

## Original Paper

# On the Translation of *The Great Ming Code (Da Ming Lü)* from the Perspective of Translator's Discourse

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\* This project is funded by Department of Education of Guangdong Province through the grant number 2017WQNCX167.

Received: May 15, 2018

Accepted: May 24, 2018

Online Published: May 29, 2018

doi:10.22158/wjssr.v5n2p181

URL: <http://dx.doi.org/10.22158/wjssr.v5n2p181>

### **Abstract**

*Based on a paucity of cases and drawing on the translator's subjectivity, this essay examines how Jiang Yonglin employed numerous translation strategies to foster the realization his discursive power: On the one hand, he tries to be neutral or objective via a combination of domestication and foreignization strategies, at the same time, influenced by such factors as culture, value and ideology, he is more or less biased towards one party by adopting selective translation strategies. The study proposes that translators, subject to various social and personal ideologies and cultural value, do display double roles during the translation process. The findings illustrate the fact that there is indeed a close connection between discourse and ideology, and promote the translation criticism of Chinese legal classics.*

### **Keywords**

*translator's discourse, The Great Ming Code, ideology*

### **1. Introduction**

The translator's discourse focuses more attention on how to foster the semantic and cultural communication in the form of proper target text so as to realize the intention of the discourse, embodying the translator's unique discursive role in the translation process. Discourse has been identified as the "primary medium of social control and power" (Fairclough, 1989, p. 3), most notably in legal settings (Coulthard & Johnson 2007, p. 37), where the use of language is structured in such a

way as to facilitate control through the exercise of power (O'Barr, 1982; Conley & O'Barr, 1998, 2005; Cotterill, 2003). It is reasonably argued that the translator's discursive function can be embodied from such four aspects as: 1) the establishment of the relationships: the translator's discourse is the explicit process of the translator's thought. The translator constructs the translated discourse and then establish the close relationship between the source text and the translated text. Meanwhile the relationship among translated text, readers and source text is also built through non translated discourse, filling in "the other world" caused by the cultural differences; 2) the establishment of the translator's value: The formation of the translated text is the result of communication and connection between various texts and discourses, or rather the result of the translator's subjectivity; 3) Interpretation: The translation's discourse is an interpretation or re-explanation of the previous discourse including the source text, notes and the other translations; 4) Politic: Apart from the information communication, the translator's discourse more often than not has some power manipulations, implying the translator' social stance, political attitude and identity.

Since the cultural turn, the attention has been drawn from an investigation of texts and contexts such as the analysis of linguistic differences between source and target texts, to subtexts and translation-related decisions, i.e., ideology or the reasons why a text is translated or not, and who the translator of a text is (Beatrice & Matilde, 2012). Consequently, numerous researches have been conducted within the discourse of power relations in the context of translation (Álvarez/Vidal, 1996a; Arrojo, 1997; Dimitriu, 2006). Since readers are, at present, exposed to foreign classics more often by means of translation, and since translation can be shown to have a remarkable influence on the cultural exchange, the study of foreign classics should no longer be neglected. Translations, whatever their intention, reflect a certain ideology and it is undertaken in the service of power and as such manipulate the work to function in a given society in a given way. Discourse is not simply the combination of words and phrases based on certain rules, but more importantly the complex power relationships implied. Power is embodied through discourse. In consequence, power is closely related to such constraints as hegemony, target readers and norms, which may to a great extent oppress translators or discourse. The original intent of the source language will, consciously or not, be tainted by the translator's subjectivity. Hermans (1999) points out that language is subjectively coloured and emotionally charged, rather than neutral and impassive.

It is well acknowledged that *The Great Ming Code (Da Ming Lü)*, as the monument in Chinese history, has a vital role to play in reinforcing communication between nations and peoples. It is by no means clear that research on *The Great Ming Code (Da Ming Lü)* from the translator's perspective means that the translator and the source text should be brought to the fore, requiring the researcher should be involved into the text and probe into the inherent logics of the source text and let the translator reappear and re-explain the translation, and it also refers to the fact that put the translator's discourse under the

historical background so as to uncover the translator's translation thought and further the manipulation on the source text.

## 2. Method

The present research is conducted based on the examples and theory of power discourse and the translators' subjectivity. The author will first of all probe into the linguistic differences between the Jiang Yonglin's version and Chinese version of *The Great Ming Code (Da Ming Lü)* through extensive examples.

Such methods as inductive and critical discourse analysis are adopted to explore the interaction between translation strategies and translators' discursive role from the perspective of critical discourse analysis and the translator's subjectivity. Documental method is used to conducting researches on the translators' discourse. Meanwhile, critical discourse analysis method is adopted to explore the translation strategies and linguistic performance so as to confirm the idea that affected by such discourse as personal ideology and subjectivity, Jiang Yonglin takes full advantage of his role to foster the realization of his translation objectivity via various translation strategies.

## 3. An Introduction to the Translator's Discourse

The pure original text is not in its existence because of its property of history, and our understanding of the text is a gradual accumulation of explanation. Since the original text is consistent process of rewriting and reorganization, different readers in different eras more often than not have various comprehension about the original text. Due to the fact that Chinese words in ancient era are a little vague, it is well acknowledged that the translation of Chinese classics is the explanation of the original text, and the writer of Chinese classics is invisible, and rather the translator is more or less visible. Consequently, research on the translators' discourse is indeed paramount.

The researches on discourse are to a larger extent are concerned with Fairclough, Wodak and van Dijk (cf. Van, 1993a; Fairclough, 1995; Fairclough & Wodak, 1997; Caldas-Coulthard & Coulthard, 1996). Fairclough and Wodak insist that language is a form of social-action (Fairclough & Wodak, 1997, pp. 278-279). Van Dijk holds that language is related to mental schemas representing the social and give rise to stereotypes, that in turn give rise to various ideologies, among which are exclusionary discourses, especially racism (Van, 1977, 1980, 1998; Van, & Kintsch, 1983). The nature of discourse is dynamics and intention. It implies that discourse is interwoven with ideology which may not be realized but have to be admitted like presupposition, value and belief. Therefore, translator's discourse must more or less has the hint of his ideology. Research from the perspective of discourse will avoid the mere focus on the academic analysis of the translated text and the only such criteria as faithfulness and accuracy. Fairclough, Norman (1992) puts that any discursive event (i.e., any instance of discourse) is seen as

being simultaneously a piece of text, an instance of discursive practice, and an instance of social practice, among which the relationship between texts and texts, and texts and social practices have been brought to the fore. It is fairly generally agreed upon that a sound theory of discourse should comprise not only a theory of the structures of text and talk, but also a theory of context, of the relations between text/talk and context and of (re)contextualization processes in general (Auer, 1992; Duranti & Goodwin, 1992; Gumperz, 1982). It is also obvious that power plays such a pivotal role that the translator can manipulate to exert effect on the relation of a harmonious translation context.

Power is implied in the discourse, and that refers to the process where a certain norm initiated by a social group will be delivered to and further accepted by the target readers so as to build his relevant social status and therefore recognized by other groups. And there is a further very good reason to say that discourse can not only convey the surface meaning but also involve the potential influence on the target readers, as such much importance should be attached to the influence of translation on the target readers while studying the translator's discourse. Evidently, the translated discourse power transmitted through translation is not exactly equivalent to that of the writer's original intention due to such differences as culture, expression and social context, etc., or rather, it is obviously easy to render the realization of discourse intention since both the target readers and the original writer have the same cultural and language environment, but that is not the case with the translator whose target readers are enormously different from the original readers. It can be embodied from the following aspects: when the original writer's target readers include all the readers, especially the target readers of the translated version, then the translator will necessarily adopt relevant strategies to render the original writer's discursive intention into proper ones accessible by the target readers; If the original writer's discursive intention is for some of the target readers in the source language context instead of all the readers, the translator has no choice but to make a discretion and exert every effort to re-recognize the source text so that the unique implication in the source language can be successfully converted into the translator discursive power in the target context. It has to be pointed out that the translator's discursive power isn't necessarily equal to discourse dominance. The translator's discursive power, as a kind of soft power, gradually penetrates into the target context while discourse dominance can be referred to such case under which the target readers are forced to accept foreign culture. Power dominance studies the power relations between cultures, conquest and submission and further the control of one culture on the other culture. However, it is not the power relations between source culture and target culture in the translator's discursive power but the attempt to present the various social factors in the source culture to the target readers in such a way accessible to them.

#### 4. Result

Jiang Yonglin, who is the former president the Society for Ming Studies, has been devoted to Chinese legal culture for several decades. Besides, he, the Associate Professor of University of Minnesota, once helped William Jones at Washington University School of law in St. Louis to translation *The Great Qing Code*, not only improving his language level and encouraging him to fill in gap in the existing Chinese legal literature but also offering him new view to probe into Chinese legal culture. He had full knowledge of the Chinese legal culture and Western cultural context, positively activating the translation behavior. Such experience can more or less reflect the invisible communication between Jiang Yongling Jiang and the source author so that the English version of *The Great Ming Code (Da Ming Lü)* could reflect the intention of the author. Yonglin's translation of *The Great Ming Code (Da Ming Lü)* comes to its first existence in 2005, which has been the first and sole version of the translation in the history. It is based on the text of *The Great Ming Code* contained in Gao Ju (Ed.), *Da Minglü jijie fuli* (The great Ming code with commentaries attached by regulations), originally published during the Wanli regin (1573-1619). The very moment when *The Great Ming Code (Da Ming Lü)* was rendered into English version was at the period of Sino-US strategic dialogue. As such, it can't be denied that Jiang Yonglin's translation has the hint of social ideology or power, which drives him to provide an accessible translation version. On the other hand, as the former president the Society for Ming Studies and the Associate Professor of University of Minnesota, it is his duty for Jiang Yonglin to research into Chinese legal history and promote the cultural communication by translating the *The Great Ming Code (Da Ming Lü)*. Nevertheless, how Jiang Yonglin displays his discursive role and whether the translation goal has been attained remain to be explored in depth, which will be studied and analyzed in the following section.

##### 4.1 Translator's Neutral Role and Its Discursive Display

In creating a new act of communication of a previously existing one, translators are inevitably acting under the pressure of their own social conditioning while at the same time trying to assist in the negotiation of meaning between the producer of the source language text and the reader of target language text, both of whom exist within their own, different social frameworks (Hatim, 1990). Undoubtedly, there is a connection in terms of goals and words and structure choices of the target language text. Translation is objective-motivated: such translation skills as additions, omissions and alteration may be justified in relation to the intended meaning.

One of the most striking examples of justifying the translator's neutral role is taken from the regulation on Prohibition (against Fraudulently Claiming to Be) Security Group Chiefs or Community Heads (Jingge zhubao lizhang) in Laws on Revenue.

### Example 1

#### Chinese version

##### 禁革主保里長

凡各處人民每一百戶內議設里長一名甲首一十名輪年應役催辦錢糧勺攝公事若有妄稱主保小里長保長主首等項名色生事擾民者杖一百遷徙

其合設耆老須於本鄉年高有德眾所推服人內選充不許罷閑吏卒及有過之人充應違者杖六十當該官吏笞四十

#### English version

##### Prohibition (against Fraudulently Claiming to Be)

##### Security Group Chiefs or Community Heads (Jingge zhubao lizhang)

(1) In all cases where, among people of all localities, one community head and 10 tithing chiefs (jiashou) are selected from every 100 households by discussion, they shall serve in turn for one year to collect taxes and manage public affairs. For those who fraudulently claim to be security group (zhubao), deputy community heads (xiao lizhang), security group heads (baozhang), tithing chief managers (zhushou), or like and create trouble and harass the people, they shall be punished by 100 strokes of beating with the heavy stick and banished for life.

(2) If village elders (qilao) ought to be established, they shall be selected from those who are elderly and virtuous in villages and who are trusted by the villagers. Discharged functionaries or runners (baxian lizu) or persons who have transgressions shall not be selected as (village elders). Any violations shall be punished by 60 strokes of beating with the heavy stick. Relevant officials and functionaries shall be punished by 40 strokes of beating with the light stick.

As is evidenced from the above example, such concepts that are unique and can to a certain extent reflect Chinese culture as “甲首”, “主保”, “小里長”, “耆老” and “罷閑吏卒” are respectively rendered into tithing chiefs (jiashou), security group (zhubao), deputy community heads (xiao lizhang), elders (qilao) and functionaries or runners (baxian lizu) which is the combination domestication and foreignization strategies. The concepts of “甲首”, “主保”, “小里長”, “耆老” and “罷閑吏卒” don't bear exactly the same form as that in the target language, or rather, they are linguistically or conceptually absent, in consequence, Jiang Yonglin borrows new and correspondent words or meanings “tithing chiefs”, “security group”, “deputy community heads”, “elders” and “functionaries or runners” to avoid ambiguity and obscurity caused by different culture system. At this point, it suffices to note that Jiang Yonglin uses foreignizing strategies as an attempt to deconstruct normative thinking in cultural concepts translation and it is indeed realized in the target legal system and understood by the target readers. Of course Jiang Yonglin's foreignizing translation method could never been entirely free of domestic values and agendas, including such transliteration skill as (jiashou), (zhubao), (xiao lizhang), (qilao), and (baxian lizu), and such method is common throughout the whole translated version by

Jiang Yonglin. It is possible to negotiate the values of one culture in terms of the values of the other by adopting such translation strategies and achieve a harmonious effect. It is without doubt that Jiang Yonglin firstly shows his position overtly: he merely serves as a neutral third person and the impartial translator and only the target readers can make comments on the translation. Apart from this, Jiang Yonglin shows that he is biased at the source language or target language and that no one is to manipulate his power on the translation. Consequently, Jiang Yonglin's neutrality is displayed and greatly improved.

#### Example 2

##### Chinese version

##### 盜賣田宅

凡盜賣換易及冒認若虛錢實契典買及侵占他人田宅者田一畝屋一間以下笞五十每田五畝屋三間加一等罪止杖八十徒二年係官者各加二等

若強占官民山場湖泊茶園蘆蕩及金銀銅錫鐵冶者杖一百流三千里

.....

若功臣初犯免罪附過再犯住支俸給一半三犯全不支給四犯與庶人同罪

##### English version

(1) In all cases of fraudulently selling or exchanging, falsely claiming, selling in written contracts of conditional sale (dian) without real money, or taking possession of others' fields or houses, the offenders shall, for 1 mu of cultivated land or 1 room of a house or less, be punished by 50 strokes of beating with the light stick. For each additional 5 mu of cultivated land or 3 rooms of a house, the penalty shall be increased one degree. The punishment shall be limited to 80 strokes of beating with the heavy stick and penal servitude for two years. If the fields or houses belong to the government, in each case the penalty shall be increased two degrees.

(2) If they forcibly occupy government or the other persons' mountains, plains, lakes, tea plantations, reed marshes, or smelters of gold, silver, copper, tin, or iron, they shall be punished by 100 strokes of beating with the heavy stick and life exile to 3000 li.

...

(5) If meritorious officials commit such crimes, for the first time they shall be exempted from punishment but have the transgressions recorded. For the second, one-half of their emoluments shall be stopped. For the fourth time, they shall be punished the same as commoners.

This case confirms the view that translation reflect the imperatives of their context, their time and their culture. Translators, caught in a web of often contradictory relationships, will resolve the tensions according to their understanding of their own position and role within their culture (Lefevere, 1992). Moreover, the study demonstrates how translation becomes even more problematic when source and target culture systems are substantially different. Since a legal text derives its meaning from one or

more legal systems, legal translation more often than not is essentially treated as a process of translating legal systems. As Susan Sarceive (1997) put that undoubtedly the translator's greatest challenge when translating the legal rule is to find suitable ways of compensating for conceptual incongruency. From the above translation of such items as mu and li, which can not be found equivalents in the western world, or rather they are the kind of cultural words unique to China, it can be argued that Jiang Yonglin would like to retain the nature of Chinese words so as to the the exotic culture to a certain degree shall be protected. Meanwhile, such translation is a wise choice for the conceptual incongruency can be compensated in a subtle way. As a result, it is not surprising that mu and li are not translated to avoid the use of technical and other system-bound terms that have no close equivalent in the western world. On the other hand, the goal of legal translation is to transfer the meaning or message of the source text as accurately as possible and legal translator has to understand how the illocutionary acts operate in legal rules (Fluck, 1985). As such, the target-language-oriented approach is adopted by Jiang Yonglin which can be illustrated from such cases as the strict observance of English sentence order and structure and the use of passive voice. The regulation of 凡盜賣換易及冒認若虛錢實契典買及侵占他人田宅者田一畝屋一間以下答五十 are translated into In all cases of fraudulently selling or exchanging, falsely claiming, selling in written contracts of conditional sale (dian) without real money, or taking possession of others' fields or houses, the offenders shall, for 1 mu of cultivated land or 1 room of a house or less, be punished by 50 strokes of beating with the light stick by changing the original order of the sentence which is aimed to cater for the reading habits of target readers and achieve the desired legal results. Thus it can be said that Jiang Yonglin is objective and avoid making judgments in translating this regulation, both taking the source and target readers into full consideration. Indeed, Jiang Yonglin's selective strategy can lead to a win-win situation, good for both the source and target language cultures.

### Example 3

#### Chinese version

凡將妻妾受財典雇與人為妻妾者杖八十典雇女者杖六十婦女不坐

若將妻妾妄作姊妹嫁人者杖一百妻妾杖八十

知而典娶各與同罪並離異財禮入官不知者不坐追還財禮

#### English version

(1) In all cases of mortgaging or renting out wives or concubines to others as wives or concubines in order to acquire property, the offenders shall be punished by 80 strokes of beating with the heavy stick. For those who mortgage or rent out daughters, they shall be punished by 60 strokes of beating with the heavy stick. The women shall not be punished.

(2) For those who fraudulently claim that their wives or concubines are their older or younger sisters and marry them to others, they shall be punished by 100 strokes of beating with the heavy stick. Their



wives or concubines shall be punished by 80 strokes of beating with the heavy stick.

(3) For those who know the circumstances and purchase the women or marry those, in each case they shall be punished the same. The marriages shall be dissolved, and the betrothal gifts shall forfeit to the government. If they do not know the circumstances, they shall be returned to them.

If neutrality can be illustrated as such term as involving “balanced, impartial and objective” (Jacobs, 2002), Example 3 is a fit example of translator neutrality. Jiang Yonglin strictly observes the sentence order of Chinese language and tries to avoid any unfaithful hint. It can be found that certain Chinese words like “凡” and “若” are rendered into “in all cases of...” and “if...” which embody the feature of legal language.

Through numerous discursive strategies, Jiang Yonglin successfully displays he is present solely as an interpreter fostering the realization of the author or the legal writer’s intentions, although sometimes giving some explanations. As such, Jiang Yonglin’s impartial role is constructed in a visible way. Translator’s neutral role and its discursive display

#### *4.2 Translator Being Biased and Its Discursive Construction*

Baker (2006a, 2006b) argues that the very nature of human knowledge is narrativial and is thus prone to represent a particular perspective. There is no neutral ground, no neutral knowledge, and thus no neutral translation. Impartiality is on the basis of such fact that the observer gives a remark from the unacknowledged point of departure. Nevertheless, there is no doubt that there is indeed a certain perspective; as such there exists no neutrality, no escape from personal value (Minow, 1987), or it is undeniable that translators are human possess their choice, perspective and bias, and their life ideology and life experience will surely have impact on the translation process.

When different interests are incompatible, the translator has to make a selective decision. As a result, the bias occurs shortly after the translation starts. The nature of translation determines that it is to a certain extent impossible for a translator to remain neutral. In other words, translators are likely to be engaged in their own value judges rather than relying upon what the author has said in the source text, ready to supply or delete some information that they think are not consistent with their own values. The translator’s goal is inextricably bound up with the socio-cultural context in which the act of translating takes place. Thus it is without doubt that important to assess the translator’s ideology. The following examples show that in order to make the translation more accessible to target readers, Jiang Yonglin appears to be active in selective translation skills and strategies.

#### Example 1

##### Chinese version

凡守禦官司及鹽運司巡檢司巡獲私鹽即發有司歸勘各衙門不許擅問若有司官吏通同脫放者與犯人同罪受財者計贓以枉法從重論

##### English version

In all cases where defending military offices, salt distribution commissions, or police offices patrol for and apprehend illegal salt transactors, they shall immediately transmit the transactors to local government offices with authority for investigation. No (apprehending) office shall interrogate without authorization. If officials or functionaries of local government offices with authority connive (with the apprehending offices) and release the transactors, they shall be punished by the same penalty as that for the offenders. For those who receive property, calculate the value of the illicit goods; they shall be punished on the basis (accepting property and) subverting the law, with the heavier penalty applied.

As evidenced by the above translation, such missing information in the source text as apprehending, with the apprehending offices and accepting property are added by Jiang Yonglin in the target text so as to reduce the obstacles target readers may be faced with. Since it is a tough task for target readers to be exposed with the extensive Chinese ancient legal culture, let alone understanding the text that is without some concrete information, Jiang Yonglin has fully taken this point into consideration, and made a wise choice to cater for the needs of target readers. The translation has focused on political, academic and industrial discourse in which meaning is shaded in order to comply with target culture socio-political ends. Jiang Yonglin uses this strategy when translating, allowing his to make changes in order to maximize the relevance of communication for the intended audience (Gutt, 1991). Ideologically Jiang Yonglin is involved in the production of culture, a frame of mind that allows him translate in a way in which norms of the target culture are adhered to so that the Chinese culture enter the western world in a more acceptable way. Jiang Yonglin is involved actively or in favor of the target readers in translation, serving as an agent of the target readers or availing of his agent's role to take the western readers' thought into account, and consequently promotes the translation process, and such a strategy may be appreciated by the target readers.

#### Example 2

##### Chinese version

###### 私廨庵院及私度僧道

凡寺觀庵院除見在處所外不許私自廨建增置違者杖一百還俗道發邊充軍尼僧女冠入官為奴若僧道不給度牒私自簪剃者杖八十若由家長家長當罪寺觀住持及受業師私度者與同罪並還俗條例

一凡僧道擅徒弟不給度牒及民間子弟戶內不及三丁或在十六以上而出家者俱枷號一箇月並坐罪所由僧道官及住持知而不舉者各罷職還俗

一僧道犯罪雖未給度牒悉照僧道科斷該還俗者查發各原籍當差若仍于原寺觀庵院或他寺觀庵院潛住者並枷號一箇月照舊還俗僧道官及住持知而不舉者各治以罪

一凡漢人出家習學番教不拘民曾否關給度牒俱問發原籍各該軍衛有司當差若漢人冒詐番人者發邊衛充軍

##### English version

Establishing Buddhist or Daoist Monasteries without Authorization and Ordaining Buddhist or Daoist Priests without Authorization (Sichuang anyuan ji sidu sengdao)

(1) In all cases where Buddhist or Daoist monasteries, except for the existing ones, are not allowed to be established or enlarged without authorization, any violations shall be punished by 100 strokes of beating with the heavy stick and returning to lay status huansu. Buddhist or Daoist priests shall be sent to the distant frontiers in military exile. Buddhist or Daoist nuns shall be enslaved to the government.

(2) If Buddhist or Daoist priests do not petition for ordainment certificates but they themselves shave their heads without authorization, they shall be punished by 80 strokes of beating with the heavy stick. If this is initiated by household heads, the household heads shall be punished. If abbots of Buddhist or Daoist monasteries or teachers ordain without authorization, the punishment shall be the same, and they shall be returned to lay status.

Translators usually give up neutrality which allows him to adopt certain methods to meet the expectations of the target receivers. As is shown in the above translation, the source text places concrete rules on Establishing Buddhist or Daoist Monasteries without Authorization and Ordaining Buddhist or Daoist Priests without Authorization (Sichuang anyuan ji sidu sengdao) and it goes so far as to resort to certain regulations to explain the specific situations. Nevertheless, the specific regulations are left out by Jiang Yonglin. For target readers who are not familiar with Chinese culture, it is a little redundant for them get a better understanding of these regulations, otherwise, readers will be confused and even give up the text halfway though enough information is provided by Jiang Yonglin because of cultural difference and numerous technical terms. Therefore, it can be argued that the translator is in favour of target ideological agenda.

Besides, it is said that if the translated is regarded as the recreation with the same status as the original text instead of the appendage, then the paratext can be borrowed. Paratexts are those liminal devices and conventions, both within and outside the book, that form part of the complex mediation between book, author, publisher and reader: titles, forewords, glossary, epigraphs and publishers' jacket copy are part of a book's private and public history (Genette, 1997). By studying these information can we probe into the production mechanism of the translation as well as the reception of the translation. Obviously numerous translated version of Chinese classics embody rich paratexts. Totally, there are 526 pages of the English version of Legge's Chinese Classics among which the body part merely covers 246 pages. It is admitted that the paratexts include 2/3 of the whole volume. In Jiang Yonglin's version of *The Great Ming Code (Da Ming Lü)* the paratexts including the note on translation, Ming Units of Measure and Money Introduction to The Making of *The Great Ming Code* and the glossary involve 118 pages, 1/3 of this version. This device is more or less employed by Jiang Yonglin while translating *The Great Ming Code (Da Ming Lü)* to foster the realization of translation objective. For the sake of a successful translation and a faithful fulfillment of his obligations of spreading Chinese culture and avoiding

frustrating target readers, Jiang Yonglin resort to the numerous background information. There paratexts are the reflection of the translator's role and the material for study of translation selection and strategies. Jiang Yonglin's vigorous revision of the foreign text aims to assimilate the source-language culture to that of the target language.

## 5. Discussion

The focus of the present study is to probe into the translator's discursive power during the translation process with regard to its impartiality, translator's discourse translation strategies and the causes behind such behavior and how the ideology affects Jiang Yonglin's discourse from the power discourse and the translator's discourse perspective. Dynamics of power or ideology are both within and beyond translation. Translators articulate and enact changing cultural and literary relations.

On the one hand, Jiang Yonglin does display neutrality, either by strictly observing the order of source language or by borrows new and correspondent words or meanings "tithing chiefs", "security group", "deputy community heads", "elders" and "functionaries or runners" to avoid ambiguity and obscurity caused by different culture system and using transliteration or Roan pinyin system like (jiashou), (zhubao), (xiao lizhang), (qilao) and (baxian lizu) and Chinese cultural concepts such as mu and li. So Jiang Yonglin attaches importance to impartiality, because being an impartial position can not only enhance the target readers' acceptance but also foster the realization of translation goal (i.e., promoting cultural communication).

On the other hand, Jiang Yonglin is active and partial, acting in favor of the source language or the target readers in order to steer translation towards the way to achieve the principal objective. As is evidenced by the examples above, the missing components of subjects, objects and pre-attributes such as apprehending, with the apprehending offices and accepting property are left out in the original text are added by Jiang Yonglin in the English version and the specific regulations on Establishing Buddhist or Daoist Monasteries without Authorization and Ordaining Buddhist or Daoist Priests without Authorization (Sichuang anyuan ji sidu sengdao) are provided to cater for the needs of target readers. As a consequence, it has to be admitted that social context (i.e. legal environment and social ideology) certainly exerts influences on how translation is approached.

Foucault (1979) puts that power influences bodies, because power relations exert an instant hold on it. In the legal classics translation, translators, as the third party, resting on the implied power and ideology in the social setting, affected by the translation goal of fostering harmonious cultural interaction, and taking into account of target readers and source text, will not merely objective, but rather display a great deal of power to over the whole translation process, and adopt numerous translation strategies to reach a better effect. So during the translation process, Jiang Yonglin inevitably take the viewpoint of the target readers, by using domestication strategies, as is evidenced by the above examples. Thus,

Jiang Yonglin is more or less biased, and renders the translation more accessible and acceptable to target readers by resorting to such methods as addition, omission and paratexts.

The study implies that Jiang Yonglin is surely affected by western norms, power and social ideology, which function together to guide the translator's behavior and illustrate the reason why Jiang Yonglin does show a dual role during the translation process. This research is not intended to criticize the translator's role in translation process, and the adequacy of this research is undermined because of its small examples. Nevertheless, hopefully this study will to a certain degree make contribution to research on translation of Chinese legal classics.

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