



Understanding Miranda Rights in Kapampangan Translation

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Abstract: This study investigates how generational differences in Kapampangan language fluency affect the comprehensibility of the Miranda Rights Warning, a legally mandated script that informs arrested individuals of their constitutional rights in the Philippines. As access to justice requires understanding one's rights, this paper emphasizes the linguistic and sociocultural factors that influence that understanding, particularly within the multilingual and generationally diverse context of Kapampangan-speaking communities. The research aligns with Sustainable Development Goal 16 (Peace, Justice, and Strong Institutions), advocating for inclusive and equitable access to justice by examining how language shifts across generations affect legal comprehension. Using a descriptive mixed-methods approach, the study surveyed 49 Kapampangan-speaking participants recruited via Facebook. Respondents rated the perceived accuracy of five Kapampangan-translated lines of the Miranda Rights and provided lexical preferences. Demographic data, including age, gender, education, and estimated income, were collected and analyzed using descriptive statistics and chi-square tests. Results revealed that older participants—those with stronger fluency in Kapampangan—were more critical of lexical choices, particularly in Lines 2, 3, and 4. They preferred more regionally embedded and familiar words. In contrast, younger participants, likely less fluent in the language, gave more neutral or lenient assessments. While statistical associations between demographic variables and accuracy perceptions were not significant, descriptive trends pointed to clear generational divides in language fluency and expectations. The study concludes that translation accuracy alone is insufficient for ensuring access to justice. Legal language must also resonate with the linguistic competence and sociocultural experiences of its intended audience. This paper calls for institutional recognition of intergenerational linguistic variation in the design and delivery of translated legal content to ensure that rights are not only stated but truly understood.

Key Words: Kapampangan; Miranda Rights; legal translation

1. INTRODUCTION

1.1 Language Access and Legal Rights

This study contributes to the broader vision of the 2030 Agenda for Sustainable Development by framing language access as a foundational element of inclusive institutions and equitable justice systems. While technological innovations like artificial intelligence offer transformative solutions for many global challenges, this research highlights a parallel and equally vital concern: the sustainability of social

systems through linguistic and generational inclusivity. By exploring how different generations engage with their mother tongue in legal contexts, the paper underscores that justice and equity are not only technical challenges but also cultural and communicative ones.

This study aligns with ongoing global efforts to promote sustainable justice and institutional inclusivity by focusing on language access as a key dimension of equity. In particular, the paper argues that building inclusive legal systems requires recognizing generational differences in mother tongue



fluency—where older speakers often hold deeper linguistic knowledge, and younger generations may experience a decline. This dynamic shapes how justice is accessed and understood within multilingual and culturally diverse societies. In contexts like the Philippines, where multilingualism intersects with shifting language competencies across generations, legal equity hinges not only on translation but on the lived sociolinguistic realities of its speakers.

As portrayed in media, a movie or television scene—a police officer arrests a suspect and recites the following lines:

You have the right to remain silent. Anything you say can and will be used against you in a court of law. You have the right to an attorney. If you cannot afford an attorney, one will be provided for you. Do you understand the rights I have just read to you? With these rights in mind, do you wish to speak to me?

These familiar lines are the simplified, clear, and direct version of the Miranda Warning (Miranda Warning Organization, 2021). The history of the Miranda Rights Warning began on June 13, 1966, when the United States Supreme Court reversed the guilty sentence of Ernesto Miranda for robbery, kidnapping, and rape (United States Courts, n.d.). The police's failure to inform Miranda of his constitutional rights led the court to deem his confession inadmissible. The U.S. Supreme Court held that any statements from a 'custodial investigation' could not be part of the criminal proceedings unless the suspect was informed of their right against self-incrimination:

...that he has the right to remain silent, that anything he says can be used against him in a court of law, that he has the right to the presence of an attorney, and that if he cannot afford an attorney one will be appointed for him prior to any questioning if he so desires.(para. 8)

The first Miranda Rights Warning was drafted in 1968 by California officials Maier and Berliner. Although American states have since created variations and translations, they all include

the fundamental rights: (1) the right to remain silent and (2) the right to an attorney, and the principles that (a) statements can be used in court, (b) an attorney will be provided if one cannot afford it, and (c) the warning must be comprehensible (Miranda Warning Organization, 2021).

Similarly, in the Philippines, these rights are upheld under Article III, Section 12.1 of the 1987 Constitution:

Any person under investigation for the commission of an offense shall have the right to be informed of his right to remain silent and to have competent and independent counsel preferably of his own choice. If the person cannot afford the services of counsel, he must be provided with one. These rights cannot be waived except in writing and in the presence of counsel.

Further reinforcing this, Republic Act No. 7438 (1992), Section 2 outlines the responsibilities of arresting officers:

- (a) Any person arrested, detained, or under custodial investigation shall at all times be assisted by counsel.
- (b) Any public officer or employee, or anyone acting under his order or in his place, who arrests, detains, or investigates any person must inform them, in a language known to and understood by them, of their rights to remain silent and to have competent and independent counsel... (Lawphil, 1992, para. 2)

Despite these legal provisions, research shows that suspects do not always understand these rights due to issues of language and translation (Barakat, 2019; Davis et al., 2011; Johnson et al., 2015; Rogers et al., 2011; Rost & McGregor, 2012). In response, the Philippine National Police-Human Rights Affairs Office (Legaspi, 2016) translated the Miranda Rights into major Philippine languages—including Filipino, Ilocano, Kapampangan, Bicolano, Hiligaynon, Waray, Cebuano, Tausug, Maranaw, and Chavacano—as well as foreign languages such as English, Taiwanese, Korean, Japanese, and Chinese.



Because the purpose of the Miranda Rights Warning is to inform suspects of their rights, it is crucial that they fully understand both the literal and implied meanings. Comprehension should go beyond word recognition to include understanding of legal implications. Without this, suspects may unknowingly waive their rights and compromise their legal standing.

1.2 Language, Demographics, and Legal Understanding

In addition to studies on legal comprehensibility and language proficiency, research in sociolinguistics has long documented how intergenerational language transmission can lead to shifts in fluency, especially in regional or heritage languages. Scholars such as Fishman (1991) and Hornberger (2002) emphasize that younger generations often show declining proficiency in the mother tongue due to shifts in education, urbanization, and the dominance of national or global languages. These shifts influence how speakers interact with formal domains such as the legal system.

Scholars such as Davis et al. (2011) and Johnson et al. (2015) have emphasized how linguistic complexity can hinder comprehension of legal texts. Pavlenko (2008) and Rost & McGregor (2012) demonstrated how limited language proficiency and stress factors affect the ability to understand rights. Yet, there is limited attention to how socio-demographic variables such as age, education, or income levels influence the reception of regional language translations like those in Kapampangan. This study addresses that gap.

2. METHODOLOGY

This study used a qualitative and quantitative approach to explore how Kapampangan speakers perceive the accuracy of translated Miranda Rights. The qualitative aspect focused on identifying linguistic features and preferred lexical items in the Kapampangan translation. Meanwhile, the quantitative aspect helped examine trends across participants' demographic data, including age, gender, education, and income.

The researcher employed convenience sampling by contacting individuals within her Facebook network, selecting those known to be Kapampangan speakers. As a result, participant demographics were diverse and based on voluntary willingness to respond.

The researcher used Facebook to distribute a Google Form survey to Kapampangan-speaking contacts. The first component was an informed consent form based on the template from the De La Salle University Research Ethics Office (2021). The survey itself included three main sections: (1) demographic profile, (2) perceptions of the accuracy of five translated lines of the Miranda Rights, and (3) preferred Kapampangan lexical items.

The linguistic data were analyzed by categorizing the grammatical and lexical items in the Kapampangan version and comparing them to their English counterparts. Participant responses from the Google Form were grouped and examined using descriptive statistics and chi-square tests to observe accuracy trends across demographic variables. The study also compiled participants' preferred Kapampangan words to identify patterns in lexical preference.

3. RESULTS AND DISCUSSION

To contextualize the participant responses, the following are the Kapampangan lines of the Miranda Rights examined in the study:

1. Atin kang karapatan manaimik.
You have the right to remain silent.
2. Uling ing hangang sabian mo puwede dang gamitan o agamit laban keka karen ngan korte king Filipinas.
Any statement you make may be used for or against you in any court of law in the Philippines.
3. Atin kang karapatan kumang matalino at pribadong abogado.
You have the right to have a competent and independent counsel preferably of your own choice.
4. Nung alang kang kapasidad mamayad abogado, ing gobyerno na ing miye keka.



If you cannot afford the services of counsel, the government will provide one for you.

5. Antindiyan mo ngan dening karapatan mo?
Do you understand these rights?

Quantitative analysis showed that the highest-rated line for accuracy was Line 1 ("You have the right to remain silent"), while Line 3 ("You have the right to a competent and independent counsel") received the lowest rating. Descriptive patterns emerged. Older participants tended to view Lines 2, 3, and 4 as less accurate, with responses suggesting a stronger familiarity with Kapampangan linguistic norms. In contrast, younger participants—who may not be as fluent in Kapampangan or use it less frequently—were more neutral or lenient in their evaluations. This generational divide in language familiarity highlights the need to consider not only translation accuracy but also the linguistic fluency of the target population when delivering legal texts.

Table 1. Participants' Perception of the Accuracy of the Kapampangan Miranda Rights

Line Number	Kapampangan Miranda Warning Translation	Mean Score
L1	<i>Atin kang karapatan manaimik.</i>	3.71
L2	<i>Uling ing hangang sabian mo puwede dang gamitan o agamit laban keka karen ngan korte king Filipinas.</i>	3.29
L3	<i>Atin kang karapatan kumang matalino at pribadong abogado.</i>	3.16
L4	<i>Nung alang kang kapasidad mamayad abogado ing gobyerno na ing miye keka.</i>	3.35
L5	<i>Antindiyan mo ngan dening karapatan mo.</i>	3.69

Participants with lower educational attainment also leaned toward simpler, localized word preferences. For instance, in Line 3, many preferred *biyasa* (knowledgeable) over *matalino* (intelligent) and *agyu* (capacity) over *kapasidad*. These findings support Newmark's (1998) concept of translation naturalness, which emphasizes that effective translations must align with the linguistic and cultural expectations of

the readership. Overall, participants showed a clear inclination toward Kapampangan vocabulary rendered in contemporary Tagalog-based orthography—suggesting that familiarity and cultural resonance are key to enhancing comprehensibility in legal translations.

While chi-square results showed no statistically significant associations between demographic variables and accuracy ratings, the trends reinforce sociolinguistic literature on language shift. As fluency declines among younger generations, their ability to evaluate linguistic nuance diminishes, which can lead to miscomprehension or passive acceptance of potentially inadequate translations.

4. CONCLUSIONS

Achieving the broader goal of institutional inclusivity, as articulated in Sustainable Development Goal 16, requires acknowledging how intergenerational fluency in regional languages like Kapampangan influences comprehension. Justice systems that fail to address these linguistic realities risk marginalizing those who are most fluent in local languages—often older generations—while failing to engage younger citizens effectively.

This study underscores that access to justice must include access to language that resonates with a person's sociolinguistic background. While legal translation is necessary, it is not sufficient unless social variation is accounted for. Policymakers, law enforcement, and linguists must work together to develop translations that are not only linguistically accurate but socially and culturally comprehensible across demographic lines. Ultimately, a rights-based framework in legal communication must include the right to understand—and that begins with translation that listens to its audience.

Similar to Newmark's framework in analyzing and translating a text, the Kapampangan translation of the Miranda Rights Warning reflects the intention of the text, in the legal context, the intention of the legislation through police officers that a suspect must be informed of his basic rights and against self-incrimination. Next is the intention of the translator, in the legal context, it refers to legislative through police officers as they seek the truth, find evidence, and deliver justice without violating the constitutional right of a suspect. Last is the



readership in the legal context, it refers to a suspect's perception if the translation through a language s/he understands is clear, comprehensible, and culture-appropriate. Results showed that the intention of the text, intention of the translator, and readership were reflected based on the comprehensibility of the participants' perception of the accuracy of the Kapampangan translation.

Newmark also explained the framework of the process of translating. Based on the results, the textual level or the literal translation was examined based on the functional and lexical items of the Kapampangan translation. The Kapampangan text is composed of 47 words with 27 functional words and 20 lexical words. Next is the level of naturalness or how the Kapampangan text reflects how Kapampangan speakers used the language in the community. These findings underscore the importance of using localized terms that resonate with the everyday language of Kapampangan speakers. While participants favored Kapampangan vocabulary, they also preferred it written in contemporary Tagalog-based orthography—highlighting a need for translations that are not only accurate but also culturally and linguistically familiar. This preference reflects a broader principle: legal translations must align with how language is naturally used within the community to ensure clarity, comprehension, and genuine access to justice.

In summary, the comprehensibility and accuracy of translated text in the legal language are fundamental. Though Cao (2010) and Newmark (1998) explained that there is no perfect translation, studies on legal translation advocated for continuous improvement of translated texts (Botezat, 2012; Dai, 2019; Jiang & Zhuang, 2019; Selcen & Eryatmaz, 2014). Recent studies focused their attention on how to measure the accuracy and comprehensibility of translated Miranda Rights warning to offer solutions and improve current translated Miranda Rights Warnings (Barakat, 2019; Davis et al., 2011; Johnson et al., 2015; Rogers et al., 2011; Rost & McGregor, 2012).

When the future of any suspect is at stake, it is the duty of the police officers to inform her/him of the basic rights. One may not fully understand the repercussions of self-incrimination out of fear and coercion, or simple panic brought about by the arrest and custodial investigation. As forensic linguists,

examining the linguistic features of translated Miranda Rights Warning might assist to better delivery of justice to society as experts work together in searching for evidence while upholding the rights of any individual.

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