

Modality Shifts in Translating English Modal Verbs into Croatian in Legal and Literary Texts

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Dvopredmetni diplomski sveučilišni studij engleskog jezika i književnosti – prevoditeljski smjer
i filozofije

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hrvatski jezik u pravnim i književnim tekstovima**

Diplomski rad

Mentorica: doc. dr. sc. Ana Werkmann Horvat

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Scientific field: philology
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IZJAVA

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Abstract

This study aimed to examine the general features of the translation of English modal verbs into Croatian in legal and literary texts with an emphasis on two kinds of shifts taking place in the translation process: shifts in the strength of modal verbs and those in the means of modal expression. The lack of research concerning the contrastive analysis of the translation of modal verbs (and modality in general) in the Croatian language served as the rationale for writing the present thesis. For the purpose of the analysis, a total of 520 randomly selected sample sentences containing modal verbs *must*, *should*, *ought to*, and *may* were extracted from legal and literary corpora and aligned with the same number of their Croatian translations. The data were then analyzed to elucidate the motivators for the translator's employment of a translation causing a shift in modality in order to detect how such translation solutions reflect the general characteristics of the two genres regarding modality in terms of their syntactic, semantic, and pragmatic features influencing the translation process. The results of the study demonstrated that shifts in the strength of modal verbs were more frequent in the legal corpus, primarily due to the existence of a strong contextual framework of rules and regulations in which modals were embedded, drawing on its strength. Shifts in the means of modal expression were more prominent in the literary corpus, primarily due to the great relevance of epistemic modal verbs to this genre, whose syntactic properties in the target language prompted the translator to avoid using them for stylistic reasons.

Keywords: modality, modal verbs, modal strength, modal shift, modal translation

Sažetak

Cilj ovog rada bio je istražiti opće značajke prijevoda engleskih modalnih glagola na hrvatski jezik u pravnim i književnim tekstovima s naglaskom na dvije vrste promjena koje se događaju pri prevođenju: promjene u jačini modalnih glagola i promjene u sredstvu modalnog iskaza. Razlog odabira teme ovog rada je slaba zastupljenost istraživanja s obzirom na kontrastivnu analizu prijevoda modalnih glagola (i modalnosti uopće) u hrvatskom jeziku. U svrhu analize prikupljeno je 520 rečenica iz pravnih i književnih korpusa koje su sadržavale modalne glagole *must*, *should*, *ought to* i *may* i koje su potom bile uparene s istim brojem njihovih prijevoda na hrvatski. Prikupljena građa zatim je raščlanjena s ciljem utvrđivanja čimbenika koji utječu na uporabu prevoditeljskih rješenja koja uzrokuju promjene u modalnosti kako bi se utvrdilo na koji način takva rješenja odražavaju opće karakteristike dvaju žanrova glede pojma modalnosti u smislu njihovih sintaktičkih, semantičkih i pragmatičkih značajki koje utječu na prevoditeljski proces. Rezultati istraživanja pokazali su veću prisutnost promjena u modalnoj jačini u pravnom korpusu, prvenstveno zbog snažnog kontekstualnog okvira pravila i propisa u koji su modalni glagoli u pravnom diskursu smješteni, oslanjajući se na njegovu jačinu. Promjene u sredstvu modalnog iskaza bile su izraženije u književnom korpusu, najviše zbog snažne zastupljenosti epistemičkih modalnih glagola u ovom žanru, zbog čijih je sintaktičkih svojstava u ciljnom jeziku prevoditelj iz stilskih razloga u pravilu izbjegavao njihovu uporabu u prijevodu.

Ključne riječi: modalnost, modalni glagoli, modalna jačina, promjena u modalnosti, prevođenje modalnosti

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1. Introduction

Modality is widely considered one of the most challenging areas of linguistic description due to its complex nature which comprises numerous syntactic, semantic, pragmatic, and other factors, making it demanding to pinpoint its precise definition. In simple terms, modality could be defined as the speaker's attitude towards the factuality or actualization of the situation (Huddleston & Pullum 2002: 173), i.e., the assessment of the extent to which a certain state of affairs is deemed possible or necessary.

In both English and Croatian, the main means of expressing modality are modal verbs. These represent a special class of verbs that do not have a function on their own but only as auxiliaries, i.e., "helping verbs" (Leech & Svartvik 2002: 187) that appear before the lexical (main) verb in a clause and refer to its role by qualifying its meaning (Biber et al. 2002: 103). There are two fundamental modal forces: necessity and possibility. They act as the framework in which a wide range of modal meanings is embedded and within the scope of which those meanings can be interpreted. There are basic modal meanings such as obligation, permission, logical necessity, logical possibility, probability, ability, prediction, and volition. These can be further divided into yet more specific meanings, such as, for instance, strong obligation (duty) and weak obligation (recommendation or advice), which enable the speaker to express a wide range of shifts in their temper and differentiate their state of mind.

When it comes to the contrastive analysis of modality, as is the case with the present thesis, there are several major factors at issue. First of all, there is what Palmer (1986: 25) calls "interpersonal function", which denotes the interactive relationship between the speaker and addressee's attitudes (Haliday 1994). Bearing in mind the different experiential backgrounds of the speakers of two different languages conditioned above all by the different cultural frameworks they come from, it thereby follows that modal statements cannot be understood in isolation but are affected, among others, by cognitive-linguistic factors, which influence the judgment of a certain situation in a certain way, thus affecting the translation itself. Another key factor concerns the conventions of the genre being translated. For example, legal translation is marked by various conventions that are a result of a highly specialized register whose esoteric nature sets it apart from general language, making it difficult for laypersons or outsiders in the legal community to understand it (Orts 2015). Furthermore, legal translation is affected by

peculiarities characteristic of various types of legal systems that are in effect in different societies (Orts 2015). Literary translation involves a whole series of factors, which, due to the reason of space, will not be systematically presented here, but only a general definition will be given. According to Newmark (1998), literary translation should aim to integrate two basic features: the informativeness of the text and its aesthetic quality. This means that the literary translator conveys not only semantic content to the target reader but also intertwines it with “the entire system of aesthetic features bound up with the language of the translation” (Levy 1963, as cited in Bassnett 2002: 16), reflecting the thought, emphasis, style, rhythm, and sound of the original (Newmark 1998: 201). Finally, the translator should stick to the norms and culture of the target language, as well as its literary traditions (Newmark 1982: 18).

The aim of this paper is to investigate the general characteristics of the translation of modal verbs from English into Croatian in legal and literary texts, with an emphasis on the shifts in modality occurring in the process. These shifts will be explained by taking account of syntactic, semantic, and pragmatic factors that may play a role in opting for translation solutions. The importance of this work lies in the lack of research into modality in the Croatian language, especially when it comes to the contrastive analysis of translations. There are only a few such studies, of which the one by Knežević and Brdar (2011) stands out, which analyzes the translation of modal verbs from Croatian to English, being limited to the deontic sphere of modality. As far as the Croatian language is concerned, to the best of my knowledge, there are no studies on translating modal verbs in literary discourse, at least not at the moment of writing up the present thesis. In this paper, each of the two text genres (legal and literary) will be treated separately, with an additional comparative analysis.

The paper is structured as follows: Section 2 covers the theoretical frame of the paper, focusing on expounding the phenomenon of modality and its general features, with an emphasis on modal verbs in English and Croatian. The modal verbs are further analysed in terms of their relative strengths and a brief comparative analysis of the relations between English modal verbs and their Croatian counterparts is presented. Section 3 covers the methodology of the analysis, focusing on the tools used for collecting the corpus data and a description of the approach to the analysis. The analysis takes place in Section 4, which is divided into two subsections, the first of which is intended for the qualitative analysis of the collected data, whereas the discussion of the results is presented in the second part. I summarize and conclude the findings in Section 5.

2. Theoretical framework

2.1. *The definition of modality*

Modality is a fairly complex linguistic category characterized by exceptional semantic ambiguity, the consequent elusiveness of which has hindered a uniform elucidation of the phenomenon, making it challenging to pinpoint a straightforward account of it. The previous claim seems to be well supported by Narrog (2005: 165), who asserts that “there is hardly any grammatical category which has been given more diverging definitions, and under the label of which a wider range of phenomena has been studied.” Palmer (1986: 4) states that “the real problem with modality is that there is no clear basic feature” that defines it. Along similar lines, Shlomper (2005: 11) argues that modality has no restrictions defined by morpho-syntactic properties (unlike other grammatical categories such as tense), which, as Varga (2016: 24) notices, may be the reason why diverse notions tend to be subsumed “under its more or less extensive scope” reflected in a large scale of linguistic manifestations that comprises morphological (e.g., modal verbs), lexical (e.g., cognition verbs), and syntactic (e.g., phrasal expressions) markers, but also intonation, which is yet another way to express different modal meanings (Bybee & Fleischman 1995: 2). Notwithstanding the difficulty in pinpointing a precise definition of modality, there still seems to be a consistent agreement on the broadly-set general features subsumed under it (Varga 2016: 25).

As for its definition, modality¹ is a linguistic category dealing with “the status of the proposition that describes the event” (Palmer 2001: 1), or as Huddleston and Pullum (2002: 173) put it, it is a phenomenon “centrally concerned with the speaker’s attitude towards the factuality or actualization of the situation expressed by the rest of the clause”, typically by the main verb in the clause (Kalogjera 1982: 1). In simple terms, modality is a linguistic category that expresses “the speaker’s attitude or opinion regarding the contents of the sentence or what the sentence proposition entails” (Palmer, 1986: 21, see further Lyons 1977: 452). By “attitude” Givón (1993:

¹ A few remarks should be made on the distinction between modality and the closely related linguistic category of mood. Despite some scholars using the term mood in the same sense as modality, most argue that the two are strictly separate concepts (Zhang 2019: 879). Mood corresponds to the inflectional system of the verb, representing the grammaticalisation of modality within the verbal system (Huddleston & Pullum 2002: 186). In other words, it refers to the morphological means of expressing modality and therefore belongs to a category of grammar, under the heading of which falls a set of distinctive forms that are used to signal modality (Zhang 2019: 879), whereas modality itself represents a category of meaning (Huddleston & Pullum 2002: 186) that is realised by the aforementioned morphological forms.

169) primarily means two types of the speaker's judgment concerning "the propositional information exposed in the clause":

- "epistemic judgments of truth, probability, certainty, belief or evidence"
- "evaluative judgments of desirability, preference, intent, ability, obligation or manipulation"

The above suggests that modality is not characterized by some objectively existing reality regarding what is possible or necessary to be true or to be done, yet by a subjectively expressed attitude towards that same reality. See examples (1–3).

- 1) *He is the culprit.*
- 2) *He **must** be the culprit.*
- 3) *He **might** be the culprit.*

The first sentence is an ordinary declarative, pertaining to the world of facticity or objectively expressed reality. It is a descriptive sentence that describes a reality referring to a state of affairs; therefore, it represents a proposition that can be used in statements. Everything representable in terms of propositions is a matter of fact, viz. it can be known and consequently negated by using "it is not true that" (Kiefer 1987: 73). The latter claim does not bear on the second and third sentences, in which case the speaker interferes in the statement by expressing their imperfect judgments, shifting it from the spectrum of factuality to the one of subjective speculation, i.e., from an objectively stated proposition to an utterance grounded merely on their point of view. These are non-descriptive sentences whose content cannot be known "in the same way as propositions can be known" (Kiefer 1987: 74). Consequently, they cannot be used as a statement about reality and are therefore not subject to negation (Kiefer 1987: 74): **It is not true that he might be the culprit.* In these circumstances, the second and third sentences may be given the following interpretation: *I have deduced from the evidence that he is the culprit* and *I think it is likely that he is the culprit*, respectively. According to Depraetere and Reed (2006: 269), the feature of non-factuality that is required to state un-factual circumstances is "absolutely the same between all modal expressions". Given that now the speaker's uncertain beliefs are at issue, one gets the strong impression that the claims in question are somewhat weaker and more tentative, requiring further verification. By way of explanation, declaratives without modals (or other linguistic hedges such as *I think, possibly*, etc.) have this straightforward objective power and

show the “definite meaning of a proposition” (Zhang 2019: 879), whereas modal constructions do not.

A concept that might further bring us closer to the elucidation of the phenomenon is polarity. As maintained by Halliday and Matthiessen (2014: 172), polarity represents a choice between positive and negative, as in *it is/it isn't, do it/don't do it*. Since, however, the possibilities are not exhausted in a choice between *yes* and *no*, there are also intermediate degrees between the two poles, like *sometimes* or *maybe*. These intermediate degrees represent modality (Halliday & Matthiessen 2014: 176). Regarding the boundaries within which the degrees are confined, the literature agrees that modal meanings extend across the area framed by the force of possibility as one border point of the scope and necessity as the other, as “necessity and possibility are the central notions of modal logic” (Lyons 1977: 787). In both the epistemic and deontic domains (two of the most prominent modal domains [Bybee & Fleischman 1995: 4]), various modal propositions and relations inherent to them as well as the belonging modal meanings may be analyzed in the frameworks of these two categories, which will be discussed in detail in the sections that follow.

2.2. Modal meanings

Modality has traditionally been classified as a semantic category (Varga 2016: 28). While syntax and morphology differ cross-linguistically, the semantic approach to modality allows for a more encompassing framework within which modality can be studied, since some basic modal meanings will still be common cross-linguistically (Narrog 2005, as cited in Varga 2016: 28). Nonetheless, this broader and more universal framework does not make the precise division of modal categories any easier. Depending on the approach and theoretical view, but also the inherent features of particular languages and their linguistic apparatus, different authors identify and define modal meanings in different fashions, which, as Werkmann Horvat (2023: 10–11) observes, leads to myriad problems in their classification, with no consensus on how to name, classify, and delimit different modal meanings. Considering that the emphasis in my analysis will be placed on shifts in modal strength and means of modal expression and not on modal flavors²

² The term used in Bhatt (1999), von Stechow & Helm (2002), von Stechow & Gillies (2007), Hacquard (2006), Portner (2009), Rubinsteyn (2012), Kratzer (2012). It stands for modal meaning or a type of modality.

themselves (since any shift in the type of modality would mean bad translation), I will only address the most general classification of modal flavors.

In this light, special importance has been placed on the division of modality into epistemic and non-epistemic, which is agreed by the majority of authors to be the most relevant modal dichotomy (Werkmann Horvat 2021: 119). The former concerns the possibility or necessity of the factualness of a proposition, thus relying on one's judgment based on their knowledge and beliefs (Lyons, 1977: 793) about the world, as well as "how that information changes as we share what we know" (von Fintel & Gillies 2007: 59). In other words, epistemic modality refers to how certain the speaker is about the state of affairs being judged (Kiefer 1987: 67). Take a look at the following example.

(4) *He **may** have been at the game.*

In this sentence, the speaker makes an assumption based on his previous knowledge, experience, or belief about the behavior of the person in question or other specific conditions that may be leading them to the conclusion that the person mentioned attended the game. As can be seen, epistemic modality deals with the assessment of the facticity of a state or event.

With regard to non-epistemic types of modality, there is a great variation across the literature. Nevertheless, the category of deontic modality seems to feature most prominently in this part. It refers to the conveyance of what is possible or necessary regarding actions that are conditioned by some obligation or compulsion (Lyons 1977). This type of modality concerns the desirability of acts rather than the plausibility of propositions (von Wright 1951: 1–2) and is therefore associated with the speaker's assessment of the actuality of a state of affairs in terms of social, moral, or legal norms (Palmer 2001: 70), or in Lyons' (1977: 823) words, "the necessity or possibility of acts performed by morally responsible agents", as shown by the following examples (Lyons 1977: 832).

(5) *You **may** open the door.*

(6) *You **must** open the door.*

Deontic modality differs from epistemic modality not only in the status of the proposition but also in the fact that it is typically based on a certain authority (Palmer 2001: 70) that lays down rules to be followed in the case (Knežević & Brdar 2011: 121). Unlike epistemic modality, which reflects how the speaker, based on their internal cognitive abilities, considers world affairs to be,

deontic modality employs elements external to the speaker, such as norms, conventions, legislation, etc., reflecting how world affairs should be based on these. Nevertheless, it is still closely tied to all sorts of social knowledge, involving “the speaker’s belief systems about morality and legality; and their estimations of power and authority” (Saeed 1997: 137).

In English, there is a case of polysemy which reflects the difference between these two flavors (epistemic and deontic). By way of illustration, the modal verb *may* can be used deontically to express permission (7) but also epistemically to express possibility (8) (Bybee & Fleischman 1995: 5).

(7) *You **may** come in now.*

(8) *That **may** be the mailman at the door.*

In the traditional approach, there is another semantic dimension that is often added to these two types of modality, even though some may consider it to be somewhat peripheral to the concept of modality (Huddleston & Pullum 2005: 55), namely dynamic modality. It may occasionally be mistaken for epistemic and deontic modality, but the difference lies in that it expresses one’s abilities and dispositions and not their attitude about the truth of a proposition or about what is required or permitted (Huddleston and Pullum 2005: 54–55). Likewise, Gisborne (2007: 52) asserts that this modal flavor is non-subjective and that its meaning is not contextual and temporally bound to the speech event. On these grounds, some scholars argue in favor of its marginality regarding modal classification. Nevertheless, this could be interpreted as an unconventional view, since most of the formal literature agrees that dynamic modality classifies as a fully-fledged modal category. An example of this type of modality can be seen as follows:

(9) *She **can** speak five languages.* (Huddleston & Pullum 2005: 55)

Paraphrased as *She is able to speak five languages*, the sentence manifests the person’s objective ability independent of one’s subjective point of view, while “subjectivity is an essential feature of modality” (Palmer 1990: 206). Dynamic modality typically employs the modal verb *can*, which may lead to cases of ambiguity between a dynamic and either an epistemic or deontic interpretation (Huddleston & Pullum 2005: 55). Notice, incidentally, that the latter fact at the same time serves as a rebuttal to Gisborne’s point about the non-contextuality of dynamic propositions; see examples (10–11).

(10) *You can't be serious.* (epistemic or dynamic)

(11) *She can drive.* (deontic or dynamic)

For the purpose of the present thesis, I will assume that there are sufficiently clear structural criteria to warrant the postulation of dynamic modality qualifying as a basic modal flavor.

In sum, there are at least three basic modal flavors that make up the core semantic domains of modality: epistemic, deontic, and dynamic. For the purpose of this paper, I have decided to follow Portner's (2018) classification, which subsumes deontic modality under the so-called priority modality. Priority modality cross-cuts the basic meaning of deontic modality, layering it into three separate flavors: 1) deontic modality in the narrow sense, dealing with what is possible/necessary given a body of rules; 2) bouletic modality, dealing with what is possible/necessary given one's desires; and 3) teleological, having to do with what is possible/necessary given a particular goal. All three priority categories can be subsumed under what is meant by deontic modality in the traditional classification. From this point onwards, therefore, I will refer to these two types of modality (deontic and priority) interchangeably. As far as dynamic modality is concerned, Portner (2018: 11) states that it deals "with the possible courses of events in the world, based on the factual circumstances". It has been divided by the author into subordinate groups, comprising 1) volitional modals concerning "the actions available to a volitional individual" (2018: 11), which include ability modality (focus on the individual's abilities), opportunity modality (focus on the circumstances surrounding the individual), and dispositional modality (focus on the individual's dispositions); 2) intrinsic modals (dealing with the possible courses of events not tied to a volitional individual); and 3) quantificational ones (existential and universal), involving quantification over individuals. Epistemic modality has been retained by the author as it is.

Each of the aforementioned flavors can be expressed with various degrees of conviction. For instance, the difference between the English priority *should* and *must* lies in the level of necessity/obligation, with *should* being less compulsory than *must*. Accordingly, despite their modal force being identical (necessity), there are scalar shades of meaning present that separate them in terms of modal strength. In order to give a definition of modal strength and describe modal meanings in terms of it, I arrive at the subject of modal scalarity, which will be of utmost importance for my analysis.

2.3. Grades of modal meanings

Modal verbs can be divided into verbs that convey necessity or possibility, which are the sole two types of modal force, within the scope of which one can find various degrees of how strongly those two types are expressed, going by the name of modal strength. Put another way, modal force is realized by the subordinate category of modal strength (Werkmann Horvat 2023: 7) that implies the force of “commitment to the truth” (Bybee & Fleischman 1995: 4) or actualization of a proposition (Huddleston & Pullum 2005: 55). To illustrate the point, modal verbs *should* and *must* are both considered to be necessity modals, but the speaker will often feel that the former is somehow weaker than the latter (Rubinstein 2012; Von Stechow & Iatridou 2008). Therefore, as has already been established in the previous section, despite their type of quantification being the same (*necessity*), there is a difference in the degree of force (*weak necessity* vs. *strong necessity*).

With respect to determining the place that a particular verb occupies on the modal scale, the notion of scalar quantity implicature may be helpful. First introduced by Horn (1972), it relates to the claim that modal verbs positioned on the scale behave similarly to other language elements, causing scale implicatures, where elements positioned higher on the scale directly imply the veracity of the elements subordinate to them. In the majority of cases, this concept will enable one to hone in on the semantic nuances of different modals. Consider the following examples from von Stechow and Iatridou (2008: 117) where a difference between degrees of necessity/obligation can be noticed:

(10) *You **must** do the dishes, but you don't have to.

(11) You **ought to** do the dishes, but you don't have to.

It is evident that example (10) is unacceptable because the stronger modal verb (*must*), viz. the verb that is placed higher on the scale directly implies what is lower and takes over its scope, making the weaker modal (*have to*) illogical and redundant, so the order with the stronger verb coming in the sentence before the weaker one is not possible. This accords with Grice's first maxim of Quantity: “Make your contribution as informative as is required (for the current purposes of the exchange)” (Grice 1975: 45). In (11) *ought to* as the weaker verb does not imply the stronger expression *have to*, leaving a “space” for it to be further expressed.

2.3.1. Epistemic modal scale

Epistemic modality ranges in strength “depending on the degree of commitment to the proposition the speaker wishes to express” (Verstraete 2005: 9) from (logical) possibility, which is generally considered to be the weakest degree, to (logical) necessity as the strongest. In between fall probability and predictability as (the) intermediate degrees (Verstraete 2005: 14). The strength assessment varies along the lines of subjective interpretation of extra-linguistic reality (Kačmárová 2011: 31).

Starting from the strongest modals (*must* and *will*), there is disagreement over which of the two should take priority as the strongest element on the epistemic scale. Joos (1964: 195) contends that *must* conveys “the strongest possible assertion in favour of the occurrence”, whereas Lakoff (1972: 243) claims that in the classification of the epistemic modals in a hierarchy of ascending certainty *will* comes out at the top as it is “the modal of choice when the speaker believes the event described in the sentence to be virtually certain of occurrence.” However, since *will* is closely related to the concept of futurity (Zandvoort 1975: 76) (alongside its semantic counterpart *shall*) and therefore might be labelled peripheral regarding the notion of modality, I will give priority in this regard to the verb *must*, which expresses necessity (logical necessity = certainty). Next in order are verbs of related meaning *ought to* and *should*. Some assert that these two verbs are interchangeable (Huddleston & Pullum 2002: 186), while others argue that *ought to* is more formal and consequently stronger. In any case, both of these verbs are weaker than *must* and may be referred to as denoting “weakened logical necessity” (Leech 2004: para. 101), viz. probability (Hoye 1997: 240). Situated on the lowest points of the epistemic scale are verbs *may* and *can* along with their past-reference counterparts *might* and *could*, respectively. They denote mere possibility. There is no consensus on which of the two carries the greater strength in this case either. There are some assumptions, however. One of those rests on the assertion that *may* represents “factual possibility”, whereas *can* stands for “theoretical possibility” (Leech 2004: para. 121). This difference is clarified by the following sets of equivalent statements:

(10) *The road may be blocked* = “*It is possible that the road is blocked*” (factual)

(11) *The road can be blocked* = “*It is possible for the road to be blocked*”
(theoretical)

As can be seen, *may* is paraphrased by *It is possible* followed by a *that*-clause, whereas *can* is paraphrased by *It is possible* accompanied by “a (*for* + Noun Phrase +) *to* + Infinitive construction” (Leech 2004: para. 121). The second sentence conveys a theoretically conceivable event, whereas the first one may be perceived as more immediate because the actual likelihood of a situation’s happening is being considered (Leech 2004: para. 121). On these grounds, one may conclude that *may* is the stronger verb. However, some may view this postulate as unconventional. Putting aside their mutual relative positions, the majority of literature is in support of the claim that both verbs come out at the bottom of the scale (Lakoff 1972: 243). Based on the above assumptions, the epistemic modal verbs might be classified as follows:

Table 1: Overview of epistemic modal verbs; semantics and strength.

Modal force	Modal meaning	Modal verb	Certainty
necessity	logical necessity	must	high certainty ↓ uncertainty
	predictability	will/shall would	
	probability	ought (to) should	
possibility	possibility	can/may could/might	

2.3.2. Deontic modal scale

Deontic modality also has its varying degrees of strength, forming a scale (Horn 1972: 124–127) that (partially) corresponds to the aforementioned degrees of epistemic strength. The weakest degree is permission, paralleling epistemic possibility. On the opposite side of the scale is obligation, taken as the strongest degree, congruent to epistemic necessity. Between the two poles, there are various intermediate degrees such as suggestions or advisability, denoting the desirability of actions (Verstraete 2005: 14). Saeed (2003: 136) classifies those intermediate degrees within the boundaries of the obligation category under the notion of “weak obligation”. They could be said to form a zero point relative to which the two extreme values form the positive and negative poles (Verstraete 2005: 35).

The parallelism between the epistemic and deontic domains may be the factor that has

given rise to the assumption that the two have the same scalar organization and consequently the same scalarity effects (Verstraete 2005: 15). Nonetheless, contrary to what the literature has traditionally assumed, scalar quantity implicatures may not work across the deontic domain as a whole, posing a serious issue in connection to the scalar implicature mechanism (Verstraete 2005: 2). Expressions of deontic permission and obligation do not only express commitment on the part of the authority figure, but they also deal with presuppositions about the willingness of the modal agent to carry out the action in question, therefore cross-cutting “the parameter of informativeness or strength (...) by other properties relating to presupposed attitudes of the modal agent” (Verstraete 2005: 5). Such disruption of the implicature mechanism results in a layering that does not allow for the perfect scale to be formed, consequently making the pinpointing of a precise scale of deontic modal verbs somewhat of a more demanding challenge than it is the case with their epistemic counterparts. The modal verb *shall* could serve as an example: it indicates strong necessity (obligation) but also weaker degrees of commitment such as advisability and volition, therefore appearing multiple times across different positions on the scale.

Starting with the strongest ones, *must*³ occupies the top of the scale as it emphasizes “the speaker’s authority over the audience” (Liping 2017: 200) and places a requirement on the addressee (Knežević & Brdar 2011: 140). In the same rank is *shall*, which also expresses strong necessity, as mentioned earlier. There are conflicting views on which of these two modal verbs is stronger. Whitlock Howe (1975: 17) asserts that both show the necessity for the act to take place, with *must* being “much stronger”, whereas Palmer (1995: 62) claims that *shall* is stronger than *must* in that “it does not merely lay an obligation, however strong, but actually guarantees that the action will occur”. Be that as it may, there is generally no dispute about their being at the top of the scale. For its close semantic relationship with *shall*, *will* may also be counted as a strong necessity modal. Next in line are verbs that belong to the intermediate degrees of strength *ought to* and *should*. They are somewhat weaker than *must* since the latter is based on a set of rules backed up by serious consequences (Portner 2009: 190) and “does not allow for the event referred to not to take place” (Palmer 1990), whereas [*ought to*] and *should* pertain to the rules

³ Modal verbs of any strength can be subject to “pragmatic strengthening or weakening” (Verhulst et al. 2012). For example, while *must* is said to express strong necessity, it may occasionally be pragmatically weakened: *You must try this cake, it’s delicious*. Similarly, a weak necessity modal *should* can be used to express stronger necessity meanings: *To apply for this card, applications should be made to the Director of Recreation*. (BNC, root necessity, regulation) (Verhulst et al. 2012: 12).

that might be violated without producing any terrible outcome (Portner 2009: 190). They derive from weak deonticity (Traugott & Dasher 2002: 106), covering meanings such as “weaker” moral obligation, duty, sensible action, advisability, and suggestions (Palmer 1990: 123). There is a lack of unanimity on their semantic profile as they have often been defined in contradictory ways; even though they “seem to be largely interchangeable” (Huddleston & Pullum 2002: 186), Declerck (1991: 377) claims that *ought to* is more objective than *should*. Cruse’s (2004: 299–300) work goes along similar lines, ranking *ought to* as superior in strength to *should*. On the contrary, Sweetser (1990: 53) considers it to be weaker. This discrepancy might be a consequence of explaining modality in terms of “intuitive strength” (Verhulst et al. 2012: 13). Thus, for example, Westney (1995: 168) asserts, without proper argumentation, that *ought to* is “inherently stronger” than *should*, whereas Sweetser (1990: 53) puts forward the reverse without giving clear-cut evidence for the view. Further work is certainly required to disentangle these complexities. In any case, these two are followed by volitional *shall* (Hermeren: 1978), while the weakest points on the deontic scale are occupied by *can* and *may*, along with their perfective counterparts *could* and *might*. They signal mere permission (Saeed 2003: 136). Given the above, a deontic modal table may be summarized in the following fashion:

Table 2: Overview of deontic modal verbs; semantics and strength.

Modal force	Modal meaning	Modal verb	
necessity	strong obligation	must, shall, will	obligation ↓
	weak obligation, advice, suggestion	ought to, should, shall	
	volition	shall	
possibility	permission	can/may, could/might	permission

As can be seen, the degrees of modal meanings have been described in terms of modal verbs. It should be noted that modal verbs are not the exclusive means of determining the degrees of modal meanings/strength. The latter may be described by employing other word classes, such as adverbs or adjectives. However, due to limited space, I have decided to confine my description of modality to modal verbs and their paramount role regarding the phenomenon, which is, as Werkmann Horvat (2023) states, a common approach across the literature in general. In the

section that follows, a brief account of their general characteristics with an emphasis on their morphosyntactic features will be given.

2.4. English modal verbs

The classification of English modal verbs may differ slightly across the literature. According to Biber et al. (1999: 73) there are nine central modal auxiliaries: *can*, *could*, *may*, *might*, *shall*, *should*, *will*, and *would*. They are central in that they fully meet the criteria for modal verbs, thus being dubbed “core modals” (Carter & McCarthy 2006: 638). In addition, there are marginal modals: *ought to*, *dare*, *need*, and *used to* (Quirk et al. 1985: 138). They are on the borderline between auxiliaries and lexical verbs because of their lack of some of the parameters that constitute the modal criteria. Some call them semi-modals or quasi-modals (Biber et al. 1999: 73). However, authors such as Greenbaum (1996: 246) and Quirk et al. (1985: 137) only state that they are peripheral without classifying them as semi-auxiliaries, under the heading of which come expressions such as *had better* and *had got to*.

The modal criteria are based mainly on morphosyntactic grounds. For instance, modal verbs differ from lexical ones in that they are only employed in finite functions (Quirk et al. 1985: 127). They do not allow for non-finite functions, including to-infinitival (12) and bare infinitival (13) constructions, imperative (14), gerund-participle (infinitive) (15), or past-participle (16), respectively (Huddleston and Pullum 2002: 106):

- (12) **I'd like to **can** swim.*
- (13) **I will **can** swim soon.*
- (14) ****Can** swim by June!*
- (15) **I regret not **canning** swim.*
- (16) **I have **could** swim for six years.*

The absence of non-finite forms restricts them to the initial position of the verb phrase (Quirk et al. 1985: 128):

- (17) *You **may** come tomorrow.*
- (18) **You come **may** tomorrow.*

Since they are auxiliary verbs, they do not need to correspond to the subject in plural agreement and are therefore devoid of the –s ending in the 3rd person present tense (Huddleston and Pullum 2002: 107):

(19) *He may not go.*

(20) **He mays not go.*

In standard dialects of English, modal verbs cannot co-occur within a single verb phrase, except in some regional dialects that allow modals in series (such as *might could* or *might should*) (Biber et al. 1999: 483):

(21) **You must can.*

They exclusively take bare infinitival complements and no other kind of complements (Huddleston and Pullum 2002: 107):

(22) *They must work.*

(23) **They must to work.*

(24) **They must working.*

Based on the above considerations, modal verbs are, as Werkmann Horvat (2021: 28) notices, often spoken of as elements that are limited in the number of forms they can take, being dubbed “morphologically defective” (Palmer 1965; see further Huddleston 1976).

Now that I have briefly described modality in the English language, it is necessary to proceed with a description of the Croatian system of modality with an emphasis on modal verbs, taking into consideration the comparison of the relative strengths of English and Croatian modal verbs, as follows in the next section.

2.5. Modality in Croatian

2.5.1. Croatian modal verbs

Due to a diversity of approaches as well as a limited amount of research, it has not been fully defined which verbs can be considered core modals in the Croatian language (Werkmann Horvat 2023: 4). Knežević and Brdar (2011: 119) state that the Croatian “fully-fledged” modal verbs are *moći* (‘may’), *morati* (‘must’), *trebati* (‘need’), and *valjati* (‘ought to’). These verbs are

determined along the axis of their polyfunctionality; each can express at least two modal flavors (Hansen 2007: 34): *moći* (deontic: permission and epistemic: probability), *morati* (deontic: obligation/necessity and epistemic: probability), *trebati* (deontic: obligation/necessity and epistemic: probability), *valjati* (deontic: obligation/necessity and epistemic: assumption) (Knežević & Brdar 2011: 19). Werkmann Horvat (2021) supports the aforementioned division, yet with one difference: due to its archaic nature, increasingly rare usage in the language, and similarity with the modal verb *trebati* (‘ought to’, ‘should’), the author removes the modal verb *valjati* (‘ought to’) from the division, adding to it the verb *smjeti* (‘may’, ‘be allowed to’). In response to the claim that *smjeti* is a semi-modal verb for its lack of polyfunctionality and scope limitation to deontic modality (Knežević & Brdar 2011: 119), Werkmann Horvat (2023: 4) states that the semantic multifacetedness of modal verbs is a frequent but not necessary modal verb property, indicating that the verb *might* is limited to only one flavor, yet the literature is in complete agreement on its being a core modal verb. The same holds true for *smjeti*, in support of which verifiable syntactic evidence has been submitted: among other things, it combines with inanimate subjects and is subject to passivation (Hansen 2005). According to Werkmann Horvat (2021: 117), the division of basic Croatian modal verbs may be presented as follows:

Table 3: Overview of Croatian core modal verbs.

Modal verb	English translation	Modal force
morati	must, have to	necessity
trebati	ought to, should	
smjeti	be allowed to, may	possibility
moći	may, can	

There are some further candidates for core modal verbs that crop up now and then in the pertinent literature. Badurina (2020) puts forward *htjeti* (‘want’) as a primary modal *sensu stricto*; the verb that is not considered a core modal in foreign literature due to its marginality within the framework of modal meanings (Werkmann Horvat 2023: 5), with some scholars such as van der Auwera and Plungian (1998) completely excluding volition from the modal categories. In a broader sense, according to Badurina (2020: 52; see further Silić & Pranjković 2007: 186), there is a potentially infinite number of verbs that also may have a modal function,

including verbs of speaking, thinking, feeling, perceiving, willing or repeating some kind of action, etc. The difference, as the author emphasizes (2020: 52–53), is that the latter verb types, apart from the modal use, are also used in their primary function as lexical verbs.⁴

Grammatically speaking, Croatian modal verbs are not restricted regarding the use of tense (Badurina 2020: 53). Moreover, they can be used in conditional sentences to express an uncertain or mitigated statement (Barić et al. 1997: 418), while their imperative use is rare and unconventional (Badurina 2020: 53). At the syntactic level, it is important to recall that modal verbs cannot function as separate predicates but must be paired with a content verb, most often in the infinitive form: **On mora* vs. *On mora oputovati* (**He must* vs. *He must depart*) (Badurina 2020: 53), where the modal verb carries morphological information about verb tense, number, person, and gender—in contrast to English modal verbs, which rarely change form (Werkmann Horvat 2023: 3). Furthermore, Croatian allows for the combination of two fully-fledged modals within the same verb phrase (*On treba moći doći kad on želi*) under the notion of layered modality (Werkmann Horvat 2021), while in English the verbal-verbal combination is generally restricted to a modal verb embedding either a modal adverb or a semi-modal verb (Werkmann Horvat 2021: 1–2).

The claim that modal force is one of the central meaning determinants of modality (Werkmann Horvat 2023: 6) also holds true for Croatian and, by the same token, Croatian modals may also be divided into groups that express two types of modal force: necessity (Cro. “nužnost”) and possibility (Cro. “mogućnost”). *Morati* (‘must’) and *trebati* (‘ought to’) express necessity, whereas *smjeti* (‘may’) and *moći* (‘may’, ‘can’) convey possibility. Within the framework of the modal forces, there are different degrees of modal strength, as will be discussed in the section that follows.

⁴ Semantically, *trebati* is a prototypical modal verb, but it is also used as a lexical verb (Badurina 2020: 52) indicating external orientation towards the execution of processes indicated by infinitive verb complements (Belaj & Tanacković Faletar 2017: 26), in which case it serves as a non-content verb that forms a complex verb predicate with the lexical verb, as in *Luka treba kupiti kruh* (‘Luka should buy bread’) (Nazalević Čučević & Belaj 2018: 191). It is a lexical verb when it carries content and comes with a noun complement that functions as a direct object, as in *Luka treba kruh* (‘Luka needs bread’) (Nazalević Čučević & Belaj 2018: 191). Considering these different uses, Badurina (2020: 52) asserts that we might be dealing with two different verbs, in support of which claim testify their translation equivalents (*ought to/should* and *to need*).

2.5.2. Modal strength of Croatian modals (and their English equivalents)

Given that this paper will analyze shifts in the strength of modal verbs (in addition to ones in the formal means of their expression), it is necessary to determine the equivalent degrees of strength of English modals and their Croatian counterparts, i.e., the translational counterparts in relation to which the shifts will be reflected. Due to the complexity of the provision, other modal means (such as adverbs, adjectives, particles, etc.), which I will not tackle in this section, will be dealt with separately in the analysis.

Firstly, it is necessary to describe the strength of Croatian modal verbs in more detail. Kalogjera (1982) proposes the following grouping in descending order of strength: *morati* ('must') – *trebati* ('need') – *valjati* ('ought to') – *moći* ('may', 'can'). Considering that, for the reasons mentioned in the previous section, the verb *valjati* has been excluded and *smjeti* has taken its place, the question arises as to whether the latter is stronger than the verb *moći*. Determining the strength of necessity can be done with scalar tests (see Section 2.3.) The application of such a test, however, in the case of these two modal verbs of possibility is interesting because it produces results that run counter to the intuitions that native speakers have about the two verbs, as shown by the following examples (Werkmann Horvat 2023: 7).

(25) ?**Možeš** to napraviti, ustvari, **smiješ**. (You can/may do it. In fact, you are allowed to do it.)

(26) ?**Smiješ** to napraviti, ustvari, **možeš**. (You are allowed to do it. In fact, you can/may do it.)

These two examples show marginal or unacceptable sentences where it is difficult to determine the relative strength relationship between the two verbs—a result that is inconsistent with the intuition of the native speakers according to whom *smjeti* is stronger than *moći*, which arises from the sense of authority carried by the verb *smjeti* that relies on rules and possible consequences, while *moći* expresses a weaker priority meaning that leaves more choices available (Werkmann Horvat 2023: 8). It may strike one as interesting that in the Croatian language, as can be seen in the example of these two verbs, there is a difference in modal strength within the scope of possibility, which is not the case with English (Werkmann Horvat 2023: 8). As for the upper scalar positions, Jonke (1964: 397–398) claims that *morati* ('must')

tops the scale, followed by *trebati* (‘ought to’, ‘should’) which expresses a weaker degree of necessity. *Morati* in the present tense means strong obligation, while the conditional tense is associated with advisability (Knežević & Brdar 2011: 119). In Knežević & Brdar (2011: 119) the English equivalent of *trebati* is the semi-modal *need*, while *valjati* is associated with the verbs *ought to* and *should*. Due to the exclusion of *valjati* and the semantic closeness between *ought to/should* (Werkmann Horvat 2021: 46) and *trebati*, a space has been cleared for those two verbs to take over the meaning of *trebati* instead of the verb *need*. Having considered the above, the strengths of Croatian modal verbs and their English equivalents in epistemic and deontic meanings could be set as in tables (4) and (5).

Table 4: Croatian epistemic modals and their English equivalents.

Modal force	Modal verbs	English equivalent	
necessity	morati (with <i>da</i> -construction)	must	necessity
possibility	trebati	ought to, should	↓
	smjeti moći	- may, can might, could	possibility

Table 5: Croatian deontic modals and their English equivalents.

Modal force	Modal verb	English equivalent	
necessity	morati	must	obligation
possibility	trebati	ought to, should	↓
	smjeti moći	may may, can	permission

As can be seen, modal verbs *shall* and *will* are missing from the tables. The reason is that they do not have direct modal equivalents in the Croatian language but are most often translated by means of future tense markers. For that reason, they have been excluded from the analysis.

2.6. *The current study*

There has not been much research on the translation of modal verbs between English and Croatian. In this regard, the study conducted by Knežević and Brdar (2011) features most prominently, in which the authors investigate the translation of four Croatian modal verbs (*morati, trebati, valjati, moći*) into English in legal texts. Their analysis combines quantitative and qualitative judgments in trying to elucidate the translatability of Croatian deontic modals into English, as well as the shifts that occur in translation. What makes their study different from the present one is the source language, which is Croatian, while English is the target language. Furthermore, their analysis is confined exclusively to the priority (deontic) spectrum of modality, where the authors restrict themselves to the translation of legal texts. With regard to studies of the translation of modal verbs in literary texts between the translation pair English-Croatian, such, to the best of my knowledge, have not been conducted up to the writing of the current thesis. Consequently, there is a gap regarding the existence of a contrastive comparison of the two genres (legal and literary) with respect to the translation of modal verbs exclusively.

This paper aims to capture the general characteristics and possible patterns of the translation of English modal verbs into Croatian in legal and literary texts individually, but also contrastively, comparing similarities and differences in translation between the two genres. Shifts in modality that occur in the translation will serve as the foundation on which the analysis will be based. These will be interpreted taking into account syntactic, semantic, and pragmatic motivators, and in this way, I will try to establish patterns that take place in the translation at a more general level. The shifts that will be examined are those in the strength of the modal verb and the means of modal expression. As for the former, it was necessary to determine the equivalent strengths of English and Croatian modal verbs (see Section 2.5.2). Any deviation from these will be considered a shift in strength. It is important to note that the tables from the previous section only express equivalents limited to modal verbs. Modality can also be expressed by other grammatical means, such as adverbs, particles, modal expressions, etc. For example, the epistemic *must* may be translated with the adverb *sigurno* ('surely'), causing a shift in the means of expression (modal verb → adverb) but not one in strength since the adverb in question expresses a high degree of certainty and can be considered equivalent to the verb *must* in terms of modal strength. Thus, what is meant by a shift in the means of expression is a translation of a

modal verb into any other grammatical category that is not a modal verb. These two types of shifts will be determined in the sections that follow.

3. Methodology

The corpus for the analysis comprised a total of 520 source text sample sentences containing the following four modal verbs: *must*, *should*, *ought to*, and *may*⁵. The same number of translated sentences was collected. Each of the four modal verbs was analyzed within two genres of translation: legal and literary. The analysis of each of those genres included 65 examples per modal verb. It was conducted on the data obtained from two different types of sources, one of which was an electronic online corpus manager: Sketch Engine. On Sketch Engine, the corpus used for collecting the data was EUR-Lex 2/2016. It is a corpus containing excerpts from the official legal texts of the European Union. It was searched by using the option of parallel concordance, where the results coming up in English were displayed together with aligned translated segments in Croatian. I used option *Good Examples*, setting the number of lines to be sorted to 1000. The number of rows containing sentences was set to 500 per page. Examples were randomly selected as I scrolled down the page. When it comes to the literary corpus, it consists of two literary works written by J.K. Rowling: *Harry Potter and the Order of the Phoenix* (2003) and *Harry Potter and the Half-Blood Prince* (2005), and their translations into Croatian by the translator Dubravka Petrović: *Harry Potter i Red feniksa* i *Harry Potter i Princ miješane krvi*. The literary works are marked in the analysis using abbreviations: “OoF” stands for *Harry Potter and the Order of the Phoenix*, and “HBP” stands for *Harry Potter and the Half-Blood Prince*. In the literary works, the modal items were extracted from the ST by using the Control Find option, which is a keyboard shortcut used to search for parts of the text within a written document. The translations of the ST sentences were searched manually in the target text.

The first part of the analysis was quantitative, involving the examination of the shifts taking place in the translation but also of the syntactic properties of the modal verbs and their semantic profile, that is, the meanings they carry. The qualitative analysis and discussion included further elucidation of the results of the quantitative analysis, taking into account syntactic, semantic, and pragmatic factors influencing the translation choices. In this part of the thesis, the characteristics of each modal verb and the context in which it appeared in the source

⁵ I have chosen these four modals for their centrality to the notion of modality. *Ought to*, although argued by some authors to be a semi-modal verb, lacks only one modal criterion (taking the infinitive 'to' before the main verb), allowing me to include it in the current analysis. The modal verb *can* has been excluded from the analysis in the course of the research process for the impossibility of analysing it thoroughly due to an already existing extensive scope of the thesis.

text were described, elucidating the factors that might have influenced the shifts in modality that occurred in the translation.

The aim of this study is to investigate the general properties of modal verbs that appear in both genres of translation and to try to find possible patterns regarding them. What I aim to find out is whether there are any specific characteristics related to modal verbs in each of the two genres of translation and what motivates these characteristics, as well as whether there are similarities and differences between the two genres regarding modality on a more general level. The legal and literary translations will be described separately but also comparatively, whereby the emphasis will be placed on the shifts in modality occurring in the translation process. These shifts will serve as the core idea around which the finding of the aforementioned general characteristics is supposed to revolve.

4. Analysis

4.1. Findings of the quantitative analysis

4.1.1. *Must* – legal corpus

Out of 65 examples containing the modal verb *must* extracted from the legal corpus, all items were found to carry the priority flavor. Table (6) represents the distribution of the Croatian translation equivalents in relation to the flavor exhibited.

Table 6. *Must* – ST meanings and TT translation equivalents: legal corpus.

	mod. vb.			M.O. ⁶	lex. vb.	mod. expr.		N.M. ⁷	adj.
	morati	trebati	moći	ind. ⁸	valjati	biti potrebno	biti dužan		potrebne
must	48	5	1	5	2	1	1	1	1
prior.	48	5	1	5	2	1	1	1	1

Shifts in the strength of this modal verb were observed in 15.38% of the examples. The analysis revealed that the shifts from strong obligation (*must*) to weak obligation (*trebati*, *valjati*, *biti potrebno*, *potrebne*⁹) led the way, accounting for 90% of the total shifts in modal strength. The second most common category, comprising 10% of all modal shift occurrences, was the one employing a shift to permission (*moći*).

Regarding the shifts in the means of expression, these appeared in 16.92% of the cases, 45.45% of which involved the omission of the modal verb, followed by 18.18% of the occurrences where the translation of the modal verb with a lexical verb took place. The same percentage applied to shifting the modal verb to a modal expression, while the translations

⁶ M.O. “modal verb omitted”- used for the examples in which only the modal verb has been removed before the lexical verb in the translation without any other significant structural changes.

⁷ N.M. “non-modal translation” - used for the examples in which not only the modal verb has been omitted from the translation but also the modal meaning from the ST sentence has been lost due to significant structural changes in the translation.

⁸ Indicative.

⁹ Even though these are formally different from modal verbs in terms of word class and thus not eligible for being classified as a shift in modal strength, I still decided to mark them as shifts for the complete obviousness of their decreasing in strength. For instance, *biti potrebno* is a modal expression that is closely semantically related to the modal verb *trebati*, which in itself indicates weak obligation.

employing non-modal constructions and adjectives amounted to 9.09% per class. Take a look at the following table detailing the shifts that occurred in the legal translation.

Table 7. Shifts of the modal verb *must* in the legal data.

A shift in	From	To	Occurr.	ST ¹⁰ sentence	Translation – TT ¹¹
modal strength	strong obligation (<i>must</i>)	weak obligation (<i>trebati, valjati, biti potrebno, potrebne</i>)	9	<i>Consequently, the excretion amount established per animal must necessarily ensure that the upper limit of 170 kg is not breached.</i>	<i>Slijedom navedenog, količina ispuštanja dušika utvrđena po životinji u svakom slučaju treba osigurati da se ne premaši gornja granica od 170 kg.</i>
		permission (<i>moći</i>)	1	<i>It follows that the claims by which the applicants request the Tribunal to order payment of the ALC to which they maintain they are entitled must be rejected as inadmissible.</i>	<i>Iz toga slijedi da se zahtjev kojim tužitelji od Službeničkog suda traže da se naloži plaćanje NŽU-a za koje tvrde da imaju pravo može jedino odbiti kao neosnovan.</i>
means of expression	mod. vb. (<i>must</i>)	M.O.	5	<i>The official veterinarian must suspend the validity of the identification document for the period of the prohibitions provided for in paragraph 5 of this Article or in Article 5 of this Directive.</i>	<i>Službeni veterinar suspendira identifikacijski dokument u trajanju zabrana predviđenih u stavku 5. ovog članka ili u članku 5. ove Direktive.</i>
		lex. vb.	2	<i>Moreover, it must be recalled that the contested mark was registered for 'three-dimensional puzzles' in general, namely without being restricted to those that have a rotating capability (see paragraph 55 above).</i>	<i>Usto, valja podsjetiti da je osporavani žig registriran općenito za "trodimenzionalne slagalice", to jest bez ograničenja na slagalice s mogućnošću okretanja (vidjeti t. 55. gore).</i>
		mod. expr.	2	<i>Steps must be taken to limit the dangers to which persons are exposed, particularly when trains pass through stations.</i>	<i>Potrebno je poduzeti mjere za ograničavanje opasnosti kojima su izložene osobe, naročito dok vlakovi prolaze kroz kolodvore.</i>
		N.M.	1	<i>That entails a verification of the allegations factored in the summary of reasons underpinning that decision, with the consequence that</i>	<i>To podrazumijeva provjeru navedenih činjenica u obrazloženju koje podupire spomenutu odluku, kako sudski nadzor ne bi bio</i>

¹⁰ Source text.

¹¹ Target text.

			<i>judicial review cannot be restricted to an assessment of the cogency in the abstract of the reasons relied on, but must concern whether those reasons, or, at the very least, one of those reasons, deemed sufficient in itself to support that decision, is substantiated (see Kadi II, paragraph 119).</i>	<i>ograničen na utvrđenje apstraktne vrijednosti navedenih razloga, nego i na saznanje o tome jesu li ti razlozi ili barem jedan od njih, ako ga se smatra dovoljnim kako bi podržao tu istu odluku, dokazani (vidjeti presudu Kadi II, točku 119.).</i>
adj.	1		<i>Despite these doubts, even if the original estimation of jobs was used to analyse the impact on the measures the following remarks must be made.</i>	<i>Unatoč tim sumnjama, čak i ako je izvorna procjena radnih mjesta korištena za analizu učinka na mjere, potrebne su sljedeće napomene.</i>

Further analysis of the syntactic properties of the examples containing the modal verb *must* revealed that the verb in question was in most cases (70.76%) present in the main clause, combining with the main verb that was primarily dynamic (78.46%) and expressed in the active voice (55.38%), while the clausal subject was predominantly inanimate (83.07%). An overview of the described syntactic properties is presented in the following table.

Table 8. Syntactic properties of the sentences containing *must* – legal corpus.

mod. vb.	clause		vb. cat.		VO.		animacy	
	main	subordinate	dynamic	stative	active	passive	anim.	inanim.
must	46	19	51	14	36	29	11	54
prior.	46	19	51	14	36	29	11	54

4.1.2. *Must* - literary corpus

Out of 65 examples containing the modal verb *must* extracted from the literary corpus, 66.15% of the items qualified for the epistemic flavor, followed by 26.15% of the cases involving the priority reading, while the remaining 7.69% pertained to formulaic expressions. Table (9) represents the distribution of the Croatian translation equivalents in relation to the meanings exhibited.

Table 9. *Must* – ST meanings and TT translation equivalents: literary corpus.

	mod. vb.	adv.		M.O.	N.M.	adj.		ptcl. ¹²		lex. vb.
	morati	sigurno	obavezno	ind.		uvjeren	sigurna	valjda	očito	mislim
must	17	25	1	11	6	1	1	1	1	1
epist.	1	25		10	3	1	1	1	1	
prior.	13		1	1	2					
f. ex. ¹³	3				1					1

Shifts in the strength of the modal verb represented 1.53% of the cases. The analysis demonstrated that the shifts from logical necessity (*must*) to possibility (*valjda*) accounted for all shifts in modal strength.

With regard to the shifts in the means of expression, these appeared in 73.84% of the cases, 54.16% of which involved the translation of the modal verb with an adverb, followed by 22.91% of the occurrences where the omission of the modal verb took place, while in 12.5% of the cases the modal verb was translated with a non-modal means. The translations employing adjectives and particles amounted to 4.16% of the cases per class, and 2.83% of the instances applied to shifting the modal verb to a lexical verb. Take a look at the following table detailing the shifts that occurred in the literary translation.

Table 10. Shifts of the modal verb *must* in the literary data.

A shift in	From	To	Occurr.	ST sentence	Translation – TT
modal strength	logical necessity (<i>must</i>)	possibility (<i>valjda</i>)	1	<i>I think her powers must have been affected by shock, or something.</i> (HBP 95)	<i>Valjda joj je šok ili nešto utjecalo na sposobnosti.</i> (Cro. 82)
means of expression	mod. vb. (<i>must</i>)	adv.	26	<i>You must be Mr. Dursley.</i> (HBP 45)	<i>Vi ste sigurno gospodin Dursley.</i> (Cro. 42)
		M.O.	11	<i>So it must have been a girl or a woman who gave Katie the necklace (...)</i> (HBP 517)	<i>Znači, ogrlicu joj je dala neka djevojčica ili žena (...)</i> (Cro. 414)
		N.M.	6	<i>We must be the first of our kind ever to set foot — (...)</i>	<i>Kladim se da prije nas nitko od naših nije nogom</i>

¹² Particle.

¹³ Formulaic expression.

		(HBP 20)	<i>kročio (...)</i> (Cro. 22)
adj.	2	<i>Thought she must have been pure-blood, she was so good.</i> (HBP 20)	<i>Bila je tako sposobna da sam bio uvjeren u njezinu čistokrvnost.</i> (Cro. 61)
ptcl.	2	<i>I think her powers must have been affected by shock, or something.</i> (HBP 95)	<i>Valjda joj je šok ili nešto utjecalo na sposobnosti.</i> (Cro. 82)
lex. vb.	1	<i>I must be mad, but yes.</i> (HBP 74)	<i>Mislim da sam poludio, ali da.</i> (Cro. 64)

Further analysis of the syntactic properties of the examples containing the modal verb *must* showed that this verb was in most cases (66.15%) located in the main clause, combining with a stative main verb (61.53%) expressed in the active voice (95.38%). The clausal subject was predominantly animate (72.30%). An overview of the described syntactic properties is presented in the following table.

Table 11. Syntactic properties of the sentences containing *must* – literary corpus.

mod. vb.	clause		vb. cat.		VO.		animacy	
	main	subordinate	dynamic	stative	active	passive	anim.	inanim.
must	43	22	25	40	62	3	47	18
epist.	28	15	11	32	42	1	30	13
prior.	10	7	11	6	15	2	13	4
f. ex.	5	-	3	2	5	-	4	1

4.1.3. *Should* - legal corpus

Out of 65 examples containing the modal verb *should* found in the legal corpus, all items had the priority flavor. Table (12) represents the distribution of the Croatian translation equivalents in relation to the flavor exhibited.

Table 12: *Should* – ST meanings and TT translation equivalents: legal corpus.

mod. vb.		mod. expr.	M.O.
trebati	morati	biti potrebno	ind.

must	18	4	9	5
prior.	18	4	9	9

Shifts in the strength of the modal verb were found in 6.15% of the examples. The analysis revealed that the shifts from weak obligation (*should*) to strong obligation (*morati*) accounted for all shifts in modal strength.

Regarding the shifts in the means of expression, these occurred in 21.53% of the cases, 64.28% of which referred to the translation of the modal verb with a modal expression, while the remaining 35.71% involved the omission of the modal verb. Take a look at the following table detailing the shifts that occurred in the legal translation.

Table 13. Shifts of the modal verb *should* in the legal data.

A shift in	From	To	Occurr.	ST sentence	Translation – TT
modal strength	weak obligation (<i>should</i>)	strong obligation (<i>morati</i>)	4	<i>Charges to be imposed on airspace users should be established and applied in a fair and transparent manner, after consultation of users' representatives.</i>	<i>Naknade koje se naplaćuju korisnicima zračnog prostora moraju se odrediti i primjenjivati na pravedan i transparentan način, nakon savjetovanja s predstavnicima korisnika.</i>
means of expression	mod. vb. (<i>should</i>)	mod. expr.	9	<i>In the case of a line run by various pantographs, the maximum width should be considered.</i>	<i>Kada se na jednoj pruži prometuje s različitim oduzimačima struje, potrebno je uzeti u obzir najveću širinu.</i>
		M.O.	5	<i>The brake performance tests should preferably be carried out on a single axle only.</i>	<i>Ispitivanja kočnog učinka po mogućnosti se ispituju samo na jednoj osovini.</i>

Further analysis of the syntactic properties of the examples containing the modal verb *should* demonstrated that it was in most cases (78.46%) featured in the main clause and took on the main verb that was primarily dynamic (76.92%) and expressed in the active voice (60%), while the clausal subject was typically inanimate (95.38%). An overview of the described syntactic properties is presented in the following table.

Table 14. Syntactic properties of the sentences containing *should* – legal corpus.

mod. vb.	clause		vb. cat.		VO.		animacy	
	main	subordinate	dynamic	stative	active	passive	anim.	inanim.
should	51	14	50	15	39	26	3	62
prior.	51	14	50	15	39	26	3	62

4.1.4. *Should* - literary corpus

Out of 65 examples comprising the modal verb *should* in the literary corpus, the analysis identified the priority flavor as the most frequent one, accounting for 70.76% of the total meanings. The second most common flavor, comprising 24.61% of the examples, was the epistemic one, while the remaining 4.61% of the data referred to the cases that included formulaic expressions where no real modal meaning was intended. Table (15) shows the distribution of the Croatian translation equivalents in relation to the meanings exhibited.

Table 15. *Should* – ST meanings and TT translation equivalents: literary corpus.

	mod. vb.			N.M.	M.O.	lex. vb.		f. ex.	adj.	ptcl.
	trebati	morati	moći		ind.	misliti	zahtijevati		najizgledniji	vjerojatno
should	39	4	1	7	6	2	1	3	1	1
epist.	9	1		3	1	2				1
prior.	30	3	1	4	5		1		1	
f. ex.								3		

Shifts in the strength of the modal verb took place in 7.69% of the examples. The analysis revealed that the shifts from weak obligation (*should*) to strong obligation (*moratii*) amounted to 80% of the total shifts in strength, while the remaining 20% referred to the shifts from weak obligation to permission (*moći*).

Shifts in the means of expression were present in 32.30% of the cases, 33.33% of which pertained to the translation of the modal verb with a non-modal construction, followed by 28.57% of the occurrences where the shifts were caused by the omission of the modal verb. Translating with a lexical verb was employed in 14.28% of the cases; the same percentage applied to the use of formulaic expressions, whereas the shifts that included an adjective or a

particle represented 4.76% of the total shifts in the translation per class. Take a look at the following table detailing the shifts that occurred in the literary translation.

Table 16. Shifts of the modal verb *should* in the literary data.

A shift in	From	To	Occurr.	ST sentence	Translation – TT
modal strength	weak obligation (<i>should</i>)	strong obligation (<i>morati</i>)	4	<i>Or that the government should have somehow foreseen the freak hurricane in the West Country that had caused so much damage to both people and property. (HBP 2)</i>	<i>Ili da je vlada nekako morala predvidjeti posve neočekivani uragan u jugozapadnoj Engleskoj koji je nanio veliku štetu ljudima i imovini? (Cro. 7)</i>
		permission (<i>moći</i>)	1	<i>I thought this evening we should just go over the things we've done so far, because it's the last meeting before the holidays and there's no point starting anything new right before a three-week break — (OoF 453–454)</i>	<i>Mislio sam da bismo večeras mogli ponoviti sve što smo dosad radili, jer nam je ovo posljednji sastanak prije praznika i nema smisla da počinjemo nešto novo kad nas čeka trojedna pauza... (Cro. Ch.¹⁴ 21)</i>
means of expression	mod. vb. (<i>should</i>)	N.M.	7	<i>He felt that Hermione should have seen this coming. (OoF 340)</i>	<i>Čudio se što Hermiona to nije predvidjela. (Cro. Ch. 16)</i>
		M.O.	6	<i>You should definitely wear it in front of Fred and George. (HBP 338)</i>	<i>Svakako si to objesi oko vrata i prošeci pred Fredom i Georgeom. (Cro. 273)</i>
		lex. vb.	3	<i>Particular care should be taken during the hours of darkness. (HBP 42)</i>	<i>Osobit oprez zahtijeva se tijekom noćnih sati. (Cro. 39)</i>
		f. ex.	3	<i>You should hear my gran talk about you. (HBP 139)</i>	<i>Da samo čuješ kako moja baka govori o tebi. (Cro. 114)</i>
		ptcl.	1	<i>If my parents could see the use it was being put to now... well, my mother's portrait should give you some idea... (OoF 115)</i>	<i>Da moji roditelji mogu vidjeti čemu trenutno služi njihova kuća... pa, vjerojatno možeš pretpostaviti, s obzirom na to kako seponaša portret moje majke... (Cro. Ch. 6)</i>
		adj.	1	<i>Nobody seemed to find Scrimgeour's pretense that he did not know Harry's name convincing, or find it natural that he should be</i>	<i>Nije se činilo da je itko povjerovao kako Scrimgeour ne zna Harryjevo ime, ili da je on najizgledniji kandidat da s</i>

¹⁴ Chapter.

<i>chosen to accompany the Minister around the garden when Ginny, Fleur, and George also had clean plates. (HBP 342)</i>	<i>ministrom šeta po vrtu, s obzirom na to da su Ginny, Fleur i George također već ispraznili svoje tanjure. (Cro. 276)</i>
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Further analysis of the syntactic properties of the examples containing the modal verb *should* revealed that the verb in question was in most cases (67.69%) present in the main clause, alongside the main verb that was primarily dynamic (53.84%) and expressed in the active voice (92.30%), while the clausal subject was for the most part animate (81.53%). An overview of the described syntactic properties is presented in the following table.

Table 17. Syntactic properties of the sentences containing *should* – literary corpus.

mod. vb.	clause		vb. cat.		VO.		animacy	
	main	subordinate	dynamic	stative	active	passive	anim.	inanim.
should	44	21	35	30	60	5	53	12
epist.	14	4	9	8	15	1	8	9
prior.	27	17	26	19	42	4	42	3
f. exp.	3			3	3		3	

4.1.5. Ought to - legal corpus

Out of 65 examples containing the modal verb *ought to* extracted from the legal corpus, all items were found to carry the priority flavor. Table (18) represents the distribution of the Croatian translation equivalents in relation to the flavor exhibited.

Table 18: *Ought to* – ST meanings and TT translation equivalents: legal corpus.

	mod. vb.		mod. expr.		M.O.
	trebati	morati	biti potrebno	biti dužan	ind.
ought to	44	14	4	1	2
prior.	44	14	4	1	2

Shifts in the strength of the modal verb were observed in 21.53% of the examples. The analysis revealed that the shifts from weak obligation (*ought to*) to strong obligation (*morati*) made up 100% of the total shifts in modal strength.

Regarding the shifts in the means of expression, these occurred in 10.76% of the cases, 71.42% of which referred to the translation of the modal verb with a modal expression, while the remaining 28.58% involved the omission of the modal verb. Take a look at the following table detailing the shifts that occurred in the legal translation.

Table 19. Shifts of the modal verb *ought to* in the legal data.

A shift in	From	To	Occurr.	ST sentence	Translation – TT
modal strength	weak obligation (<i>ought to</i>)	strong obligation (<i>morati</i>)	14	<i>Special national provisions on the activity of mutual societies and on monitoring by supervisory authorities ought to apply fully to mutual societies.</i>	<i>Posebna nacionalna pravila vezana uz aktivnosti uzajamnih društava i kontrolu nadzornih tijela moraju se bez ograničenja primjenjivati i na europska uzajamna društva.</i>
means of expression	mod. vb. (<i>ought to</i>)	mod. expr.	5	<i>Suitable wood assortments ought to be used physically rather than to serve as a fuel.</i>	<i>Prikladan izbor drvnih proizvoda potrebno je koristiti fizički, a ne da oni služe kao gorivo.</i>
		M.O.	2	<i>In the opinion of the Committee this clause ought to operate only in exceptional cases.</i>	<i>Prema mišljenju Odbora, ta se klauzula primjenjuje samo u iznimnim slučajevima.</i>

Further analysis of the syntactic properties of the examples containing the modal verb *ought to* demonstrated that it was featured mainly (67.69%) in the main clause, taking on a dynamic main verb (70.76%) that was expressed in the active voice (61.53%). The clausal subject was mostly inanimate (92.30%). An overview of the described syntactic properties is presented in the following table.

Table 20. Syntactic properties of the sentences containing *ought to* – legal corpus.

mod. vb.	clause		vb. cat.		VO.		animacy	
	main	subordinate	dynamic	stative	active	passive	anim.	inanim.

ought to	44	21	46	19	40	25	5	60
prior.	44	21	46	19	40	25	5	60

4.1.6. Ought to - literary corpus

Out of 65 examples containing the modal verb *ought to* extracted from the literary corpus, 87.7% of the items qualified for the priority flavor, followed by 10.77% of the cases involving the epistemic reading, while the remaining 1.53% pertained to formulaic expressions. Table (21) represents the distribution of the Croatian translation equivalents in relation to the meanings exhibited.

Table 21. *Ought to* – ST meanings and TT translation equivalents: literary corpus.

	mod. vb.		N.M.	M.O.
	trebati	morati		
ought to	54	5	5	1
epist.	6	1		
prior.	47	4	5	1
f. ex.	1			

Shifts in the strength of the modal verb were observed in 7.69% of the examples. The analysis showed that the shifts from weak obligation (*ought to*) to strong obligation (*morati*) accounted for all shifts in modal strength.

Regarding the shifts in the means of expression, these occurred in 9.23% of the cases, 83.33% of which referred to the translation of the modal verb with a non-modal construction, while the remaining 16.67% involved the omission of the modal verb. Take a look at the following table detailing the shifts that occurred in the literary translation.

Table 22. Shifts of the modal verb *ought to* in the literary data.

A shift in	From	To	Occurr.	ST sentence	Translation – TT
modal strength	weak obligation (<i>ought to</i>)	strong obligation (<i>must</i>)	5	<i>First years ought to know that the forest in the grounds is out of</i>	<i>Prvoškolci moraju znati da je učenicima zabranjen pristup u</i>

				<i>bounds to students — and a few of our older students ought to know by now too. (OoF 210)</i>	<i>šumu u sklopu perivoja - a to je dosad trebao naučiti i pokoji naš stariji učenik. (Cro. Ch. 11)</i>
means of expression	mod. vb. (<i>ought to</i>)	N.M.	5	<i>We ought to double back for a bit, just to make sure we're not being followed! (OoF 57)</i>	<i>Bilo bi dobro da se neko vrijeme vraćamo istim putem kojim smo došli, da budemo sigurni kako nas nitko ne prati! (Cro. Ch. 3)</i>
		M.O.	1	<i>He did not want to hear what Ron had to say, did not want to hear Ron tell him he had been stupid, or suggest that they ought to go back to Hogwarts. (OoF 779)</i>	<i>Nije htio čuti kako mu Ron govori da je bio glup ili kako mu predlaže da se vrate u Hogwarts. (Cro. Ch. 34)</i>

Further analysis of the syntactic properties of the examples containing the modal verb *ought to* revealed that the verb in question was in most cases (69.23%) present in the subordinate clause, alongside the main verb that was primarily stative (53.84%) and expressed in the active voice (90.76%), while the clausal subject was mostly inanimate (84.61%). An overview of the described syntactic properties is presented in the following table.

Table 23. Syntactic properties of the sentences containing *ought to* – literary corpus.

mod. vb.	clause		vb. cat.		VO.		animacy	
	main	subordinate	dynamic	stative	active	passive	anim.	inanim.
ought to	20	45	30	35	59	6	55	10
epist.	2	5	2	5	7		4	3
prior.	18	39	28	29	51	6	50	7
f. exp.		1		1	1		1	

4.1.7. *May* - legal corpus

Out of 65 examples containing the modal verb *may* extracted from the legal corpus, the analysis demonstrated that the priority reading was the most frequent one, appearing in 81.53% of the

cases, followed by 10.76% of the cases involving the epistemic reading, while the remaining 7.69% pertained to the dynamic flavor. Table (24) represents the distribution of the Croatian translation equivalents in relation to the meanings exhibited.

Table 24. *May* – ST meanings and TT translation equivalents: legal corpus.

	mod. vb.		adv.	M.O.
	moći	smjeti	možda	ind.
may	58	2	3	2
epist.	4		3	
prior.	50	2		1
dynam.	4			1

Shifts in the strength of the modal verb were not observed. Regarding the shifts in the means of expression, these occurred in 7.69% of the cases, 60% of which referred to the translation with an adverb, while the remaining 40% involved the omission of the modal verb. Take a look at the following table detailing the shifts that occurred in the legal translation.

Table 25. Shifts of the modal verb *may* in the legal data.

A shift in	From	To	Occurr.	ST sentence	Translation – TT
means of expression	mod. vb. (<i>may</i>)	adv.	3	<i>As for the remaining quantities, they represented a low and stable market share around 2 %, with the exception of the IP, and as also explained in recital 66 of the provisional Regulation, these imports may have contributed, albeit not significantly, to the material injury</i>	<i>Što se tiče preostalih količina, one predstavljaju nizak i stabilan tržišni udjel od oko 2 %, s izuzetkom RIP-a, a, kao što je objašnjeno u uvodnoj izjavi 66. privremene Uredbe, te su uvezene količine možda pridonijele, iako ne značajno, materijalnoj šteti koju je pretrpjela industrija Zajednice.</i>
		M.O.	2	<i>Each delegate may be accompanied by appropriate experts. suffered by the Community industry.</i>	<i>Svako g člana predstavlja jedan izaslanik.</i>

Further analysis of the syntactic properties of the examples containing the modal verb *may* revealed that this modal verb was in most cases (84.61%) present in the main clause, alongside the main verb that was primarily dynamic (84.61%) and expressed in the active voice (90.76%), while the clausal subject was mostly inanimate (89.23%). An overview of the described syntactic properties is presented in the following table.

Table 26. Syntactic properties of the sentences containing *may* – legal corpus.

mod. vb.	clause		vb. cat.		VO.		animacy	
	main	subordinate	dynamic	stative	active	passive	anim.	inanim.
may	55	10	55	10	58	7	7	58
epist.	2	5	5	2	7		1	6
prior.	49	4	48	5	46	7	6	47
dynam.	4	1	2	3	5			5

4.1.8. *May* - literary corpus

Out of 65 examples containing the modal verb *may* extracted from the literary corpus, 63.07% of the items had the epistemic flavor, 26.15% of the cases involved the priority reading, and the remaining 10.76% involved formulaic expressions. Table (27) represents the distribution of the Croatian translation equivalents in relation to the meanings exhibited.

Table 27. *May* – ST meanings and TT translation equivalents: literary corpus.

	mod. vb.			adv.	M.O.	f. ex.	N.M.
	moći	morati	trebati	možda	ind.		
may	17	1	1	28	11	5	2
epist.	5	1	1	28	6		1
prior.	12				2	1	2
f. ex.					3	4	

Shifts in the strength of the modal verb were observed in 3.07% of the examples. The analysis revealed that the shifts from logical possibility (*may*) to strong logical necessity (*morati*)

amounted to 50% of the total shifts in strength, while the remaining half referred to the shifts from logical possibility to weak logical necessity (*trebati*).

Shifts in the means of expression were present in 70.76% of the cases, 60.86% of which pertained to the translation of the modal verb with an adverb, followed by 23.91% of the occurrences where the shifts were caused by the omission of the modal verb. Translating with a formulaic expression was employed in 10.86% of the cases. 4.34% of the total shifts in the translation were rendered through a translation with a non-modal construction. Take a look at the following table detailing the shifts that occurred in the literary translation.

Table 28. Shifts of the modal verb *may* in the literary data.

A shift in	From	To	Occurr.	ST sentence	Translation – TT
modal strength	possibility (<i>may</i>)	strong logical necessity (<i>morati</i>)	1	<i>Nymphadora Tonks may need to spend a little time in St. Mungo’s, but it seems that she will make a full recovery.</i> (OoF 822)	<i>Nymphadora Tonks će neko vrijeme morati ležati u Svetom Mungu, ali čini se da će se potpuno oporaviti.</i> (Cro. Ch. 37)
		weak logical necessity (<i>trebati</i>)	1	<i>(...) — by which time, many of you may be ready to take your tests (...)</i> (HBP 382)	<i>(...) što znači da bi mnogi od vas dotad trebali bez problema izaći na ispit (...)</i> (Cro. 308)
means of expression	mod. vb. (<i>may</i>)	adv.	28	<i>As I have hinted above, Dumbledore’s regime at Hogwarts may soon be over.</i> (OoF 297–298)	<i>Kako sam već napomenuo u pismu, Dumbledoreova vladavina Hogwartsom možda se primiće kraju.</i> (Cro. Ch. 14)
		M.O.	11	<i>No, like all young people, you are quite sure that you alone feel and think, you alone recognize danger, you alone are the only one clever enough to realize what the Dark Lord may be planning...</i> (OoF 496)	<i>Ne, kao i sva mladež svijeta, ti si čvrstouvjeren da jedino ti osjećaš i misliš, da jedino ti prepoznaješ opasnost, da jedino ti imaš dovoljno mozgada shvatiš što planira Gospodar tame...</i> (Cro. Ch. 23)
		f. ex.	5	<i>Er — may I offer you a glass of gin?</i> (HBP 265)	<i>Ovaj... jeste li za čašu džina?</i> (Cro. 213)
		N.M.	2	<i>Undoubtedly Voldemort had penetrated many more of its secrets than most of the students who</i>	<i>Nema sumnje da je Voldemort otkrio više njegovih tajni od većine učenika koji su se ovdje</i>

*pass through the place, but he **may** have felt that there were still mysteries to unravel, stores of magic to tap. (HBP 431)* *školovali, ali nije isključeno da je smatrao kako u njemu ima još zagonetki koje nije odgonetnuo, još izvora magije iz kojih bi **mogao** crpiti moć. (Cro. 345)*

Further analysis of the syntactic properties of the examples containing the modal verb *may* revealed that this modal verb was in most cases (76.92%) present in the main clause, taking on the main verb that was primarily dynamic (58.46%) and expressed in the active voice (84.61%), while the clausal subject was mostly animate (69.23%). An overview of the described syntactic properties is presented in the following table.

Table 29. Syntactic properties of the sentences containing *may* – literary corpus.

mod. vb.	clause		vb. cat.		VO.		animacy	
	main	subordinate	dynamic	stative	active	passive	anim.	inanim.
may	50	15	38	27	55	10	45	20
epist.	31	10	23	18	37	4	29	12
prior.	14	3	11	6	11	6	10	7
f. exp.	5	2	4	3	7		6	1

4.2. *Qualitative analysis and discussion*

4.2.1. *Must – legal corpus*

Having quantitatively analyzed the examples of *must* found in the legal corpus, the conclusion can be drawn that the overwhelming majority of its occurrences are translated into Croatian with the modal verb *morati*. All instances carry the priority flavor, which comes as no surprise given the nature of legal discourse. As Jelovšek (2021: 36–37) notices, the civil law system deals with hypothetical situations, meaning that each of these may possibly occur, which consequently disqualifies epistemic modal expressions as redundant. Cross-cutting its basic meaning of strong obligation, *must* is predominantly (in an approximate ratio of 2:1) found in the provisions expressing the meaning of requirement, where the latter refers to the prerequisites to be met in order for the state of affairs set up in the provision to be realized (Krapivkina 2017: 310; Kimble 1982: 66). This is in accordance with Jelovšek’s (2021: 29) claim that “in its deontic sense, the verb *must* in legal texts is by rule used for requirements that express the existence of an obligation that is usually procedural.” The other meaning is that of obligation in the narrow sense, in which an agent is commanded by the law to act in the interest of a particular action itself. The meaning of requirement is expressed: 1) explicitly, in cases where certain set expressions (most typically *in order to*) or other linguistic markers within the sentence unit indicate a requirement (1), and 2) implicitly, when the requirement is traceable to a wider context into which the sentence has been embedded as one of the conditions for the fulfillment of the main provision which is typically expressed by the verb *shall* (2). The two types of expressing requirement can be seen as follows:

(1) (ST) *In order to ensure the application of the provisions of Article 86 of the Treaty the Commission **must** have the necessary information.*

(TT) *Kako bi se osigurala primjena odredbi članka 86. Ugovora, Komisija **mora** imati potrebne podatke.*

(2) (ST) *In order to be granted approval as provided for in Article 4, a breeding establishment **shall** comply with the conditions set out in this Chapter:*

(1) *The breeding establishment **must** be clearly demarcated and separated from its surroundings or the animals confined and located so as not to pose a health risk to animal holdings whose health status might be jeopardised.*

(TT) Za dobivanje odobrenja iz članka 4., objekt za uzgoj **mora** udovoljavati uvjetima navedenim u ovom poglavlju:

1. Objekt za uzgoj **mora** biti jasno razgraničen i odvojen od svoje okoline ili životinje moraju biti zatvorene i smještene tako da ne predstavljaju rizik za zdravlje gospodarstvima koja drže životinje, a čiji zdravstveni status može biti ugrožen.

The dominance of the requirement meaning may serve as an explanation for a remarkable number of occurrences of *must* in subordinate clauses, as shown by (3):

(3) (ST) *The Administrative Board shall decide on the amounts which **must** be released by each member in proportion to the contributions which it has agreed to pay and shall establish the deadline by which the members must pay their contributions.*

(TT) *Upravni odbor odlučuje o iznosima koje svaki član **mora** osloboditi razmjerno doprinosima za koje se obvezao da će ih uplatiti, kao i o krajnjim rokovima do kojih članovi moraju uplatiti svoje doprinose.*

When carrying the meaning of obligation, *must* is in a vast majority of cases featured in the main clause; see example (4).

(4) (ST) *Member States **must** report to the Commission by 31 December 2009 on the full implementation of the Directive.*

(TT) *Države članice **moraju** do 31. prosinca 2009. izvijestiti Komisiju o potpunoj provedbi Direktive.*

In the majority of the provisions featuring the modal verb *must*, it appears in the main clause that is mostly unconditional in both the ST and TT provisions, taking on the main verb that is dynamic and expressed in the active voice and with an inanimate clausal subject. See the following example.

(5) (ST) *The coordinating body **must** send the computer files completely and only once.*

(TT) *Koordinacijsko tijelo **mora** poslati računalnu datoteku u cijelosti i samo jednom.*

As for the shifts in modal strength, it may strike one as interesting that these have been found to be more prevalent in the legal than in the literary corpus. The field of legal science ought to be characterized by precision of meaning, which makes the aforementioned fact all the more

surprising. A total of ten examples contain shifts, all of them decreasing modal strength. Nine of these pertain to shifting from strong obligation to weak obligation, with five of them employing the modal verb *trebati*. Example (6) below illustrates this type of shift in the strength of obligation.

(6) (ST) *When purchasing the tender document, for the purposes of being contacted and receiving communications the purchaser **must** also submit a concession bidder identification sheet, on which they must state their name and address, an e-mail address (to which communications from the contracting authority regarding the tender document may be sent) and their tax identifier and declare that they are duly authorised to purchase the tender document.*

(TT) *Pri kupnji dokumenta natječaja, u svrhu mogućnosti kontaktiranja i primanja priopćenja kupac **treba** predati i identifikacijski list ponuditelja, na kojem je potrebno navesti ime i adresu, adresu e-pošte (na koju će biti poslana priopćenja ugovornog tijela o dokumentu natječaja) i porezni identifikator te izjavu da je propisno ovlašten za kupnju dokumenta natječaja.*

Other cases of shifts in the strength of the modal verb refer to the use of the lexical verb *valjati* and the modal verb *moći* in a shift from strong obligation to weak obligation and permission, respectively, as can be seen in examples (7–8).

(7) (ST) *Since the Commission has been unsuccessful, it **must** be ordered to pay the costs, in accordance with the form of order sought by the applicant.*

(TT) *Budući da je Komisija izgubila spor, istoj **valja** naložiti snošenje troškova postupka sukladno zahtjevu tužitelja.*

(8) (ST) *It follows that the claims by which the applicants request the Tribunal to order payment of the ALC to which they maintain they are entitled **must** be rejected as inadmissible.*

(TT) *Iz toga slijedi da se zahtjev kojim tužitelji od Službeničkog suda traže da se naloži plaćanje NŽU-a za koje tvrde da imaju pravo **može** jedino odbiti kao neosnovan.*

The remaining shifts in strength concern the use of the modal expression *biti potrebno* and the adjective *potrebne*, as illustrated by examples (9) and (10), respectively.

(9) (ST) *Steps **must** be taken to limit the dangers to which persons are exposed, particularly when trains pass through stations.*

(TT) ***Potrebno je** poduzeti mjere za ograničavanje opasnosti kojima su izložene osobe, naročito dok vlakovi prolaze kroz kolodvore.*

(10) (ST) *Despite these doubts, even if the original estimation of jobs was used to analyse the impact on the measures the following remarks **must** be made.*

(TT) *Unatoč tim sumnjama, čak i ako je izvorna procjena radnih mjesta korištena za analizu učinka na mjere, **potrebne** su sljedeće napomene.*

The shifts taking place in the above examples could be explained by taking account of either contextual factors (including the source of modality and the narrower sentence context) or semantic influence on the modal verb by lexical means adjacent to it. One possible explanation for the more frequent shifts in modal strength in the legal translation is that part of the meaning, or strength, may be provided by the framework of the legal text itself. This claim is in accordance with the work of Verhulst et al. (2012), in which the authors state a typology of deontic (priority) sources, which in the case of objective modality (as is the case with legal discourse) can originate in a rule, a condition, or circumstances. Regarding examples (6) and (7), the source is a rule (an institutional rule and a law, respectively, both qualifying as more strongly binding forces). Such a framework carries its own strength, allowing weaker modal verbs to draw on it. Therefore, when considering the aforementioned examples, contextual enrichment of the semantic content may play a major role in determining translation choices. Therefore, in example (6) it goes without saying that a certain procedure must be followed without exception if the purchaser wants to fulfill a certain goal. One should thus keep in mind the existence of the framework of rules, regulations, or a series of actions into which weak obligation has been incorporated, gaining strength, thus representing a special case of the strong obligation meaning. For example, in (7) weak obligation has been embedded in an obligation that was already imposed by the authoritative institution acting as the deontic source—the General Court. The modal verb derives the rest of its strength from additional context; the implied reading of potential damage to the party filing the lawsuit in court does not allow for the weak obligation meaning, and there is a precisely established procedure that must be followed in such cases. This is closely related to another criterion stated by Depraetere and Verhulst (2008) which affects modal strength: the likelihood of actualization of the situation deemed to be necessary. This

likelihood depends on two factors. The first says that there are situations in which non-compliance is impossible, while the second takes into account the gravity of non-compliance, that is, the consequences that might arise in cases of non-compliance. Consequences that would adversely affect one's health, safety (as in example [9]), or finances are examples of strong modality, and therefore the strength of the statement does not depend so much on the modal verb itself as on the overall context.

As for example (8), what is intriguing is that the shift is not only in strength but also in modal force, from *necessity* to *possibility*. The only logical explanation has to do with its translation being semantically strengthened by the adverb *jedino* ('only'). The adverb rules out all other possibilities except for the one to be followed. In other words, permission in *moći* ('may') is associated with the adverb *jedino*, and they together constitute the intended meaning of strong obligation covered by the use of the modal verb *must* in isolation in the ST. This example thus qualifies as being semantically mitigated by a linguistic marker, which is another criterion influencing modal strength according to Verhulst et al. (2012). Both of these, the contextual framework and the semantic influence of lexical items on the modal verb are also mentioned in some other earlier works. For example, Knežević and Brdar (2011) demonstrate the essential role of both factors in the translation of legal texts and confirm their unquestionable influence on the choice of translation solutions.

With regard to (10), the shift in strength is again influenced by the context. The statement in question is semantically close to what Palić and Omerović (2022: 281) define as formulaic construction, which is a type of grammatical statement that is peripheral to the concept of modality. In such constructions, the complement to the modal verb is usually some verb of communication, that is, illocution. For this reason, the pragmatic weakening of the statement in translation occurs, since there is no longer a contextual basis that would bind it to the meaning of strong obligation.

When it comes to the shifts in the means of expression, a noticeable number of instances in the legal corpus are translated by omitting the modal verb and using the present indicative instead:

(11) (ST) *The original of the certificate **must** be completed and signed by an official veterinarian.*

(TT) *Izvornik certifikata **popunjava** i potpisuje službeni veterinar.*

In example (11) strong obligation expressed by the verb *must* in the ST is preserved in the translation, although the modal verb is omitted. A declarative sentence without a modal verb may, depending on the context, have the same legal effect even though the obligation is expressed less explicitly, as Nurmi & Kivilehto (2019: 144) state: “Deontic obligation is not always expressed explicitly. When a text is normative in nature, also the present indicative can be used in a deontic sense.” The use of the present indicative in the translation is deployed possibly due to the connection between *must* and the modal verb *shall*, which is another (and primary) means in EU legislation to express strong obligation (European Union 2020: 85) and according to the standard it is translated into Croatian with the present indicative, implying in itself the omission of the modal verb. As it has been established earlier in this section, *must* is typically used with the meaning of requirement, while the meaning of duty is intended for *shall*. It is significant that in all cases of omission in the corpus the proposition carries the meaning of obligation *sensu stricto* (duty), and never requirement, which clearly leads to a parallel being drawn with the verb *shall* and possibly affects the translator’s choice. In contrast to *shall*, *must* is most often translated with the verb *morati*. Given that both verbs indicate strong obligation, the question arises as to why translators decide on different solutions. One potential explanation is the influence of non-legal genres on translators when they encounter the verb *must*. In non-legal texts, *must* is significantly more frequent than *shall* and carries the meaning of obligation, while the latter is usually intended to express volition. Therefore, this line of reasoning could prompt the translator to use *morati* as the natural equivalent of *must* in legal discourse as well. In this case, translation with the equivalent modal verb is a much more conventional solution than one with the indicative, which carries a strong note of institutionalization. Another explanation for translating the verb *must* as *morati* could be the translator’s uncertainty regarding the possible existence of nuances in meaning between *must* and *shall* when expressing strong obligation. It is therefore possible that the translator would solve the existing dilemma by deciding to translate *must* into Croatian differently from *shall*.

There are also some provisions in which *must* is translated with modal expressions *biti potrebno* and *biti dužan*, numbering one occurrence each. Their usage is illustrated as follows:

(12) (ST) Steps **must** be taken to limit the dangers to which persons are exposed, particularly when trains pass through stations.

(TT) *Potrebno je poduzeti mjere za ograničavanje opasnosti kojima su izložene osobe, naročito dok vlakovi prolaze kroz kolodvore.*

(13) (ST) *The contracting entity **must** keep a copy of the technical file throughout the service life of the subsystem; it must be sent to any other Member State which so requests.*

(TT) *Naručitelj **je dužan** čuvati presliku tehničke dokumentacije tijekom čitavog vijeka trajanja podsustava; na zahtjev ju je dužan dostaviti drugim državama članicama.*

In (12), a shift in the form of the means of expression takes place. The modal expression *biti potrebno* ('to be necessary') is only a formally different form of the modal verb *trebati* ('should'). Consequently, the strength of the expression shifts here from strong to weak obligation, which can be explained by the criteria presented earlier in this section concerning the contextual framework of the text. In this case, non-compliance results in potentially dangerous consequences that endanger people's lives. Example (13) is confined to a shift in the form of expression without additional alterations to the meaning, which remains intact. This seems to be confirmed by Palić and Omerović's (2022: 275) claim that the modal expression *biti dužan* ('to be obliged') corresponds to the verb *morati* as its closely related semantic paraphrase. Furthermore, Hansen (2007: 34) also supports the previous claim, stating that when expressing strong obligation *biti dužan* can be replaced by *morati*.

An example is also present in which the modal verb has been replaced by an adjective in the translation. Note that the example in question has already been listed earlier since it qualifies for both types of shifts (strength and means of expression).

(14) (ST) *Despite these doubts, even if the original estimation of jobs was used to analyse the impact on the measures the following remarks **must** be made.*

(TT) *Unatoč tim sumnjama, čak i ako je izvorna procjena radnih mjesta korištena za analizu učinka na mjere, **potrebne su** sljedeće napomene.*

The same explanation as for example (12) applies to this example as well regarding the shift in the means of expression, with the difference that here it is an adjective being dealt with and not a modal expression.

The final example of this type of shift is the one in which the translation is rendered through a non-modal construction. Take a look at the following example.

- (15) (ST) *That entails a verification of the allegations factored in the summary of reasons underpinning that decision, with the consequence that judicial review cannot be restricted to an assessment of the cogency in the abstract of the reasons relied on, but **must** concern whether those reasons, or, at the very least, one of those reasons, deemed sufficient in itself to support that decision, is substantiated (see Kadi II , paragraph 119).*
- (TT) *To podrazumijeva provjeru navedenih činjenica u obrazloženju koje podupire spomenutu odluku, kako sudski nadzor ne bi bio ograničen na utvrđenje apstraktne vrijednosti navedenih razloga, nego i na saznanje o tome jesu li ti razlozi ili barem jedan od njih, ako ga se smatra dovoljnim kako bi podržao tu istu odluku, dokazani (vidjeti presudu Kadi II, točku 119.).*

In this example, two factors may be playing a role in causing the complete loss of modality in the translation regarding *must*. The first of them seems to be related to the complexity of the sentence. It is fairly complex, meaning that the translation solutions that had been applied when *must* had to be translated may have made further parts of the sentence (in which *must* is located) dependent on them and thus subject to changes and modifications in form. Another factor is that the preceding verb *can* is used in the negative form *cannot*. *Can* does not express obligation but permission, and thus its negative form does not indicate strong prohibition as would be otherwise indicated by the negation of *shall* or *must*. Placed in relation to *can*, *must* no longer carries the strength of strong obligation that it would have had if it had been contrasted with the negative forms of *shall* or *must*.

4.2.2. *Must – literary corpus*

Having analyzed the modal verb *must* in the literary corpus, it could be interesting to notice that the most common translation solution is not an equivalent modal verb but an adverb – *sigurno* (‘certainly’). This is not surprising, however, if we look at the most common meanings expressed by *must*, where the epistemic flavor predominates to a significant extent (for which the translation with *morati* is most often stylistically marked, as will be discussed shortly), followed by the priority flavor, while there is also a relatively small portion of examples translated with formulaic expressions. Within the modal group of epistemic meaning, the usages in which the subject is in the third-person singular (*he, she, it*) can be singled out as the central ones. Such

examples are by far the most numerous, being about two and a half times as frequent as the next most common usage, the one in which the subject comes in the second-person singular or plural (*you/you all*). The first and third-person plural account for only a small number of examples and are equally represented in the texts. What stands out, and is in stark contrast to the legal corpus, is the use of verbs with a past-time reference. Almost half of all epistemic examples have some past reference, typically employing the construction *must have + pp*.

Within the priority modal group, there is a relative similarity with regard to the representation of deontic obligation by persons. The usage in which the speaker is the source and the addressee is the subject in the third-person singular is slightly predominant. The subject in the second-person singular and the third-person plural are roughly equally represented, while the representation of the first-person singular and plural is slightly less frequent. In these cases, the speaker is at the same time the addressee, and they could be called constructions of self-commitment (Palić & Omerović 2022: 276). They refer to situations in which the speaker imposes on himself or the group to which they belong the obligation to carry out the proposition. Almost all priority examples have present-time references; future-time references are rare, while past-time references have not been found.

Regarding shifts in the strength of the modal verb, there is only one example present. As mentioned earlier, it may seem unusual that a literary translation, which is often said to be characterized by freedom of expression, adheres more precisely to the core meaning of the modal verb than a legal translation, which ought to be characterized by semantic precision. With regard to the explanation, the contextual framework may be helpful once again. As mentioned earlier, legal discourse often relies on the institutionalizing force of the contextual frame of rules and procedures in which a particular proposition has been embedded. Such a strong framework is normally not present in literary works, at least not in the two concrete ones that I used as a corpus. This being the case, the translator usually cannot rely on the frame acting as a substitute for the lack or excess of modal strength when a weaker or stronger modal verb is used in translation. In addition, the verb *shall*, which in legal texts normally expresses duty and is contrasted with the semantically close verb *must* which expresses requirement and is often embedded in a context of duty, usually does not exist in literary texts with the same meaning. *Shall* is used in them for the most part in the sense of volition, thus not filling the same semantic slot of strong obligation as *must*. Therefore, the translator, deprived of the complexity of the

mentioned semantic relations that are present in the language of the law, simply sticks to the simplest and most logical choice, which is the translation with the modal verb *morati*. Only one example of a shift in the strength of the modal verb, from logical necessity to probability, has been found in the literary texts. This case is illustrated in example (16).

(16) (ST) *I think her powers **must** have been affected by shock, or something.* (HBP 95)

(TT) *Valjda joj je šok ili nešto utjecalo na sposobnosti.* (Cro. 82)

In the given example, the translation is not determined by a contextual framework but by lexical elements. As can be seen, the modal verb *must* is preceded by the lexical modal verb *think*. Since the certainty expressed by *must* has now been framed within the uncertainty expressed by *think*, *must* loses some of its strength. Moreover, the tentativeness is further reinforced by the expression “or something”, by which the speaker expresses that what would otherwise be certain is now only one of the possible options. All this has been enough for the translator to reduce the strength of the modal verb and translate it with an adverb expressing mere probability.

When it comes to shifts in the means of modal expression, they are significantly more frequent in the literary corpus. This is not surprising because, due to the nature of the genre, the epistemic flavor is much more often represented in it. As the results of the analysis demonstrate, epistemic *must* is predominantly translated with an adverb, since the translation option that would include a modal verb construction (*mora biti da*) would be overly syntactically complex and clumsy. There is only one example in the corpus where epistemic modality is translated with the equivalent modal verb:

(17) (ST) *I thought you **must** know about it!* (HBP 32)

(TT) *I mislila sam da ti **moraš** znati!* (Cro. 32)

On the other hand, within the frame of priority meaning, which is characteristic of legal texts, *morati* is not part of a construction that possesses such syntactic complexity, which consequently makes shifts in the means of expression appear significantly less frequently.

Omission is present in the literary corpus as the second most common translation solution when it comes to shifts in the means of expression, after the aforementioned adverbs. The cases employing omission are characterized by the modal verb almost always appearing attached to the lexical verb which in itself expresses a degree of certainty in the statement. This is where

semantic enrichment takes place. All but one example are epistemic. The main verbs are in most cases stative (usually *be*) and predominantly relate to thought and opinions, i.e., the evaluation of a proposition, such as *think*, *know*, and *suggest*. Accordingly, in a vast majority of the examples where omission is present, the modal verb is found in a subordinate clause. Also, in such examples, past-time references prevail. Take a look at the following examples illustrating the shift in question.

(18) (ST) Harry **knew** this **must** be Ogden; he was the only person in sight, and he was also wearing the strange assortment of clothes so often chosen by inexperienced wizards trying to look like Muggles: in this case, a frock coat and spats over a striped one-piece bathing costume. (HBP 199)

(TT) Harry je **znao** da je to Ogden, ne samo zato što je bio jedina osoba na vidiku nego i zato što je na sebi imao čudnu mješavinu inače nespojivih odjevnih predmeta, što je bilo tipično za čarobnjake koji nisu imali iskustva u prerusavanju u bezjake. (Cro. 163)

Where non-modal translations of the modal verb *must* take place, it can be noticed that *must* in the ST does not dominate either side regarding the division into epistemic and priority modality. Balance also exists in terms of a relatively similar representation of dynamic and static verbs and animate and inanimate subjects. All examples where a translation with a non-modal structure is used have present-time references. Furthermore, in all but one case, the modal verb is in the main clause. Nevertheless, it is still difficult to draw a general conclusion regarding the translation solutions that appear in this case. They often do not have to be influenced by syntax, but by the context, as well as the tone of the work, and also by the style and creativity of the translator. See example (19).

(19) (ST) “He lives here?” asked Bella in a voice of contempt. “*Here?* In this Muggle dunghill? We must be the first of our kind ever to set foot —” (HBP 20)

(TT) “On živi tu?” prezirno upita Bella. “*Tu?* Na tom bezjačkom gnojištu? Kladim se da prije nas nitko od naših nije nogom kročio...”¹⁵ (Cro. 22)

A possible explanation for this translation is the very tone of the situation in which the characters have found themselves. It is obvious that the speaker is expressing astonishment at the

¹⁵ The formatting of the source text has been preserved in order for the emphatic exclamation “*Here?*” to appear noticeable.

proposition. This person's amazement takes on a culminating tone in her exclamation, "Here?", which outlines the speaker's strong emotional commitment to the judgment of the current situation. The rising tone of astonishment calls for a somewhat less conventional expression in the further statement because the violation of conventionality results in the conveyance of a stronger emotional statement expressed by the speaker. Therefore, it is possible that the translator unlearned the standard epistemic expression *sigurno* ('certainly') and replaced it with a less conventional solution, in this case, the non-modal structure *Kladim se...* ('I bet...')

The remaining shifts in the means of expression include translations with an adjective, a particle, and a lexical verb, but due to the negligible number of such examples (2, 2, 1, respectively) and the fact that literary translation is hardly reducible to a pattern, I will not include them in a more detailed analysis.

It is worth noting that the difference between the examples from the two genres of translation regarding *must* also exists at the syntactic level. While the legal items include a significant number of occurrences in the passive voice, passive constructions are much less common in the literary corpus. Also, all examples from the legal corpus are used in the present tense. This might be because, as Felici puts it (2012: 54), the language of law is intended to be "constantly speaking". In the literary corpus, on the contrary, almost half of the instances of *must* are used with some kind of past reference, most often in the perfect infinitive, expressing a certain event that certainly took place.

4.2.3. *Should* – legal corpus

The findings obtained through the case study of the modal verb *should* in the legal corpus demonstrate that the most frequent translation of *should* is the equivalent Croatian modal verb *trebati*. This seems to be the expected outcome since *trebati* is generally accepted as the most common translation of *should* across all registers. In the translation, the frequent use of the conditional form of *trebati* ('trebalo bi') stands out, making up 46% of the total cases and 59% of the cases translated with *trebati*. Although in this paper I do not treat conditionals as presenting a shift in strength at the formal level, it still should be noted that the conditional form can at a pragmatic level increase the tentativeness of a statement and weaken it to a certain extent, the fact notably important to emphasize having in mind the contrastive analysis with the

semantically close verb *ought to* which will take place and be discussed in more detail in Section 4.2.5. All examples of the legal *should*, as is the case with *must*, carry the priority flavor. Further insight into the meanings of the provisions containing *should* shows that this modal verb is for the most part found in the provisions expressing the meaning of requirement, followed by the meaning of obligation in the narrow sense and, in a smaller number of instances, authorisation (20), where the latter concerns the freedom granted to the agent by the law to act in a particular situation in a particular manner, illustrated as follows:

(20) (ST) *The Management Board **should** have the necessary powers to establish the budget, check its implementation, draw up internal rules, ensure coherence with Community policies, adopt the Centre's financial regulation in accordance with the provisions of the Financial Regulation applicable to the general budget of the European Communities (4), hereinafter referred to as the 'Financial Regulation', and appoint the director following a parliamentary hearing of the selected candidate.*

(TT) *Upravni odbor **treba** imati potrebne ovlasti za utvrđivanje proračuna, provjeru njegove provedbe, izradu internih pravila, osiguranje koherentnosti s politikama Zajednice, donošenje Financijske uredbe Centra u skladu s odredbama Financijske uredbe koja se primjenjuje na opći proračun Europskih zajednica (4) (dalje u tekstu: "Financijska uredba"), te za imenovanje direktora nakon što se odabrani kandidat sasluša u Europskom parlamentu.*

The parallel between *must* and *should* could also be drawn with regard to a considerable number of the examples in which *should* is found in a subordinate clause, which again could be explained by the fact that the meaning of requirement dominates the other two meanings found in the provisions. See example (21).

(21) (ST) *As regards the limitation of the restructuring costs, the Restructuring Guidelines indicate in point 23 that the restructuring aid **should** be limited to cover the costs that are necessary for the restoration of viability.*

(TT) *U vezi s ograničavanjem troškova restrukturiranja, u točki 23. Smjernica o restrukturiranju navodi se da bi potpora za restrukturiranje **trebala** biti ograničena, kako bi obuhvatila troškove neophodne za uspostavljanje održivosti.*

When featured in the provisions that carry the meaning of obligation, *should* is in most cases present in the main clause, as shown by example (22).

(22) (ST) *Categories of holdings **should** be officially recognised by the competent authority as Trichinella -free, provided specific conditions are met.*

(TT) *Nadležno tijelo službeno proglašava gospodarstva kao gospodarstva slobodna od trihineloze, ako su ispunjeni posebni uvjeti.*

To sum up, in the majority of the provisions featuring the modal verb *should*, it appears in the main clause that is predominantly unconditional in both the ST and TT provisions. *Should* takes on the main verb that is dynamic and expressed in the active voice, with an inanimate clausal subject. Take a look at the following example which comprises all the aforesaid features.

(23) (ST) *National law **should** provide for a maximum duration for such exclusions.*

(TT) *U nacionalnom pravu **trebalo bi** predvidjeti maksimalno trajanje takvog isključenja.*

Regarding the shifts in modal strength, a total of four examples are present, all of them reinforcing modal strength from weak obligation to strong obligation (*morati*). This type of shift is less frequent than in the case of the modal verb *must*. The explanation might be that *should* is deprived of the contextual complexity that is present with *must*, which stems from the fact that the latter is often difficult to distinguish semantically from the modal verb *shall*, since both verbs express strong obligation, sharing the same semantic slot. On the contrary, *should* is virtually the only item intended for the meaning of weak obligation, taking into account that its semantic counterpart *ought to* is very poorly represented in legal discourse. Since its meaning is more straightforward, occupying its sole slot, the translator does not usually have to count on polysemy, which might otherwise make it more challenging for them to decide on a translation solution. This fact might account for a lower representation (both in total quantity and in the percentage of the examples translated with the modal verb) of shifts in modal strength than with *must* in the legal corpus.

All examples in which there is a shift in modal strength are determined either by the context (the source of obligation and/or the likelihood of the actualization of the situation deemed necessary) into which those modals have been embedded or by linguistic markers reinforcing their strength, i.e., lexical elements that make up the syntactic environment of the modal verb in the sentence. Take a look at the following example.

(24) (ST) *Research grant agreements set out the conditions under which beneficiaries' cost statements **should** include a certificate issued by an independent auditor.*

(TT) *Ugovorima o bespovratnim sredstvima za istraživanja propisani su uvjeti pod kojima korisnički troškovnici **moraju** sadržavati potvrdu koju je izdao neovisni revizor.*

First of all, it can be observed that the source of this provision is an institutional rule, which in itself refers to more strongly binding forces having to deal with laws and, as in (24), institutional rules. Furthermore, the rule has been embodied in the framework of agreements. The agreements specified in the above provision function, which is contextually feasible, are a type of contract, which is reflected in the Croatian translation ('ugovor'). Even though agreements are, strictly speaking, less binding than contracts, which do not allow exceptions and must be strictly adhered to, they still stipulate that the action in question, typically formal in nature, be executed in order for some effect to take place. Another possible reason for the reinforced strength of the modal verb in the translation is of a lexical nature. The translator chose the term "ugovor" referring to the word "agreement". This term, the closest natural equivalent to the term "contract", in itself carries the weight of the obligation placed on the addressee, who in this case must comply with what has been ordered, hence non-compliance with the obligation is not an option. This accords with the first of the two basic factors influencing the strength of priority modals, according to Depretere and Verhulst (2008) – the impossibility of non-compliance, which may have made the translator break from the norm based on the judgment that both the contextual and lexical frameworks allowed them to use a stronger expression.

The next example has to do with contextual enrichment at the sentence level.

(25) (ST) *However, consumer rights must be protected and where existing direct debit mandates have unconditional refund rights, such rights **should** be maintained.*

(TT) *Međutim, prava potrošača **moraju** biti zaštićena, i ako postojeća ovlaštenja za izravno terećenje obuhvaćaju prava na bezuvjetan povrat novčanih sredstava, ta prava moraju biti sačuvana.*

In the context of consumer rights, it is stated that those must be protected, and the above-mentioned rights represent an umbrella category that comprises, among others, the right to the unconditional return of funds to consumers. So, if the protection of consumer rights as such is given the meaning of strong obligation, then the strong obligation meaning takes over the

protection of all individual rights belonging to consumers. In other words, the weak obligation meaning of *should* has already been embedded in the framework of strong obligation denoted by *must*, allowing the translator to adhere fully to the strong obligation meaning in the translation. This explanation is supported by Knežević and Brdar (2011).

The final instance involving a shift in modal strength is determined by linguistic markers that enhance the strength of the modal verb.

(26) (ST) *The polluter **should** be obliged to pay for the proven real pollution he is responsible for.*

(TT) *Onečišćivač **mora** platiti za dokazano stvarno onečišćenje za koje je on odgovoran.*

In this example, the adjective *obliged* acts, even though not in strict terms, as an emphasiser conveying the meaning of the subject's being forced to act in the prescribed manner with no possibility of escaping the order, and thus strengthens the meaning conveyed by the modal verb *should*, shifting it from the zone of weak obligation to the zone of strong obligation. In the translation, therefore, the adjective has been omitted and all the force has been transferred to the modal verb, additionally producing a more economical translation.

As far as the shifts in the means of expression are concerned, they are expressed in two ways in the legal corpus. The first one, which numbers 9 examples, involves translating with the modal expression *biti potrebno*. This type of shift is illustrated by example (27).

(27) (ST) *Note: If the loan has had multiple transfers, this **should** be the last date transferred to special servicing.*

(TT) *Napomena: Ako je bilo više prijenosa kredita, **potrebno je** navesti posljednji datum prijenosa u posebno servisiranje.*

The most logical explanation is the semantic equivalence of the modal verb *trebati* ('should') and the modal expression *biti potrebno* ('to be necessary'). This is only about changing the grammatical category of the means of expression while its meaning remains intact. The modal expression in question is often used in Croatian legal texts and legal drafters do not question it as a legitimate translation solution. What stands out as interesting nonetheless is that the choice of this translation solution might not be completely non-arbitrary. Namely, out of a total of 9 examples that include *biti potrebno*, as many as 7 of them in the ST text carry some kind of conditional meaning (out of a total of 9 sentences with a conditional meaning in the ST)

expressed with *if*, *where*, and *in the case*, while the modal verb always appears in the inverted main clause that is preceded by a subordinate clause and separated from it by a comma. Also, in 8 of such examples, the main verb is expressed in the passive voice, which makes up almost a third of the total examples with the verb *should*.

The other way in which shifts in the means of expression are conveyed in the translation refers to the omission of the modal verb. Five examples of this type have been noted, all of them translated with the present indicative. Take a look at example (28).

(28) (ST) *Where appropriate, on a case-by-case basis, relevant monitoring data from substances with analogous use and exposure patterns or analogous properties **should** also be considered.*

(TT) *Ako je prikladno, od slučaja do slučaja razmatraju se i relevantni podaci praćenja tvari s analognom upotrebom i obrascima izloženosti ili analognim svojstvima.*

A possible explanation lies in the fact that the present indicative can be used to convey both strong and weak(er) obligations (Šarčević 2000). Legal drafters see no problem with this type of usage. Nevertheless, from a pragmatic point of view, this could be problematic due to the breadth of meaning that the present indicative offers. Given that it is most often used with modal verbs of strong obligation, primarily *shall*, it might leave the impression of conveying a stronger degree of obligation when used to translate weaker obligation statements. Its use therefore significantly expands the semantic framework of a proposition, so for the sake of precision it might still be preferable to use a verb intended exclusively for weak obligation, which is *trebati*.

4.2.4. *Should – literary corpus*

The results obtained through the analysis demonstrate that the most common translation solution regarding the modal verb *should* in the literary corpus is the modal verb *trebati*. As for the flavors present in this case, the analysis has identified the priority flavor as the one leading the way, accounting for 70.76% of the total meanings. The second most common flavor, comprising 24.61% of the examples, is the epistemic one, while the remaining 4.61% of the data refers to the examples that include formulaic expressions where no real modal meaning is intended. The results presented thus seem to align with the fact that *should*, as pointed out by Collins (2009:

44), is used primarily in the [priority]¹⁶ sense and secondarily in the epistemic one. Moreover, this fact has been supported by Leech et al. (2009) with the additional claim that *should* is becoming monosemous in modern English. The aforementioned result could be considered credible because, unlike legal discourse, in which deontic meaning prevails due to the nature of legal texts, literary discourse may give us more objective results regarding the representation of certain meanings since it offers a much wider frame of reference within which different semantic worlds arise. Another characteristic that stands out is the use of the conditional form of the verb *trebati* ('trebalo bi') in the translation (in more than 70% of the total cases).

Overall, the analysis of the modal verb *should* has produced relatively compatible results across the two genres of translation with regard to both types of shifts in modality. The literary texts are only slightly ahead in terms of the number and percentage of examples comprising the shifts in modal strength as well as those in the means of expression. It should be noted that, due to the aforementioned fact of the semantic breadth offered by literary texts, it therefore becomes possible to monitor more systematically the different contextual frameworks within which the translation has been located and by which it is affected. While legal texts naturally come with a semantic framework of a strong, institutionally determined obligation, in literary texts such a framework is not predetermined, which makes their semantic scope wider. Take a look at the following example.

- (29) (ST) *Or that the government **should** have somehow foreseen the freak hurricane in the West Country that had caused so much damage to both people and property?* (HBP 2)
(TT) *Ili da je vlada nekako **morala** predvidjeti posve neočekivani uragan u jugozapadnoj Engleskoj koji je nanio veliku štetu ljudima i imovini?* (Cro. 7)

In this example, one can again refer to the classification of modal strength proposed by Verhulst et al. (2012). Following their criteria, we arrive at the following: if the first criterion (stating that non-compliance is impossible) does not apply since it is still practically possible to fail to fulfill the obligation (as indeed happened in [29]), strength depends on the second criterion, which refers to the impact of the potential consequences of non-fulfillment. This, in turn, is determined by a range of contextual factors, including those relating to power (the addressee–authority relation), the social relations (e.g., equality or superiority) between the discourse participants,

¹⁶ Collins uses the categorisation with the synonymous concept of deontic modality.

and, as is the case with (29), the severity of consequences ensuing in case of non-compliance. Consequently, in (29), the obligation is strong because non-compliance with the obligation has resulted in a life-threatening situation affecting people's health, safety, and property (finances). The translator has therefore decided to strengthen the modal verb in order to emphasize the importance of the event being judged. It is interesting to observe the translator's consistency in such contexts. She again sticks to the rule and reinforces modal strength in another example of *should* that involves a life-threatening situation, as can be seen as follows:

(30) (ST) *We **should** put out your house (...)* (HBP 606)

(TT) *Moramo ugasiti požar (...)* (Cro. 485)

As can be seen, here too exists an event whose consequence has a potentially life-threatening outcome.

The majority of the remaining examples found in the corpus do not possess such contextual strength. Of the remaining three examples in which a shift in modal strength has been observed, the first one is influenced by a lexical factor, as shown by (31).

(31) (ST) *But he is determined that Draco **should** try first.* (HBP 34)

(TT) *Ali čvrsto je odlučio da Dračo **mora** pokušati.* (Cro. 33)

In the example above, the verb *should* gains strength in the translation due to the presence of the preceding adjective *determined* which reinforces it. In these types of construction, *should* features in clauses that are predominantly subordinate, where it appears with little discernible modal meaning of its own. It goes without saying that determination does not seek to allow for any scenario other than the one craved to happen.

The last example involving a shift in modal strength is specific in that the modal verb is diminished in strength in the translation. It has also altered the flavor from necessity to possibility. Take a look at example (32).

(32) (ST) *I thought this evening we **should** just go over the things we've done so far, because it's the last meeting before the holidays and there's no point starting anything new right before a three-week break* — (OoF 453–454)

(TT) *Mislilo sam da bismo večeras **mogli** ponoviti sve što smo dosad radili, jer nam je ovo posljednji sastanak prije praznika i nema smisla da počinjemo nešto novo kad nas čeka trotjedna pauza...* (Cro. Ch. 21)

Unlike the two above-mentioned examples that indicate situations that meet the criteria according to which they are classified as urgent and as such require a strong modality reading, example (32) fits into the third criterion established by Verhulst et al. (2012) for the degrees of modal strength. According to this criterion the consequences of non-compliance “affect other factors than health or finances, such as work-related or personal issues (e.g., moral principles, appointments)”. Therefore, the obligation in the above example can be considered weak, since the statement features a conversation between close friends, and the consequence of not fulfilling the action of reviewing the material does not go far beyond the scope of the action itself. It is more about a proposal than the need to perform the act, as evidenced by the use of the verb *think* in the past simple tense, which is employed when you are politely suggesting something to do. Furthermore, as claimed by Huddleston & Pullum (2002: 175), *should* tends more forward the meaning of deontic possibility rather than obligation.

In the literary corpus, shifts in the means of expression most often include translation with non-modal constructions, as illustrated by example (33).

(33) (ST) “Yes, but still,” said Tonks, who seemed perfectly untroubled by this piece of information. “You **should** get out of the cold.” (HBP 246)

(TT) *Da, ali ipak,” odvrati Tonks, koja čini se nije bila nimalo uznemirena tom informacijom, “**bito bi dobro** da se makneš s hladnoće.”* (Cro. 200)

This is not unexpected considering that literary translation carries a deal of freedom in translating the source code into the target language. Non-modal translations are fairly challenging to describe systematically and to be reduced to a comprehensive pattern due to numerous syntactic, semantic, stylistic and other factors the literary translator has to deal with. However, it is possible to determine some of its characteristics. For example, in the translations with non-modal constructions, *should* is found in subordinate clauses in 71% of the cases, which is significantly higher than the 32% of the total representation of the verb *should* in subordinate clauses across the literary texts. A subordinate clause builds on the content of the main one, so it is not

surprising that *should*, due to the textual clumsiness that may be caused by the word-for-word translation, is often omitted in translation, as in the following example:

(34) (ST) *If he had not been so worried about Hagrid, he would have felt sorry for her — but if one of them was to be ousted out of a job, there could be only one choice for Harry as to who **should** remain.* (OoF 552)

(TT) *Da nije bio tako zabrinut za Hagrida, žalio bi je - no ako je jedno od njih dvoje trebalo ostati bez posla, Harry je znao za čiji ostanak navija.* (Cro. Ch. 25)

Should is placed at the very end of the sentence, and the translation decisions made until the translator reached it might be the cause of its shifted form or its complete exclusion.

Omission is the second most common option of translation among the shifts in the means of expression. It is used where there is no pragmatic importance of precise translation and therefore priority is given to the style of expression. Take a look at the following examples.

(35) (ST) *I was thinking that — maybe the time's come when we **should** just — just do it ourselves.* (OoF 325)

(TT) (...) *pomislila sam da je... da je možda došlo vrijeme da jednostavno... da jednostavno nešto sami učinimo.* (Cro. Ch. 15)

(36) (ST) *You **should** definitely wear it in front of Fred and George.* (HBP 338)

(TT) *Svakako si to objesi oko vrata i prošeci pred Fredom i Georgeom.* (Cro. 273)

Not only does there not exist a context that would prompt a precise translation by employing situations characterised by evoking a sense of seriousness but also the syntactic environment affects the exclusion of the modal verb from the translation. In the first example, the key role is played by the adverb *maybe*, which in itself expresses probability, so *trebati* is redundant there, while in the second example, the adverb *definitely* serves as an intensifier accentuating the necessity for the action to take place, in which context the translation with *trebati* is not necessary.

The second most common case of omitting *should* is related to grammatical reasons. An example of this is the following.

(37) (ST) “*Oh, she survived,*” said Dumbledore, reseating himself behind his desk and indicating that Harry **should** sit down too. (HBP 311)

(TT) *Ponovo se smjestio za radni stol i rukom pozvao Harryja da i on sjedne.* (Cro. 172)

Palmer (1990: 189, after Imre 2010: 452) observes the redundancy of *should* in such cases (*It surprises me that Eileen should be surprised.*). All the *should*-cases with a similar construction (*determined, order, command, urge, demand, ask, desire, favour, insist, require, propose, it's odd/strange, etc.+ should*) do not require translation and may be translated, for example, with the indicative or imperative forms, thus *should* disappears (Imre 2010: 452). These usages of *should* are referred to as putative (indicating surprise or disbelief) and mandative (indicating obligation) *should*.

Due to a small number of their occurrences, but also due to the fact that literary translation, being characterised by freedom of translation solutions, is often irreducible to clear patterns, I will not go into the analysis of the remaining examples of shifts in the means of expression, which include translating with a lexical verb, a phrase, an adverb and a modal adjective.

4.2.5. *Ought to* – legal corpus

The findings obtained through the case study of the modal verb *ought to* in the legal corpus demonstrate that the most frequent translation of *ought to* is the modal verb *trebati*, as is the case with its semantic counterpart *should*. All items carry the priority flavor. *Ought to* most often appears in the provisions with the meaning of obligation, although to a lesser extent in comparison with *should*. What stands out the most regarding the results of the corpus analysis of the modal verb *ought to* in the legal corpus are certainly shifts in modal strength, which make up as much as 21% of the total examples in which this verb has been used, putting it in stark contrast with a relatively low frequency of the shifts in strength regarding *should*. In all such cases *ought to* shifts from weak obligation (*ought to*) to strong obligation (*morati*). Furthermore, it is used in the conditional form (*trebalo bi/moralo bi*) in about 15% of the cases, being in marked contrast to *should*, which is translated in the conditional form in almost 50% of the total cases, being arguably more tentative than *ought to*. Taking a look at the examples from the literary corpus (which will be discussed in detail in Section 4.2.6.), one should notice that *ought*

to and *should* have roughly the identical frequency of shifts in modal strength, which speaks in favour of the claim about their interchangeability. However, as has already been mentioned, when comparing the results of the analysis regarding the legal corpus, *ought to* leads the way with as many as fourteen shifts (21%) in strength compared to only four shifts (6%) observed in the case of *should*. The question arises as to what causes this discrepancy, which is present only in the context of the translation of legal texts, according to which *ought to* turns out to be a significantly stronger modal verb than *should*. One possible answer might have to do with legal conventions. For example, Hoffman (1993) claims that *ought to* expresses a stronger obligation when referring to public and moral behaviour. Myhill (1996) claims that in contrast to *should*, which is associated with individual attitudes and feelings, *ought to* is used when it comes to a certain social agreement or convention. Traugott and Dasher (2002: 138) go along similar lines claiming that *ought to* in deontic usage most often describes a moral and social duty that is imposed on an individual. Furthermore, both *ought to* and *should* have a noteworthy number of occurrences in the ST combining with the main verb which is expressed in the passive voice, as in the following examples.

(38) (ST) *The role of groups **should** be clarified and recognised.*

(ST) *Ulogu skupina **trebalo bi** pojasniti i priznati.*

(39) (ST) *It **ought to** be ensured that ships comply with the reporting requirements in force under these systems.*

(TT) ***Treba** osigurati da brodovi ispunjavaju zahtjeve o izvješćivanju koji su na snazi prema tim sustavima.*

The passive form may pragmatically weaken modal strength since it removes the directness of the request made by the priority source. Nevertheless, it seems that passive constructions do not affect the strength of *ought to* in a significant way since it remains relatively stable across the corpus. It therefore seems that the translator is not motivated by the syntactic environment of the verb, but by general conventions according to which *ought to* has a more objective force and conveys a sense of strictness, which prompts them to make a distinction in the translation between these two modal verbs.

Another important feature is the frequency of occurrence of these two verbs across legal discourse overall. While *should* features prominently in legal texts, being strongly represented,

ought to could be argued to be marginal in that sense. Its infrequent appearance might be another reason why it has been found to be stronger than *should* in legal discourse; the low frequency of representation might leave a stronger impression on the translator when encountering the verb. This line of reasoning could lead one to conclude that the appearance of *ought to* would be a prompt for the translator to use a stronger expression than the one that is typically reserved for translations involving *should*.

Given the above, it is all the more surprising that *ought to* appears most often in texts that do not have regulatory and mandatory force and as such are not legally binding. In our corpus, *ought to* is found in opinions in as many as 70% of the examples. Among other non-binding types of EU texts, its presence in recommendations stands out. Only a small number of examples have been found in legally binding types of documents, such as regulations, directives and decisions. This explains the following atypical phenomenon regarding legal discourse: *ought to* is used with past-time reference in roughly 40% of the examples, employing the *have + pp* construction. This is quite atypical for the language of the law, which, as I have mentioned, is “constantly speaking” and as such, as a rule, refers to the present time, setting demands. Yet taking into account the types of documents in which this modal verb appears, it is clear that its function is not primarily peremptory.

Shifts in the modal strength of the verb *ought to* are, apart from the reasons stated above, noticed to have been caused mainly by a contextual framework, and in a smaller number of instances by linguistic markers. Roughly 50% of the examples fall under the criterion according to which failure to fulfil an obligation leads to a possible threat to the health, safety or material/financial condition of people. This type of influence on translation is illustrated by the following example.

(40) (ST) 102 *As regards, in the first place, the request for reparation for the personal damage, both material and non-material, suffered by the appellant in person and the heirs and successors of Alessandro Missir Mamachi di Lusignano, the Civil Service Tribunal, after finding that it did not have jurisdiction to hear and determine that aspect of the action, as it came within the jurisdiction of the General Court, **ought to** have referred it to the General Court, in accordance with Article 8(2) of Annex I to the Statute of the Court of Justice.*

(TT) 102 *Prvo, kada je riječ o zahtjevu za popravljjanje osobne štete, bilo imovinske ili*

neimovinske, žalitelja osobno i pravnih sljednika Alessandra Missira Mamachija di Lusignana, Službenički sud je, nakon što je utvrdio da nije nadležan za provođenje postupka i donošenje odluke o tom aspektu tužbe koji je u nadležnosti Općeg suda, isti morao uputiti Općem sudu sukladno članku 8. stavku 2.

In about 15% of the examples containing a shift, the role of linguistic markers that reinforce the strength of the modal expression comes into play. See example (41).

(41) (ST) *Special national provisions on the activity of mutual societies and on monitoring by supervisory authorities **ought to apply fully** to mutual societies.*

(TT) *Posebna nacionalna pravila vezana uz aktivnosti uzajamnih društava i kontrolu nadzornih tijela **moraju se bez ograničenja** primjenjivati i na europska uzajamna društva.*

The question arises as to how to explain the rest of about 35% of the examples where neither a strong situational frame nor the influence of linguistic markers that reinforce the expression has been noticed. The first possible conclusion is the fact that the source of the obligation in all such examples is a rule, while another factor could be the previously mentioned rarity of the verb *ought to* in legal texts and its objective nature, which might lead the translator to opt for a translation solution different (and stronger) from the one typically employed with the verb *should*.

Regarding the shifts in the means of expression, it is interesting to notice that more of these have been found in the legal corpus than in the literary corpus. Examples have been found that include translation with a modal expression and omission. The modal expression *biti potrebno* accounts for four cases in which translation with a modal expression is applied, while in the only remaining case *biti dužan* is deployed. See the following example illustrating the type of shift mentioned.

(42) (ST) *Suitable wood assortments **ought to** be used physically rather than to serve as a fuel.*

(TT) *Prikladan izbor drvnih proizvoda **potrebno je** koristiti fizički, a ne da oni služe kao gorivo.*

This first shift could be interpreted by drawing a parallel between *ought to* and *should*. Their semantic similarity and the verb *trebati* as their primary translation solution results in the shift of the modal verb to the related modal expression *biti potrebno* ('to be necessary'). Here, as has been mentioned earlier, there is no change in meaning, but only in the form of expression, i.e., the grammatical category.

There are also two instances of omission of the modal verb in the translation. In one, it is translated with the present indicative, and in the other, the modal construction is completely omitted in the translation, as shown by (43).

(43) (ST) *The confidentiality rules established by Article 10 prevented the Commission from acting, as it **ought to** have done, in a 'thorough, prompt, impartial and detailed way' in order to help the applicant to clear up the theft of allowances allegedly suffered on 16 November 2010.*

(TT) *Naime, pravila o povjerljivosti utvrđena tim člankom spriječila su Komisiju da postupi "temeljito, brzo, nepristrano i detaljno" kako bi pomogla u rasvjetljavanju krađe emisijskih jedinica koju je on navodno pretrpio 16. studenoga 2010.*

The translator might have concluded that the modal construction is redundant in this context because the behaviour as stated in the provision ought to be self-evident.

4.2.6. *Ought to* – literary corpus

The results obtained through the analysis demonstrate that the most common translation solution regarding the modal verb *ought to* in the literary corpus is the modal verb *trebati*. As for the flavors present in this case, the analysis identified the priority flavor as the most frequent one, accounting for 87% of the total meanings. The remaining percentage of the items exhibit the epistemic flavor. As we are already aware of the semantical closeness between the modal verbs *ought to* and *should* which tends significantly towards the priority meaning, the results obtained align with the aforementioned fact.

Overall, the analysis of the modal verb *ought to* has produced relatively compatible results across the two genres of translation with regard to the shifts in the means of expression. Discrepancy, nevertheless, takes place regarding shifts in the strength of the modal verb, with the

legal corpus containing three times as many of those as the literary corpus (see section 4.2.5. for the elucidation). Furthermore, the conditional form of the verb *trebati* ('*trebalo bi*') in the translation makes up 70% of the cases, equaling the verb *should* in the literary corpus. Therefore, there is no difference in strength in the literary corpus between the verbs *should* and *ought to*; it is present exclusively in the legal texts.

Within the modal group of epistemic meaning, the usages in which the subject (i.e., the addressee) takes a third-person singular form can be singled out as the central ones, paralleling *should* in this respect. However, here the impersonal subject (*it, which, there*) dominates as the most frequent third-person item. The only remaining type of the usage of *ought to* comes as the second-person singular (*you*), numbering only half as many items as the previous category. No instances of the first-person singular or plural have been found. Within the priority modal group, the usage of the subject in the third-person singular is slightly predominant, followed by a considerable number of instances with the subject in the second-person singular. A noteworthy number of usages have been found with the first-person plural, while the representation of the third-person plural is slightly less frequent. Present-time reference is highly dominant in both flavors, while past reference is represented in approximately 20% of the cases (with the construction *have + pp*). The cases with future-time reference are represented exclusively in examples with the epistemic flavor, as shown by (44):

(44) (ST) *Which, now I think of it, **ought** to be some time later today.* (HBP 79)

(TT) *Što bi se, kad malo bolje razmislim, **trebalo** dogoditi u kasnijem dijelu današnjeg dana.* (Cro. 68)

In such examples, the modal verb *trebati* is always translated with the conditional form (*trebalo bi*).

As for the shifts in modal strength, a total of five examples have been found, all of them increasing modal strength from weak obligation (*ought to*) to strong obligation (*morati*), four of which belong to the area of priority modality, and one to the that of epistemic. The shifts in strength appear with roughly the same frequency as those present in the examples with *should*. On the contrary, the legal *ought to* numbers about three times as many shifts in strength than the literary *ought to*. In the examples with the priority *ought to*, strong modality situations, i.e. those that require a high degree of obligation, which in case of failure may result in the consequences

posing a threat to human life, are found rarely (in about 18% of the cases). Most cases have to do with a weak or intermediate modal strength, where the obligation arises from a request that is subject-oriented or where the source is in a hierarchically superior position with respect to the discourse participants. For example, in the weak modality domain, *ought to* is mostly used to express the speaker's opinion or their giving advice, as shown by the following example.

(45) (ST) *Narcissa, I think we **ought to** hear what Bellatrix is bursting to say; it will save tedious interruptions.* (HBP 25)

(TT) *Narcissa, **mislim** da bismo trebali poslušati to što Bellatrix očito silno želi reći, da se poštedimo daljnjih zamornih upadica.* (Cro. 26)

All priority shifts in strength that appear are determined by one of the following factors (in some examples more than one factor is present) (after Verhulst et al. 2012): the gravity of non-compliance (46), the party that is meant to benefit from the fulfilment of the obligation (46), formulaicity of expression (47, 48), the social relation between the discourse participants (47), and institutional rules (47, 48). Take a look at the examples in turn.

(46) (ST) *I returned to Hogwarts intending to keep an eye upon him, something I should have done in any case, given that he was alone and friendless, but which, already, I felt I **ought to** do for others' sake as much as his.* (HBP 276)

(TT) *Vratio sam se u Hogwarts s odlukom da ću ga držati na oku, što bih ionako učinio, s obzirom na to da je bio sam i bez prijatelja, ali već mi se onda činilo da to **moram** činiti ne samo radi njegove sigurnosti, nego i radi sigurnosti drugih ljudi.* (Cro. 223)

In (46), the obligation originates in a subjective (discourse-internal) source but fulfilment of the obligation primarily benefits some other person(s). It therefore may be deemed necessary to actualise the situation when the good of other people is at stake. Furthermore, the consequences of not doing so in this case may adversely affect other people's safety.

(47) (ST) *First years **ought to** know that the forest in the grounds is out of bounds to students — and a few of our older students ought to know by now too.* (OoF 210)

(TT) *Prvoškolci **moraju** znati da je učenicima zabranjen pristup u šumu u sklopu perivoja - a to je dosad trebao naučiti i pokoji naš stariji učenik.* (Cro. Ch. 11)

In (47), as many as three factors influence the strengthening of the modal verb in the translation. The first of these is the formulaic nature of the statement. It is pretty much a set expression frequently used by teachers. The second factor is the social relation between the discourse participants, where the lecturer is in a superior position over their students, which makes their statements pragmatically stronger. The third factor is an institutional rule - the institution prohibits first-grade students from accessing the forest and this prohibition must be respected. The institutional rule factor also applies in the following example.

(48) (ST) *You'll want to know which subjects you **ought to** take, I suppose?* (OoF 662)

(TT) *Sigurno vas zanima koje biste predmete **morali** polagati? upita ona, nešto glasnije nego prije.* (Cro. Ch. 29)

It goes without saying that subjects are to be taken in order for students to pass grades. Hence non-compliance is not an option.

In the following example, the only factor that strengthens the modal verb is the formulaic nature of the statement. When translating set expressions, the translator rarely adheres to the literalness of the expression, but adapts it to the equivalent wording of the target language.

(49) (ST) *And I **ought to** tell you now, Potter, that I do not accept students into my N.E.W.T. classes unless they have achieved 'Exceeds Expectations' or higher at Ordinary Wizarding Level.* (OoF 662–663)

(TT) *I tu **moram** istaknuti, Potteru, da ja na satove za OČI ne primam učenike koji na ispitu za ČAS nisu dobili bar ocjenu "iznad očekivanja".* (Cro. Ch. 29)

The final example carries the epistemic flavor.

(50) (ST) *Harry felt sure that there **ought to** be a security person there, sure that their absence was an ominous sign, and his feeling of foreboding increased as they passed through the golden gates to the lifts.* (OoF 769)

(TT) *Harry je bio siguran da bi se tu **morao** nalaziti čuvar i da njegova odsutnost ne sluti na dobro.* (Cro. Ch. 34)

In this example, semantic amplification is in effect. The influence of a lexical marker, specifically the adjective *siguran* ('sure'), does not leave room for tentativeness that would otherwise be present if a translation with the equivalent modal verb (*trebati*) were employed.

Certainty in the statement tends towards the meaning of strong (logical) necessity, in which domain the main item is the verb *morati* ('must').

In the literary corpus, all but one shift in the means of expression are expressed by a translation employing non-modal constructions. In this case, there is a dose of systematicity that has not been present regarding the translations with the previous two verbs (*must* and *should*). Namely, in the examples translated with non-modal constructions, the semantic framework of the recommendation is present. Here, the verb *ought to* does not carry the meaning of obligation but rather that of advisability, where it tends more towards the modal sphere of possibility than necessity. It is characteristic of such examples that they are translated with phrasemic wording suggesting that some act is desirable. The wording *biti dobro* is used twice (*bilo bi dobro* and *bolje da*) and once the wording *ne bi bilo loše*, where the translator has employed modulation, i.e., a change in the perspective of the statement while retaining the meaning. The following example illustrates this type of shift.

(51) (ST) *We **ought to** double back for a bit, just to make sure we're not being followed!"*
Moody shouted. (OoF 57)

(TT) *Bilo bi dobro da se neko vrijeme vraćamo istim putem kojim smo došli, da budemo sigurni kako nas nitko ne prati!" zaurla Moody. (Cro. Ch. 3)*

The remaining examples in which a non-modal translation occurs have the verb *ought to* in a subordinate clause acting as a postmodifier. Due to this fact, such a translation would possibly turn out to be clumsy in the case of word-for-word translation. See the following example.

(52) (ST) *If you ask me, he's not dangerous unless he's got support, so it's Black we **ought to** be worrying about. (HBP 8)*

(TT) *Ako mene pitate, opasan je samo ako ima potporu, što znači da nam je sad glavna briga Black. (Cro. 12–13)*

The final example has to do with the omission of the modal verb.

(53) (ST) *He did not want to hear what Ron had to say, did not want to hear Ron tell him he had been stupid, or suggest that they **ought to** go back to Hogwarts. (OoF 779)*

(TT) *Nije htio čuti kako mu Ron govori da je bio glup ili kako mu predlaže da se vrate u Hogwarts. (Cro. Ch. 34)*

Here, the mandatory use of the verb *ought to* crops up, which is therefore omitted in the translation. Take notice of the fact that the mandatory form of the verb can be omitted in the original text without any change in meaning: (...) *or suggest that they (ought to) go back to Hogwarts.*

4.2.7. *May – legal corpus*

The results obtained by analyzing the modal verb *may* in the legal corpus show that the modal verb *moći* is by far the most common translation solution for *may*. With respect to the flavors present, *may* has a less unanimous semantic profile than *must*, *should* and *ought to*, at least regarding the legal data. Even though the priority flavor is largely dominant with about 81% of occurrences across the corpus, a significant percentage refers to the epistemic and dynamic flavors, which comprise 11% and 8% of the examples, respectively. With regard to the ST provisions containing *may*, a few peculiarities stand out. The first of them is the frequent appearance of provisions with the meaning of authorization. These clearly dominate over the other two meanings of requirement and obligation, with the former being the second most frequent one, while the latter is non-existent. The typical provision with *may* contains a subject (addressee) which is most often a designated institution to which a superior institution grants the right to take further actions in which the former has decision-making autonomy. This is illustrated by the following example, in which the agent is the Council of the EU and the addressee is the Special Committee.

(54) (ST) *The Special Committee, on the basis of a proposal by the administrator, **may** decide that additional contributions will be called before the adoption of an amending budget for the operation.*

(TT) *Posebni odbor, na temelju prijedloga administratora, **može** donijeti odluku da se zatraže dodatni doprinosi prije usvajanja izmjena proračuna za operaciju.*

In a significant number of cases (approximately 25%), the proposition has some form of conditional meaning, the most common of which is the one with the *if*-clause, but there are also other linguistic markers such as *where* or set phrases such as *on the condition*. See example (55).

(55) (ST) *Where the competent authorities of a Member State decide, at the express request of the Commission, to initiate or continue judicial proceedings with a view to recovering amounts unduly paid, the Commission **may** undertake to reimburse the Member State all or part of the judicial costs and costs arising directly from the proceedings, on presentation of documentary evidence, even where the proceedings are unsuccessful.*

(TT) *Ako nadležna tijela države članice na izričiti zahtjev Komisije odluče pokrenuti ili nastaviti sudski postupak u svrhu povrata pogrešno plaćenih iznosa, Komisija **može** odlučiti državi članici u cijelosti ili djelomično nadoknaditi sudske troškove i troškove koji proizlaze izravno iz postupka, na temelju predočanja dokumentiranih dokaza, čak i ako postupak nije bio uspješan.*

Knežević and Brdar (2011) give a similar example showing the conditionality of provisions in which *may* appears. *May* may be argued as some kind of substitutional force that is exercised on the condition that the previous options succeed or fail, depending on the condition set.

In the case of the epistemic examples, the large presence of the verb *may* in subordinate clauses and the translation with the conditional form of the verb *moći* (moglo bi) stands out, as illustrated by (56).

(56) (ST) *Member States should communicate any significant infringement of the marketing standards so that other Member States that **may** be affected can be alerted in an appropriate manner.*

(TT) *Države članice trebaju obavješćivati o svim značajnim kršenjima tržišnih standarda tako da se na prikladan način mogu upozoriti ostale države članice koje bi **mogle biti** ugrožene.*

Also, all three examples with past-time references (*may have + pp*) are in the domain of epistemic modality and are translated with the adverb *možda*.

(57) (ST) *While the factors mentioned above **may** indeed have had an impact on the average costs they cannot explain why Union producers had to reduce their prices below their cost of production.*

(TT) *Iako su spomenuti čimbenici **možda** uistinu utjecali na prosječne troškove, njima se ne može objasniti zašto su proizvođači iz Unije svoje cijene morali smanjiti ispod svog troška proizvodnje.*

There are a few examples with a dynamic use of *may*. Dynamic examples are often of peripheral meaning and can only be separated from epistemic meaning with the help of a wider context. *May* in such contexts serves as a more formal expression of the verb *can* and as such is common in legal discourse:

(58) (ST) *This discharge procedure **may** produce one of two outcomes: the granting or postponement of the discharge.*

(TT) *Postupak davanja razrješnice **može** imati jedan od sljedeća dva ishoda: davanje razrješnice ili njezino odlaganje.*

There are no shifts in the strength of this modal verb to be found in the legal corpus. A possible explanation may lie in relatively narrow semantic boundaries with respect to possibility force, which makes the space for semantic maneuvering less pronounced. For instance, within the semantic framework of priority necessity, there are strong obligation and weak obligation meanings (with their further appurtenant nuances). On the other hand, even if there is such a thing as strong permission and weak permission regarding priority possibility, it is not evident *per se*. Furthermore, it is unlikely that a modal verb expressing the possibility meaning would make a shift to necessity because that occurrence would not only increase its strength but also indicate a shift in the entire modal force. Needless to say, a shift from the meaning of permission to that of obligation is highly unlikely for practical reasons. Moreover, even shifts within the frame of possibility force itself are unlikely to happen, since here verbs in both English and Croatian are of relatively comparable strengths (*may/can, moći/smjeti*), which is why there are no clear boundaries as is the case with necessity force, where there are weak and strong obligation verbs. Therefore, it has been assumed that shifts in the strength of the verbs belonging to possibility force will be less frequent, which turns out to be correct.

On the other hand, shifts in the means of expression are somewhat more frequent, but there are still almost three times as few of these as is the case with the legal *must* and *should*, and roughly the same number as with the verb *ought to*. They are expressed in translation by omission and adverbs. Take a look at both such examples found in our corpus.

(59) (ST) *Food-grade acids, alkalies, and salts **may** be used to assist caramelization.*

(TT) *Za pospješavanje karamelizacije upotrebljavaju se kiseline, alkalije i soli primjerene za prehranu.*

In (59) the use of the present indicative is encountered again, which now extends its scope to possibility force. I have not found an explanation by the legal drafters defending such use. It has already been said that the present indicative can be used to express strong and weak obligations, so obviously there is no problem even if it is used in the case where the meaning of permission is present.

It is interesting to note the use of the verb *smjeti* in the translation. Although there are too few such examples (2) to draw any general conclusions based on them, in both of the examples the meaning is reinforced by the adverb *samo* ('only'), which narrows the scope of permission.

(60) (ST) *Flavouring substances with restrictions of use **may only** be added to the listed food categories and under the specified conditions of use.*

(TT) *Aromatične tvari s ograničenjima uporabe **smiju** se dodavati samo navedenim kategorijama hrane i pod navedenim uvjetima uporabe.*

Further insight into these cases is required regarding the arguably greater strength of *smjeti* when compared with *moći*.

4.2.8. *May – literary corpus*

The results of the analysis of the modal verb *may* in the literary corpus show that the most frequent translation item for the modal verb in question is the adverb *možda* ('maybe', 'perhaps'). Here, as in the case of *must* in the literary corpus, the epistemic flavor prevails, which explains such a result. The second most common is the priority flavor, while in a smaller percentage of the examples *may* is used in formulaic constructions whose modal meaning is marginal.

Among other features, the use of verbs in the *may have + pp* constructions stands out, which make up a little more than a fifth of the total examples and without exception belong to the epistemic flavor. Also, in the priority flavor, the translation options *moći* and *smjeti* are relatively equally represented. *Moći* has a slight advantage in terms of the number of appearances, with *smjeti* following closely. This reflects the difference compared to the legal corpus, in which *moći* is virtually the only translation item when it comes to modal verbs, while

smjeti appears in a negligible number of cases. I will look at the context in which both verbs appear shortly.

Shifts in the strength of the modal verb have been noted in only two examples. In the first, possibility turns into weak logical necessity, thereby changing not only flavor but also force (61).

(61) — *by which time, many of you **may** be ready to take your tests," Twycross continued, as though there had been no interruption. (HBP 382)*

*(...) što znači da bi mnogi od vas dotad **trebali** bez problema izaći na ispit", nastavio je Twycross kao da ga nitko nije prekinuo. (Cro. 308)*

In the given example, there is no pragmatic value that a literal translation would bring. In addition, the conditional form of the verb *trebati* is in itself not far in strength from possibility force. In English, *may* expresses a degree of probability that is quite comparable to the intuitive strength of the conditional of the verb *trebati* in the Croatian language. Furthermore, a translation with *moći* here would introduce a dose of ambiguity because it would not be clear at first that it might not be a question of the priority flavor, i.e., permitting students to take the exam.

Another such example shifts the strength from possibility to strong logical necessity. This is the greatest degree of shift that has occurred in all the examples investigated so far. See (62).

(62) (ST) *Nymphadora Tonks **may** need to spend a little time in St. Mungo's, but it seems that she will make a full recovery. (OoF 822)*

*(TT) Nymphadora Tonks će neko vrijeme **morati** ležati u Svetom Mungu, ali čini se da će se potpuno oporaviti. (Cro. Ch. 37)*

In this example, the translator shifts the entire flavor (epistemic to priority) and strengthens the expression in the translation. What can be observed in this example, as well as in the examples that have been mentioned so far, is that priority in determining the strength given to the modal verb most often (when no other element affecting the strength of the modal verb is present) lies in its syntactic environment. So here, the translator has decided to take the lexical modal verb *need* as a guide, which in the zone of obligation is remarkably stronger than *may*, and transfer the translation to the zone of strong obligation.

The biggest difference between the two genres of translation regarding *may* is shifts in the means of expression of the modal verb. This case is very similar to the one of *must* described

in Section 4.2.2. Namely, this type of shift is represented to the greatest extent in the framework of epistemic modality. This being the case, a translation that should express probability, and which would include the verb *moći*, would be marked and stylistically clumsy. Therefore, the translator most often opts for a more natural and elegant solution, which is translating with an adverb (in a vast majority of instances with *možda*), as in the following example.

- (63) (ST) *Black's a known Muggle killer and **may** be planning to rejoin YouKnow-Who. . . .*
But of course, you don't even know who YouKnow-Who is! (HBP 8)
(TT) *Black je otprije poznat kao ubojica bezjaka i **možda** se planira pridružiti Znate-već-kome... pa da, vi uopće ne znate tko je Znate-već-tko! (Cro. 12)*

Since epistemic modality is relatively underrepresented in legal texts, this is where the differences in the amount of shifts between these two genres arise.

The second most common type of shift in the means of expression involves translations with omitting the modal verb. See the following example.

- (64) (ST) *"I am not proud . . ." he whispered through his fingers. "I am ashamed of what — of what that memory shows. . . . I think I **may** have done great damage that day. . . ."*
(HBP 490)
(TT) *"Ne ponosim se..." šapne on kroz prste. "Sramim se zbog onoga... što to sjećanje prikazuje... **mislim** da sam tog dana prouzročio veliku štetu..." (Cro. 393)*

These cases are characterized by the modal verb almost always appearing attached to a lexical verb that in itself expresses a degree of certainty in the statement, relying on semantic enrichment. A vast majority of the examples are epistemic. The main verb is in most cases stative and predominantly relates to thought and feelings, such as *think*, *know*, and *feel*. Accordingly, in the examples where omission has taken place, the modal verb is predominantly found in a subordinate clause.

Of the other examples, there are several translated phrasemic expressions, which translate formulaic constructions from the original text, and non-modal constructions, but due to the small number of such examples (3 and 2 respectively), I will not go into their detailed analysis.

5. Conclusion

In this paper, the general characteristics of modal verbs in legal and literary translation between the translation pair English-Croatian were analyzed. Emphasis was placed on shifts in the strength of modal verbs and their means of expression that occurred in translation. By examining these shifts I aimed to find out what motivated the translator to choose a certain translation solution that would cause a shift in modality and how those solutions reflected the general characteristics of the two genres being analyzed with respect to modality in terms of their syntactic, semantic, and pragmatic features appearing in the translation process.

The results showed that shifts in the strength of the modal verb *must*, which was translated predominantly as *morati*, were found to be more prevalent in the legal than literary corpus. The possible reason could be the existence of a strong framework of rules and regulations in legal discourse, which allows a weaker modal verb to draw on its strength. Such a framework is not predetermined in literary discourse, causing the translator most often to follow the most straightforward translation solution. On the contrary, shifts in the means of expression of the same modal verb were much more common in the literary corpus due to the strong prevalence of the epistemic modal flavor, for the translation of which the use of the equivalent modal verb *morati* would have been stylistically marked, so the adverb *sigurno* was used in a vast majority of such instances, which at the same time was the most common solution regarding the literary *must* overall. The omission of the modal verb was a very common solution in both genres. However, in the case of the legal corpus it was motivated by the conventions of legal translation, whereas in the literary corpus the main factor causing it were lexical markers appearing in the syntactic environment of the modal verb, enriching it semantically.

The modal verb *should* in the legal corpus was translated in the overwhelming majority of the cases with the conditional form of *trebati* ('trebalo bi'), carrying the priority flavor. There were fewer shifts in the strength of this verb than was the case with *must*, the explanation for which might lie in deprivation of the contextual complexity that is present with *must*, stemming from the fact that the latter is difficult to be semantically distinguished from the modal verb *shall*, with which it shares the same semantic slot. The literary *should* was also translated with *trebati* for the most part, and it was predominantly epistemic. Overall, the analysis of this verb demonstrated relatively compatible results across the two genres of translation with respect to

modal shifts, with the literary texts being only slightly ahead regarding the number and percentage of the examples comprising the shifts in modal strength, as well as those in the means of expression.

The findings concerning *ought to* indicated that *trebati* was its most common translation in the legal corpus. It carried the priority flavor. This modal verb stood in stark contrast to the legal (and literary) *should* regarding the shifts in modal strength, numbering three times as many of those as was the case with *should*. It was only translated in 15% of the cases with the conditional form of *trebati* ('trebalo bi'). *Ought to* was arguably stronger than *should* only in the literary corpus. This could be explained by taking into consideration legal conventions, which claim that *ought to* is more objective verb that expresses a stronger obligation when referring to public and moral behavior. Furthermore, its rare appearance in legal discourse may emphasize the obligation, prompting the translator to find a stronger verb than the one normally used as the translation of *should*. *Ought to* was found in a significant number of cases to have a past-time reference. However, with regard to the literary texts, the difference between *ought to* and *should* was eliminated. *Ought to* was translated with the conditional form of *trebati* ('trebalo bi') in approximately 70% of the cases, being identical in that respect to *should*. The results regarding *ought to* in the literary corpus showed that the most common translation solution for this modal verb was *trebati*. As for the flavors present in this case, the priority flavor was the most frequent one. *Ought to* produced relatively compatible results across the two genres of translation with regard to shifts in the means of expression.

The modal verb *may* in the legal corpus was translated predominantly with *moći*. *May* had a less unanimous semantic profile than the previous three modals regarding the legal data, with a significant percentage of epistemic and dynamic flavors. It typically appeared in the provisions with the meaning of authorization. No shifts in the strength of *may* were found, which might be due to narrow semantic boundaries regarding possibility force. The literary *may* has *možda* as its most frequent translation solution. Here, the epistemic flavor prevails, which, paralleling it with the case of *must*, explains such a result. In the literary corpus, *moći* and *smjeti* are relatively equally represented, which makes a difference in comparison to the legal corpus, in which *moći* is virtually the only translation item when it comes to modal verbs, while *smjeti* appears in a small number of cases.

Overall, the results of this research showed that shifts in the strength of modal verbs were

more dominant in the legal corpus, primarily due to the strong framework of rules, regulations and contextual situations into which modals were embedded. On the other hand, shifts in the means of modal expression were more frequent in the literary corpus, primarily for the reason of the great role of epistemic modality in this genre, the translation of which with a modal verb would be stylistically marked, prompting the translator to use other word classes in translation. Contextual enrichment of the semantic content of modal verbs provided by lexical markers also played a major role in causing shifts in the means of expression in the literary corpus, while in the legal corpus these shifts were prompted mainly by legal conventions.

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