

**EXPLORING MODALITY IN ENGLISH-
CHINESE COURTROOM TRANSLATION:
SHIFTS, CHOICES, AND SOLUTIONS**

WU SHUANGJIAO

UNIVERSITI SAINS MALAYSIA

2025

**EXPLORING MODALITY IN ENGLISH-
CHINESE COURTROOM TRANSLATION:
SHIFTS, CHOICES, AND SOLUTIONS**

by

WU SHUANGJIAO

**Thesis submitted in fulfilment of the requirements
for the degree of
Doctor of Philosophy**

September 2025

ACKNOWLEDGEMENT

I would like to express my deepest gratitude to my main supervisor, Dr. Mansour Amini, for his invaluable guidance, support, and encouragement throughout the course of this research. His expertise and insights have been instrumental in shaping this thesis. Dr. Mansour's meticulous attention to detail and his constructive feedback have significantly improved the quality of my work. His patience and willingness to discuss ideas and provide direction have been crucial in navigating the complexities of this research. I am deeply grateful for his unwavering support and for always pushing me to achieve my best.

I am also grateful to my co-supervisor, Dr. Omer Hassan Ali Mahfoodh for his continuous support and constructive feedback. His contributions have greatly enriched my work and helped me navigate through various challenges

A special thanks to my family for their unwavering support and understanding. Their love and encouragement have been a constant source of strength. I would like to extend my heartfelt thanks to my friends, Li Xiujuan and Dr. Zhang Hui, for their companionship and support. Their belief in me has been a great motivation.

I would also like to extend my sincere gratitude to all the interviewees who generously shared their time and insights for this research. Their willingness to participate and provide valuable information has been crucial to the this study.

Thank you all for being a part of this journey.

TABLE OF CONTENTS

ACKNOWLEDGEMENT	ii
TABLE OF CONTENTS	iii
LIST OF TABLES	ix
LIST OF FIGURES.....	xiii
LIST OF ABBREVIATIONS	xiv
LIST OF APPENDICES	xv
ABSTRAK	xvi
ABSTRACT	xviii
CHAPTER 1 INTRODUCTION	1
1.1 Preface	1
1.2 Background of the study	1
1.2.1 Corpus-based Legal Translation Studies	2
1.2.2 Courtroom translation in the Chinese context.....	3
1.2.3 Modality in courtroom translation.....	4
1.3 Problem statement	6
1.4 Research objectives	10
1.5 Research questions	11
1.6 Significance of the study	12
1.7 Definition of key terms	16
1.7.1 Modality	16

1.7.2	Modality marker	17
1.7.3	Modality shift	17
1.7.4	Interpersonal meaning	18
1.7.5	Translation choice	18
1.7.6	Translation solution	19
1.7.7	Courtroom discourse	19
1.7.8	Parallel corpus	20
1.7.9	Frequency	21
1.7.10	Concordance	21
1.7.11	Parallel concordance	22
1.7.12	Alignment	22
1.8	Scope of the study	22
1.9	Organization of the study	23
CHAPTER 2 LITERATURE REVIEW		25
2.1	Preface	25
2.2	Modality in non-translated legal discourse	26
2.3	Modality in legal translation	35
2.4	Modality and court translation	44
2.5	Modality and interpersonal meaning	53
2.6	Translation choices and socio-cultural context	68
2.7	Translation solutions in legal discourse	76
2.8	Theoretical framework	88

2.7.1	Systemic Functional Linguistics (SFL).....	89
2.7.2	Metafunction in Systemic Functional Linguistics (SFL).....	91
2.7.3	Modality in Systemic Functional Linguistics (SFL).....	92
2.7.4	Translational Action Theory (TAT).....	108
2.7.5	The link between Systemic Functional Linguistics (SFL) and Translational Action Theory (TAT).....	110
2.9	Summary	112
CHAPTER 3 METHODOLOGY		114
3.1	Preface	114
3.2	Research design.....	114
3.3	Research methods.....	119
3.3.1	Quantitative method	120
3.3.2	Qualitative methods.....	121
3.4	Corpus	125
3.4.1	Justification for choosing the corpus.....	126
3.5	Sampling methods	128
3.5.1	Sampling methods of quantitative analysis.....	128
3.5.2	Sampling methods of qualitative analysis.....	129
3.6	Sample size.....	130
3.6.1	Sample size of quantitative analysis.....	131
3.6.2	Sample size of qualitative analysis.....	133
3.7	Data collection procedures	135
3.7.1	Data collection procedures for quantitative analysis.....	136

3.7.2	Data collection procedures of qualitative analysis	140
3.8	Research instruments.....	144
3.8.1	Using AntConc to generate word lists.....	145
3.8.2	Using ParaConc to align the English ST and Chinese TT and generate parallel concordance lines.....	145
3.8.3	Using coding scheme to tag the types of modality shifts.....	146
3.8.4	Using Log-likelihood to test statistical significance	146
3.8.5	Using interview to elicit data	148
3.9	Data analysis procedures	152
3.9.1	Quantitative data analysis procedures	152
3.9.2	Qualitative data analysis procedures	161
3.10	Validity and reliability	171
3.10.1	Quantitative analysis	171
3.10.2	Qualitative analysis	176
3.10.3	Structural corroboration	180
3.11	Conceptual framework	181
3.12	Ethical consideration	183
CHAPTER 4	DATA ANALYSIS AND FINDINGS	185
4.1	Preface	185
4.2	Distribution patterns of modality markers in terms of orientation and value in the ST of English-to-Chinese IMTFF parallel corpus	186
4.2.1	Orientation of modality in the ST of English-to-Chinese IMTFF parallel corpus	187
4.2.2	Value of modality in the ST of English-to-Chinese IMTFF	

	parallel corpus	200
4.3	General features of modality shifts in the English-to-Chinese IMTFF translation	207
4.3.1	Overall degree of modality shifts in the English-to-Chinese IMTFF translation	209
4.3.2	Influences on interpersonal meaning caused by modality shifts of orientation in the English-to-Chinese IMTFF translation	222
4.3.3	Influence on interpersonal meaning caused by modality shifts of value in the English-to-Chinese IMTFF translation	236
4.4	Translation choices of modality markers in relation to the socio-cultural context of English-to-Chinese IMTFF translation	264
4.4.1	Translation instructions	268
4.4.2	Translation purpose	274
4.4.3	Contextual adaptation	277
4.5	Translators' perceptions of the translation challenges, and translation solutions in the English-to-Chinese IMTFF translation	282
4.5.1	Translation challenge in language style	283
4.5.2	Translation challenge in proper nouns	287
4.6	Translation solutions in the English-to-Chinese IMTFF translation	297
4.6.1	Interactions with players in the translatorial action	297
4.6.2	Translator competence	309
4.7	Integration of quantitative and qualitative findings	316
4.8	Summary of findings	320
	CHAPTER 5 DISCUSSION AND CONCLUSION	329
5.1	Preface	329

5.2	Discussion	333
5.2.1	Modality orientation	333
5.2.2	Modality value.....	335
5.2.3	Modality shifts in terms of orientation and value	337
5.2.4	Translation choices of modality markers in relation to the socio-cultural context.....	340
5.2.5	Translators' perceptions of the translation challenges and translation Solutions.....	341
5.3	Conclusion.....	343
5.4	Implications of the study	347
5.4.1	Theoretical implications	347
5.4.2	Practical implications	350
5.5	Limitations of the study.....	353
5.6	Recommendations for future research.....	353
	REFERENCES.....	358
	APPENDICES	
	LIST OF PUBLICATIONS	

LIST OF TABLES

	Page
Table 2.1 Orientation of epistemic modality and deontic modality	99
Table 2.2 Value of epistemic and deontic modality markers	100
Table 2.3 Realizations of explicit/ implicit modality in Chinese (Adapted from Chen, 2017, pp.1-20).....	104
Table 2.4 Realizations of subjective/objective modality in Chinese (Adapted from Chen, 2017, pp. 1-20).....	105
Table 2.5 Modal values in Chinese and English	106
Table 3.1 An overview of the English-to-Chinese IMTFE parallel corpus	125
Table 3.2 An overview of interviewees	135
Table 3.3 Contingency table of log-likelihood.....	147
Table 3.4 The tagging scheme of modality shifts	159
Table 3.5 Tagging examples in Excel forms.....	160
Table 3.6 Research matrix.....	169
Table 3.7 Raters' procedure in coding modality shifts in terms of modality orientation and value	175
Table 4.1 Overall frequency of epistemic and deontic modality in the ST of English-to-Chinese IMTFE parallel corpus.....	187
Table 4.2 Distribution of orientations of modality markers in the ST of English- to-Chinese IMTFE parallel corpus.....	188
Table 4.3 Distribution of implicit subjective epistemic modality	190
Table 4.4 Distribution of subjective epistemic modality	195
Table 4.5 Distribution of implicit objective epistemic modality	196
Table 4.6 Distribution of explicit objective epistemic modality	197

Table 4.7	Distribution of implicit subjective deontic modality	198
Table 4.8	Distribution of subjective explicit deontic modality	199
Table 4.9	Frequencies of words of objective deontic modality	199
Table 4.10	Distribution of different values of modality in the ST of IMTFE corpus	200
Table 4.11	Frequencies of high-value modality	201
Table 4.12	Frequencies of median-value modality	203
Table 4.13	Frequencies of low-value modality	205
Table 4.14	Findings of distribution patterns of modality makers in terms of modality orientation and value	205
Table 4.15	High-frequency modality markers extracted for coding of modality shifts	207
Table 4.16	Overall degree of modality shifts in the English-to-Chinese IMTFE translation	209
Table 4.17	Modality shifts occurring with and without corresponding forms of the modality markers in the TT	210
Table 4.18	Modality shifts in terms of modality orientation and value the English- to-Chinese IMTFE translation	210
Table 4.19	Shifts of modality value in the English-to-Chinese IMTFE translation	211
Table 4.20	Shifts of modality value occurring with and without corresponding forms in the TT	211
Table 4.21	Shifts of modality orientation in the English-to-Chinese IMTFE translation	212
Table 4.22	Shifts of modality orientation occurring with and without corresponding forms in the TT	212

Table 4.23	Findings of distribution patterns of modality shifts in terms of modality orientation and modality value in the English-to-Chinese IMTFE translation.....	220
Table 4.24	Chinese translations of ‘ <i>I think</i> ’ in the English-to-Chinese IMTFE translation.....	223
Table 4.25	Chinese translations of ‘ <i>I believe</i> ’ in the English-to-Chinese IMTFE translation.....	230
Table 4.26	Chinese translations of ‘ <i>of course</i> ’ in the English-to-Chinese IMTFE translation.....	237
Table 4.27	Chinese translations of ‘ <i>may</i> ’ in the English-to-Chinese IMTFE translation.....	247
Table 4.28	Distribution of epistemic and deontic ‘ <i>may</i> ’	248
Table 4.29	Deontic and Epistemic ‘ <i>must</i> ’	252
Table 4.30	Deontic and Epistemic ‘ <i>should</i> ’	256
Table 4.31	Findings of influence on interpersonal meaning caused by modality shifts in the English-to-Chinese IMTFE translation	263
Table 4.32	An overview of the interviewed translators of the English-to-Chinese IMTFE translation.....	266
Table 4.33	Summary of themes and categories of thematic analysis on the translation choices of modality markers in relation to the socio-cultural context	267
Table 4.34	Translation instructions given by initiators of the English-to-Chinese IMTFE translation.....	270
Table 4.35	Translation purpose of the English-to-Chinese IMTFE translation.	274
Table 4.36	Translation of modality markers	279
Table 4.37	Results of translation choices of modality markers	281

Table 4.38	Summary of themes of translation challenges in the English-to-Chinese IMTFE translation.....	283
Table 4.39	Translation challenge in language style	285
Table 4.40	Translation challenge in places and names	288
Table 4.41	Translation challenge in institutions and military ranks	291
Table 4.42	Translation challenge in legal terms	294
Table 4.43	Translation consistency in proper nouns, legal terms and historical events.....	296
Table 4.44	Summary of themes of interactions with players.....	298
Table 4.45	Interactions with specialists in the English-to-Chinese IMTFE translation.....	299
Table 4.46	Interactions with initiators in the English-to-Chinese IMTFE translation.....	303
Table 4.47	Interactions with translators in the English-to-Chinese IMTFE translation.....	307
Table 4.48	Cross-referencing with authoritative sources.....	310
Table 4.49	Translational expertise of the English-to-Chinese IMTFE translation Requirements for translators of the English-to-Chinese IMTFE translation.....	312
Table 4.50	Summary of analysis related translation challenges, and translation solutions in the English-to-Chinese IMTFE translation.....	315
Table 4.51	Joint display of quantitative and qualitative findings.....	312
Table 4.52	An overview of the research questions and findings	322

LIST OF FIGURES

	Page
Figure 2.1 Literature map of the study.....	87
Figure 2.2 “System of types of modality”	94
Figure 2.3 “System of modality orientation”	95
Figure 2.4 “System of modality value”	96
Figure 2.5 Theoretical framework	112
Figure 3.1 Sequential explanatory design.....	116
Figure 3.2 Research design	119
Figure 3.3 Workflow in building a corpus.....	136
Figure 3.4 Steps to build the English-to-Chinese IMTFE parallel corpus.....	138
Figure 3.5 Steps to conduct interviews with translators	141
Figure 3.6 Phases of conducting thematic analysis	150
Figure 3.7 Data analysis procedures of the study	152
Figure 3.8 Steps to identify modality markers in the parallel corpus	153
Figure 3.9 Steps to code modality shifts in the parallel corpus (Li, 2018)	156
Figure 3.10 Conceptual framework	183

LIST OF ABBREVIATIONS

CTS	Corpus-based Translation Studies
DTS	Descriptive Translation Studies
IMTFE	The International Military Tribunal for the Far East
English-to-Chinese IMTFE translation	English-to-Chinese translation of trial records of International Military Tribunal for the Far East
LTS	Legal Translation Studies
SFL	Systemic Functional Linguistics
ST	Source text
TT	Target text
TS	Translation Studies
TAT	Translational Action Theory
DM	Deontic modality
EM	Epistemic modality

LIST OF APPENDICES

Appendix A	A Snapshot of AntConc 3.5.9
Appendix B	A Snapshot of “N-Grams” in AntConc 3.5.9
Appendix C	A Snapshot of the parallel concordance view of “should” with the ParaConc
Appendix D	Experts’ validation report of data analysis
Appendix E	Consent form for the use of translations in study
Appendix F	Consent form for participants as coders in modality shifts and thematic analysis
Appendix G	Coding sample of modality shifts
Appendix H	Interview consent form
Appendix I	Interview protocol matrix
Appendix J	Transcript of interview

**PENEROKAAN MODALITI DALAM PENTERJEMAHAN BAHASA
INGGERIS-CINA MAHKAMAH: PERALIHAN, PILIHAN DAN
PENYELESAIAN**

ABSTRAK

Penyelidikan mengenai peralihan terjemahan, terutamanya mengenai modaliti, yang berlaku dalam terjemahan Bahasa Cina bagi rekod perbicaraan tentera Inggeris adalah sesuatu yang langka. Kajian ini menggunakan reka bentuk penyelidikan kaedah campuran untuk menyiasat terjemahan modaliti, satu peranti linguistik yang digunakan untuk menyatakan penilaian pembicara, dalam rekod perbicaraan Bahasa Inggeris Tribunal Tentera Antarabangsa untuk Timur Jauh (IMTFE) dan terjemahan Bahasa Cina mereka berdasarkan korpus selari IMTFE dari Bahasa Inggeris ke Bahasa Cina. Berdasarkan Linguistik Fungsional Sistemik (SFL), kajian ini meneliti taburan penanda modaliti dalam sumber teks (ST) Bahasa Inggeris dari segi orientasi dan nilai modaliti. Penemuan ini menunjukkan bahawa ST Bahasa Inggeris menggunakan modaliti epistemik dan deontik secara seimbang, dicirikan oleh kelaziman modaliti bernilai median dan tersirat. Selain itu, peralihan modaliti dan bagaimana ia mempengaruhi makna interpersonal dalam korpus diterangkan merentas dua dimensi sistem modaliti, iaitu nilai modal dan orientasi. Walaupun peralihan modaliti dalam terjemahan agak jarang berlaku, perubahan yang paling biasa melibatkan perubahan dalam nilai modal, diikuti oleh peralihan dalam orientasi. Pengubahsuaian ini membawa kepada ekspresi yang lebih lemah dan lebih tersirat bagi pendirian modal

yang dimaksudkan oleh pembicara sumber dalam teks terjemahan. Analisis pilihan terjemahan modaliti berhubung dengan konteks sosiobudaya berdasarkan Teori Tindakan Penterjemah (TAT) mendedahkan bahawa penterjemah menekankan ketepatan, kesetiaan kepada teks sumber, dan pematuhan terhadap garis panduan pemula projek. Keputusan mereka seterusnya dibentuk oleh faktor linguistik dan luar linguistik, termasuk hubungan antara pembicara dan pendengar. Penerokaan persepsi penterjemah tentang cabaran terjemahan untuk terjemahan undang-undang berdasarkan TAT, menunjukkan cabaran terjemahan yang ketara termasuk menyesuaikan gaya bahasa, menterjemah nama khas dan istilah undang-undang secara konsisten, serta menangani unsur-unsur Bahasa Cina Klasik. Penyelesaian yang berkesan muncul melalui kerjasama antara pakar, pemula, dan penterjemah, disokong oleh kepakaran profesional penterjemah. Kajian ini memberikan pandangan praktikal untuk penterjemah dan profesional undang-undang yang terlibat dalam terjemahan Bahasa Inggeris ke Bahasa Cina di mahkamah. Kajian ini menawarkan pandangan untuk penyelidikan masa depan mengenai analisis perbandingan modaliti dalam wacana mahkamah Cina asal berbanding terjemahan, serta variasi dalam perubahan modaliti merentas jenis teks yang berbeza.

EXPLORING MODALITY IN ENGLISH-CHINESE COURTROOM TRANSLATION: SHIFTS, CHOICES, AND SOLUTIONS

ABSTRACT

Research on translation shifts, especially on modality, that occur in the Chinese translations of English trial records is rare. This study adopted a mixed methods research design to investigate the translation of modality, a linguistic device used to express speakers' evaluative judgments, in the English trial records of International Military Tribunal for the Far East (IMTFE) and their Chinese translations based on the English-to-Chinese IMTFE parallel corpus. Drawing on Systemic Functional Linguistics (SFL), this study examined the distribution of modality markers in the English source text (ST) concerning modality orientation and value. The findings demonstrate that the English ST employed a balanced use of epistemic and deontic modality, characterized by a prevalence of median-valued and implicit modality. Additionally, modality shifts and how they influenced interpersonal meaning in the corpus were described across two dimensions of the modality system, i.e., modal value and orientation. While modality shifts in the translations were relatively infrequent, the most common alterations involved changes in modal value, followed by shifts in orientation. These modifications led to a weaker and more implicit expression of the source speakers' intended modal stance in the translated texts. Analysis of the translation choices of modality in relation to the sociocultural context based on the Translational Action Theory (TAT) reveals that translators emphasized accuracy,

fidelity to the source texts, and compliance with the project initiators' guidelines. Their decisions were further shaped by both linguistic and extra-linguistic factors, including the relationship between the speaker and the addressee. Exploration of the translators' perceptions about translation challenges for the legal translation drawing on the TAT shows that significant translation challenges encompassed adapting language styles, consistently translating proper nouns and legal terms, and addressing Classical Chinese elements. Effective solutions emerged through collaboration among specialists, initiators, and translators, supported by the translators' professional expertise. The study provides practical insights for translators and legal professionals engaged in English-to-Chinese courtroom translation. The study offers insights for future research on comparative analyses of modality in original versus translated Chinese courtroom discourse, as well as the variations in modality shifts across different text types.

CHAPTER 1

INTRODUCTION

1.1 Preface

This chapter begins with the background of the study, focusing on corpus-based legal translation research within socio-cultural contexts, courtroom translation in the Chinese setting, and the role of modality in courtroom translation. It then proceeds to present the problem statement, research objectives, and research questions. Following this, the chapter highlights the significance of the research, emphasizing its contributions to the field. Operational definitions of key terms are then provided to ensure clarity and precision. The chapter concludes by outlining the scope of the study and offering an overview of its organizational structure.

1.2 Background of the study

Since the 1980s, Translation Studies (TS) has predominantly focused on literary translations within their social contexts, influenced by Descriptive Translation Studies (DTS) (Diriker, 2008). In the twenty-first century, translation experts have called for a more critical analysis of the relationship between translating practices and their socio-cultural context (Li, 2018). TS has evolved from merely describing translation products objectively to systematically examining the socio-cultural factors that shape translators' choices (Pym et al., 2006). This concept is further exemplified by a 2012 special issue of Translation and Interpreting Studies focused on socially-oriented

translation and interpreting research (Angelelli, 2012), and, as well as the 2013 International Forum on Translation Studies, which centered on the theme Translation and Interpreting as Social Practice (Li, 2018). Consequently, translation is recognized as a socially-situated communicative practice.

1.2.1 Corpus-based Legal Translation Studies

Mona Baker's seminal work underscored the potential of utilizing corpus linguistics methods within Translation Studies (TS) to uncover the intrinsic nature of translated texts as mediated communicative events (Baker et al., 1993). Since her early advocacy, Corpus-based Translation Studies (CTS) has garnered substantial attention and recognition as a vital methodology in the field. This approach has been particularly impactful in the domain of legal translation, where empirical analyses focus on the distinctive features of legal language when translated. Key studies have examined recurrent translation patterns (Seracini, 2020) and tested theoretical propositions posited by scholars (Vigier & Ramos, 2017). These findings underscore the efficacy of corpus methodologies in elucidating linguistic characteristics and behaviors pertinent to TS.

While corpus findings adeptly illustrate how translators operate, they do not invariably elucidate the motivations behind translators' choices. Though corpus-based approaches provide valuable insights into the linguistic dimensions of translation, including concepts like translation universals, they fall short of wholly explicating the underlying motivations driving translators' decisions (Straniero Sergio & Falbo, 2012). To fully comprehend translation as a contextualized activity, it is imperative to

transcend mere identification of language patterns in translated texts. Scholars must seek to explain translators' choices within their socio-cultural contexts to attain a deeper understanding of the translation process.

1.2.2 Courtroom translation in the Chinese context

The courtroom, a setting where extensive spoken communication occurs within the profession, represents the most dramatic context for legal language (Yang & Wang, 2021). Within such a setting, the right to a fair trial is not merely procedural but a cornerstone of international human rights law. Cheng and He (2016) emphasize that this right acts as a safeguard against unlawful and arbitrary restrictions on essential human rights. Central to this protection is the provision for defendants who encounter linguistic barriers due to unfamiliarity with the court's language; they are entitled to assistance of translation of relevant legal documentation and real-time interpretive services (Cheng & He, 2016).

Moreover, as China continues to deepen its engagement with the global community across political, economic, cultural, and educational domains, the volume of foreign-related legal cases is increasing. This trend necessitates that Chinese courts competently handle a growing diversity of international cases, ensuring the delivery of fair, timely, and efficient judicial services to all parties involved, whether domestic or foreign. Within this context, courtroom translation emerges as a critical component in safeguarding fair trials and upholding the principles of justice. The accurate and effective translation of courtroom discourse is of paramount importance in adjudicating foreign-related cases, as it directly impacts the integrity of court

proceedings and the overall credibility of the judicial system. As such, courtroom translation emerges as a critical pillar in upholding these standards of justice, particularly in cases involving cross-cultural and linguistic challenges.

Courtroom translation plays a pivotal role in ensuring access to justice, particularly in multilingual legal settings where accurate communication is essential for fair proceedings. English-to-Chinese courtroom translation, in particular, presents unique challenges due to the linguistic, cultural, and legal disparities between the two languages and legal systems. In the courtroom setting, these challenges are further amplified by the high-stakes nature of legal proceedings, where even minor errors in translation can have significant consequences for the outcome of a case (Chan, 2020). Consequently, the current study investigated the translation of trial records of International Military Tribunal for the Far East (IMTFE) from English to Chinese (See Section 3.4.1).

1.2.3 Modality in courtroom translation

Translation is primarily a means of communicating meaning in the form of discourse (Fu, 2016). Hu (1994) states that discourse is the natural occurrence of language in certain contexts of society where meanings are exchanged without the need for sentential structures to carry out specified acts or purposes of communication. Therefore, at the discourse level, the primary goal of translation is to convey meaning in the target language accurately (Fu, 2016).

Within the framework of Systemic Functional Linguistics (SFL), first introduced by Michael Halliday (1978), discourse is viewed as a form of meaning exchange, and

how discourse is structured is a process by which a communicator makes linguistic choices in the system of meaning potential (Halliday, 1978). From a systemic functional approach, meaning is threefold: interpersonal meaning, ideational meaning, and textual meaning (Halliday & Matthiessen, 2004). The ideational meaning is connected to the experiential world, interpersonal meaning involves enacting personal and social relationships, and textual meaning creates discursive continuity and cohesion (Halliday & Matthiessen, 2004).

The interpersonal dimension of meaning, central to this framework, governs social interactions and role enactment. It focuses on how speakers/writers and addressees engage dialogically, utilizing grammatical resources to perform speech roles, assert authority, establish rapport, or negotiate relationships (Halliday & Matthiessen, 2004). Modality stands as a key grammatical system realizing these interpersonal dynamics. This intricate negotiation of meaning is particularly amplified in institutional settings like the courtroom, where discourse is highly structured yet interactionally fragmented (Coulthard et al., 2017).

Courtroom discourse represents a critical site for examining meaning construction and power negotiation (Olsson, 2008). As the most dramatic context of legal language (Yang & Wang, 2021), it relies heavily on precise linguistic devices to construct, contest, and interpret legal meanings—making it a longstanding focus of socio-legal linguistic research (Su et al., 2023). Therefore, courtroom translation presents a unique challenge: it demands the meticulous recreation of its complex

interpersonal, ideational, and textual meanings—alongside the power dynamics embedded within them—across linguistic and legal systems.

Within this interpersonal dimension, modality functions as a primary grammatical resource (Halliday & Matthiessen, 2004). Modal expressions allow legal actors—judges, attorneys, witnesses—to calibrate their degree of assertion, obligation, permission, or certainty (Halliday & Matthiessen, 2004). In the adversarial courtroom arena, these choices perform vital interpersonal work: they simultaneously manage politeness or solidarity while asserting power and authority (Szczyrbak, 2014). Through modality, participants enact their institutional roles, project credibility, and strategically position themselves vis-à-vis others and the evidence.

Consequently, the translation of modality in courtroom discourse becomes a high-stakes act of interpersonal meaning transfer. When translating English courtroom discourse into Chinese, choices in rendering modality directly impact how power relations, speaker commitment, and legal force are perceived in the target text (Cheng, 2010). Therefore, examining modality translation offers a critical lens into how the complex interpersonal dynamics and power asymmetries inherent in the source courtroom interaction are re-contextualized across linguistic and legal systems.

1.3 Problem statement

The translation of modality within English-Chinese courtroom setting constitutes a significant and insufficiently investigated issue that carries profound implications for judicial integrity and fairness. Modality serves as a vital linguistic mechanism

employed to articulate nuanced legal meanings, including obligation, permission, and certainty, which are integral to the communicative framework of courtroom interactions (Cheng, 2010). Nonetheless, the intrinsic differences between the English and Chinese modal systems can result in considerable translational shifts and inaccuracies, often leading to misinterpretations that jeopardize legal outcomes (Su et al., 2023). These inaccurate translations may distort the perceived strength of evidence, misrepresent judicial obligations, or obscure the intentions behind witness testimony, thereby threatening the fairness of judicial proceedings and the due process of law (o'Nyangeri et al., 2024). Despite the critical nature of these challenges, a notable gap exists in the empirical documentation of modality shifts within authentic English-to-Chinese courtroom translations, emphasizing the necessity for an in-depth exploration of the shifts that occur, their frequency, and the underlying motivations driving these translation choices.

Previous research has extensively examined the modality within monolingual courtroom discourse, with notable contributions from scholars such as Wong (2006), Cheng (2010), Cheng & Cheng (2014), Li et al. (2016), Sancheti et al. (2022), and Boginskaya (2024). Some studies have also addressed the translation of modality in courtroom judgments, including works by Knezevic & Brdar (2011), Koźbiał (2020), Seracini (2020), Szczymbak (2017), and Boginskaya (2021). However, the majority of these studies have been conducted within the European context, which limits their applicability to other linguistic environments. Consequently, there exists a significant research gap concerning the comparative analysis of various linguistic devices,

particularly modality, within English and Chinese courtroom contexts (Su et al., 2023).

Moreover, modality is instrumental in performing various interpersonal functions—conveying politeness and solidarity on one hand, while asserting power and authority on the other (Szczyrbak, 2014). While some studies have explored the role of modality in negotiating interpersonal relations in contexts such as diplomacy (Li, 2018; Fu & Chen, 2019; Sirait, 2023; Ngo & Cubelo, 2024) and academic discourse (Huang & Li, 2023; Li & Ye, 2024; Sathachai & Kenny, 2024; Hu & Li, 2025), the understanding of its function within courtroom translation remains limited.

Although existing studies (e.g., Shi, 2012; Jiang, 2016; Ma et al., 2017; Mortensen & Mortensen, 2017; Chaemsaitong, 2018; Li & Sun, 2018; Daniel & Unuabonah, 2021; Szczyrbak, 2021; Warchał, 2023; Boginskaya, 2023; Cheng et al., 2024; Yang & Wang, 2024) have addressed modality in this context, they focused narrowly on specific devices. To address this gap in the literature, this study aims to provide a more comprehensive understanding of the role of modality in constructing interpersonal meanings within courtroom translation.

Furthermore, existing research on the translation choices of modality has primarily concentrated on diplomatic settings, with only a limited number of studies investigating this aspect in relation to socio-cultural contexts (e.g., Fu, 2016; Li, 2018; Fu & Chen, 2019; Tian, 2022). However, an exploration of the translation choices regarding modality markers within the socio-cultural context of courtroom discourse remains under-researched.

The framework of Translational Action Theory (TAT) situates translation within its socio-cultural context, including the interactions between translators and the initiators of the translational action (Holz-Mänttari, 1984, as cited in Munday, 2012). Consequently, translating modality from English to Chinese in courtroom settings involves choices made by translators in light of the socio-cultural context. It is therefore highlights the need for a deeper understanding of how translators navigate the socio-cultural dynamics when making decisions about modality in courtroom translations.

In terms of courtroom translation, studies (e.g., Poon, 2006; Zhang & Xu, 2015; Cheng & He, 2016; Cheng et al., 2017; Prieto Ramos, 2023; Hamiti & Sopjani, 2023; Al-Awawdeh & Al-Shamayleh, 2023; Galdia & Chan, 2023; Luo, 2024; Al-Tarawneh et al., 2024) have been conducted to identify translation problems and propose solutions for translating between Chinese and English. However, there is a lack of research focused on the perceptions of translators regarding the challenges they face and the solutions they implement in courtroom translation settings.

TAT underscores the importance of the translator's role, asserting that "the properly trained translator is the expert in things translational, and so should be left to decide such issues" (Pym, 2023, p. 65). This perspective emphasizes that qualified translators are viewed as the "translation experts" essential to the translational action (Pym, 2023). Thus, a significant gap exists in the literature regarding the inclusion of translators' insights when proposing solutions for courtroom translation.

It is against this background that this study analyzes modality translation within

the English-to-Chinese translations of trial records from the IMTFE. While recognizing the historical specificity of the IMTFE (commonly known as the Tokyo Trial) – an unprecedented tribunal established to prosecute Japanese leaders for crimes against peace, war crimes, and crimes against humanity committed before and during WWII – its unique context offers critical insights. The tribunal’s immense historical gravity, multilingual complexity, and high-stakes nature created an environment where interpersonal meaning, realized through modality, was paramount. Therefore, by examining the translation of modality based on the English-to-Chinese IMTFE parallel corpus, the study intends to identify, classify and explain the modality shifts, analyze their influences on interpersonal meanings, and describe the relationship between the translators’ choices of translating modality markers and the socio-cultural context. Furthermore, the current study proposed translation solutions for the English-to-Chinese IMTFE translation by integrating these findings with the translators’ perceptions of the translation challenges, and solutions in the English-to-Chinese IMTFE translation.

1.4 Research objectives

The study intends to explore the modality shifts, translation choices of modality markers in the English-to-Chinese IMTFE translation and propose translation solutions for English-to-Chinese courtroom translation.

In the first stage, this study aims to explore modality shifts in the English-to-Chinese IMTFE translation using the English-to-Chinese IMTFE parallel corpus. It

examines the influences of different types of modality shifts on interpersonal meanings and describes the relationship between the translation choices for modality markers and the socio-cultural context of English-to-Chinese IMTFE translation.

In the second stage, this study investigated translators' perceptions of translation challenges and translation solutions in the English-to-Chinese IMTFE translation. The following list of research objectives corresponds to the aim of the research:

1. To identify the distribution patterns of modality markers in terms of modality orientation and modality value in the English sub-corpus of the English-to-Chinese IMTFE parallel corpus.
2. To describe patterns of modality shifts in terms of modality orientation and modality value in the English-to-Chinese IMTFE translation.
3. To analyze how interpersonal meanings are influenced by patterns of modality shifts, i.e., modality orientation and modality value, in the English-to-Chinese IMTFE translation.
4. To analyze translation choices of translating modality markers in relation to the socio-cultural context of English-to-Chinese IMTFE translation.
5. To investigate translators' perceptions of challenges and solutions in the English-to-Chinese IMTFE translation.

1.5 Research questions

The current study addressed the following research questions to explore modality shifts, translation choices of modality markers in the English-to-Chinese IMTFE

translation, and propose translation solutions for English-to-Chinese courtroom translation:

1. How are the modality markers distributed in terms of modality orientation and modality value in the English sub-corpus of the English-to-Chinese IMTFF parallel corpus?
2. How are the patterns of modality shifts in terms of modality orientation and modality value distributed in the English-to-Chinese IMTFF translation?
3. How are interpersonal meanings influenced by patterns of modality shifts in terms of modality orientation and modality value in the English-to-Chinese IMTFF translation?
4. How do translation choices of translating modality markers relate to the socio-cultural context of English-to-Chinese IMTFF translation?
5. What are the translators' perceptions of the challenges and solutions in the English-to-Chinese IMTFF translation?

1.6 Significance of the study

The present study investigated how modality was distributed and translated in the English-to-Chinese IMTFF translation, whether there were modal shifts in the translation of modality, and (if there are modal shifts in the courtroom translation) describe the patterns of modality shifts in the English-to-Chinese IMTFF translation. In addition, the current study continued to analyze the influences on interpersonal meanings caused by these patterns of modality shifts in the English-to-Chinese IMTFF

translation, and explored the possible motivations behind the translation choices of modality markers in relation to the socio-cultural context of the English-to-Chinese IMTFE translation. Furthermore, the study explored the translators' perceptions of the challenges in the English-to-Chinese IMTFE translation, and proposed the translation solutions for English-to-Chinese courtroom translation the perspective of courtroom translators.

The present study holds practical significance for legal professionals in the use of modality markers. Within the courtroom contexts, evidentiary modalities, witness reliability, admissibility of evidence, and burden of proof are addressed by epistemic modality. Rights, privileges, obligations, and responsibilities are defined by the deontic modality (Cheng and Sin, 2014). To persuade the audience, the courtroom participants express their judgement and construct interpersonal relationships with the audience by employing different linguistic devices (Hang and Li, 2023). Thus, this study provides insights into the role of modality in realizing interpersonal meaning in courtroom setting. By understanding the distribution and interpersonal meaning of modality used by courtroom participants, legal professionals could gain a deeper insight into how different types of modality (epistemic and deontic) are used to enact social relationships. This understanding enables them to evaluate the strength of arguments, the certainty of statements, and the obligations or permissions implied in legal discourse, ensuring clarity and precision of their statements in tribunal proceedings. Consequently, it provides implications for judges, prosecutors, counsels,

defendants as well as other courtroom participants to reflect on and, thus, improve their language performance in court trial.

A constant battle of credibility is central to trial proceedings, with the modality used by courtroom speakers potentially playing a crucial role in either establishing or undermining the speaker's credibility in the perception of the audience (Mortensen & Mortensen, 2016). In addition, mistranslation of modality in courtroom discourse could undermine the judicial meanings embedded in the source text and potentially affect the jurisdiction (Wugalter et al., 2016). Therefore, this study holds practical significance for translators involved in courtroom translation. By understanding how modality shifts occur, and the influences of these shifts on interpersonal meaning in courtroom translation, translators could render more accurate and contextually appropriate translations, ensuring that the intended meaning of the original text are preserved in the translated text.

What's more, this study examined both the translation choices involved in translating modality markers (how) in the English-to-Chinese IMTFE translation and the socio-cultural motivations behind these choices (why). It went beyond merely identifying language patterns in translated texts to explore the reasons behind translators' decisions within their socio-cultural context. The exploration and explanation enhance the understanding of translation as a socially situated practice and highlights the role of translators in mediating communication between the source ST and the TT.

Thus, the present study is novel as it not only examines the translation choices involved in translating modality markers in the English-to-Chinese IMTFE translation but also explores the socio-cultural motivations behind these choices. By doing so, it provides a deeper understanding of the translation choices of translators within their socio-cultural context, which has not been previously explored.

Furthermore, this study not only delved into the specific translation challenges encountered in courtroom settings but also proposed solutions by incorporating the perspectives of translators. The study is novel as it incorporates the perceptions of translators to propose solutions for English-to-Chinese courtroom translation. By investigating the translators' perspectives on the challenges and solutions in the English-to-Chinese IMTFE translation, this study provides a comprehensive understanding of the translation process from those directly involved.

In addition to the practical significance, the present study has its theoretical significance. Drawing on the theories of SFL and TAT, the current study investigated the translation choice of modality in courtroom translation in relation to the socio-cultural context. Findings showed that how modality (expressions of possibility, necessity, obligation, etc.) functions within the specific context of courtroom interactions, and how translation choice of modality markers influences the interpersonal meaning in the courtroom translation under the framework of SFL. In addition, the findings showed the possible motivations of translation choices in relation to the socio-cultural context under the framework of TAT. The novelty of this study lies in its integration of SFL and TAT, which offers new insights into the

interdisciplinary nature of translation studies. By bridging gaps between linguistics, law, and translation practice, this study provides a comprehensive framework that enhances our understanding of courtroom translation. This interdisciplinary approach deepens the theoretical foundations of translation studies.

1.7 Definition of key terms

To understand the key terms used throughout the study and how those terms could be measured, the following provides the conceptual and operational definitions:

1.7.1 Modality

i: Conceptual definition

The concept of modality describes the range of meaning that exists between yes and no, or the middle ground between positive and negative polarity (Halliday & Matthiessen, 2014). It refers to the ways in which speakers convey attitudes, judgments, and assessments regarding the reality or likelihood of the situations they describe. It could be further categorized into epistemic modality, involving the speaker's assessment of the likelihood or certainty of a state of affairs, and deontic modality, relating to expressions of permission, obligation, or necessity (Halliday & Matthiessen, 2014).

ii: Operational definition

All the epistemic and deontic modality including the modal verbs, modal adjectives, and modal adverbs that may be detected in the English-to-Chinese IMTFE parallel corpus, are referred to as modality markers in this study. Those modality markers are

used by courtroom speakers to indicate attitudes, opinions, stances, and judgment in the IMTFE.

1.7.2 Modality marker

i: Conceptual definition

A modality marker is a linguistic device that indicates the speaker's attitude towards the likelihood, necessity, or desirability of a proposition. These markers help convey the degree of certainty, obligation, or permission associated with a statement (Aijmer, 2016).

ii: Operational definition

Modality markers in this study refer to all the epistemic and deontic modality markers (i.e. modal verbs and modal adverbs) that could be observed in English-to-Chinese IMTFE parallel corpus. A modality marker can indicate the degree of possibility, probability, certainty, necessity, obligation, permission, or prohibition of an observation or an action. For example, modal auxiliaries such as “can”, “may”, “must”, and “should” are modality markers that show different levels of modality.

1.7.3 Modality shift

i: Conceptual definition

Catford (1965) defines translation shifts as “departures from formal correspondence in the process of going from the source language (SL) to the target language (TL)” (Kim et al., 2016, p. 12).

ii: Operational definition

Modality shift in this study refers to the translation shift in terms of semantic meaning, which occurs in terms of modality value, or orientation in the process of English-to-Chinese IMTFE translation. The occurrence of modality shift was counted manually by analyzing the labeled English and Chinese parallel concordances containing the examined modality markers, which are exported by the software ParaConc.

1.7.4 Interpersonal meaning

i: Conceptual definition

Interpersonal meaning is concerned with how the speaker and addressee(s) interact, as well as the grammatical resources used to perform speech roles and particularly enact social roles during dialogic interaction—that is to establish, change, and maintain interpersonal relations (Halliday & Matthiessen, 2004).

Modality is one of the key aspects of interpersonal meaning, which is used to express the speaker's attitudes towards the likelihood, necessity, or obligation of a proposition.

ii: Operational definition

Interpersonal meaning in this study refers to the ways in which language is used to establish and maintain social relationships during the IMTFE tribunal proceedings. It encompasses how speakers express their attitudes, judgments, and social roles, and how they negotiate relationships with others through language in the courtroom.

1.7.5 Translation choice

i: Conceptual definition

This study uses the concept of “translation choice”, as it is applied in studies such as Munday (2012), Matthiessen (2014) and Kim et al. (2016). Translation involves constant decision-making between translation shifts, and re-producing a TT with lexical and grammatical choices that are equivalent to those used in the ST (Kim et al., 2016).

ii: Operational definition

In this study, the translation choices mainly deal with the linguistic choices of modality markers in the English-to-Chinese IMTFE translation. The translation choices of modality were investigated by analyzing the distribution pattern of modality shifts in the English-to-Chinese IMTFE translation. In addition, semi-interviews were also conducted with the translators of the English-to-Chinese IMTFE translation project to elicit their perspectives on the translation choices of modality markers.

1.7.6 Translation solution

i: Conceptual definition

It encompasses various strategies, and processes aimed at achieving accurate and effective translation while considering linguistic, cultural, and contextual factors (Pym & Torres-Simón, 2014).

ii: Operational definition

In the present study, it refers to a comprehensive approach to address the translation challenges involved in the English-to-Chinese IMTFE translation.

1.7.7 Courtroom discourse

i: Conceptual definition

Discourse is both a special form of language use and a special form of social interaction (Diriker, 2008). Courtroom discourse is a term that refers to the language and communication that take place in legal settings, such as trials, hearings, appeals, etc. Courtroom discourse involves various participants, such as judges, lawyers, witnesses, and defendants, who use different linguistic strategies to achieve their goals and influence the outcome of the case (Tali, 2016).

ii: Operational definition

In the present study, it refers to the language and communication that took place in the tribunal proceedings of the International Military Tribunal for the Far East (IMTFE).

1.7.8 Parallel corpus

i: Conceptual definition

A corpus is a set of electronic texts that are processed and analyzed by software designed for language studies (Kenny, 2019). A parallel corpus is a corpus that includes source text in Language A and their translation in Language B (McEnery et al., 2006).

ii: Operational definition

In this study, the parallel corpus refers to the English-Chinese IMTFE parallel corpus, which comprises a sub-corpus of English trial records of IMTFE as the source text and a sub-corpus of the Chinese translation of the trial records as the target text. In the English-to-Chinese IMTFE parallel corpus, the English source texts are aligned with their Chinese (*Putonghua* or Standard Mandarin Chinese) translations on the level of the sentence.

The total size of the English-to-Chinese IMTFE parallel corpus used in this study is 1,143,400 tokens, including a sub-corpus of English ST of 460,917 tokens and a sub-corpus of Chinese translation as the target text (ST) of 682,483 Chinese tokens.

1.7.9 Frequency

i: Conceptual definition

It refers to the number of words that occur in a corpus (Liang et al., 2010). The first type of frequency measures is the raw count of occurrences of a particular word within the corpus. The second type is the normalized frequency, which normalizes the raw counts relative to a reference value, such as the total number of words in the corpus, allowing for comparisons across corpora of different sizes.

ii: Operational definition

In this study, the frequency of modality markers refers to the raw frequency. The frequency of modality markers in the studied corpus could be measured by frequency and ranking in the word list counted with the software AntConc.

1.7.10 Concordance

i: Conceptual definition

A concordance is a list of all the occurrences of a specified node (i.e., a word or an expression) with its immediate context (Saldanha & O'Brien, 2014).

ii: Operational definition

In this study, it refers to the list of instances of a modality marker used as a search term in the software AntConc or ParaConc to look at the modality markers in the English-to-Chinese IMTFE parallel corpus.

1.7.11 Parallel concordance

i: Conceptual definition

A parallel concordance refers to findings of the searches of words or phrases in the parallel corpus, which allows researchers and translators to compare how specific words, phrases, or structures are translated across different text (Liang et al., 2010).

ii: Operational definition

In this study, parallel concordance refers to the searches of modality markers in the English-to-Chinese IMTFE parallel corpus. Once search terms in English or Chinese are entered, findings containing those examined modality markers are shown along with translated segments that have been aligned in Chinese or English.

1.7.12 Alignment

i: Conceptual definition

The alignment process links ST units in Language A to TT units in Language B (Liang et al., 2010).

ii: Operational definition

The alignment process in this study refers to the alignment of the English ST of trial records of IMTFE with the Chinese TT in sentence pairs with the help of concordancer ParaConc.

1.8 Scope of the study

This study mainly deals with modality shifts in the English-to-Chinese courtroom translation under the guidance of the theory of the modality system in SFL. Therefore,

the study focuses on the modality markers in the English ST of the English-to-Chinese IMTFE parallel corpus as the subject of study. The scope of modality shifts investigated by this study is limited to the epistemic and deontic modality markers in the English ST of English-to-Chinese IMTFE parallel corpus. In addition, this research focuses on modality shifts in the English-to-Chinese IMTFE translation. Therefore, interpreting in courtroom discourse, while sharing many similarities with translation, is excluded from the scope of this study.

1.9 Organization of the study

This study includes five chapters: 1. Introduction, 2. Literature Review, 3. Methodology, 4. Data Analysis of Findings, and 5. Discussion and Conclusion.

The first chapter starts by introducing the background of the study, the problem statement, the research objectives, and the research questions. What follows in this chapter is the significance of the study, operational definitions, and scope of the study. This chapter concludes with presenting the organization of the study.

In the second chapter, previous studies related to “modality in legal discourse”, “modality and interpersonal meaning in courtroom discourse”, “courtroom discourse and translation”, and “translation and socio-cultural context” were systematically reviewed, definitions of key notions as “modality” and “interpersonal meaning”, “socio-cultural context” and “translation solutions” were delimited, and the theoretical framework was constructed.

In the third chapter, the research design and method were explained, the data collection, data analysis tools, and data analysis procedures were introduced, and the validity and reliability were described.

In the fourth chapter, the distribution features of modality in the English ST were identified, the shift patterns of modality in the English-to-Chinese IMTFE translation were described, influences on interpersonal meanings caused by the categories of modality shifts were analyzed.

This chapter progresses with exploring the translation choices of translating modality markers in relation to the socio-cultural context of the English-to-Chinese IMTFE translation. This section starts with exploring translators' perceptions of the motivations behind the translation choices of modality markers. What follows is the analysis of modality translation in the IMTFE translation itself, and describes the choices of translating modality markers in relation to the socio-cultural context.

The fourth chapter concludes by exploring translators' perceptions of the translation challenges, and translation solutions in the English-to-Chinese IMTFE translation based on the Translational Action Theory.

The whole thesis was concluded with a summary of the main points and a brief discussion of the implications of the present study for courtroom discourse analysis and legal translation practice. Besides, the limitations of the thesis were admitted, and further necessary studies on the issue were proposed.