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Article



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COGNITIVE FEATURES OF TRANSLATING HUMAN RIGHTS TEXTS

Abstract: *The article aims to study the concept and cognition of international human rights texts and cognitive models for translating such texts. The main content of the study is to consider how the legal and general language in the global and national context is defined by the unconscious features associated with the method of conceptualization and classification of human. The article first discusses the role and importance of the cognitive approach in the translation process and scholars' views on it. The concept of human rights and its cognitive features were introduced. This article examines and illustrates translation theories and legal interpretation strategies through empirical data in the field of human rights. Translation analysis and understanding and conceptualization have been identified as key aspects of people's way of thinking rather than a skill to be studied. Cognitive linguistics appears to provide solutions to the issues of human rights translation, and this research backs up this claim. Standard legal language and expressions linked to the legal process and human rights may have been translated in so many various ways in current translations, and what obstacles the translator faces when working on human rights materials, according to cognitive models.*

Key words: *concept, cognitive approach, cognitive model, cognitive act, stereotype, human rights texts, metaphor theory.*

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Introduction

From a cognitive perspective, the concept of human rights involves the study of its mental structures, which include stereotypes and standard images of the legal world that are noted for the stability of structures, images, and emotions. Human rights texts can be analyzed and translated in a variety of areas, including historical, legal, linguistic, cognitive, and political, and the more a translator uses these areas, the more complex the translation process becomes. In many cases, they have to work with legal texts in legal systems and enter the field of jurisprudence by trying to determine the meaning of legal texts to be able to translate them. In addition, if a translator wants to communicate with other members of the legal world and have the same understanding of terms as them, it is important to become familiar with the legal world and adopt institutionalized cognitive models in the legal world. Our cognitive models play an essential role in all parts of the translation process. Cognitive models develop

through experience and influence, not constantly or by nature. That's why translators need to be involved in the texts and topics they work on. This article will give you more insight and information about it.

The importance of a cognitive approach in translation.

The concept of cognition includes a wide range of mental activities such as knowledge, consciousness, reasoning, thinking, presenting, creativity, developing plans and strategies, reflecting, representing, drawing logical conclusions, problem-solving, and classification, and it is determined by processes such as cognition, mental imagery, memory, and attention span. Cognition, therefore, plays a key role in the translation process and requires the translator to be able to translate the text-based on cognitive activity while maintaining its national diversity while performing its communicative and pragmatic functions. When translating a text from one language to another, the translator must also consider

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the cultural and social context of the language. In addition, the authors (O'Brien, 2015; Alves, Pagano & Silva, 2010) emphasize the processes that can and cannot be observed in translation, i.e., they view translation first as a product and then as an activity.

The commonality of all cognitive scientific approaches is not limited to mental actions such as studying their descriptions, problem-solving, and translation; rather, their main purpose is to explain the development and functioning of mental processes that allow them to perform complex cognitive behaviors such as translation. Halverson, 2010, Thagard, 2005, Minchenkov, 2007, Zlobin, 2012. Cognitive approaches in translation, therefore, differ from other linguistic and psychological approaches. They refer to and expand on existing cognitive scientific models of reasoning to describe the processes that can serve to explain the behavior and choice of translators. For example, foreign researchers such as Danica Seleskovitch and Marianne Lederer identify three interrelated stages of the translation process: 1) understanding, 2) deverbalization, and 3) re-expression (15, p101). On the other hand, Kiraly sees translation as both a socially external and cognitively internal activity. It presents two models of the translation process: the social model and the cognitive model based on psycholinguistics.

The concept of "human rights" and its cognitive features.

The linguistic view of the legal world represents a complex unit of mental objects (concepts, stereotypes, scenarios, conceptual areas, etc.) related to legal relations and legal discourse. Most of these objects do not change in terms of words, abbreviations, phrases, or phraseological units in the language. They impose on the individual at any level a clear view of the world, especially in its classification and evaluation. According to cognitivists, a person thinks by combining concepts and forming new concepts in thinking (18, p3). According to E.S Kubryakova, a concept is a practical, meaningful unit of thinking, a unit of programmed knowledge, or a quantum (12, p90).

Modern linguistics views a concept as a mental object defined by a word as phraseological units, abbreviations, phrases, etc. Concepts are ideal abstract units with meanings used in the process of thinking. They reflect the acquired knowledge, experiments, the results of all human activities, and the world's study in terms of certain units, "quanta". In general, the transmission of any information or communication process and the transmission or exchange of concepts in verbal or non-verbal forms. The concepts reflect key elements of national legal consciousness. Such a set of concepts forms a range of concepts that serve as the heart of the nation's legal culture.

The concept of human rights is abstract in its own right. It has a complex structure with individual

words and phrases, phraseological units, abbreviations, sentences, and full texts. The content of which is partially revealed through its representation in speech. The meaning of a concept is significantly broader than the meaning that defines this concept, as the meaning of a concept includes not only conceptual but also emotional, value, cultural, and historical components, and images.

Cognitive models in understanding and translating human rights texts.

Cognitive models play an essential role in how we understand and translate texts, and evidence for this can be found in language itself, its structure and expression. As mentioned above, to translate legal texts, we must first have a better and deeper understanding of the field of law. In addition, most states are constantly contributing to the development of international human rights, particularly bringing human rights cases to international courts. When a case in a national legal system is referred to an international court, international law is influenced by a particular national system. Although the cases heard by international courts are related to international legal instruments, the traditions and characteristics of national legal systems cannot be completely separated from the international context. At the same time, many states have chosen aspects of human rights law from the international system and voluntarily incorporated them into their legal systems.

It is important to determine whether all legal concepts and problems stem from the interactions between individuals or legal entities. In many cases, we learn about the legal concepts of other countries through the international human rights system. Initially, the exchange of legal concepts and ideas poses problems in understanding and translating, but as each national legal system adopts new and foreign concepts, first within its legal system and then as part of international law, they eventually become the consequence and are eliminated as an integral part of its national legal system. From international legal instruments and judicial practice, it is possible to determine how legal concepts emerge, where they come from, and how new ideas are accepted by both lawyers and ordinary people in different legal systems. But it's even harder to move forward in this research and learn how people understand these new concepts. Comprehension is a key issue in translating international human rights texts, including understanding the text to be translated, understanding the languages involved in the process, and understanding the texts in both languages in general. By focusing on all these aspects of comprehension, the translator may not be able to get a clear answer to specific translation problems, but he/she will be in a better position to understand and translate the language by understanding the process. This helps him to make a more conscious choice between

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linguistics and translation, giving him a more consistent approach to stable platform translation.

Metaphor theory offers a very optimistic view of the possibility of translating a text. If languages have different conceptual systems, people cannot learn languages with other conceptual systems. If people speak and understand multiple languages, it is strongly denied that these languages should have the same conceptual systems (14, p311). One of the main assumptions of metaphor theory is that people have conceptual systems and conceptual abilities. Human cognition allows us to understand new concepts and develop new levels, so understanding is not a stable process but a changing process.

The clash between law and cognitive science arose because we expected the law to be objective and clear and the concepts of the law to be understood in the same way by everyone. However, cognitive science has shown that we understand in terms of imagination and metaphor, not objective reality. We have almost no definitive answers, and we must recognize that understanding legal concepts will change in different contexts over time. There is no law in the world; human beings create it, and therefore, this creation is also determined by the cognitive abilities of its creators. Winter argues that experience ultimately determines the meaning or scope of legal concepts (21, p145).

For these rights to be meaningful, they must be based on people's life experiences, not on the rules or principles of the offer. [...] In short, rights are an imaginary product of the human mind, and their meaning depends on the human experience. And the law is the path to our future, which is always in line with the contribution of the faithful.

Throughout his career, Winter clearly demonstrated his personal beliefs, and he embarked on a very interesting process of merging two very different fields of science. There is no denying that the law is primarily about human relationships. Winter makes this point very clear in the following concluding statement of his article (22, p146).

Cognitive models in translation.

Metaphor theory explains human cognition, how we classify and conceptualize, and how important negotiation and flexibility are for communication and answering questions. It focuses on aspects that everyone involved in language and the law needs to know. Based on numerous examples and research, metaphor theory suggests how people understand explicit and abstract concepts using prototypes, stereotypes, categories, metaphors, and imagination. Our understanding governs how we think and how we express ourselves and how we act. Metaphor theory deals with understanding what we hear or read and how we speak the language. In this last part of the process, the interpreter no longer looks at other people's phrases and language choices. At this stage,

he/she should know why he/she chose another word and how his/her choice will affect the students' understanding of the text. When addressing the issue of translation separately, George Lakoff identifies the difference between comprehension and translation according to cognitive theory; comprehension is internal, and translation involves translating text from one language to another.

Research by cognitive scholars shows that the methods and abilities of classification and conceptualization in communication and translation are more closely linked to personal experience and imagination than to culture or language. Research has repeatedly shown that certain levels of experience in key aspects of life change from culture to culture and from person to person. The impact of these experiences is reflected in our language as we try to understand and communicate. This information is very relevant for translators, both readers and text analysts. Metaphor theory provides translators with a new understanding of translation and translation skills. This knowledge of human cognition suggests that in translation, we should focus not only on text function and analysis but also on categories and concepts at the stages of perception and production. The cognitive linguistic approach and hermeneutic translation combine many features and are based on a fundamental approach similar to knowing the views of a language user or translator. However, suppose hermeneutics is concerned with the individual and his/her independence and understanding of the world. In that case, cognitive linguistics places the individual in a broader context and considers his/her status as a member of a group in society.

Metaphor theory deals with the most basic aspects of human cognition. It provides a number of general answers, and at the same time, it provides specific tips for language users to better understand what they are reading and writing. While translation theories focus primarily on methods of analyzing specific texts, directing the translator to consider the specific features of each text, metaphor theory provides information on how we use the common language. It can enter the translation process from a completely different angle. Legal professionals and translators can't clearly define what these personally created categories fall into. Still, metaphor theory shows everyone the basis for categorization and how we categorize it and how it affects legal language that may be easier to understand.

When we talk about cognitive models in translation, we are not just talking about the ability to translate traditional metaphors or idioms. All of this is to understand how language is built on experience and metaphor, how differences can arise between different languages and cultures, and how much it depends on the person and his/her "personal" categories and concepts.

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Conclusion.

In short, understanding and conceptualization are key aspects of people's ways of thinking, not the skills they have learned. In the process of translating, a translator enhances his/her cognitive perspective only through experience so that the meaning of the texts he/she is translating can be understood and accepted by the majority. In addition, when translating legal texts, the translator must be able to translate the

text and have sufficient knowledge and understanding of jurisprudence. In jurisprudence, certain terms can be translated verbatim from one language to another, but they do not have a specific meaning. The interpreter should be able to solve such problems using his/her cognitive knowledge. Of course, in this case, the translator must have a cognitive approach to translation.

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