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Philological Readings

**LINGUOCULTURAL FEATURES OF RUSSIAN-CHINESE
COMMUNICATION IN THE FIELD OF JURISPRUDENCE**

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Abstract

Globalization, economic development of China and growth of cultural and language contacts altogether promote the increase in the acts of intercultural communication. Verbal communication with the representatives of Chinese society enjoins on accounting ethnical psychology, which plays a highly significant role for all kinds of communication in China, including contacts in legal field, in particular drafting legal documents. In the process of verbal communication, the following distinctive features of Chinese ethnical identity must be taken into account: historicism, traditionalism, pragmatism, collective consciousness, syncretism, stability. The research proves that peculiarities of ethnopsychological consciousness determine specific features of drawing up legal documents, which makes the culturological approach essential for comparing language means of expressing legal notions in Chinese and Russian variants of business letters. In the course of research, linguoculturological analysis of Chinese business letters is being carried out: various linguoculturological components of legal field in official documents are investigated and ethnoculturological peculiarities of communication in legal sphere are discovered. Lexical, grammatical and stylistic features of the texts of legal documents in Russian and Chinese are also considered in the research. Efficiency of Russian-Chinese communication in the legal field is fulfilled through a rather clear structure, words and phrases, where the parties explain their goals and intentions. We believe that achieving effective communication is only possible when there is no “notional ambiguity”, dubiousness in legal documents, and when the text is brief and clear. It is the correctly built up text of the document that becomes the main tool for effective communication.

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1. Introduction

To some extent, the texts of business letters can be regarded as cultural heritage, created by means of language in a particular period of time, and which can reflect the culture of personalities and society.

In the modern legal sphere, the specifics of paperwork are being transformed, judiciary establishments and the features of provided services are being shifted along the changing socio-economic environment, therefore document circulation is implemented differently and new forms of documents appear, with more attention paid to the content. Society becomes more informational: the use of large volumes of information due to labor intellectualization, complications in the managing processes demand acceleration of paperwork, which means an increase in unification and standardization in the drafting of documents.

Recent linguistic studies prove that the changes in socio-economic environment alternate the linguistic worldview. On the one hand, there has been a “liberalization of language”, including the written language, and on the other hand, there is a tendency to standardize, to avoid the individual features and to use pre-made invariable texts in the official and business discourse.

The official style has always been considered as conservative and strict in the choice of language means and that is why it has not been subjected to any significant changes. Minor linguistic and formal (formulary) novelties in Russian and Chinese official and business texts and language units had taken their place along the changes in the people’s social lives, their culture and worldview. Conversions in linguistic and textual norms happen slowly and touch upon vocabulary, particular textual norms and the degree of individual manifestation in official documents.

In the course of our research we appeal to official verbal interaction between people of very different cultures such as Russian and Chinese. In this regard we must investigate into the definition and meaning of intercultural communication as well as intercultural communication in the field of jurisprudence.

Chinese-Russian intercultural communication is the object of studies for scholars of various humanitarian fields, such as linguists, philosophers, culturologists, psychologists, sociologists, historians. For instance, Keyong (2007), Korets (2017), Dashevskaya (2018), Nesterova (2019), Prosvirkina (2006). The works of the abovementioned scholars present rather valuable notions on various aspects of communication.

2. Problem Statement

The issue of effective verbal communication is especially relevant for the legal field. Ideas of rights and justice as well as measures of what is appropriate and permitted, are fixed in legal practice in the form of words. It is known that the same legal text with the same words might be understood in different ways, and polar conclusions might be drawn about the contents of the same document.

This is especially important when the subjects of legal sphere enter verbal communication with the representatives of foreign cultures, in particular with the lawyers from People’s Republic of China. In that country the profession of lawyer supposes special verbal practice, the necessity to use precise expressions of legal terms and categories of Chinese law, and it is accompanied by preparation and drafting large

volumes of paperwork in Chinese as well as reception and transmitting the information in oral and written forms.

Verbal communication in the field of jurisprudence is connected with ethno-psychological features of the participants of this communication act and with the regulatory space of the countries where this communication takes place. Therefore, it is necessary to consider ethno-linguistic factors which can disrupt the comprehension of texts. This idea was repeatedly referred to by Maslov (2017), who emphasizes the need to account national ethno-psychology while negotiating and drafting paperwork, especially legal documents (Maslov, Samelik, Prosvirkina, & Nikiforova, 2014).

The need to study modern problems of Russian-Chinese verbal communication in legal sphere as well as lack of researches that analyze ethno-linguistic content of business paperwork and prove the significance of this content for the efficiency of communication determine the relevance of our study. The abovementioned statements prove the urgency of investigating linguocultural peculiarities of Russian-Chinese communication in the sphere of jurisprudence.

3. Research Questions

In the course of our research the following questions are dealt with:

- Are there any specific characteristics that describe business letters in the process of Russian-Chinese communication? What are the specifics in the structure of business letters from Chinese partners?
- Why is linguocultural aspect so important in the Russian-Chinese discourse? How does it influence the efficiency of business communication?
- Which language means in the text of a business letter contribute to the conclusiveness and fulfil the intentions of the communication participants?

4. Purpose of the Study

In our research we make an attempt to analyse the specifics of written verbal communication in the legal field of Russia and China on the example of the texts of legal documents in Russian and Chinese languages, as well as to demonstrate the importance of linguoculturological approach in drafting and analysing such texts.

- We suppose that achieving the aim of the research is possible after completing the following tasks:
 - to investigate the issue through scientific literature;
 - to define the term of verbal communication in the field of jurisprudence;
 - to discover the ethnocultural peculiarities of communication in the field of jurisprudence;
 - to prove the importance of ethnocultural approach for effective communication in legal field;
 - to determine ethnolinguistic criteria, which can help create effective texts of business letters in the Chinese and Russian languages;
 - to analyze the structure and linguistic peculiarities (lexical, morphological and etc.) of business letters as a genre of official style of the modern Chinese language.

5. Research Methods

The methodological base of the research is common scientific research methods, such as observation, analysis, synthesis, description, generalization and systematization. We have also used the methods of theoretical analysis of scientific literature, comparative research and specifically linguistic methods (ethnolinguoculturological analysis, linguistic description). In the course of our research we have investigated the texts of 45 business letters, which were received and written in the process of working with our Chinese colleagues.

6. Findings

Among the stated questions of the research let us refer to the definition of the peculiar features that describe business letters in the process of Russian-Chinese communication.

From the specifics of Russian-Chinese communication we must emphasize the necessity of the use of polite word formulas. Obviously, the language of official documents and business correspondence must be polite and tactful by its definition, but such peculiarities of the Chinese culture as deep respect for the business partners and high value of commercial cooperation are reflected in Chinese official documents with emphasized respectfulness and rather frequent use of polite statements. In business letters this might be shown in the repeated use of various honorific forms which are universally common in China and which are essential to be known for engaging in business communication with Chinese partners.

Let us study the structure and the most frequent polite formulas on the example of some business letters. So, the letter must include the following structural elements: salutation, introduction, the body of the letter, conclusion and signature.

Salutation is the etiquette formula that demonstrates the respect for a company official that is supposed to receive the letter.

Such etiquette formulas of salutation can be as follows: highly respected, highly esteemed, highly regarded, honourable, venerable, dear valued, estimable.

Lets us consider the formulas that are usually used in Chinese business letters. The most commonly used term in Russian and Chinese official correspondence is the term “dear” or “respected” (敬爱的 jìng'ài de, 尊敬的 zūnjìng de), - an etiquette epithet included in the forms of official and polite salutation. It denotes a moderate degree of politeness.

Then, according to whom we address to, we can use various forms of salutation. 松原吾哥台鉴 – dear Soon-yuan; 孔甫 – dear Kun (where 甫 fǔ is used as an expression of honour); 王老 – dear old friend (sir) Wan (老 lǎo – old friend – is used as a polite salutation put after the family name). If we appeal to a particular person, we must match their family name with the words denoting “sir” or “madame”, where the family name always goes before the words “sir” or “madame”: 尊敬的 XX 先生 – dear sir XX; 尊敬的王先生 – dear sir Wan. If we do not know the family name of the addressee, we can just use their job position, for example: 尊敬的长 zhǎng, (经理 jīnglǐ) – dear Director. But it is forbidden

to address to our Chinese partners only by their first name or family name, as it shows disrespect and it might lead to loss of reputation. If we write to several people at once, it's necessary to use the salutation 尊敬的先生/女士 (dear sirs or madams).

If the author of the letter is appealing to the company in general, they should use a special phrase 亲爱的公司, which literally means "dear (precious) company", and not just its name. It is also one of the most frequently used polite formulas in official correspondence. Besides, quite often in official correspondence between partner companies the addressee is referred to as 亲爱的方面 (dear party), for example: your party made a contract with our party on the 10th of July, 2018.

If the letter begins with the salutation 亲爱的商行 (dear company) or just 亲爱您 (you), then it reoccurs in the whole letter and, if necessary, can be repeated in the same sentence several times. The salutation used in the beginning of the sentence should not be replaced with synonyms or pronouns to avoid ambiguity.

Then, **in introduction** the author of the letter must explain the goals of their appeal or tell the reasons for writing the letter. Introduction might include a reference for a normative document (as well as administrative, directive or treaty documents), or state a fact of a particular event, its description, characteristics of current state of affairs. It is also possible to point out the relationship status between the author of the letter and the addressee. In Chinese formal correspondence the introduction often begins as follows:

- 很高兴收到你们的来信 (I am rather glad to receive your letter);
- 很长时间没与你联系, 请原谅 (I apologize for not replying for so long);
- 您的来信我们已收到, 我们会尽快确认您的问题并回复您! (We have received your letter, we will deal with your questions and reply to you as soon as possible);
- 针对您的来函... (In reply to your letter...);
- 感谢您报名参加 2019 年青年汉学家研修计划 (西安)! (We thank you for registering in "Training programme for young sinologists 2019 (Xi'an)");

Then there follows **the body of the letter**. This part of the letter contains the description of a situation that provoked the letter to be drafted; the authors express their opinions and give evidence that is necessary for making the conclusion of the letter (and formulating a request, an offer, a demand, a notification, etc.).

For example, 经过我们严格的审核和筛选, 我们很高兴地通知您您已通过此次青年汉学家研修计划 (西安) 的审核 (After a detailed checking and analysis we are glad to inform you that you are accepted for the training programme for young sinologists (Xi'an)).

If the body of the letter describes some events, then the facts should be presented in their temporal sequence, as they happened in reality. If necessary, in the same part of the letter the author may give evidence or arguments that logically lead to the conclusion of the letter.

Conclusion is the result of speculating on the subject of the letter; closure in the form of suggestions, opinions, demands, requests, refusals, reminders and so on.

It usually contains the following fixed expressions:

- 你如果有时间，能不能将我们的合同文本发一份给我！拜托了 (If you have enough time, send us a copy of our contract, please. Thanks in advance);
- 报价内容请速安排，有任何问题，请及时联系 (Please, post prices as soon as possible and feel free to contact us with any questions);
- 请尽快将余下的货款汇给我 (We kindly ask you to transfer the rest of the sum for the goods as soon as possible);
- 定价单带在附件上，请查收一下 (See our price offer in the attachments);
- 如有消息，我们会提前通知你们 (We will contact you if we have news);
- 等您的回信 (We are looking forward to your reply).

Quite frequently a formal letter will include a request to contact the sender of the letter in case the addressee has questions. For these reasons Chinese letter draftsmen might use the following polite statements:

- 烦请联络 (Contact me if you have questions);
- 未提到的或不详之处，请随时提出宝贵意见 (Please contact us immediately if you have questions or suggestions);
- 如果您同意这样的修改，请回函告知 (If you agree with these changes, please, let us know).

Needless to say, the majority of formal letters are impossible without the expression of the hopes for further partnership. If a Chinese official wishes to continue your cooperation, they might write the following:

- 我们很乐意同您进行合作 (We are happy to cooperate with you);
- 我们会在最短的时间内与您联络 (We will contact you as soon as possible);
- 再次感谢您对我们工作的支持，期待您的回复 (Once again we thank you for your support and we are looking forward to your reply);
- 多谢合作! (Thank you for your support);
- 希望收到您的回信，因为我们十分欢迎您们的到来 (We hope to receive your letter and we are looking forward to your reply).

Conclusion might also contain a threat to enforce penalty on the addressee in case they do not satisfy the demands listed in the letter.

For example, Russian and Chinese documents may include the phrase “*Otherwise, fine sanctions will be brought against you*”.

Finally, **the closing part** of the letter is the signature. The Chinese equivalent for the English “Yours faithfully” and the Russian “S uvazheniyem” is the Chinese phrase “此致！（此致敬礼）” –

“Yours respectfully”, which is followed by the sender’s signature and the date of letter writing. Also, at the end of the letter it is appropriate to write:

- 祝您生活愉快 (Wish you a happy life!);
- 祝工作顺利 · 生活幸福 (We wish you successes at work and happiness in life).

It is necessary to remember that formal letter is a strictly standardized type of letter, which can never contain colloquial phrases or foul expressions. That is why even while drafting up complaints it is essential to keep to the polite language and express accusations in the most loyal manner. For example, in the letter of complaint we can often find phrases like: there are the following problems in your support to our company; 新的难题来了 – there are (there appeared) new problems; we hope that the abovementioned problems will be resolved by your company as soon as possible, and it will provide...; our party maintains the demands to your company for paying the compensation for the damage (损失赔偿费 – compensation for loss or damage). Regarding the letters of apology, we must emphasise significant amount of polite expressions of apologetic character: we deeply regret that the services provided by our company could not satisfy your demands; we terribly regret that we had a negative impact on the reputation of your company; we are grateful for the manager Lee for regarding our explanations and we hope for further friendship.

In the article we made an attempt for a brief summary of the most frequent polite formulas in formal letter written in the Chinese language. Beside a substantial grip of the language, wide linguocultural knowledge of Chinese culture and customs is essential for effective communication with Chinese business partners.

But, as it was truthfully noted by Zhuzhuang (2003), “despite significant differences between the two cultures and mentalities, intercultural cooperation of China and Russia is happening mostly in the form of a dialogue, and not as an opposition; there are more opportunities for the development of intercivilizational dialogue than there are obstacles for it” (p. 13).

7. Conclusion

We suppose our investigation proved that for the process of communication, including verbal communication in the field of jurisprudence, the notion of personal linguoculturological awareness is essential, so the communicant can take into consideration the peculiarities of Chinese self-consciousness. Linguistic and country specific literacy must become an inseparable part of professional experience in the sphere of verbal communication.

Speaking of professional verbal interaction, we must also touch upon the tolerance of communication, and especially ethnical tolerance. The interaction in the field of jurisprudence (both verbal and written) must be tolerant in all cases, being established on the peculiar rules of using linguistic and non-linguistic means, allowing to achieve cooperation and mutual understanding. We believe that tolerance is the fundamental principle in drafting legal documents. To achieve interaction while filing business documents it is necessary to consider ethno-psychological peculiarities of ethnicities, introduced into communication, as well as legal particularities of the countries or societies, for which those

documents are being drafted, because the process of verbal communication is “weighted” with social, psychological and ethnical components. We tend to think that only the knowledge of linguistic and country related material in the widest sense of this word allows a specialist to build up correct verbal utterances (oral and written). Unfortunately, there are no studies that would analyze ethnolinguistic component of business documents and prove the importance of this component for the effectiveness of communication.

In the course of our investigation we studied various approaches to the definition of such notions as “communication”, “verbal communication”, “intercultural communication” (Aoshuang, 2013; Gojzman & Nedejina, 2015; Kornilov, 2011, 2019; Maslova, 2018; Prosvirkina, 2006; Vereschagin, 2011). We have an opinion that intercultural communication could be understood as a kind of communication which takes place under the conditions of culture-defined differences between the communicants who use special linguistic variants, not the same that they would normally use while interacting within the same culture.

We also believe that verbal communication in the field of jurisprudence is connected with ethno-psychological peculiarities of the communicants and the legal and regulatory space of the countries where the communication takes place. Therefore, it is necessary to pay close attention to ethnically marked lexical units that are capable of bringing ambiguity into the comprehension of texts.

So, a professional that comes into written communication must be able to:

- perceive the texts in the Chinese language and create their own texts that would reflect written national culture of their partner;
- determine axiological potential of legal texts;
- realize ethnoculturological component in the language system (from lexical to syntactical levels) in the created texts;
- put linguistic and nation-related means to an effective use in communication to achieve mutual understanding.

The main goal of modern professionals dealing with business documents is to know how to reach a consensus in the process of verbal communication and to elaborate the general meaning of texts in the Russian and Chinese languages. We suppose that the results of the research can contribute to the further comprehension of the necessity in taking up ethnolinguocultural approach while drafting business documents in the field of Russian-Chinese communication.

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