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A CONTRASTIVE ANALYSIS OF MODAL PASSIVE CONSTRUCTIONS IN ENGLISH-TO-FRENCH TRANSLATION OF THE AFRICAN YOUTH CHARTER

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Abstract

This article examines the translation of modal passive constructions in the African Youth Charter (AYC) from English into French. Modal passives play a crucial role in legal texts by encoding obligation, permission, prohibition, and possibility while maintaining neutrality. Yet, their translation often requires structural shifts, as direct equivalents are not always available across languages. Using a contrastive analysis, the study identifies modal passive forms in the English version of the African Youth Charter and analyzes their renderings in the French version as found on the African Union Website. The findings reveal systematic transformations, including conversions into the active voice, tense modifications, and the use of infinitival constructions. These patterns demonstrate how translators balance linguistic constraints with functional requirements in legal discourse. Interpreted through skopos and interpretive theories, the results highlight the strategies by which modality and agency are preserved or adapted in translation. The study contributes to understanding how multilingual legal instruments achieve clarity and consistency, while also reflecting the dynamics of cross-linguistic legal communication.

Keywords: African Youth Charter, interpretive theory, legal translation, modal passive constructions, skopos theory.

Résumé

Cet article examine la traduction des constructions passives modales dans la Charte africaine de la jeunesse (CAJ) de l'anglais vers le français. Les passifs modaux jouent un rôle central dans les textes juridiques en exprimant l'obligation, la permission, l'interdiction et la possibilité tout en préservant la neutralité. Toutefois, leur traduction exige souvent des ajustements structurels, car il n'existe pas toujours d'équivalents directs entre les deux langues. À partir d'une analyse contrastive, l'étude met en évidence les formes passives modales dans la version anglaise de la Charte africaine de la jeunesse (CAJ) et examine leur traitement dans la version française de la charte disponible sur le site web de l'Union africaine. Les résultats révèlent des transformations systématiques, notamment des conversions à la voix active, des modifications temporelles et le recours à des constructions

infinitives. Ces régularités montrent comment les traducteurs concilient des contraintes linguistiques et exigences fonctionnelles du discours juridique. Interprétés à la lumière de la théorie du skopos et de la théorie interprétative, les résultats mettent en évidence les stratégies par lesquelles la modalité et l'agentivité sont préservées ou adaptées en traduction. L'étude contribue ainsi à une meilleure compréhension des mécanismes qui assurent la clarté et la cohérence dans les instruments juridiques multilingues, tout en reflétant les dynamiques de la communication juridique interlinguistique.

Mots-clés : Charte africaine de la jeunesse, constructions passives modales, théorie interprétative, théorie du skopos, traduction juridique.

1. Introduction

In multilingual institutional settings, legal and policy documents are drafted and translated with a high degree of precision to ensure equal authority across languages (Šarčević, 1997). In the context of African supranational governance, English and French number among the six major working languages of the African Union. Foundational legal instruments such as the African Youth Charter are therefore produced in parallel language versions that carry equivalent legal force. The translation of such documents is not merely a linguistic exercise but a normative act that shapes the articulation of rights, obligations, and institutional responsibilities.

A prominent feature of legislative discourse is the modal + passive construction. Expressions such as “**shall be implemented**”, “**must be protected**” or “**should be protected**” encode varying degrees of obligation, necessity or authority. (Collins, 2009). By combining modality with passivization, legal texts are able to articulate binding norms while minimizing reference to specific agents, thereby reinforcing an impersonal and institutional tone. Although modality and passive voice have each received considerable scholarly attention in linguistics and translation studies, their interaction, particularly in English-to-French legal translation, has not been systematically examined. Existing research has tended to treat modality and voice as separate phenomena. Such research has also focused primarily on European Institutional corpora. Consequently, there remains a gap in understanding how the combined structure of modal passives is rendered from English into French in African supranational legal texts. The present study seeks to address this gap by analyzing how modal passive constructions in the English version of the African Youth Charter are rendered in the French version and by identifying the structural transformations that occurs in the process.

1.1 Background to the study and research problem

The African Youth Charter (hereinafter AYC) is a legal and political framework that was adopted by the “Seventh ordinary session of the Assembly of Heads of State and Government” of the African Union (hereinafter AU) on July 2, 2006, to promote and protect the rights, freedoms, and responsibilities of young people across the African continent. (Abdullahi Manu & Habu, 2024, p. 47; Ubi, 2007, p. 2). It is an official document that guides youth empowerment and policy implementation. Abdullahi Manu & Habu (2024, p.

47) assert that it is “a holistic guiding framework for the signatory countries of the AU” which “addresses the fundamental flaws that negate or deny young people in the continent the right to participate in the political, economic, and social development processes”. The AYC Charter is founded on the belief of signatory member countries as stated in the Charter’s Preamble that “Africa’s greatest resource is its youthful population and that through their active and full participation, Africans can surmount the difficulties that lie ahead”, (African Youth Charter, 2006). Given the importance of this Charter, we deem it relevant to explore the linguistic phenomenon of the passive voice which is typical of legal English. Lulu (2023) affirms that “the passive voice is a common grammatical phenomenon in English, especially legal English. Given the multilingual nature of the AU, the AYC has been made available in four languages namely, Arabic, English, French and Portuguese. (African Union Commission, 2023). The legislative nature of the AYC necessitates the frequent use of the passive voice to convey obligations, responsibilities, and mandates in an impersonal and formal manner. However, the translation of the passive voice from English to French presents linguistic and structural challenges owing to differences in syntactic preferences between the two languages. (Delisle, 2003; Gagne & Wilton-Godberfforde, 2021).

The Passive voice is a common feature in formal and legal English, often used to emphasize actions rather than actors, thereby creating a sense of objectivity and authority. (Lulu, 2023). The French language tends to favor active constructions or alternative passives and impersonal structures. Delisle (2003, p. 425) affirms that “l’anglais affectionnerait le passif, tandis que le français ami des tournures actives, chercherait à l’éviter à tout prix”. These differences raise important questions about how passive constructions in the AYC are translated into French and whether they retain their intended meaning and legal force in the French version.

This study aims to conduct a contrastive analysis of modal passive constructions in the AYC English text and its French translation. By identifying modal passive constructions in English and examining their corresponding translations in French, this research seeks to uncover the strategies employed in rendering modal passives across these two languages. The findings will contribute to a deeper understanding of the syntactic and functional shifts that occur in legal and institutional translations, especially within the multilingual operations of the African Union. In addition, the study will shed light on broader translation challenges faced in rendering modal passive constructions from English to French in legal and policy documents.

1.2 Research objectives

The study is guided by the following research objectives:

- a. To identify modal passive constructions in the English version of the AYC.
- b. To analyze shifts in syntactic structure when translated into French.
- c. To identify the patterns that emerge as modal passive structures are translated from English into French.

2. The passive voice

According to Siewierska (1984, p. 2), the term “passive” covers diverse constructions in many languages. She cites the following as typical characteristics of passive constructions:

- a. The subject of the passive clause functions as the direct object in the corresponding active version.
- b. In the passive form, the subject of the active clause may appear as an agentive phrase or may be omitted altogether.
- c. The verb is realized in a passive form.

Quirk et al. (1985) explain that typically, the passive is formed using the form of “be + a past participle”. For example:

Active voice: *The committee approved the proposal.*

Passive voice: *The proposal was approved by the committee.*

“*The committee*” which is the subject of the sentence in the active voice becomes the agent in the passive voice.

Alcaraz Varó & Hughes (2014, p. 19) assert that the passive voice is used in legal language “to suppress the identity of the agent responsible for the performance of the act” or when the implied subject is too obvious to need stating”. They cite the example:

“No submissions will be accepted after the stated date”.

Here the agent “*by any party*” “according to them is implied.

Legal English often prefers the use of modals to emphasize, rules, and legal requirements while de-emphasizing the actor. (Williams, 2007) . The modal passive structure is formed by combining a modal auxiliary verb such as *shall*, *may*, *must*, and *can* with a passive construction (be + past participle) The structure of the modal passive is: “Modal + be + past participle”. For example:

The rent agreement must be signed by both parties.

In legal documents, particularly, the legislative genre, modal passives convey obligation permission, possibility or necessity. (Biel, 2014; Boginskaya, 2021; El-Farahaty & Elewa, 2020)

3. Theoretical framework

The present study is grounded in two translation theories, namely, the skopos theory and the interpretive theory. The skopos theory, which was introduced by Hans J. Vermeer, emphasizes the purpose (skopos) of a translation. It posits that translation is not merely a linguistic transfer but a goal-oriented action, where the function of the text dictates translation choices. On the other hand, the interpretive developed by Danica Selecovitch and later expanded by Marianne Lederer focuses on the sense of the text.

3.1 Skopos Theory

The skopos theory is a functionalist approach to translation which was introduced by the German translator, Hans J. Vermeer in 1978. Schaffner (1998), “affirms that translation is not a process of transcoding but a specific form of human action”. Just as every human action has a purpose, translation has a purpose. Thus, the Greek word “skopos” which literally means “purpose” or “function” is the term that Vermeer adopts to refer to the

purpose of translation. Reiß & Vermeer (2014) assert that “a translational action is governed by its purpose”. Thus, before a translator begins a translation task, he needs to define the skopos of the translation. The skopos of the translation should be clearly defined in the translation brief. The skopos determines the methods and strategies the translator would resort to (Munday, 2008, p. 79). The main idea of this theory is that translations should be guided by their intended function in the target culture, rather than strictly adhering to the form of the source text.

3.2 Interpretive Theory (Theory of Sense)

Lederer (2016), asserts that the interpretive theory was introduced in 1960 by Danica Selescovitch. Having lived in many countries, Selescovitch was endowed with the ability to speak many languages. She soon discovered that meaning or sense was not linked to the languages that conveyed it. She proceeded to propose the three stages of translation, namely, “understanding”, “deverbalization” and “reformulation”, where the translator grasps meaning, detaches from the linguistic form, and re-expresses the message in a way that aligns with target language norms. (Lederer, 2016).

3.2.1 The translation process

The translation process as proposed by Selescovitch & Lederer (1984) begins with “understanding”. (Lederer, 1997). At this stage, understanding the text is not limited to decoding words and grammatical structures. Rather, it involves combining the new information presented in the text with the translator’s existing linguistic knowledge, world knowledge, and awareness of the communicative context (Lederer, 2016, p. 11). Through this integration of prior knowledge and textual cues, the translator develops a coherent interpretation of the message and the intention of the source text, which forms the foundation for the subsequent stages of the translation.

The deverbalization stage refers to the phase of the translation process in which the translator detaches the understood meaning of the source text from its original linguistic form. After understanding the message, the translator no longer focuses on the specific words or grammatical structures of the source language but instead retains a mental representation of the underlying sense. (Lederer, 2016, p. 12). At this stage, meaning is processed at a conceptual level, independent of the original wording. This allows the translator to avoid literal, word-for-word transfer and prepares the ground for an effective reformulation of the message in the target language according to its own stylistic norms.

The reformulation stage is the final phase of the translation process in which the translator re-expresses the meaning previously understood and deverbalized in the target language. At this stage, the translator selects linguistic structures, vocabulary, and stylistic features that conform to the norms of the target language and the communicative purpose of the text. Rather than reproducing the surface structure of the source text, the translator focuses on producing a natural, coherent, and contextually appropriate target text that conveys the same sense.

The interpretive theory is particularly useful for complex grammatical constructions like modal passive constructions, which carry subtle meanings such as obligation, permission

and possibility. It also allows for flexible restructuring when English structures may not map directly to French structures. For example:

English: “Youth must be empowered to participate in governance.”

French (literal translation): *La jeunesse doit être habilitée à participer à la gouvernance.*

Reformulated (as guided by the interpretive theory): *Il est nécessaire que la jeunesse puisse participer à la gouvernance.*

Here, the meaning is preserved, but the structure is adapted to sound natural in French and convey the same modal nuance.

3.3 Relevance of the two theories to the study

The skopos theory and the interpretive theory are highly relevant to the study as they emphasize the target audience and the need for adaptation.

3.3.1 Focus on target group

Both the skopos theory and interpretive theories focus on the target group. They transfer the message of the source text by taking into account the needs and context of the target group. They are of the view that the message should meet the needs of the target group. According to Vermeer, to translate is to “produce a target text in a target setting for a target purpose and target addressees in target circumstances”. (Nord, 2018, p. 12; Reiß & Vermeer, 2014, p. 74).

3.3.2 Involve adaptation

Another key point of convergence between the two theories is their recognition of adaptation as an essential component of translation. Skopos theory views translation as a purposeful activity in which the function of the source text may be adapted to fulfill the communicative purpose of the target text (Nord, 2018). In a similar vein, the interpretive theory of translation emphasizes the reformulation of meaning in a manner that suits linguistic and contextual norms of the target language. In both frameworks, adaptation is seen not as a distortion of the source text but as a necessary strategy for achieving functional and semantic equivalence. From this study, such an understanding of adaptation is crucial for analyzing how translators adjusted modal passive constructions found in the English version of the African Youth Charter to preserve their intended force and meaning in the French version of the Charter.

4. Methods

The present study is a case study which seeks to explore, describe and explain how modal passives in AYC are translated into French. It is qualitative research involving the description and assessment of translation shifts. The corpus selected for the research is the English version of the AYC and its official French translation. Both the source and target texts were retrieved from the African Union website. The source text and target texts were

aligned using SDL Trados Studio. The aligned corpus was then imported into Sketch Engine for corpus analysis. Passive constructions in the English text were then identified and classified using the Sketch Engine Corpus Query Language Tool (CQL). The CQL we entered to generate the modal passive constructions was `[tag="VH.*|MD"]? [tag="VB.*"] [tag="VVN"]`. In the tagset, tag “is a label assigned to each token in an annotated corpus to indicate the part of speech, grammatical categories and morphological information”. (Sketch Engine, 2025). VH refers to modal or auxiliary verbs, the symbol ‘|’ is an OR operator meaning the tag can match either "VH.*" or "MD", the tag MD corresponds to modal verbs (can, could, shall, should, may, might, will, would), VB refers to the base form of a verb (run, eat, go, etc.), and "VVN" refers to past participles of lexical verbs. Having generated the modal passives using the above-mentioned tagset, we analyzed and categorized corresponding structures in the French translation version of the Charter. Next, we examined the translation shifts - passives that were retained, transformed into active voice or reformulated using other expressions.

5. Results

The study sought to identify modal passives that depict obligation, authority and objectivity in the AYC. With the aid of the Corpus Query Tool (CQL) of Sketch Engine, we identified 41 passive constructions in the English source text, 22 of which are modal passive constructions, representing 53. 7%. This indicates that the majority of passive constructions in the English source texts are modal passives, which can be attributed to the authoritative nature of legislative texts. The table below shows the modal passive constructions in the source text. They are presented according to their unit numbers in the corpus.

Table 1

Unit number as it appears in the corpus	Modal Passive
2	Shall be entitled to
4	Shall be assured
7	Shall not be compelled
9	Shall be informed
10	Shall be integrated
11	Shall be framed
12	Shall be targeted
13	Shall be adopted
14	Shall be set
15	Shall be developed
17	Shall be outlined
18	Shall be accompanied
19	Shall be embraced
20	Shall be directed
23	Should be established
29	Can be reintegrated
31	Shall have the right to be treated
33	Shall be segregated

38	Shall be taken
39	Shall be deposited
40	May be amended
41	Shall be approved

Table 2

Of the 22 modal passive constructions identified in the English text, 10 were retained as modal passives in the French translation accounting for 45.45%. This figure represents less than half of the modal passives present in the original English text. These findings suggest that modal passives in English legislative texts are not always rendered as modal passives in their French counterparts.

English Modal passive constructions retained as modal passives in the French version of the African Youth Charter	
ENGLISH	FRENCH
“should be established” “In this regard, an African discoveries day should be established along with mechanism of awarding prizes at the continental level” (African Youth Charter, 2006)	« doit être mise » « A cet effet, une journée africaine des découvertes doit être mise en place avec l'institutionnalisation des prix au niveau continental. » (Charte Africaine de la Jeunesse, 2006)
“shall be taken” “Nothing in this Charter shall be taken as minimising higher standards and values contained in other relevant human rights instruments ratified by States concerned or rational law or policies” (African Youth Charter, 2006)	« devra être utilisée » « Aucune disposition dans la présente Charte ne devra être utilisée pour remettre en question des principes et des valeurs contenus dans d'autres instruments pertinents de promotion des droits de l'homme, ratifiés par les Etats concernés ou dans des lois ou des politiques rationnelles » (Charte Africaine de la Jeunesse, 2006)
“may be amended” “The present Charter may be amended or revised if any Member State makes a written request to that effect to the Chairperson of the Commission,” (African Youth Charter, 2006)	« peut être amendée » « La présente Charte peut être amendée ou révisée si un Etat Partie envoie à cet effet une demande écrite au Président de la Commission, » (Charte Africaine de la Jeunesse, 2006)
“shall be approved” “An amendment shall be approved by a simple majority of the Member States” (African Youth Charter, 2006)	« devra être approuvé » « Un amendement devra être approuvé par une simple majorité des Etats membres » (Charte Africaine de la Jeunesse, 2006)
“shall be integrated”	« doit être prise en considération »

“A youth perspective shall be integrated and mainstreamed into all planning and decision-making as well as programme development.” (African Youth Charter, 2006)	« La perspective jeune doit être prise en considération dans la planification, les prises de décisions ainsi que dans l'élaboration des programmes. » (Charte Africaine de la Jeunesse, 2006)
“shall be framed” “Mechanisms to address these youth challenges shall be framed within the national development framework of the country”	doivent être conçus « Les mécanismes visant à relever ces défis doivent être conçus dans le cadre du développement national du pays » (Charte Africaine de la Jeunesse, 2006)
“shall be developed” “National programmes of action shall be developed that are time bound and that are connected to an implementation and evaluation strategy” (African Youth Charter, 2006)	« devront être élaborés » « Des programmes d'action nationaux accompagnés d'échéanciers devront être élaborés » (Charte Africaine de la Jeunesse, 2006)
“shall be accompanied” “Such a programme of action shall be accompanied by adequate and sustained budgetary allocation.” (African Youth Charter, 2006)	« doit être accompagné » « Ce programme d'action doit être accompagné d'une allocation budgétaire adéquate et durable » (Charte Africaine de la Jeunesse, 2006)
“shall be embraced” “The value of multiple forms of education, including formal, non-formal, informal, distance learning and life-long learning, to meet the diverse needs of young people shall be embraced.” (African Youth Charter, 2006)	« doit être prise en compte » « La valeur des diverses formes d'enseignement comprenant l'éducation formelle, non-formelle, informelle, l'enseignement à distance et la formation tout au long de la vie pour répondre aux besoins des jeunes doit être prise en compte. » (Charte Africaine de la Jeunesse, 2006)

Table 3

Of the 22 modal passive constructions identified in the English text, 3 were rendered as active modal constructions in the English text, accounting for 13.63%.

English passive modal constructions becoming active modal constructions which employ a modal auxiliary in the French version of the African Youth Charter	
ENGLISH	FRENCH
“shall be entitled” “Every young person shall be entitled to the enjoyments of the rights and freedoms recognized and guaranteed in this Charter	« devra jouir » « Chaque jeune devra jouir des droits et libertés reconnus et garantis dans cette charte, sans distinction aucune de race,

irrespective of their race, ethnic group, colour, sex, language”(African Youth Charter, 2006)	de groupe ethnique, de couleur, de sexe, de langue, » (Charte Africaine de la Jeunesse, 2006)
“shall be informed” “The development of a national youth policy shall be informed by extensive consultation with young people”(African Youth Charter, 2006)	« devra se fonder » « L'élaboration de la politique nationale pour la jeunesse devra se fonder sur une consultation massive des jeunes » (Charte Africaine de la Jeunesse, 2006)
“can be re-integrated” “Provide rehabilitation for young people abusing drugs such that they can be re-integrated into social and economic life;” (African Youth Charter, 2006)	« puissent réintégrer » « Assurer la réhabilitation des jeunes drogués afin qu'ils puissent réintégrer la vie sociale et économique ; » (Charte Africaine de la Jeunesse, 2006)

Table 4

Of the 22 modal passive constructions identified in the English text, 2 were rendered as active constructions that denote modality but do not employ a modal auxiliary in the French Translation, accounting for 9.09%.

English passive modal constructions becoming active constructions denoting modality that do not employ a modal auxiliary in the French version of the African Youth Charter	
“shall be assured” “Every young person shall be assured the right to express his or her ideas and opinions freely in all matters and to disseminate his or her ideas and opinions subject to the restrictions as are prescribed by laws.” (African Youth Charter, 2006)	« a le droit » « Tout jeune a le droit d'exprimer librement ses idées et ses opinions relatives à tous les sujets et de diffuser ses idées et ses opinions, sous réserve des restrictions prévues par la loi » (Charte Africaine de la Jeunesse, 2006)
“shall not be compelled” “Young people shall not be compelled to belong to an association.” (African Youth Charter, 2006)	« a le droit » « Tout jeune a le droit d'adhérer à une association et de la quitter. » (Charte Africaine de la Jeunesse, 2006)

Table 5

Of the 22 modal passive constructions identified in the English text, 4 were rendered as “be-passives” in the French translation, accounting for 18.18%.

English passive modal constructions being rendered as be-passives in the French version of the African Youth Charter.
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“shall be segregated” “Ensure that accused minors shall be segregated from convicted persons and shall be subject to separate treatment appropriate to their status;” (African Youth Charter, 2006)	« soit séparé » « Veiller à ce que tout jeune qui est encore mineur accusé soit séparé des personnes inculpées et soumis à un traitement différent » (Charte Africaine de la Jeunesse, 2006)
“shall be deposited” “The instrument of ratification or accession to the present Charter shall be deposited with the Chairperson of the Commission” (African Youth Charter, 2006)	« seront déposés » « Les instruments de ratification ou d'accession à la présente Charte seront déposés auprès du Président de la Commission de l'Union Africaine. » (Charte Africaine de la Jeunesse, 2006)
“shall be adopted” “The policy shall be adopted by parliament and enacted into law” (African Youth Charter, 2006)	« est adoptée » « Cette politique est adoptée par le parlement et promulguée en une loi ; »
“shall be set” “A national youth coordinating mechanism shall be set up and shall provide a platform as well as serve as a linking agent for youth organisations to participate in youth policy development as well as the implementation, monitoring and evaluation of related programmes” (African Youth Charter, 2006)	« sera créé » « Un mécanisme national de coordination des jeunes sera créé et servira de plate-forme aux organisations non gouvernementales des jeunes pour participer à l'élaboration des politiques ainsi qu'à la mise en œuvre et au suivi et à l'évaluation des programmes » (Charte Africaine de la Jeunesse, 2006)

Table 6

Of the 22 modal passive constructions identified in the English text, 2 were rendered as infinitive constructions in the French translation, accounting for 9.09%.

English passive modal constructions being rendered as infinitive constructions in the French version of the African Youth Charter	
ENGLISH	FRENCH
“shall be targeted” “The policy shall provide guidelines on the definition of youth adopted and specify subgroups that shall be targeted for development;” (African Youth Charter, 2006)	« à cibler » « Cette politique devra donner les grandes lignes de la définition de la jeunesse adoptée et spécifier les sous-groupes à cibler pour le développement. » (Charte Africaine de la Jeunesse, 2006)
“shall be outlined” “National programmes of action shall be developed that are time bound and that	« à définir » « Des programmes d'action nationaux accompagnés d'échéanciers devront être élaborés et devront être reliés à une

are connected to an implementation and evaluation strategy for which indicators shall be outlined. ” (African Youth Charter, 2006)	stratégie de mise en œuvre et d'évaluation avec des indicateurs <i>à définir</i> ; » (Charte Africaine de la Jeunesse, 2006)
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Table 7

Of the 22 modal passive constructions identified in the English text, One (1) was rendered “*veillera à*” in the French translation, accounting for 4.54%.

English passive modal construction rendered as “ <i>veillera à</i> ” in the French version of the African Youth Charter	
ENGLISH	FRENCH
“ shall be directed to ” “The education of young people shall be directed to: ” (African Youth Charter, 2006)	« <i>veillera à</i> » « L'éducation des jeunes <i>veillera à:</i> » (Charte Africaine de la Jeunesse, 2006)

6. Discussion

We notice from the results that the modal passive constructions in the AYC are not always rendered as modal passive constructions in French. They are either retained as modal passives or converted to various constructions. This supports the claim by Delisle (2003, p. 426) that the English Passive voice undergoes various transformations when rendered into French.

The study observed that modal auxiliaries that are found in the modal passive expressions in the English texts are either retained in the present tense or they take the future tense as shown in table 2. For instance, “**shall be developed**” which has the modal “**shall**” in the present tense is rendered as “« *devront être élaborés* »” with the modal “*devront*” being in the future tense. In the example “**shall be framed**” which is translated as “*doivent être conçus*”, the modal “*doivent*” is in the present tense. These variations indicate that even when modal passive constructions are retained in translation, differences emerge in modal tense selection as illustrated in table 2. The skopos theory which emphasizes the function of the translated text and the needs of the target audience account for this phenomenon. The French language has its own structural, semantic and pragmatic norms, which influence how modal passives are adapted to ensure readability and acceptability for the target audience. Similarly, the interpretive theory, which focuses on grasping the “sense” of a text explains why English passive modals do not always have direct equivalents French. Once a translator grasps the intended meaning, they discard the words of the source text and reformulate the message of the text in accordance with target language norms.

The modal passive constructions may be converted to active modal constructions as illustrated in table 3, where the expression “**they can be re-integrated**” is translated as “*puissent réintégrer*” in French. Here, the modal auxiliary “*can*” is maintained in the form of the French subjunctive “*puissent*” but the past participle “**re-integrated**” changes to the

infinitive form “*réintégrer*”. We find another example in “**shall be entitled**” which becomes “*devra jouir*”. Again, the modal “**shall**” is retained as “*devra*” with the past participle “**entitled**” being rendered as the infinitive “*jouir*”. The conversion of the modal passive construction to active modal construction supports the assertion made by Delisle (2003, p. 425) that “*la voix passive est plus fréquente en anglaise qu’en français.*” Here again, we see the skopos theory and the interpretive theory come into play, demonstrating that translation choices are driven by functional and interpretive considerations rather than rigid syntactic equivalence.

The English modal passive can also be converted to infinitive constructions, as in the case of table 3 where we find the expressions “**shall be outlined**” being rendered as “*à définir*” and “**shall be targeted**” being rendered as « *à cibler* » both “*définir*” and “*cibler*” are preceded by the proposition “*à*” instead of a modal. This aligns with the assertion by Gagne & Wilton-Godberfforde (2021, p. 72) that there are many passive constructions that do not have direct equivalents in French.

Furthermore, the modal passive structures in English may be transformed to be-passives. Skwarlová (2008, p. 49) explain that “be passives” are passive voice constructions that have an explicit “be” auxiliary. We observe in table 5 that the modal auxiliary “**shall**” in “**shall be segregated**” is dropped in favor of the “be” auxiliary “*soit*” (subjunctive form of the verb “to be”) in the French translation « *soit séparé* ». Similarly, the modal auxiliary in “**shall be deposited**” is discarded in favor of the “be” auxiliary in the French translation “« *seront déposés.* »”

The English modal passive may also be converted to expressions that convey the sense of obligation without necessarily employing a modal in French translations. This is illustrated in table 4 where the modal passive expression “**shall be assured**” is rendered as “*a le droit*” which denotes a right or entitlement. In table 7, we observe that “**shall be directed to**” is rendered as « *veillera à* », which conveys a sense of responsibility. The examples highlight how target language conventions influence the choices translators make.

Another pattern we observed is that out of the 22 modal passive structures we found in the English text, 9 were converted to the active voice in the French translation, representing 40.9%. This is seen in tables 3, 4, 6 and 7. This supports the claim by Gagne & Wilton-Godberfforde (2021, p. 72) that Passive constructions are more frequent in English than they are in French.

7. CONCLUSION

The analysis of modal passive construction in the AYC and their French translations seems to reveal significant structural shifts. While some modal passives are retained, many undergo transformations, such as tense changes, conversion to active voice, infinitive constructions, conversion to be-passives. In some cases, modal auxiliaries shift from present to future tense, while others are replaced with expressions of obligation or responsibility. Notably, 40.9% of the 22 analyzed modal passives were converted to active constructions, supporting the claims by researchers (Delisle, 2003; Gagne & Wilton-Godberfforde, 2021; Vinay & Darbelnet, 1995) that English uses the passive voice more

frequently than French. These findings align with the skopos and interpretive theories which explain that translation choices prioritize readability, target language norms and meaning over rigid syntactic equivalence.

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