

Who is the language policy for?

Translation discrepancies and their implications to (dis)trust

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Abstract

This paper investigates the impact of language policy translation as a discursive action on historical and political mechanisms of trust within the context of Indigenous language revitalisation in Taiwan. Combining a critical discourse studies approach and translation theories, we examine the translation discrepancies between the Chinese source text and the English translation of Taiwan's Indigenous Language Development Act (2017). We focus on the analysis of the interpersonal meanings conveyed by two Chinese modal verbs (*ying/應* and *de/得*), aiming to elucidate how Taiwan's Government positions itself within both language versions. The findings suggest that the government constructs itself as more actively responsible for the Indigenous language development in the English version. This strategic move reflects the government's commitment to enhancing Taiwan's international reputation as the English version is meant for global audiences. Considering language policy is inherently ideological with the government's political intentions, we discuss the implication of distrust created by the translation discrepancy. This study highlights that language policy translation can be recontextualised to suit a government's political agendas and ideological appropriations.

Keywords: Translation studies, Critical discourse studies, Indigenous language revitalisation, Language policy, Taiwan

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Introduction

Language policy is inherently ideological, serving as a reflection of a government's dominant political intentions (Grin, 2003). It delineates how a government presents itself to its target audiences. This paper aims to explore the ideological underpinnings within Taiwan's language policies, with a specific focus on how the discursive action of translation influences the perceptions of governmental intentions and, subsequently, fosters (dis)trust.

Taiwan's post-World War II colonial history shaped the power dynamic between the government and the Indigenous communities, leading to the introduction of assimilatory linguistic policies (Dupré, 2017; Tang, 2011). While recent policy efforts to revitalise Indigenous languages have been criticised for their lack of material input, such as building teaching resources (Hu, 2002). we investigate ideological barriers that may have hindered the Indigenous language revitalisation.

From our perspective that policy documents embody the legal intentions of the authority, we conduct an in-depth analysis of Taiwan's Indigenous Language Development Act (2017). This scrutiny involves examining translation discrepancies between the Chinese source text and its English counterpart, employing a combined approach grounded in critical discourse studies (CDS) and translation theories.

CDS is complementary to translation studies because translation has been conceived as a discursive act that serves as a mechanism for “recontextualisation of source-language texts” (I. Fairclough, 2018, p. 67). This paper presents the discrepancies identified relating to the modal verbs *ying/應* and *de/得* in the Chinese and English versions to show the government's self-representation and the implications for Indigenous language revitalisation in Taiwan. We point out that a lack of sincerity is discernible in the translation of a language policy concerning Indigenous communities, potentially leading to increased distrust of the government.

In pioneering this study, we provide a unique lens through which to understand the recontextualisation of language policies in translation, emphasising how the linguistic features identified in the present study contribute to the mounting (dis)trust considering its colonial history. We also address the effects of distorted interpersonal meaning in translation, offering a critical perspective on the intricate relationship between language policies, translation, and their embedded power relations.

Below, we start by explaining the interconnectedness of ideology, language policy, translation and trust. Then we provide the context to the sociolinguistic and political background of Taiwan and the key moments in language revitalisation efforts. We then explain the methodology and method used in this research. The findings demonstrate how the government represents itself and show a discrepancy in the translation that signifies different agentic roles and obligations. The nuanced findings are further explored in the discussion.

Language Ideology, Language Policy, Translation, and Trust

Within the realm of language policy and translation studies, there is a growing consensus that emphasises the paramount importance of trust (Chesterman, 1997). However, there exists a notable gap in empirical research concerning the direct investigation of trust-building processes in the contexts of transition studies, language policy studies, and Indigenous language revitalisation. This paucity underscores the need for focused empirical exploration to better understand the dynamics of trust in these crucial domains. This study provides an example of circumstances illustrating how mistrust may emerge from the translation of language policy and the consequential implications it entails.

The investigation of language ideology has been seen as a new field of inquiry into language conflict (Irvine & Gal, 2000) and Indigenous language revitalisation (Austin & Sallabank, 2014). In broader terms, language ideology is defined as people's beliefs and attitudes about a language (Austin & Sallabank 2014; Irvine & Gal 2000; Woolard 1998). It plays a part in language planning and management (Spolsky 2004; Shohamy 2006), raising questions of who uses the language, when, how, and with whom (Austin & Sallabank 2014). This perspective demonstrates that language ideology is a sequence of politically, culturally and socially motivated positions of and about languages, actively contributing to the distribution of resources and power and reflecting the broader social structure.

Language policy is the mechanism by which ideology can be manipulated. While language ideology is an important part of policy-making, Spolsky (2004) further reminded us that language policy must contain explicit language planning. The three explicit planning typologies (status, corpus and acquisition planning) can significantly impact a language's status and the success of its continuation (Johnson, 2013; Shohamy, 2006; Spolsky 2004) by giving or taking away the language speakers' linguistic resources. This way, language policy is able to wield control over "the production and distribution of linguistic resources and over the legitimisation of relations of power" (O'Rourke, 2011, p.327) and thus affect language revitalisation. The discursive practice of translation is one of the resources that have an impact on language planning and can give power and status to a language. The discursive elements demonstrate how a language policy is an ideological construct that represents the power, control and ideology of the dominant groups (Grin, 2003).

Because translation contains communicative intention, therefore, the decision to translate the text in a certain way underscores how it may foster trust in ways of reaching pragmatic equivalence (Hale, 2014; House, 2006), which we discuss in the later section. Consequently, this study aims to comprehend the extent and manner in which translational activity influences trust within the context of Indigenous language revitalisation policy translation. We explore how the way texts are translated into

different languages could lead to mistrust or distrust, and examine the implications. This is particularly significant when considering historical trust issues, such as the colonisation history between Indigenous communities and the government.

By looking at the language translation of policies in its socio-historical and political context we can see that translation not only has the power to include and exclude specific cohorts of audience, but it also can be manipulated to suit different agendas, thus potentially impacting the inherent trust depending on 'who is doing what to whom and how' and who is the intended recipient of the policy.

Taiwan's Sociolinguistic Background, Political Backdrop, and Language Policy Efforts

Linguistic repertoire

Taiwan is an island nation situated next to the Chinese Mainland. Its official name is 'the Republic of China' (R. O. C.). Due to its history and the prevalent one-China ideology, to avoid confusion, we use 'Taiwan' instead of R. O. C. throughout this article.

Approximately two per cent of the 23 million population on the island are Indigenous peoples made up of 16 tribes of varying sizes. We acknowledge that the word 'tribe' may be considered pejorative. Nevertheless, in Taiwan, the term is used in official translations for policies, such as The Indigenous Peoples Basic Law (2005), hence the word choice. The rest of the population is made up of speakers of Hoklo-Taiwanese (73%), Mandarin Chinese (Mandarin) (13%), and Hakka (12%) (Sandel 2003; Tang 2011). These three groups are collectively called the 'Han' (Chinese) who have migrated to Taiwan from the Mainland at different periods throughout history.

The languages of the Indigenous Taiwanese are categorised as the Formosan languages and are recognised by linguists as the most diverse within the Austronesian language family. Thus, it has been suggested that these languages are the homeland of Austronesian languages (P. Li 2008). However, UNESCO (2001) first identified Taiwan's Indigenous languages as in various stages of endangerment in 2001. An updated UNESCO report a decade later showed that six of the languages are critically endangered and others are in rapid decline (Bradley, 2010), with the lack of 'child speakers' as an indication of the outlook for the languages (Bradley, 2010). The culprit of the language endangerment of the Indigenous languages in Taiwan is colonisation.

History of colonisation

Taiwan's colonisation history can be categorised into four main stages (Tang, 2011). The first is the European colonisation period. Around the mid-17th Century, the Dutch had a trading colony in middle Taiwan. The second stage is the early Chinese colonisation. In 1661, following the collapse of the Ming Dynasty, General Zheng Chenggong retreated to Taiwan and expelled the Dutch (Sandel, 2003, Tang, 2011). The third period is the Japanese colonisation. In 1895, the Qing Dynasty lost the Sino-Japanese War and Taiwan was ceded to Japan. Japan enforced a monolingual policy to

ensure Japanese domination in all important domains. Finally, in 1945, when the Second World War ended, Japan surrendered and Taiwan was taken back by the R. O. C., led by the Nationalist Party, the Kuomintang (KMT). This marks the start of the modern Mainlander-Chinese influence. In 1946, the KMT started the 'National Language Campaign' implementing 'de-Japanisation' and 're-Sinicisation' (Dupré, 2017), which involved the promotion of 'Mandarin-Chinese-only' to remove residual Japanese influence on the island. Not only did this event cement the KMT's power, given there was a lot of political instability post-WWII, it also secured the dominant linguistic position of Mandarin Chinese.

The most significant event of Taiwan's colonisation happened in 1949. After being defeated by the Chinese Communist Party in the Chinese Civil War, the KMT was forced to retreat to Taiwan at the end of 1949. Following this event, securing its power against Communist China was the KMT's main concern. Consequently, the 'Mandarin-only' ideology was a way to make sure the nation was united by the notion of 'one language, one government,' and martial law, was put in place to strengthen the nationalist ideology (Dupré, 2017). This resulted in changes in Taiwan's sociolinguistic repertoire and the rapid decline of Indigenous languages.

Political ideology and language ideology of Taiwan

Taiwan has a delicate political landscape resulting from its complicated history. Since the 1990s, the main political tension on the island has been the political struggle between the KMT and its biggest opponent, the Democratic Progressive Party (DPP) which has a pro Taiwan independence ideology. Not only was the DPP politically opposed by the coloniser KMT, but they also felt aggrieved by the Mandarin-only policy as most of the DPP supporters speak the Haklo-Taiwanese language as their home language, which was prohibited by the KMT.

The political tension between Taiwan and China is another factor that influences policy decisions. In 1992, the People's Republic of China (P. R. C.) and Taiwan representatives held a meeting based on a vaguely defined 'One-China Principle' (Dupré, 2017), which has a firm grip on Taiwan's political climate that operates under the undeniable One-China ideology. The One-China Principle is not just a recognition of political power; it also has a strong linguistic reference to Mandarin Chinese, especially the idea of "Mandarin as common unifying language across the Strait" (Dupré, 2017, p.121). Interestingly, the term 'Mandarin Chinese' translates to 'national language' (Guoyu) in Taiwan. This synonymity holds significant ideological implications, shaping the perception of the language within the nation and potentially signalling a stance on the reunification of the two Chinas. Notably, the sociolinguistic distinctiveness embodied by Indigenous languages has been strategically utilised in policy-making by both the KMT and the DPP (Ting, 2019). This employment serves as a form of resistance against the One-China ideology, strategically wielded by politicians where deemed appropriate.

Indigenous language revitalisation efforts

Following the global trend of multiculturalism in the 90s and the ‘new Taiwanese’ (*xin Taiwanren*) movement instigated by former president Lee Teng-hui, Taiwan has seen unpredicted efforts in supporting Indigenous development (Kasai, 2023).

Starting from 1996, the Ministry of Education (MoE) announced that during the school year, one period per week would be allocated in the elementary school curriculum for mother-tongue education. In the same year, the Council of Indigenous Peoples (CIP) was established. However, mother-tongue is a contestable notion in multilingual Taiwan. Whose language counts as the mother tongue? In a place where most people’s mother tongue is not an Indigenous language, the legislative effort is contentious. In a similar vein, the concept of a ‘multicultural Taiwan’ is perceived as an emblematic use of Indigenous peoples for political reasons, where Kasai (2023, p.182) contends that multiculturalism is “a form of symbolic resistance against the PRC’s claims for ‘One China’”, suggesting that multilingual policies could amount to lip services, reflecting a lack of genuine commitment from the government.

In the Mandarin-centric and English-dominant language environment (Kasai, 2023; Ferrer, 2021), it is questionable whether multiculturalism truly aids Indigenous language revitalisation. Nesterova (2024) thus advocates that while multiculturalism has been embraced as a means to address inequalities, achieving linguistic justice for Indigenous peoples in Taiwan requires decolonising the Han-Chinese-centric mindset, particularly within language education.

Recent policy efforts relating to Indigenous languages include the CIP’s Six-Year Plan for Indigenous Language Revitalisation, stage 1 and Stage 2 (2008-2019) (原住民語言振興六年計劃), Indigenous language development Act (2017) (原住民族語言發展法), and The National Languages Development Act (2018) (國家語言發展法). These laws demonstrated there has been a large amount of top-down efforts from the government to push for the recognition of Indigenous languages. They push bottom-up efforts when the languages are thought to have a higher status within society. Since the ‘top’ is often perceived as the ‘authority’, it comes as no surprise that many of the language revitalisation responsibilities fall under the relevant government agencies. Tang (2018) illustrated a government-supported grassroots work for the Truku Seediq language immersion kindergarten project. However, she cautioned that government-sponsored efforts are often short-term, which frustrates the language revivalists.

One of the most significant milestones in the advancement of Indigenous language and culture is the establishment of the Indigenous Historical Justice and Transitional Justice Committee (原住民族歷史正義與轉型正義委員) following President Tsai Ing-wen’s apology to the Indigenous people in 2016 (Mona, 2019; Presidential Office, 2016). While this process has made strides in rebuilding trust between the Indigenous peoples and the State (Mona, 2019), it has also elicited frustration among Indigenous communities as the scope of the Act on Promoting Transitional Justice set by the government has not

fully taken into Indigenous views pertaining to Indigenous claims for transitional and historical justice (Mona, 2019). For instance, the process does not deal with historical traumas predating the KMT occupation that resulted in a significant loss of Indigenous language and culture (Nesterova, 2024). Undoubtedly, Taiwan's Indigenous language revitalisation work still faces many obstacles. Many of these obstacles are ideological and can be found within the policies.

Methodology

This study is guided by a critical discourse studies (CDS) approach in conjunction with the concept of achieving pragmatic equivalence in functional translation theories (e.g., Hale 2014; House 1981). As I. Fairclough (2008, p.67) stated "Critical Discourse Analysis and Translation Studies share the assumption that textual features need to be related to the social and ideological contexts of text production and reception." This study, thus, views translation practice as a socio-discursive practice. Since discourse is utilized to maintain and exercise power, we investigated how power and ideology were represented through the translation of the policy and compared how the government constructed itself as the text producer in both the Chinese and the English versions.

The policy under scrutiny is the Indigenous Language Development Act (hereafter ILDA, or the Act) promulgated in 2017. This policy was released in both the Chinese and English versions on the official government website. While there are two language versions available, the Chinese version serves as the official document for the people of Taiwan. This paper presents the discrepancies identified in the translation and focuses on the representation of the government in its translation of the ILDA.

Critical discourse studies

Critical discourse studies (CDS) is an interdisciplinary field that examines language, power, and ideology in social contexts. Although it is an approach to textual analysis, it is not an analysis nor is it a method. As Wodak and Meyer (2016) pointed out, CDS embodies an approach to problem-solving that focuses on three fundamental concepts: power, discourse, and ideology. Currently, there are various approaches about 'how to do' CDS. While the tools used for each of these approaches differ, what they have in common is that CDS utilizes some level of linguistic analysis of the text, explains contextual meanings, and has an emancipatory aim for social change (Wodak & Meyer 2016).

In CDS, discourse is viewed as a means to construct social reality and as a mechanism to sustain power. Thus, CDS scholars caution that what we read, see and hear should not be taken for granted. It is for this reason that I. Fairclough (2008, p.68) advocated that CDS is appropriate to Translation Studies "as both approaches aim to reveal the mediated connections between properties of text on the one hand and socio-political-cultural processes on the other." In this sense, CDS provides a meaningful tool for this paper. The aim here is to investigate the relationship between the text producers and

the text receptors and how they may contribute to the illocutionary intention of the texts.

We draw on N. Fairclough's (2003) notions that discourse is viewed simultaneously as action, representation, and being. According to N. Fairclough (2003), discourse is used to 'do things' and its action is operationalised in the use of language. For example, the language in a policy is declarative and is viewed as a social action. When discourse is viewed as representation, it embodies institutional practice and ideas. For instance, a language policy embodies government ideology. Finally, discourse as 'being' points towards the performative nature of discourse and how social agents are positioned within social practices (N. Fairclough, 2001), which impacts how power is exercised.

Pragmatic equivalence

Reaching 'pragmatic equivalence' means that a translation achieves the pragmatic function expected in the source text (Hale, 2014; House, 2006). In this study, the Chinese source text delivers messages to illustrate the intention of the government and projects the relationship between the government and the Indigenous communities. A translation of the Act will need to project the same intention and ideology to be considered as having achieved pragmatic equivalence. More specifically, a translation that has achieved pragmatic equivalence undergoes a process conducted in "the spectrum of different modes of meaning", namely ideational, textual, and interpersonal meanings (Halliday & Matthiessen, 2004; Kim & Matthiessen, 2015).

Since the ideational meaning of the policy translation has previously been examined and published elsewhere (Ting, 2019) and the thematic choice (Halliday & Matthiessen, 2004) between the two language versions of the Act is consistent, in this paper we concentrate on looking at whether the translation has maintained the original interpersonal meaning of the Act.

Analytical method – looking at the interpersonal meaning

Interpersonal meaning represents the social relationship between the government and the people. The interpersonal relationship can be seen in expressions through which the Act makes demands with a tone of authority. Such demands are usually made by using modal verbs (Halliday & Matthiessen, 2004). In this paper, we identified translation discrepancies between the Chinese and the English versions of the Act surrounding the translation of the Chinese modal verbs *ying*/應 and *de*/得. Coulthard et al. (2016) argued the legal intentions of the government are manifested in official laws. Therefore, these particular linguistic aspects of the modal verbs allow us to investigate "social relations in the discourse, and controlling representations of reality" (N. Fairclough, 1992, p.236).

Further, we adapted Chilton's (2003) modal verb 'rightness-wrongness scale' to further explore the government's self-representation. This scale highlights how the 'self' is depicted as inherently 'right' and 'true', often associated with positive modality (e.g. will, must and should). Entities placed further for the 'self' is perceived as less valid and

is associated with negative modality, such as won't. This helps shed light on the discursive strategies employed to establish and maintain power structures and social hierarchies. Although Chilton's version does not contain *shall*, it can be positioned between must and ought.

Findings - The Representation of the Government

Two Chinese modal verbs representing obligation and power relations are examined, *ying/應* and *de/得*. The Chinese modal verb *ying/應* generally can be translated as English 'must' or 'should' with high modality (K. Li 2007). Modal verb *de/得*, on the other hand, shows lower modality and has an equivalent functional meaning to *ke/可* or *keyi/可以* (Liu, 2013, p. 104), which can be translated as English 'can' and 'could'.

In this section, we show how the government positions itself in using Chinese *ying/應* and English *shall*, examining whether the English translation has achieved pragmatic equivalence (Hale, 2014; House, 2006). In the subsequent section, we look at the translation discrepancy involving both modal verbs.

Specifically, in legal contexts (e.g., an Act), the modal verb *ying/應* is commonly used in Taiwan to indicate an order given by or an obligation resting upon the government. In other words, the modal verb *ying/應* delivers a specific interpersonal meaning in terms of the power relationship between the government and the people. The government occupies a higher-power position towards the people who occupy a lower position, indicating the former bearing a moral obligation towards the latter.

Similar to the Chinese *ying/應*, the English *shall*, in legal contexts, functions as 'must', 'have to', and 'be required to', which demonstrate high modality and obligation resting upon the agent of the actions uttered in a sentence (K. Li 2007). The modal verb *shall* was found to be the most frequently used modal verb in the English translation of the Act, a genre-specific feature for the English version.

Teng (2019) explained that when a translation achieves pragmatic equivalence, the translation can elicit a response from its target readers similar to the response that readers of the source text would have. Otherwise, it would be considered 'pragmalinguistic failures' (Hale, 2014; Thomas, 1983). Below we explain the translation of the Chinese modal *ying/應* as *shall* in the Act and how it represents the social actors and their relationships.

The initial noteworthy discovery is that in this 30-article Act, the Chinese modal verb *ying/應* appears 36 times; yet, the English *shall* appears 49 times in the English version. The high frequency of the use of *shall* in the English version presents to its readers (English-speaking audience) a strong obligation and the requirement of action from the government and its agencies. For example, Article 6 states,

'The central competent authority **shall** assist all Indigenous ethnic groups in establishing organizations in charge of ethnic language promotions' (A6)

中央主管機關應協助原住民族各族設立族語推動組織

The central competent authority in the Act refers to the Council of Indigenous Peoples (CIP), a government agency. Consequently, the higher frequency of the term '*shall*' in the policy indicates a heightened level of government obligation. This strengthens the accountability that Indigenous language speakers can assert over the government for future actions.

The common structure in both language versions of the Act is **government agency + *ying/應/shall***. The government agency that appears most frequently in the text is the *central competent authorities*, in this case, the CIP. The CIP, as a social agent, appears in 15 articles; thus, the CIP is constructed as the most heavily obligated agency. Since the CIP is an Indigenous-based government agency, the **government agency + *ying/應/shall*** structure within the Act delivers an interpersonal meaning (Halliday and Matthiessen 2004) that the government is in a closer relationship with the Indigenous communities by standing along-side them, and is obliged to give the power and control of language back to the Indigenous communities.

In addition, while the Chinese modal verb *ying/應* delivers a sense of obligation, it also denotes a sense associated with morality that the government agency is expected to fulfil (Cao, 2009, 1335). Similarly, the English modal verb *shall*, when considered in rightness-wrongness scale (Chilton, 2003), the English *shall* can be positioned closer to the 'self' between *must* and *ought*, i.e. positioned as right and true. Therefore, the translation of the Chinese *ying/應* into the English *shall* seems a preferable option for its effect of reducing ambiguity and enhancing the moral implications.

For example, Article 12 states,

The government **shall** plan and promote policies for international exchange of Indigenous languages. (A12)

政府應規劃與推動原住民族語言之國際交流政策

Here, the social actor (self) to whom the modal verb refers is the government or the authority. Other than functioning as a modal of obligation or permission, the modal verb is also used to approve of the actions that follow; that is the discursive function of 'plan and promote'. These actions are endorsed as 'right and true', and hence moral, when led by a modal verb, *ying/應* in the Chinese version and *shall* in the English version.

With the government positioned as the self, the use of *shall* in the English version validates the things that the government proposes to do. Although Cao (2009, p.1335) states that the English modal *shall* does not deliver a moral connotation as the Chinese *ying/應* does, we believe that a sense of 'a moral government' is presented in the English version of the Act as in 'the right thing to do' according to Chilton's (2003) 'rightness-wrongness scale'. As a result, the sense of 'moral government' in the English translation is therefore equivalent to the Chinese source text. The interpersonal

meaning demonstrates the government is here to *help the Indigenous people* and make the right things happen.

The translation of Article 12 exemplifies how a judicious selection of a modal verb can preserve the interpersonal meaning and reach pragmatic equivalence of the source text. Below, we discuss how inappropriate choices of English modal verbs in the translation can distort the interpersonal meanings delivered in the source text and may cause false impressions and misrepresent trust.

Lost in translation: different modalities, different levels of obligation

In this section, we identify instances of translation discrepancies of modal verbs and ask whether the translation led to pragmatic linguistic failures and how this affects the interpersonal meaning. The Chinese modal verb *ying/應* appears 36 times and the modal verb *de/得* 8 times in this 30-article document in the Chinese original text. In the analysis of the Act, we found that the majority of 30 articles in the Act use the modal verb *ying/應*, except three articles, 13, 14 and 15. The three articles have the modal verb *de/得* instead, which, in legal contexts, can be interpreted as the English *may* or *shall*. However, when translated to *may*, it is less enforceable (Liu, 2013, p.104). This has implications for function and modality.

The first example is Article 13, where the modal verb *de/得* is translated as the English *may*.

When government agencies operate administrative, legislative affairs and judicial procedures, Indigenous peoples **may** express their views in their Indigenous languages; all such government agencies shall employ translators for interpretation. (A13)

政府機關（構）處理行政、立法事務及司法程序時，原住民**得**以其原住民族語言陳述意見，各該政府機關（構）應聘請通譯傳譯之。

While the Chinese modal verb *de/得* denotes, through permission, a right, a privilege or power to the agent of a to-do action (Cao, 2009), the English modal '*may*' also delivers a sense of *be allowed to* (Halliday and Matthiessen 2004), a sense of permission (Chen et al., 2020). The similarity between the Chinese modal *de/得* and English *may* in the two language versions of Article 13 can also be understood in a way that the agent (i.e., the Indigenous community) is allowed to have a choice of exercising that right legally. The Act therefore gives the Indigenous community a sense to choose which language they wish to use in court. However, the English modal *may* does not deliver a sense of empowering in this text.

The English modal *may*, while granting permission, also denotes an obligation required in a less positive manner (Halliday and Matthiessen 2004). In this case, the English translation delivers a message that the obligation is resting upon 政府機關（構）/*government agencies*, who *allow*, in a less positive (if not negative) manner, the Indigenous community to exercise their language rights. This interpretation of the

English *may* is also consistent with Chilton's (2003) 'rightness-wrongness scale' (Figure 1) where, when a weaker modal verb is used, the 'to-do' action is less right or true.

The interpersonal meaning delivered through *de/得* in the Chinese source texts therefore has been distorted in a way that, while the Chinese version of Article 13 affirms the language rights of the Indigenous community as a supporter, the English translation presents government agencies as less supportive figures.

In Article 14, the modal verb *de/得* was also inappropriately translated is found.

Official documents of government agencies, schools and public enterprises in Indigenous regions **shall** be written in regional languages. (A14)

原住民族地區之政府機關（構）、學校及公營事業機構，**得**以地方通行語書寫公文書。

In Article 14, the modal verb *de/得* in the Chinese source text was translated as *shall* in the English version. As per the discussion presented in previous sections, the English *shall*, similar to the Chinese *ying/應*, denotes both a sense of obligation and morality placed upon the government. But, unlike the modal *ying/應*, the modal *de/得* has an equivalent functional meaning to the modals 可/*ke* or 可以/*keyi*, which can be interpreted as "almost not enforceable" (K. Li, 2007, p.54), a much weaker modal verb than the English *shall*. In this sense, this article shows a different level of obligation between two versions, which significantly impacts how this article would be understood by the English-speaking audience.

The modal verb *de/得*, carrying a connotation of permission in Taiwan's legal context (Cao, 2009), is employed in Article 14 to indicate that documents can be written in regional languages because of a permission granted by the authority. However, the absence of explicitly identified active social agent in this sentence warrants two-fold interpretation which alters the power relation depending on who the implied agent is.

The lack of active agent in a passive structure (be written) could be interpreted as the central government (the agent) permitting the local Indigenous institutes to use Indigenous language in their official documents. In this case, the central government holds more power. Conversely, it can be viewed as an empowering act for the Indigenous institutes (the agent) situated in the Indigenous regions to decide (through permission) what language they want to use for their official documents. However, given that the dominant language in all social domains is Mandarin Chinese, this may imply that the use of Chinese is the default position, which hinders the on-going development of the subjective consciousness of the people.

However, the English *shall* in the translation of Article 14 implies a stronger obligation to have the official documents written in regional languages. The translation presents an active step towards language revitalisation, which is not the implication delivered in the Chinese source text. That means the interpersonal meaning in the translation has again been distorted. While the translation presents the English-speaking audience with

a government that is morally obliged to support the revitalisation of Indigenous languages, the government is presented in the source text as a dominant figure granting the Indigenous community language rights and ignoring the fact that the Indigenous community is inherently entitled to such rights.

The same can be said about Article 15:

Public transportation, stations and competent authority of relevant agencies in non-Indigenous regions **shall** proceed with the preceding item **according to** the characteristics and needs of local Indigenous people. (A15)

非原住民族地區之大眾運輸工具及場站，目的事業主管機關**得視**當地原住民族特性與需要，辦理前項事項

In Article 15, the modal verb *de/得* is again translated as *shall* in the English version, while the modal verb *de/得* in the source text delivers a weaker modality than the English *shall*. In other words, the Chinese source text of Article 15 presents the actions of ‘*proceed[ing] with the preceding item according to the characteristics and needs of local Indigenous people*’ in a way that suggests they are less enforceable and not desirable. Further, since Article 15 refers to *non-Indigenous regions*, it shows little government obligation to Indigenous languages outside the Indigenous context. Therefore, the interpersonal meaning delivered through the source text of Article 15 presents government agencies as not being obliged to have *official documents written in regional languages* (as stated in Article 14). This non-obligatory role in the relationship between the government and the Indigenous community is again lost in the translation.

Some Chinese-English translation conventions propose that *ying/應* and *de/得* could both be translated into *shall* (K. Li 2007), as can be seen in the translation of Article 14 and 15. However, through a brief linguistic analysis of the two translations, we have revealed a significant divergence between the Chinese version and the English version, in terms of the power dynamic between the Indigenous people and the government.

Finally, it is important to highlight that in the Chinese source text within the entire Act where *the central competent authority/中央* and *the government/政府* are the active agents, the modal verb used is always *ying/應*, showing a high level of obligation. In comparison, the three cases studied in this paper (Articles 13, 14, and 15) used the modal verb *de/得*, and the three Articles respectively have a different social agent (non-government agents). Article 13 includes *Indigenous people* as the agent before the modal verb. Article 14 has no named agent in its passive structure. Article 15 has a nominalised clause *Public transportation, stations and competent authority of relevant agencies* as the subject. This indicates the contrast in the level of obligation to conduct language revitalisation activities between the government and non-government agencies. The overt emphasis on the government’s responsibility in places where *ying/應* is used can be seen as the hegemonic power obscuring the agentive role of the local authority and community members.

In the next section, we discuss the implication between translation discrepancy and trust.

Discussion

The analysis shows the government is constructed as supportive especially when the active agent is 'the government' in the Chinese language source, giving authority to the government. In the English version the use of 'shall' over-emphasised the governmental responsibility for language revitalisation, as evident in the high frequency of usage. The distortion of interpersonal meaning in the English version served the Taiwanese Government's intention to boost Taiwan's international reputation, constructing the government as supportive and obliging in the outward-facing image, self-representation. Taiwan's government's outward-facing image strategically poses challenges to the One-China ideology. Without directly opposing China, instead, the approach involves utilising the Indigenous language as leverage to differentiate from China, especially considering the English version caters to a global English-speaking audience. This approach has inadvertently generated a sense of distrust as the government's intention is brought into question. Considering the social-historical context, the hegemonic structures, and ideological factors, a well-intentioned policy may fall short of its intended outcomes as a result.

This is not to say that the government is 'two-faced', but we wish to highlight the differences between the outward image and the internal responsibilities concerning the government's self-positioning. This not only impacts the efficacy of the policy but also erodes the trust initially instilled in the policymaking and translation processes, signifying additional challenges for Indigenous communities to place complete trust in the government. Nesterova (2024) warned that Taiwan's Indigenous population officially enjoys access to a unique framework of policies to protect their collective cultural rights, and the processes of historical and transitional justice seem to have redressed some injustices. Yet, these processes are multifaceted, and any lack of clarity could jeopardise its effectiveness.

Recognising the significance of context, it becomes apparent that when a policy translation falls short of achieving pragmatic equivalence, it is not merely a 'translation problem.' In other words, the issue cannot be resolved solely by revising and improving the quality of the translation. It has social-political implications. Ironically, the absence of Indigenous language versions of the policy exacerbates the issue compounding the challenge of Indigenous language revitalisation.

Conclusion

This paper looked at the translation discrepancies between the Chinese and the English languages version of the Indigenous Language Development Act. Arguably, the Chinese version is the official version for the nation and the version received by the Taiwanese people, including the Indigenous communities. The English version is there for the

global audience to see and judge Taiwan's language revitalisation efforts by. Due to concerns regarding the One-China ideology, the English translation of the Act could be seen as a tool for Taiwan to differentiate itself from China, showing the world that the Taiwanese Government is inclusive of its Indigenous population, in contrast to Communist China, boosting Taiwan's international reputation.

However, this approach may have faltered in cultivating trust among the Indigenous population, as the modal verb used in the local version differs which breaches the trust originally established between the government and the Indigenous community. This breaches the trust that Indigenous people initially placed in the policy and policymakers, assuming that the policy would genuinely cater to the needs of Indigenous communities and their languages. The findings tell a story of an unfavoured power relationship between the government and the Indigenous community as the government's need to establish Taiwan's international reputation exceeds the need of Indigenous language revitalisation.

This study brings attention to the broader implications of policy translation and their impact on marginalised communities. It underscores the significance of accurate and culturally sensitive translations in shaping policies that genuinely support and empower marginalised communities, including Indigenous populations.

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