

# 《中華人民共和國企業破產法》的英譯失誤舉隅

劉正兵

溫州大學

## 摘要

精準是法律文書行文用詞的靈魂。在翻譯法律文書的過程中，譯者有義務和責任將原文本中的內容和形式精確地傳譯入目的語。然而，筆者發現，作為一部重要的法律文書，《中華人民共和國企業破產法》的英譯文卻存在大量的行文措辭不佳、單詞拼寫、字母大小寫、語法和句法錯誤以及用語不專業等諸多缺憾。本文作者通過舉例說明該法英譯文中存在的種種問題，指出譯者的工作責任心不強、英語行文能力不佳和缺乏必要的相關比較法學知識是造成上述錯誤的主要原因，作者同時也指出，作為單一語言國家，中國缺乏對翻譯市場與譯文質量的監控也是中國目前各種文本英文翻譯（包括法律文本翻譯）常出錯的重要原因。

# An Illustration of the Problems with the English Version of *The Law of the People's Republic of China on Enterprise Bankruptcy*

## **Abstract**

Fidelity and expressiveness are the two key prerequisites for the translation of legal documents. Accurately and idiomatically rendering the original source-language information into the target language is the liability and responsibility of a translator undertaking the legal documents' translation. However, the official English translation of *The Law of the People's Republic of China on Enterprise Bankruptcy*, published by the China Legal Publishing House, does not seem to adhere to the aforementioned essential criteria, fidelity and expressiveness, for the English version of this law contains many problems such as misspelled and misprinted letters and words, unidiomatic expressions, incorrect grammar and awkward sentence structures, overtranslation and undertranslation, and others, ostensibly because the translator lacks a sense of responsibility, has poor English writing skills, and is ignorant of legal jargon. The appearance of all of these problems in the English translation of this law undermines the effects of the global publicity of the original law's content, which is of worldwide significance. The author of this article therefore believes that the original law deserves a better, more accurate English translation.