essence, translation should not be viewed as a simple and straightforward process of changing one word for another within a structure of two languages. On the contrary, it is a complicated sophisticated action of interpretation that involves transferring the sense, the tone of voice, and even the emotions that were blended within the scope of the social, historical, and cultural scenarios of the two languages. Each language and culture contain specific meanings and idioms that, on face value, are simple, but for the sake of translation, are complex and do not have appropriate counterparts. This is why translation is not only an intricate process, but also a creative one that needs more than just linguistic mastery. Empathy, cultural awareness, and deep contextual consciousness are vital in undertaking such a task.

The last few decades have seen major shifts in how translations are done owing to the development of artificial intelligence and machine learning. Tools such as DeepL and Google Translate have integrated neural machine translation (NMT) in their systems, allowing for effortless translation of texts due to these softwares' capabilities of identifying patterns in massive quantities of texts. Even though the evolution of technology has impacted many areas in translation, the ability to translate a language that requires context and emotion—like humor, metaphor, irony, or even the feeling behind the words—often leads to inaccuracies. Machine translation is particularly useful when translating jargon or objective texts, but falls short when faced with culture-bound expressions, deeply metaphorical references, or context-sensitive phrases.

The growing dependency on machine translation brings forth concerns regarding its impact on human translators. Some are concerned that the expansion of automated translation tools will supplant human skill, thereby shrinking the market for professional translators. Others, however, believe that instead of sidelining humans, AI is transforming the function of a translator from one of text reproduction to one of greater abstraction levels such as a post-editor, cultural mediator, or a quality assurance specialist. In other words, rather than just language converters, translators are becoming interpreters who take the output of a machine translation and refine it to ensure coherence, accuracy, and cultural sensitivity.

This chapter revolves around the history of translation, the current theoretical debates on translatability, and the interactions of human and machine translation. It considers how translation has transformed from a manual, word-for-word task to a technologically advanced one requiring not only language skills but also digital literacy. It also examines ethical issues of AI translation, including bias, misrepresentation, and the extinction of regional languages. In consideration of these themes, this chapter seeks to answer the question of what the future of translation will be, setting up a scenario of a human-driven-machine-assisted hybrid model.

In the end, translation is still a necessary aid in a world that is becoming more connected but still split by differences in languages or culture. Be it for a work of literature, scientific research, legal documents, or even diplomacy, translation is important in promoting cooperation between nations. As technology develops further, the challenge will be to find a balance between effectiveness and realness by making sure that translation does not simply change words, but captures the essence of the rich culture, emotions, and context involved in communication.

2. The historical and conceptual evolution of translation practices

Through the years, translation has gone through drastic changes owing to human culture, philosophy, and technology, and its scope keeps expanding with time. The use of translation in the past was restricted to the interpretational movement of religious and legal texts, but today it encompasses an interdisciplinary scope that integrates literature, technology, philosophy, and even globalization. The history of translation differs from age to age owing to the constant change in translation priorities such as for early literal translation accuracy of words, dynamic equivalence later on, and now in modern time, machine or technology-assisted translation. In this section, I will focus on the expansion of translation with changing theories, different milestones, and the debate of flexibility around the source and target texts.

2.1 Translation industry before the eighteenth century: Faithfulness and literally translation

Earlier attempts at translations, mostly focused on the sacred, legal, or political, aimed at returning to the original as closely as possible. The translation of sacred texts, including the Greek version of the Old Testament known as the Septuagint, illustrates the primacy given to theological and doctrinal accuracy. Words were to be followed exactly; missing the original meaning was blasphemy and untruthful. The spirit of interpreting or altering the text was not encouraged, nor was it translated verbatim, as it was assumed that the words would come out with a different meaning and would compromise the authoritative or spirited significance of the passage.

To add, literally translating and modifying the text was believed to make a change to its authority or spirit. These ancient translators overcame a great deal of meaning during the effort of translation [1]. Arabic, Greek, and Latin dialects had different grammar, culture, idioms, and references to civilization. This makes the rendered copies ambiguous. The monk's work in classical Greek philosophy gave shape to the new civilization, which was then taken over by Muslims, who translated and made copies in Arabic. While, Western European knowledge prevailed over Latin knowledge during medieval times, which was dominant.

Even though translation was literal to a fault, the earliest attempts established the basis of intercultural communication, which was later built upon. These translations made it possible for ancient societies to access scientific, mathematical, and philosophical knowledge from other regions, which, in turn, affected the Renaissance as well as the Enlightenment. However, changes in the cultural and literary traditions resulted in greater demand for re-interpretation and scope for new methodologies of translation that included sophisticated fidelity.

2.2 The shift toward dynamic equivalence and contextual translation

In Renaissance and Enlightenment times, translations were no longer treated as mere reproduction of the source text. With the revival of classical knowledge and expansion of literature, it became common practice to use phrases that better fit the context of a culture rather than translating them word-for-word. The function of the translator in society as a person of understanding emerged in response to the growing production of literature across languages.

An idea that greatly contributed to this approach was Nida's dynamic equivalence, described in the twentieth century. According to that, the desired result of a translation should be similar to what was accomplished by the original in relation to the target audience [2]. This principle was most pronounced in the literalistic translations of the Bible, which were done with an unhealthy form of literalism. In contrast with the machine-like approach of oversimplified word-for-word correspondence, Nida's concept was more nuanced in appreciating the essence, passion, and cultural significance of the excerpt to be translated.

The move toward the contextual translation became equally important in literature and philosophy, which involved the preservation not only of meaning but also of style and rhetoric. The translations of literary works by poets and writers such as Goethe or Pope were concerned with the esthetic aspect of the original text. It was during this time that the notion of translating a text as an artistic thing brought forth the possibility of changing the form of a sentence, but powered by meaning rather than rule-bound.

Venuti developed the debate even more with his defense of foreignization vs. domestication [3]. Foreignization gives the translator the freedom to keep certain aspects of the source culture. This will make readers encounter some differences between the language and the culture. Conversely, domestication modifies a text so that it conforms with the standards of the given audience, which helps in comprehension, but may lose the core of the content. This argument has not been resolved, and most probably it will also influence the practice of translation which is done in the context of literature and philosophy, which need more attention in the preservation of culture.

2.3 The broadening of translation scope: Oral traditions and multimodal communication

Oral translation is also very important, especially when dealing with people from different cultures who do not share a common language. Interpreters have traditionally enabled diplomacy, trade, and other forms of intercultural contacts by translating and relaying spoken information between different language speakers. The earliest forms of interpretation performed by court translators in ancient empires, like the Persian and Ottoman empires, were crucial in promoting international relations and economic contact.

The use of translation technologies, which began in fifteenth-century Europe, was assisted by the invention of printing, which made printed texts much easier to obtain. Further, the availability of translated works helped spread information and knowledge throughout the continent, and students and scholars in different parts of Europe were able to read works that were once locked in certain languages. Translations of scientific literature during the period of the Scientific Revolution greatly aided in its advancement as the ideas stemming from Arabic and Greek sources became accessible to people who read Latin and various other languages.

Translation today encompasses far more than the written word. It includes audiovisual and all other forms of multimodal communication. Localizing video content, be it subtitling, dubbing, or even video game localization, presents challenges as linguistic accuracy must be met with constraints of time, attitude, and cultural references. Increased digitalization and globalization of entertainment have created a surge in demand for translators with expertise in different areas of communication, culture, and entertainment to make the enriched content suitable for different audiences while still maintaining its original message.

2.4 The role of translation in establishing cultural and political identities

Translation is an action with consequences—not neutral. It has, from the outset, been intricately interwoven with the processes of culture, politics, and ideology. In precolonial times, translation was routinely practiced for the sake of keeping and controlling culture. Take, for example, colonial translation in which dominant languages were forced upon and indigenous languages were made to be "non-acceptable." Take, for example, the British colonial rule in India, which used translation as a means of effective governance but led to the obliteration of indigenous languages and systems of knowledge.

Civilization continues to evolve at an unprecedented pace. Correspondingly, translation remains of paramount importance in relations, politics, human rights, and law advocacy. From providing multilingual support in many diplomatic meetings, professional interpreters and translators are now crucial to the functioning of the organization. In addition, the growth of global journalism and digital activism has made translation even more important due to social media and coverage needing delicate and precise translations to cater to various audiences.

Can you imagine a world in which translation is always the same? This reality would mean that translation reaches a rigid approach to interpretation. When countries face broad cultural or intellectual changes, they must deal with an ever-evolving translation method that does not come with strict guides. Translation has come from an early system that attempted to emphasize faith in sacred and legal text to the dynamic adaptation of every piece of art, meaning, and culture. Right now, translation is at the crossroads of global, digital, and technological advancements. The rise of AI-powered translation devices now poses questions of new challenges and limitations. With every new device, the tasks and responsibilities of a human translator fundamentally change.

Ultimately, translation serves greater functions than linguistics. It acts as a connective tissue between civilizations, a facilitator of migration, and an instrument for the reimagining of history. With the continual advancement of technology and the growth of globalization, the translation field will, and has, undergone changes to help maintain the link between languages and culture.

3. The era of digital reforms, the use of AI, machine translation, and its disruption

The field of translation has undergone a fundamental shift during the digital revolution owing to the introduction of AI and MT. Translation today is increasingly done by machines as opposed to humans in the past. Unlike today, where professional linguists use computers and neural networks, translation was done with intuition, culture, and language expertise. Humans faced new hurdles, and now they face newer and more sophisticated ones.

AI-based technologies have led the development of MT systems from weak, basic, and very unreliable tools to sophisticated technology capable of processing and transforming artistic, metaphorical, and complex sentences into different languages. Although the advancement, there is still a gap in fully comprehending human's intuition, cultural, and contextual understanding. This section examines the emergence of AI-driven machine translation, its effectiveness, its set deficiencies, and the ever-growing need for professional intervention to assure accurate translations for different cultures.

3.1 From rule-based systems to neural machine translation

The development of machine translation can be traced back to the 1950s, when computation systems sought to automate the translation process by using rule-based approaches. These systems are referred to as rule-based machine translation (RBMT) systems. These systems would define specific rules, lexicons, and grammar structures that facilitated the translation of text from one language to another. While RBMT performed adequately for simple translations, it did not interpret idioms, syntactical differences, and contextual meanings appropriately.

However, a fundamental shift occurred with the advent of statistical machine translation (SMT) in the late 1900s and early twenty-first century. Unlike RBMT, which relied on linguistic rules, SMT leveraged large databases of bilingual corpora. It is best exemplified by Google Translate, which in its first version sought to optimize translation precision through the use of probabilities, not rules. Although it allowed for more freedom and flexibility in translations, the output from SMT was frequently uncomfortable and unaesthetic, especially in languages with complicated grammatical forms.

Neural machine translation (NMT) epitomizes the most significant achievement to have been realized in the area of machine translation. NMT was first introduced in the 2010s with the advent of Deep Learning. NMT makes use of artificial neural networks to process entire sentences as opposed to single phrases or words [4]. NMT models, like those of Google Translate, DeepL, and Microsoft Translator, use enormous datasets to learn and thus offer fluent and contextually relevant translations.

Unlike previous models, NMT captures meaning at the sentence level, context, and improves fluency, which makes the process remarkably smooth. Even so, there is a shortcoming. It performs exceptionally well with ordinary texts; however, it fails to perform similarly with specialized domain content, sophisticated language in literature and legal documents, or culturally sensitive materials. Additionally, all systems of machine translation suffer from the biases or errors that exist in the training set, as the quality of the end product is wholly dependent on the quality of the training data.

3.2 The challenge of untranslatability

Cultural Authenticity and Emotional Depth Translation systems still have difficulties dealing with some references that embody the cultural context of their people, and emotional depth, regardless of the advances made in NMT. Certain phrases, idioms, and concepts that exist in one language are unique and do not have any direct equivalents in another language, which makes the challenge even harder.

For instance, words like "wabi-sabi" from the Japanese culture and "Schadenfreude" from the German language have deeper meanings in culture that, through direct translation, could not be conveyed. Similarly, expressions such as "tarab" (Arabic) and "Dharma" (Sanskrit) also lose their richness in other languages like English [5].

Even though AI translation services have improved in vocabulary and syntax, they still have big difficulties with untranslatability of perceptual and cognitive human concepts, which stem from culture and mental linguistics. To give context, the phrase "This is the last thing I want to do" in the English language indicates strong reluctance or dislike. Yet, when it is translated into Chinese, Japanese, or Korean, AI would do it word by word and often convey a sequential meaning, where a list implies actions rather than dislike, which AI preprogrammed systems do not understand. As it

stands, AI models depend too heavily on statistical probabilities and word mappings. This makes it impossible to understand and cater to underlying thought processes in different languages. Context, sentiment, and cognitive granularity are things that AI systems like ChatGPT cannot comprehend the same way a human would, making it much easier for a person to step in and bridge the comprehension gaps that resist AI models. This difficulty reveals the degree of human assistance required in AI-powered translation systems, especially where statements have underlying emotions, sarcasm, or informal phrases that are too straightforward in nature for a literal translation.

These nuances, which differentiate culture from culture, are often overlooked by AI focusing on statistical correlation or linguistic structure. While providing approximate translations, AIIQ does not have the cultural knowledge to understand the deeper meaning present within some expressions.

This issue contributes heavily to a literary piece's translation, which largely depends on metaphors, allegories, and other stylistic features. Novels or poems that are well put together in terms of translation require more than accuracy of words, but rather capturing the essence of the work, which needs tone, rhythm, and artistic intent. AI is incapable of providing proper translations since the emotional and psychological components that the text contains will not be met.

With its current capabilities, AI will fail time and time again at accurate translation due to the lack of recognition and understanding of the emotions, feelings, and psychology involved in the text. This further demonstrates the clear dependence humans face when dealing with the current limitations of any machine learning model, with nuances of comments, metaphors, and any form of implied context. Thus, AI/machine cannot ultimately replace human translations.

In addition, the attributes of humor act as one more reason that makes AI advanced translation systems very difficult to develop. Jokes, puns, and cross-language wordplays are too sophisticated to be performed on the basis of just phonetic similarities, double meanings, or even historical references. A good joke in any given language may make no sense or be totally ignored if translated directly. While human translators have the ability to adjust humor to the audience's cultural setting, technology attempts to translate language, and the result is usually awkward or nonsensical.

3.3 The role of human in machine-assisted translation

Post-modern AI-driven translation systems demonstrate astonishing advancement, but remains unable to efficiently deal with a translation's quality, accuracy, and cultural nuances, which deeply rely on a human expert. Although AI processes text in bulk and in record speed, it fails to have the instinct, context, and morality that a human has [6].

One of the key aspects of a human in the digital world of translation is and should be over-editing, which is defined as the modification of a machine translation by a human who attempts to correct the difference between the result and the intended final version, taking into consideration readability and cultural aspects. Over-editing is a crucial part of a translation in legal, medical, or even technical spheres.

For instance, legal texts have particular vocabulary and intricate phrases that need an advanced comprehension of law. A translation done by a machine can achieve the essence of a legal document, but it does not capture the legal nuances behind some of the terms. The same applies to translation in medicine, where the use of the wrong terminology or incorrect instructions on dosages can have drastic effects. In these examples, humans are essential to ensuring that AI-produced

materials are compliant and safe by adjusting and authenticating the machine-generated content.

Moreover, human interpreters act as intercultural delegates; the accuracy of the translation is solely based on its acceptance by the particular culture. In marketing and advertising, for example, there is a practice known as transcreation, where the company does not expect a straight translation of the content, but a creative substitution of the content. A good piece of transcreation conveys the meaning and associated feelings of the message but makes it appropriate for the targeted audience.

A significant case of transcreation is the advertisement story "Come Alive with the Pepsi Generation." When translated into Chinese, it literally said, "Pepsi brings your ancestors back from the dead," which made no cultural sense. The marketers worked around the slogan to present the idea of vibrancy and youth in a manner that appealed to the Chinese audience. In the same vein, McDonald's "I'm Lovin' It" has been changed to suit different languages, and instead of direct translation, there is local referencing and emotional appeal. Such instances go to show how transcreation processes are implemented so that the impact and relevance of messages are not lost in translation.

In addition, there are cases when translation systems that utilize AI can make errors based on the training they received. It has been shown that some automated translation systems tend to perpetuate certain gender biases by using masculine pronouns for people in authority and feminine ones for those in the household. Efforts are currently being made by interpreters and researchers in order to widen the scope of the available evidence to eliminate these assumptions, as opposed to setting rules for artificial intelligence construction and development.

3.4 Finding the balance between technology and creative translation

The development of machine translations shows that the future of translation may embrace a blended model where the use of AI technology is combined with the creative and culturally savvy services of a human translator. In this scenario, AI will not replace human workers, but will augment their skills, enabling them to work more productively and concentrate on higher-level linguistic and interpretive tasks.

The use of interactive AI-powered translation tools, like computer-assisted translation (CAT) software, helps to facilitate the use of AI tools by translators as they remain in control of the output. Those tools also make suggestions, assist in the resume, and streamline the workflow system to save time and provide uniformity in large translation tasks.

Also, collaborative models of translation like crowdsourcing translation platforms (e.g., TED translators and Wikipedia translation projects), use human skills supplemented by the power of AI to improve industry efficiency. These models harness the wisdom of crowds in professional translation and multilingual volunteering to improve machine translation output.

4. The scope of translation continues to broaden: Multimodal and cross-cultural characteristics

Text-based communication is no longer the only thinking area for translation. With the continuous increase in technology, globalization, and digitalization, translation extends to various modalities such as audiovisuals, interactive media, and

real-time conversation. The world has also become more integrated, which led to an increase in the need to adapt culture, where translation is more than taking words from one language and replacing them with words from another but rather ensuring that the culture and context is appropriate.

It is evident that the world as a whole has become more complex in terms of communication, which presents opportunities and challenges to translation. Multimodal translation, specifically, where various media formats (text and speech, images, and video) are combined, has unique considerations such as the need to expand the traditional linguistic boundaries. In addition, translation enables the fostering of cultural interactions, concern for ethics, and diversity. This unit discusses the broadening scope of translation in this digital era with special attention on cross-cultural communication and its integration with digital technology and other media.

Not only does complex multimodal translation integrate speech, photographs, and videos, but also subtitles and dubs. Such a strategy requires adaptation that goes beyond the mere words. In The Legend of Zelda, localization teams adapt character's dialogs, sound effects, as well as visuals to different cultures. To elaborate, the Japanese version uses indirect speech and honorifics, while English versions tend to be far more direct and straightforward. A similar approach is employed in animated films, where lip-syncs and the relative voice tones and cultures are translated for consistency. The use of AI-generated voiceovers with the automatic text generation integration with adaptive localization techniques expands global accessibility and whilst enhancing the traditional boundaries of a single translation.

4.1 Translation beyond text: Audiovisual and digital media

As of today, translation has expanded beyond books and other written documents to include a wider variety of audiovisual and digital media. The development of global entertainment, the Internet, and other forms of interactive technologies has made it obligatory to adapt content in a fashion that goes beyond simple word-for-word translation.

4.1.1 Subtitling and dubbing

One of the most common practices of multimodal translation is the adaptation of films, television programs, and video content available on the Internet. These adaptations can be done through the use of subtitles or dubbing. These two methods serve different objectives and employ different forms of translation strategies.

Subtitling, as the word suggests, involves the translation of dialog from other languages to the language of the caption displayed at the bottom of the screen. While viewers are given the opportunity to listen to the audio, these translations are provided in real-time text format. Unlike normal translations, subtitles have to be brief because of time and space limitations on the display. These subtitles are much more summaries than full translations. Moreover, cultural and humorous references along with idiomatic expressions need to be modified so the intended audience can comprehend them.

Dubbing refers to the replacement of the original audio with a voiceover in a different language. Unlike subtitling, dubbing is more demanding because there has to be a synchronization of the translated speech as well as the lip movements of the character being portrayed on screen. This is further complicated because translation has to ensure that the new dialog captures the intended meaning and is also visually timely.

Both techniques have their own hurdles. As for subtitling, there is the struggle of losing tone and emotion, while for dubbing, there is the chance of encapsulating a different performance than intended. The primary concern when choosing between the two modes of translation is the audience—for example, the Nordic countries tend to prefer subtitles, whereas the culture in Spain and France is more toward dubbing.

4.1.2 Video game localization

An example of modern translation is the localization of video games, which consists of transforming interactive content for users in different regions. Unlike regular video translation, video game localization extends beyond the text and also entails the dialogs and text of the characters in the game such as when translating, the retention of characters' speech, humor, and tone is crucial so that the end users are entertained [7]. While user interface (UI) elements in translations play a large role in menus, instructions, and settings, usability should not be compromised. Additionally, cultural references and symbols such as certain symbols, gestures, or themes may be modified to suit the particular culture.

A singular gameplay element can be accepted in one country's culture and be considered inappropriate or offensive in another country's culture. A well-known example of localization is when portions of the "Legend of Zelda" series franchise were localized to Western audiences, and almost all of the religious imagery featured in the Japanese versions was left out or changed for Western audiences to prevent controversies.

4.1.3 Interactive and AI-powered media

The plethora of options in the field of multimodal translation has also increased due to the development of artificial intelligence and real-time translation tools. Their implementation of AI-powered speech comprehension and speech synthesis makes them capable of performing real-time language translation, such as with virtual assistants like Siri and Google Assistant, and with real-time meeting transcription services that provide live translation like Zoom. These technologies build on communication between people speaking different languages, but they still need human intervention to provide accuracy and contextual appropriateness.

4.2 Ethical and social implications of translation

The translation process should not solely be perceived as technical because it involves ethical, political, and social issues. For instance, how cultures are represented or knowledge is disseminated may depend on the way the translation is processed and how power relations operate in global politics [8].

4.2.1 The representation of culture and ethics

The most complicated ethical issue in translation is arguably the cultural representation issue. Within the process of translation, whether it is literature, cinematic representations, or history, there are always biases and filters put in place by the translator. Because of that, there are cases where the intended meaning is not only distorted, but is misrepresented in a way that may further promote stereotypes while ignoring culturally significant aspects or details.

Western translations of classical Chinese and Japanese literature, for instance, have at times softened some of the characters' behaviors or facial expressions to make them palatable to the English audiences. In extreme examples, the translated material is no longer authentic because it does not conform to the believed social values and norms of the original culture.

Classic Chinese and Japanese literature has undergone multiple translation processes that, in many cases, including cultures like Western ones, have transformed the original meaning entirely. To clarify, the translation of The Tale of Genji within its English variants adapts a plethora of romance-infused details along with emotional subtleties from the source language to a more Western-apt interpretation. Almost similarly, western translations of Lü Xun's pieces, heavily criticized through a social scope and laden with revolutionary undertones, were disguised in a more bland neutral context to conform with western standards. In other instances, the translation process is not solely one-sided. Western books get translated into Eastern languages like Chinese and Japanese, and they are heavily reliant on political and sociocultural issues. In one of Orwell's most notable works, Animal Farm, the political intricacies of the Western world were deliberately disguised to hide the contempt toward the dominant force. The bard of Avon's dramatic works were also interpreted in the Japanese language, and in this case, was accentuated with the absurd view of the Japanese normalized dialect being molded around honorific forms. All these cases prove how the act of transforming a language into another one is not as simplistic as it sounds, especially in the case of translating different cultures into different languages.

In these kinds of issues, modern translation theory is trying to counteract it through advocating for cultural fidelity. The need to ensure that the target audience receives the source material, but also to preserve the source is very important. The idea of foreignization versus domestication (put forward by Lawrence Venuti) is at the center of this paradigm where foreignization attempts to keep the text intact while domestication uses means of making the text familiar to the audience.

4.2.2 Linguistic inequality and the digital divide

Translation is equally bound to the problem of "linguistic inequality" in which global languages like English, Chinese, and Spanish have a greater digital and academic presence than minority languages which fail to find space.

One solution regarding AI translation linguistic bias would suggest a combination of multilingual AI training techniques where machine learning models are taught using diverse sets of data, including low-resource languages. Efforts such as Google's AI-powered translation for endangered languages and YouTube's AI automated subtitle translation feature are helpful in increasing accessibility. Also, governments and linguistic societies may encourage supportive policy action by financing initiatives that build language preservation databases and AI models for minority languages. Combining human expertise and AI offers a better hope of closing the gap and providing fair use and representation of languages in translation.

Machine translations that depend on vast datasets tend to be more accurate for widely spoken languages, but often fail to provide adequate translation for less frequently spoken languages. This creates a digital divide. The imbalance caused by the digital divide can severely adversely affect speakers of less frequently spoken languages who may already struggle to find adequate information and education in their language.

This imbalance is being rectified with initiatives such as volunteers helping translate content into relatively lesser used languages is known as crowdsourced translation (for example, efforts done for Wikipedia), training AI with diverse datasets to use for machine translation so that algorithms are able to perform across different languages, and legislative and organizational support aimed at preserving languages by encouraging multilingualism in educational, media and political contexts.

4.2.3 The role of translation in social justice

In social justice movements, translation is vital in the documentation of human rights, legal aid resources and even crisis communication. Humanitarian organizations need translators to convey important messages to refugees, people affected by disasters, and marginalized communities.

In addition, translation has helped the unprivileged communities to be heard. The translation of indigenous literature, oral history, and the political activism materials captures the greater culture, which gives visibility and recognition. An important instance of preserving indigenous history for the global populace is the Mayan K'iche' epic *Popol Vuh* which was translated into Spanish and English. In the same regard, the Endangered Languages Project focuses on translating oral histories from marginalized communities so that their cultural heritage does not vanish. In political activism, the anti-apartheid movement was mobilized to the globe through the translation of Nelson Mandela's voice, his speeches and letters. These examples portray how translation works to the advantage of us, the unprivileged by giving us a space in history, literature and politics.

In this context, translation transcends the function of a linguistic instrument to that of empowerment and advocacy.

4.3 The future of multimodal and cross-cultural translation

The modernization of technology means that translation will be fused even more with artificial intelligence, automation, and other forms of interactivity. Efficiency can be improved with the use of AI, but the authentic human service is paramount when it comes to cultural issues and ethics.

There are new approaches to translation that include the use of real-time AI-based tools or devices for translation: Google's Pixel Buds device and AI-powered real-time subtitling in video calls serve to widen access, virtual and augmented reality translation applications such as Augmented reality gadgets may enable translation of menus, street signs, and other texts in real life situations. Additionally, ethical artificial intelligence for working on the issue of bias within AI and translation.

5. The future of translation: Human-machine collaboration

The advancement of translation technology rests in the balance of human skill, and the power of machine, *via* artificial intelligence (AI) and machine translation (MT). In as much as AI, as well as, neural machine translation (NMT) enjoy a substantial leap in the speed and easiness of use, human translators continue to be relevant in the provision of context, culture, and emotional examination. Instead of

eliminating the need for human effort, AI is modifying the activities of human translators, compelling them to perform tasks like editing, quality control, and cultural mediation.

As technology continues to develop, it is uncommon to find a professional translator who does not rely on a machine. The integration of human and machine translation from artificial intelligence systems changes the dynamic in which transcending borders is achieved through the minimization of time, sweat, as well as, imprecision, while retaining the delicate aspects of human analyticity and creativity alongside ethics, compassion, and conscious morality, gives birth to a new era. This part investigates how sociocultural changes, emerging technology, collaborative approaches, and artificial intelligence are bound to impacts the roles for human translators, language diversity, and global communication.

5.1 Human translators as culture analysts and commentators

AI translation tools lack an understanding of a specific culture's context, traditions, and emotions. Human interpretation is required as language extends beyond mere words, envelopes historical, social, and ideological significations that are deeply attached that are often difficult to comprehend.

For example, idioms, humor, and poetic phrases frequently lack counterparts in other languages. A human translator can deal with these elements, AI, however, might generate either misleading or overly literal translations. That emphasizes the work of human translators acting as cultural mediators who help integrate both linguistic and cultural barriers, ensuring that the translation is not only accurate, but also fully captures the essence of the message [9].

5.2 Self-directed and community-based models of translation

Neither AI, nor any other system, will translate the world single-handedly. A combination of human knowledge and machine intelligence will shape these models. Some of these features include AI delivering swift, initial translations.

Human aides improving, authenticating, and situating the content within context. This practice is already established in several translation agencies and institutions where drafts produced by AI are polished by specialists to achieve the desired level of quality and precision.

The emergence of digital systems is translating into a more fragmented approach to translation. Translations that are done by volunteers have proven to be very important in promoting inclusivity and accessibility for all people, and so, community translation is a very important form of translation. Voluntary translation adopts a multilingual approach to content creation on platforms such as Wikipedia, TED, and Duolingo, inviting participation from users across the globe.

The advantages of crowd sourced translation are speedy output as community engagement ensures that some projects, especially if large in scale, can be executed within a short time, broader representation of languages as there is more focus on peripheral and vulnerable languages, reduced costs as budget-restricted organizations stand to benefit more from such pooled efforts [10].

Despite the benefits, there are still issues such as maintaining quality and reliability over time. Most of these crowd-sourced projects use peer review and AI-assisted validation to guarantee trustworthiness.

5.3 Social justice and translation: A linguistic perspective

5.3.1 Translation through AI for languages with minimal users

A significant challenge in AI-powered translation is the emphasis on dominant languages like English, Spanish, and Mandarin. Most indigenous and minority languages remain unsupported, which results in poorly known languages being less accessible. This, in turn, causes a lack in translated content which creates a lesser-known linguistic digital divide.

In the case of Japan, the exclusion of indigenous resources is exemplified by the Ainu language which does not have adequate digitized resources making AI's translation almost impossible. This scenario parallels the invisibility existing in the digital sphere among several Native American languages such as Cherokee and Navajo which are provided for online education and government services. The absence of translation aid for many African languages, like Wolof and Xhosa, further accentuates the gap. In response to this challenge, some initiatives like Google's Noto Fonts Project or Mozilla's Common Voice aim to construct AI-compatible datasets hoping that minority languages will receive greater attention for use in technology.

This problem is being addressed by expanding the machine learning training to focus on more diverse datasets AI training: Lifting the restriction model on lesser-known languages. While, translators and some activist's initiative work by giving effort into translating more texts into indigenous languages [11]. Additionally, policies coming from the governments and NGO support helps in creating digital multilingualism policies. For case in point, inclusivity discriminately applies toward Google's AI branch, who is launching work onto NLP (Natural Language Processing) models for African and South Subcontinental languages.

5.3.2 Translation ethics for AIs

Concerns regarding a lack of bias, inaccuracy, and cultural difference, particularly arise with the wider scope of AI usage in the translation work. Some AI systems reinforce a stereotype where a doctor is assumed to be male and a nurse is shifted to being female. The pre-existing social inequalities are the training data that leads to this bias.

To address these problems, experts are working on finding and fixing cases of discrimination in automated translations, preparing a framework that ensures compliance with equity and diversity policies, inclusiveness, and fairness in AI systems, and ensuring that the nuanced cultural aspects of diversity in the region is taken into account during the translation process.

5.4 Prospects for development of AI translation software

5.4.1 Devices with AI assistance for instantaneous translation services

The advancements in artificial intelligence and the speed at which processes are carried out in real-time are paving the way for the creation of devices which will enable users to communicate in different languages without any hindrance. Some of the developing technologies are:

Wearable translation devices: AI enabled headphone products like Google Pixel Buds provide the feature of translating in real time.

Speech-to-text translation using AI: Zoom and Microsoft Teams have added live multilingual captioning for online meetings.

Augmented reality (AR) translation: The use of mobile phones to instantly translate documents and signs is done using certain apps.

While these devices broaden accessibility to non-speakers of English, more work is required to transform the complexities of grammar, idioms, and tone into these advanced tools.

5.4.2 The functionality of blockchain technology and other systems of translation that are not centralized

The translation of certain texts through the use of specific devices can be done without the use of a computer, and without the need to turn in the completed project to a middleman who controls it. The quality of the document is determined by the community who had access to it. Such models exist in the blockchain technology that is being developed. Through blockchain, a marketplace for translations that is based on the technology has been proposed, where freelance translators can directly take on work without the need of a middleman, have clearer control over payments and ownership of their work, have community-based decentralized quality control, and by spending less time performing basic tasks, translators could be compensated fairly, while the precision of machine translations could be enhanced.

5.5 The future is collaborative between humans and technology

The potential for the future of a translation does not come down to an individual's being or a machine's existence, but rather the integration of both. In the same way, AI-powered systems will improve speed and accessibility; the human role will still be required for providing nuances specific to cultures, quality, and authenticity. Important points for the future of translation include AIs will supplement, not substitute, human translators, and automated processes will be accompanied with human support in equal measure. Apart from this, systems built to translate will prioritize ethical issues related to Ukraine post-war reconstruction development. Active involvement of other cultures will always be brand marks that identify exceptional translation. Remember that some of this is capable of such inclusiveness and utility that it begs to be replaced. Keep in mind the importance of translation that is constructive in nature, but such systems are approachable to the service that translator is in the process of creating marking instructions that help agile teachers mark enormous amounts of students. Do not forget the translation that is comprehensible and basic in nature, but such systems are straightforward for the service that translator is in the process of creating marking instructions for teachers marking huge amounts of students.

The mentioned methods of translation referred to as traditional or canonic translation method based on human labor individually, being culturally sensitive, and providing paraphrastic literacy by a translator claim to provide synthesis insight, interpretation, and deep translation which is very useful in literary works, legal documents and prejudicial communication being very sensitive to time and context. Nevertheless, human translation is the slowest, most expensive form of translation and is the least scalable. It can often be inaccessible for large projects that need to be completed urgently. By contrast, the twenty-first century brings with it AI-powered tools such as Google Translate or DeepL which offer amazing speed, low cost and

provide ease of access to speakers and readers of different languages which can be most useful for technical work, business communication and in dealing with real-time communication. Still, AI suffers in context, idiom or emotionally charged material, and the way the translation is embedded in culture which results in the wrong translation devices and sets of meanings for example with machine translation from one language to another used in diplomacy or marketing slogans for products which were never used in other nations.

An AI integrated with human input for enhancement and contextualization at the end is by far the best example. It pre-processes expenditure and combines heavy workload processing at a fraction of the time. For instance, the most productive format is one whereby AI makes a first attempt to translate subtitles for Netflix shows because people have to ensure that cultures are appropriately viewed and that audiences pay attention. Likewise, large corporations have internal communications that need to be translated fast, that is handled by the AI and then human translators work on legal and branding documents to ensure there is no loss and alteration to the intended meaning of the message. This relationship clearly proves the argument made in this chapter; the innovations in technology, in particular with machine translation, do not mean that humanity is thrown out. Instead, it is a call to action to pursue the perfect blend of human and machine integration in order to get the best possible result in every aspect of an endeavor.

6. Conclusion

The advancement of translation has shifted from a slow manual, word-for-word procedure to utilizing sophisticated AI tools. These advancements have improved speed, scale, and the scope of outreach as more users from different linguistic regions are able to access the translations. Regardless, the efficiency of neural machine translation (NMT) is astonishing, but it will never be able to match the intricacies of human thought, emotion, and culture. Problems concerning untranslatability and ethical biases fortified the deep abnormality of based culture imaginary machines known as human translators that blended these cultures, accurate, and competent. The disguised authenticity of translated content is replaced by a mechanical process of word substituting using automation technology without context.

In the future, translation stands to gain the most by working under a hybrid model, which is a combination of human skill and automation for productivity and precision. Nevertheless, the continuous acceleration of globalization integration makes cross-cultural exchange very important for diplomatic, business, social, and literary concerns. The future promises that translation will not set humans against technology, but rather work hand in hand, where machines will carry out monotonous wordings while people give attention to context, meaning, and other ethical undertones.

Additionally, people will be able to communicate in different languages far more efficiently as real-time AI-based translators improve. Still, no machine will be able to equate with a human translator's empathetic sociolinguistic acceptance, ethical duty, and profound interpretation. These are not mere technical processes; translation is an anthropological act of cross-cultural communication that allows the world to talk, share, and above all, keep ideas, customs, and stories alive across languages and through time.

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Conflict of interest

The authors declare no conflict of interest.

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Chapter 4

From Dream Man to Hào Hoa: Masculinity in the Vietnamese Translation of Popular Fiction

Van-Trao Nguyen and Tuan Nhat Nguyen

Abstract

This chapter explores how translated Chick Lit serves as a cultural site for negotiating contemporary masculinities in Vietnam. Focusing on the Vietnamese translations of selected English-language Chick Lit novels, the study examines how representations of male characters are reshaped through linguistic choices, idiomatic adaptations, and tonal shifts. The analysis centers on three thematic domains: traditional masculine ideals and moral expectations, emotional expression and vulnerability, and the negotiation of gender roles in romantic relationships. By comparing source and target texts, the chapter demonstrates that translation is not merely a linguistic transfer but a culturally embedded act that reconfigures masculinity in ways that resonate with Vietnamese norms of humility, resilience, and public decorum. Ultimately, the study highlights how translated Chick Lit contributes to the broader dialogue on gender identity, emotional labor, and relational expectations in an era of global cultural exchange.

Keywords: Chick Lit, gender representation, Vietnamese translation, popular fiction, descriptive translation studies

1. Introduction

Translation plays a vital role in the global circulation of literature, fostering cross-cultural exchange and introducing new ideas, values, and genres into the target culture. As Even-Zohar argues, translation contributes to the development of the literary and cultural system by importing unfamiliar discourses that may influence local norms and worldviews [1]. In Vietnam, the translation of Irish Chick Lit—an emergent subgenre of women's popular fiction—has found particular resonance among young, urban female readers navigating shifting gender roles, consumer culture, and romantic expectations in a post-Đổi Mới context. These translated texts offer more than literary entertainment; they function as cultural artifacts that introduce alternative scripts of femininity, masculinity, and relational behavior into the Vietnamese social imaginary. For instance, Irish Chick Lit often portrays emotionally expressive

male protagonists and independent female leads, subtly challenging Confucian-rooted ideals of male stoicism and female self-sacrifice [2]. While not overtly feminist in the academic or activist sense, translated Chick Lit contributes to an evolving feminist discourse in Vietnam by presenting postfeminist values—such as emotional autonomy, romantic agency, and self-actualization—as aspirational and attainable. These representations help reframe women's lived experiences, encouraging readers to question inherited gender roles and imagine alternative models of empowerment. In this way, Chick Lit translation becomes not only a vehicle for cultural adaptation but also a catalyst for social reflection, influencing how young Vietnamese readers negotiate love, identity, and ambition in an increasingly globalized society. The genre's accessible language, humorous tone, and emotional relatability make it a key site for engaging with modern subjectivity and redefining the boundaries of gender discourse beyond literary studies.

While many studies focus on how women are portrayed in these stories, the way male characters are represented is also an important part of their appeal. In Western popular fiction, male protagonists are often shown as intelligent, well-educated, emotionally open, and morally grounded—traits that support the personal development of the female lead. In other cases, male characters may appear unreliable or emotionally immature, drawing attention to differences in maturity or values [3]. These portrayals stand in contrast to the male characters found in traditional Vietnamese literature, who are often shaped by Confucian ideals such as emotional restraint, patriarchal duty, and familial responsibility. The emotionally expressive, supportive, and romantically involved male protagonists of Irish Chick Lit disrupt this familiar model by offering alternative masculinities that are more egalitarian and emotionally attuned. When translated into Vietnamese, these characterizations are not merely transferred—they are interpreted and recontextualized in ways that may resonate with, challenge, or recalibrate local gender expectations. As such, the translation of Chick Lit does generate cultural impact: it introduces Vietnamese readers—particularly urban women—to new ways of imagining romantic partnership, male emotionality, and gender equality. While not radical in a political sense, these texts expand the horizon of Vietnamese feminist discourse by normalizing postfeminist ideals such as emotional openness, mutual respect, and autonomy within relationships. The popularity and accessibility of translated Chick Lit, therefore, enable it to act as a soft cultural force, subtly contributing to how modern Vietnamese femininity and masculinity are imagined, negotiated, and lived.

Translation is not merely a linguistic operation; it is fundamentally an act of cultural mediation. Every translation entails a series of interpretive decisions about which meanings, values, and social norms to retain, adapt, or reframe for the target audience. In this way, translation becomes a powerful site where cultural ideologies—especially those surrounding gender roles—are negotiated. This chapter positions cultural translation as its central analytical lens, arguing that the Vietnamese versions of Irish Chick Lit do more than reproduce foreign stories; they reshape understandings of masculinity, femininity, and intimacy in ways that resonate with local moral frameworks and social expectations. The translation of Chick Lit thus becomes a dialogic process, one that not only transmits global gender imaginaries but also participates in reconfiguring gender discourse within contemporary Vietnamese society.

This chapter addresses a gap in the existing literature by exploring how translated Chick Lit presents masculinity to Vietnamese readers. Using a thematic approach, the study draws on ideas from feminist translation theory and gender studies to examine how male characters are portrayed and how those portrayals are adapted

through translation. By analyzing selected translated texts, the chapter aims to show how translation influences the way masculinity is interpreted and received in a new cultural context.

2. Popular fiction and Chick Lit

Popular fiction has been defined in various ways, often depending on the context in which it is discussed. According to New Keywords: A Revised Vocabulary of Culture and Society, the term "popular" can refer to something widely appreciated and well-liked, a commercially driven product created by mass media, a counterpoint to elite or high culture, or a form of culture generated by and for ordinary people [4]. At its core, popular fiction refers to literary works that appeal to a broad readership by engaging with real-life issues through imaginative storytelling. As such, it is commonly associated with escapism, offering entertainment and temporary relief from everyday pressures [5]. Cawelti [6] identifies two key features of popular fiction: conventions and inventions. Conventions refer to recurring elements that reflect specific cultural and historical contexts—such as stereotyped characters, familiar plot structures, and recognizable themes—which provide readers with a sense of predictability and comfort. In contrast, inventions are creative elements that introduce novelty through fresh characters, plots, or stylistic innovations. Together, these elements allow popular fiction to remain both accessible and dynamic, satisfying readers' expectations while also offering new perspectives.

Within the broader category of popular fiction, Chick Lit has emerged as a prominent subgenre. It typically focuses on the lives of single women in their twenties and thirties as they navigate personal and professional challenges. Joanne Hollows [7] characterizes Chick Lit as literature centered on female protagonists seeking personal fulfillment within a framework of romance, consumer culture, and humor. Milestone and Meyer [8] further note that the genre explores themes such as sexuality, relationships, work-life balance, body image, and moral decision-making, reflecting the lived realities of contemporary women. The publication of Bridget Jones's Diary in 1996 marked a turning point in the genre's global popularity, although the term "Chick Lit" was coined earlier by Cris Mazza in 1995 to challenge mainstream representations of women's writing [9]. Despite its success, the label remains contested. While the term "Lit" may suggest literary value, it is sometimes used pejoratively to imply that such works lack the seriousness of "high" literature. Similarly, "chick" may be interpreted as either diminishing or empowering, depending on context [10]. Nonetheless, the genre's sustained commercial success and broad readership suggest that it continues to resonate with diverse audiences.

Several characteristics account for Chick Lit's popularity. The genre often blends realism with humor, depicting flawed but relatable heroines who grapple with issues such as identity, career pressures, dating, and self-worth. Unlike traditional romance fiction, where the narrative centers on finding a lifelong partner, Chick Lit embraces a more open portrayal of modern relationships, including multiple romantic experiences and a focus on personal growth [11, 12]. These narratives frequently highlight women's agency, suggesting that empowerment stems from individual choices rather than conformity to traditional gender roles. Instead of being passive recipients of male attention, female protagonists in Chick Lit actively shape their own romantic and professional destinies. The genre's engagement with realism also allows it to address a range of intersecting issues—such as class, race, consumerism, and

feminism—that reflect the broader social landscape in which women live. Whelehan [13] argues that such stories provide reassurance and solidarity to readers experiencing identity-related struggles by normalizing their challenges within a wider community of experience. Over time, Chick Lit has expanded beyond its initial audience of young, white, urban women to include a wide variety of readers. This expansion has led to the development of numerous subgenres, including lad lit, hen lit, ethnic lit, church lit, bride lit, and work lit [11], illustrating the genre's adaptability and global relevance. While Chick Lit has been criticized for perceived superficiality or overemphasis on consumer culture, its role in reshaping representations of women in popular fiction is significant. It has contributed to a more diverse and nuanced portrayal of female experiences, blending entertainment with reflection on contemporary social issues. Importantly, these shifts in the portrayal of femininity are often accompanied by evolving depictions of masculinity. Male characters in Chick Lit are constructed in ways that either challenge or reinforce traditional gender norms, offering alternative models of male behavior and identity. As these texts are translated into other languages and cultures, the representation of masculinity becomes a key site of negotiation. Understanding how these gendered portrayals are adapted for Vietnamese readers through translation can shed light on the broader cultural and ideological processes at work—a question this chapter explores in the sections that follow.

3. Representation of masculinity in Chick Lit

The representation of masculinity in Chick Lit serves as a narrative and ideological counterpart to its female protagonists, reflecting broader cultural shifts in gender norms and relationship dynamics. Unlike traditional romance fiction, which often portrays male leads as dominant, emotionally unavailable, or mysterious, Chick Lit offers a more nuanced and diversified portrayal of men. These male characters frequently embody a mix of conventional masculine traits—such as professional success and charisma—and qualities historically associated with femininity, including emotional expressiveness, domestic competence, and relational sensitivity [11]. This departure from rigid gender stereotypes aligns with postfeminist values that emphasize emotional depth, gender equality, and authenticity in interpersonal relationships.

Burns [14] identifies six recurring traits of "acceptable masculinity" in Chick Lit: physical attractiveness, career competence, an air of mystery, emotional vulnerability shaped by past hardship, domestic skills, and unwavering romantic commitment. These features reshape the archetype of the romantic male lead, presenting a figure who is both aspirational and emotionally accessible. Rather than serving merely as a reward or obstacle in the heroine's journey, the male character is increasingly constructed as a supportive partner who contributes meaningfully to her growth. More importantly, Chick Lit challenges traditional gender hierarchies by portraying men as capable of emotional complexity and self-reflection. Gill [15], in her analysis of postfeminist masculinity, observes that male protagonists in contemporary popular fiction are often shown grappling with insecurities, societal expectations, and shifting relational roles. This internal conflict adds depth to their characterization and moves the genre beyond simplistic dichotomies of dominance versus submission. However, the portrayal of masculinity in Chick Lit is not uniform. Rudin [3], in her comparative study of Western and Israeli Chick Lit, notes that the characterization of male figures varies depending on narrative outcomes. In stories culminating in a romantic resolution, male leads are often emotionally stable and idealized. In contrast, narratives that

do not end with lasting commitment tend to depict men as immature or emotionally unavailable. This dichotomy reinforces the genre's emphasis on female self-discovery, suggesting that failed relationships serve as a catalyst for the heroine's personal development. Chick Lit also reflects evolving models of partnership. Ferriss and Young [11] argue that the genre reconfigures romantic relationships as mutual and egalitarian, rather than hierarchical. Male characters frequently support the heroine's ambitions and validate her independence, reinforcing the notion that modern relationships are built on shared emotional labor and respect. Whelehan [13] expands this perspective by situating Chick Lit within larger feminist debates about gender roles, arguing that these male portrayals mirror contemporary anxieties and expectations surrounding masculinity in the context of shifting gender relations.

Despite these progressive shifts, it is important to consider how such representations are mediated through translation and received in different cultural contexts. While Chick Lit promotes more inclusive and balanced depictions of masculinity, the transfer of these ideals into cultures with distinct gender norms—such as Vietnam—raises questions about cross-cultural legibility and adaptation. For example, traits such as emotional vulnerability or domesticity may be interpreted differently in cultures influenced by Confucian values, where masculinity is traditionally associated with self-restraint, authority, and family responsibility. As such, translation becomes a site of negotiation, where the source text's vision of masculinity may be preserved, softened, or reinterpreted to align with local expectations. In summary, masculinity in Chick Lit is a fluid and evolving construct that reflects and contributes to ongoing cultural debates about gender and relationships. While the genre retains elements of romantic tradition, it also disrupts and redefines them through more complex and equitable portrayals of male characters. When these texts are translated, the representation of masculinity becomes subject not only to linguistic transfer but also to cultural reinterpretation—an important consideration that this chapter explores in the Vietnamese context.

4. Masculinity and Chick Lit in a Vietnamese context

Masculinity in Vietnam is shaped by a complex interplay of historical, cultural, and socioeconomic influences. Rooted in Confucian ideology, traditional Vietnamese masculinity emphasizes hierarchical gender relations, male authority, and responsibility for maintaining familial and social stability [16]. Within this framework, men are expected to embody moral virtues such as humility, sincerity, trustworthiness, and self-discipline. More specifically, Confucian philosophy upholds five cardinal virtues that form the ethical foundation of a virtuous man: benevolence (nhân), righteousness (nghĩa), propriety (lễ), wisdom (trí), and trustworthiness (tín) [17]. These ideals are central to how masculine identity has been traditionally evaluated in both family and society. Alongside moral expectations, there are also enduring social standards for a man's appearance and professional status. A respectable Vietnamese man is expected to present himself with composure, modest dress, and physical restraint, avoiding emotional display in public. Professionally, men are still widely expected to secure stable employment, serve as financial providers, and uphold the family's social standing—especially within urban and educated classes [18]. However, these traditional conceptions of masculinity are being challenged by the rapid modernization and globalization that have taken place since the Đổi Mới economic reforms. Su [17] observes that economic restructuring has led to increasingly divergent expressions

of masculinity across social classes. Among middle- and upper-class men, there is a growing acceptance of dual-income households and recognition of women's economic contributions. In contrast, working-class men often continue to aspire to a single-income model, holding fast to the ideal of the man as sole provider. This divergence reflects broader social tensions between established gender norms and emerging egalitarian ideals. At the same time, transformations in masculinity intersect with shifting attitudes toward power, vulnerability, and emotional expression. Gammon [18] notes that the visibility of women's empowerment has prompted varied responses from Vietnamese men. Some resist these changes, perceiving them as a threat to their traditional status. Others respond adaptively, renegotiating their domestic and professional roles to align with evolving expectations. An et al. [16] further highlight the cultural association of masculinity with endurance and social resilience—often expressed through high-risk behaviors such as excessive alcohol consumption—which discourages emotional openness and reinforces hypermasculine ideals. These tensions become particularly visible when Vietnamese readers encounter alternative models of masculinity in translated literature, especially in genres like Chick Lit. Chick Lit offers a stark contrast to conventional Vietnamese portrayals of men by depicting male characters who are emotionally expressive, domestically competent, and supportive of women's autonomy [14]. Rather than asserting control over the heroine, these characters often accommodate her aspirations and participate in egalitarian romantic partnerships. They embody traits such as vulnerability, emotional intelligence, and a willingness to adapt—qualities that challenge the Vietnamese ideal of male stoicism and moral authority.

From a translation perspective, these portrayals of masculinity present both opportunities and challenges. The process of translating Chick Lit into Vietnamese involves more than linguistic conversion; it also requires navigating cultural expectations around gender. Translators, editors, and publishers may face pressure—implicit or explicit—to adjust depictions of male characters to align with local norms. Choices related to tone, word choice, dialogue, and behavior can subtly reshape the portrayal of masculinity to make it more familiar or palatable to Vietnamese audiences. As such, translation becomes a site of cultural negotiation, where the values embedded in the source text may be softened, reframed, or resisted in the target context.

These dynamics raise important questions about the reception of Chick Lit in Vietnam. How do Vietnamese readers interpret and relate to emotionally expressive male characters? To what extent do translated texts retain or modify the postfeminist ideals embedded in the originals? While empirical data on reader reception remains limited, the act of translating these texts itself offers insights into the ways globalized gender norms interact with local traditions. In a nutshell, as gender roles in Vietnam continue to evolve, Chick Lit—and its translation—offers a unique lens through which to examine shifting constructions of masculinity. These texts not only present alternative models of male identity but also provoke dialogue about the boundaries of acceptable gender behavior. The translation of Chick Lit into Vietnamese does not simply reproduce foreign ideals; it actively participates in shaping the discourse around masculinity, gender equality, and emotional expression in contemporary Vietnamese society.

5. Representation and translation

Representation is broadly understood as a communicative process that seeks to depict or describe people, ideas, and experiences through written, spoken, or visual

means [19]. It shapes meaning by influencing how individuals, groups, and social constructs are perceived. As Tymoczko [20] explains, representation encompasses various dimensions: acting or speaking on behalf of others, portraying subjects in particular ways, visual or artistic depiction, and even internal cognitive constructs formed through perception. It may also include formal expressions of opinion, such as political or institutional communication. Importantly, representation is never entirely neutral. Both Webb and Tymoczko emphasize that it is shaped by language, images, and context and always reflects underlying perspectives, values, and ideologies [20]. As Milestone and Meyer [8] argue, representation is not simply a mirror of reality; it actively constructs meaning and reinforces societal understandings. Tymoczko further notes that representation is embedded in preexisting discourses that guide how the represented subject is framed. It also carries ethical and ideological weight, often serving to support, question, or challenge dominant social narratives. In this light, the representation of masculinity in Chick Lit is not merely a matter of character design or plot structure. It reflects both the author's perspective and broader societal attitudes toward gender. From a social constructionist viewpoint, masculinity is not a biologically determined trait but a set of behaviors, roles, and expectations shaped by culture and context [21, 22]. Literary portrayals of men thus participate in constructing and reinforcing particular models of masculinity. In Chick Lit, these models tend to diverge from traditional archetypes, favoring emotionally expressive, supportive, and egalitarian male characters over dominant, stoic figures.

When Chick Lit is translated into Vietnamese, the process of representation is extended into the intercultural domain. Tymoczko [20] describes translation as one of the oldest and most influential forms of intercultural representation. It is not only a linguistic operation but also an act of cultural negotiation, wherein meaning is adapted for a new audience. In this context, translation becomes a site where gender norms are reinterpreted, questioned, or reinforced. The translator's choices—ranging from lexical selection to characterization and dialogue—can significantly alter how masculinity is constructed and understood in the target text. This process raises critical questions: To what extent is the gender representation in the source text preserved in translation? How do translators reconcile the tension between the values encoded in the original text and the expectations of the target audience? Bassnett [23] emphasizes that translation facilitates cross-cultural understanding by mediating literary and social differences. Hatim [24] likewise assert that translation attempts to relay an act of communication shaped by a different cultural and communicative purpose. Yet these acts of mediation also involve inevitable shifts in meaning, especially when the source and target cultures differ significantly in their understandings of gender. Pym's concept of text belonging in Translation and Text Transfer is particularly relevant. He argues that every text is rooted in a specific cultural and historical context and carries meanings that may not easily transfer across cultures [25]. When Chick Lit is translated into Vietnamese, the representation of masculinity is inevitably reshaped by differences in social values, publication timelines, and literary conventions. These changes can be better understood through Toury's [26] theory of translation norms, which views translation as a practice governed by historically and culturally specific expectations of what is "appropriate" or "acceptable." Toury defines norms as the transfer of a community's general values into performance instructions, guiding translators on how to adapt texts in ways deemed culturally fitting [26]. In this study's context, the representation of masculinity in translated Chick Lit can be conceptualized as a norm-governed synthesis of two conflicting models: (a) Conventional Masculinity: Grounded in Vietnamese ideals of male authority, restraint, and social responsibility.

(b) Modern/Postfeminist Masculinity: Influenced by Western literary trends that promote emotional openness, domesticity, and egalitarian relationships. The extent to which these models coexist, blend, or conflict in translated Chick Lit reflects broader cultural tensions between preserving traditional gender roles and accommodating globalized, progressive ideals. Through this lens, translation becomes not just a tool for transferring narratives but a powerful cultural mechanism that actively participates in shaping perceptions of masculinity in Vietnam.

6. Research methodology and analysis procedure

This study adopts Descriptive Translation Studies (DTS) as its primary theoretical framework for analyzing the translation of masculinity. As discussed in previous sections, the representation of masculinity in Chick Lit—and its recreation in Vietnamese translation—is shaped by both cultural and linguistic norms. DTS, as developed by Toury, offers a non-prescriptive and culture-oriented approach that views translation as a sociohistorical phenomenon embedded in the receiving culture. Rather than evaluating translation based on fidelity or equivalence, DTS seeks to describe how translations function within their target systems. Toury [26] famously posits that translations are "facts of the culture which hosts them," meaning they both reflect and participate in shaping the sociocultural context in which they circulate. This perspective is especially well-suited to the objective of this study: to examine how Western models of masculinity are adapted, preserved, or transformed in Vietnamese translations of Chick Lit.

To achieve this aim, the study focuses on two representative texts: Sushi for Beginners by Irish author Marian Keyes and Confessions of a Shopaholic by American author Sophie Kinsella. These novels were selected based on the central roles male characters play in the female protagonists' emotional development and romantic journeys, as well as the cultural diversity they represent within the Western literary tradition. Sushi for Beginners presents multiple models of masculinity, juxtaposing emotionally distant, career-oriented men—aligned with traditional, success-driven masculinity—with more emotionally available, empathetic male figures who reflect postfeminist ideals. Through the heroine's evolving relationships with these contrasting men, the novel explores shifting gender expectations and the growing cultural emphasis on emotional intelligence as a valued masculine trait. In contrast, Confessions of a Shopaholic constructs masculinity through the lens of economic rationality. The male protagonist, marked by financial competence and emotional steadiness, is positioned as a stabilizing force within a consumer-driven narrative. His character functions as both a foil to the heroine's impulsive behavior and a moral compass within the story. This dynamic recasts the romantic hero not as a dominant or mysterious figure, but as one who provides balance, support, and pragmatic guidance. By analyzing novels from both Irish and American contexts, the study acknowledges the variability of Western masculinities and considers how different cultural perspectives inform gender representation before and after translation.

To maintain a clear analytical focus within the scope of this book chapter, the analysis concentrates specifically on male characters who are directly involved in romantic or emotional relationships with the female protagonists—those positioned as the heroine's ideal partner or "dream man." These characters serve as key narrative agents through which models of masculinity are constructed, negotiated, and potentially transformed in the process of translation.

Following Toury's DTS model, this study applies the three-step analytical framework proposed by Munday [27]:

- Positioning the translated text within the Vietnamese literary and cultural system to assess its significance, reception, and potential influence.
- Comparing the source texts (ST) and target texts (TT) to identify shifts in representation, particularly in the portrayal of male characters.
- Drawing broader conclusions about translation strategies and the negotiation of gender norms in cross-cultural literary adaptation.

In conjunction with this model, the study applies thematic analysis to systematically identify and interpret patterns in the portrayal of masculinity. Guided by Braun and Clarke's [28] six-phase process, the analysis generated three key themes that reflect how masculinity is constructed, modified, or challenged in translation:

- Traditional masculine ideals and moral expectations: This theme examines how Confucian values such as moral integrity, restraint, and social responsibility influence the portrayal or adaptation of male characters. It explores the extent to which translations align with or diverge from these deep-rooted cultural norms.
- Emotional expression and vulnerability: This theme focuses on the portrayal of male emotional openness—a hallmark of postfeminist masculinity—and whether such traits are retained, softened, or erased in translation to align with Vietnamese ideals of male stoicism.
- Negotiating gender roles in romantic relationships: This theme explores how male characters relate to women's independence, agency, and career goals, and whether egalitarian romantic partnerships are preserved or restructured in the translated texts.

By integrating DTS with thematic analysis, this study goes beyond linguistic comparison to uncover how masculinity is ideologically negotiated in the translation process. The findings are expected to contribute to a deeper understanding of how translation functions as a cultural intervention that mediates gender ideologies and reshapes dominant social narratives within the target culture.

7. Analysis and discussion

7.1 Theme 1: Traditional masculine ideals and moral expectations

This theme reflects the portrayal of men as embodying traditional masculine virtues rooted in Confucian moral expectations—namely, diligence, propriety, responsibility, and moral uprightness. These traits are associated with the ideal Vietnamese man who is successful in his career, emotionally restrained, physically capable, and socially respectable.

ST: "He started Brandon Communications from nothing, and now it's the biggest financial PR company in London."

TT: Ông ấy đã gây dựng nên Brandon Communications từ hai bàn tay trắng, và giờ đây nó đã trở thành công ty quan hệ công chúng tài chính hàng đầu ở Luân Đôn.

In the ST, Luke's rise is framed through a classic capitalist narrative of individualism and entrepreneurial success, implying ambition, resourcefulness, and self-sufficiency. The TT renders this narrative using the Vietnamese idiom "từ hai bàn tay trắng" ("from two bare hands"), which invokes a culturally familiar rags-to-riches motif. This phrase does more than convey economic ascent—it emphasizes moral resilience and dignified struggle. The man is not just successful; he is seen as having earned it through chịu khó (hard work) and tự lập (self-reliance), both of which are central to Vietnamese masculine virtue.

ST: "A few months ago he was listed in The Mail as one of the cleverest entrepreneurs of his generation."

TT: Cách đây vài tháng, tờ The Mail đã vinh danh ông là một trong những doanh nhân tài ba nhất thế hệ mình.

The ST emphasizes intellectual merit and elite recognition, highlighting Luke's status in a competitive, meritocratic society. The phrase "one of the cleverest entrepreneurs" suggests both cognitive ability and market success. In contrast, the TT introduces "vinh danh" ("to honor"), a verb that carries a more ceremonial and reverent tone. This elevates the social prestige of the character and aligns him with notions of vinh dự (honor) and được ghi nhận (being recognized)—values that resonate strongly in Vietnamese collectivist culture, where public acknowledgment is a key marker of male achievement.

As can be seen, the translation preserves the essence of success but shifts the emphasis from individual brilliance to moral and social legitimacy. The TT enriches Luke's characterization with layers of cultural meaning that resonate with Vietnamese expectations of male respectability. These differences suggest that the Vietnamese translation not only localizes language but also reorients the ideological framing of masculinity—from Western individualism to Vietnamese communal respect and moral virtue. This adaptation helps ensure that the character remains aspirational within the target culture while maintaining thematic consistency.

ST: "I'm just a bloke doing a tough job."

TT: "Tôi cũng chỉ là một gã bình thường đang làm một công việc khó khăn thôi."

In the ST, the phrase conveys humility and working-class pride. The term "bloke" is informal and self-effacing, suggesting an everyman persona—a man who does not boast despite doing something difficult. The TT retains this modesty with "gã bình thường" (an ordinary guy) and emphasizes hardship through "một công việc khó khăn" (a difficult job). However, the TT slightly formalizes the tone and foregrounds the notion of resilience over informality.

ST: "Dylan is Clodagh's husband… still takes an interest in clothes and goes to a proper hairdresser."

TT: Dylan là chồng của Clodagh… vcn quan tâm đến chuyện ăn mặc và luôn tìm đến thợ làm tóc chuyên nghiệp hẳn hoi.

The ST positions Dylan as a modern man who maintains his appearance—an attribute often associated with urban professionalism and masculine self-respect. The use of "proper hairdresser" implies a certain level of taste and social awareness without being ostentatious. The TT places greater emphasis on respectability rather than mere personal interest. By choosing "thợ làm tóc chuyên nghiệp hẳn hoi," the translator transforms Dylan's grooming habits into signs of cultivated urban masculinity.

As is illustrated, together, these two examples illustrate a broader shift in the Vietnamese translations toward a culturally resonant model of masculinity: one that

values modest endurance (chịu thương chịu khó) and external composure (giữ thể diện). While the ST portrays masculinity through everyday idioms and understated confidence, the TT subtly recalibrates these depictions to align with Vietnamese social norms that reward visible effort, decorum, and public respectability in male characters.

From four representative examples, the Vietnamese translations reveal how masculinity is subtly reoriented to reflect local cultural values. These translations suggest that Vietnamese renderings of male characters prioritize moral uprightness, social composure, and the visible effort to succeed without arrogance. While the English texts often construct masculinity through individualism, wit, or understated modernity, the Vietnamese versions foreground qualities such as khiêm tốn (modesty), chịu thương chịu khó (resilience), and thể diện (public respect). This shift reflects a broader ideological adaptation: masculinity is not merely preserved in translation—it is reframed to harmonize with culturally sanctioned expectations of what makes a man admirable in Vietnamese society.

7.2 Theme 2: Emotional expression and vulnerability

This theme focuses on the portrayal of male characters not only as strong or successful but also as emotionally expressive and open to vulnerability—traits that challenge traditional stoic masculinities.

ST: "He watched her carefully. 'How are you?'"

TT: Anh nhìn cô chăm chú. "Em ổn chứ?"

The original line portrays quiet emotional attentiveness—Jack's careful observation paired with a simple, direct inquiry demonstrates emotional concern without overt sentimentality. The Vietnamese translation intensifies this emotional weight with "nhìn cô chăm chú" (watching attentively), and the use of "em" adds intimacy, reinforcing care and personal connection.

ST: "Luke Brandon is staring at me with an unreadable expression—and in spite of myself, I feel my stomach clench with nerves."

TT: Luke Brandon đang nhìn tôi trân trân, vẻ mặt không thể dò được—và bất giác, bụng dạ tôi thắt lại vì căng thẳng.

Luke's "unreadable expression" conveys emotional ambiguity, creating tension that leads to the female protagonist's anxious physiological response. This shows that male emotional restraint can still have strong emotional effects. The TT renders "staring" as "nhìn tôi trân trân" and "unreadable" as "vẻ mặt không thể dò được," preserving the ambiguity. The phrase "bụng dạ tôi thắt lại vì căng thẳng" (my insides tightened from tension) intensifies the visceral reaction. The TT places more emphasis on physical manifestations of emotion, intensifying the internalized vulnerability. Vietnamese translations often heighten internal emotional states through bodily metaphors, which make the female character's vulnerability more relatable, while Luke's unreadability remains consistent with masculine restraint.

ST: "Jack Devine was exhausted and dispirited."

TT: Jack Devine rã rời cả thể xác lẫn tinh thần.

This example plainly states Jack's physical and emotional depletion. It is a moment of masculine vulnerability without dramatization. The TT expands this to "rã rời cả thể xác lẫn tinh thần" (exhausted in both body and spirit), amplifying the depth of his fatigue. Vietnamese expression often favors emotional completeness—capturing both tâm (mind/spirit) and thân (body)—when describing suffering. This shift underscores vulnerability as total rather than isolated, aligning with culturally accepted expressions of weariness and sacrifice.

ST: "The sea had known Jack Devine a long time and it had never seen such a frenzy."

TT: "Biển cả quen biết Jack Devine từ muôn đời nay, vậy mà chưa từng thấy một cơn cuồng nộ đến nhường ấy."

In the source text, Jack's emotional state is conveyed through metaphor and restraint. The sea is personified as a long-time witness to his character, and "frenzy" is used to suggest a rare moment of inner turmoil—ambiguous in nature, possibly encompassing anxiety, grief, or emotional upheaval. This construction allows space for vulnerability while maintaining masculine dignity. The use of poetic understatement in English frames Jack's emotional exposure as deeply private and uncharacteristic. The target text intensifies this image through two significant shifts. First, "quen biết... từ muôn đời nay" (known him since time immemorial) mythologizes Jack's persona, echoing a Vietnamese literary style often reserved for legends or fate-marked characters. Second, "cơn cuồng nộ" (a storm of rage) translates "frenzy" not as an ambiguous disturbance but as directed anger. This word choice narrows the emotional range to one considered more socially acceptable for Vietnamese men—fury rather than fragility. This shift reflects a cultural pattern where male vulnerability is often reframed in more forceful emotional registers. In a Vietnamese context, rage can function as a stand-in for emotional overwhelm without undermining masculine authority. The amplification of metaphor and the recasting of emotion both maintain the dramatic weight of the moment while reinforcing culturally resonant masculinity.

From these examples, it is evident that emotional vulnerability in male characters is not erased in the Vietnamese translations but reimagined through culturally resonant modes of expression. While the ST often uses understatement to express emotional depth, the TT leans into metaphoric richness, poetic phrasing, and bodily imagery to evoke the same emotions. This suggests a shift from emotional ambiguity toward emotional visibility, reframing vulnerability not as weakness but as a sign of authenticity, care, and relational masculinity.

These translation choices mirror evolving Vietnamese cultural norms in which emotional openness—when framed respectfully and relationally—is increasingly accepted in representations of modern men. This shift provides readers with aspirational male figures who balance strength with emotional honesty, further bridging local gender ideals with contemporary global narratives of masculinity.

7.3 Theme 3: Negotiating gender roles in romantic relationships

In Chick Lit, romantic relationships serve as a key narrative space for exploring shifting gender expectations. Male protagonists are no longer confined to the archetype of emotionally distant providers; instead, they are increasingly portrayed as emotionally literate, reflective, and willing to engage in relational dialogue. These texts frequently challenge conventional gender dynamics by depicting men who express vulnerability, offer emotional support, and participate in the negotiation of intimacy on equal terms. Such portrayals not only reflect changing societal norms around gender and emotion but also cater to readers' evolving desires for partnership models based on mutual empathy and affective openness. In doing so, Chick Lit foregrounds the transformation of masculinity within contemporary romance.

ST: "Because, Ashling," Jack said softly, "you are interfering with my plans for world domination."

TT: "Bởi vì, Ashling à," Jack nói khẽ, "em đang cản trở kế hoạch thống trị thế giới của anh đấy.."

This line merges flirtation with exaggerated vulnerability. The English version uses "said softly" to cue emotional intimacy and lowers Jack's dominant register. The Vietnamese "nói khẽ" preserves this softness, while lexical choices like "à" and "đấy" reinforce a casual yet affectionate tone typical in intimate Vietnamese speech. Notably, "cản trở" introduces a slightly more serious nuance than "interfering," potentially underscoring the character's sincerity. The translation succeeds in localizing emotional vulnerability while preserving the comic bravado of the original—framing Jack as both playful and emotionally available. This mirrors Vietnamese romantic conventions, where endearment is often embedded in informal address and softened through particle use.

ST: "I can think of nothing else apart from you," he said.

TT: "Ngoài em ra, anh chẳng thể nghĩ đến điều gì khác," anh nói.

This declaration of romantic obsession is straightforward in English. The TT renders it with poetic inversion, emphasizing "Ngoài em ra" ("Apart from you") at the outset—a rhetorical strategy common in Vietnamese love language, which often foregrounds the subject of affection to signal sincerity. The result is not only a faithful translation but also a culturally resonant adaptation that intensifies emotional expressiveness within the bounds of linguistic modesty. The male speaker becomes emotionally centered around the female figure, thus softening power asymmetry and inviting relational reciprocity—an important shift from traditional emotional restraint in Vietnamese masculinity.

ST: "Look, the day you came round to my flat… Thank you for the sushi. I was a bit, um, touchy."

TT: "Nghe này, cái hôm em ghé qua căn hộ của anh ấy mà… Cảm ơn em vụ sushi nhé. Lúc đó anh hơi… ờm… gắt gỏng…".

Here, Jack offers a partial apology, admitting emotional roughness while expressing gratitude. "Nghe này" is a culturally appropriate equivalent for "Look," signaling the seriousness of what follows. The hesitations in the ST ("um… touchy") are preserved in "ờm… gắt gỏng," reflecting Vietnamese speech patterns that value indirectness in self-criticism. The use of "vụ sushi" captures the casual nature of "the sushi," and the overall tone reflects remorse wrapped in familiarity. Importantly, the translator retains Jack's vulnerable self-awareness without stripping the masculinity of its credibility—a delicate negotiation that preserves character integrity across cultures.

Across these examples, the translations maintain the emotional transparency of male characters while adapting expressive norms to Vietnamese relational expectations. Vietnamese language conventions—such as intimate particles ("à," "nhé," "đấy"), poetic fronting ("Ngoài em ra"), and indirect self-disclosure—recode male vulnerability into culturally legible and acceptable forms. These adaptations suggest a softening of gendered boundaries in romantic dialogue, where men are permitted emotional expression, but only when couched in respectful, affectionate, or humorous tones. Such localization reconfigures emotional masculinity not as a loss of strength but as a demonstration of depth, sincerity, and moral cultivation—qualities that align with Confucian-rooted ideals of tu thân (self-cultivation). Rather than replicating Western models of egalitarian flirtation or bold emotional exposure, the translation subtly domesticates gender performances to match Vietnamese norms of decorum, intimacy, and male composure.

8. Conclusions

This chapter has examined how representations of masculinity in Irish Chick Lit—particularly through its Vietnamese translations—reveal a complex and evolving negotiation of gender roles across romantic, emotional, and social domains. Through thematic analysis of traditional masculine ideals and moral expectations, emotional expression and vulnerability, and negotiating gender roles in romantic relationships, the study demonstrates that contemporary popular fiction does not uphold a singular, hegemonic model of masculinity. Instead, male protagonists are portrayed as emotionally intelligent, introspective, and relationally responsive while also retaining professional competence and moral authority. This hybridity reflects broader postfeminist sensibilities, wherein modern manhood is increasingly defined by a balance between strength and sensitivity, ambition and care, and self-assurance and emotional availability. These fictional masculinities signal a departure from conventional depictions of male stoicism and dominance in earlier romantic narratives. Rather than reinforcing rigid gender binaries, Chick Lit opens up narrative space for more plural and dynamic constructions of masculinity—ones that resonate with a readership navigating shifting expectations around love, intimacy, and emotional labor. As such, Chick Lit functions not merely as literary escapism but as a cultural space in which evolving ideals of manhood are tested, critiqued, and reimagined to align with contemporary relational ethics and gender equity. Crucially, this chapter has argued that these portrayals of masculinity are not culturally fixed but undergo reinterpretation through the act of translation. The Vietnamese translations of Irish Chick Lit are not simple replications of the original texts; they are acts of cultural mediation that localize gender representation to align with Vietnamese moral, linguistic, and social norms. Translation choices—such as idiomatic expressions like từ hai bàn tay trắng (from bare hands), tonal particles like à and đấy, or the emphasis on virtues like chịu thương chịu khó (resilience), giữ thể diện (preserving face), and khiêm tốn (humility)—reframe foreign masculinities within a Confucian-influenced moral landscape. These textual shifts reflect culturally sanctioned ideals of manhood marked by emotional restraint, social harmony, and moral uprightness. Thus, translation emerges not merely as a linguistic task but as a site of cultural negotiation and ideological adaptation. It transforms Chick Lit into a dialogic platform where global gender imaginaries are filtered, reshaped, and made intelligible within the Vietnamese social imaginary. In doing so, translated Chick Lit serves as both a mirror and a mediator—reflecting aspirations for modern masculinity while actively shaping how gender, intimacy, and identity are imagined in Vietnam's increasingly globalized society. This chapter, therefore, contributes to a growing body of scholarship that positions translation as a critical locus of cultural production and gender discourse in the contemporary literary marketplace.

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Chapter 5

Names of Flowers in Translated Haiku Poems: Towards a Different Worldview

Irina-Ana Drobot

Abstract

The purpose of this chapter is to analyse the difficulties posed by translating names of flowers, as well as various plants in general, which allows creative play upon words, in haiku poems. The chapter will focus on the case of haiku poems translated from Romanian into English, based on the haiku poems written by poets that are members of the Romanian Kukai online group, led by Corneliu Traian Atanasiu. Since haiku is based on allusive interconnections, and the power of allusion of each and every word, word play is crucial to be preserved. A reader-response perspective to the haiku poems will help the translator's work. The difference between the original, Japanese haiku poems and the ones appreciated in this particular Romanian haiku authors' community will be presented based on their preference for play upon words when using flower name and the Japanese dream-like quality and connection between human beings and nature. Atanasiu intends to create a specific Romanian haiku, differentiating itself from and developing the original Japanese haiku which started with Matsuo Basho.

Keywords: cultural adaptation, equivalence, reader-response approach, literary studies, cultural studies

1. Introduction

When we hear the word "haiku", and when we refer to haiku poems, the immediate free association coming to our minds as Western culture members is Japan, with all aspects further implied by this association, such as their specific forms of spirituality based on Zen Buddhism, and with all their traditions, rituals, and practices, as well as symbols and values, which are part of the culture identity manifestations grid devised by Baciu [1] and which make up a unique culture. We are familiar with the Western world's fascination with Asian cultures, since the two main categories of cultures lead to the representation of two very different worlds.

The Zen Buddhist philosophy and religion provides a unique mindset for Japanese culture members, which leads to their considering the ephemeral aspect as part of the reality of everyday life, and this, in turns, makes them consider nature as a means of their understanding and connecting with this aspect. We need to accept change

in our lives, and to come to terms with the idea that, eventually, we are going to lose everything we hold dear and have in this life. In the meantime, life here and now is the only one we can have and we should connect to it as much as possible. This means that we need to stay focused on the present moment, which is represented, with respect to their meditation practices and artistic preoccupations by observing nature during each and every season, and by connecting with our surroundings. The natural elements are means of creating a very clear and visual connection with the present situation and our surrounding context as human beings at a certain time.

The haiku poem, a very short Japanese poem, traditionally made up of three lines, and 5-7-5 syllables [2], which originated in the seventeenth century and which still continues to be practiced nowadays in both Japan and abroad, gaining new forms and contents, as our world today brings in new mindsets with its new lifestyle and technological development. However, our sensitivity to nature remains a universal aspect of our lives, across historical ages and across cultures. Based on Cultural Studies, we can relate our current sensitivity to nature to the current ideology focusing on environmental care and concerns with the health of the environment which is, after all, connected to our own. The Japanese culture provides us with a unique mindset of connecting to nature based not only on Zen Buddhist meditation, which includes a strong sense of the actual moment based on anchoring it due to a flower blooming in the respective season and due to a certain happening at the respective moment. While the famous haiku poem written by Matsuo Basho [3] about the frog and the old pond does not contain references to flowers or plants, it is about the sound of water and the capturing of the present moment focusing on the one-second probably instant of the frog plunging into the pond and disturbing the water surface. Flowers or plants specific to a certain season have the same role, as an action is not a must regarding anchoring a haiku poem in the here and now. They are a quieter means of expressing the connection with and the awareness of the present moment. They provide a visual means of seeing the world and the visual aspect has a very strong emotional and reflective impact since it is the sense which we use mostly for our connection with the world and for our receiving information about the surrounding world.

The haiku poem can be related not only to Zen Buddhism, but also to Shintoism, the native religion of Japan, and Taoism, a philosophy originating from China but which influence Japanese culture as well based on their cultural contact allowed especially by their geographical proximity. Shintoism claims that human beings are not masters of nature, but are part of it themselves as much as all the other elements are. Taoism relies on the philosophy of change being a constant in our lives and adapting to the context of our situation. Based on the Taoist frame of mind, we can see how the changes and specific features of the seasons resonate with the poetic personas, or can on the contrary contradict their wishes and needs, yet at the same time this shows how the poetic personas are in the process of coming to terms with their need to adapt to the context. The Shintoist mindset offers readers an understanding of the strong connection, which occurs between the human beings, between the poetic persona and the elements in nature. No element from nature is present in haiku poems without reason. Each and every element present in haiku poems is carefully selected based on its relevance and power of suggestion. An entire worldview present in haiku poems is a reflection of Zen Buddhism, Shintoism, and Taoism.

The seasonal reference in haiku poems is called kigo. Traditional haiku poems all contain kigo, while modern haiku poems, due to the experimental mood present in our contemporary world and the arts in general, may leave it aside. However, the use of kigo will never disappear, since it help Western culture members focus on what is around them and anchor themselves in the present moment, without reflecting

on the past or on the future. Mindfulness practices consider this a means to be more productive in all areas of our lives and establish a healthy relationship with ourselves and with the others. We can conclude that being grounded in the present moment is therapeutic, since it reduces stress, anxiety, and the risk of depression.

The translation of original Japanese haiku poems is clearly a must, since it allows Western culture readers to have contact with this special type of poem. Any translation can be a starting point to have contact with the mindset of another culture.

The present chapter will focus on the way in which the Romanian haiku poem has been developed in the online community led by Corneliu Traian Atanasiu, of which the author of the present paper is a member and haiku writer as well. She has participated in discussions about haiku poems on their Facebook group page, Autori de haiku din Romania (Haiku Authors from Romania), in their online discussions on Zoom platform, held weekly all throughout the year 2024 and in real life meetings during book-launching events.

2. Names of flowers in haiku poems

Names of flowers in haiku poems, both Western and Japanese ones, and present-day ones, and Japanese ones, from the past are a universal aspect. Yet, they are situated beyond the simple descriptive level. They interact with the other elements in the poem to suggest a new level and layer of meaning. They represent more than just a means to present readers with a date for the time the visual images in the poem happen. The flowers and their names are clearly elements of kigo, or seasonal reference, and the readers can use them to identify the season when the present scene occurs. In this way, readers are brought into the present moment when the haiku poet has written the respective poem. This provides the haiku poet to present readers with his or her vision of the world, where names of flowers interact with an entire reality, perception, and philosophy of life.

In Western culture poetry, nature is just a descriptive element, while in haiku poem it resonates at a deeper level with the other elements in the poem. This is understandable, as the haiku poem is short and concise, which means that each and every element and detail are selected based on their significance and based on their symbolical, as well as allusive weight.

We can consider that the names of flowers in a haiku poem mark the move beyond the literal meaning of the scene, as they prompt the poem in a direction towards its figurative, and even playful level. At least, this is what we can see in the haiku poems presented as exemplary in the Romanian online haiku community led by Corneliu Traian Atanasiu, a selection of which is going to be analysed in the following sections.

2.1 Names of flowers in Japanese haiku poems

The Japanese haiku poems are always considered a starting point for the practice of haiku poetry writing by members of Western cultures. In this sense, it is a usual and necessary practice to begin writing haiku poems starting from staple authors, or haiku masters, from Japanese culture, which is the original culture to which these haiku poems belong.

As a result, we can consider, first of all, the haiku poems written by the one considered the father of haiku poems, namely Matsuo Basho. One of the haiku poems by Basho selected for analysis in this chapter is presented below:

Spring night,
cherry-
blossom dawn [3]

In the poem above, the cherry blossoms resonate with the dawn and with the spring, showing that the blossoms may cover the view of the dawn and, in fact, everything else, function of the perspective we have as observers. Usually, we are told, at least as Western culture members, based on basic rules of haiku poetry writing, that we can only have one kigo, or seasonal reference. At the same time, this Japanese culture poem shows us three kigo, namely spring, cherry blossoms, and the dawn, since the moment of the day also functions as a kigo, as it helps us ground the experience in a certain present moment. The flowers in this poem serve to underline the specificity of the spring season, as well as to the way in which this season is perceived. The cherry blossoms are symbols of beauty, as well as of impermanence, two significant concepts in Zen Buddhism.

We realise, based on the interpretation of cherry blossoms in Japanese culture, that they are not so differently perceived or interpreted in other cultures, Western cultures in this case. The Japanese culture mindset interpretation may simply give way to putting into words an intuitive understanding of this state of affairs, as Western culture members may also realise that these flowers are beautiful and ephemeral, while they do not have the same traditions of cherry blossoms viewing and admiring, as well as of painting and spending time under them together with their loved ones. At the same time, Western culture members are not insensitive to the beauty of the cherry blossoms and of their short life span. The translation is culturally mediated by the psychological and emotional suggestions the cherry blossoms have, universally, for Western culture members and readers of poems. For Japanese culture members, the cherry blossoms are not just beautiful, but they are also means of establishing contact with other persons, as well as means of understanding the notion of impermanence of life, as well as of present beauty and enjoyment. Beauty, however, is universal in all cultures, and our reaction to the spring season is a universal one. This compensates for the different mindsets and traditions, and allows for building a common or shared symbolism of cherry blossoms based on our free associations related to them. Flowers and cherry blossoms especially mean beauty, hope, and also frailty and ephemerality, universally, which allows for no worries when translations from Asian languages such as Japanese are done in Western culture languages such as French, English, and Romanian. Readers will further elaborate on their understanding of flowers and create the needed connections which may be missing, literally, or linguistically, in the translations. The structure of the haiku poem, of two parts based on the connection between the two, helps create a connection between its elements in the minds of readers. The symbols of flowers are created anew for Western culture readers, and they experience them afresh. Most Western culture members interested in haiku poems are also familiar with the Japanese culture symbols of flowers, which are related to a specific mindset. The Japanese culture mindset can be summed up as related to Zen Buddhism and its relationship with nature as a symbol of impermanence, as well as beauty. This known understanding of cherry blossoms will help readers to complete anything in translations which is missing related to the symbolism of cherry blossoms.

While the cherry blossoms are highly appreciated while they last, the viewers are well-aware of their ephemerality. The cherry blossoms, in this sense, becomes a symbol of human connections, as in the Japanese culture we are all familiar with

the Cherry Blossoms Festival, where people connect to those that are significant, emotionally, to them. At the same time, based on reader-response criticism [4], where readers have emotional reactions and consider the text relying on their background knowledge, which can be both from personal experience and related to cultural notions, readers can rebuilt a visual image of the sun being held within the frame of cherry blossoms, as we watch it during the moment of dawn. Readers can rely on their knowledge of paintings that accompany some haiku poems, which can also be called haiga, meaning that sumi-e paintings can be further developed and interpreted based on a haiku poem referring to it and accompanying it.

The following selected haiku poem is about cherry blossoms, again, a symbol we associate with Japanese culture, and the way in which time passes and also the way in which we relate to it:

Cherry blossoms –
lights
of years past. [3]

The past becomes a means of our feeling nostalgia, even within the Zen Buddhist mindset, which emphasises the primacy of the present moment. The years that have gone by are lighted by the cherry blossoms in this poem by Basho, which means that we have not, after all, come to terms with the loss of certain years of our youth or of our life.

The following haiku poem shows how the beauty of a flower can offer a sense of compensation for the tiredness the poetic persona feels, after a long journey:

Travel-weary,
I seek lodging –
ah, wisteria. [3]

The haiku poem below shows readers a quiet scene, where a monk is drinking his tea, likely in the company of a chrysanthemum:

Chrysanthemum
silence – monk
sips his morning tea. [3]

The haiku poem presented below shows readers how the morning glory, in fact a flower, and not a literary aspect of life, also seems indifferent to the poetic persona:

Morning-glory –
it, too,
turns from me [3]

The morning glory, which is the name of a flower, becomes a literal symbol of enjoying the moment of the beginning of a new day, or at least so may some readers perceive it.

The following poem shows how the literal sense may turn into a figurative sense, as the willow is portrayed as sleeping and as in a strong connection and parallel with the soul of a beloved bird singing in a very beautiful way, the nightingale:

Sleeping willow –
soul of
the nightingale. [3]

The following poem belongs to a haiku poet living in our contemporary times, 1874–1959, or at least very close to them, namely Takahama Kyoshi:

A tea flower,
The warmth days
Come to end. [5]

The poem quoted below, in its English translation, from its original Japanese language, shows the relationship between the tea flower and the way in which, figuratively, as well as literally, the days which are worm end. Likely, the warmth is not just literal, based on the weather, but also figurative, based on the human relationships:

I curse the man
Who is the man loved by me.
A cotten rose. [5]

The poem belongs to Hasegawa Kanajo, another poet belonging to our contemporary times, as he has lived through 1887–1969. The parallel between the rose and the man whom the poetic persona loves is clearly based on free associations, as the poetic persona daydreams of a man whom she loved but who does not share her feelings. Likely, the poetic persona would like to feel understood; instead, she is not listened to. The cotton, or cotton, rose, suggests the need for a sense of emotional comfort, which is, however, not happening for the poetic persona.

This selection of haiku poems shows how the Japanese haiku poem has evolved throughout time, and how it manages to connect elements in nature in order to suggest the psychological and emotional life of the poetic persona. This is similar to the way in which the poetic persona wishes to feel connected to nature, as Shintoism and Zen Buddhism allow us all.

However, the main problem that arises is that haiku writers, at least in the online community led by Corneliu Traian Atanasiu, do not have access directly to the original version, which is in this case the Japanese language. Some members of his community, but very few, have tried to consider the language and cultural aspects as gateways to an improved understanding of the haiku poem. Very few members have started learning the Japanese language, some have considered studying Zen Buddhism, and others have considered reading novels by Japanese authors in translation, in order to understand their traditions and associated mindset. Yet, Atanasiu has discarded the importance of all of these practices started by his members, considering that Romanian haiku authors do not need to become Japanese in order to write good haiku, and that a good knowledge of the mechanism of the haiku poem suits the purpose.

2.2 The development of the Romanian haiku by the online community led by Corneliu Traian Atanasiu

The online haiku community title Romanian Kukai, based on its Blogspot site Romanian Kukai and on all its connected sites created by Corneliu Traian Atanasiu [6], who is the haiku master of this community, shows us how a specific and

particular sense of the haiku poem has been created within this community. Atanasiu believes that the haiku poem is not a simple description of reality. Instead, a good haiku poem shows readers the power of allusions of all of the elements of such a poem, which makes it move on from the literal towards the figurative meaning. Otherwise, it remains a simple description of beautiful nature, a simple pastel as we call it in Romanian literature and which is, after all, flat and not telling readers anything beyond the descriptive and literal meaning. Atanasiu believes that a good haiku should rely on the allusive power of juxtaposition, and not simply be a description of a beautiful aspect of nature.

Corneliu Traian Atanasiu relies on his own understanding of the haiku poem, based on creating tension, and which is, therefore, all the more interesting, alive, and vibrant. He does not believe that the haiku masters understood the entire truth about haiku poems and that we should continue along the lines they have set off for haiku writers. At the same time, translations Romanian readers have access to can be the source of misunderstanding. We wonder if what Atanasiu and other poets perceive in the presence of Japanese haiku poems is the actual reality of the haiku poems, or if it is only an error in understanding the worldview, due to the differences in cultures of both translators and readers.

2.3 Issues faced in the translation of haiku from Romanian into English

Master Corneliu Traian Atanasiu frequently raises awareness to the idea that the translations from Japanese into Romanian have been done based on mediated translations, from English or French into Romanian, and not directly from Japanese into Romanian. This has led to some misunderstandings and some faulty aspects of translation, making haiku poems not genuine ones in the Romanian translation.

What are the consequences of these instances of having access to a translation, after all, of another translation?

As Romanian haiku poets in Atanasiu's community have, therefore, access to translated versions of originally Japanese poems into English or French and only afterwards into Romanian, this state of affairs, eventually, poses the question of authenticity of the translation of these poems. We are, therefore, dealing with mediated translations. We are inclined to believe that we may not have access to the real, or original, versions, but to others' perspectives on them, which may or may not coincide with our own. Clearly Atanasiu has expressed, in his online community [5], on various occasions, the idea that we should move beyond the level of Japanese haiku master and father of haiku, Matsuo Basho, that haiku poems should not be simply descriptive, but that they should have a highly allusive power, which is guaranteed by each and every word and image, but also by the strong contrast and, at the same time, relationship, between the two parts, guaranteed by juxtaposition. Otherwise, for Atanasiu, the haiku poem is simply flat, not telling readers anything.

The main issue is that the Japanese language is not a frequently spoken and studied foreign language for Western culture members, and Romanian readers and writers of haiku poems make no exception. The two main cultures, Western and Eastern, could not be more different, starting from the alphabet, the way different characters make up syllables in Japanese by comparison with the sound and corresponding letter or groups of letters in Western culture languages, and ending up with different mindsets and, especially, different views of understanding and relating to the world.

In general, Romanian readers of haiku poems originally written in Japanese, do not read and understand them in the original, Japanese language, which clearly comes

with cultural references, with a specific language structure and reflects, ultimately, a completely different mindset belonging to members of another culture. Instead, they have access to the interpretation and understanding of someone else, of a Western mind, just like theirs, translating the haiku poem into English or French. These last two are the most frequently known foreign languages by the Romanian readers and those interested in haiku poems. In the meantime, other Romanian readers have access to the Romanian version, and thus to a further interpretation and understanding of the haiku poem, of the English or French version. In addition, some Romanian translators have taken some liberties with the English or French translations, and have tried their best to make the haiku poems sound poetically, meaning that they have distorted them to fit in the Western culture model of poetry, with the frequently expected specific figures of speech, such as personification and metaphor, a continuation of ideas and not juxtaposition, with a clear syntactic and image breakup, as haiku poems should include, based on Atanasiu's teachings in this group and which were also included in one of his books [7].

In the case described above, we can consider how cultural translation is used when there are linguistic barriers in translation which cannot be changed or dealt with. In this case, equivalence is used based on the readers' understanding of the text and based on their psychological reaction and interpretation. Western culture readers rely on figures of speech in order to better connect with the text, and in the case of the haiku poem, the usual Western culture figures of speech can be rebuilt by combining the two parts of the haiku poem and by readers' interpreting them as comparisons or allusions related to personification.

The fact that we are dealing with someone else's perspective on the reality described in the Japanese language and culture comes from the role of the translators as intercultural mediators. These "intercultural mediators are involved in processes of understanding, explaining, commenting, interpreting and negotiating phenomena" [8]. In turn, we may consider that members of the online haiku community, based on the experience of the author of this paper, are frequently reminded that they need to start thinking and seeing the world differently, namely no longer based on distorting reality and nature, using figures of speech such as personification, which has nothing to do with reality. Instead, Atanasiu insists in his group discussions that objects have, in themselves, enough power of suggestion, which means that we can mention them in our selection of reality, and that we do not need additional figures of style, which would only end up overcharging the elements of reality.

As we consider that we have access to someone else's perspective on the haiku poems written in Japanese, we may think about its specific features which make it able to be interpreted according to each and every reader's perspective. One of the features of the haiku poem is that it is ambiguous [9], in the sense that readers can place on it any interpretation that they can find, due to the Japanese text's and culture's emptiness [10].

One difference between the worldview of Western vs. Eastern cultures is the "subject-object opposition" and "subject-object merger", respectively [11]. This means that "either the author locates himself within the situation to be described (in which case the author as subject is merged with the object he works on) or the author locates himself outside the situation to be described (in which case the author as subject is opposed to the object he works on) and he opts for the former stance, namely 'subject-object merger'" [12]. What we infer from here is that, philosophically and psychologically speaking, Japanese culture allows us to consider that we can merge with our surroundings once we write haiku poems. Our external world,

and especially our perception of it, merges with our feelings. When we write haiku poems, we are told to be objective, and not use first person since emotional involvement is not a usual device. We can find this idea in online haiku writing communities. Allusions can replace first person involvement and prompt readers to see everything from the perspective of the author, however, in a way in which we are used to in Western culture poetry, where first-person emotional involvement is a usual way of self-expression.

The translation of this worldview of "subject-object opposition" and "subject-object merger" [11] relies on the strong emotional connection of readers and the natural elements in haiku poems. A haiku poem, through its structure, prompts a high emotional impact on the part of Western readers, which supplements any difference in worldview. The equivalence in translation relies on the emotional response of readers, which fills in any missing parts in the linguistics part of the original and translation.

Since the languages are different in structure and this affects understanding of the world, cultural translation is completed by emotional, or psychological response of the readers to provide equivalence. The very structure of the haiku poem allows this. Western readers resort to their interpretation of an emotional connection with the natural world, which brings them close to the original Japanese culture mindset.

For Romanian or English culture reading audiences, we can consider such examples of "subject-object opposition" and "subject-object merger" [11] as indirect expressions of feelings in poems, and as defensive self-expression. For Western culture members, indirect expression of personal feelings when the focus in a poem is on external reality can be interpreted as defensive, as showing that the poetic persona is insecure. In Japanese culture, however, the interpretation is simply one related to feelings and emotions related to a personal contact with reality. This shows a cultural difference which remains when we translate from one language to another, as the perception of this attitude remains in the minds of readers. At the same time, this perception can still be manipulated, as the medium of poetry is, after all, one relying on indirect expression and allusions.

Since haiku poems are vague and brief, this makes them easy to be interpreted according to each and every reader. At the same time, the structure of the Japanese language makes a haiku poem be interpreted as vague, once "a reader determines whether a noun mentioned is singular or plural based on context" [13].

This clearly makes us wonder about the genuine aspects of the respective haiku poems. We have, therefore, access to someone else's views on Japanese culture and its haiku poems, and not to the perspective of a direct translations. The different perspective is related to both the Japanese language and culture, which are different from Western language and culture. The perspective of the human being in relation to the natural world, in Japanese culture as part of it, and in Western culture as masters of it, is also clearly at stake, when we consider the subject-object merging. While, apparently, the haiku poem is objective, the subjectivity is hidden to the Western culture reader, yet at the same time present based on allusion and presentation of perspective. The author of the haiku poem does not choose based on chance the elements of the setting. They are chosen due to personal, and therefore subjective, significance, as the external world is symbolic of the feelings belonging to the author.

It is well-known that we have perceived, across the ages, some cultures based not on what they actually were, but on our cultural imagination, and Japanese culture can be included in this category. It can be included in this category in our case due to mediated translation [4, 14].

The translator him or herself is, after all, engaged in a intercultural mediation process [4]. The same can be claimed about Western culture members wishing to write haiku poems, as they need to enter another culture's mindset and see life from an entirely different perspective, including no usual figures of speech which can distort our perception of reality for what it is, or our relationship with subjectivity or objectivity, based on the way we use the external world and its elements to offer clues to our feelings and perspective.

Asian cultures, for Western cultures in particular, are the result of imagination, when it comes to the way in which we perceive them. This can be considered the case of looking at translations of haiku poems. While nature may be understood as a universal aspect, it can also be understood as culture and context dependent. When we speak of different cultures, we can consider that Shintoism, Taoism, and Zen Buddhism are not simply religious mindsets that can differentiate across cultures. Indeed, all these philosophies or religions presents us Western readers with a specifically Japanese worldview, where the human subject of the haiku poems is dependent on the larger context, and part of nature, not master of it. This allows the subject-object merger perspective to come into play, since the human being is simply a passive observer of the external world, and can use the external world elements as means of self-expression. Translation of haiku poems and its analysis provide us with the key to haiku poetry writing, and understanding of this type of poem.

Atanasiu believes that haiku poems should be based on tension and allusions, more than their literal and descriptive meaning. The tension of a haiku poem is based on the two parts of this poem, where we may have the name of a flower and the rest of the poem, in strong opposition, as well as connection. Flowers are elements of nature and, thus, of the outside world. We can connect our emotional states with them or see them in opposition. As an example, flowers can be considered beautiful and delicate, while we may be going through emotional conflicts with ourselves. In this case, the flowers may be considered to offer us consolation or compensation for a bitter reality. Allusions can work based on the way in which we perceive the meaning of the name of the flower. As an example, the very name of a flower in Romania, called *rochița rândunicii*, is untranslatable word for word in English. If we want a word-for-word, or literal translation, we can consider the phrase swallow's dress, which is clearly not present in the English equivalent translation which is, as we can see in the translation analysed below, bindweed or morning glory. The flowers are elements which open the way of readers towards allusions which, in turn, bring additional interpretation and depth to a haiku poem. The flowers can be understood as bridges towards a different layer of meaning of a haiku poem. In this sense, the translation of the haiku poem from one language to another can be an interpretation, yet the interpretation relies on the basis of a common, universal psychology of the human being, and his or her reaction to the state of affairs of the world they live in.

In the books published by his online community, Atanasiu draws attention to these aspects repeatedly. As an example, for the book by Mihai Moldoveanu [15], in the preface, translated by the author of the present paper, we can see how the flower called bindweed or morning glory has been replaced by an equivalent term in translation, in order to maintain the expressivity of the text in the preface written by Corneliu Traian Atanasiu. As a result, the forget-me-nots were proposed by the author of the present paper, since the seductive eyes of the female neighbour creeping through the fence of other neighbours could be maintained, based on their emotional impact.

The original Romanian version was as follows:

gaură în gard –
rochița rândunicii
fuga la vecini [15]

The English translation proposed by the author of the present paper is as shown below:

hole in the fence –
creeping in to the neighbors'
forget-me-nots [15]

The forget-me-nots show how they creep, literally, as the flowers are growing there, as well as figuratively, as the flowers make the neighbours remember the eyes of their female neighbour and to continue to daydream about her.

In the example above, when bindweed or morning glory is replaced by foget-me-nots, we deal with equivalence, or with replacing one term with another, which has the same function or meaning as that in the original text. The literal translation of the Romanian term, *rochița rândunicii*, is *swallow's little dress*, which clearly has seductive connotations, making readers imagine a very attractive young woman wearing a short dress, to which neighbours peep at through the hole in the fence, spying on her. At the same time, readers may imagine another scenario, regarding the way in which the young woman sneaks through the hole in the fence to her neighbour, likely a young man who is her lover. The firget-me-nots maintain this allusion, as they can also grow to sneak through the hole in the fence the same way as the bindweed does.

The haiku poem below, by Daniela Zglibuțiu, is part of a blog administered by Atanasiu and his team, originally called Haikuul zilei (Haiku of the Day), from 1 November 2017, and which is now called Haiku of the Week:

în absența ta -
florile de cireș
încă înfloresc [15]

The English translation, proposed by the author of the present paper, sounds as follows:

in your absence –
the cherry blossoms
are still blooming [15]

Nature follows its course, as usual, while the human being deals with his or her concerns. It sounds normal for nature and for the world to go on, while our personal issues continue and are not soothed by nature. At the same time, the cherry blossoms which are "still blooming" may be seen as ways of saying that they are trying to console us.

In the poem above we notice how nature is situated above the human beings, and how human beings are themselves part of nature, thus not being able to control it based on their wishes. While the idea of control over nature is present in Western culture mindset, it is not present in Asian culture mindset, where, according to Shintoist

belief, human beings are part of nature. At the same time, the intuitive observation that nature follows its course while we human beings may be suffering and while we may be facing loss, is universally valid. We notice, across cultures, how nature, in contrast to the human being, can have a great force of regeneration. The purpose of the haiku poem above is to underline the fact that the poetic persona feels misunderstood by the others and alone. Therefore, the contrast serves a poetic purpose, as well as a psychological purpose. The loneliness when dealing with loss is universal and part of human psychology. The translation from one language and, implicitly, from one culture to another leads, eventually, to underline universal aspects of the human beings's or psychological makeup. Elements of nature prove to be simple pretexts to express, indirectly, based on allusions and analogies, our innermost feelings.

Below, we can witness another haiku of the day, dated 28 November 2019 and written by Dan Norea:

după cutremur -
numărul de la casă
și-un fir de iarbă [16]

This haiku poem can be translated into English as follows, by the author of the present paper:

after the earthquake –
the house number
and a blade of grass [16]

This poem shows how fragile and ephemeral everything can be, since the house number has clearly been thrown away over the place and since "a blade of grass" is lying over it.

Such an understanding of the world is both universal and tied to a certain cultural mindset. This is because we understand, as Western culture members, the allusion to the idea that the earthquake can refer to major changes in our lives, based on the symbolism which is carried out in the interpretation of dreams in psychoanalysis. At the same time, this poem can be understood based on the Japanese culture mindset which is related to the fact that everything in this life here on earth is ephemeral and that we are going to lose everything, according to a Buddhist perspective. The entire reality surrounding us seems to be subject to change and to loss. The second part of the poem shows a house number together with a grass blade which the readers can picture fallen on the ground, as the moment is the one following an earthquake. The second part of the poem focuses on two elements in detail, while the first part is about a general incident.

The haiku of the day from 17 April 2018 by Dan Norea sounds as follows:

cireşi în floare –
Nică ocheşte de-acum
o gaură-n gard [16]

The English version can be created as follows, by the author of the present paper:

cherry trees in bloom –
Nică is already eyeing
a hole in the fence [15]

The character called Nică is, however, a reference to a Romanian novel, that by Ion Creanga, called *Memories of Childhood* (in Romanian, *Amintiri din copilărie*). The character is a young boy who goes through all sorts of stories, and is not a really good boy, like all children, after all. He does all sorts of tricks and is cheeky. He may have another cheeky trick in mind in this poem.

In the poem above, readers notice an intertextual reference, or a reference to another text, this time to a novel. The reference shows how the haiku poem works by using allusions in order for readers to build the story present in the poem further. In the case of this poem, readers imagine the entire story present in this novel or recall it. The well-known novel is rebuilt based on the structure of the haiku poem. In the first part, readers notice the seasonal reference, which is, after all, a well-known one used in the Japanese culture and haiku poems. The cherry trees in bloom send readers on the way to allusions related to the Cherry Blossoms Festival and to their symbolism, which is related to the idea that that they do not last long, and that they refer to the understanding of life as ephemeral. While the cherry blossoms are beautiful and we should enjoy them while they last during the present moment, we should also be aware of the fact that they fade and we should accept their ephemerality. Focusing on the present moment while we are also aware of the ephemeral nature of things in this world is part of Zen Buddhist philosophy and belief.

The haiku poem below, belonging to Mihai Moldoveanu, shows how the ducklings resemble peonies in bloom and, therefore, potential for the future:

bujori înfloriți -
bobocii de rață pe
spatele mamei [15]

blooming peonies -
ducklings on
mother's back [15]

The translation was done by Mihai Moldoveanu, the very author of this poem.

The poem above refers, in the first part, to blooming peonies, which are flowers at the peak of their beauty. The word for ducklings in Romanian, boboci, is also used for flower buds. This means that the ducklings will soon bloom themselves by growing up. They are in the process of becoming. Awareness of change is, therefore, present in this poem.

The following poem chosen for illustration is the one below, about cranes and trees' shadows showing respect for their leaving, again a poem by Mihai Moldoveanu and a translation by the same author:

pleacă cocorii -
umbrele copacilor
fac reverențe [15]

the cranes leave -
shadows of the trees
took a bow [15]

The bowing shadows of the trees show a gesture which, in the world of human beings, means respect and submission. Nature has its way and the human beings can only accept this state of affairs and submit to it. They do not and cannot control it,

based on Shintoist belief. In this poem, the way of nature means change, and human beings need to accept this, which is visible in their attitude of bowing towards the natural course of life.

The poem below shows how the house belonging to grandmother is dead, based on the dead geraniums, and, therefore, making an allusion to the fact that the grandmother herself is no longer alive. Once again, the translation and the original belong to Mihai Moldoveanu:

casa bunicii -
pe prispa deja veche
mușcate moarte [15]

grandmother's house -
on the already old porch
dead geraniums [15]

The haiku poem above shows readers the very process of change and, therefore, of ephemerality. The passing away of grandmother is compared with the passing away of, or the ephemerality, of geraniums, of flowers. This implied comparison created by the readers' putting together of the two parts of the haiku poem shows how fragile the life of a human being can be, just like the one of a flower.

The poem below, belonging both in original and translation to the same Mihai Moldoveanu, shows how the house in ruins can be compensated by the blooming loscust trees:

casă-n ruină -
prin acoperișul spart
salcâmi în floare [15]

house in ruins -
through the broken roof
flowering locust trees [15]

Once again, readers notice, in the haiku poem above, how there is a psychological compensation for the ruined house and the locust trees in full bloom. There is a contrast between the ruins and the flowers in full bloom, which in Japanese terms is called *wabi sabi*. *Wabi sabi* refers to the impermanence of everything surrounding human beings in this world, or of the ephemerality of this world. The psychological effect is, however, the same for Western audience and Japanese audiences, as it is based on a strong contrast.

From this point of view, there is a double side to the act of translation: linguistic and cultural. While the linguistic act of translation is not that much changed in the English versions or Romanian versions of haiku poems from the original Japanese ones, we notice a strong sense of adaptation when Western culture members create haiku poems directly in their native language. The Japanese culture mindset is interpreted, or translated, and adapted, or, in this case as well, translated to their own cultural mindset. The psychological aspect is used as a cultural mediator here, as the emotional effect of the combination of the two parts of the haiku poem is given a large importance.

There is, in the case of all of these examples and of their translation, a compensation in translation, the latter being understood as an interpretation of the Japanese

cultural mindset and an adaptation of it for the Western culture members' mindset. What is translated in this case is the cultural mindset, which is based on equivalence and which relies, especially, on human perception and psychology.

We can notice, based on all of the examples shown in this section, how there are some allusive references to the flowers and the plants present in these poems. They are never restricted to the descriptive level. Instead, they are deeply connected to some other aspects of the poems. A haiku poem is, therefore, not as simple as being related to a certain name of the flower or season it represents. Instead, it needs a deep connection with everything in the poem, so that the poem can function based on a totality of allusions, thus becoming all the more powerful and interrelated. It is up to readers to make their own connections based on cultural studies, literary studies, and especially on reader-response criticism to read and to understand these poems. The translation approach to these poems shows readers how the names of flowers can be changed or preserved at times in order to express similar emotional reactions and concerns.

While flowers may have their culture-specific related symbolism, they can also have a persona, or subjective meaning, which can be decoded based on the free associations the poet makes and which can be interpreted by the readers in his or her haiku poems. As haiku poems are allusive, readers can interpret them based on their intuitive connections among its elements, flowers, and other external elements included. The poem by Moldoveanu, for instance, presented in Ref. [15] above, shows how locust trees flowers are understood, based on free associations, as in psychoanalysis, when the patient says anything coming to their mind in relation to a certain element, with hope, while the "house in ruins" can be understood as an external element suggesting precisely the opposite, namely hopelessness. From this perspective, the blooms of any kind suggest hope and compensation in the face of a dreary reality.

In the poem presented before this one, the flowers, dead geraniums, are presented as an echo of the dead grandmother of the author of the poem. In the haiku poem presented before this one, the shadows of the trees are shown as bowing before the cranes who are leaving, showing, therefore, a harmony and a human-like response between the elements of nature, or a complete harmony. Going even more back in time, the poem about the blooming peonies shows a comparison between the ducklings and the blooming flowers.

The names of flowers in haiku poems, therefore, acquire context-specific meanings and allusions based on the very poem where they are introduced. We no longer speak of a culturally-binded symbolism, but of a subjective and context specific one, created on the spot, based on psychologically specific free association, which grants universal meaning to the names of flowers. In this way, the allusive power of flower and plant names is always present, and re-created in a fresh manner.

The haiku authors find, therefore, names of flowers as a means to connect to the external world, based on a subject-object merger perspective. The authors of the haiku poem become one with the surroundings, a perspective which is transmitted to the readers of these poems as well. This is a means through which allusions are expressed in haiku poems, as the outside, external world becomes a means of alluding to internal, subjective perception of it and emotions related to it.

Flowers may be considered as an example of cross-cultural translation, as well as an example of linguistic translation. In this case, the two types of translation, cultural and linguistic, cannot be considered, however, separate. They are united by the psychological significance of flowers in general for the members of any culture. The flowers are a universal symbol of beauty, as well as of fragility and ephemerality. The names of the

flowers may allow for the reinforcement of a certain aspect of the poem, such as the forget-me-nots in the playful poem which replace the morning glories, and which make reference to the human world. Yet, in both cases, the names of the flowers rely of the free associations readers make between the flowers in general, their names in particular, and the rest of the poem, allowing them to create a complex picture of the poem and to build links and allusive connections between the two parts of the haiku poem. Translation, be it linguistic or cultural, serves to building a strong interpretation of the haiku poem in the minds of the readers.

3. Conclusions

The present paper has shown how different cultures and translators can deal with the translation of haiku poems, from Japanese into English, or French, as well as from Romanian into English. There is a limitation of the study, as far as the Japanese language is concerned, since the author of the present paper does not know Japanese, and also since the majority of the authors of the online haiku writers' community led by Atanasiu does not know this language either. At the same time, we can see how there are main directions of the haiku poem which are considered in the community led by Atanasiu, and which are not related to the knowledge of Japanese language.

We can see how the triangle of mediated translation, from Japanese into English or French and then into Romanian, can lead to the creation of haiku poems that are appreciated within the community, or improved by considering the standards of the haiku poems by Atanasiu's community. The names of flowers in haiku poems considered in the present paper have been adapted from Romanian into English in order to preserve the allusions which were considered necessary for the functioning of the haiku poem. As the author of the present paper does not know Japanese, it is difficult to claim what the original role of the names of flowers was in the original language. At the same time, the intuitive way in which names of flowers are used in haiku poems may show that flowers names can simply work as they were presented in the original or as cultural adaptations in order to underline the allusions present next to these names. Names of flowers can be simple pretexts to underline certain aspects in the haiku poems, as well as means of fixing the seasonal element.

In the mediated translations, the names of flowers may further reinforce a certain meaning based not as much on universal symbolism of flowers but on personal symbolism and on free association techniques used in psychoanalysis based on the flowers and their symbols. Mainly, however, the symbol of flowers can be that of ephemerality and of vulnerability, As we can notice, the presence of certain flower is seasonal and, in this way, dependent on time,

Translations are strongly associated with haiku poems, as these poems rely on the way in which one language changes them into another. The flower names may, in this case, be considered as one main aspect or not. At the same time, these poems and their interpretation may remain context dependent and rely more on translation than others, due to language issues or to seasonal kigo issues.

We have access, as members of the Romanian online haiku community, to haiku poems based on translation after translation, and not to the original, meaning that we rely on worldviews that are different related to different versions of the original Japanese culture. Any other outside perspective on a different culture relies on the different vision of the translator. We can claim that we have access to mediated translations, as well as to mediated versions of reality.

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Chapter 6

Syntax in Legal Translation: A Functional Approach to Translating Simple and Complex Sentences in International Agreements from English to Slovenian

Nataša Gajšt

Abstract

International agreements are legally binding documents, which are characterized by highly structured and formalized language designed to ensure legal precision and enforceability. To translate them in line with legal and linguistic norms underlying legal translation, translators should be familiar with the characteristics of legal texts as well as be able to analyze grammatical structures and patterns in legal texts. This chapter aims to examine the translation of international agreements from English to Slovenian. It focuses on syntactic structures of simple and complex sentences at sentence and clause levels within the framework of systemic functional linguistics. The chapter thus aims to explore how these structures are maintained or adapted during translation. The focus is on identifying and assessing syntax-related translation shifts, including their frequency and the implications for the legal integrity of the target text. The chapter demonstrates the degree to which the syntactic characteristics of the source texts in English are preserved in Slovenian translations, given the strict requirements of legal language and the rules of the Slovenian language linguistic system. The key finding of the research presented in this chapter is that syntax-related translation shifts occur only when necessary to conform to the Slovenian language grammar system. The nature of the established shifts points to the translators' adherence to the rule regarding the maintenance of the highest possible degrees of accuracy when translating normative texts while observing the grammatical characteristics of legal language.

Keywords: legal translation, syntax, systemic functional linguistics, international agreements, translation shifts, English, Slovenian

1. Introduction

Being the language used in legal texts as specialized texts, legal language has certain typical characteristics, with proclaimed syntactic complexity of sentence and

clause structures being one of them. This can present a challenge to translators both in terms of maintaining the function or the communicative purpose of the original legal text in translation and in terms of the fundamentally linguistic perspective of translation.

Translators act as mediators between the message in the source language legal text and the message in the target language legal text [1]. As creators of translated legal texts, they ought to be able to determine sentence and clause structures in them and appropriately translate them into the target language based on this analysis. They should possess linguistic competence in the source and the target languages, which includes the knowledge of the syntactic characteristics of both languages [2]. In addition, they should also be familiar with the genre and functional characteristics of legal texts as a type of specialized text related to law as the prerequisite for choosing an appropriate translation strategy. The latter is crucial because different legal texts have distinct structures and conventions, which should be reflected in the translation.

When translating legal texts, it is necessary to follow the recommendation that translations of legal texts should be as precise, accurate, and legally reliable as possible, so that they will be understood in the target legal situation the same way as in the source situation. In accordance with the established translation norms that govern the translation of legal texts, the translators ought to translate each text in a way to preserve the ideational, interpersonal, and textual metafunctions of the original text being translated and/or the ideational, interpersonal, and textual functions of the translated text as best as possible [3–5]. For example, the European Union's (EU's) 'Treaty of Lisbon' is currently available in 23 languages and all 23 different language versions of this document must express these metafunctions as accurately as possible. Moreover, all these texts are equally authentic, which means that all language versions have equal legal status.

Regarding the linguistic aspect of legal translation, the analysis of various elements of syntactic structures helps translators recognize the ways in which information is structured in the text and enables them to create the legal text in translation [6]. The knowledge of the characteristics of syntax of source and target languages is also important for determining translation strategies while considering the communicative purpose or function of the translation.

It is a fact that languages differ in their grammatical aspects, and the syntactic structure of a particular language determines the possible ways in which messages can be organized in that language [7]. For legal text translators, the knowledge of these characteristics of individual languages is essential if they are to translate the text appropriately while considering the already mentioned purpose of legal text translation.

However, due to systemic differences between languages, translation shifts may occur during translation. Within the linguistic-oriented, comparative approach to translation studies, which underpins the research presented in this chapter, translation shifts occur during translation and are defined as structural shifts (or transformations) in grammatical structures at different text levels (i.e. at sentence, clause, phrase level) in the target language text in comparison to the source language text. According to this linguistic school of translation, these structural shifts are not random or arbitrary but are systematic and necessary, and stem from the fundamental linguistic/grammatical differences between languages.

Concerning syntax in particular, these shifts can be visible, for example, in different order in which clause elements are positioned in the source language text and in the target language text, as the changes in the structure of phrase elements, etc.

(i.e. structural shifts). Another common type of translation shift is unit shifts, which occur when a linguistic structure in a source language is expressed as a structure of different rank in the target language. To illustrate, a phrase (e.g. a noun phrase with complex postmodification) may be expressed as a clause in the target language (i.e. as a structure of a higher rank) (e.g. a subordinate clause); alternatively, and if the linguistic system allows it, a subordinate clause in a source language may be reduced to a phrase in the target language (i.e. it shifts to a structure of a lower rank) [8, 9].

This chapter seeks to explore one aspect of syntax in legal translation, i.e. the translation shifts which can occur when translating simple and complex sentences in international agreements in English into Slovenian (one being a Germanic language with rigid word-order structures, and the other being a Slavic language, which allows more flexible word order in a sentence since it is an inflectional language). Our aim is to present the scope and characteristics of these shifts. The chapter is divided into the following sections. First, we present the characteristics and functions of legal texts, including international agreements and legal language as they need to be observed in legal translation. Next, we elaborate on legal translation, legal and linguistic norms of legal translation, and the strategies in legal translation. At the level of grammar, we focus on translation shifts. This is followed by the presentation and discussion of our research findings related to the established translation shifts in the English to Slovenian translation of substantive provisions in selected international treaties. In conclusion, we discuss the implications of our findings within the broad context of linguistics-focused aspects of translation studies.

2. Functions and features of legal texts in the context of legal translation

In general, the function of a wide variety of legal texts is to establish rights, obligations, and procedures via carefully structured language use and the underlying formal conventions of law. These texts typically exhibit formal structures, which mean that they are organized in a predicable way. This section gives the overview of legal texts as text types and text genres by explaining their function and structure.

2.1 Legal texts as text types and text genres

Legal texts can be classified either according to tasks or functions or according to their structure. Regarding the former, we refer to them as 'text types', and regarding the latter, we refer to them as 'text genres'.

Legal texts as 'text types' can be categorized as either descriptive and argumentative or as scientific and didactic [10], or as either operative or informative [11]. For example, legislative texts or court judgments fall under the category of operative texts as their aim is to have someone (e.g. a legal entity) act or respond in a certain way. For example, a judgment by the EU Court of Justice in a case against a given EU Member State may order the Member State to act in compliance with the judgment (e.g. to pay a financial penalty, to repeal national measures that violate the EU law, to transpose an EU directive if overdue or if incorrectly transposed into national legislation). Within the category of legal texts, various forms of legislative texts (e.g. contracts, agreements, court judgments) can also be defined as binding instructional texts as they typically require the recipient of the message to act according to the 'instructions' given in the text [12]. Alternatively, they can be classified as operative (i.e. texts that regulate legal relationships between legal entities), expository (i.e. texts that

explain legislation), or persuasive (i.e. texts whose primary aim is to argue positions before authorities or courts) [13]. To illustrate, bilateral agreements between two countries are operative legal texts as they determine the duties and the rights enforceable under international law.

Focusing on their function or area of application, legal texts can also be put into one of the following broad categories: normative texts, judicial documents, administrative documents, public documents issued by authorized persons (e.g. public notaries), private legal documents, scholarly law-related texts, and informative law-related texts meant for the general public [14]. Based on their communicative purpose and context, we may further categorize legal texts as (purely) prescriptive/normative (e.g. constitutions, laws, regulations, international agreements, conventions), hybrid texts or case law (i.e. judicial texts as the texts that integrate both prescriptive and descriptive function, such as court decisions or collections of judgments), and purely descriptive texts (i.e. informative texts, such as legal textbooks, law-related encyclopaedias, law-related scholarly papers) [15, 16]. To illustrate, the examples of normative texts within Slovenian legislation are 'The Constitution of the Republic of Slovenia', the Companies Act', or the 'Criminal Code'. Similar normative acts are also found in English, such as the 'Constitution of the United States' (for the USA), the 'Companies (Audit, Investigations and Community Enterprise) Act 2004′ (for the UK), or the 'Criminal Code Act 1995′ (for Australia). At the supranational level, the examples of normative texts are the 'United Nations Convention on Contracts for the International Sale of Goods (CISG)', the 'Treaty on the Functioning of the European Union (TFEU)', the 'Kyoto Protocol (1997)', etc. Hybrid texts include, for example, court judgments, such as the judgments of the Supreme Court of the Republic of Slovenia (e.g. 'Cancelation from the court register without liquidation – cessation of obligations – accessory claims - III Ips 121/2011′); in the UK, an example of this type of text would be 'Codere Finance 2 (UK) Ltd., Re Companies Act 2006′. As for the purely descriptive legal texts, we find for, instance, scholarly works such as books and papers on various topics pertaining to the application of legislation (e.g. 'Veliki komentar Zakona o gospodarskih družbah' [17], 'European Comparative Company Law' [18]).

Another way to define legal texts is by seeing them as 'text genres'. Text genres are defined as texts, which are written and structured according to norms accepted by a particular discourse community. The emphasis of this categorization is placed on their typical established structure and linguistic features and properties. In other words, the focus is on their standard, often highly structured, established, and recognizable, form and distinctive language, which are recognized by the discourse community, which creates and uses such texts. The structure of legal texts is related to the text's purpose and the writers of these texts must adhere to the standard principles of a specific (legal) text genre [4]. In other words, text genres are individual categories of texts typical for a specific professional community, which differ from one another in terms of specialized vocabulary, form, and stylistic characteristics, which are in turn related to the function of a specific text [19, 20]. For example, normative texts usually contain five subsequent sections, i.e. the title and the preamble, general provisions, substantive provisions, enforcement and compliance, and final provisions. Court judgments, as examples of hybrid texts, comprise case identification, procedural background, legal arguments, reasoning, and the ruling.

Observing the structure of legal texts, scholars have found that they are rather repetitive, stereotypical, almost 'templated'. This means that they have standard structure, which can include not only a broad division into set sections, but also

specific page layout and typical typographic elements [19, 21, 22]. This relates to both macrostructure (i.e. the structure of the entire text) and microstructure (i.e. the individual components of the entire legal text, such as individual sections, paragraphs, and syntactic characteristics) [22]. Legal texts are hierarchically organized and internally logically well defined and consistent [23]. That is, text structure is consistent as main items are presented before secondary items, and general rules before special conditions and exceptions. The formal arrangement of text often mimics the logical progression of legal discourse. This formal arrangement extends beyond the mere text structure—it is present also at the level of sentences and even phrases [24]. The formal microstructure of legal texts is related to their functional structure. For example, at the microlevel, we distinguish between simple and complex sentence structures, which are units of information from a functional perspective. One level lower still, we speak of formal sentence structure and functional theme-rheme structure [25, 26]. Since legal texts tend to be rather extensive and complex, there is usually a close connection between the type of a legal text and its structure, which consequently results in numerous connections between conceptual, rhetorical, and linguistic features of the text [27]. The structure of legal texts and their constituent parts essentially reflect the processes of legal argumentation and thinking [16] (see, for example, Chapter 9 of the Rules of Procedure of the Court of Justice of the EU, which prescribes the content and the general structure of the EU Court of Justice judgments). Being aware of the functional and structural characteristics of legal text is important for the translators of legal texts since they need to take them into consideration so that the translated text retains the highest possible degree of legal and linguistic accuracy. As regards linguistic accuracy, the translator needs to maintain these logical processes of legal argumentation and thinking, which will be addressed later in the paper.

2.2 The characteristics of international treaties as text type and text genre

International treaties as a text type are legal documents, which are internationally legally binding, i.e. they are signed and observed in the context of international law. They are regulatory texts because they regulate the actions of the signatory parties regarding the subject matter of the treaty [16]. They are concluded in writing between one or more countries/states or international organizations and are binding on the signatories [28–30]. For example, a bilateral agreement between the Republic of Slovenia and any other sovereign nation (or international organization) is legally binding for both signatories alike. This fact is important for legal translation because the translation of international treaties should adhere to the principles of maximum accuracy and precision, also when it comes to structural, i.e. grammatical elements. To illustrate, Slovenian legislation stipulates that before signing a treaty concluded in Slovenian, a revision of the Slovenian text must be carried out to ensure consistency of the international treaty with other language versions of the original from a professional, legal-terminological, and linguistic perspective [31, 32].

As text genre, international treaties carry their specific structural and linguistic characteristics and conventions. Structure-wise, they begin with the title (stating the name and the subject of the treaty), which is then followed by the preamble (giving the background and the motives for the agreement/treaty), the definitions (clarifying key terms), substantive provisions (stating legal obligations and rights), procedural provisions (specifying implementation, relevant monitoring, and dispute resolution mechanisms), final provisions (stipulating agreement's entry into force, amendments, duration, termination procedures), and, finally, signatures

(stating date and place of signing, signatory parties and their representatives) and annexes (if relevant). The bulk of these documents consists of substantive provisions. Their function is prescriptive (normative), i.e. they determine rights, duties (i.e. obligations or tasks), and privileges in accordance with international law regarding the subject matter covered by the international treaty [16]. They are typically written as declarative sentences that act as independent units. Provisions taken from the agreement between the Republic of Slovenia and the United Nations (UN) regarding special-purpose contributions to the Industrial Development Fund illustrate this fact: "All financial accounts and statements shall be expressed in Euros and there shall be no accounting or reporting in other currencies. All transactions shall be recorded at the official United Nations rate of exchange applicable on the date of receipt and/or payment" [33].

As for the linguistic characteristics of international treaties, they can broadly be divided into terminological characteristics and grammatical characteristics. Regarding grammatical features, it should be noted that sentences are often complex, they contain nominalizations, and there is a frequent use of the passive voice, which is the focus of the following section.

3. Functional and grammatical characteristics of legal language and their significance for legal translation

Legal language is the language used within a very broad context of law and its function is therefore to serve as the language of communication within a legal environment. It is technical language since it is used primarily by legal experts [2, 34]. In other words, it is a functional variant of the general language due to its specific formal and semantic peculiarities, which are evident at various linguistic levels, except phonology [34, 35].

3.1 Functional characteristics of legal language and their significance for legal translation

The primary role of legal language in legal texts is to create legal effects and to influence human behavior through legal norms and regulations (e.g. normative texts stipulate rules of conduct in a specific situation) [16, 34]. Despite their diversity, legal activities are in some way related to the imposition of obligations and the granting of rights [36], which is expressed in/with language. Therefore, legal language can be viewed in relation to the types of legal texts in which it appears. Legal texts belonging to the same category share similar linguistic features, based on which we may find several subcategories of legal language, i.e. normative, judicial, administrative, etc. [14].

Regardless of the variety of legal texts in which it is used, legal language shows certain key characteristics that reflect the core principles of legal communication, i.e. formality, conciseness, clarity, precision, and coherence. One major element of the formality of legal language is the use of modal verbs of obligation, especially the modal verb 'shall', as exemplified in the following provision: "Evaluation of the activities financed from this Agreement shall be undertaken in accordance with the provisions contained in project documents and in accordance with the procedures described in UNIDO's administrative issuances" [33]. The formal nature of legal language grants legal texts authority and ensures their reliability. The clarity of legal

language is related to the fact that while unnecessary repetition should be avoided, legal texts must also not be overly condensed, as this could hinder comprehension. The precision of legal language means that the drafters of legal texts need to write exactly what is intended without the possibility of text being misinterpreted [6, 34–38]. Similarly, the translators of legal texts should observe the functional aspects of translated texts and translate the source language texts in a way that observes the above principles.

3.2 Grammatical characteristics of legal English and legal Slovenian

It is a fact that there are no grammatical rules exclusive to legal language, but there are certain differences in the frequency of use of certain grammatical elements and syntactic structures in legal language compared to general language [35]. These typical grammatical characteristics are connected to the function that legal language serves within legal discourse. In the context of legal translation, it is necessary to observe them next to the general syntactic rules of individual languages as general languages [2].

According to research, the most important syntactic characteristics of legal English include sentence length and complexity, nominalization, complex noun and prepositional phrases, precise definitions within individual legal provisions, and syntactic disruptions [2, 4], as shown in this example: "The selection, review and approval of projects to be financed by the Donor contributions will be done by UNIDO and by the Donor according to the joint priorities determined as per Article XII and in accordance with the approved programme and the general policy guidelines governing the operations of the IDF established pursuant to Article 17 of UNIDO's Constitution" [33]. Another feature is that sentences in legal texts in English are declarative; interrogative sentences are not found, and imperative sentences are rare. The structure of declarative sentences in legal provisions in English follows a clear, logical sequence of presenting information. In normative texts in English, for example, the structure of procedural or substantive provisions typically follows the formula "fact or condition – legal consequence" (i.e., "in case of X – consequence Y follows for Z," or "in case of X – Z must do Y") [35, 36], as given in these sentences: "If the parties do not agree on the subject-matter of the dispute before the President of the arbitral tribunal is designated, the arbitral tribunal shall determine the subject-matter."; and "Upon approval of a project to be funded from the Donor IDF sub-account, UNIDO shall establish a project account, in accordance with its financial regulations, rules and administrative issuances" [33]. This characteristic is clearly important when translating normative texts, since this type of texts demands the most restrictive translation as presented before, which may also relate to maintain the same sentence structure in the target language.

Sentence length and sentence complexity are among the most typical features of English legal language, too. The use of multiple subordinate and coordinate structures and the placement of adverbial modifiers (at the beginning, middle, or end of sentences) integrate vocabulary elements that would otherwise be separate sentences (e.g. in more general texts or conversational language) [36]. Another frequent syntactic feature of legal texts in English is the disruption of their linear information flow. Due to the need for precise qualifications within individual sentences, which are necessary for legal accuracy (e.g., in defining obligations), interruptions in syntactic structure occur, leading to complex and intricate sentence structures [39], as exemplified in: "Notwithstanding the other provisions of this Convention, a benefit under

this Convention shall not be granted in respect of an item of income or capital if it is reasonable to conclude, having regard to all relevant facts and circumstances, that obtaining that benefit was one of the principal purposes of any arrangement or transaction that resulted directly or indirectly in that benefit, unless it is established that granting that benefit in these circumstances would be in accordance with the object and purpose of the relevant provisions of this Convention" [40]. Nominalization is the next prominent feature of legal language, and it is more frequently used in legal language than verbal structures compared to non-legal texts. Regarding Slovenian legal texts, nominalizations are preferred over verbal structures. The decision to use nominal structures depends on linguistic context (i.e. sentence structure, meaning, and co-text), the text type, and the intended readers [41, 42]. Furthermore, it has been determined that nominalization leads to language condensation and content abstraction [43], which may lead to texts being too compact with information. On the one hand, nominalization is appropriate in long sentences (with numerous subordinate and coordinate clauses) as it prevents the excessive accumulation of clauses [42, 44].

The frequent use of passive voice is the third major characteristic of both English and Slovenian legal languages [45, 46]. Its purpose in legal texts is to emphasize the action rather than the doer of the action, to express objectivity in legal findings and conclusions [24, 43]. As regards legal texts in Slovenian, the use of passive voice is acceptable and often inevitable as it gives the texts an official tone and emphasizes generality and abstraction, as shown in the next example: "In case of failure to pay the compulsory annual contribution, the voting right of such Member's representative may be suspended in accordance with the Rules of Procedure." (in English – '*may be suspended*'); "Če druga članica ne plača obvezne letne članarin, se v skladu z določbami poslovnika njenemu predstavniku lahko začasno odvzame glasovalna pravica." (in Slovenian – '*se lahko odvzame*'; the passive voice is retained) [47]. However, when it serves as a tool for obscuring or misleading information, it is not acceptable [37, 48–51].

All the above needs to be considered during translation so that the precise meaning of the original text is not lost in translation.

4. Legal translation: Legal and linguistic norms, translation strategies, and translation shifts

The function that the legal text will have in the target legal environment and target legal situation influences how the text will be translated into the target language. Defining this function is crucial for selecting translation strategies before and during the translation process.

The analysis of the source text guides the translation process as it is the basis for deciding which translation strategy will lead to a target text that will fulfill the requirements of the translation task [26]. This includes the linguistic analysis of the text (including the grammatical aspects). The role of this analysis is to determine how the purpose of the source text is realized through linguistic elements [25] and it encompasses the consideration of similarities and differences between the source language system and the target language system. This section outlines the purpose of legal translation, the legal and linguistic norms related to legal translation, and the strategies in legal translation and translation shifts.

4.1 Purpose of legal text translation

Since the translation of legal texts always takes place from the perspective of the function that the translation of a legal text will have in the target legal environment or target legal situation, it is important to determine the function of the translated text next to its function in the source legal situation [25, 52]. A legal text can be translated either by focusing on its function or purpose in the source legal situation or by focusing on the role or purpose of the legal text in the target language [53]. Regardless of that, it is postulated that the essence of legal translation is the linguistic transformation of the source legal text into a text that is operative (for whatever purpose) in the target legal situation [54].

This last point leads to the concept of legal effect and equivalence [55]. Legal texts have their specific legal effects, and the legal effect of a translated legal text is not necessarily the same as the legal effect of the source legal text. However, it also needs to be observed that legal translation must be adapted to the legal-cultural differences between the source and target languages [56]. Concerning legally binding translations, i.e. translations of legal documents, such as equally authentic texts of international organizations (e.g. UN and World Trade Organization (WTO)) and supranational organizations (e.g. EU), the translations need to maintain the as high as possible degree of accuracy and legal reliability, making them the most restrictive among all legal translations [52]. From the purely grammatical perspective, this means that the translated texts may retain the grammatical elements and patterns of the source text.

4.2 Legal and linguistic norms of legal translation

The concept of norms generally refers to the rules or expected behavior in a specific situation [57]. In the context of translation, norms indicate a translator's (non-) compliance with the rules in the broader context of the translation process, they relate to specific approaches to the translation process, or they represent translator's internalized values. From a linguistic (e.g. grammatical) perspective, norms govern the translator's decision to either maintain the source text's conventions as much as possible or shape the target text according to target language norms [58, 59]. All this naturally applies to legal text translation as well.

As regards legal translation, norms are particularly significant because legal text translation should consider the translated texts' function in the target legal context, which consequently requires from the translator to make informed decisions about the textual and linguistic factors that lead to a legal text translation that will fulfill its intended purpose. This holds especially true for the translations of normative texts, which are to have the same legal effect as the original texts as explained before. Such translations hence require the highest possible degree of accuracy (also in terms of maintaining source text conventions) [16, 52].

Through their approach to translation, translators strive to express the message of the original legal text as effectively as possible through the target language text, considering its ideational and interpersonal metafunctions [3, 52, 60, 61].

Languages differ from each other to varying degrees, and each has its specific rules. The focus on linguistic norms primarily relates to comparing languages and finding appropriate text unit equivalents in the target language that would adequately represent the source language text units. Regarding linguistic norms and legal text translation, it should be emphasized that translators should consider both the

linguistic characteristics of the legal language in which the source text is composed and the linguistic characteristics of the target text's legal language next to the general characteristics of both languages.

Translation norms and linguistic norms thus guide the translator's approach to translation, i.e. their translation strategies, which will be addressed next.

4.3 Strategies in legal translation and translation shifts

Translation strategies are the translator's decisions before and during the translation process about the best approach to the translation for achieving the best possible translated text in a particular situation. From a broader perspective, translation strategies are related to the plan or methods selected by translators to carry out a specific translation-related task. At a narrower level, they are related to the procedures that the translator can implement during the translation process based on their plan and chosen method [62]. All of this is inextricably linked to the text type, its text genre, and the function it should serve in the target context.

As concerns legal text translation, translation strategies are the procedures chosen by the translator before and during translation to fulfill the intended purpose of a specific legal text translation in the target legal context, which is also connected with the degrees of accuracy required in legal translation. For instance, translations of legal texts can be legally binding and can also be used as part of argumentation in legal proceedings. It follows that anything, which fails to maintain a high accuracy of translation as linguistic transformation of the source legal text to become useful in the target legal language, can be unacceptable for legal text translation. One specific case is the translation of EU legislation. That is, all official language versions of EU legal acts are equally legally binding (i.e. they are equally authentic) and all EU legal acts must be translated into all official EU languages. This means that no matter which combination of language versions (texts) one compares (or reads), they need to express the same (legal) meaning. Another example is the agreements, which explicitly stipulate that all language versions are authentic. For example, in the act ratifying the trilateral agreement between the Government of the Republic of Slovenia, the Government of the Republic of Austria, and the Government of the Republic of Hungary concerning the operation of the centre for law enforcement cooperation at the border, the following is stated: "*Besedilo sporazuma se v izvirniku v slovenskem in angleškem jeziku glasi…*" [63]. In translation, this means that the text exists in original form in both Slovenian and English (as authentic languages). In case of any legal dispute, both language versions hold the same legal validity and neither language version prevails over the other one. Having this in mind, the translator should choose such translation strategies as to satisfy the role and the function that the translated text has in the target legal environment. Regardless of whether the translated legal text has the same legal effect as the source text, it is recommended that legal text translations are as accurate and legally reliable as possible [52, 56].

Consequently, the translator should select such translation strategies that meet this requirement. In other words, the translated legal text should maintain the ideational, interpersonal, and textual metafunctions of the original to the greatest extent possible [3, 60]. The choice of appropriate translation strategies depends on the consideration of external and internal factors impacting the translation situation, i.e. the linguistic system of the source and target legal texts, the type of legal text and text genre, and the purpose of both the source legal text and its translation as examples

of external factors, and the translator's choice of linguistic elements from the target language system as an example of internal factors.

The latter are also associated with the decisions at the level of the entire text and at the levels of specific text parts (e.g. sections, paragraphs, sentences, clauses, phrases). At the text level, translation strategies function as text processing strategies or strategies for generating the target text. The results of adopting a specific strategy are visible in the translated texts when compared with the source language text. Among the specific text processing strategies, translators need to adopt syntax-related translation strategies, which help them process the actual grammatical form of the source text (e.g. clause and sentence structures). Syntax-related translation strategies comprise adaptations and shifts in language units, changes in phrase, clause, or sentence structure, changes in cohesion, etc. [62].

When adopting specific syntax-related translation strategies, it is obligatory to observe the principle of maximum accuracy and legal reliability of translated legal texts [52]. Specifically, when faced with complex syntactic structures and other typical grammatical elements of legal language, the translators may either opt for preserving the sentence and clause characteristics of the source text and language as much as possible or for considering the sentence and clause conventions of the target language [22]. To get an insight into how information is structured in legal text or text segments (e.g. sentences), which is important for ensuring the communicative function of the translation, the analysis of source text's grammatical characteristics in relation to the subsequent selection of translation strategies may include sentence length and sentence types, non-finite structures replacing clauses (e.g. in English), the position/arrangement of the main and subordinate clauses, the structure and position of conditional clauses, the use of passive voice, etc. [36]. To illustrate, the sentence in English, which contains passive voice construction, i.e. "The amounts of annual contributions due from members *shall be decided by* the Governing Board." is translated into Slovenian with the active voice structure, i.e. "Zneske letne članarine za članice *določi* upravni odbor" [47].

The changes related to the above structures mentioned that occur during the translation process in translated texts compared the source texts are defined as translation shifts. They primarily manifest at the textual level, specifically at the lexico-grammatical level and may impact the ideational, interpersonal, and textual functions of the translated text. The lexico-grammatical level is based on a hierarchy within systemic functional grammar, with the highest level being the clause or clause complex and the lowest being the morpheme [61].

There are several typologies and definitions of translation shifts found in translation studies and comparative linguistics scholarly research. Broadly speaking, it may be either a compulsory result of the differences between the two linguistic systems or non-compulsory. The latter stem from translators' decisions on how to translate a particular segment of the text and are based on their stylistic, ideological, or cultural choices and not from the intrinsic differences between the two language systems [64]. When it comes to the translation of legal texts and considering their nature and function [16, 52, 53], it can be expected that the translations exclusively comprise compulsory translation shifts. For example, the nominal phrase with an ed-clause as postmodifier in English is, due to the characteristics of Slovenian, translated as a subordinate clause: "the actual costs of the services *approved by UNIDO in accordance with this Arrangement*" and "dejanski stroški storitev, *ki jih odobri UNIDO v skladu s tem dogovorom*" [33].

As for the frequency of translation shifts, it is plausible to expect that they will occur in higher number at the lower ranks of grammar (e.g. at phrase structure level) than at the higher ranks (e.g. the sentence level or clause level). The fact is that two languages are more likely to exhibit similarities at higher levels of grammatical structures than at the lower [61]. Stemming from this, we can infer that syntax-related translation shifts occur in higher numbers at the clause level than at the sentence level.

4.4 Syntax as system

A discussion of syntax-related translation shifts would be incomplete without a brief overview of key observations regarding syntax as the system in which words and phrases build sentences and how these are arranged within a sentence to convey meaning [65, 66]. Each language has its own syntactic patterns, and they impose constraints on how messages can be organized in a particular language [7]. It is obvious that syntax and structure are two interrelated concepts. Structure is a concept that is associated with any complex entity, where complexity implies division of the whole into individual (categories of) constituents. Also, each constituent within a structure has its specific function and syntax, as a system, determines the functional relationships between individual constituents [67, 68], e.g. at sentence and clause levels.

According to systemic functional linguistics, the clause is a unit that contains a single unit of information. It is ranked one level below the sentence and functions as a basic unit of discourse. It carries a communicative function in all languages, and it is structured in a way to integrate into the flow of discourse with its constituents being structured around a single predicate [3, 68, 69]. Clause elements are connected in different patterns, which are characteristic for individual languages [70–72]. The sentence or the clause complex is built from clauses, which can be independent (main) or dependent (subordinate) in a systematic and meaningful way as simple, compound, complex, or compound-complex units [68, 69, 73]. A more comprehensive review of a variety of syntactic patterns at clause level [70, 71, 74] falls outside the scope of this contribution.

5. Translation of simple and complex sentences in international agreements: A case of syntax-related translation shifts in English to Slovenian translations

This section brings the results of our study of syntax-related translation shifts in line with Catford [8] and Chesterman [9], based on our corpus of simple and complex sentences from international treaties in English and their translations in Slovenian. The research question underlying our study was related to the analysis of the scope and nature of structure and unit shifts that occur in these translations.

5.1 Study design

Our study was based on the sentences in English functioning as substantive provisions in international treaties and their Slovenian translations. The steps in our analysis were as follows. First, we randomly selected international (multi- or bilateral) agreements in English as their authentic language and their Slovenian translations, which were available on an online depository of treaties signed by the Republic of Slovenia. Next, we randomly picked 200 English sentences and their Slovenian

translations for the corpus. This small-scale corpus was built as a parallel, translation-oriented corpus [75–77]. To prepare the material for subsequent grammatical analysis in line with our research question, we manually annotated all English and all Slovenian sentences in line with probe questions and the annotation system founded in systemic functional grammar [69, 73, 78–80]. At the sentence level, this included the information about the type of sentence (i.e. simple, complex, compound, and compound-complex) and, in case of complex, compound, and compound-complex sentences, the position of each clause within the sentence. Clauses were marked as follows: α = main clause, β = subordinate clause (1st level of subordination), γ = subordinate clause (2nd level of subordination), etc. The following markings were used to delimit individual units | = clause elements; || = clauses).

At the clause level, we observed the order (i.e. the syntactic position) of clause elements within the clause (e.g. subject (S) + predicate (P) + direct object (DO) + adverb (A)). In addition, we analyzed each clause element (e.g. subject, object, adverb, predicate) in terms of its structure (e.g. subject/object: noun phrase (NP) – simple or complex; predicate; verb (VP) – tense and voice, adverb – type of adverbial phrase (AdvP)). We used Excel spreadsheet to manage our data. Once the material was prepared, we analyzed the occurrence of translation shifts at the sentence and clause levels from a quantitative and qualitative perspective, as this approach gave a comprehensive insight into the frequency and nature of translation-related shifts in syntactic structures [81].

5.2 The results: General findings

Regarding the number of different types of sentences (i.e. simple, complex, compound, and compound-complex), we found that 73% were single-clause sentences and 27% were multi-clause sentences (i.e. clause complexes). The category of multi-clause sentences comprised 70.4% complex sentences, 22.2% compound sentences, and only 7.4% complex-compound sentences.

We found translation shifts at sentences level in overall 32% of Slovenian translations compared with their English parallel sentences. In other words, almost two thirds of Slovenian sentences (at sentence level) retained the same structure as their English counterparts, as is shown in the next examples taken from our corpus.

[1a] *The Agreement | shall be concluded | for an indefinite period.* (simple sentence (α); structure: subject (NP) + predicate (VP) + adverb (AdvP)).

[1b] *Sporazum | se sklene | za nedoločen čas.* (simple sentence (α); structure: subject (NP) + predicate (VP) + adverb (AdvP)).

Concerning complex sentences, the next example also shows no structural shift at the sentence level:

[2a] *If one Party has or encounters a problem in respect of this Article, || the aeronautical authorities of that Party may request immediate consultations with the aeronautical authorities of the other Party.* (complex sentence: subordinate clause (β) + main clause (α)).

[2b] *Če ima pogodbenica težave glede tega člena, || lahko njeni letalski organi zaprosijo za takojšnje posvetovanje z letalskimi organi druge pogodbenice.* (complex sentence: subordinate clause (β) + main clause (α)).

The overall percentage of syntax-related translation shifts at clause level was 66%, which is approximately double the percentage at sentence level. The obtained results correlate to the premise that more shifts occur at lower ranks of syntax structures, as was presented in the previous section.

In line with the aim of this chapter, we now present the findings regarding syntax-related translation shifts per simple sentences and complex sentences separately by giving quantitative and qualitative results.

5.3 Syntax-related translation shifts at sentence and clause levels: Translated English simple sentences

Our corpus included 146 one-clause (i.e. simple) sentences in English. The analysis of their Slovenian parallel sentences at sentence level showed that in 68.5% of cases, the one-clause structure was retained in translation and in 31.5% of cases, the structure in Slovenian sentences was complex. Here, the prevalent structure was 'α + β' (71.8%), followed by the 'α + β + γ' structure (15.2%) ('γ' = a clause subordinate to the 'β' clause). The change from a simple sentence to a complex sentence means that there were unit shifts, i.e. the changes from a phrase in English to a clause in Slovenian, as shown in the example below. This example illustrates how the English noun phrase with complex postmodification functioning as subject is translated into Slovenian as the subordinate clause expressing condition.

[3a] *Failure to reach a satisfactory agreement within fifteen (15) days from the date of such request | shall constitute | grounds for the application of paragraph 1 of Article 4 of this Agreement.* (single sentence (α)).

[3b] *Če v petnajstih (15) dneh od dneva zaprosila ni dosežen zadovoljiv dogovor*, || *se lahko uporabi prvi odstavek 4. člena tega sporazuma.* (complex sentence – subordinate clause (β) + main clause (α)).

Turning to the clause-level analysis of syntax-related translation shifts, we must first highlight that the same clause structure was retained in 40.4% of Slovenian sentences compared to their English parallel sentences, while in 59.5% of cases, there was some type of syntax-related translation shift. The nature of the shift in the second category can be divided as follows; 48.5% of sentences retained the simple-sentence structure, which points to structure shifts of clause constituents only. On the other hand, 51.7% of Slovenian sentences had a complex (i.e. main clause + subordinate clause) structure, which indicates both structure shifts and unit shifts. Predominantly, there was only one shift per sentence (in 95.2% of all cases).

The qualitative analysis of these syntax-related changes showed that (a) individual sentence elements (subject, object, or adverb) were embedded in the predicate, and (b) structure shifts occurred due to the change from passive voice in English into an active voice in Slovenian or vice versa. We illustrate our findings with the following two examples:

[4a] *The other costs of the arbitral tribuna*l | *shall be shared* | *equally* | *by the Parties.* (sentence structure: DO + P (passive) + A + S).

[4b] *Druge stroške arbitražnega sodišča* | *si* < *pogodbenici* > *delita* | *v enakih deležih*. (sentence structure: DO + P < S > +A).

[5a] A *list of reception facilities* | *shall be drafted and regularly updated* | *by the Sava Commission.* (simple sentence: DO + P (passive) + S).

[5b] *Savska komisija* | *pripravi in redno posodablja* | *seznam prevzemnih obratov*. (simple sentence: S + P (active) + DO).

The next example shows that the word order of clause elements is retained, despite the change from passive voice in English into active voice in Slovenian:

[6a] *Regular monitoring of port areas* | *shall be performed* |*by the competent authorities.* (simple sentence: DO + P (passive) + S).

[6b] *Redni monitoring kakovosti voda na območju pristaniščˇ | izvajajo | pristojni organi*. (simple sentence: DO + P (active) + S).

The analysis of Slovenian sentences with complex (subordinate) structure showed both structure and unit shifts. Concerning structure shifts, we observed a wide variety of different structures, which do not allow any generalizations of results. We did find, nevertheless, 44 different patterns in Slovenian sample compared to 24 different patterns in the English parallel sample. It is interesting to note that in 37.8% of cases, both types of shifts were present.

The qualitative analysis of unit shifts showed the change from the English complex noun phrase with extensive postmodification (usually in the function of the object) to a subordinate clause in Slovenian (66.7%), followed by a similar shift due to a complex adverb (26.7%). We can conclude that most of these shifts were the result of the highly complex structure of English noun phrases. In this respect, Slovenian translators opted for verbal structures and avoided excessive nominalization in a sentence, as is evident from the following two examples:

[7a] The *boatmaster of a vessel transporting hazardous substances* | sh*all notify* | the *competent authorities of the Party involved*. (single sentence: S (NP with extensive postmodification) + P + DO).

[7a] *Poveljnik plovila,* || *ki prevaža nevarne snovi*, || *obvesti* | *pristojne organe zadevne pogodbenice.* (complex sentence: α < β>: S < β > + P + DO).

[8a] *Personal data supplied under this Agreement | shall be kept | only for the time necessary to achieve the purpose for which it was supplied.* (single sentence: DO (NP with extensive postmodification) + P (passive) + A (NP extensive postmodification).

[8a] *Osebni podatki, dani na podlagi tega sporazuma*, | *se lahko hranijo | le toliko časa, da se doseže namen, zaradi katerega so bili dani*. (complex sentence: DO <β1> + P (passive) + A + β + γ).

5.4 Syntax-related translation shifts at sentence and clause levels: Translated English complex sentences

Most English complex sentences in our corpus had the following structures: 'α + β' and 'β + α' (89.5%). That is why we present the analysis of their Slovenian parallel sentences only.

The first observation of shifts at sentence level was that Slovenian sentences prevailingly retained the same structure as their English counterparts, i.e. 'α + β' structure - 82.4%; 'β + α' structure - 72.7%. Only a small percentage of Slovenian sentences exhibited the shift in a sense that the order of the main clause and the subordinate clause was changed, or that the subordinate clause in English evolved into two subordinate clauses in Slovenian. The following two examples show (a) no shift in the position of clauses and (b) a shift in clause position.

[9a] *Unless immediate action is essential to prevent infringement of the laws and regulations referred to above*, || *the rights enumerated in paragraph 1 of this Article shall be exercised only after consultations between the aeronautical authorities of both Parties*. (complex clause: β + α).

[9b] *Če ni nujno takojšnje ukrepanje za preprečitev kršitev navedenih zakonov in drugih predpisov,* || *se pravice iz prvega odstavka tega člena uresničujejo samo po opravljenih posvetovanjih med letalskima organoma pogodbenic*. (complex clause: β + α).

[10a] *The consultation shall take place within a period of thirty (30) days from the date of the proposal to hold a consultation*, || *unless both Parties mutually agree on another timeframe*. (complex clause: α + β).

[10b] *Če ni dogovorjeno drugače*, || *se posvetovanje opravi v tridesetih (30) dneh od dneva predlaganega posvetovanja.* (complex clause: β + α)

Like with simple sentences, we also analyzed the changes in syntactic patterns within complex sentences at clause level. Regarding the nature of the syntax-related shifts at clause level, we found structure shifts in 48.8% of cases. From the qualitative perspective, these shifts were the result of the changes from passive voice in English to active voice in Slovenian or vice versa or embedded clause elements. Most often, the subject became embedded into the predicate, followed by the object and the adverb. Also, there were examples of changes in word order without embeddings. Here, adverbs changed their position within the clause most often, followed by object and subject (compared to their positions in English clauses). This is the same as with simple sentences because Slovenian allows flexible word order.

[11a] *If* | *assistance is refused*, || *the decision and the reasons therefore* | *must be notified* | *to the applicant authority without delay*. (sentence / clause structures: If + DO + P (β) ‖ DO + P + IO (α)).

[11b] *Če* | *se* < *pomoč* > *zavrne*, || *mora biti* < *organ prosilec* > <*o taki odločitvi in razlogih zanjo* > <*takoj* > <*uradno* > *obveščen*. (sentence / clause structures: Če + P < DO> (β) ‖ P < DO + IO+A1 + A2 > (α))

[12a] *If* | *one Party* | *has or encounters* | *a problem* | *in respect of this Article*, || *the aeronautical authorities of that Party* | *may request* | *immediate consultations with the aeronautical authorities of the other Party*. (sentence / clause structures: If + S + P + DO +A (β) ‖ S + P + DO (α))

[13b] *Če* | *ima* | *pogodbenica težave glede tega člena*, | *lahko* ≤ *njeni letalski organi* ≥ *zaprosijo* | za *takojšnje posvetovanje z letalskimi organi druge pogodbenice*. (sentence / clause structures: Če + P + S + DO (β) ‖ P < S > + DO (α))

Focusing on unit shifts, we observed the differences in syntactic structure of Slovenian sentences compared to their English parallel sentences were due to complex nominal phrases with extensive postmodification, which were structurally changed in subordinate clauses, thus moving from nominalization to verbal structures.

5.5 Discussion of findings

First and foremost, a fundamental quantitative finding from our research was the predominance of simple sentences in our corpus. This may indicate that the complexity of sentences in legal texts frequently mentioned in scholarly discussions may not be necessarily manifested in the type of legal texts we studied. Alternatively, this complexity may not be expressed in sentence- or clause-level structures but rather at phrase-level structures (i.e. due to complex noun phrases). At the same time, the findings point to the fact that in legal language each sentence is semantically complete as it focuses on one action only with one predicate; this is typical for substantive provisions in normative texts [82].

Concerning the number of shifts, we found that they were relatively few, which means that predominantly the same syntactic structures were preserved in translations. Also, there were more shifts at the clause level than at the sentence level, which aligns with the premise that translation shifts are more frequent at lower levels of syntax [61].

As regards translation shifts in both sentence categories under analysis, the high percentage of preserved sentence structures in Slovenian sentences compared to their English parallel ones may stem from these rather uncomplicated sentence structures. When syntax-related translation shifts did occur, they were primarily due to complex

structures of noun phrases with extensive postmodification acting as sentence subjects or objects. That is, in instances when the noun phrase in English was followed by either one postmodifier of several of them (frequently in their own subordinate dependency, e.g., 'prepositional phrase', 'ed-clause', 'ing-clause', 'to-infinitive'), they typically took on the role of subordinate clauses in Slovenian. In this way, the complex nominal structures were transformed into verbal structures, which can facilitate comprehension of normative texts in Slovenian [44, 51].

The second important finding of our analysis was that structure shifts occurred due to (a) the changes in the order of clause elements (with embeddings or without), and (b) the changes in the order (position) of clause elements because of the shift from passive voice in English to active voice in Slovenian or vice versa. Concerning the former, it was the adverb, which changed its position within the clause structure, followed by the subject and object. It is noteworthy that this happened in both types of sentences. It needs to be stressed that Slovenian is an inflectional language and allows flexible word order, whereas English has more strict rules when it comes to the order of clause constituents [70–72, 83].

Concerning the latter, the shift from passive to active voice was interesting because the passive voice use is a typical and recommended feature of legal language, also in Slovenian [20, 46].

To conclude, we argue that the syntax-related translation shifts as found in our corpus primarily happen due to the inherent differences between English and Slovenian and only in cases where this is strictly necessary. In other words, substantive provisions in Slovenian as the translations of English originals show a strict adherence to the rule about maintaining the highest possible degree of accuracy (as presented in detail in the previous section of the paper), which also includes maintaining source text linguistic conventions, i.e. the grammatical characteristics of legal language [16, 36, 55].

6. Conclusion

The translation of legal texts requires translators to produce the translations, which will fulfill a required purpose in a target legal environment or situation. That is why it is essential that translators understand and are familiar with both text type conventions and genre conventions of legal texts. To this end, it is advisable to analyze the ideational, interpersonal, and textual functions of legal texts to choose a suitable translation strategy for achieving the goal of translation. At the operational level, translators should analyze structural and grammatical features of legal texts, which include the analysis of sentence and clause structures and patterns as the building blocks of the textual aspect of texts. This will enable them to make informed decisions during the translation process so that the text they produce adheres to the legal and linguistic norms and standards of legal texts, i.e. the texts that will be operational in the target legal environment or situation.

The insights into legal translation presented in this chapter and the approach adopted in our study represent a synergy between a pure contrastive linguistic approach to legal translation and a broader functional approach to analyzing legal texts for translation purposes. Moving the analysis from top to bottom, i.e. from function to form, in a systematic way enables translators to choose the most suitable approach to the translation of any given legal text.

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Chapter 7

Translating European Union Law: An Innovative Way of Looking at Translation Theories

Ivan Sammut

Abstract

The paper discusses whether traditional translation theories can be applied to the translation of European Union (EU) law. It will start by explaining EU multilingualism. Then, from the law, the discussion moves to translation techniques and whether they can apply to EU law. Then, the role of the Court of Justice of the European Union is discussed within the context of harmonisation of European Union law. Will the theological approach carry the day, or will the literal approach be the norm? The paper concludes with a discussion on using a lingua franca as a working language and the effect of Euro-English.

Keywords: EU legal translation, scopus, legal harmonisation, literal approach, theological approach, euro-English

1. Introduction

Translation is an activity with a purpose where the target text does not simply convey the message of the source text but is meant to fulfil precisely the same full purpose of the source text. It is meant to reproduce the source text in a different language with the same linguistic and cultural effect. Nord's introduction to 'Translating a Purposeful Activity' gives the example of a policeman giving directions in Jakarta. It is not enough to convey the directions but also the message that a native speaker would understand that the officer does not know the way. Functionalist means focusing on the function of the text and the translation. Functionalism can be described as a broad term used for various theories that approach translation in this way. One of the leading theoretical principles in this regard is the *Skopos* theory. *Skopos* is the Greek word for 'aim or 'purpose', and this was introduced into the translation theory in the 1970s by Vermeer as a technical term for translation and of the action for translation. This theory is not alone, and modern functionalism did not appear overnight. Another important landmark theory is the 'German school' of the functionalist theory. This is Katherine Reis and her early work on text type and language function. It can be argued that the seventies and eighties saw a move away from the static linguistic typologies. There was a move towards a functionalist and communicative approach to translation analysis. Besides the two theories already mentioned, one

can also refer to Mänttäri's theory of translational action and Christiana Nord's more detailed text analysis model, which continued to develop the functionalist tradition in the 1990s.

However, EU legal translation is different from traditional translation. While it is still a translation involving a source and a target language, legally, it is not a translation, and the source and target text are, at law, considered equally and identical. Moreover, while reading Shakespeare in French, it is public knowledge that it is a translation, as everyone knows that the original Shakespeare was written in English. The same cannot be said for the Treaty on the Functioning of the European Union (TFEU) or any other EU treaty or secondary EU legislation.

The basic unit of translation is not the word but the concept. This is particularly true in the case of the European Union (EU), which currently has twenty-four language versions. Council Regulation 1/1958/EEC stipulates that once a language is recognised as official, according to Articles 2 and 4 of the Regulation, the EU institutions must communicate with citizens and enact legislation in all the recognised official languages. This includes the legislative instruments adopted for legal harmonisation [1, 2]. Legal harmonisation is the process by which national laws are brought closer to each other for the better functioning of the Internal Market [3, 4]. This is mainly done through EU directives. Hence, the multilingual nature of EU law is inherently linked to the need for uniform interpretation and application of EU law.

The European Union can be described as a 'club' of sovereign Member States and sovereign citizens. These two levels of membership governance are autonomous yet dependent on each other, as an EU citizen can only be so if the person is a citizen of a Member State. When states form part of the Union, they are not giving up their sovereignty. They remain fully sovereign states, unlike Scotland when it joined England to form the United Kingdom or the independent State of Vermont, which chose to join the United States. Scotland and Vermont are no longer subject to international law in their own right but are constituent parts of another sovereign country, namely the UK and the USA. When the original six Member States formed the then-EEC, they remained completely sovereign. As the club's shared law, EU law also becomes the Member States' domestic law. Hence the need to have EU law draughted and translated into all the official languages. Uniformity of the 'club' is necessary, as the law must be the same in all Member States. This means that the translation of EU law has to guarantee the legal uniformity of EU law. While the laws may be draughted in English and translated into Greek, the Greek text is as authentic as English. Hence, EU legal translation has to be in a way to guarantee the uniformity and authenticity of the shared legislation. Therefore, the 'club' translation must have unique characteristics that make it different from other literature translations.

However, one needs to keep in mind that in the same way when a natural person joins a club, the natural person remains a fully free citizen, but within the club is expected to follow the rules of the club. Hence, football players who join a club are expected to wear official football gear and cannot choose their colour when playing for the club. If they do not like the colour, they can leave. Not having the option to choose your style when you form part of the team does not make you less sovereign. One joins the team of one's own free will because the person is better off within the club than on his own. Certain objectives can only be achieved through teamwork. The same goes for a mixture of small and medium-sized sovereign states who want to compete economically and perhaps politically in the global world and want to form what we now call the Internal Market.

So when a person joins the club, the choice is to abide by and follow the club's rules. Any departure from the rules of the club can be a matter of shame and will be

disciplined either by the club or through self-discipline. The same analogy can be extended to Member States that depart from EU law. If a Member State joins the club, i.e., the EU, they are choosing the rules of the club and prevailing over their own rules not because the club rules are superior (as one may think) but because they chose to do so. National courts are entrusted to uphold the club rules (like self-discipline), and states may be subjected to enforcement actions under Article 258 TFEU (Treaty on the Functioning of the European Union). Ultimately, there is peer political pressure to abide by the rules. Not abiding by the rules is a lack of collegial respect that threatens the harmony within the club. This legal and political situation is also reflected in the translation techniques of EU law. Certain terminology used in EU law may diverge from the same terminology used in the same language in national law. One can mention 'domicile', an English word with a different meaning in EU law than in English law. This discussion is expanded later on in this paper.

When a Member State joins the EU, the club they are consenting to prioritise the club's rules. It is a necessity, a common sense, for a union or a club to function. The intention is to prioritise the club rules and any potential conflict, which should be considered an unintentional error. EU law and the EU institutions are NOT external; they complement national institutions shared with the other Member States. When a Member State wants to stop all this, it can be done easily, though not without economic and political consequences. A Member State can leave. The UK was one of the best-behaved Member States on the legal front. While not going into the merits of Brexit, from a legal perspective, it made a good choice to leave once it did not like certain rules. However, as long as a Member State is in the club, it is natural and common sense that the club rules prevail. Prevail by 'common sense and not by superiority'. EU law is not superior to domestic law; it is a form of domestic law in its own right. The CJEU (Court of Justice of the European Union) should not be confused with the ECtHR (European Court of Human Rights). The CJEU is not an international supervisory court but a national institution through club membership, which the other Member States share. The EU institutions are not a kind of privy council that used to dictate over colonies such as Malta during the British colonial period.

Through Regulation 1/1958/EEC, all national official languages of the EU had to become the official language of the EU. The Regulation provides that all EU laws should be available in all EU official languages and have equal authenticity. Hence, whether it is French, Dutch, Estonian, or Maltese, they are EU official languages. All languages in national law must become an official EU language. EU law is *de facto* national law, interpreted and applied in the national courts, so EU law needs to be in the same language(s) as national law. As all languages in the European Union are treated by law as equal, one cannot differentiate between original and translated text. Whether the original text is draughted in English, French, or German is irrelevant. All languages are equal. Hence, as explained earlier in this paper, unlike a translation of Shakespeare where the reader knows that English is the original version, the same cannot be said when reading EU law. It does not make a difference between the Maltese and the French version of the Treaty of the European Union. At law, all language versions are equal and original.

EU legal translation contributes to the harmonisation of EU law and the evolution of the European legal culture. Harmonisation is the process by which the national law of Member States is brought closer to a common denominator through mainly EU directives, which are instructions to Member States to amend their national legislation. EU law can be both directly applicable as EU Regulations or transposed into national/domestic law through directives, which are like instructions from the EU to

its Member States to achieve the objectives in the Directive through national/domestic law. The Court of Justice of the European Union (CJEU) has regularly clarified that a uniform interpretation and application of EU law entails uniformity of all the language versions in which EU law exists. In fact, in numerous judgements, the CJEU has emphasised that the need for the uniform interpretation and application of EU law entails that EU legislation must be interpreted and applied 'in the light of the versions in all .... Languages' (Case 29/69 *Stauder* [1969]) and more recently, Case C-375/07 *Heuschen & Schroff* [2008]. In the *Regina v. Bouchereau* case in 1977, the CJEU added that 'the different language versions ... must be given a uniform interpretation' (Case 30/77 *Regina v. Bouchereau* [1977]).

Thus, the Court makes it clear that while the EU institutions operate in various legal cultures and languages, institutional multilingualism must still result in the uniform interpretation of the law (Šarčević) (ed.) [5]. Legal harmonisation is the process of using directives, and the EU instructs the Member States to bring their national laws within the parameters set by the Directive. The national laws are written in the official language(s) of the Member States, and EU law also requires directives to be available as the authentic version in the official language of the Member State [6]. EU legal translation is not just a 'standard' legal translation from one Source Language (SL) to another; it requires introducing new legal and linguistic concepts [1, 2].

'New' means this legal culture is created specifically for the EU legal order. As Šarčević's earlier work points out, a proper legal translation is not just being faithful to the text but also recreating the spirit of the text (Šarčević) [7]. Having twenty-four authentic versions is not just about a common linguistic meaning but also common legal concepts. For example, domicile in civil law countries like France and Italy means residence, but domicile in common law countries such as Ireland and the UK (when it was a Member State) is much more than residence. The domicile of origin is of great legal significance in common law countries. Hence, translating 'domicile' involves assimilating legal concepts, not just linguistic ones.

In the translation of EU legal texts, one can argue that Šarčević's observation can be taken even further, as the legal translator needs to recreate not necessarily the spirit of the Target Language (TL) but must contribute to the creation of a 'new' European legal translation. As in EU law, there are no source and target texts, as all are original. One would have to assume that all texts are 100% match. While this is often the case, sometimes there will be no 100% errors in some circumstances. Nevertheless, the law must be the same. This is not just a literary text but the law. Hence, through the Court's interpretation, the CJEU must uphold the common identical interpretation found in the text, which has twenty-four original versions. This is mainly done through the literal or theological approaches, as will be described below.

2. EU legal translation

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One can say that the paradoxical relationship between language, translation, and the autonomy of EU law strengthens the argument that EU law mirrors the *sui generis* nature of the European legal order. One can agree with Anne Lise Kjaer, who argues that it is a challenge for practitioners of legal translation and calls for reflection on the part of translation scholars and lawyer linguists [8]. She rightly argues that the real challenge in European law is not a translation in the narrow sense of the word but translation in a broader sociological sense, that is, the transfer of the legal knowledge that is produced and developed by the interaction of lawyers and judges in the European institutions and at the European Courts as participants of discourse communities at the supranational level of the EU law. At the central level, the actors may agree on the 'semantics' of the emerging European law and declare its 'semantic' independence from national law.

However, stating autonomy does not automatically result in autonomy. It still depends on the interpreter's application of the text. Nevertheless, stating the autonomy of European legal concepts does mark a shift in the legal discourse of European lawyers, also at a national level, and discourse can change what people believe is real. When European concepts are constructed as autonomous, people will increasingly treat them as such. Hence, from this argument, one can appreciate the nature of EU legal translation and its contribution to the harmonisation of law in the Internal Market.

In 1957, the treaty establishing the European Economic Community gave the Council carte blanche to establish a language regime for the institutions of the Community in terms of the then-Article 217, reflected in the present Article 342 of the TFEU:

> *"The rules governing the languages of the institutions of the Union shall, without prejudice to the provisions contained in the Statute of the Court of Justice of the European Union, be determined by the Council, acting unanimously by means of regulations."*

The Council, acting unanimously, enacted its very first binding Act in 1958: Council Regulation No. 1, determining the languages to be used by the European Economic Community. Article 1 of this Regulation established French, German, Dutch, and Italian as this Community's official and working languages, reflecting the

national languages of the six founding countries, namely, France, Germany, Italy, and the Benelux countries (Belgium, Luxembourg, and the Netherlands). Since then, the European Economic Community has developed into the European Union, the six Member States have increased to twenty-seven, and the four official and working languages have multiplied to twenty-four.

Article 1 of Regulation No. 1/58 has been amended accordingly, and today reads as follows:

> *"The official languages and the working languages of the institutions of the Union shall be Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Irish, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish."*

The substance of the regulation, however, has remained, in essence, unchanged. It comprises a concise preamble recalling the legal basis abovequoted and eight equally concise provisions.

In terms of Articles 2 and 3, written communication sent by a Member State or an individual subject to its jurisdiction to an EU institution may be draughted in any of the languages listed above, and any reply must be given in the same chosen language. Furthermore, any documents an EU institution sends to a Member State or an individual pertaining to it must be drawn up in the particular state language. Articles 4 and 5 are of utmost importance to ensure the accessibility of European legislation to all European citizens. These provisions declare, respectively, that documents and regulations of general application must be draughted in all the official languages and that such documents and regulations must be published in all twenty-four languages in the Official Journal of the EU. Article 6 grants the EU institutions a degree of flexibility: they may thus "stipulate in their rules of procedures which of the languages are to be used in specific cases".

The Court of Justice is set apart from the other institutions: the languages to be used in proceedings before it are regulated by the Court's own Rules of Procedure. However, these rules largely follow the general scheme of Regulation No. 1/58. Finally, this Regulation establishes that where a Member State has more than one official language, the relative Member State's general rules of law determine the language to be used.

Regulation No. 1/58 does not clearly define its scope of applicability. Article 1 speaks broadly of the languages "of the institutions of the Union" but does not explicitly state which institutions they are. They are listed in Article 13 TEU and are the European Parliament (EP), the European Council, the Commission, the Court of Justice of the EU, the European Central Bank (ECB), and the Court of Auditors. Article 13 TEU also mentions two advisory bodies that aim to assist the Parliament, Council, and Commission: the European Economic and Social Committee (EESC) and the Committee of Regions (CoR). Regulation No. 1/58 thus applies to all the above-mentioned institutions, barring the Court of Justice, which, as explained above, are explicitly excluded from the scope of the Regulation under Article 7.

Regulation No. 1/58 also does not necessarily apply to other EU bodies and agencies. It does not apply, for instance, to the Office of Harmonisation for the Internal Market (OHIM), now EUIPO (European Union Intellectual Property Office), responsible for the registration of Community Trademarks, now EUTMs, and established by Council Regulation (EC) No. 40/94, which also established the working languages of this Office, English, French, German, Italian, and Spanish. A citizen may accordingly

file an application in any of the official languages of the EU but must also indicate a second language, out of the five languages of the Office, to be used in the case of subsequent proceedings.

From the above, one needs to emphasise that as the European Union acts like a club of Member States sharing sovereignty, their commonly agreed laws need to be interpreted and applied uniformly. For example, a provision regarding the dissolution of a company cannot be interpreted differently in Spain and Ireland just because these two jurisdictions have different legal traditions. The company law directives must be applied and interpreted uniformly as EU law, like the euro currency, is the same in all Member States. There is no such thing as the Greek euro or the Estonian euro. The euro is the same for all. The same applies to legislation draughted in twenty-four language versions!

3. The theories

One can narrow the CJEU's approaches to EU legal translation into literal and theological approaches to address the above issues and achieve legal certainty. The literal approach reflects the classical reconciliation method of interpretation adopted by the Court of Justice, whereby it considers diverging language versions of a particular legislative text and attempts to reconcile them and extract the intended meaning on a purely linguistic basis.

The theological approach refers to the method of interpretation adopted by the Court of Justice, whereby the latter discards linguistic considerations completely and reaches its decision based on the purpose and general scheme of the rule in question instead.

Derlén and Berends refer to the literal method as the "classical reconciliation method" and the "textual" method, respectively, while, as stated above, Baaij terms it "the literal approach" [9]. Berends identifies this method of interpretation as one of three that corresponds to the general rule of interpretation in international law [10]. This provides that in order to interpret the terms of a multilingual treaty, one must begin from the ordinary meaning of such terms, taking into consideration the context as well as their object and purpose since it is not always straightforward to ascertain the meaning of such terms from a purely linguistic perspective. Berends likens the literal approach to examining the ordinary meaning of the terms, recalling that this is based on the presumption that the legislator's intention has been reliably expressed in the legal instrument concerned. Thus, the ordinary meaning may be detected by analysing the words and language used in the text. According to Derlén's classical reconciliation method, all the language versions are compared and reconciled based on a particular principle, such as preference for a clear or majority meaning. Baaij also discusses this approach in some detail, citing and echoing Derlén. He confirms that the Court, in adopting such an approach, tends to employ one of two possible arguments: the 'majority argument' or the 'clarity argument', and that, thus, the Court reconciles the various texts on the basis either of the meaning expressed by the majority or based on the clearest text [11].

Various CJEU judgements deal with the literal approach, and it is not easy to be exhaustive, but one can mention some examples. One can mention *Proceedings brought by X, Dirk Frederik Asbeek Brusse and Katarina de Man Garabito v Jahani BV* and *Jager & Polacek GmbH v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM)*.

X involved a linguistic discrepancy between the various language versions of Article 12 (a) of Directive 95/46/EC. The Court declared that the English and Swedish versions of this provision were ambiguous but held that neither obliged Member States to communicate information for free. Furthermore, in all the other language versions of this provision, and thus, the vast majority thereof, there was nothing to preclude communicating the said data against payment. The Court justified its conclusion as follows, echoing *Stauder*:

> *"For the purposes of its interpretation, Article 12 (a) of Directive 95/46 cannot be examined solely in the Dutch-language version: according to settled case law, the need for the uniform application of an EU measure and, accordingly, for a uniform interpretation of that measure makes it impossible to consider one version of the text in isolation, but requires that it be interpreted on the basis of both the real intention of its author and the aim which the latter seeks to achieve, in the light, in particular, of the versions in all languages."*

Derlén says that the theological approach primarily considers the "purpose" and/or "context" of the rule in question and "completely discards the linguistic aspect once a discrepancy is observed between the various language versions." In cases it decides teleologically, the Court generally declares that reference must be made to the purpose and general scheme of the rules of which the provision or legislation in question forms part, which is, according to Stevens and Bredimas, as well as Berends, a "combination of teleological and systematic interpretation."

An example of CJEU's use of this approach is the judgement of *Posteshop*, which concerned the interpretation of Directive 2006/114/EC. Here, the CJEU held that:

> *"The wording used in one language version of the EU law provisions cannot serve as the basis for the interpretation of those provisions. Where there is divergence between the various language versions of a European Union text, the provisions in question must thus be interpreted by reference to the general scheme and purpose of the rules of which they form a part."*

In this case, the French and Italian language versions of Recitals 3 and 16 to 18 of the Directive differed in that the former referred to "*pubblicita' ingannevole ed illegittimamente comparativa*." In contrast, the latter referred to "*publicite' trompeuse et ... publicite' comparative illicite.*" The Italian version thus suggested that advertising had to be misleading and unlawful, while the French version identified two separate forms of advertising. Acknowledging this discrepancy, the Court proceeded to examine Article 1, which lays out the purpose of the Directive and other relevant provisions, and pointed out that the Directive contains two separate definitions for misleading advertising and unlawful comparative advertising. The CJEU also analysed the development of EU legislation in this field, thus employing the historical method of interpretation to confirm its view that misleading advertising and comparative advertising are indeed two separate infringements and are not cumulative.

The reference for a preliminary ruling in *Genil 48 SL and Comercial Hostelera de Grandes Vinos SL v Bankinter SA and Banco Bilbao Vizcaya Argentaria SA* concerned the interpretation of Article 19 (9) of Directive 2004/39/EC. The Court noted a linguistic variance between the various language versions of this provision, whereby the English, Spanish, Danish, German, Greek, Italian, Dutch, Finnish, and Swedish texts provided that "an investment service is offered as part of a financial product."

In contrast, the French and Portuguese versions contained an expression similar to "offered within the framework of."

The Court acknowledged that the former wording suggested a closer, more specific link, while the latter was decidedly broader. The CJEU upheld the importance of referring to relevant rules' purpose and general scheme. It then launched into an examination of the purpose of Article 19 (9), examined other provisions in the Directive, such as Section 2 of Chapter II of Title II thereof, and also considered, to some extent, the wording of the provision in question, in order to reach its conclusion.

Multilingualism is the ability to communicate in multiple languages, while plurilingualism is the ability to learn multiple languages. The EU is about multilingualism. The club's laws need to be in the national languages of the Member States, as explained above, and the citizen has a right to communicate with the EU in her/her own language. The EU is about preserving diversity while fostering coming EU values. EU citizens cannot be required to learn foreign languages to communicate with the common club. Hence, multilingualism is a basic principle around which the EU is built.

4. Euro-English

The challenge for legal translation brought about by the above judgement is how to mix linguistically and legally different national cultures and that of the EU and maintain coherence. Even in one of the old landmark cases dealing with the general principle of human rights, the CJEU in *Stauder* ([1969] ECR I-419), ruling in 1969, said that for the sake of uniform interpretation, it was impossible to consider one version of the text in isolation. At that time, only four official languages were spoken. Hence, one can say that the experience of EU translation today may go beyond multilingualism and into the concept of plurilingualism.

The above can be taken as an argument whereby legal translation requires understanding the deeper level of legal language, which may be called the legal-epistemic level. In the past, Europe's legal language was Latin. Today, English may be regarded as a technical *lingua franca,* although there are problems associated with this. The main problem is that some jurisdictions may still prefer other languages, such as Latin. Considering EU law, you realise that around 90% of legislative documents are draughted in English. The rest is almost translated into English immediately, and stakeholders, eurocrats, and translators are more likely to use the English version, given that it is the main working language. If English is not the draughting language, the English version will still likely be the main bridge to translate into other languages. Hence, is it safe to answer what language law speaks? The answer is English. Therefore, one can conclude that English is the main language for draughting and translation, as it would probably be a SL if not a TL.

In the past decades, the spread of English has received considerable attention among scholars of the English language. The case of English in the EU is no exception. It is a new variety of English with its special jargon, even if the existence of a specifically European variety of English as a *lingua franca* is far from being widely acknowledged. Some writers use 'Euro-English' and/or 'EU English'. These terms refer to English as a *lingua franca* in the European context. As Modiano points out, Euro-English brings non-native speakers of English into contact with other non-native speakers in Europe, perhaps even more than native speakers. As a result of this phenomenon, one can notice the emergence of typical lexical choices, discourse strategies, and even accents that can be studied if Euro-English is to be accepted as a linguistic reality.

Contrary to Euro-English, which can be described as a non-native variety of English, often used in draughting documents mainly by non-native speakers, EU English is produced by native speakers of English. When a particular text is originally draughted in another language, this is translated by the English unit of DGT, who are, as per employment requirements, native speakers of English. Research projects focusing on EU English have investigated lexical features with the help of corpora of the EU, mainly legal documents. However, while non-English-native speakers in the EU civil service contribute to its creation, Euro-English goes beyond that. It also results from the need to find common meaning denominators to ensure uniformity of legislation across different legal traditions. The 'domicile' example mentioned earlier also makes another good example in this case.

EU English deals with various activities in which the EU is involved. Reference can be made to the work of Trebits in her article *English for Specific Purpose,* who studied the use of English in the recruitment competitions organised by the European Personnel Selection Office (EPSO) and compared the results with the Corpus of EU English (CEUE). All the texts in the CEUE were published after 2000, and the final version contained over 200,000 running words. This corpus may appear small but valid as it is highly specialised and limited. She compared the results with the written part of the British National Corpus (BNC) using lexical frequency and range computer programs. The frequency list allowed her to draw up the list of the most frequent conjunctions in the CEUE and compare the two corpora in terms of categorises of the conjunctions used.

Another corpus-driven study by Jablonkai Reka was published in the Journal *English for Specific Purpose*, where she identified and analysed lexical bundles in written English EU discourse using the corpora mentioned above. She concluded that English EU discourse differs from other written registers in several aspects. First, she observes that EU texts use bundles with verb phrases more. Secondly, lexical bundles appear at fairly high frequencies. Hence, the corpus suggests that most EU texts consist of formulaic patterns. The different nature of the lexical bundles in written English EU discourse is important to raise awareness of the difference between English used for EU purposes and general English. Reka's study shows that the use of English in European affairs has developed in a special way to fit its purpose, and this comes out clearly when one looks at the various applicable corpora. In her study, she concludes that corpora-driven research about the use of English in EU texts provides a coherent picture of the lingua franca's use within an EU context for courses and materials designed to teach English for EU purposes.

Turning back to the problems of legal translation, every comparative lawyer is a translator, as language is central to acquiring knowledge of foreign law. The complexity of the multilingual situation necessitates European institutions to take the initiative to rationalise the situation, given that EU legal translation needs to navigate among more than 500 possible language combinations. They used a lingua franca, even merely as a point of reference, which will contribute to better uniformity. However, the use of English also presents an additional challenge. The English language necessarily brings with it the ideas of common law.

The English used in EU law differs from that used in common law. It is a new language, and its role is quite peculiar. It is just one of twenty-four languages, and EU texts take their meaning from all language versions, which are often draughted and negotiated by non-native speakers. Styles, concepts, and words are taken from other languages and adapted to English. Hence, English in the EU has become a 'neutral' or 'descriptive' language, a reference point for the eurocrats and the stakeholders.

It is a comprehensible language that is not necessarily tied to English law. It is the language from which one can create neologism. In this context, English is undergoing an evolution. Here, one can refer again to the domicile concept mentioned earlier. In EU terminology, 'domcile' acquired the civil law meaning rather than the English common law meaning mentioned above. Today, English is the lingua franca of the EU, yet it is an official language only in Ireland and Malta after Brexit. Hence, 'domicile' in Euro-English means different from British English, which is just an example. This results from the fact that most of the use of English in the EU is used by non-English native speakers.

Most problems relating to translating the Draft Common Frame of Reference (DCFR) and the Communication on European Sales Law (CESL) are apparent when translating this *lingua franca* into all the other official languages. For example, how can one translate French concepts codified in English with a German background? These legal instruments contain agreed or compromised definitions offered by the authors in their commentaries. The appendix to the DCFR has a long list of definitions of the terms used in formulating the rules. In translating standardised English into the other twenty-three languages, if there is no equivalent in the language and the particular context of notions and concepts belonging to the national experience, it will be necessary to create 'new' terms, concepts, and principles.

Felici explains how, although English has been used since the EU acceded to what was then the European Economic Community in 1973, the increase in the use of English as a *de facto lingua franca* gathered momentum [12], first with the Scandinavian enlargement in 1995 and then achieved the current boost with the 2004 enlargement. This is supported by the statistics published by the Commission in 2009 (*Translating for a Multilingual Community*) (2009), which report that while English as SL was 72.5% in 2008, 15 years before, it was 45.4% [13]. French went down from 40.4% to 11.8%. Such a considerable increase in the use of English over a short period inevitably contributed to an unmarked form of English devoid of cultural specificity. Hence, one can find new terms such as *internal market, pigmeat,* and so on. Other words or phrases have acquired new meanings due to the influence of other languages. For example, one can mention the *actual* meaning of 'current' or *if it is* used to replace the preposition 'for'. These are just examples, and listing them down is beyond the scope of this work.

5. Conclusion

Law and language in the European Union are certainly not mutually exclusive; theirs may be described as a symbiotic relationship. European legislation must be expressed in terms of language, and the role of language is even more important in such a context because the law is binding on twenty-eight Member States, each having its own language and millions of citizens residing within them. European legislation creates rights and obligations on the EU Member States and their citizens, and it is therefore essential that this legislation is available in a language such citizens understand. Multilingualism in the EU, particularly regarding the availability of European legislation in various languages, guarantees democracy and ensures transparency.

Multilingualism also serves an important symbolic role: Member States that have relinquished a part of their sovereignty are not also called to surrender their identity. Article 55 TEU states that the treaty is drawn up in a single original in twenty-four languages, where each version thereof is equally authentic, and Article 1 of Council

Regulation No. 1/58 declares these twenty-four languages as the official and working languages of the European Union. The official languages are thus deemed equal, and in theory at least, there is no *lingua franca* or any one language that is *primus inter pares*. The fact of multilingualism thus arguably perserves towards and preserves a scenario of unity in diversity, certainly regarding the linguistic regimes in place in the EU institutions and the enactment and availability of multilingual EU legislation.

Draughting the EU's multilingual legislation is a complex legal translation, as each language version is considered authentic. As a consequence of this uniformity, the unity of the law must be preserved. Each version must correspond not only linguistically but also in structure and content. Hence, it is the task of the EU legal translators to produce twenty-three accurate and reliable texts with the same meaning. As stated before, complete correspondence between the language versions of the EU legislation is essential to harmonise laws. It has also been argued that EU legal translation merits considering a special genre of legal translation as certain skills and techniques are particular to EU legal translation as opposed to legal translation in general [1, 2].

The real challenge of EU legal translation is not just the lack of uniform terms but also the lack of uniform legal concepts. This means that EU legal translators face the challenge of managing the conjuncture of national and EU legal languages while maintaining sufficient coherence. Thanks to the legal translation process, EU experts can contribute to creating a 'new' European legal culture with autonomous legal concepts. The autonomy of the 'new' European legal culture not only creates a challenge to lawyers but also a new challenge to linguists regarding how to achieve a single legal language in all the official languages [14]. Regarding this challenge, the increasing use of English as a *de facto lingua franca* in which a single legal language contributes to developing a 'new' legal culture is facilitating the achievement of some form of uniformity in EU law.

From an examination of the Court's earlier decisions and contributions by various authors, including Derlén and Baaij, it is clear that the two most common approaches favoured by the CJEU are the literal and teleological approaches. Under the former, the Court compares the various language versions of a text or provision that differ in some way between one or more of such versions and determines the correct meaning of such text or provision by looking at the majority of the versions or the clearest text. The teleological approach permits the Court to reach its conclusions and determine the correct meaning of a diverging text or provision by considering its purpose and general scheme.

The recent CJEU decisions discussed in detail in this dissertation confirm that these two methods are the most commonly resorted to by the Court. However, it tends to employ other methods, such as the historical method, which examines preparatory documents to the diverging text or provision, and the contextual method, which considers the context of such text or provision.

In conclusion, in the context of the European Union and political and economic cooperation between twenty-seven Member States, multilingualism and multilingual legislation in twenty-four languages symbolise unity in diversity. The reality and responsibility of interpreting such multilingual legislation, especially where linguistic variances arise between the various language versions, is challenging with the CJEU.

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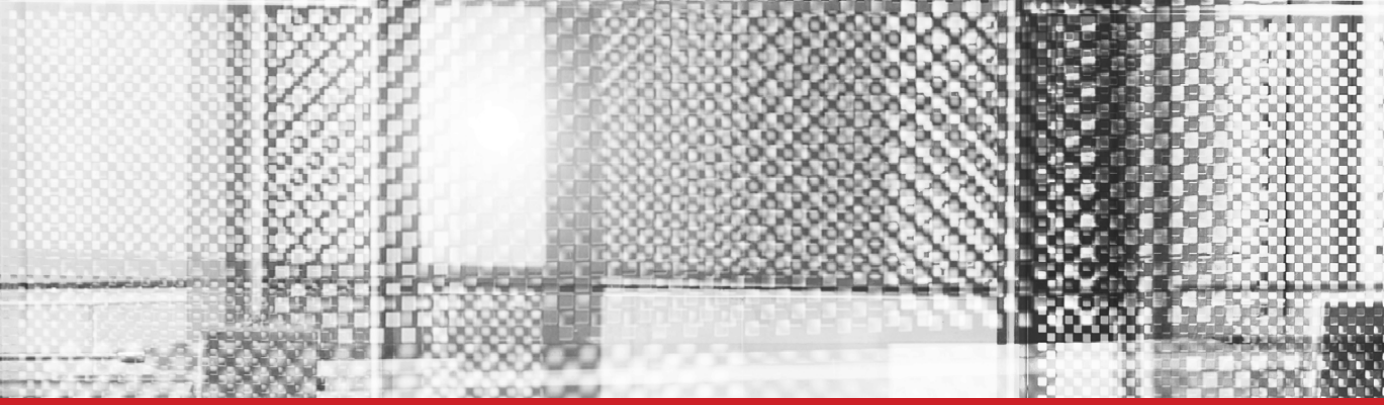

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What happens when Translation Studies merges with Cultural Studies? The merger unveils an encyclopedic world hidden behind the cross-linguistic surface, catapulting us into the realms of multilingual studies, cognitive sciences, social sciences, history, geopolitics, the humanities, and now the exponentially growing field of AI technologies. This book brings together scholars from a multitude of disciplines to attest to the merger on a 21st-century intercultural and interdisciplinary platform, where (inter)cultural agility, interpretative adaptability, and resonant creativity emerge as a galvanizing force in Translation Studies. In doing so, cutting-edge theories and concepts in the field, such as trans-creation and eco-translation, among others, are highlighted. More significantly, the chapter authors examine linguistic hierarchies embedded in geopolitical power structures and dive into the cultural and historical depth to capture the essence of the paradoxes between "translatability" and "untranslatability" among traditions, cognitive frameworks, mental precepts, and linguistic constructs. Thus, disciplinary boundaries fade into the background, and a symbiotic linguistic/cultural undertaking in Translation Studies is crystallized. The book treats translation as both a linguistic and cultural endeavor with multimodal and multi-layered interactions across all human realms.

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