

**Interpreting policy as an instrument for judicial power:
A case study of the Shanghai Provisional Court, 1927-1930**

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The Provisional Court was established to replace the Mixed Court for exercising jurisdiction over Shanghai's International Settlement between 1927 and 1930. As a Chinese institution under the influence of the consular body in Shanghai, this court exemplified a Sino-foreign rivalry for judicial control over the International Settlement. However, the role of court interpreting in this power struggle remains overlooked.

This study unveils a continuous conflict over interpreting policy between China and the consular body during the Provisional Court's existence. This conflict is investigated as a case study to explore the role of interpreting policy in the Sino-foreign power struggle. Using the tripartite model of translation policy, the study conceptualizes interpreting policy as explicit policy, implicit policy and interpreting belief, and analyzes the three interrelated elements and their interaction with the Sino-foreign power dynamics.

The findings reveal that China and the foreign powers both instrumentalized court interpreting policies in their contest for judicial power. These policies were shaped by their different interpreting beliefs and the Sino-foreign power dynamics. As the stronger party in the rule-making process, the foreign powers used explicit interpreting policies as a tool to maintain a grip on judicial affairs. As a countermeasure, many Chinese judges and Chinese lawyers enforced an implicit "non-interpretation" policy during legal proceedings. This policy helped to restrict foreign influence over the Provisional Court and was assigned a nationalistic value linked with China's sovereignty claims in the Chinese narratives.

Keywords: interpreting policy, interpreting belief, Shanghai Provisional Court, power struggle