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Streamed Trials and Televised Confessions:

A Linguistic Analysis of the Intersection of Law and Media

in the People's Republic of China

A dissertation submitted in partial satisfaction of the

requirements for the degree Doctor of Philosophy

in Asian Languages and Cultures

by

Elizabeth Bennett Carter

2021

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ABSTRACT OF THE DISSERTATION

Streamed Trials and Televised Confessions:

A Linguistic Analysis of the Intersection of Law and Media

in the People's Republic of China

by

Elizabeth Bennett Carter

Doctor of Philosophy in Asian Languages and Cultures

University of California, Los Angeles, 2021

Professor Hongyin Tao, Chair

This study analyzes the intersection of media and the law in the People's Republic of China from qualitative and quantitative empirical linguistics perspectives. Institutional interaction in court trials broadcast online, televised confessions that are directed, scripted, and broadcast on state television, and news and academic articles about these two phenomena are all systematically examined to determine how media becomes part of the law and law becomes part of media.

Conversation analysis of a corpus of 20 criminal trials streamed on the China Court Trial Online website (CCTO) reveals that defendants construct resistance to ascriptions of guilt in exclusively covert ways, while judges respond to these efforts in turns that reassert guilt and seek explicit affiliation from defendants. Multimodal critical discourse analysis of three televised confession news segments shows the ways in which state ideology about nationality and the law is conveyed to mass media audiences through lexico-grammatical structure, gaze, and other semiotic resources. I also show, through corpus-assisted critical discourse analysis of four corpora in two different genres – two news corpora and two academic corpora including articles about trial streaming and televised confessions – that institutional and individual discourses surrounding these phenomena diverge sharply in terms of factual interpretation and normative evaluation.

The consideration of these findings together reveals the way that the media is being mobilized as a part of the legal process, in order to further discipline the immediate participants and communicate the institutional stance toward law-breakers and the ideologically deviant to a mass media audience. This study also shows how corpus linguistics may be incorporated into qualitative research, e.g. conversation analysis and critical discourse analysis, to reveal subtle patterns, guide the refining of research questions, and enhance the systematic nature of the analytic approach.

The dissertation of Elizabeth Bennett Carter is approved.

Shoichi Iwasaki

Sung-Ock Shin Sohn

Steven E. Clayman

Hongyin Tao, Committee Chair

University of California, Los Angeles

2021

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Chapter 1 Introduction

1.1 Overview

The judicial system and news media are generally thought to be separate entities, but over the past ten years, the two have become intertwined in the People's Republic of China. This study takes a variety of approaches to this phenomenon, analyzing institutional interaction in livestreamed criminal trials, multimodal messaging in televised confessions, and divergences in discourse about these phenomena in news and academic writing. Through a combination of corpus linguistic, conversation analytic, multimodal, and critical discourse analysis, the changing relationship between law and media in the PRC may be better understood. While both trial streaming and televised confessions in the PRC have been well studied in other disciplines, this study is the first to consider them from a linguistic perspective as two aspects of the meeting of law and media.

Courtroom interaction in the PRC has been well studied from a linguistic perspective, largely focusing on the power imbalance between the defendant on the one hand and the judge and procurator on the other (Liao 2003, Gao 2003, Meng 2009, Zhang and Jin 2004) as well as specific linguistic structures used (Wang 2020). Few studies, however, have been conducted since the 2016 rollout of China Court Trial Online (CCTO), an official government website on which courts at all levels are obligated to livestream trial proceedings; those studies that do exist have used the website as a source of data rather than an object of research (Wang 2020).

The significance of this website has mainly been explored in the field of legal studies. Legal scholars have debated the suitability and limits of CCTO as a method of ensuring judicial openness (Yu 2018, Lin 2020, Liu and Zhu 2020, Zuo 2020) and compared the PRC approach to trial streaming with those of other countries (Song 2018, Ye 2019). A much smaller number of papers published from a media studies perspective focus on the utility of trial streaming in guiding public opinion and how audience enthusiasm and participation might be increased (Li 2018, Yang and Li 2018). However, these studies do not approach the language of interaction or discourse in a systematic way, focusing instead on jurisprudence, institutional organization, and issues in implementation. This study examines trial streaming on CCTO from a linguistic perspective, both at the level of courtroom interaction and as a debated topic in news and academic discourse.

In addition to CCTO, televised confessions are also an important site at which law and media meet in the PRC, but research on the phenomenon is similarly scant in the field of linguistics. A number of studies conducted on PRC televised confessions in media studies focus on the use of visual semiotic resources (Xia 2017, Sorace 2019). Other studies on the topic examine its historical context and development (Fiskesjö 2017, Yang 2015), impact on audiences (Leung 2017), related human rights abuses (Dahlin 2018, Gardener 2018), and illegality (Wei 2013, Yang 2015, Lan 2016, Jia 2017). The language of these confessions and the accompanying news segments, however, have not yet been the subject of systematic linguistic research.

This study aims to fill the gap in linguistic research on these two phenomena, applying empirical methodologies suitable for each data set (institutional interaction, multimodal discourse, and textual discourse) to better understand how law and media interact. The compatibility and relative status of conversation analysis and critical discourse analysis have been the subject of much academic debate (Schegloff 1997, Billig 1999, Mey 2001). However, in the following chapters, I will demonstrate how these approaches may be used in an integrative and iterative manner to conduct linguistic research on a sphere of social interaction that spans institutional talk-in-interaction, mass media broadcasts, and textual discourse.

1.2 Social and historical context

As the PRC legal context differs substantially from that of other countries, the United States in particular, this section provides a brief overview of its relationship to other branches of government, philosophical underpinnings, major institutions, and recent history. In particular, a brief overview of the history of the PRC Criminal Procedure Law (CPL) since its establishment in 1979, including major reforms in 1996 and 2012, will illuminate some differences between PRC and US criminal trial proceedings.

China's modern legal history can be said to have begun after the Cultural Revolution (1966-1976), during which the previous legal system was almost completely dismantled. During that ten year period, under the leadership of Mao Zedong, most government institutions, including the legal system, were deemed obstacles to revolutionary progress and replaced by more ad hoc,

instrumentalist legal bodies. The role of propaganda and thought work was also, at that time, a core part of the justice system. Offenders were often required to make confessions and undergo reeducation when found guilty, while public meetings and denunciations served as ideological education for mass audiences. Toward the end of this period, formal legal institutions began to reemerge, but there was no strong consensus about the locus of authority for legal work (Leng 1977).

After the death of Mao in 1976, reformists unhappy with the excesses of the Cultural Revolution, led by Deng Xiaoping, gained power within the CCP and began a series of sweeping reforms, including legal reforms. The 1982 Constitution, which grew out of this movement, reestablished the court system under the supervision of the National People's Congress and stated that all trials should be made public and that those accused of crimes had the right to defend themselves. While this represented a major shift from presumed guilt in the Mao era, the law remained an instrument rather than an institution on the same level as other branches of government, and it was seen as a useful tool for ensuring stability and economic development.

As the 1982 Constitution was being drafted, new civil and criminal codes were as well. The CPL as it was established in 1979 was based largely on Soviet codes. It did not presume innocence for the accused (a concept denounced as "rightist" in the 1950s and "bourgeois" in the 1980s), did not mention judicial independence, and was revised in an ad hoc, instrumentalist manner in line with anti-crime campaigns (Chen 2013). The first major trial to take place following the establishment of a new criminal code was the televised trial of the Gang of Four in

1981. This event, in which Jiang Qing, Zhang Chunqiao, Yao Wenyuan, and Wang Hongwen were tried for treason, was simultaneously a repudiation of the Cultural Revolution and an establishment of a new legal order through mass media broadcast of the proceedings (Cook 2016).

Reforms in 1996 and 2012 represented significant revisions of the CPL and a move toward a code with more, though still limited, protections for defendants. Reforms in 1996 incorporated more language to support due process but did not include the presumption of innocence for the accused – a stance which remains controversial. Changes made in 1996 and strengthened in 2012 lowered or dropped requirements for courts to prove sufficient evidence before the trial, which had, since 1979, led to a "verdict first, trial second" approach long criticized by scholars as leading to a judicial assumption of defendant guilt (Wang 1994, Zhang 1995, Chen 2013). The 1996 and 2012 reforms moved to change the wording of the defendant in the CPL from "the criminal" to "the alleged criminal" or "the accused," and an understanding that the guilt of the accused could not be assumed prior to a trial (Central People's Government of the People's Republic of China 2012, Chen 2013).

Legal reforms and political changes carried out since Xi Jinping assumed power in 2012 have also impacted the relationship between law and media in the PRC. Legal reform measures to promote trial streaming as a form of judicial openness were introduced in the late 2000s, but the massive program of launching websites for the purpose began after the 18th People's Congress in 2012, where Xi assumed leading roles in the CCP and government. The Supreme

People's Court's Fourth Five Year Reform Plan, which was published in 2014 and outlined goals for the 2014-2018 period, included regulations standardizing the online streaming of trials, which marked the transition from streaming as an option to streaming as a requirement (Zhu 2018). This culminated in the launch of the website *Tingshen Gongkai Wang* or China Court Trial Online (CCTO), developed jointly by the website of the Supreme People's Court and Internet giant Sina, in September of 2016, after which local courts were required to use the platform for all trials that could be streamed (Zhu 2018). Legal reforms in 2018 further solidified the courts' status as subordinate to the CCP; a 2018 amendment enshrines the CCP's leadership of the state as law and requires state officials to take an oath of allegiance to the constitution (Horsley 2019).

Reforms to the CPL implemented in 2014 and 2016 also increased pressure on defendants to plead guilty and confess. These regulations linked admissions of guilt with expedited trial proceedings to reduce the increasing workload for courts. This new policy has given defendants extra incentives to plead guilty regardless of actual guilt or innocence, drawing sharp criticism from some scholars (Ou 2017). Critics have suggested that this reform might necessitate additional procedural protections, such as adding extra guarantees for the right to appeal (Chen and Ma 2016) and requiring evidence of guilt in addition to a confession, which remains the "king of evidence" (Chen 2016, McConville and Choongh 2011).

Televised confessions have also increased in this same period. Broadcast over PRC state television and international television channels with PRC government backing as part of news segments, approximately 87 confessions were aired from July 2013 to January 2020 (Safeguard

Defenders et al. 2020). Activists, rights defense lawyers, public officials, and prominent businesspeople have been the subjects of these segments, and many have later given testimony that the process is forced, as well as heavily scripted and directed (Dahlin 2018). Some of the individuals subjected to this process remain in detention or jail, as is the case with Gui Minhai, a Hong Kong-based Swedish bookseller whose segment is discussed in Chapter 3. While PRC television programs related to law and crime have often shown the confessions of alleged criminals in the past, this more recent spate of televised confessions differs in the prominence of the subjects, scope of broadcast, and framing in news segments.

Just as trial streaming has transformed legal proceedings into mass media events accessible to anyone with an internet connection, these televised confessions broadcast to national and international audiences have also blurred the line between law and media. Each event involves a collaboration between the formal legal system and state-run media in order to make public, or expose, the trial and punishment of criminal defendants, at an unprecedented scale and scope.

1.3 Theoretical orientation

As each of the three chapters analyzes a very different set of data, detailed literature reviews related to methodology may be found within each chapter, in sections 2.2, 3.2, and 4.2. In this section, the theoretical underpinnings of this varied approach are first discussed, followed by the methodological frameworks of each analytic chapter.

In this study, I examine these phenomenon from the point of view of the language used within and about them. Broadly, this study understands language and social reality to be co-constructing and inseparable. In line with Halliday's (1978) model of systemic functional linguistics, language is seen as a set of resources for making meaning rather than a rules-based system; each instance of meaning making changes language as well. The use of language – in the process of streamed trials, televised confessions, or debate about these two topics – is the site at which law and media are enacted and their relationship comes into being.

I also take a critical approach, focusing on ideologies enacted through interaction and other forms of language production. Because language and reality are co-constructed, it is necessary to consider the social realities of power and its uneven distribution in order to understand linguistic phenomena (Fairclough 2010). This is especially true for law, as a space in which the state's power is enacted by and on individuals, and mass media, which allows those who control it to exercise power by influencing those who consume it.

Although all three analytic chapters of this study are based in this understanding of language, reality, and power, each takes a different methodological approach appropriate to the linguistic data examined. Chapter 2 examines trial streaming through the largely formulaic but unscripted interaction between defendants and judges in trials hosted on CCTO; conversation analysis (CA) is conducted on this data as it is suited to identifying and describing the ways in which interactants attend to social norms, their own interests, and shared projects. Chapter 3 analyzes three televised confession new segments, taking into account both the verbal linguistic

expression and visual semiotic resources deployed with multimodal critical discourse analysis. Chapter 4 focuses on the discourse surrounding the two phenomena covered in Chapters 2 and 3. By constructing four corpora, made up of news and academic articles about the two different topics, similarities and differences in their approaches are identified and further investigated with corpus-assisted critical discourse analysis.

The way that people speak during courtroom proceedings is the site at which "law" is enacted and becomes reality. That these events are livestreamed and viewable on an official government website also means that this enaction of law is a message the government chooses to send to an audience beyond the immediate participants. Contextual information about trial participants is largely absent in this format, and so CA is an approach suited to this data, as it holds that fine-grained analysis of interaction can reveal orderliness from what may superficially seem to be messy or chaotic. As well, the wealth of CA literature on aspects of interaction such as turn-taking, preference organization, and epistemic stance (Sacks, Schegloff and Jefferson 1974; Pomerantz 1978, 1984; Heritage and Raymond 2005; Heritage and Clayman 2010; Heritage 2013) facilitates better understanding of what trial participants are seeking to accomplish in their interactions.

Televised confessions, embedded in news segments such as the *Xinwen Lianbo* program of China Central Television (CCTV), are highly packaged and can reach audiences in the hundreds of millions. As these news segments are planned and coordinated by state media and government personnel, they represent the institutional voice of the state, enacted through news producers and

the subjects of these televised confessions. The specific way in which linguistic resources – including visual resources like gaze and posture – are used reflects the communicative aims of those who decide to air them. In this case, multimodal critical discourse analysis (CDA) is employed to take into account the integration of verbal and visual resources to convey langauge ideology to a mass media audience. These events enact a power imbalance between the individual subject of the televised confession, the mass media audience, and those in charge behind the camera; their format makes those exercising power invisible and attributes their message to those who are subjected to it. Because CDA enables the systematic analysis of the legitimation of inequalities (Fairclough 2010), it is well suited to this data.

Trial streaming and televised confessions have in common that those in charge of their broadcasting do not appear on camera. Because of this, additional linguistic data was gathered to better investigate the discourses surrounding the broadcasting aspect of these mass media events in news media and academic journals. Corpora were constructed from these articles to find patterns across genres, rather than individual authors' opinions. Textual discourse analysis was subsequently conducted to understand what was being accomplished in these patterns. A CDA approach was once again employed to examine the ideology conveyed through the explicit and implicit stance taking in these discourses.

Each of the data sets examined in this study was chosen because it was an important point of entry into the relationship between law and the media in the PRC. As law and the media intersect in a number of different institutionalized social spheres, multiple forms of interaction and

communication are analyzed. Trial streaming, as an official government program making courtroom proceedings public online, offers information about ordinary courtroom proceedings as well as their use in mass media messaging. Televised confessions, the publicizing of the punishment of certain individuals to mass media audiences, reflect the aims and attitudes of those who have the power to deploy them. Debates about these two phenomena, both in state-run media and more independent academic journals, represent the varying ways that these media events are evaluated and consumed by different stakeholders. Linguistic analysis of these three data sets, utilizing different methodologies suited to each set, can reveal a more complete picture of how the law and media are coming together.

1.4 Organization of thesis

In the next section, Chapter 2, I analyze judge-defendant interaction in videos of criminal trials uploaded or streamed between 2016-2018 on CCTO, asking how defendants construct resistance in the face of a 99.9% conviction rate. CA is employed to identify instances of dispreferred responses by defendants, which are tagged in a corpus linguistics software program to determine at what point in trials defendants resist ascriptions of guilt. CA is also used to examine the interactions that follow these dispreferred responses, to determine how judges respond to defendant resistance.

In Chapter 3, I analyze three televised confession news segments broadcast on PRC state-backed television in 2016. The thematic organization of these videos is first analyzed to identify

a shared attention to national identity. Following this, instances in which national identity is addressed are analyzed in a multimodal CDA framework, first focusing on lexical grammar and then on gaze. Patterns in the combination of lexical grammar and gaze in discussion of national identity are then analyzed in terms of social identity theory to determine intended or potential effects on the mass media audience.

In Chapter 4, I analyze four corpora – news and academic writing on televised confessions in the PRC from 2013 to 2020 and news and academic writing on trial streaming through CCTO from 2014 to 2021. I first discuss the construction of these corpora and generation of keyword lists, and then outline the qualitative analysis conducted on each data set based on these initial findings. Finally, quantitative analysis is conducted on some of the major findings related to language ideology and how it is conveyed in the different corpora.

In Chapter 5, the conclusion, I discuss the results of analyses in Chapters 2, 3, and 4, as well as the relevance of these findings to the study of the relationship between law and media in the PRC. Additionally, I examine the implications of these findings for linguistic studies that rely on both qualitative and quantitative methodologies. Finally, limitations of the present study and potential future avenues of research are also raised.

Chapter 2 Defendant Resistance in Livestreamed Trials[1]

2.1 Introduction

How do defendants in criminal trials in Mainland China construct resistance in response to procedural questions – that is, those questions such as "how do you plead? or "do you have any objections?" that judges are required by law to ask of defendants? How is their resistance then treated? To answer these questions, in this chapter I construct a corpus of criminal trial proceedings, transcribed from video data. Because the video data for criminal trials in the PRC was not widely available until 2016, this corpus can be a valuable source of data for research on the characteristics of criminal trials. The analytic methods of this chapter can serve as a case study outlining both how conversation analysis may enhance understanding of institutional interaction and how such analysis of institutional data may be aided by quantitative corpus linguistic tools.

The question of how defendants defend themselves is especially significant given the dearth of relevant research. Linguistic research on English-language – largely American or British – criminal trials has limited applicability to PRC data, as will be shown in this chapter. Linguistic research on PRC criminal trials, while informative for the current study, are also limited in applicability, as they mainly focus on questions rather than defendant responses (see Section

[1] This chapter reprints, with permission from John Benjamins, some material from Carter (2019).

2.3). No comprehensive CA study has been conducted specifically on PRC defendant resistance strategies, and no study has been done based on a publicly available corpus, nor a corpus of this size, nor as recent a corpus, to the author's knowledge.

Furthermore, the very high criminal conviction rate in the PRC is another motivation for this study (Supreme People's Court 2016). In 2015, in criminal cases at all levels there, 1,232,000 people were found guilty and 1,039 were found innocent, a conviction rate of 99.92%, according to the annual work report released by the country's Supreme People's Court (SPC) (Supreme People's Court 2016). The conviction rate remained over 99.9% in 2016 and 2017 as well (Supreme People's Court 2017, Supreme People's Court 2018). A close, data-driven analysis of criminal defense in the PRC might provide insight into how or why it almost always fails to secure a verdict of not guilty.

This chapter will first give an overview of trial procedure necessary for understanding the data, then explain the conversation analysis and corpus linguistic approaches used to show when defendants, judges, and procurators[2] speak relative to each other in different types of criminal trials and the different stages of those trials. The analysis section will first provide a broad overview of defendant speech patterns across 20 criminal trials, then the distribution of different kinds of defendant utterances across trial stages. Following this, targeted CA will identify linguistic resources and strategies defendants employ when constructing resistance. Finally, the

[2] In the PRC, the People's Procuratorate is the body in charge of both the investigation and prosecution of alleged crimes; the representative of this body in court is known as the procurator (rather than the prosecutor) (Chen 2013, 293, 309).

discussion section will talk about the limits and strengths of this approach, as well as its implications for future research.

Resistance has been the focus of many CA studies in different contexts, with varying definitions or understandings. In an examination of news interviews, Clayman (2001) examines resistance in different forms: negative, or failure to give information asked for, and positive, or changes in agenda. Further, he shows that interviewees employ both overt and covert practices of resistance. Heritage and Raymond (2012) and Stivers and Hayashi (2010) also research resistance, but do not explicitly define the term; both use resisting or resistance to mean a challenge to a preceding agenda or design. Heritage and Raymond (2012) focuses mainly on resistance as a response to constraints implied in polar questions, while Stivers and Hayashi (2010) looks at different kinds of resistance – resistance to a question's terms and resistance to its agenda, with the latter being more resistant than the former, and resistance to both being the most resistant.

Resistance in this study is defined in line with its meaning of challenging another's agenda, with one important caveat. I understand agenda as operating not just in discrete question and answer sequences but also throughout the trial proceedings. The overarching agenda of the PRC court is to proceed without objections from the defendant, which interrupt progressivity, and advance a version of events presented by the procurator. In PRC trials, the judge allocates all turns, and the defendant's allocated turns always follow the turns allocated to the procurator: for example, the procurator reads the charges, and the defendant may respond with objections; the

procurator presents the evidence, and the defendant may respond with objections. The very use of the term "objections"[3] frames a voicing of them as disagreement, which is in most cases a dispreferred action. Atkinson and Drew (1979) writes that witnesses resisting questioning often display "their understanding that the business of prior questions is to lead towards the ascription of blame to themselves" (138). It is much the same with defendants in this data set; their resistance to questions that seem, superficially, neutral or innocuous often reflect an awareness that these questions are part of larger sequences ascribing blame to them. Therefore, resistance in this study encompasses terms-challenging responses to procedural questions as well as simple, type-conforming responses that confirm the presence of objections, as objections themselves are dispreferred responses resisting a larger agenda of blame ascription.

In a study of PRC court trials, Zhang and Jin (2009) categorizes defendants' responses by adherence or lack thereof to Grice's cooperative principle along a continuum, differentiating defendant utterances by whether the defendant is cooperative in terms of quality (truth), quantity (neither more nor less informative than required), relation (relevance), and manner (clarity). Since these traits can be difficult to assess empirically, I evaluate resistance based largely on conversation analytic research, looking both at findings related to different functions of linguistic features and challenges to terms as well as what can be determined from the transcripts about

[3] The Chinese used is 意见 (*yijian)*, which, like "objections," has a negative connotation. The sixth edition of the Modern Chinese Dictionary (Dictionary Editorial Office of the Institute of Linguistics, Chinese Academic of Social Sciences, 2012) offers two meanings for the term (translation my own): "1) a certain opinion or idea about (a) matter(s); 2) an opinion that a person or matter is wrong, which results in dissatisfaction" (1545). The term 异议 (*yiyi*) is also sometimes used interchangeably, its definition is a differing 意见 (*yijian*) (1543) and may also be translated as "dissent."

how the participants themselves are orienting to their own interaction and challenging the agenda or terms of the court and its representatives.

2.2 Literature review

2.2.1 PRC criminal trial proceedings

Where the US judicial system is adversarial, the PRC judicial system is inquisitorial. Primary differences between the PRC system and adversarial systems include the more active role of the judge in fact-finding and the joint duties of the office of the People's Procuratorate, which is responsible for both investigation and prosecution of defendants. Following a series of trial stages, a judge (or panel of judges), rather than a jury, issues the verdict and sentence. The sequence of turn taking in this form of trial proceedings is outlined in Figure 2.1.

1. Preparation	*Judge opens trial by summoning defendant to the court* **1a) Judge questions defendant to confirm identity and presence** 1b) Judge announces those present in the court **1c) Judge informs defendant of their rights, asks them if they have heard and understood, and whether they will apply for the recusal of any member of the court** *Judge closes stage after defendant responds*
2. Investigation	*Judge opens investigation stage by instructing procurator to read the bill of prosecution* 2a) Procurator reads bill of prosecution **2b) Judge asks if defendant admits to the charges and has objections** **2c) Procurator may interrogate defendant** *Judge closes stage after defendant voices objections or confirms they have no objections*
3. Evidence presentation	*Judge opens stage by instructing procurator to present evidence* 3a) Procurator presents evidence, including physical evidence and witness testimony **3b) Judge asks if defendant has objections** **3c) Judge asks if defendant will present new evidence**

	Judge closes stage after evidence is presented and discussed
4. Debate	*Judge opens stage by instructing procurator to present their opinion* 4a) Procurator presents their opinion regarding defendant's guilt and sentencing **4b) Judge asks if defendant would like to present their opinion** *Judge closes stage after defendant declines to present opinion or states that they have finished presenting their opinion*
5. Final statement	***Judge opens stage by asking or ordering defendant to make a final statement*** Defendant may make a final statement *Judge closes trial after confirming the defendant has finished making their final statement or will not make one*

Figure 2.1 Stages of a first-instance criminal trial in the PRC

All stages in bold are interactive stages in which the defendant has a formally allocated opportunity to respond. The judge is allowed to question the defendant and others at their discretion, and in the corpus judges were found to do so often between stages 2b and 2c, 3b and 3c, and after the defendants made their final statements (Chen 2013, 309). The judge generally opens stages of the trial by formally and explicitly announcing the closure of one and beginning of another with set language. In this data set, stages of the trial are closed in one of three ways: either with formal, set language (i.e. "The investigation stage is finished"), the response *hao* – which means "good" or "OK" – to the defendant's last response, or by immediately opening the next stage of the trial formally without preamble.

Additionally, the above proceedings may be simplified during summary proceedings, simplified trials that are allowed under Article 208 of China's CPL if three conditions are met: (1) Clear facts and sufficient evidence; (2) No objections on the part of the defendant to their guilt or the facts of the crime; and (3) The defendant agrees to the summary proceedings (Chen

2013, 315). Although CPL does not stipulate how such proceedings differ from normal criminal trial proceedings, the data collected in this study show that the defendant's pre-trial confession often precludes the need for questioning in the trial beyond what is procedurally mandated as well as the need for exhaustive presentation of evidence and testimony.

2.2.2 Conversation analytic research on criminal trials

Conversation analysis (CA), as a theoretical framework, facilitates the interpretation of data on interaction. CA of naturally occurring conversation has over the past half a century or so produced a broad body of literature on topics including turn organization, preference organization, and epistemic stance (Sacks, Schegloff and Jefferson 1974; Pomerantz 1978, 1984; Heritage and Clayman 2010). Building on the work of Garfinkel (1967) and Goffman (1967) on ethnomethodology and interaction order respectively, Sacks (1987) proposed the principle of contiguity, in which turns at talk are generally designed to be responsive to the turns they immediately follow, and Sacks and Schegloff (1973) proposed the concept of adjacency pairs, in which the second part of a pair will be constructed in relation to the first and may be interpreted as such. Fundamental to this field of study is the view that social interaction is not a result of institutions or preexisting relationships, but actually shapes them and brings them into being.

With regards to the more specialized field of courtroom interaction, CA literature has outlined the ways in which it differs from ordinary conversation, including the types of turns and the allocations of turns (Atkinson and Drew 1979, 63). Court turn types are almost always question and answer sequences, and may include polar interrogatives, which, as Raymond (2003)

shows, provide pressure for “yes” or “no” answers. Turns are also pre-allocated based on procedural law, with the presiding judge initiating and closing most sequences. CA studies on courtroom interaction have explored how participants use linguistic resources to resist unequal power dynamics inherent in the system of turn pre-allocation (Drew 1992).

However, existing CA studies on courtroom interaction are largely based on US and European data, which differ significantly from the PRC data collected and examined in this study. Atkinson and Drew (1979) write that “overwhelmingly, denials, justifications or other actions which avoid self-blame are made as seconds to accusations, whilst those which accept self-blame (such as admissions) are very infrequent” (212). However, this was not borne out in the PRC data, where admissions of guilt and agreement with accusations dominate, Section 2.4 will show. Drew writes of Anglo-American trials, “Except in special and infrequent circumstances, a witness has to appear in court to testify verbally to anything which might count as evidence in a case,” for only then “can the opposing side have the opportunity to test the veracity, significance, relevance, and interpretation” (1992, 442-473). Yet while PRC CPL allows for the calling of witnesses, it is not observed to occur in any trial from the data set, and empirical studies have found that written transcripts of witness testimony generally take the place of live statements and questioning (Wang 2015). As of 2012, “less than 1% of witnesses actually appear[ed] in court” though 2012 revisions to PRC CPL have sought to make such appearances easier to do and harder to avoid (Chen 2015, 441).

Previous studies have investigated how the roles of judges and prosecutors differ between adversarial and inquisitorial systems. Looking at Polish criminal trials, Bednarek (2014) finds that the judge, in the country's inquisitorial judicial system, is expected to be impartial and vested with most of the authority in the courtroom interaction. However, the Polish criminal trial procedure as described in the study is not identical to that of the PRC, nor are the characteristics of questioning during courtroom interaction.

In sum, the PRC criminal trial process differs so greatly from those that have already been analyzed in English and Polish from a CA perspective that extreme caution is warranted when applying theoretical findings from the existing literature on courtroom interaction from other countries to the data currently under examination. One cannot assume that PRC and other judicial systems are equivalent institutions with equivalent purposes and procedures when conducting research.

2.2.3 Linguistic research on PRC criminal trials

Mandarin-language linguistics-focused literature on PRC criminal trials has been conducted mainly from speech act theory, ethnomethodology, and discourse analysis perspectives. Meng (2009) examines defendant resistance and enforcement of cooperation by judges and procurators in several recorded and transcribed criminal trials from a Gricean perspective. A 2004 study by Zhang Liping and Jin Xiaobo briefly examines the interaction between judge and defendant in 10 recorded criminal trials, also according to Grice's cooperative principle.

Conversation analysis and corpus linguistic research on PRC criminal trials has analyzed types of formulations, turn shapes, and power dynamics. Liao Meizhen (2003, 2012) conducts conversation analysis of audio recordings of criminal and civil trials, using both qualitative and quantitative methods to examine echo questions, gender and interruption, and turn formulation. Gao Hua (2003) also examines recordings of preliminary trial proceedings from a CA perspective and argues that the format of judge-defendant questioning sequences reflects an asymmetrical power dynamic. Gao (2003), Liao (2003) and Zhang and Jin (2004) all find that the turn structure of judge-defendant questioning sequences reflects a power imbalance and enforced cooperation between the parties, while Meng (2009) details the way that procurators and judges use linguistic resources to enforce defendant cooperation.

2.3 Data and methods

The corpus analyzed in this chapter contains transcripts of 20 criminal trial videos from the PRC, available on an official government website, *Zhongguo Tingshen Gongkai Wang* (China Court Trail Online - http://tingshen.court.gov.cn/), which hosted over 1.5 million trial videos as of the time of data collection and over 10 million as of 2021. The videos selected for the corpus have been downloaded in case the website ever goes offline. The following table shows the criminal charge, the location of the trial, the length of the video, the web address of the trial, whether the defense had a personally appointed, court-appointed or no lawyer, and whether the

proceedings are summary or regular. Each video may be accessed by placing the identifying number in the Source column after the following url: http://tingshen.court.gov.cn/live/

Charge	Location	Length (min)	Source	Lawyer	Proceedings
Reckless driving	Beijing	62	69331	Personal	Summary
Assault	Jiangsu	15	72678	Personal	Regular
Robbery	Beijing	11	91191	Personal	Summary
Illegal arms sale	Beijing	33	95785	Personal	Summary
Assault	Beijing	28	98248	Personal	Summary
Drug trafficking	Hebei	64	110674	Personal	Regular
Drug distribution	Tianjin	29	1240683	None	Summary
Theft	Beijing	19	1012469	Appointed	Summary
Contract fraud	Beijing	24	1013835	Personal	Regular
Drunk driving/ manslaughter	Beijing	22	1186751	None	Summary
False imprisonment	Anhui	29	1249421	Personal	Regular
Fraud	Tianjin	20	1509272	None	Summary
Theft	Yunnan	17	1509729	None	Regular
Theft	Tianjin	21	1617513	None	Summary
Assault	Shandong	67	1643813	None	Regular
Theft	Anhui	15	1648067	None	Summary
Allowing drug taking	Jiangsu	30	1648737	None	Summary
Theft	Jiangxi	16	1358786	None	Regular
Arson	Hebei	127	76862	Appointed	Regular
Pornography distribution	Jiangsu	26	2629298	Personal	Regular
Words:		65,937			
Length:		11 hrs 15 min			
Videos:		20			
Average length:		34 min			

Table 2.1 Corpus trial information

Criminal trials were selected from a variety of geographic regions and a variety of common charges (such as theft, assault, and fraud), as well as a mix of regular and summary proceedings. Data on the breakdown between regular and summary proceedings for criminal cases was not available for the PRC as a whole; however, the Beijing High People's Court Work Report stated that about one third of all criminal cases were tried via accelerated proceedings (Beijing High People's Court 2018); the Supreme People's Court's 2017 work report also reported that over half of all civil trials were handled via summary proceedings and listed increasing the number of criminal trials handled by summary proceedings as an objective (Supreme People's Court 2018). The corpus used in this study contains 11 summary proceeding trials and 9 regular proceeding trials. As court proceedings are highly ritualized, a small corpus of 65,937 words was constructed.

Constraints included the inability to include non-standard Mandarin trials in the corpus, limiting the scope of inclusion to parts of the PRC where standard Mandarin is spoken by people of all levels of society. Furthermore, the audio/video quality of transcripts was also a limiting factor, as areas with better technology and familiarity with technology (such as Beijing) produced a greater number of court videos in which all participant speech was audible. However, as criminal law and CPL is standard throughout the country, trials in Beijing was not expected to vary much from trials in other areas.

Video data was first transcribed using a service provided by Xunfei (https://www.iflyrec.com/). The service includes initial machine transcription via voice

recognition software and human review. The result is a text file for each video that includes both the transcription of the participants' speech and assigned speaker identification for all utterances. Following this, I reviewed the videos while reading the transcript, corrected transcription mistakes, and confirmed speaker identification was correct.

A corpus linguistics approach allows the analysis of the courtroom interaction from a functional perspective. Corpus analysis of large bodies of data makes it possible to analyze trends and differences across genres of text, identifying types of speech and writing from in a data-based rather than external, intuitional way (Biber 1989). However, data alone is not enough: the construction of the corpus must take into account theoretical considerations prior to construction (Biber 1993). Sufficient data, sufficient representativeness, and consideration of constraints are necessary to ensure that the texts or transcripts chosen reflect the target for analysis optimally.

For analysis of my data, I used the UAM CorpusTool (O'Donnell 2012) to categorize the transcripts into the five broad trial stages laid out in PRC CPL: opening (or preparation), investigation, evidence presentation, debate, and the defendant's final statement. This schema facilitated the isolation of certain stages of criminal trials to determine more accurately where defendants constructed resistance and what opportunities they had to challenge the state's case. Since stages are opened with almost unvarying procedural language announcing their beginning, and closed in the same way, there were no instances in the data set in which the distinction between the stages was unclear.

Trial Stage	Preparation
	Investigation
	Evidence Presentation
	Debate
	Final Statement

Figure 2.2 Coding for the trial segments of corpus trials

I also included speaker coding to identify all participants in the proceedings, which exhaustively includes the judge, procurator, defendant, defense lawyer, and court reporter.

Speaker	Judge
	Procurator
	Defendant
	Defense Lawyer
	Court Reporter

Figure 2.3 Coding for speakers in the corpus trials

I further labelled each trial transcript with a whole-document code that indicated whether it was conducted using summary or regular proceedings.

Proceedings Type	Regular
	Summary

Figure 2.4 Coding of proceeding type for corpus trials

Finally, I coded resistance and compliance in defendant responses to procedurally mandated judge questions, that is, the questions that the judge is required by CPL to ask the defendant during the course of the trial. These questions were generally variations on “Do you

have any objections?" and occurred during the bolded sequences in Figure 1. Any response other than unequivocal, unqualified compliance, as determined via conversation analysis of the interactions in question, was coded as resistance.

Resistance	Resistance
	Compliance

Figure 2.5 Coding of resistance and compliance for corpus trials

These schemas allowed for various fruitful analyses and comparisons. First of all, the mapping of resistance across the various trial stages showed where resistance was most common during trial proceedings. Looking at the differences in defendant resistance between summary and regular proceeding trials showed whether trial type and defendant resistance were related. Finally, the speaker schema allowed for the mapping of speakers across trial stages and trial types, showing who spoke when, for how long, and under what conditions. Combined, these different coding schemas provided a map for how analysis might begin that is explored in more detail in Section 2.4, where it is used to answer the following question: Where do defendants construct resistance?

CA analysis was employed primarily to answer the study's main questions: How, and with what linguistic resources, do defendants construct resistance? I first analyzed all defendant responses to procedurally mandated questions, then conducted fine-grained transcription of segments in which resistance occurred, and finally conducted qualitative analysis to determine

what resources defendants employed to construct that resistance. Defendant responses were analyzed in terms of type conformity (Raymond 2003), the presence or absence of prefaces (Pomerantz 1984), employment of responses that were transformative of terms or agenda (Stivers and Hayashi 2010), and whether resistance was overt or covert, and in positive or negative dimensions (Clayman 2001).

2.4 Findings

2.4.1 Where defendants speak

Corpus analysis is first used not to answer the question of how defendants construct resistance – a kind of speech defined by interactional properties, as defined above – but the simpler questions of how often and where defendants speak. Across the data set, each turn was coded by speaker role (judge, procurator, defendant, defense lawyer, and court reporter). For the purposes of coding, a turn was defined as everything said by a speaker after self- or other-selection by a separate speaker, until they ceased talking or another speaker began their turn.

	judge	procurator	defendant	defense_lawyer	reporter
Length:					
- Number of segments:	1459	561	1492	95	4
- Tokens in segments:	25597	42977	11039	3498	17
- Words in segments:	60	183	46	22	0
Text Complexity:					
- Av. Word Length:	3.05	3.87	2.85	2.05	0.00
- Av. Segment Length:	0.04	0.33	0.03	0.23	0.00
- Min. Segment Length:	2	1	2	3	4
- Max. Segment Length:	739	2092	247	745	5

Table 2.2: Basic textual analysis by speaker role

As can be seen in Table 2.2, defendants had the most number of segments (turns) in the corpus, followed by judges, with procurators a distant third. However, defendants' turns were shorter than those of either judges or procurators, and they had a lower average word length, suggesting a more colloquial, spoken discourse, especially compared to the procurators, whose speech, with an average word length of 3.87, included many multisyllabic words such as the five-character *renmin jianchayuan* "the People's Procuratorate" and *xingshi susongfa* "Criminal Procedure Law," as well as more traditionally written connecting terms like *yiji* "as well as" and *yinci* "therefore" (Tao 2015, Chen and Tao 2019).

Excepting the court reporter, defense lawyers had the shortest average turn, with 22 words, but the longest defendant turn was 247 words, shorter than the longest among the judge, procurator, and defense lawyer. This suggests that defendants in general did not hold the floor for very long compared to the other participants, though on average longer than defense lawyers.

Looking specifically at defendants' speech, Table 2.3 shows that defendants speak most in the investigation and preparatory stages of the trial, followed by evidence, final statement, and finally debate. With a total of 1492 turns over the course of 20 trials, turns taken during the preparatory (31%) and investigation (44%) stages account for three-fourths of all defendant turns, while 19% of turns take place during the evidence presenting stages, 3% during the debate stage, and 4% during the final statement stage.

	prep	investigation	evidence	debate	last_statement
Length:					
- Number of segments:	460	653	278	44	55
- Tokens in segments:	2125	5409	1883	735	778

Table 2.3 Basic textual analysis of defendant speech across five trial stages

2.4.2 Defendant speech in different types of trial stages

In this study additional distinctions are made between defendant resistance in different parts of the trial process. In the criminal trial, defendants have the opportunity to construct resistance in three kinds of interactional spaces. The first is in response to procedurally mandated questions, those that are mandated by law to take place in certain stages of the trial. These are responses to questions that the judge is required to ask the defendant, outlined in the bold sections of Figure 2.1. The question is usually a variation of *you yijian ma* "Do (you) have objections?" The second type of interactional space is in response to other questioning by any other party in the proceedings – judge, procurator, or defense lawyer. The third is in the defendant's final statement. Each of these three types of space has its own format, range of topics, and constraints.

Type of space	Institutional characteristics	Interactional characteristics
Procedurally mandated	Legally required and observed in all trials in the data set	Generally preceded by polar interrogatives, most frequently, "Do you have objections?"
Other types of questioning	Legally allowed, at the discretion of the judge, or the procurator with the judge's permission; not observed in all trials in the data set	May be preceded by any type of utterance, including questions and requests

Final statement	Legally required and observed in all trials in the data set	Generally preceded by either a request or command for the defendant to speak (e.g., "Make your final statement.") or a polar interrogative (e.g., "Do you have anything to say?")

Table 2.4 Types of interactional spaces in PRC criminal trials

This study will focus on the procedural question spaces and the last statement space only, as the space opened in response to other types of questioning is completely optional – the judge and procurator may choose not to ask any additional questions. Table 2.5 maps defendant resistance and compliance in response to procedurally mandated questions and in defendant final statements, as they occurred across the five stages of the criminal trial. Resistance was not seen in the preparatory or investigation stages of any trial, and occurred infrequently in the evidence, debate, and last statement stages.

	prep		investigation		evidence		debate		last_statemen	
Feature	N	Percent	N	Percent	N	Percent	N	Percent	N	Percent
Total Units	942		1477		953		168		130	
RESPONSE-TYPE	N=36		N=67		N=135		N=29		N=36	
- compliance	36	100.00%	67	100.00%	129	95.56%	27	93.10%	34	94.44%
- resistance	0	0.00%	0	0.00%	6	4.44%	2	6.90%	2	5.56%

Table 2.5 Resistance in procedurally mandated questions in five trial segments

While N in the third row represents all defendant segments (turns) during a stage, only 303 of these segments are responses to procedurally mandated questions, those indicated by N in the fourth row. Therefore, 0% of responses in the preparation and investigation stages are resistant, while 4.4% of responses in the evidence presentation stage, 6.9% of responses in the debate stage, and 5.5% of responses in the final statement stage are resistant. Resistance is found

in 3.3% of all responses to procedurally mandated questions, with the remaining 96.7% being compliant.

It is worth noting that while procedural law and custom outline turn-taking rules and constrain spaces for defendants' speech, the option to interrupt and go against these norms is always available. However, interrupting or disrupting criminal trial proceedings is also punishable by warnings, fines, forcible removal from court, detainment, and criminal charges in accordance with Article 194, Chapter II of the CPL (Chen 2013). In his study of the trial of the Gang of Four, Alexander C. Cook (2016) identifies this strategy of interruption or disregarding of procedure, as employed by Jiang Qing, as "transcendence" – a radical bid to challenge the authority of the court itself not by playing by the rules, but by disregarding them entirely (124). Such a strategy may indeed be employed on occasion by criminal defendants in the PRC, but given that the video data examined in this paper has been gathered and disseminated by government bodies themselves, such videos could be easily censored; no resistance of this kind was observed in the video data collected.

2.4.3 Spaces following procedurally mandated questions

In response to procedurally mandated questions (see bolded stages in Figure 2.1), the topic and agenda are determined by the party opening the sequence – in this case, the judge. From an institutional perspective, failure by defendants to respond relevantly and honestly is in violation of CPL and may be grounds for criminal charges. In the data set, judges are found to censure defendants when they fail to address the topic selected by the judge, as shown in Example 2.1.

(2.1) S-L-69331 Beijing[4]

1	JUD	根据		法律		规定		
		genju		falü		guiding		
		According.to		legal		regulations		
2		被告人	有	说	自行	辩护	的	权利
		beigaoren	you	shuo	zixing	bianhu	de	quanli
		defendant	has	speak	self	defense	ASSO	right
3		被告人	XXX (.)	你	有			
		beigaoren	XXX↑ (.)	ni	you			
		defendant	NM.DEF	2SG	have			
4		辩护	意见	需要	发表	吗		
		bianhu	yijian	yao	fabiao	ma		
		defense	objection	need	express	Q		
		'According to legal regulations, the defendant has the right to conduct their own defense. Defendant XXX↑ (.) do you have defense objections you need to express?'						
5	DEF	辩护	意见	的	当然	是 (0.4)		
		bianhu	yijian	de	>dangran	shi< (0.4)		
		defense	objection	NMLZ	of.course	COP		
6		我	认罪	态度	想	说话	的	
		wo	renzui	taidu	xiang	shuohua	de	
		1SG	Admit-guilt	attitude	want	speak	ATTR	
		'Defense objections > 'o course are< (0.4) I (have an) attitude of admitting guilt (0.2) (and) want to speak (.)'						
7	JUD	呃	你	的	对于 (.)	本	次	行为	的	认识
		e:	ni	de	duiyu (.)	ben	ci	xingwei	de	renshi
		FIL	2SG	ASSO	about	this	time	behavior	ASSO	understanding
8		一会	就	在	你的	这个				
		yihui:	jiu	zai	nide	zhege				
		a bit	just	in	2SG.POSS	this.FIL				
9		最后	陈述	或	最后	陈述	的	时间段		
		zuihou	chenshu	huo	zuihou	chenshu	de	shijianduan		
		last	statement	or	last	statement	ATTR	time.period		
		'Uh: your understanding of this behavior, (will be) in a mo:ment in your, the uh last statement or the last statement time period…'								

[4] Transcription is conducted in line with Jefferson (2004) and glossing with Comrie et al. (2008) with some adjustments. For detailed glossing and transcription conventions, see Appendices 1 and 2.

In (2.1), the judge asks the defendant whether he has defense objections to express. The defendant echoes of the judge's language "defense objections" and subsequently says in line 6 that his intent is to speak in an attitude of contrition. However, the judge orients to this understanding as problematic in line 7, calling the content the defendant intends to share "your understanding of this behavior," implicitly rejecting the terming of wanting to speak in an attitude of guilt as "defense objections." Because of the judge's utterance in line 7 immediately follows the defendant's request, the judge's response can be interpreted as something relevant to it – in this case, an account for a rejection offered instead of an explicit "no." It may be recognized as a rejection by the presence of mitigating language – words such as "[in] a bit" and the adverb *jiu*, which emphasizes how soon the proposed alternate time will arrive (Biq 1988). Furthermore, the presence of an account, rather than the rejection itself, is also a common way to deliver a rejection (Levinson 1983, Heritage 1984). The account for rejecting the defendant's request to speak "in an attitude of admitting guilt" deals with what fits elsewhere in the proceedings, and by implication, not here. The judge then continues directly into a question addressed to the procurator, thus unilaterally closing the sequence with the defendant.

At times, the judge's linguistic choices may also further constrain the space for defendant resistance, as in (2.2).

(2.2): R-1358786 Jiangxi

1 JUD	被告人	XXX	刚刚	公诉人	宣读	的	证据
	beigaoren	XXX	ganggang	gongsuren	xuandu	de	zhengju
	defendant	NM.DEF	just.now	procurator	announce	ATTR	evidence
2	都	听	清楚	了	没有		
	dou	ting	qingchu	le	meiyou		
	all	hear	clear	PFV	NEG.have		
->	*'Defendant XXX have you heard clearly all the evidence announced just now by the procurator or not.'*						
3 DEF	听	清楚	了				
	ting	qingchu	le				
	hear	clear	PFV				
	'(I) heard clearly.'						
4 JUD	属实	吧					
	shushi	↑ba					
	true	PT					
->	*'(They are) true, ↑right?'*						
5 DEF	属实						
	shushi						
	true						
	'(They're) true.'						

In (2.2) the judge's question formation more strongly prefers agreeing responses than many of the other judge questions in the trial, most of which explicitly use the question particle *ma* to denote polarity. The judge's first question is a candidate version of events followed by a negative tag question, less assertive than a negative interrogative formulation (Heritage 2002), but more assertive than a positive interrogative formulation without a negative tag. The defendant responds with a type conforming affirmation that he has understood. It is important to note that the repetition employed by the defendant in his responses does not assert greater agency, as similar examples in English might (Raymond 2003). Responses in Mandarin Chinese are often

lexical repetitions or negated repetitions, in what Sadock and Zwicky (1985) term an "echo system" (191). A response of "yes" or "no" instead of a repetition would, in most cases, be a marked response.

The judge's second question in line 4 uses the sentence-final particle *ba* instead of *ma.* The particle *ba* "solicits agreement" and represents a step up in pressure from *ma*, a more neutral question particle (Li and Thompson 1981, 238). In line 5, the defendant once again responds promptly, with a type-conforming affirmative in the form of a lexical repetition, in full alignment with the judge's agenda. Both instances (in lines 1-3 and 4-5) highlight the power of the judge to shape the space defendants have to respond in procedurally mandated question sequences, creating preference tilt or increasing pressure for a response (Clayman and Heritage 2002, 753-754).

Because of the special nature of these spaces – in which questions are largely predetermined, the speakers and speaker order usually pre-selected, and the format of the question generally identical – defendants' subsequent utterances may be understood as corresponding second-part adjacency pairs and interpreted as commenting on the propositions implicit and explicit in the proceeding speech, as well as on the agenda of the questioner. Below, resistance across four types of procedurally mandated spaces – in the preparatory, investigation, evidence, and opinions stages of the trial – are analyzed in turn.

2.4.3.1 Lack of resistance in the opening and investigation stages of the trial

In the first stage of the trial, according to Article 185, Chapter II of the CPL, "the presiding judge shall…inform the parties to the case of their right to request the members of the collegial panel, the court clerk, the public procurator(s), expert witness(es), or interpreter(s) to withdraw from the proceeding, and inform the accused of his/her entitlement to defence" (Chen 2013, 309). Resistance in this space would represent either a challenge to the authority of the individuals involved in court proceedings or to the authority of the court itself. While defendant responses vary, they neither resist the agendas of the judge to move the trial forward with personnel present nor rejected the ascription of guilt, a trend that been attested to and explored in a variety of studies across disciplines (Zhang and Jin 2004, Dobinson 2013).

All defendants respond to questions of hearing and understanding the rights read to them affirmatively. When judges ask defendants if they agree to procedural matters – such as summary proceedings – all defendants answer affirmatively. In sum, the spaces opened for defendants to state their failure to hear or understand their rights, to plead innocent charges, to apply for recusal of judges, procurators, court reporters or other court participants, or to challenge procedure are not utilized by any defendant in the corpus to do so.

According to Article 186, Chapter II of the CPL, "After the public procurator has read out the bill of prosecution in the court, the accused person and the victim may make a statement on the crime alleged in the bill of prosecution" (Chen 2013, 309). Just as little resistance is present in the prior procedural phase of the trial, in response to the procedurally mandated questions related to the bill of prosecution, there is no resistance. All defendants in the corpus confirm that

the bill of prosecution they received prior to the trial corresponded to the procurator's charges as read in court, none offer opinions on the charges when asked, and when asked if they admitted guilt, all say they do, as in the example below. In (2.2), the defendant responds to the judge's questions about the bill of prosecution with type-conforming lexical repetitions, aligning with the judge's agenda, in lines 4, 7, 11 and 13.

(2.3) R-N-1509729 Yunnan

1	JUD	被告人	XX[X]			
		beigaoren	XX[X]			
		defendant	NM.DEF			
		'Defendant XX[X,']				
2	DEF		[嗯]			
			[en]			
			PT			
			'[Mmhmm]'			
3	JUD	(.) 收到	的	起诉书	看过	没有
		(.) shoudao	de	qisushu	kanguo	meiyou
		receive.COMPL	ATTR	indictment	see.EXP	NEG.have
		'(.) Have you read the indictment you have received or not?'				
4	DEF	(.) 看过				
		(.) kanguo				
		see.EXP				
->		*'(.) (I) have read (it).'*				
5	JUD	其中	内容 (.)	与	公诉人	
		qizhong	neirong (.)	°yu°	gongsuren	
		among	content	with	procurator	
6		刚才	宣读	的	内容	是否	一致
		gangcai	xuandu	de	neirong	shifou	yizhi
		just.now	announced	ATTR	content	COP.NEG	consistent
		'Is the content in it (.) consistent °with° the content announced just now by the procurator?'					
7	DEF	一致				
		yizhi				

	consistent						
->	*'(It is) consistent'*						
8 JUD	对	起诉书	指控	你	犯	盗窃罪	罪名
	dui	qisushu	zhikong	ni	fan	daoqiezui	zuiming
	to	indictment	charge	2SG	commit	stealing	crime.name
9	和	集中	列举	的	犯罪	事实	
	he	jizhong	lieju	de	fanzui	shishi	
	and	together	listed	ATTR	crime	facts	
10	有没有	意见					
	youmeiyou	yijian					
	have.NEG.have	objections					
	'As for the charges in the indictment that you committed the crime of stealing and the facts of the crime listed together with it, do you have objections?'						
11 DEF	没有						
	meiyou						
	NEG.have						
->	*'(I) do not'*						
12 JUD	是	是否	自愿	认罪			
	shi-	shifou	ziyuan	renzui			
	COP	COP.NEG	voluntary	admit.guilt			
	'Do- do (you) voluntarily admit guilt.'						
13 DEF	自愿	认罪					
	ziyuan	renzui					
	voluntary	admit.guilt					
->	*'(I) voluntarily admit guilt.'*						

Defendants' responses to questions related to rights – if they had heard the judge announce the trial or rights information clearly, and if they would request for anyone to be recused – are almost never met with anything besides affirmations that the defendant had heard clearly and would not request recusal. In only two of the 20 trials does a defendant respond with a variation, like the one shown in (2.4) below.

(2.4) S-L-98248 Beijing

1	JUD	被告人	是否	申请	回避		
		beigaoren	shifou	shenqing	huibi		
		defendant	COP.NEG	apply	recuse		
		'Does the defendant apply for recusal.'					
2		(2.5)					
3	DEF	回避	就	行	啊		
		huibi	jiu	xing	a		
		recuse	just	OK	PT		
		'Recusal is just fine.'					
4	JUD	啊					
		↑a					
		PT					
		'Huh?'					
5	DEF	回避	不	回避	都	行	啊
		huibi	bu	huibi	dou	xing	a
		recuse	NEG	recuse	both	OK	PT
		'Recusal or no recusal are both fine.'					
6		(0.8)					
7	JUD	这个	法院	问	你		
		zhege	fayuan	wen	ni		
		this	court	ask	2SG		
8		(0.3)					
9		是否	申请	回避 (.)			
		shifou	shenqing	huibi (.)			
		COP.NEG	apply	recuse			
10		你	回答	这个	问题 (.)		
		ni	huida	zhege	wenti (.)		
		2SG	answer	this	question		
11		回避	就是说	你	对	合议庭	
		huibi	jiushishuo	ni	dui	heyiting	
		recuse	just.COP.say	2SG	to	full.court	
12		组织	的	成员	还有	公诉人 (.)	书记员 (.)
		zuzhi	de	chengyuan	haiyou	gongsuren (.)	shujiyuan (.)
		organize	ATTR	members	and	procurator	court.reporter
13		你	认为 (.)	这个	人 (0.3)	可能	会

	ni	renwei (.)	zhege	ren (0.3)	keneng	hui
	2SG	think	this	person	possible	will
14	影响	本	案	的	公正	审理 (.)
	yingxiang	ben	an	de	gongzheng	shenli (.)
	influence	CL	case	ASSO	fair	proceedings
15	可以	要求	换	人		
	keyi	yaoqiu	huan	ren		
	can	demand	replace	person		

'(0.8) This court asks you (0.3) whether or not to apply for recusal (.) (when) you answer this question (.) "recuse" just means that as for the members of this full court and the procurator (.) and court reporter (.) you think this person (0.3) may impact the fair proceeding of this case (.) (you) can demand that the person be replaced.'

16 DEF	不	用
	bu	yong
	NEG	need

'No need.'

In (2.4), line 1, the judge asks the defendant via polar interrogative if he needs to apply for the recusal of parties in the court. The defendant responds, "Recusal is just fine," in line 3; the use of *xing* here constructs his affirmation as an agreement to a request or offer, and his own response as the preferred response. The judge's subsequent open other-initiated repair in line 4, *a,* whose rising tone indicates the location of trouble in the prior turn, targets this understanding as problematic and selects the defendant for the next turn. The defendant, in line 5, responds by saying that "Recusal or no recusal are both fine," displaying an understanding that the judge's repair locates trouble in the defendant's understanding of what is preferred. In lines 7-15, the judge's response to the defendant's statement of ambivalence toward recusal is an explanation of the meaning of "recuse," offering a reformulation of the term preceded by *jiushi shuo* "that is to

say.” This shows the judge’s understanding of the defendant’s prior turn as having a problematic interpretation of the term “recuse” rather than as seeking the recusal of members of the court and thus constructing resistance against the court.

In line 16, the defendant declines to recuse, accepting the judge’s interpretation of this trouble. The response “no need” also displays an understanding of the judge’s prior turn as an offer and gives the socially preferred, aligned response. Subsequently, the judge moves on to the next stage of the trial, effectively accepting the defendant’s second response and closing the space for requesting recusal.

The other instance in which a defendant initially requests recusal ends in a compliant proceeding, without recusal, to the next stage of the trial. In this instance, shown in (2.5), the defendant responds to a procedurally mandated question about recusal that he will apply for it, however, when the question is rephrased to *“Do you need people replaced for the proceedings?”* the defendant issues a repeated denial, indicating that his initial response was based on a misunderstanding of the term.

(2.5) S-LA-1012469 Beijing

1 JUD	申请	回避	吗
	shenqing	huibi	ma
	apply	recuse	Q
	‘(Will you) apply for recusal?’		
2 DEF	(.) sh-	申请	
	(.) sh-	shenqi:ng,	
	(.) sh-	apply	

'(.) (I) a- apply?'

3 JUD 需要 换 人 审理 吗

xuyao huan ren shenli ma

need replace person hear.case Q

'(Do you) need to replace people for the proceedings?'

4 (0.7)

5 DEF 需要 吗 没有 这 需要

x- xuyao ma °meiyou zhe xuyao°

need Q NEG.have this need

'Need? (I) °don't have this need°'

6 JUD 啊

↑a

PT

'Huh?'

7 DEF 没有 这 需要 吧

meiyou zhe xuyao ba

NEG.have this need PT

'I don't have this need probably'

8 JUD 需要 (.) 你 对 谁 提出 申请 回避 啊

xuyao:: (.) ni dui shei tichu shenqing huibi a

need 2SG to who raise apply recusal PT

'Who do you need (.) to apply to be recused?'

9 DEF 没有 [m-

meiyou [m-

NEG-have m-

'I don't have a-'

10 JUD [就是] 我们 在 坐 的 三 位(.)

[jiushi] women zai zuo de san wei(.)

that is 1PL in seat ATTR three CL

11 你 认为 谁 需要 申请 回避 啊

ni renwei shei xuyao shenqing huibi a

2SG think who need apply recusal PT

'[That is,] of the three of us sitting here (.) who do you think (you) need to apply to recuse?'

12 DEF (.) 没有 啊

(.) meiyou a

NEG.have PT

'(.) I don't need to.'

13 JUD 那 要 (.)

	na	yao- (.)						
	then	will						
14	那	你	刚才	说	申请	回避	了	吗
	na	ni	gangcai	shuo	shenqing	huibi	le	ma
	then	2SG	just.now	say	apply	recusal	PFV	Q
	'Then will- (.) Then did you just say >(you would)apply for recusal<?'							
15 DEF	不	需要						
	bu	xuyao						
	NEG	need						
	'(I) don't need to.'							
16 JUD	辩护人	申请	回避	吗				
	bianhuren	shenqing	huibi	ma				
	defense.lawyer	apply	recusal	Q				
	'Does the defense lawyer apply for recusal?'							

As in (2.4), the judge's initial reply to a request for recusal is to reformulate his question in line 3, locating trouble in the term "recusal." These formulations display an orientation to the original question as potentially being difficult to understand. The defendant's response in line 5 is a low-volume, weak declining to pursue recusal. The judge responds to this utterance with an open other-initiated repair in line 6, alerting the defendant to trouble in his previous utterance. The defendant then declines weakly in line 7, with the utterance final particle *ba*. As in (2.2), the *ba* particle solicits agreement, making the statement less agentive, as it implies the ability to decline to pursue recusal is not something the defendant can do on his own. The judge's inquiry in line 10-11 as to whom the defendant would like to recuse implicitly includes an understanding that the defendant will seek recusal. However, the defendant in lines 12 and 15 repeatedly (and more agentively, using the same emphatic particle *a* as the judge has) declines to seek recusal.

Ultimately, the judge accepts the defendant's preferred declining move in line 16 and closes the sequence by moving on to the next procedural stage.

In the two cases in which defendants initially display ambivalence toward recusal or a request for recusal, subsequent reformulation by the judge is then followed by the defendant declining to pursue recusal. In the investigation stage, all defendants respond that they plead guilty and do not contest the charges. In short, the turns immediately allocated to the defendant via procedural questions during the preparation and investigation stage of the criminal trial are not utilized by defendants to assert innocence or offer objections to personnel present. Judges respond to dispreferred responses with explanations of the term "recusal," displaying an understanding that defendant requests for recusal are motivated by a misunderstanding of the term. In all twenty cases, defendants do not construct resistance in this stage of the trial.

2.4.3.2 Resistance in the evidence presentation stage of the trial

According to Article 190, Chapter II of the CPL, "The adjudicating personnel shall listen to the opinions of the public procurator, the parties to the case and their defense counsel(s) and litigation representatives" regarding "physical evidence…transcripts of witnesses' testimonies…and other evidential documents of which the authors are not present in the court" (Chen 2013, 310). Unlike the preparatory and investigation stages of the trial, the evidence presentation stage includes six instances of defendants utilizing procedurally mandated spaces to display resistance, three from the same trial, as shown below. All six are instances of resistance

to the agenda of blame ascription, which is advanced by the procurator in their preceding presentations of evidence.

In the first case of evidence presentation stage resistance, the procurator has just read witness testimony that the defendant purchased drugs three times and provided details about each of those instances. The judge then opens the sequence by asking the formal question "Do you have objections?" This makes the defendant accountable to respond to the procurator's lengthy presentation of evidence that occurred prior to the judge's turn in line 1.

(2.6) R-L-110674 Hebei

1 JUD	有	异议	吗			
	you	yiyi	ma			
	have	objection	Q			
	'Do you have objections?'					
2 DEF	(.) 有	异议				
	(.) you	yiyi				
	have	objection				
->	*'(.) (I) have objections.'*					
3 JUD	嗯 (.)	哪	一	块	有	异议
	en (.)	na	yi	kuai	you	yiyi
	PT	which	one	CL	have	objection
	'Mmmhmm (.) (to) which part do (you) have objections?'					
4 DEF	就是 (.)	没有	购买	三	次	
	jiushi: (.)	meiyou	goumai	san	ci	
	that.is	NEG.have	purchase	three	CL	
->	*'It's just: (.) (I) did not purchase three times.'*					
5	(4.0)					
6 JUD	其他	的	呢			
	qita	de	ne			
	other	ATTR	PT			
	'And other (objections)?'					

7 DEF	其他	的	没有	异议
	qita	de	meiyou	yiyi
	other	ATTR	NEG.have	objection
	'Other (than that, I) don't have objections.'			

In the interaction (2.6) above, the defendant pauses before responding affirmatively that he does have objections, resisting blame ascription. The judge confirms with minimal backchanneling in line 3 that he has heard and asks "to which part" the defendant objects. In order to respond without operating on the question, the defendant would need to respond with the part to which he objects; however, he presents his alternative version of affairs instead, after a filler and a pause, which mark that his response as dispreferred. By responding with a direct denial of committing the crime rather than locating the source of disagreement within the procurator's speech as requested, the defendant covertly resists the labelling of his alternative version of events as an objection and the resistance to the court with which it is associated.

In (2.7) below, the defendant has been charged with physical assault, and the procurator has read witness testimony detailing how he is alleged to have struck the victim. The judge in lines 1-3 first proposes the evidence and the (alleged) facts in the evidence and testimony as a topic and selects the defendant to confirm or deny objections to them by calling him by name, soliciting his engagement and summoning him before the initiation of the next, different action.

(2.7) R-N-1643813 Shandong

1 JUD	对	这些	证据						
	dui	zhexie	ZHENGju						
	to	these	evidence						
2	以及	这些	证据	证言	里面	的	事实 (0.2)		
	yiji	zhexie	zhengju	zhengyan	limian	de	shishi (0.2)		
	and	these	evidence	testimony	in	ATTR	facts (0.2)		
3	被告人	XXX	有没有	异议					
	beigaoren	XXX	youmeiyou	yiyi					
	defendant	NM.DEF	have.NEG.have	objection					
	'In relation to this Evidence and the fa:cts of this evidence and testimony (0.2) does Defendant XXX have objections or not?'								
4 DEF	有								
	you								
	have								
	'Yes.'								
5 JUD	有	什么	异议	讲					
	you	shenme	yiyi	>jiang					
	have	what	objection	talk					
	'What objections >speak.'								
6 DEF	XXX	那	一	份	是	假	的		
	XXX	na	yi	fen	shi	jia	de		
	NM.WIT	that	one	CL	COP	false	ATTR		
7	因为	当时	我	一直	在	那个			
	<yinwei	dangshi	wo:	yizhi	zai	nage:			
	because	then	1SG	always	at	that.FIL			
8	他	女朋友	旁边儿	拉					
	ta	nüpengyou	pangbian'r	la::					
	3SG	girlfriend	side	pull					
9	他	拉着	我	的 (.)					
	ta	lazhe	wo	de (.)					
	3SG	pull.DUR	1SG	NMLZ					
10	我	不	可能	去	到	背后	去		
	<wo	bu	keneng	qu	dao	beihou	qu		
	1SG	not	possible	go	RES	behind	go		
11	摔	的	不	可能	给	他	一	拳	
	shuai	de	bu	keneng	gei	ta	yi	quan>	
	fall	NMLZ	NEG	possible	give	3SG	one	CL	

->	*'That piece (of testimony) from XXX is false <because at that ti:me I was always at, uh: <his girlfriend's side the whole time> pu:lling, he was pulling me (.) <it wasn't possible for me to go behind and fall not possible to give him a punch.>'*									
12	JUD	对	WIT	的	证人	证言	有	异议	是	吧
		dui	XXX	de	zhengren	zhengyan	you	yiyi	shi	ba
		to	NM.WIT	ASSO	witness	testimony	have	objection	COP	PT
		'(You) have objections to the witness testimony of witness XXX, right?'								
13	DEF	对								
		dui								
		right								
		'Right.'								

As in (2.6), in (2.7) the defendant responds affirmatively but does not elaborate until ordered to speak by the judge in the following turn, first with an interrogative and then an imperative – "speak" – which forcefully selects the defendant for the next turn and makes him accountable to describe what dissenting opinion he has. In line 6, the defendant responds with his objection by first blaming a third party who is not present, witness XXX, displaying disaffiliation with this party before providing an account for why he does so. By prefacing his objection with an ascription of blame to a third party, the defendant resists the topical agenda set by the judge in the prior turn. The defendant's use of "that" to describe the piece of testimony with which he disagrees is also an example of a pragmatically marked reference (Stivers 2007, 78) in that it creates distance between the speaker and the named, further embodying disaffiliation. In line 7, "back then" is also a marked reference that shifts the agenda from the present objection to the past events. Further, the defendant employs extreme case formulations ("always" in line 7 and "not possibly" twice in lines 10 and 11), bolstering his account for disaffiliation. In line 12, the

judge recasts the defendant's speech back into an objection to the witness testimony, reasserting the agenda of framing the defendant's resistance as an objection.

In (2.8) below, the defendant has been accused of stabbing someone with a knife after engaging in physical altercation. The judge asks the defendant if he has objections after the procurator reads testimony from a witness about who struck first.

(2.8) S-L-98248 Beijing

1	JUD	有	意见	吗			
		you	yijian	ma			
		have	objection	Q			
		'Do (you) have objections?'					
2	DEF	当时	他	先	打	的	呀
		dangshi	ta	xian	da:	de	ya
		that.time	3SG	first	hit	NMLZ	PT
3		不	是	我	先	打	的
		bu	shi	wo	xian	da	de
		not	COP	1SG	first	hit	NMLZ
		'Back then he was the first to hi:t, I wasn't the first to hit'					
4		(1.0)					
5	JUD	说	那	XXX	的	证言	里面 (.)
		shuo	na	XXX:	de	zhengyan	limian (.)
		say	that	NM.WIT	ASSO	testimony	in
6		一	个	是	说	是	
		>yi	ge	shi	shuo	shi<	
		one	CL	COP	say	COP	
7		他	先	跟	那个	老板	XXX
		ta	xian	gen	nage	laoban	XXX
		3SG	first	with	that	boss	NM.WIT
8		[发生	冲突	后来			
		[fasheng	chongtu	houlai			
		occur	conflict	then			

	'(You're) saying in the testimony of Witness XXX: >one is that< he first							
	[had a conflict with that boss XXX, then…'							
9 DEF	[对	我	看	他	打	我	去 (.)	的]
	[dui	wo	kan	ta	da	wo	qu (.)	de]
	right	1SG	see	3SG	hit	1SG	go	NMLZ
10	我	看	他	跟	他	干起来		
	wo	kan	ta	gen	ta	gan-qilai		
	1SG	see	3SG	with	3SG	do-INCH		
11	我	过去	了					
	>wo	guoqu	le					
	1SG	go.over	PFV					
12	又	打	了	他	的			
	you	da	le	ta	de			
	again	hit	PFV	3SG	NMLZ			
	'[Right, it was that I went when I saw him hit,] it was that I saw him start							
	up with him >I went over and hit him again.'							

Unlike in (2.6) and (2.7), in (2.8) the defendant responds to the judge's polar question with a non-type conforming, direct presentation of his objection. He thus resists the agenda of confirming that a disagreement is the same as an objection. As in (2.7), the use of "back then" in line 2 immediately resists the agenda of talking about present objections and refocuses on past events and is a marked reference. The defendant also presents his alternative version of events first in line 2 before he presents his disaffiliation with the procurator and resistance to the agenda of blame ascription in line 3, covertly resisting the isolation of the objection into its own turn.

In (2.9) below, the same defendant as in (2.8) is asked to say whether he has objections to the procurator's presentation of evidence related to the stab victim's wound.

(2.9) S-L-98248 Beijing

1 JUD	有	意见	吗					
	you	yijian	ma					
	have	objection	Q					
	'Do [you] have objections?'							
2 DEF	没	意见	但是	刀	就	拍	了	一下
	.hh mei	yijian	>danshi	dao	jiu	pai:	le	yixia
->	NEG.have	objection	but	knife	ADV	pat	PFV	a.bit
3	他	没	砍	那些				
	ta	mei	ka:n	naxie				
	3SG	not.have	stab	those				
4	他	说	的	那	这个	哈		
	ta	shuo	de	na	zhege	ha		
	3SG	say	ATTR	that	this	PT		
5	<click>	别的	没有					
	<click>	biede	meiyou					
	<click>	other	NEG.have					
	'.hh no objections >but (I) just pa:tted (him) with the knife a bit, there wasn't any sta:bbing, those (things) he said, uh. <click> (I) don't have any other (opinions)'							
6 JUD	是	这样	那	XXX	的			
	shi	zheyang	na	XXX	de			
	COP	this.way	that	NM.WIT	ASSO			
7	证言	当中	明确	提到	hh	(0.8)		
	zhengyan	dangzhong	mingque	tidao	hh	(0.8)		
	testimony	in	clearly	mention.COMPL	hh			
8	就是	你	是	先	打	了	那个	
	jiushi	ni	shi	xian	da	le	nage::	
	that.is	2SG	COP	first	hit	PFV	that.FIL	
9	被害人	(.)	一	巴掌				
	beihairen	(.)	yi	bazhang				
	victim		one	palm				
	'It's like this, in XXX's testimony, [he] clearly mentions hh (0.8) it was you who first gave tha::t victim (.) one punch'							
10 DEF	对							
	du[i::]							
	right							
	'Ri:[:ght.]'							

11 JUD	[然后]	他	才	取	的	钱
	[ranhou]	ta	cai	gan	de	qian
	then	3SG	not.until	withdraw	NMLZ	money
	'And only then did he withdraw the money'					
12 DEF	对					
	dui					
	right					
	'Right'					
13 JUD	是	这个	情况	吗		
	shi	zhege	qingkuang	ma		
	COP	this	situation	Q		
	'Is this the situation?'					
14 DEF	是					
	shi					
	COP					
	'(It) is.'					

In line 2 of (2.9), the defendant presents his objection after a weak preferred preface – a common turn shape for dispreferred responses (Pomerantz 1984). The combination of the weak preferred preface and an alternative version of events at odds with the procurator's presentation of evidence – that the victim was stabbed – resists the agenda of blame ascription as well as the labelling of the defendant's objections as objections per se. The use of *yixia* "a bit" is a mitigator for the verb – which he says was *pai* "patting," not *kan* "stabbing," a downgrade that is an implicit rejection via the maximal property of descriptions (Drew 1992). In lines 3 and 4, *na* "that" serves to distance the defendant from those with whom he is displaying disaffiliation (Clayman 2013).

The interaction shown in (2.10) is also the same defendant, the accused charged with stabbing someone following a physical altercation. In the following excerpt, he expresses a similar objection as in (2.8), that his offense is of a lesser degree than alleged by the procurator.

(2.10) S-L-98248 Beijing

1	JUD	有	意见	吗			
		you	yijian	ma			
		have	objection	Q			
		'Do [you] have objections?'					
2	DEF	没	意见				
		mei	yijian				
		NEG.have	objection				
		'(I) don't have objections.'					
3		(3.5)					
4	DEF	d-	刀	就是	拍	一下	
		d-	dao	jiu	pai	yixia	
		d-	knife	just.COP	pat	a.bit	
5		那	刀	砍掉			
		na	dao	kandiao			
		that	knife	cut.off			
6		那	刀伤				
		na	daoshang				
		that	knife.wound				
7		法医	法医	看看	它	也	
		fayi	fayi	kankan	ta-	ye-	
		legal.doctor	legal.doctor	see.see	it	also	
8		它	那个				
		ta	neige				
		it	that				
9		你	自个	能	看	出来	啊
		ni	zige	neng	kan	chulai	a
		2SG	self	can	see	RES	PT

-> *'(I) don't have objections (3.5) that kn- knife, (I) just patted a bit, cutting off, that knife wound, (if) the legal doctor legal doctor takes a look at it and it, that, you can see it for yourself.'*

10 (1.0)

11 JUD 刀 砍 了 一下

dao kan le yixia

knife stab PFV a.bit

'(1.0) The knife stabbed a bit.'

In (2.10) above, the defendant first responds to the judge's polar interrogative with a preferred negative response. However, following a pause in line 3, this is revealed to be a preface to the direct presentation of an alternative version of events, conflicting with the procurator's version of events in prior turns. Again, this frames the objection as not an objection. It resists the agenda of labelling disagreement as formal objection, which would constitute disalignment with the court and its aims. As in this defendant's previous excerpts, he uses *pai* "pat" and *yixia* "a bit" to mitigate the severity of his infraction and implicitly rejects the procurator's assessment via the maximal property of descriptions. Like the defendants in (2.7) and (2.8), in lines 4-9, the defendant repeatedly uses *na* "that" in reference formulation, distancing himself in a disaffiliative stance from the knife, knife wound, and what the forensic doctor looks at. In line 11, the judge responds with a candidate formulation which returns to the verb *kan* "stab" from "pat" but repeats the defendant's mitigating *yixia* "a bit," a covertly transformative response.

In (2.11), a defendant is accused of selling drugs, but contests the number of times he has sold them. The judge asks if he has objections, and he responds affirmatively, launching directly into his account without waiting for the judge to select him for the next turn and set the agenda.

(2.11) S-N-124068 Tianjin

1 JUD	有	意见	吗						
	you	yijian	ma						
	have	objection	Q						
	'Do [you] have objections?'								
2 DEF	嗯	那个	他	那个	那	五	次	是	我-
	e:n	nage	ta	nage::	na	wu	ci	shi	w-
->	FIL	that	3SG	that	that	five	CL	COP	1SG
3	我	没有	(.)	都	是	什么			
	wo	meiyou	(.)	°dou	shi	shenme°			
	1SG	NEG.have	(.)	all	COP	some			
	'Mmhmm, that, he, that, that five times is- I- I didn't (.)°it's all some°'								
4 JUD	每	次	有						
	mei	ci	you						
	each	CL	have						
	'(You) did each time?'								
5 DEF	嗯								
	en↑								
	FIL								
	'Huh?'								
7 JUD	一共	卖给	XXX	几	次	毒品			
	yigong	maigei	XXX	ji	ci	dupin			
	total	sell.to	NM.WIT	how.many	CL	drugs			
	'How many times did (you) sell to XXX in total?'								
8 DEF	就	两	次						
	jiu:::	liang	ci↑						
	just	two	CL						
	'Ju:st two times?'								
9 JUD	(.) 就是	起诉	指控	的	这	两	次	[是	吧
	(.)jiushi	qisu	zhikong	de	zhe	liang	ci	[shi	ba
	just.is	indictment	charge	ASSO	this	two	CL	COP	PT
	'This is just the two times in the indictment charges, [right?'								
10 DEF	[啊	对对对							
	[a	duiduidui							
	PT	right.right.right							
	'[Ah, right right right.'								

In (2.11), the defendant uses *nage,* a Chinese demonstrative ("that") that is one of the most common fillers in the language (Zhao and Jurafsky 2005), three times in line two, the first two of which serve as fillers before self-repair, the third of which is a pragmatically marked reference used when displaying disaffiliation with the procurator's accusation that he sold drugs five times. Further, in lines 2 and 3 there are several instances of reformulation and self-repair, as well as a pause before stating what he didn't do. Such pauses and self-repair are typical of dispreferred turn shapes. The judge's turn in line 4 is a candidate understanding of the defendant's previous turn, which the defendant rejects by initiating open-ended repair in line 5. The judge then abandons this sequence in favor of progressivity and asks a more constrained question, making the number of times the defendant sold drugs to the third party the topic on which the defendant is accountable to respond. The defendant's use of *jiu* "just" may either be a filler, creating a delay before the dispreferred response, or a limiter, emphasizing the limited quantity that is sold, and implicitly rejecting the five times asserted by the procurator through the maximal property of descriptions. It is also possible that it serves both functions.

Overall, this stage of the trial was the site of most of the resistance found in the corpus; however, defendant responses that constructed resistance made up less than 5% of the responses in this trial stage; fully type-conforming affiliating and aligned responses were far more common, and even defendants who displayed resistance in this stage did so less than they displayed compliance.

2.4.3.3 Resistance in the debate stage of the trial

The debate stage is the site of two instances of resistance in this data set – fewer in quantity than in the evidence presentation sage, but greater in terms of proportion. In the first instance of resistance, the defendant yields his turn to his defense lawyer. The defense lawyer then proceeds to restate that neither lawyer nor defendant has objections and pleads for a light sentence. This instance is not included in this study due to focus on defendant speech alone.

In the only other instance, in (2.12) below, the judge does not ask a question and instead prompts the defendant to begin his statement of defense through an imperative; the defendant then launches into a lengthy statement that is at least in part pre-prepared, as noticeable in the more formal word choice and grammar.

(2.12) R-N-1643813 Shandong

1	JUD	好	被告人	XXX	自行	辩护
		hao	beigaoren	XXX	zixing	bianhu
		OK	defendant	XXX	self.conduct	defense
		'OK, defendant XXX, conduct your self-defense.'				
2		(5.0)				
3		自己	为	自己	辩护	
		ziji	wei	ziji	bianhu	
		self	for	self	defend	
		'Do your defense for yourself.'				
		(4.0)				
4	DEF	好				
		hao				
		OK				
		'OK.'				
5		(4.0)				
6	DEF	我们	笔录	上		
		women	bilu	shang		

	1PL	transcript	on						
7	笔录	上	已经	说明	了				
	bilu	shang	yijing	shuoming	le				
	transcript	on	already	explain	PFV				
8	当时	的	情况	了					
	dangshi	de	qingkuang	le					
	then	ATTR	situation	PFV					
9	而且	我	确实						
	erqie	wo	queshi						
	as.well	1SG	truly						
10	在	整个	参与	过程	中				
	zai	zheng-ge	canyu	guocheng	zhong				
	in	entire	participation	process	in				
11	动手	的时候	(.)						
	dongshou	deshihou							
	move.hand	when							
12	动手	的	环节	确实	不	多			
	dongshou	de	huanjie	queshi	bu	duo			
	move.hand	ASSO	stage	truly	NEG	much			
13	(2.0)								
14	但是	这	件	事情					
	danshi::	zhe	jian	shiqing					
	but	this	CL	matter					
15	是	我	跟	他	女朋友	的	争吵	引起来	的
	shi	wo	gen	ta	nüpengyou	de	zhengchao	yin-qilai	de
	COP	1SG	and	2SG	girlfriend	ASSO	fight	cause-COMPL	ATTR
16	所以	我	有	责任					
	suoyi	wo	you	zeren					
	so	1SG	have	responsibility					
	'In our statement, in the statement, (I) already explained the situation then, and really, in the whole process, when there were blows (.) I didn't strike much (2.0). But this matter was caused by my and his girlfriend's fight, so I have responsibility.'								
17	(29.0)								
18 JUD	所以	我	有	责任					
	suoyi	wo	you	zeren					
	so	1SG	have	responsibility					
	'So I have responsibility.'								
19	(5.0)								

20	JUD	就	这	些	吗
		jiu	zhe	xie	ma
		just	this	some	Q
		'That's it?'			

Here, the defendant pauses and is prompted and pauses again before launching his self-defense statement, showing covert, negative dimension resistance through the absence of speech during a period when one is accountable to speak. He locates the target of his objections as the level of participation in the alleged fight, using the extreme case formulation *queshi* "truly" before a statement which is agenda transformative, addressing not whether the defendant struck the victim, but whether the amount of striking was significant. The two-second pause at line 13 following an assertion that is at odds with witness testimony read by the procurator is a potential transition-relevance place; however, the judge does not self-select to speak. The defendant continues to say that he has responsibility because the fight was because of his disagreement, which is an explanation of his responsibility similarly at odds with the court's version of affairs. The 29-second pause in line 17 also shows a level of negative, covert resistance, a refusal to elaborate.

The judge's lexical repetition, identifying the defendant's statement as a source of trouble in line 18 shows an understanding of such a statement as insufficient, an understanding further reflected in his line-20 question, "That's it?" This expressed dissatisfaction – via making the defendant accountable to answer for the trouble located in his statement – shows that the judge is treating the defendant's statement as resistant to his agenda.

Debate-stage resistance differs from evidence-stage resistance in that it is less closely constrained by polar questions, therefore resistance is more likely to occur in relation to larger-scale blame-ascription agendas, and may potentially reference speech from much earlier in the trial. However, it may be identified by ratification from other participants in the interaction and in reference to the formal charges of the court.

2.4.3.4 The defendant's last statement

In the final procedurally mandated space for defendant opinion, the final statement, only two defendants in the corpus construct resistance, as seen below. In the corpus, the defense final statement is largely oriented to as a space for talking about understanding of one's behavior, as shown by the judge's response in (2.1). Defendants also show an understanding of the final statement space as a time to show their remorse and intention to change. In one trial, as shown in (2.13), a judge explicitly outlines the purpose of the defense last statement as a place to say something "beneficial" to the defendant.

(2.13) R-N1643803 Shandong

1	JUD	被告人	先	最后	陈述	
		beigaoren	xian	zuihou	chenshu	
		defendant	first	last	statement	
		'Defendant, first (make) the final statement.'				
2	DEF	陈述	关于	哪	方面	的
		chenshu	guanyu	na	fangmian	de
		statement	about	what	aspect	NMLZ
		'A statement about what aspect?'				
3	JUD	就是说	你	最后	还有	什么	要	说	对

	jiushishuo	ni	zuihou	haiyou	shenme	yao	shuo	dui
	That.COP.say	2SG	last	still.have	what	will	say	to
4	自己	有利	的	肯定	是	说	对	自己
	ziji	youli	de	kending	shi	shuo	dui	ziji
	self	beneficial	NMLZ	definitely	COP	say	to	self
5	有利	的	对	吧				
	youli	de	dui	ba				
	beneficial	NMLZ	right	PT				

'That is, do you have something to say, beneficial to yourself, definitely (you would) say something beneficial to yourself, right?'

The last statement is also oriented to as a space for expressing regret and promising to do better in the future. Neither the defendant in the above trial nor any other uses the space to discuss an objection to the charges or evidence – perhaps knowing that given the high conviction rate, denying the charges would not count as beneficial.

In the first instance of resistance during the final statement stage, in (2.14), the judge asks the defendant if he will appeal the sentence.

(2.14) S-L-69331 Beijing

1	JUD	上诉	吗				
		shangsu	ma				
		appeal	Q				
		'(Will you) appeal?'					
		(1.2)					
2	DEF	回去	再	说			
		huiqu	zai	shuo			
		return.go	again	say			
		'(Let's) say after (I) go back.'					
3		(2.5)					
4	JUD	回去	再	考虑	一下	是	吗

	huiqu	>zai<	kaolü	yixia	shi	ma
	return.go	again	think	a.bit	COP	Q
	'You'll think a bit >after< (you) go back?'					
5 DEF	对					
	dui					
	right					
	'Right.'					

The defendant, who was just sentenced to three months of criminal detention and a 3,000 renminbi fine, pauses before declining to offer a yes or no to the judge's polar interrogative in line 1. His response in line 2 is a common fixed expression that is offered to delay giving a firm answer on the spot. This operates on the judge's agenda of requesting the information about whether he will appeal, as well as the blame ascription agenda more broadly. The judge's transformative candidate understanding in line 4 replaces a speaking or action verb with a thinking verb, and adds a mitigating *yixia* "a bit," thus interpreting the defendant's bid to postpone answering as due to a need to think, rather than a refusal to answer on the spot as requested for other reasons. The defendant's response in line 5 ratifies this account.

The second instance of resistance during the final statement stage, and the final instance in the data set more broadly, is shown in (2.15) below.

(2.15) S-L-98248 Beijing

1 JUD	那	被告人	站起来 (.)	做	最后	陈述
	na	beigaoren	zhan-qilai	zuo	zuihou	chenshu
	then	defendant	stand-up	make	last	statement
2	(11.0)					

3 JUD	以后	还有	什么	要	说	的
	yihou	haiyou	shenme	yao	shuo	de
	after	also.have	what	will	say	NMLZ
	'Then stand up, defendant (.) make (your) last statement (11.0) ((defendant is physically raised by police officers and a microphone is positioned in front of his mouth.)) After (this) do you have something else to say?'					
4 DEF	没	啥	说	的	了	
	mei	sha	shuo	de	le	
	NEG	what	say	NMLZ	ASP	
	'(I) don't have anything to say.'					
5	(2.0)					
6 JUD	对	这个	事情	有	什么	看法
	dui	zhege	shiqi:ng	>you<	shenme	kanfa
	to	this	matter	have	what	opinion
	'What opinion do (you) >have< on this ma:tter?'					
7 DEF	他	就	判	吧	咋	整	犯法	的
	ta	jiu	pan	ba	za	zheng	fanfa	de
	3SG	just	sentence	PT	how	do	crime	ATTR
	'Just sentence (me), what can I do, it's a crime.'							
8	(0.5)							
9 JUD	还有		吗					
	hai-you		ma					
	also-have		Q					
	'Do (you) also have (anything) else?'							
10 DEF	没有	了						
	meiyou	le						
	NEG.have	ASP						
	'No.'							

Here, the defendant resists the agenda of the judge, which is expressed in his imperative command in line 1 making the defendant accountable to give a statement. His refusal, in line 4, could be translated as either "I don't have anything to say" or "There isn't anything to say," due to the omission of pronouns common in Mandarin Chinese. This operates on the judge's question in line 3, which presupposes that there is something to say. The judge's response to the

defendant's refusal in line 6 is a rephrasing of the same question. Instead of censuring the defendant, he asks a question that makes relevant a response including the defendant's views on the matter. Again, in line 7, the defendant resists this agenda by responding without providing this information, instead advancing his own agenda, that the judge should move on to the next order of business. Here, *jiu* "just" is a contrastive marker, signaling the agenda shift, while the particle *ba* again raises pressure and marks the statement as a suggestion. Again, the judge gives the defendant one more prompt, which is turned down in line 10.

Importantly, declining to offer a last statement is not always oriented to as problematic by judges; in other cases, such a response is met with acceptance and immediate proceeding to the sentencing phase of the trial. Special attention must be paid to how judges treat and ratify defendant responses in this stage, as there is no one set of institutional norms that functions in the same way across all trials. Some judges treated the space as an optional opportunity for defendants to express remorse or say whatever they had not yet had the opportunity to say, while others, such as the judge in (2.15), seemed to treat it as a more necessary speech. This is another example of how institutions are brought into being through interaction, rather than existing uniformly outside of it.

2.5 Discussion

Despite defendants speaking more in the preparatory and investigation stages of the trial, more defense resistance was found in response to procedural questions in the evidence

presenting, debate and last statement stages of the trial. In this respect, the qualitative analysis shows some of the limits of corpus linguistic analysis in answering more qualitative questions about defendant resistance.

Conversation analysis of these excerpts showed several things to be true: first, while in principle defendants in summary trial proceedings have already admitted guilt and agreed to a sentence[5], resistance is not absent from this trial type. Of the instances of resistance, about half come from a single summary trial, and the other half from different regular trials. This is an important finding because analysis of the actual interaction in summary trials reveals them to differ from their legal definition and ostensible purpose. If summary trials do not exist simply to expedite the process of trials in which there is agreement on the facts of the case, then it begs the question: What actual purposes do they serve? Increased efficiency may come at the expense of due process.

Second, defendants utilize only covert forms of resistance, and never explicitly against the judge, procurator, or police, instead explicitly targeting assertions made in witness testimony read by the procurator. Most frequently, they implicitly operate on the term "objection" and seek to frame their resistance as disaffiliation with third-party, non-present witnesses, something less than a formal objection, which would imply disaffiliation with the court. They accomplish this through marked pragmatic references, implicit rejection via the maximal property of

[5] Article 208 of China's CPL requires that there be "no objections on the part of the defendant to their guilt or the facts of the crime" for such proceedings (Chen 2013, 315; United Nations Office of the High Commissioner for Human Rights 2016)

descriptions, and extreme case formulations. This shows that the legitimacy of the court, the members of the court, and the assessments of the court are not challenged, but defendants see non-present persons as the most acceptable target for their disalignment and disaffiliation in the PRC context. If objections are all but banned in a legal context, formulating one's objection as non-legal in nature and seeking to construct a non-legal defense seems to be more appealing to defendants than "doing" legal defense.

Third, the judges' responses in these excerpts also include a variety of strategies for managing resistance and reasserting their agendas, showing recognition of and work against defendants' attempts to assert different agendas. Before closing the sequences, judges often seek (as in Examples 2.7, 2.8, and 2.9) to reassert the agenda of blame ascription and propose formulations that employ legal language (words like objection, testimony, or facts). In (2.10), the judge upgrades the statement from *pai yixia* "patted a bit" to *kan le yixia* "stabbed a bit," a transformative other-initiated repair that upgrades the severity of the action while ostensibly repeating it for confirmation, what (Wu 2006, 96) calls a "question-intoned" repair initiation that serves to target a problem in the preceding speech. The judges' turns following defendant resistance display an understanding of their resistance as something to be managed and operated on again until explicit affiliation can be reached.

Fourth, the diversity of turn shape and selection show the diversity of the institution as it is constructed by all those interacting. Some defendants (as in Examples 2.6 and 2.7) choose to use their turn simply to state that they do have objections and then allow the judge to self-select

for the following turn, while other defendants disregard the polarity of the judge's procedural question (Examples 2.8 and 2.11) or attend to the polarity and then proceed into an explanation without waiting for the judge to select them for the next turn (Examples 2.9 and 2.10). It is unclear whether defendants who proceed directly into presentation of their objections, rather than confirming they have an objection, are more agentive and strongly resistant than those who simply confirm they have objections and yield the floor to the judge. Direct presentation of an objection is a minor violation of customary legal proceedings, and thus transgressive, but the degree to which judges enforce formality and speak-when-spoken-to expectations varies across and within trials. The presentation of an account rather than a dispreferred response is often a move more conscious of social solidarity in less institutional conversation. In the data set, both types of responses are present, and both are accepted without censure by judges. This diversity also shows the degree to which the institution is brought into being through interaction and is not uniform throughout all trials at all times.

Finally, conversation analysis reveals that defendants use a diverse variety of linguistic and pragmatic resources to construct their resistance – it is never communicated fully by a mere "yes" or "no" response. While all frame their resistance as a form of disaffiliation with an outside party and express resistance covertly, they do so with a variety of resources. Some of these include the following:

Trial stage	Excerpt	Pause or filler	Pragmatically marked reference	Implicit rejection via maximal property of descriptions	Contrastive marker	Extreme case formulation	Mitigating preferred prefaces
Evidence presentation	6	x					
	7	x	x			x	
	8		x				
	9	x	x	x	x		x
	10	x	x	x	x		x
	11	x	x	x	x	x	
Debate	12	x	x	x	x	x	
Last Statement	14	x					
	15	x			x		

Table 2.6 Resources utilized to construct resistance

1) Pauses and fillers: These are used, often as prefaces to dispreferred responses, in all but one of the resistance instances. In (2.6), for example, the defendant in line two pauses before offering his dispreferred confirmation that he objects: "(.) (I) have objections." and again in line 4 before he offers the specific objections: "It's just: (.) (I) did not purchase three times." Fillers and pauses are observed in the greatest number of resistance cases, and often repeatedly. They are also used in a variety of ways. In (2.12), the pauses following the defendant's statements present a pointed refusal to comply with the judge's repeatedly asserted agenda of having him give a final statement. In those cases, the pauses are more a deliberate violation of social norms, via negative, covert resistance, than prefaces mitigating the dispreferred responses to follow.

2) Pragmatically marked references: Defendants use a variety of tactics to target the object of their resistance. In (2.7), *XXX na yi fen shi jiade* "That piece from XXX is false," the demonstrative "that" places distance between the speaker and the witness testimony he is

challenging. In (2.10), the defendant calls the knife wound he argues does not exist *na daoshang* "that knife wound." In (2.9), the defendant uses the pronoun "that" in reference to witness testimony with which he disagrees.

3) Mitigating prefaces: In (2.9) and (2.10), the defendant prefaces his resistance with ostensible compliance, stating that he does not have objectives, but then follows the preface with a description of events that differs from that in the preceding procurator's presentation of evidence. This turn shape, in which the dispreferred response is prefaced by a short or token preferred response, joined by *danshi* "but," in one case, is typical of dispreferred responses (Pomerantz 1984) and is also an example of covert positive resistance (Clayman 2001) in which the defendant operates on the presuppositions embedded in the question. This move operates on the agenda of blame ascription from the procurator after giving the initial preferred response to the judge, separating solidarity with the judge from solidarity with the accusations. (2.10) shows the use of a filler to signal what will follow is a dispreferred response, and then an immediate transition into a disagreement with prior testimony.

4) Implicit rejection: Defendants often utilize the maximal property of descriptions to construct implicit rejections of assertions made by the procurator reading witness testimony. In Examples 2.9 and 2.10, *dao jiu pai le yixia* "(I) just pa:tted (him) with the knife a bit" and *dao jiushi pai yixia* "knife, (I) just patted a bit" challenge terms regarding the severity of the action and the type of action in describing the alleged attack (stabbing), simultaneously disavowing

responsibility by removing the knife-wielding self or first-person pronoun entirely from the utterance.

5) Contrastive markers: Stivers and Hayashi (2010) finds that the English "just" serves as a contrastive marker before an agenda-resisting transformative response (15-16). In this data set, the Chinese lexical items *jiu* and *jiushi,* which are often translated as "just" in English despite having a broader range of functions, are found to precede terms-transforming responses as well as agenda-transforming responses. In (2.6), *jiushi* "it's just" serves to specify the point of disagreement, resisting blame ascription. In (2.11), line 8, the defendant argues that he sold drugs *jiu liangci* "ju:st twice" which limits as it specifies. While "just" does not necessarily correlate with resistance invariably, in this data set it is found in four of the six instances of resistance that take place in the evidence presentation stage of the trial.

6) Extreme case formulations: The defendant in (2.7) uses the words *yizhi* "the whole time" and *bukeneng* "not possibly" when describing a situation at odds with that presented in witness testimony. Extreme case formulations, which are found in defenses against accusations and complaints, are employed to legitimize claims (Pomerantz 1986). By utilizing these formulations, the defendant in (2.7) strengthens the legitimacy of his claim, which is in opposition to the witness testimony read in the preceding procurator turn. Thus, the formulation resists the agenda of blame ascription.

Through a conversation analytic framework, different strategies for qualifying defendant resistance are identified, including contrastive markers, pragmatically marked references,

mitigating prefaces, implicit rejection, and extreme case formulations. The utilization of these strategies shows that defendants in the corpus balance affiliation with the judge by mitigating their dispreferred statements and framing their stance as being disaffiliation with a party outside the court (most often, a witness who is not present). Judges also use strategies to manage and contain resistance, including linking and other-initiated repair. The employment of summary rather than regular proceedings, while ostensibly indicating that guilt and the facts of the case are already a settled matter, does not in practice coincide with a lack of defendant resistance, although additional data would be needed to determine the frequency of occurrence and distribution.

The employment of both qualitative and quantitative methods in analyzing criminal trial data enhances the effectiveness of both kinds of analysis. Corpus linguistic analysis makes it possible to make broad predictions about the distribution of turns in different stages of the trial and prevalence of resistance compared to compliance in different kinds of trial types and stages. These findings help guide the selection of passages for qualitative analysis. In turn, CA reveals recurring linguistic strategies employed by defendants to construct resistance that might be inventoried and coded in additional corpus linguistic schemes to determine their prevalence and distribution.

In future studies, the incorporation of quantitative findings into qualitative analysis and vice versa may help provide insight about large amounts of data without losing attention to detail. This may be especially beneficial to the analysis of institutional interaction, as largely codified

question sequences lend themselves better than natural conversation to coding and corpus linguistic analysis. Going forward, corpus linguistic analysis may be suited to comparing the linguistic characteristics of the speech of court-appointed vs. personally retained lawyers. Further coding of the question-and-answer sequences between the defendant and either procurator or judge in spaces not procedurally mandated by the CPL – cross-examination, for instance – would shed more light on resistance throughout the proceedings. Special attention to utterance final particles might reveal uses of these particles particular to Mandarin-language court proceedings. And of course, a larger corpus would also be more reflective of trials generally.

Chapter 3 Gaze and Lexical Grammar in Televised Confessions[6]

3.1 Introduction

This chapter explores the use of visual (gaze in particular) and lexico-grammatical framing in televised news segments that include confessions broadcast in 2016 on PRC state-run or state-backed television programs. Videos of public extralegal confessions are significant as mass-media events in which the framing and presentation of an individual's statement may provide a window into language ideology, intended affective response, and identity. In particular, attention is paid to the framing of nationality, which is discussed in similar ways across the three videos examined.

Televised confessions differ from confessions given in police stations or courts of law in that, by virtue of being filmed and edited in advance as part of news packages, they reflect more careful planning and less spontaneity (Leung 2017). Any linguistic study of televised confessions must therefore take into account how they differ from non-televised spoken confessions given in the course of natural or even institutional interaction. These differences include the design of the message, the integration of multimodal resources to convey that message, and the use of mass media to disseminate it.

To further complicate matters, the production process is largely inaccessible to viewers, and PRC state media and most non-PRC news media hold opposing views about the veracity and

[6] This chapter reprints, with permission from John Benjamins, material from Carter (2020).

purpose of these mass media events. This chapter focuses mainly on the linguistic aspects of these mass media discourse events, and directs readers interested in investigative reporting on the subject to both primary sources and the work of other scholars (Leung 2017, Dahlin 2018, Gardner 2018, etc.) whose research is covered more extensively in the literature review.

While PRC news media have broadcast over 100 confession segments since 2013 (Gardner 2018), there has been very little linguistic analysis of these discourse events to date, and none on how resources such as lexical grammar and gaze are used to convey ideology in these events. There are studies on televised confessions in the PRC (Leung 2017, Fiskesjö 2017, Sorace 2019, Dahlin 2018), and on language ideology in PRC mass media environments (Fang 1994, Fang 2001, Feng 2013, Feng 2016, Renwick and Cao 1999), but the methodologies of the latter have not been applied to the subject matter of the former. As these televised confessions go out to audiences numbering from the tens of millions to the hundreds of millions, they are significant discourse events deserving of careful linguistic study.

This chapter will try to bridge the gap just outlined, with two aims. The first is to apply discourse analysis, multimodal analysis, and social identity theory to a heretofore neglected topic, to see what a close examination of linguistic resources used may tell us about it. The second is to consider these findings in the light of other studies from different fields on the same topic, to see what, if any, methodological adjustments might present a clearer picture of the phenomenon.

3.2 Literature review

Existing studies on televised confessions in the PRC have been conducted from social, literary theory, historical, and ethnographic perspectives. These provide insight into the aspects of the discourse event that are relevant for analysis, while critical discourse analysis studies of PRC mass media provide tools for that analysis.

Studies focused on the impact of these confessions in the broader discourse environment highlight its use as a tool of state power. Leung's (2017) study compares the televised confession of Hong Kong bookseller Gui Minhai with other televised confessions from different countries to determine what is different in the PRC context. By also considering the reactions of different audiences to the event, she identifies the confession as a form of spectacle with two messages – deception of an audience without access to contextual knowledge and intimidation of an audience with access to contextual knowledge.

Other studies contextualize PRC public confessions in the country's history and political reality. Fiskesjö (2017) also writes that the confession serves as spectacle, but situates it in previous ideological movements. He compares the confessions of Gui Minhai as well as those by journalists, rights lawyers, and people accused of financial fraud, to the show trials and public criticism sessions that took place in the Soviet Union and in China under Mao. Finding commonalities across time, he argues that the public confession is a mechanism by which the state subjugates an individual and simultaneously educates onlookers in the correct ideology. Though similarly historical in focus, Sorace (2019) argues that the more recent round of public

confessions are a new discourse genre employed to legitimate political power and create "affective sovereignty" (147). His study, which focuses specifically on televised confessions made by cadres in the PRC, calls attention to the complex nature of these confessions – they are not just states speaking through individuals, but also ways in which the state imprints its power on those individuals.

The most detailed information available about the production of recent televised confessions in the PRC in English comes from Dahlin (2018) and other documentation by Safeguard Defenders et al. (2018). Interviews conducted with multiple victims who have issued confessions broadcast on state-backed or state-run television detail the coercion, torture, scripting, editing, direction, filming, and negotiation processes that go into these events. Interviewees also provide their own insight as to the motivations behind the broadcasting of this form of discourse, based on their own analysis and on the stated intentions of state and media employees with whom they interacted. This ethnographic study provides valuable context for the interpretation of these confessions.

These studies offer different understandings of the roles televised confessions play both within and outside the PRC, but reveal gaps in the existing research on the subject. The aforementioned studies are mainly focused on situating confessions in historical, social, or political traditions, rather than examining the linguistic patterns within them at any length. While Sorace (2019) describes visual resources employed – some confessors cry or hide their faces – visual framing and multimodal resources are not examined within a linguistic framework. In

short, studies on televised confessions in the PRC provide needed context, but the subject of this study has not yet been addressed in the discipline of linguistics.

There are several studies of other forms of mass media discourse in the PRC, however, whose methodological approaches show how such research might be done on televised confessions. In particular, studies of news coverage by PRC state media and other forms of political discourse have identified lexico-grammatical patterns used as tools of the state to frame and persuade. Studies on specific linguistic patterns, including the use of ambiguous referents, in PRC political discourse show how close readings of official discourse may reveal relevant aspects of language ideology. Renwick and Cao (1999) employs political discourse analysis to study the manipulation of lexical grammar in PRC political discourse, finding that it is used to bolster legitimacy and nationalism. In the examination of a political report, Renwick and Cao (1999) identifies the use of ambiguous referents to blur the line between the individual, state, and party, and the subsequent use of terms such as “Chinese nation” and “Chinese people” to encode homogeneity in the audience. Following this, the audience/speaker/party/nation is described as the victim of foreign aggression and humiliation. The aim, they argue, is the bolstering of the CCP’s legitimacy following a period of widespread disillusionment.

Other studies of key lexical terms and syntactic structures in PRC state media have been conducted more systematically with critical discourse analysis approaches. Fang (1994) employs discourse analysis to look at the lexical and syntactic choices in *People’s Daily* newspaper reports on demonstrations worldwide, finding that these choices frame ideological positions in

line with the state. In particular, Fang identifies terms with positive and negative valence (such as “struggle” vs. “riot”) and tracks their use across countries that are perceived as hostile vs. not hostile to the PRC. In terms of syntax, Fang examines transitivity and active and passive voice as variables that varied depending on whether the country in question had a favorable relationship with the PRC. This study takes into account both political realities and the details of lexis and syntax in mass media to uncover the language ideology behind it.

Comparative studies employing critical discourse analysis have also shown that other linguistic resources, including some specific to the news genre, may be employed by the state for persuasive purposes. Fang conducted another study in 2001, this time comparing coverage of two events by different Chinese-language media, including those from the PRC and those from Taiwan. This study also examines lexis and syntax, but goes a step farther, comparing the use of headlines and thematic structures as well. Using a systemic strategy pioneered by van Dijk (1988) to uncover racism in news coverage, Fang (2001) finds that the two different newspapers may describe the same event but put different sides in the actor and patient positions, may describe them with differently valenced adjectives, may quote different groups, and may make different choices related to transitivity. Ultimately, Fang concludes, “discourse strategies utilized to frame events serve to legitimize and defend the policies formulated by states in power” (611).

Critical discourse studies of visual texts outline how these methodologies may be adapted and applied to televised news segments, whose multimodal affordances demand attention to visual resources. Feng (2013), referencing the seminal work of Montgomery (2007; 27-36) on

the analysis of broadcast news, notes that genre-specific resources such as a visual openings, as important parts of the discourse, must be systematically included in any analysis of it. His study of ideology in CCTV's *News Simulcast,* the most authoritative news program in the PRC, identifies some differences between PRC state television media and that of other countries. These include more use of voice-over, less use of field reporters, and a thematic- rather than event-based presentation style accomplished mainly via voiceover narration over B-roll footage. In another study in which he compares the textual and visual organization of BBC's *News at Ten* and CCTV's *News Simulcast,* Feng (2016) finds that the latter is far more reliant on scripted, institutional presentational modes than the former, delivering a monologic narrative in which even non-institutional voices such as interviewees "are presented as if orienting to a single institutional authoritative voice" (4255). These two studies highlight the differences between PRC state-run television news media and their international counterparts, identify the ways visual resources can construct ideology, and offer methodological templates for analysis of news segment themes.

Studies unrelated to the PRC context also provide insight into how analysis of the televised confession discourse event may be organized. Kiernan's (2018) case study of Lance Armstrong's confession to doping on the *Oprah Winfrey Show* employs Goffman's framework to analyze the organization of multimodal resources in a similar discourse event, providing a point of reference for this study's methodology. Goffman's (1975) participant framework – in which the author is the one who composes a message, the animator the one who is perceived to deliver it, and the

principal the ultimate authority responsible for the message – is particularly useful for discussion of a message in which the speaker embodies only one of these roles.

3.3 Data and methods

Multimodal discourse analysis is employed to examine how framing, lexico-grammatical structure, and gaze construct nationality and identity in televised confessions, and then social identity analysis is employed to explore the ideology of these constructions. This study focuses mainly on two televised confessions, that of Gui Minhai, a formerly Hong Kong-based author and part-owner of a company known for publishing politically sensitive books banned in the PRC (Mok 2016), and Zhang Kai, a rights-defense lawyer who represented churches in suits against local governments (Buckley 2015). Reference is also made to a forced interview of human rights lawyer Wang Yu in 2016. These were chosen because they took place around the same time, were all broadcast by PRC state-backed media, and all address the topic of nationality explicitly.

The videos were downloaded from YouTube, where they had been uploaded following their original broadcast on television media. The videos of news segments including Gui and Wang were obtained from the channel of the NGO Safeguard Defenders (Forced Televised Confessions in China 2019a, Forced Televised Confessions in China 2019b), while the video of the segment including Zhang Kai came from the official YouTube channel of China Digital Times (Cao Nima 2016). These videos were all originally broadcast in 2016 by state-run or state-backed news

channels. Gui's confession appeared on CCTV 13, a state-run news channel and the largest news channel in the PRC, while Zhang's appeared on Wenzhou TV, a municipal television station under the auspices of the city government's propaganda department. Wang's segment appeared on Phoenix TV, which is a partially PRC state-owned television channel based in Hong Kong but designated as a non-domestic service provider there due to primarily targeting audiences outside of the city (Communications Authority 2021). Phoenix TV, while initially a joint venture, is known for its strong ties to the CCP and nationalistic reporting (Shirk 2011, 231). In terms of framing, statements made by the featured individuals in traditional news interview style are all bookended by news anchor reports and interspersed with voiceover narration and B-roll footage, thus they seem to belong to the same discourse genre. Metadata for the three videos are presented in Table 3.1.

Main Subjects	Broadcast date	Broadcaster	Television Program	Length in minutes
Gui Minhai	Jan. 18 2016	CCTV 13	*Xinwen Tianxia* / Morning News	10:11
Zhang Kai	Feb. 25 2016	Wenzhou TV	*Xinwen Zonghe* / News in General	10:53
Wang Yu	Aug. 1 2016	Phoenix TV	*Zhengdian Bobao* / News on the Hour	3:38

Table 3.1 Metadata for the three news segment videos analyzed

In these segments, Gui, a bookseller based in Hong Kong with Swedish citizenship, is shown confessing to drunk driving and manslaughter as well as fleeing the PRC afterwards. Zhang, a human rights lawyer, is shown confessing to taking money from foreign sources to practice

subversion of the Chinese government by representing churches. Wang, another rights lawyer, is shown rejecting a foreign human rights award. Wang later stated that her interview was scripted and coerced (Dahlin 2018) and Zhang also stated that during the time prior to this interview, he was detained and unable to overcome his fear and pressure from the government (Severdia 2016, Dahlin 2018); Gui remains in detention and has not spoken to the public about his confession outside of official contexts.

Based on the findings in the existing literature, I consider each of these videos in their political environments, examining the message disseminated to a mass audience of both PRC and international viewers. As van Dijk (1988) finds, apart from its role in conveying content or information, news discourse may have a persuasive dimension based on its presuppositions and the ideologies inherent in them (179). Thus, the political context prior to their broadcasting, the thematic breakdown of each segment, the use of an established discourse genre, and the various resources used to convey the message are examined along with the content of the message itself, in a methodology adapted from van Dijk's (1988) identification of three levels of significance: linguistic, thematic, and organizational. Each video is analyzed in terms of the time devoted to specific visual resources and messages, identifying commonalities between the three videos to explore for more targeted linguistic analysis.

Gui's 10 minute, 11 second confession aired on CCTV evening news in January of 2016, presented as part of a news story about him having fled the PRC after hitting and killing a young woman while driving drunk (Forced Televised Confessions in China 2019a). A news anchor

introduces his case, and news reporting links various other videoclips, including police statements, accounts from the victim's family, and footage of Gui himself speaking. Prior to the release of this video, Gui had been abducted from his residence in Thailand and was incommunicado with family and friends. Media had called his abduction a form of political persecution and voiced concern for his being denied contact with the Swedish embassy (Siu 2018). The thematic organization of Gui's televised confession news segment is presented in Table 3.2, with content related to guilt and nationality in bold.

Time (beginning, percent of segment)	Content	Visual
0:00 18%	Description of the crime: news anchor introduction, accident, Gui Minhai's statement about the event, victim's death, subsequent investigation	News anchor introduction (direct gaze, level), B-roll, still images of a crashed car and official-looking documents, Gui Minhai describing the event, police statement (side gaze, level)
1:50 28%	Consequences of crime for victim: victim's death, family's grief, Gui Minhai's flight, victim's family's continued grief	B-roll, still images of victim, victim's mother statement (side gaze, up), Gui's statement about flight, still images of victim's room, victim's family's house, news anchor summarizing (direct gaze, level)
4:40 34%	Consequences of crime for Gui Minhai: Gui Minhai's feelings about the incident and decision to return	**News anchor introducing Gui's guilt (direct gaze, level), Gui discussing guilt,** B-roll, **Gui crying (indirect gaze, side and lowered)**
8:09 9%	**Apology and promise to make amends**	Victim's family's house, **Gui Minhai's apology (indirect gaze, side and lowered), and statement of intention to serve time,** B-roll
9:04 11%	**Discussion of nationality**	B-roll, **Gui avowing nationality and asking for non-interference (indirect gaze, side),** B-roll

Table 3.2 Thematic organization of Gui Minhai confession video segment

In the news segment, journalistic reporting and interviews about the drunk driving manslaughter event make up 18% of the total amount of time. The larger bulk of time is spent on the affective experiences of the victim's family (28%) and Gui (34%), totaling 62%. This is followed by an explicit apology to the victim and promise to make amends (9%). However, it is capped by a minute-long segment in which nationality is the primary topic of discussion. The positioning of this clip at the end of the segment highlights its central importance to the overarching narrative.

Zhang was detained by police in 2015, and in 2016, a 10 minute 53 second video of a news segment in which he is shown confessing to having accepted money from foreign organizations in violation of Chinese law was broadcast on regional television (Cao Nima 2016). In the course of the segment, as with Gui's, approximately 70% is devoted to descriptions of information related to the case (Zhang's work as a lawyer and involvement with foreign organizations), and 30% is devoted to the explicit confession and discussion of nationality. The thematic organization is presented in Table 3.3 below, with the confession and discussion of nationality in bold.

Time (beginning, percent of segment)	Content	Visual
0:00 56%	Description of the crime: details of the crime and its motivations	News anchor introduction (direct gaze, level), B-roll, still images and clips of protests and related online posts, official looking documents, protest footage with Zhang identified, a police vehicle, still images and footage of Zhang in detention, Zhang with his face in his hands in the police station (indirect gaze, lowered), Zhang stating desire for money and fame (indirect gaze, side and lowered), church member describing hiring Zhang (indirect gaze, side and lowered), Zhang describing his actions, church member describing Zhang's profit (indirect gaze, side and raised) and accusing him of plotting (indirect gaze, side, level), assistant Liu Peng accusing Zhang (direct gaze, level), assistant Huang Xiaoyuan accusing Zhang (indirect gaze, level)
6:04 27%	Contextualization of the crime as foreign plot: **description of a systemic foreign plot to undermine China**	News anchor introduction (direct gaze, level), B-roll, still images and clips of protests, **Zhang Kai describing foreign involvement (indirect gaze, side and lowered),** official looking documents, still images of bank statements, still images of Zhang Kai's travel record and presentations abroad, blurred police officer with face obscured (indirect gaze, side, level) describing investigation details, former assistant accusing Zhang (direct gaze, level) **Zhang accusing foreign powers (indirect gaze, side and lowered)**
9:00 5%	**Apology and avowal of regret**	B-roll, **Zhang expressing regret and confessing to wrongdoing (indirect gaze, side and lowered)**
9:33 5%	**Accusation of foreign organization**	B-roll, Zhang in detention with head lowered, **Zhang accusing an organization of harming China (indirect gaze, side and lowered)**
10:05 7%	**Confession and message to other lawyers**	B-roll, **Zhang expressing regret, commitment to change, asking other lawyers not to work with anyone abroad, take foreign money, or harm national interests (direct gaze),** Zhang in detention with head lowered

Table 3.3 Thematic organization of Zhang Kai confession video

As Table 3.3 shows, discussion of nationality and guilt is largely presented during the last 20-30% of the news segment, framing it as both a logical conclusion to the previous information provided and of more importance than previously given background information. Foregrounding

of nationality begins earlier than in the Gui segment, perhaps because the explicitly conveyed content of the Zhang segment is his involvement with foreign organizations, while the explicitly conveyed content of the Gui segment is manslaughter, a matter less related to nationality.

In a televised news clip featuring lawyer Wang that lasted 3 minutes 39 seconds, which is not explicitly a confession video, Wang makes statements that mirror some of Zhang's and some of Gui's. The news segment first introduces Wang as a lawyer detained on suspicion of subversion of state power, then states that she is in good health and that she does not accept a foreign award. These statements are relevant given expressions of concern for Wang prior to the airing of the segment and statements by associates that they had not been allowed to contact her (Buckley 2016). The news segment then reports that Wang condemns attempts to use her or her family to attack China. Table 4 shows the thematic organization of verbal and visual resources in the news segment, with content related to guilt and nationality in bold.

Time (beginning, percent of segment)	Content	Visual
0:00 44%	Summarization of official narrative of Wang's health, family, and rights	News anchor introduction (direct gaze, level), Wang in detention (indirect gaze, downcast), still images of Wang (indirect gaze, level), Wang being interviewed describing wellbeing in detention (indirect gaze, level)
1:36 23%	**Condemnation and rejection of those who tried to get Wang's son out of China**	B-roll of interview, **Wang condemning interference and asserting agency (indirect gaze, level and downcast)**

2:26 17%	**Condemnation of human rights organization offering Wang an award**	B-roll of interview, **Wang condemning interference and asserting agency (indirect gaze, level)**
3:04 11%	**Assertion of Wang's future intentions**	B-roll of interview, **Wang disavowing money donated by fellow lawyers (indirect gaze, level and downcast)**

Table 3.4 Thematic organization of Wang Yu forced video segment

Discourse analysis methodologies as they have been applied to news media are utilized to reveal the intended effect of these events on audience identity and intergroup relations. Stewart (2016), citing Montiel et al. (2014), writes that "News events related to international disputes are constructed in ways that enhance local national identity, positioning the home nation as a victim and the other nation as aggressor" (77). With this in mind, language related to PRC national identity is identified in each video and is examined in terms of the lexical, grammatical, and visual resources employed. Still images of the subjects' gaze are taken from the videos via screenshot at the moment in which the language related to national identity is employed. These images are then processed in GIMP (The GIMP Development Team 2019), an open-source graphics editing software, which aids tracing and conversion of images, through a combination of automatic vector identification and hand-tracing.

Ultimately, these discourse events are analyzed from the perspective of Social Identity Theory (SIT) to shed more light on the possible audience effects of this discourse genre. According to SIT, individuals are motivated to maintain positive self-image through identification with a group, but may take different actions depending on their degree of identification with that group, group permeability, inter-group status, and criteria for inter-group

comparison. While somewhat removed from linguistics, SIT offers insight into the intended purposes and potential effects of the deployment of multimodal linguistic resources in the construction of a particular ideology (Tajfel and Turner 1986, cited in Giles and Maass 2016, 3-4).

As Figure 3.1 shows, an individual's belief about inter-group permeability can motivate either individual mobility actions or social change actions. Individual mobility is only considered an option in cases in which an individual feels it is possible to change their own social categorization. If this is not seen as an option, the secure or insecure relative statuses of the in-group and out-group may lead the individual to take either socially creative or socially competitive actions. Thus, messages about inter-group permeability and status are considered when evaluating their potential or intended effects on the audience.

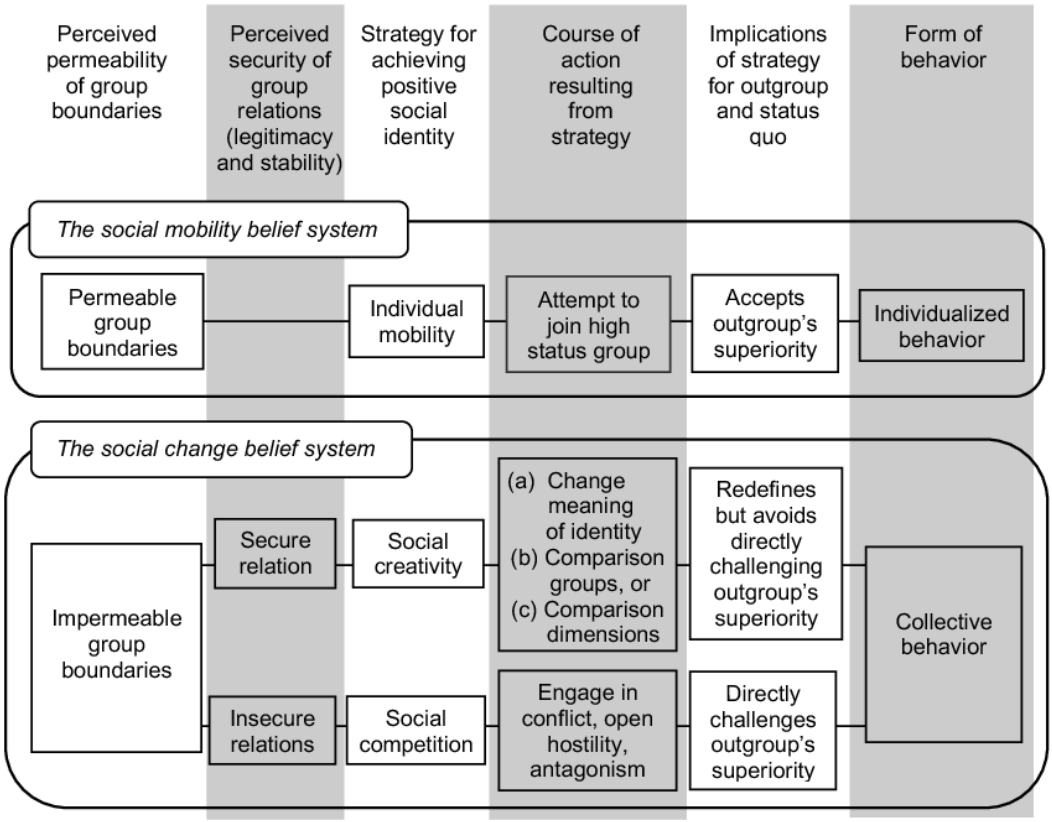

Figure 3.1 Tajfel and Turner's (1979) intergroup comparison theory, from Halsam (2001)

This study examines each video in turn. First, the broader discourse environment of the confession video is introduced to provide context. Then thematic breakdown and sequential organization of the news segment is presented. Next, the use of key terms and grammatical constructions related to nationality are identified, and visual resources such as gaze are identified as they are used in concert with lexico-grammatical resources. Finally, patterns in these categories across the three videos are discussed in terms of discourse analysis and SIT.

3.4 Analysis

3.4.1 Lexical grammar

Analysis of the news segments focuses on the grammatical environment of the term *Zhongguo* "China" or "Chinese," as the topic of nationality has been shown to be a focus in the three videos, despite their different subjects and speakers. In all cases, explicit discussion of nationality or negative actions towards China or the Chinese government was located in the second half of the news segment. This narrative positioning frames it as of central importance to the confession narrative. In none of the three videos is *Zhongguo* ever the agent of an action. Instead, it appears in three main ways: first, as a modifier of a noun (government, human rights, person); second, as a descriptor or modifier in a positive or neutral statement about identity; or third, as the modifier of a patient of a negatively valenced transitive verb (such as *gongji* attack), often the victim of foreign forces.

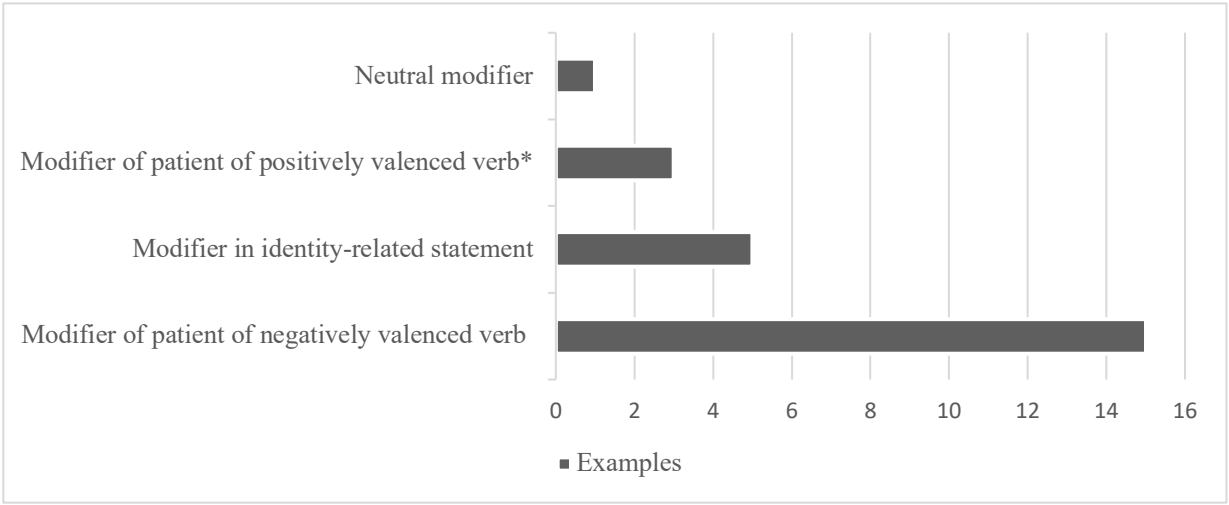

Figure 3.2 Lexico-grammatical and thematic contexts of excerpts including *Zhongguo*

As Figure 3.2 shows, the term *Zhongguo* appears overwhelmingly in normative, rather than neutral, contexts, defining identity in contrast with the foreign Other. Assertions of Chinese identity appear in rejections of a foreign award and foreign assistance, while assertions of Chinese victimization appear in confessions and expressions of regret. The three excerpts in which it appears in the patient of a positively valenced verb indicated by the asterisk are subsequently negated in the immediately following clauses.

In total, the term *Zhongguo* appears three times in the Gui confession segment: twice in reference to identity, and once in an utterance describing the violation of Chinese law. In Example 3.1, *Zhongguo* modifies the patient of a negatively valenced verb. In this and all subsequent examples from the televised confession videos, verbs of which a *Zhongguo*-modified noun is the patient are distinguished by valence: positively valenced or neutral verbs are underlined, while negatively valenced verbs are in italics.

(3.1) Gui's statement on violation of Chinese law

Transcription of original	English translation
桂：另外一方面我偷渡出境不仅没有接受原来的处罚，又进一步*触犯*了**中国**的法律。那样是罪上加罪。啊这样的一种负罪感和愧疚感呢，使我受到了长期的心理折磨。	Gui: On the other hand, I illegally left the country, not only [did I] not accept my original punishment, but also further *violated* **Chinese** law. That was crime on top of crime. Uh, this feeling of guilt and shame caused me to be subject to long-term suffering in my heart.

The lexico-grammatical structure in (3.1) positions Chinese law as a victim of violation and Gui as the culprit. Gui's subsequent utterances explicitly substantiate this implicit connotation, as

he animates the phrase “That was crime on top of crime,” further saying that he had a “feeling of guilt and shame” sufficient enough to cause “long-term suffering” in his heart. In this statement two matters are made subjects: the events that are alleged to be crimes, and the accused’s remorse. While Fang (1994) notes that the structure and uses of passive and active voice differ between English and Mandarin, she finds in a study of media coverage of conflict that active voice can assign blame explicitly and convey ideological stance. In the case of the news segment on Gui, this stance includes the guilt of the confessor and the view that his crime had a negative impact on a *Zhongguo*-modified patient.

In the latter two statements containing the term *Zhongguo,* Gui’s Swedish nationality is downplayed and his identity as a Chinese person is emphasized. As seen in (3.2), “Swedish” appears in a subordinate clause as a modifier, while as shown in (3.3), *Zhongguo* appears linked to a first person pronoun via a copular verb and adverb of emphasis.

(3.2) Gui’s statements on nationality

我	虽然	是	瑞典	国籍，	但是	我	真切地	感到
wo	suiran	shi	Ruidian	guoji	danshi	wo	zhenqie-de	gandao
1SG	although	COP	Sweden	nationality	but	1SG	true-ADV	feel.RES

我	还是	一	个	中国人
wo	haishi	yi	ge	Zhongguo-ren
1SG	still.COP	one	CL	China-person

*‘Although I have Swedish nationality, I truly feel that I am still **Chinese**.’*

(3.3) Gui's statement on roots

我	的	根	还	是	在	中国
wo	de	gen	hai	shi	zai	Zhongguo
1SG	GEN	root	still	COP	in	China

*'My root is still in **China.'***

In sum, all instances of *Zhongguo* in the news segment containing Gui Minhai's confession either emphasize his immutable Chinese identity or follow the pattern of appearing after a negatively valenced verb. *Zhongguo* does not appear as the agent of any action, but rather an essential aspect of identity or the modifier of a harmed patient.

Though a similar length, the news segment containing Zhang's confession includes many more tokens of *Zhongguo,* Examples 3.4-3.18, listed in chronological order in Table 3.5

3.4	旁白：据警方调查，他曾先后于 2009 年 2012 年和 2013 年三次接受境外势力的安排，出国进行培训。 民警：被系统性地告诉他们怎么去通过*炒作***中国**境内的一些案件来提升知名度。	Narrator: 'According to police investigation, [Zhang Kai] went abroad for training at the organization of foreign forces in 2009, 2012, and 2013.' Police officer: '…was systematically told how they raised profiles through *hyping* some **Chinese** domestic cases.'
3.5	民警：炒作这些案件以后，那么把这些案件通到境外去，然后形成了国际舆论的压力，对**中国**政府进行*诋毁*。	Police officer: 'After hyping these cases, they would be transmitted abroad, then forming pressure in the international community, conducting *vilification* of the **Chinese** government.'
3.6, 3.7	旁白：张凯供述，这些境外势力每年都会根据他提供的材料，炮制所谓的十大教案，并将其写入**中国**人权报告，大肆*诋毁***中国**形象。	Narrator: 'Zhang Kai stated that these foreign forces would concoct the so-called ten religious cases every year according to information he would provide, and write them into the **China** Human Rights Report, *wantonly vilifying* **China**'s image.'

3.8 3.9, 3.10, 3.11, 3.12	张：他们的目的官方说是为了推动**中国**的宗教自由，实际上他们在*批评***中国**的人权，呃*批评***中国**政府*抹黑***中国**政府以及*攻击***中国**的政治制度。	Zhang: 'Their purpose, they officially said was the promote **China**'s religious freedom, but in fact they are *criticizing* **China**'s human rights, uh, *criticizing* **China**'s government, *defaming* **China**'s government and *attacking* **China**'s government policies.'
3.13	张：这些事情*违反*了**中国**法律，违背了律师的职业操守，扰乱社会秩序，危害了国家安全，也对家庭造成了负面的影响。	Zhang: 'These matters *violated* **Chinese** law, violated lawyers' professional ethics, disturbed public order, harmed national security, and caused a negative effect on my family.'
3.14, 3.15 3.16, 3.17, 3.18	张：境外组织对华援助协会，是表面上是推动**中国**的宗教自由，实际上是将**中国**的宗教问题*政治化*，通过宗教问题*攻击批评***中国**政府以及**中国**的人权，呃并且利用我们炒作教案，发动信徒对抗政府，呃*企图*改变**中国**的政治制度。	Zhang: 'China Aid is ostensibly promoting **China**'s religious freedom, but in fact it is *politicizing* **China**'s religious issues, *attacking and criticizing* **China**'s government and **China**'s human rights through religious issues, uh, and using us to hype religious cases, pushing believers to fight against the government, uh, in an *attempt* to change **China**'s government policies.'

Table 3.5 All instances of *Zhongguo* in Zhang Kai televised confession video

Among the 15 clauses in which it occurs, *Zhongguo* is a modifier of the object of a negative action – slander, vilification, criticism, or attack – in 12. In the two instances in which it is the subject of a neutral verb, "promote," Examples 3.8 and 3.14, the clause is framed as the false version of affairs and swiftly contradicted by a second clause in which "politicize," or "criticize" is the true action. In Example 3.6, the clause "written…into the China Human Rights Report" is immediately followed by a clause labelling this as a negative action. In effect, *Zhongguo* only appears in a context of its own victimization, either in the patient of a negatively valenced verb or in a more neutral context that is subsequently defined as negative.

In the news segment on Wang, *Zhongguo* appears in three kinds of contexts, as transcribed and translated in Table 3.6 below. The first is a context in which *Zhongguo* is a neutral modifier in a prepositional phrase (3.20). The second is when a *Zhongguo*-modified patient is the victim of interference and attack (3.21 and 3.22). The third is as a patient modifier in neutral or positive statements related to Chinese identity (3.19, 3.23, 3.24).

3.19	王：我被羁押期间呃，我的各项权利都得到了很好的保障，呃也感受到这个咱们**中国**这个司法文明和人性关怀。	Wang: "While I've been detained, all of my rights have been very well ensured, uh, and I have felt the civilized judiciary and humanistic embrace of our **China**."
3.20	王：呃根据中国的法律，他现在不能跟我联系，但是我相信呃公检法会公正的这个处理这个事件。	Wang: "Uh, according to **China**'s laws, [my husband] cannot contact me, but I believe, uh, the procuratorate will justly, uh, process this matter."
3.21	王：我对这个事情呃是强烈谴责的，呃因为我认为我自己的事情是应该由我自己来解决，呃不应该牵扯上我的家人。呃我想他们这样呃做还是就是利用我这个事儿，呃利用我的我和我的家人呃来作为呃人质，来牵扯我的这个心心情。呃来抹*抹黑打攻击***中国**政府。	Wang: "Uh, I think they, this way, uh, do this are just using this matter of mine, uh, using me and my family uh, as hostages, to involve my feelings, uh, to *defame* and *hit*, *attack* the **Chinese** government."
3.22	王：对这个奖我的态度就是呃不承认嗯，不认可，不接受，呃这个奖。 对我来说就是，呃他们在利用我*攻击抹黑***中国**政府。	Wang: "As for me, just, uh, they are using me to *attack* and *defame* the **Chinese** government."
3.23 3.24	王：呃我是**中国**人，我只接受**中国**政府领导。	Wang: "Uh, I am a **Chinese** person, I only accept the **Chinese** government leadership."

Table 3.6 All instances of *Zhongguo* in Wang Yu segment

In the second instance of *Zhongguo* in Wang's news segment, it appears as a neutral modifier for "law" in a statement of fact devoid of normative judgement, which is subsequently followed by a positive normative assessment of the justice system. In the instances in which

Zhongguo appears in the patient of a negatively valenced verb, the same two verbs are used as in Zhang's statements in (3.11) and (3.12). As with Gui Minhai's statements in Examples 3.1 and 3.2, Wang's last two statements about Chinese identity (3.23 and 3.24) are immediately adjacent. In Excerpt 18, *Zhongguo* is modified by *zanmen,* "our," which designates both the speaker and the speaker's intended audience as Chinese in a more implicit identity-related statement praising China's justice system.

While the lexico-grammatical patterns of utterances including *Zhongguo* are not the same in each video, there are shared patterns among all the videos, despite being aired on different television channels, appearing in news segments on ostensibly different events, and being voiced by different subjects. The most prominent pattern is one of China's victimization via its patient position following a negatively valenced verb, while another strong pattern is its employment in statements about immutable "Chineseness." In the two instances where these two patterns cannot be seen, Excerpts 18 and 19, *Zhongguo* appears as a modifier when referring to legal authority.

3.4.2 Gaze

Across the three videos, different kinds of gaze and different organizations and orderings of gaze patterns are deployed alongside lexico-grammatical patterns to bolster the authority and persuasiveness of messages about China's victimization and the essentiality of Chinese identity. Statements about China's victimization are largely accompanied by downcast, indirect gaze on the part of the subjects, in contrast with more neutral statements, which are accompanied by

level, indirect gaze. The juxtaposition of different kinds of gaze by the news anchors, subjects, and other participants also creates the impression of news media authority, while designating certain audiences for messages of warning and instruction.

Gaze can instrumentally seek engagement, communicate listenership, and help construct social identity (Kendon 1967, Goodwin 1979, Goodwin 1980, Tao 1999), but it has other uses in mass media, a different interactional environment than that considered in most studies. The use of direct-address openings by news anchors and narrator voiceover index institutional voice and embody authority (Feng 2016, 4243), while indirect, off-camera gaze conveys an interview setting in which the interviewer is off-screen. Instances of gaze in the segments are examined to explore correlations between gaze and lexico-grammatical features.

When *Zhongguo* appears in the patient of a negatively valenced verb (the predominant pattern), it is accompanied by downward, indirect gaze, which is the predominant form of gaze embodied by Gui, Zhang, and Wang throughout. The captions of the original still images depicted in Figures 3.3 and 3.4 read, “And further violated Chinese law” and “These matters violated Chinese law” respectively, statements they also voiced. The combination of downward, indirect gaze and grammatical positioning of *Zhongguo* may be intended to convey the guilt about the speaker’s role in that victimization.

Figure 3.3 Downward, indirect gaze in the confession of Gui

Figure 3.4. Downward, indirect gaze in the confession of Zhang

In contrast, other clips of the two speaking show them gazing off-camera at a more level, though still downward angle. These clips come from closer to the beginning of the video segments, during which each is talking about events or details rather than normative matters, as identified through the use of negatively valenced verbs. The captions on display in the original still images read, “A car crash occurred,” (Figure 3.5) and “(They would) give us approximately 5,000 to 30,000RMB in consulting fees” (Figure 3.6).

Figure 3.5 Level, indirect gaze in the confession of Gui

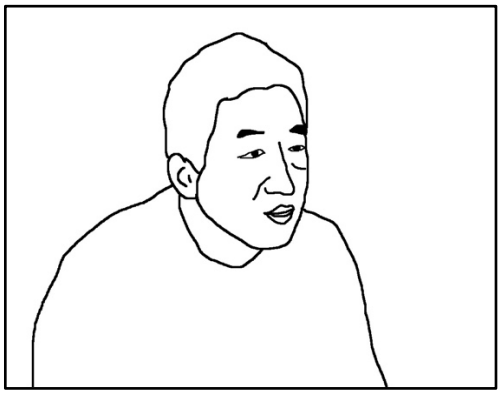

Figure 3.6 Level, indirect gaze in the confession of Zhang

The news segment with Wang also includes indirect, off-camera gaze, as shown in Figure 3.7. The original caption reads, “Wang Yu does not admit, does not acknowledge, does not accept international human rights award.”

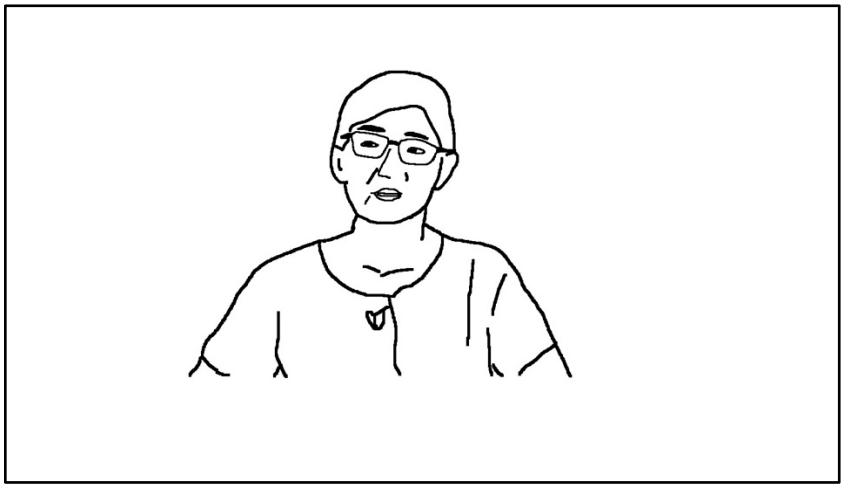

Figure 3.7 Level, indirect gaze in the Wang Yu segment

The use of still images or non-interview footage of Zhang and Wang includes those with indirect, downcast gaze in detention environments. Similar to the cadres in confession videos researched by Sorace (2019), Zhang's bodily posture indicates abjection through the placing of head in hands, while the image is labelled "interrogation room." The environment and embodied behavior imply guilt and criminality. Wang's posture, shown in Figure 3.8, also features the same downward gaze.

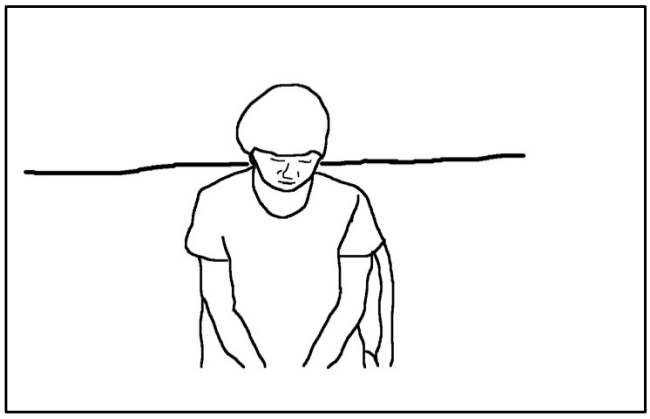

Figure 3.8 Still image of Wang Yu from a detention location

Similarly, In the case of Gui, there is an additional clip following his apology and confession in which he looks down, away from the camera (see Figure 3.9), as the voice-over narrator says, “Gui Minhai said that when he decided to return to (his) country and confess, he was prepared to take legal responsibility for his actions.”

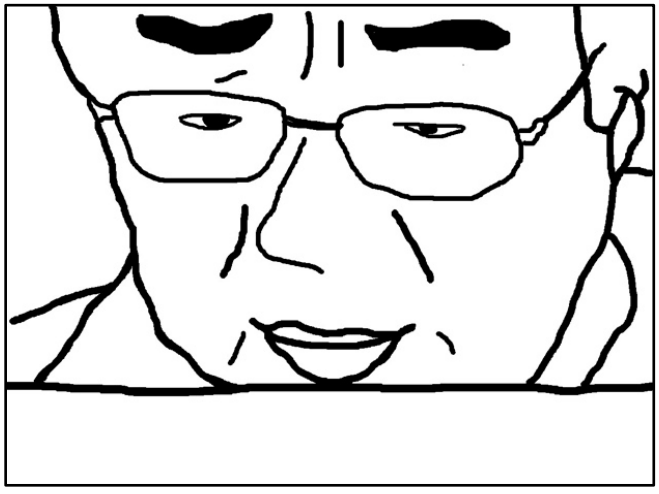

Figure 3.9 Close-up of downward gaze in the Gui Minhai segment

This use of indirect gaze provides the impression that these individuals are communicating in a conventional journalistic interview setting, while downward gaze conveys remorse for their actions. In each of these videos, the direction of the gaze usually reflects the implied position or guilt of the person speaking: lowered gaze appears most often in apologies, statements of wrongdoing, and admissions of guilt. Level gaze is used in more neutral fact-detailing. Direct gaze on the part of news anchors conveys the authority of the news media as well.

One instance of prolonged, direct-to-camera gaze by Zhang breaks this pattern. In this final excerpt from the news segment, he animates a message, transcribed and translated in Example, with direct gaze, as shown in Figure 3.10. The original caption reads “I express regrets for my actions.”

Figure 3.10 Direct, into-camera gaze in the Zhang Kai segment

(3.25) Zhang Kai statement in the second-to-last clip of the news segment

我对自己的所作所为表示忏悔，我认罪伏法，我也希望政府给我一个改过自新的机会，我愿意认真回顾，严格遵守国家法律，彻底与境外决裂。我要告诫那些所谓的维权律师，不要与境外勾连，不要拿境外的钱，不要从事损害国家安全和利益的行为。	I express regret for my actions, I admit guilt and take punishment, I also hope that the government can give me a chance to start afresh, I am willing to seriously reflect and strictly adhere to national law, fully breaking ties with foreign (countries). I want to tell those so-called rights defense lawyers, don't get involved with foreign (countries), don't take foreign money, don't undertake behaviors to harm national security and interests.

In the confession (3.25), Zhang explicitly ratifies a third party – "so-called rights defense lawyers" – as the audience while gazing into the camera. Zhang's statement that he is "fully breaking ties with foreign (countries)" is also thematically similar to Gui's statement that he "hope[d] the Swedish side would not interfere." Both statements address foreign organizations or countries, reject connection with these entities, and are positioned in the final portions of the segments.

The organization of various types of gaze has implications for the mass media audience. The off-camera gaze animated by Gui, Zhang, and Wang on one level treats the mass audience as an overhearing audience not ratified by the confessor – eavesdroppers or bystanders. On the other hand, the audience are unaddressed recipients sanctioned by the mass media format of the confessions (Goffman 1981). The former, unofficial status evokes the expectation that off-camera there is a third party who is the sanctioned listener, responsible for verifying the truth of the speaker's statements, and that this responsibility does not lie primarily with the audience. The latter, official status sees the mass media audience as ratified recipients sanctioned by the media

broadcaster. The difference between these two relationships is that only the media has the power to ratify the audience of the larger mediatized event, and the audience is thus more closely positioned to the media than the confessors.

In sum, the three confessors in these videos animate indirect, downcast gaze in concert with lexico-grammatical structures in which the term *Zhongguo* is found in the patient position of a negatively valenced verb. Direct, level gaze combined with explicit audience selection ratifies a particular audience as the subject of a warning. Gaze employed by news anchors, confessors, and other interviewees also identifies the mass media audience as alternately an overhearing, unofficial audience and an overhearing audience officially sanctioned by mass media, positioning the broadcast media between the audience and the confessor.

3.4.3 Social identity analysis

In these new segments, the opposition of foreign entities and Chinese entities in the agent and patient positions respectively constructs an ideological view that there is little permeability between "Chinese" and "foreign" groups. The positioning of *Zhongguo* as the recipient of a negative action rather than an actor also foregrounds the legitimacy and status of the inter-group relations between Chinese and non-Chinese groups.

According to SIT, a lack of permeability between groups precludes behaviors of individual mobility – in this case, of attempts to change group identification by changing one's citizenship, loyalties, conceptions of nationality, or geographical location. The animation of the view that Chinese identity is unchangeable by individuals who have previously identified to some degree

with foreign countries or organizations conveys the message that such attempts are futile (Giles and Maass 2016, 3). In Gui's and Wang's segments, *Zhongguo* appears in assertions of Chinese identity by the confessors, animating a strong in-group identification in Examples 3.1, 3.2, 3.18, and 3.23, two statements each. In particular, Wang's statement in (3.23), *wo shi yige Zhongguoren* "I am Chinese." mirrors Gui's statement in (3.1), *wo hai shi yige Zhongguoren* "I am still Chinese" – a major difference being that Wang has no foreign citizenship, and therefore "still" would be unnecessary. In Gui's case, his Sweden citizenship would make "still" relevant, and in Wang's case, it would be relevant to the US and other countries that might offer her aid. Her use of *zanmen* "our" to modify a *Zhongguo*-modified patient in (3.19) also conveys an in-group identification with China and selects an in-group audience.

Gui's statements regarding identity also have implications for discussion of nationality and construction of an in-group/out-group mentality. In their SIT framework, Tafjel and Turner (1986) identify self-identification as a primary variable in intergroup differentiation (284), writing that "First, individuals must have internalized their group membership as an aspect of their self-concept: they must be subjectively identified with the relevant in-group. It is not enough that the others define them as a group" (284). In the news segments, Wang and Gui both animate the position that they are emphatically Chinese, with roots in China, accepting of Chinese leadership. These messages are presented to audiences as reasons for which Wang has rejected an award and Gui has returned to the PRC, but the implicit premise that "Chinese" is an

unchangeable group membership also has implications for the mass media audience with regards to the authority of the state.

When *Zhongguo* appears in the patient of a negative action, the utterance blames foreign forces or organizations, who are the named agents in all but one of the 15 excerpts in Zhang's video. The occurrence of "China" as a patient of a negatively valenced verb across the three videos emphasizes a normative understanding of China's international relations in which foreign entities' actions are illegitimate. The subjects' lowered, indirect gaze also emphasizes that negative action toward China is normatively wrong. Further, China at large is never linguistically an actor in the messages animated by these individuals, nor in the other portions of these news segments, while foreign entities are an aggressor acting without provocation. These implications that an outside group has obtained higher status than one's own through illegitimate means may encourage socially competitive behaviors such as hostility towards the out-group or socially creative behaviors such as changes in values or variables of comparison, both of which strengthen collective identity (Giles and Maass 2016, 3-4).

Studies on nationality and victimization in PRC linguistics have shown similar patterns. Renwick and Cao (1999) previously analyzed similar messaging in their study on nation and victimhood, in which they found this language ideology embedded at the grammatical level, rather than in explicit messaging. Fang's (2001) comparison of PRC and Taiwan media coverage of mass incidents also found that normative and valenced terms reflected state ideological stances and corresponding narrative scripts. In this case, *wu wang guo chi* "Never forget national

humiliation" is a relevant touchstone (Wang 2012). This phrase, which calls for the remembrance of traumas China has historically experienced at the hands of foreign forces – such as invasion and colonization by the British and Japanese – is often accompanied by calls for the revitalization and strengthening of China. As shown in Figure 3.2, 15 of the 24 instances of *Zhongguo* across the three videos occur in clauses in which China is a patient of a negatively valenced verb, the agents of which are foreign organizations or the confessors themselves, acting on behalf of those organizations. China's victimization becomes a shared experience motivating those who self-identify as part of this in-group to unite and work hard to improve their country. The lexical and grammatical portrayal of China as a victim of foreign entities is thus significant as a part of this larger ideological and historical narrative.

The emphasis on a lack of permeability between the groups of "China" and "foreign entities" as well as stressing of the illegitimacy of foreign actions towards China together convey the language ideology of these televised confession news segments. The lack of permeability is largely conveyed by the lexico-grammatical structure of confessors' statements about China, while the illegitimacy of the inter-group status disparity is conveyed through a combination of lexico-grammatical structure and gaze. SIT posits that such conditions would motivate collective in-group identification (in this case, nationalism) and hostility toward an outgroup (in this case, anti-foreign sentiment).

3.5 Conclusion

Findings from the analysis of lexical grammar patterns in the three videos showed that they embedded a language ideology of impermeable national identity and victimhood. This could be seen in the grammatical positioning of *Zhongguo*, which most often appeared as a patient modifier following a negatively valenced verb. Positive assertions of Chinese identity, animated by Wang and Gui through explicit statements, metaphors, and the use of first-person pronoun referents, also conveyed the impermeability of in-group/out-group relations in the Chinese/foreign dichotomy.

In terms of gaze, downward, indirect gaze was animated in concert with utterances in which *Zhongguo* was the patient modifier in confessions of guilt by Gui and Zhang. Downcast gaze in still images and B-roll footage of all three individuals also appeared in concert with statements about the guilt or regret of the individuals pictured, conveying a normative stance towards their actions. Zhang's direct gaze and explicit identification of "so-called rights defense lawyers" targeted an audience and delivered a warning. These deployments of gaze were also juxtaposed with the direct, level gaze of news anchors and the disembodied voices of news narration. These various types of gaze, their arrangement, and their integration with each other not only constructed an ideological stance towards the subjects of these videos, but also positioned the news anchors and producers as the sole authoritative mediators between the mass media audience and the subjects.

The use of gaze and lexical grammar in the composition of a message about nationality also marks the definition of national identity as relevant for the intended mass media audience. In the process, the news segment designates relevant variables for inter-group comparison and delineates official assessments of the legitimacy of these groups' actions. Although the three news segments are ostensibly on different topics – a bookseller accused of manslaughter, a lawyer accused of hyping religious freedom cases, and another lawyer set to be released from detention – they share this implicit message at the level of linguistic structure, visual resources, and thematic organization.

These findings expand on the existing literature primarily in two ways, firstly by analyzing a previously underexamined genre, televised public confessions in PRC state news media. Previous studies on televised confessions in the PRC have illuminated their historical context and ideological purposes (Fiskesjö 2017, Sorace 2019, Leung 2017), but not from a linguistic perspective. This study, which focuses on three cases in detail, rather than the genre in general, identifies the specific resources, techniques, and patterns constructing that ideology. By identifying the same patterns across ostensibly unrelated news segments, featuring confessing individuals accused of different crimes, arrested in different regions, and appearing in different television programs, it becomes more clear that these segments belong to the same genre, and that their implicitly conveyed ideology is an important component of that genre.

Secondly, this study contributes to the literature by establishing a new methodological approach building on existing research in multimodal discourse analysis, critical discourse

analysis, and SIT. While Feng (2013, 2016) examines PRC television news as a genre, this is the first multimodal discourse analysis to focus specifically on televised confessions in the PRC as a subject matter. By focusing on this particular kind of news segment within the broader genre, this study showed how the voices of confession subjects – which would be categorized as "interview fragments" according to Feng (2016) – became part of a larger state narrative. This narrower analytical focus, building the aforementioned studies of thematic organization in the genre, make it possible to examine how the visual and linguistic resources are used together in the service of that narrative.

There are many future avenues of research, as the current study examines only three videos out of over one hundred similar discourse events from recent years, and only one keyword was chosen as a point of entry. This study cannot be considered an exhaustive analysis of this phenomenon, or even of terms related to nationality: for example, *jingwai* "foreign" and *guojia* "nation," "national," or "domestic" would also be relevant, and likely fruitful, objects of investigation. Future research may take into account these terms in a broader survey of the topic of nationality in mediatized confessions, and may do so in either more quantitative or more qualitative ways.

A quantitative study of these lexico-grammatical, thematic organization, and gaze patterns may be possible and desirable, but further qualitative study is needed to determine which terms, grammatical constructions, collocations, and paralinguistic features should be studied, coded for, and quantified. The significance of terms used is highly contextual, and consideration of just the

words themselves in isolation could be misleading. *Zhongguo* appears twenty-four times, for example, but in two quite distinct contexts with differing functions. Therefore, simply counting its frequency would not show much without more qualitative analysis. Further, choosing to quantify the study of gaze in these videos would necessitate the development of a scheme of angle measurement, coding, and selection of other news segments or confessions for comparison. As gaze angle and direction can change multiple times in a single second, thorough quantification is an undertaking beyond the scope of the present study.

However, existing qualitative studies such as Renwick and Cao (1999) have shown that discourse analysis need not be quantitative to be rigorous and fruitful. From a qualitative perspective, a more ethnographic approach may illuminate aspects of this phenomenon which are not quantifiable, but nonetheless significant and worthy of academic study, such as the motivations of video producers, audience interpretations of these news segments, or the reflections of subjects who have given forced confessions, which have previously been documented by Dahlin (2018) and Gardner (2018).

Whether quantitative or qualitative, studies of televised confession in the PRC must all grapple with a genre that sits at the intersection of many fields and a media context quite unfamiliar to most English-langauge readers. Insofar as this study has shown patterns in lexical grammar and gaze in these segments, as well as their connection to ideologies constructed by the news media broadcasting them, it has done so by considering approaches from multiple fields and the aspects in which this kind of news media environment is unique.

In choosing three cases and applying a number of different methodological strategies to analysis of their visual and linguistic makeup, this study demonstrates the challenges of analyzing multilayered discourse events in which framing is planned rather than spontaneous and multiple audiences have multiple ratified and unratified statuses. Ultimately, analysis of the events in their many contexts show that such an undertaking must be both systemic at the micro level and also take the macro environment into consideration. To do only the former would obscure the discourse event's significance as a mediatized event witnessed by tens of millions, and how it would likely be interpreted given the greater media environment. To do only the latter would result in an incomplete understanding of the multiple messages conveyed.

Chapter 4 Discourse about Televised Confessions and Livestreamed Trials in the Media and Academia

4.1 Introduction

Internet-broadcast court trials and televised confessions are both mass media events coordinated by state actors and viewed by the general population. In Chapter 2, defendant resistance was analyzed in a corpus of livestreamed criminal trials. Resistance was identified through conversation analysis and tagged in the corpus, to determine when and how defendants challenged ascriptions of guilt, as well as how these ascriptions were negotiated. This analysis showed how the law was enacted through courtroom interaction, both for the immediate participants and an online audience.

In Chapter 3, certain lexico-grammatical and multimodal features of PRC televised confession news segments were identified through fine-grained critical discourse analysis. These news segments, though produced and disseminated by media, also used legal language and visual resources in guilt ascription. As with the courtroom interactions analyzed in Chapter 1, the defendant's own admissions were a key part of this process, although the news segments differ from the trials as they are more scripted and edited news reportage.

This chapter moves beyond the media events themselves, analyzing the debates about the official trial streaming website China Court Trial Online (CCTO) and televised confessions in news media as well as academic journals. The articles in which these two phenomena are discussed are important in two different ways. Firstly, they represent different audience reactions

to the mass media events, as both the academics and journalists writing these articles are describing and evaluating the phenomena. Secondly, these articles are also key factors shaping public opinion on the phenomena. Studies have shown that media coverage of events such as presidential debates can influence audiences' evaluations of those events (Fridkin et al. 2008). As a reflection of public opinion and a secondary media impact on public opinion, these articles are key to analyzing how the public at large may react to these mass media phenomena.

It was broadly expected that televised confessions would be more negatively evaluated than trial streaming, and that academic opinions on the two phenomena would vary more than news media, which is largely state run. In keeping with other studies on PRC state media (Fang 1994, Fang 2001, Feng 2013, Feng 2016), it was hypothesized that state media would convey institutional stance toward these phenomena in a variety of implicit ways. Less was known about how academic writing might convey stance, or how it might differ from the institutional stances toward the two phenomena. This study investigates how stance and its expression differ in the two different genres, to better understand the nature of the persuasive elements in them as well as the ideologies that each reflects.

The broad initial research question – how does discussion of these two phenomena differ across and within genres – is refined and pursued through a combination of qualitative and quantitative methods. Through corpus-assisted critical discourse analysis of lexico-grammatical structure, this chapter investigates how positive and negative values, as well as agency and responsibility, are assigned for trial streaming and televised confessions.

Streamed courtroom interactions and televised confessions are both sites for the construction of the law and guilt, but the dissemination and reception of this enacting by audiences has not yet been explored. This chapter focuses on how these phenomena are seen and interpreted in news media and academic articles – key discourse genres in which events are described and evaluated. While the largely state-run news media reflect a more institutional stance on these phenomena, academic journals are more independent and less subject to direct state control. Thus, comparison of these two genres may reveal differences between institutional and individual stances on the relationship between law and media in the PRC. It is hypothesized that state media, representing a more institutional voice, will convey a positive stance toward both phenomena, while academic papers will vary in their evaluation and convey an overall more negative stance, and that media will convey stance more explicitly, while academic writing will convey it more implicitly for both topics.

A corpus linguistic-assisted critical discourse analysis approach is taken to this data for two reasons. Firstly, a critical discourse approach is uniquely suited to the analysis of texts in which values are contested and negotiated: CDA frameworks and toolkits make it possible to identify discursive patterns beyond the immediately obvious. Secondly, patterns in public opinion and interpretation of these mass media phenomena can only be identified by looking at large quantities of data, and corpus linguistic tools can assist with this.

Previous studies of the relationship between the law and media in China often focus on how one acts on the other, the law's regulation of media (Chin 2016) or the media's challenge to the

law (Lei 2018). In the phenomena analyzed in this paper, however, law and media are integrated rather than opposed. The new phenomena of trial streaming and televised confessions reflect a change in the relationship between media and the law. Analyzing discourse about the relationship between media and the law will show how understanding of these two spheres and their relationship is changing.

This chapter is organized as follows: in Section 4.2, a brief literature review is conducted of key concepts in corpus linguistics-assisted critical discourse analysis and related research on discourse in the PRC. Section 4.3, which introduces the data examined and methods of analysis, describes the construction of the research object and four corpora, covering news and academic writing on China Court Trial Online (CCTO) and televised confessions. In Section 4.4, I conduct preliminary quantitative corpus analysis and identify starting points for the qualitative research in Section 4.5, which focuses on a highly recurrent ways in which ideology is conveyed in these texts. Section 4.6 completes the chapter by discussing the major findings of this analysis as well as their implications.

4.2 Literature review

Existing critical discourse analysis (CDA) studies of journalism and academic discourse often focus on language ideology encoded through the use of certain lexical items and grammatical features. Though there are a variety of fundamental approaches, CDA normatively interrogates the use of language by the powerful, both within individual institutions like the media (van Dijk

1988) or across institutions (Fairclough 2010). These approaches share a belief that language and social reality are mutually constituting and an aim of improving reality through better understanding and critique of this process.

Fairclough (2010, 5) outlines the methodological process as involving the construction of a research object, identification of points of entry, and transdisciplinary analysis of this object that includes attention to both the textual and institutional levels. Research conducted in this framework often identifies aspects of language that encode ideology, or "meaning in the service of power" (Thompson 1984, cited in Fairclough 2010, 8-9), which can be conveyed both implicitly and explicitly through means such as "value claims and assumptions in explanations, justifications or legitimations." Analysis of these aspects of textual discourse, considered in light of the social institutions with which they are co-constructing, can identify less obvious ways in which language is used to maintain or strengthen certain power relationships.

At the intersection of critical discourse analysis and corpus linguistics, researchers explore how quantitative analysis of discourse may be used or integrated into critical inquiries. Skeptics of these quantitative methods emphasize the importance of contextualization in CDA, including socio-cognitive environments (van Dijk 2008, cited in Flowerdew, 2017, 165-166) and sociocultural knowledge (Flowerdew 2017). Corpus analysis, they say, can strip language of its context and generate inaccurate findings. Proponents of corpus-assisted and corpus-driven CDA studies, on the other hand, have shown that corpora may be used iteratively with qualitative

approaches to refine questions and seek information that would otherwise have escaped notice (Subtirelu and Baker 2017).

The identification of keywords is one way that corpus linguistic methods can add, rather than strip away, context, provided the keywords are used to inform and guide further research rather than as results in and of themselves (Bondi 2010, 3). Through comparison with representative reference corpora, the relative uniqueness and frequency of certain terms can be determined, showing, for example, how a paper on a specific topic, by a particular author, might differ from academic writing in general. The way in which these terms are used may then be investigated via qualitative analysis, assisted by concordances.

According to Lan and Liao (2011), critical discourse analysis research in the PRC "on sensitive topics like news and politics revolves mainly around foreign subject matter…and rarely touches these topics from a domestic perspective" (119). There are many articles comparing English (US, UK) and Chinese reporting from CDA perspectives (Wang 2017, Zhang 2017, Shen 2020), as well as on coverage of China in English-language media (Ma 2015, Zhu 2015, Yang 2017), but fewer analyzing Chinese language materials alone (Fang 1994, Fang 2001, Yu 2019), and none comparing multiple genres (online news and academic). This chapter is an attempt to compare texts within and across genres in order to determine how public opinion on the two phenomena of focus are being shaped linguistically.

4.3 Data and methods

After the relationship between the law and media in the PRC was identified as a research subject, corpora were constructed to form a research object that would be analyzable through corpus linguistic and qualitative discourse analysis (Fairclough 2010, 236). News reports and academic articles about both televised confessions and the China Court Trial Online (CCTO) website were collected, forming four corpora. Subsequently, a combination of qualitative and quantitative methods were employed to analyze these data sets, including qualitative contextualization of the articles, generation of keyword lists, qualitative investigation of the significance of these keywords within and across data sets, and quantification of discovered phenomena. This section first details methods of data collection before describing the iterative qualitative-quantitative approach.

News articles for the two press reportage corpora were found via keyword searches in Baidu News, the dominant search engine in the PRC, restricting results to media websites only. Searches were first conducted for the full names of the corpus subject matter (China Court Trial Online "中国庭审公开网" and televised confession "电视认罪") in quotes, yielding nine and three results respectively. Subsequently, search parameters were expanded by searching these terms without quotes, as well as variations of these terms (Court Trial Online 庭审公开网 and confession video 认罪视频), resulting in a total of 20 articles and 10 articles respectively. Finally, to locate additional articles on televised confessions, the names of individuals who have

been the subject of televised confessions, as documented by the NGO Safeguard Defenders, were used as search terms, yielding an additional 12 articles.

The academic articles were collected via the China National Knowledge Infrastructure (CNKI) database aggregator, which is a national aggregator of databases of academic articles and other publications in the PRC. On CNKI, keyword searches were conducted in databases for academic articles and relevant results collected. To find academic articles on CCTO, a search for papers mentioning "中国庭审公开网" (CCTO) was conducted, yielding 693 results. To narrow down the search results to papers that mainly focused on CCTO, search results were filtered to include only those in which the term appeared at least three times and were published in a periodical, yielding 22 results. These were manually reviewed to eliminate those that did not appear in an academic journal or focus primarily on the subject of CCTO, leaving 10 results. In an additional round of searching, I limited results to articles in which the term CCTO or trial streaming (中国庭审公开网 or 庭审直播) appeared at least once in the paper's abstract, and manually reviewed them for relevance, resulting in another 17 articles.

To construct the academic televised confession corpus, a search was conducted for papers including "televised confession" in any part of the text, yielding 19 results. However, only two of these were academic articles, and in both, the term was mentioned only once, while the main content of the article was another subject matter, thus both were excluded. Subsequently, a search for articles including both the terms television and confession (电视 and 认罪) in the abstract was conducted, which yielded twelve papers in total, of which six were excluded for a

lack of relevance (not mentioning the phenomenon of televised confessions) and an additional two were excluded because they were not academic articles, leaving four articles on the topic that appeared in academic journals. Additional searches were conducted by using the same term with the "fuzzy search" function and an additional term (confession video, 认罪视频), yielding ten more articles. An additional eight articles were then collected by a manual review of papers that were cited by or cited the articles collected, mentioned any of the individuals who had given a televised confession, or mentioned more than one keyword mentioned in the articles already collected (such as trial by public opinion 舆论审判 or confession 认罪).

The number of articles and tokens in each of the corpora described above are described in Table 4.1, along with the range of dates of publication for those articles. All articles were also saved in PDF form to retain formatting and images. For a detailed list of article titles, dates of publication and other metadata, see Appendix 3.

Corpus name	Files	Words	Date range
CCTO-news	28	19,967	2017-2020
CCTO-academic	27	130,196	2014-2021
TV confessions-news	25	20,583	2013-2020
TV confessions-academic	20	70,386	2013-2019

Table 4.1 Corpora characteristics: articles, words, and date range of publication

The files of all articles were converted to plain text for corpus linguistic analysis using the AntConc suite of freeware (Anthony 2020), generating keyword lists for each in order to determine which words were most unique or infrequent compared to another corpus. Compared

to the wordlist function, which merely identifies the most common words within a single corpus, the keyword list function can identify more significant words, as highly frequent words such as articles and conjunctions are unlikely to be markedly more frequent in the target corpus, while words related to the content addressed are.

Keyword lists were generated in two ways, first with reference to the UCLA Corpus of Written Chinese (Tao and Xiao 2012), contents of which are shown in Table 4.2, and second with reference to subcorpora obtained from the UCLA Corpus of Written Chinese, comparing the media articles to the press reportage subcorpora and the academic articles to the academic prose subcorpora, A and J in Table 4.2.[7] Keyword results were largely identical for three of the corpora, but differed more considerably for the corpus of televised confession news articles, for which the subcorpus-generated keyword list included a discourse rather than content related term (the first-person personal pronoun *wo* "I") . As such, the first method of keyword generation was chosen for quantitative analysis.

Code	Genre	Tokens (second edition)
A	Press: reportage	88,933
B	Press: editorials	58,284
C	Press: reviews	35,018
D	Religion	41,308
E	Skills, trades and hobbies	55,662
F	Popular lore	69,664

[7] The Keyword List tool of AntConc (Anthony 2020) was used to generate the keywords, with relevant settings adjusted as follows: 1) Keyword statistics: Log-Likelihood (4-items); Keyword statistics threshold: $p < 0.01$ (+Bonferroni); 3) Keyword Effect Size Measure: Dice coefficient; and Keyword effect size threshold: top 100. Information on some of these statistical measures can be found at http://corpora.lancs.ac.uk/sigtest/#extraHelp.

G	Essays and biographies	164,686
H	Misc. (reports and official documents)	65,705
J	Academic prose	150,507
K	General fiction	85,912
L	Mystery and detective stories	85,912
M	Science fiction	60,378
N	Adventure stories	58,144
P	Romantic fiction	66,849
R	Humor	32,968
Total number of tokens		1,119,930

Table 4.2 Subcorpora of the UCLA Written Chinese Corpus (Tao and Xiao 2012)

Following corpora construction and the generation of keyword lists, research questions were refined based both on the keyword lists and initial qualitative assessment of each corpus. Keyword lists were examined and compared to determine potentially unique characteristics of each of the four discourses. This information was supplemented by qualitative understanding of the text sources, publication environments, and historical environments, generating as much context as possible prior to the refining of research questions.

Multiple lines of research inquiry were then identified based on the results of both qualitative and quantitative methods detailed above, as well as consideration of both in light of each other. Based on these findings and on contextualization of the articles in the news events at their time of publication, lexical and contextual features were selected for further investigation and critical discourse analysis, comparing media and academic discourse on each topic separately.

A lexico-grammatical approach was taken to textual analysis, in line with the understanding that lexis and grammar interdependently organize meaning in language (Halliday 1961).When a lexical phrase was identified as an entry point, its context and grammatical position were considered in analysis. When a contextual feature – a described event – was the point of entry, encoded and explicit stance and lexico-grammatical structure were both considered in analysis. This was in line with Fairclough's finding that ideology is conveyed in a wide variety of ways through language: explicitly, but also even more strongly through implicit ways, such as presuppositions, metaphors, and lexis, which assign agency, blame, as well as positive and negative connotations (2010, 57-60). At this stage, context gained in different lines of inquiry was also used to refine and supplement research questions. Finally, the larger discourse on televised confessions and on livestreamed trials was compared.

4.4 Corpus linguistic analysis and refining of research approach

4.4.1 Keyword analysis of CCTO corpora

The first two keywords for the CCTO-academic corpus listed in Table 4.3, generated with reference to the UCLA Written Chinese Corpus (Tao and Xiao 2012) are components of search terms, so their appearance in the corpus is unsurprising. The following two, *sifa* "judicial" and *gongkai* "openness," may reflect one of the explicitly stated purposes of the government promotion of livestreaming – increasing judicial transparency. The next three most key terms are all components of the legal process – "court," "case," and "trial,"– while the remaining three deal

with the "streaming" aspect of the process – "medium," and "information" – and the role of a participant – "judge." With one exception ("medium") all terms are mentioned in the majority of articles.

Rank	Frequency	Keyness	Files including term (%)	Keyword	English
1	2411	10099.22	100%	庭审 *tingshen*	court trial, hearing
2	2405	9856.84	100%	直播 *zhibo*	stream
3	2218	8755.74	100%	司法 *sifa*	judicial, judiciary
4	1990	7803.73	100%	公开 *gongkai*	transparency, open
5	1099	4297.25	100%	法院 *fayuan*	court
6	1064	3863.29	100%	案件 *anjian*	case
7	662	2538.22	96%	审判 *shenpan*	trial, to try
8	503	2074.87	37%	媒介 *meijie*	medium
9	775	1985.93	100%	信息 *xinxi*	information
10	575	1968.56	89%	法官 *faguan*	judge

Table 4.3 Keyword list for CCTO-academic corpus

The top ten keywords for the CCTO-news corpus, generated using the UCLA Written Chinese Corpus (Tao and Xiao 2012) as a reference, are shown in Table 4.4. Key search terms "trial" and "stream" also appeared in the first four terms for this corpus, while subsequent terms were either aspects of the trial process – *fayuan* "court," *anjian* "case," and *shenpan* "trial" – or judicial institutions. The ninth result, *Jiangsu sheng* "Jiangsu Province," appears in a minority of articles but is very frequent in those articles, while the remainder of terms appear in the majority of articles.

Rank	Frequency	Keyness	Files including term (%)	Keyword	English
1	595	4599.20	100%	庭审 *tingshen*	court trial, hearing
2	382	2796.54	100%	直播 *zhibo*	stream
3	399	2726.84	93%	公开 *gongkai*	transparency, open
4	290	2039.37	82%	人民法院 *Renminfayuan*	People's Court
5	285	1983.54	89%	法院 *fayuan*	court
6	284	1874.502	93%	司法 *sifa*	judicial/judiciary
7	201	1205.32	93%	案件 *anjian*	case
8	132	1017.29	93%	中国庭审公开网 *Zhongguo Gongkai Tingshen Wang*	China Court Trial Online
9	132	981.37	21%	江苏省 *Jiangsu sheng*	Jiangsu Province
10	126	826.18	82%	审判 *shenpan*	trial, to try

Table 4.4 Keyword list CCTO-news corpus

Table 4.5 compares the first ten keyword results for these two corpora. The shared keywords are highlighted in grey: the first four keywords are identical, though not in identical order, showing that *sifa gongkai* "judicial openness" is a key concept dealt with in both genres. Both genres of writing include discussion of courts, cases, and trials as well.

CCTO-academic		CCTO-news	
Chinese	English	Chinese	English
庭审	court trial, hearing	庭审	court trial, hearing
直播	stream	直播	stream
司法	judicial, judiciary	公开	transparency, open
公开	transparency, open	人民法院	People's Court
法院	court	法院	court
案件	case	司法	judicial/judiciary
审判	trial, to try	案件	case
媒介	medium	中国庭审公开网	China Court Trial Online
信息	information	江苏省	Jiangsu Province

法官	judge	审判	trial, to try

Table 4.5 CCTO-news and academic corpora keywords compared

While Table 4.5 shows that the majority of terms overlap, the three terms that are unique to each corpus reflect differences in framing of the issue. A preliminary hypothesis is that the characteristics of each genre account for the differences between the unique terms. Academic writing more often deals with concepts and theories – the information technology and medium of transmission in general – while news reportage covers specific instances and concrete actors – a website and an institution in which trials take place. "Judge" may be more common in academic articles that include analysis of proceedings, while the news articles focus on the results and proceedings in aggregate. These hypotheses are explored by qualitative analysis in Section 4.5.

4.4.2 Keyword analysis of televised confession corpora

As stated earlier, keywords are identified statistically on the basis of comparison of the current corpus with reference corpora. Table 4.6 shows the top ten keywords for the TV confessions-academic corpus. Most of the terms fall into two broad categories: those related to the method of dissemination – *meiti* "media," *baodao* "report," *xinwen* "news," and *meijie* "medium" – and those related aspects of the criminal trial – *shenpan* "trial," *anjian* "case," *fating* "court," and *fanzui* "crime." Much like the keyword "Jiangsu Province" for the CCTO-news corpus, the term "lawyer" appeared in this corpus largely due to its frequency in a single article, as it appeared 210 times in the article "Research into several legal issues related to criminal trial lawyers'

campaigning outside of the courts," accounting for 92% of all instances in the data set. The remaining term, "expose," merits its own consideration.

Although it can be understood to mean "expose," the term carries the connotation of making an example of someone publicly as a form of punishment and intimidation. The first character means to show or instruct, while the second means the masses, multitudes, or crowds. Together, the two characters imply that an example is made or someone is exposed before many people. Common collocates include *youjie shizhong* 游街示众 "to parade someone through the streets as an example" and *zhanshou shizhong* 斩首示众 "to make an example by beheading." Several articles feature this term as a central concept in their discussion of televised confessions.

Rank	Frequency	Keyness	Files including term (%)	Keyword	English
1	702	3062.02	80%	媒体 *meiti*	media
2	489	1991.48	95%	报道 *baodao*	report
3	341	1609.66	100%	审判 *shenpan*	trial, to try
4	377	1441.40	90%	新闻 *xinwen*	news
5	323	1303.39	95%	案件 *anjian*	case
6	210	1110.46	40%	示众 *shizhong*	expose
7	228	1079.56	45%	律师 *lüshi*	lawyer
8	271	1059.86	95%	犯罪 *fanzui*	crime, commit crime
9	233	1033.54	85%	法院 *fayuan*	court
10	185	956.36	80%	媒介 *meijie*	medium

Table 4.6 Keyword list for TV confessions-academic corpus

In Table 4.7, keywords for the televised confessions news corpus include the names of individual subjects and terms related to the legal process. Aside from *dianshi* "television," which

was one of the main search terms, no term related to media, broadcast, or reportage was among the top ten keywords for this corpus. As Xie Yang, Zhou Shifeng, Zhang Kai, and other televised confession subjects are lawyers, the frequency of the term *lüshi* "lawyer" is also due in part to its use as a description of these individuals.

Rank	Frequency	Keyness	Files including term (%)	Keyword	English
1	119	881.91	68%	认罪 *renzui*	confession, to confess
2	103	686.53	28%	律师 *lüshi*	lawyer
3	71	542.74	20%	桂敏海 *Gui Minhai*	Gui Minhai
4	76	538.31	44%	嫌疑人 *xianyiren*	suspect
5	63	481.56	8%	谢阳 *Xie Yang*	Xie Yang
6	84	414.32	72%	犯罪 *fanzui*	crime, commit crime
7	81	392.94	56%	案件 *anjian*	case
8	48	366.87	4%	张凯 *Zhang Kai*	Zhang Kai
9	94	356.84	44%	电视 *dianshi*	television
10	46	351.58	4%	周世锋 *Zhou Shifeng*	Zhou Shifeng

Table 4.7 Keyword list for TV confessions-news corpus

Also noteworthy is the distribution of these keywords across the corpus. The majority of terms appear in a minority of files, with none appearing in more than 68% of articles, indicating that these articles vary widely in their topics and manner of discussion, despite all focusing on televised confessions. In contrast, in the corpus of academic articles on televised confessions, all but one of the top ten keywords appear in a majority of articles, indicating more common ground across files.

While this might be in part attributable to the differences in genre – academic authors having more incentive to position themselves in conversation with each other, and focus on shared abstract phenomena rather than discrete incidents – this difference was not as pronounced for the two CCTO corpora. In fact, both the CCTO news and academic corpora were identical to the TV-academic corpus in that 9 of 10 top keywords appeared in the majority of articles. Thus, this more marked distinction between the media and academic corpora of televised confession articles is worthy of further qualitative investigation.

In Table 4.8, the top ten keywords for the academic and news televised confession corpora are compared, with overlapping terms in grey. Though the majority of terms are not shared, both include *anjian* "case," *lüshi* "lawyer," and *fanzui,* "commit crime," showing a shared attention to the subjects, many of whom are lawyers, and individual cases in which criminal activity is alleged. The terms unique to each corpus, however, show a differing focus that may extend beyond genre conventions.

TV confessions-academic		TV confessions-news	
Chinese	English	Chinese	English
媒体 *meiti*	media	认罪 *renzui*	confession, to confess
报道 *baodao*	report	律师 *lüshi*	lawyer
审判 *shenpan*	trial, to try	桂敏海 *Gui Minahi*	Gui Minhai
新闻 *xinwen*	news	嫌疑人 *xianyiren*	suspect
案件 *anjian*	case	谢阳 *Xie Yang*	Xie Yang
示众 *shizhong*	expose	犯罪 *fanzui*	crime, commit crime
律师 *lüshi*	lawyer	案件 *anjian*	case
犯罪 *fanzui*	crime, commit crime	张凯 *Zhang Kai*	Zhang Kai
法院 *fayuan*	court	电视 *dianshi*	television

媒介 *meijie*	medium	周世锋 *Zhou Shifeng*	Zhou Shifeng

Table 4.8 TV confessions-news and academic corpora keywords compared

While the academic corpus includes many terms related to the broadcast or dissemination of these televised confessions – *meiti* "media," *baodao* "report" *xinwen* "news" and *meijie* "medium" – the news corpus includes only *dianshi* "television." Instead, the names of individuals who have given televised confessions and the term *xianyiren* "suspect" occur in the top ten keywords.

Furthermore, while reports on individual confessions make up the majority of the televised confession news corpus, the term *dianshi* "television" appears only once in that category of article, and appears mainly in articles on other subjects, including Zhu Zhengfu's proposal to ban the practice, Hu Xijin's defense of it, and reports on Britain's reaction to Peter Humphrey's confession. Where an individual confession has been televised, it is almost never referred to as such.

4.4.3 Cross-topic comparison of initial corpus results

Table 4.9 below shows the top ten keywords for each of the four corpora. The terms *fayuan* "court" and *shenpan* "trial" appear in every corpus except the TV confession-news corpus – likely because the videos were made prior to any formal court proceedings – however, *renzui* "confession"/"admission of guilt" (in bold) is only a key term in that corpus. Both academic corpora share the term *meijie* "medium," while the news corpora differ more from each other in their focus.

Rank	CCTO-news	TV confessions-news	CCTO-academic	TV confessions-academic
1	庭审 *tingshen*	**认罪 *renzui***	庭审 *tingshen*	媒体 *meiti*
2	直播 *zhibo*	律师 *lüshi*	直播 *zhibo*	报道 *baodao*
3	公开 *gongkai*	桂敏海 *Gui Minhai*	司法 *sifa*	审判 *shenpan*
4	人民法院 *Renminfayuan*	嫌疑人 *xianyiren*	公开 *gongkai*	新闻 *xinwen*
5	法院 *fayuan*	谢阳 *Xie Yang*	法院 *fayuan*	案件 *anjian*
6	司法 *sifa*	犯罪 *fanzui*	案件 *anjian*	示众 *shizhong*
7	案件 *anjian*	案件 *anjian*	审判 *shenpan*	律师 *lüshi*
8	中国庭审公开网 *Zhongguo Gongkai Tingshen Wang*	张凯 *Zhang Kai*	媒介 *meijie*	犯罪 *fanzui*
9	江苏省 *Jiangsu sheng*	电视 *dianshi*	信息 *xinxi*	法院 *fayuan*
10	审判 *shenpan*	周世锋 *Zhou Shifeng*	法官 *faguan*	媒介 *meijie*

Table 4.9 Top ten keywords for each corpus

Following review of these results, some initial information was gathered about how discussion of these two phenomena differs within and across genres. Both academic and news writing on CCTO focus on *sifa gongkai* "judicial openness," which is comprised of two keywords that are in the top six for both. As they both shared this lexical item, it was selected as a point of entry for Section 4.5.1, which compares the contextual and lexico-grammatical environments in which it occurred in both.

For the phenomenon of televised confession, the difference in keywords and their distribution indicated that a shared term might be less productive as a point of entry than a shared topic. Therefore, descriptions of televised confessions were manually identified in each corpus and considered in their contextual and lexico-grammatical environments, analysis of which is covered in Section 4.5.2.

4.5 Qualitative analysis and quantification of findings

4.5.1 Discourse on CCTO: The case of *sifa gongkai* "judicial openness"

Compared to the corpora on televised confessions, the corpora on CCTO shared more key terms and were more similar in the distribution of those terms across files. This suggests that the discourses on CCTO in the two genres used the same terms, though they might differ how they were used or in the stances toward those terms. To that end, the term *sifa gongkai* "judicial openness" – comprised of the commonly collocated keywords *sifa* "judicial" and *gongkai* "open" or "transparent" that were top keywords in both corpora – was taken as a point of entry for qualitative analysis.

There were 121 instances of *sifa gongkai* in the news corpus and 682 instances in the academic corpus. 101 instances were selected from the academic corpus via random sampling. This was done both to facilitate faster analysis of the data and also to control for the outside impact of a small number of articles in which the term appeared much more frequently than the others. The sampling was done by including the first five instances from all articles in which the term appeared. This had the added bonus of including all instances from the abstracts of articles in which the term was more frequent. As the abstract of an academic paper should include the main arguments of the paper, this sampling was thought to be representative for these papers as a whole. Instances in which the term appeared in the title, keywords, references, or other non-body text were excluded.

News articles about CCTO frequently included the term *sifa gongkai,* which appeared in similar contexts across these articles. The 121 instances of *sifa gongkai* in the news articles occurred in 21 of the 28 articles, in two main contexts: either explicitly defined and described, or used in descriptions of government achievements, aims, platforms, and laws. Of the 121 instances, 24, or 15.7%, were abstract definitions, while the remaining 97, or 84.3%, were references to specific government actions.

Explicit, abstract descriptions and definitions of *sifa gongkai* in the news corpus highlight its positive value through linkage to traditions and aspirations. In seven of the instances in which the term is explicitly described, it is linked with the term *fazhi* 法治, which may be translated as "rule of law," although the connotations of the term differ sharply in Chinese from the phrase "rule of law" in English (Xu 2019). Principally, the term in English conveys the connotation that all individuals, organizations, and even government institutions are subject to the law. In Chinese, the term refers to the rule of the country in accordance with the law, in a legal instrumentalist sense, by a government that is not always equally subject to it. In Examples 4.1-4.3 below, *fazhi* is invoked both as an internationally consistent and accepted standard and a unique Chinese principle.

In Example 4.1 below, this connection between *sifa gongkai* and *fazhi* is made in a 2019 *Economic Daily* article entitled "What has trial streaming given China's judiciary?" The term is described as a revolution in procedure, and subsequently its meaning or impact on *fazhi* is

described as “extraordinarily prominent.” However, Example 4.1 does not detail the specific ways in which *sifa gongkai* has an impact or implication.

(4.1)

司法公开	无异于	一	场	程序	革命，
sifa gongkai	wuyiyu	yi	chang	chengxu	geming
judicial.openness	NEG-different-to	one	CL	procedure	revolution
其	对于	法治	的	意义	非同寻常。
qi	duiyu	fazhi	de	yiyi	feichangxunchang
3P.POSS	as.to	rule.of.law	GEN	meaning	extraordinary.prominent

‘Judicial openness is no different from a procedural revolution, and its meaning for rule of law is extraordinarily prominent.’

Other definitions of *sifa gongkai* describe it as a standard or marker for progress in rule of law, as in (4.2). Example 4.2 is taken from an article entitled “Judicial openness makes justice under the light something you can feel and touch,” published in 2021 in the official newspaper of the PRC Supreme People’s Court. Here, the term’s equivalence between countries is taken as a given, and it is defined both in terms of its aspirational importance and its usefulness as an existing method or avenue.

(4.2)

司法公开	是	评判	一	个	国家	**法治**	水平	的	重要
sifagongkai	shi	pipan	yi	ge	guojia	**fazhi**	shuiping	de	zhongyao
judicial.openness	is	criticize	one	CL	nation	**rule.of.law**	level	ATTR	important
标准，	是	保障	人民	群众		诉讼	知情权、		参与权、

biaozhun	shi	baozhang	renmin	qunzhong	susong	zhiqing-quan	canyu-quan	
standard	is	ensure	people	masses	procedure	knowledge-right	participate-right	
监督权	与	表达权	的	重要	途径	和	方式。	
jiandu-quan	yu	biaoda-quan	de	zhongyao	tujing	he	fangshi	
monitor-right	and	express-right	ATTR	important	route	and	method	

'Judicial openness is an important standard for evaluating a country's **rule of law** level, and an important channel and method for ensuring the people's right to know about procedure, right to participate, right to monitor, and right to express themselves.'

Sifa gongkai is also linked with rule of law in a way that highlights its uniqueness to the PRC context. In Example 4.3, which is taken from the same article as Example 4.2, *hongse* "red" modifies *fazhi* "rule of law," which is described as a tradition and principle. *Fazhi* "rule of law" is also used as a modifier for *Zhongguo* "China."

(4.3)

司法公开	也	秉承着	**红色**	**法治**	的	理念	和	传统，
sifagongkai	ye	bingcheng-zhe	hongse	fazhi	de	linian	he	chuantong,
judicial openness	also	carryon-PROG	red	rule.of.law	ASSO	principle	and	tradition,

范围、	广度、	深度	不断	拓展，	与	时代	同频	共振，
fanwei,	fugangdu,	shendu	buduan	tuozhan,	yu	shidai	tongpin	gongzhen
scope	width	depth	continuous	expand	with	times	same-channel	together-shake

成为	新	时代	**法治**	**中国**	建设	的	生动	实践。
chengwei	xin	shidai	**fazhi**	**Zhongguo**	jianshe	de	shengdong	shijian
become	new	times	**rule of law**	**China**	construction	ASSO	lively	realization

'Judicial openness also carries on the tradition and principles of **red rule of law**, in scope, breadth, and depth it continuously expands, resonates with the current age, and becomes an lively realization of the new age of the construction of a **rule of law China**.'

In the majority of contexts in which *sifa gongkai* is mentioned in the news corpus, it is explicitly linked to the CCTO website and other online platforms. In many cases, the term is used as a modifier for *pingtai* "platform," while in others, the relationship between *sifa gongkai* and the platforms is described. These instances center on government achievements and objectives, often citing specific platforms, laws, and programs.

Example 4.4, taken from a 2018 article published in the *People's Daily Online,* shows an instance in which *sifa gongkai* modifies *pingtai* in a quote from Supreme People's Court Case Management Department Director Li Liang about CCTO. Here, the term *pingtai* refers specifically to the CCTO website, in the context of a description of a government achievement.

(4.4)

作为	全国	法院	统一、	权威	的	**司法公开**	**平台，**
zuowei	quanguo	fayuan	tongyi,	quanwei	de	**sifagongkai**	**pingtai**
as	nationwide	court	uniform	authoritative	ATTR	**judicial.openness**	**platform**
随着	直播	案件	数量	大幅	增长，		
suizhe	zhibo	anjian	shuliang	dafu	zengzhang,		
along.with	stream	case	number	greatly	increase		

中国庭审公开网	的	社会	影响力	逐步	提升，	
Zhongguotingshengongkaiwang	de	shehui	yinxiangli	zhubu	tisheng	
CCTO	ASSO	social	impact	gradually	rise	

社会	作用	日益	凸显。
shehui	zuoyong	riyi	tuxian
social	role	day.by.day	apparent

'CCTO, as the nationwide, standard, and authoritative **judicial openness platform**, has continued to rise in societal influence and impact daily as the number of court cases streamed has increased dramatically.'

Much as Example 4.4 emphasizes the quantitative increase in streaming as a measure of the website's success, the mention of statistics as positive indicators of judicial openness is common in the news articles about CCTO. In fact, approximately half of all articles in the data set refer to such figures in their article titles. In one article published in the state-run digital newspaper *The Paper* in 2020, after a paragraph of streaming statistics, a National People's Congress delegate is quoted praising the achievements of CCTO and linking them explicitly to judicial openness and accountability, as seen in Example 4.5.

(4.5)

中国庭审公开网				公开	庭审	总量	突破	1000 万	场，
Zhongguotingshengongkaiwang				gongkai	tingshen	zongliang	tupo	yiqianwan	chang
CCTO				open	trial	total	exceed	10 million	CL

让	公平	正义	以	看得见	的	方式	实现，
rang	gongping	zhengyi	yi	kandejian	de	fangshi	shixian
make	fairness	justice	with	visible	ATTR	method	realize

充分	彰显	了	人民	法院	勇于	自我	革新、
chongfen	zhangxian	le	renmin	fayuan	yongyu	ziwo	gexin
fully	demonstrate	PFV	people	court	brave-to	self	reform

自觉	接受	监督	的	决心，	有力	回应	了
zijue	jieshou	jiandu	de	juexin	youli	huiying	le
voluntary	accept	monitor	ASSO	resolve	forceful	respond	PFV

人民	群众	对	**司法公开**	的	期待。
renmin	qunzhong	dui	**sifa gongkai**	de	qidai
people	masses	to	judicial openness	GEN	expectations

'CCTO had broadcast over 10 million court cases, realizing justice and fairness in a visible method, fully demonstrating the resolve of the People's Court to bravely revolutionize itself and voluntarily accept supervision, and forcefully responding to the people's expectations for **judicial openness**.'

Elsewhere, *sifa gongkai* is described as a quality enhanced, heightened, and expanded by trial streaming and the CCTO website. In a 2020 article titled "Vivid justice appears in lively scenes" published by the official newspaper of the Supreme People's Court, *sifa gongkai* is the patient of *tingshen zhibo* "trial streaming," a quality that is pushed to new heights, as seen in Example 4.6. In the same article, it is the patient of the four major online platforms, including CCTO, and its scope and scale are expanded, as seen in Example 4.7, resulting in "making the people able to see and feel justice and fairness."

(4.6)

庭审	直播	将	司法公开	不断	**推向**	新	的	高度。
tingshen	zhibo	jiang	sifagongkai	buduan	**tuixiang**	xin	de	gaodu.
trial	stream	PT	judicial.openness	continuous	**push.toward**	new	ATTR	height.

'Trial streaming continuously **pushes** judicial openness to new heights.'

(4.7)

裁判	文书、	审判	流程、	执行	信息、	庭审	活动
caipan	wenshu	shenpan	liucheng	zhixing	xinxi	tingshen	huodong
verdict	document	trial	process	administrative	information	trial	activity

四	大	公开	平台	的	建成，		
si	da	gongkai	pingtai	de	jiancheng,		
four	major	open	platform	ASSO	construction,		
极大	**拓展**	了	司法公开	的	**广度**	**和**	**深度…**
jida	**tuozhan**	le	sifa gongkai	de	**guangdu**	**he**	**shendu**
greatly	**expand**	PFV	judicial.openness	ASSO	**breadth**	**and**	**depth**

'The establishment of four major openness platforms for trial verdicts, trial procedures, administrative information and trial activity has **greatly expanded the breadth and depth** of judicial openness…'

Other instances of *sifa gongkai* in news articles largely deal with specific government actions and programs aimed at promoting the value, either describing achievements or outlining aims. Most reference specific laws, movements, and objectives in positive ways, largely using terms such as *shenhua* "deepen," or *tuozhan* "expand" to describe the effect of these on *sifa gongkai.*

Example 4.8, taken from a 2017 article published in the *Legal Daily* entitled "Supreme People's Court: 3,268 courts nationwide join openness website to stream trials," describes achievements in *sifa gongkai* as the quality has been deepened through work in the construction of online platforms, including CCTO. Here, *sifa gongkai* is linked to *yangguang sifa* "Sunshine Judiciary," a judicial reform program that began after Xi Jinping assumed power, and in a contiguous clause, these achievements are described as happening since the 18th People's Congress, when Xi became General Secretary of the CCP.

(4.8)

人民法院	全面	**深化**	**司法公开，**	积极	探索	构建
Renminfayuan	quanmian	**shenhua**	**sifa gongkai**	jiji	tansuo	goujian
People's.Court	comprehensively	**deepen**	**judicial.openness**	actively	explore	construct

审判	流程	公开、	庭审	活动	公开、
shenpan	liucheng	gongkai	tingshen	huodong	gongkai
trial	process	open	trial	activity	open
裁判	文书	公开、	执行	信息	公开、
caipan	wenshu	gongkai	zhixing	xinxi	gongkai
verdict	document	open	administrative	information	open

四	大	公开	平台，	着力	构建	开放、	动态、	透明、	便民

si	da	gongkai	pingtai,	zhaoli	goujian	kaifang	dongtai	touming	bianmin
four	major	open	platform	zhaoli	build	open	dynamic	transparent	convenient

的	阳光司法	机制，	取得	明显	成效
de	**Yangguangsifa**	jizhi	qude	mingxian	chengxiao
ATTR	**Sunshine.Judiciary**	mechanism	achieve	clear	results

'The People's Court has comprehensively **deepened judicial openness**, actively explored and constructed four major open platforms for trial procedure openness, trial activity openness, trial verdict openness, and administrative information openness, aiming to construct an open, dynamic, transparent, and convenient **Sunshine Judiciary** mechanism, and has achieved clear results.'

Much as *sifa gongkai* is described in relation to government accomplishments in Example 4.8, in Example 4.9, it is described as an aim of government objectives. Taken from the same news article as Example 4.1, these objectives are the requirements set out in a 2018 directive issued by the Supreme People's Court entitled "Suggestions on further deepening judicial openness."

(4.9)

一	是…	推进	**司法公开**	规范化	标准化	建设，
yi	shi	tuijin	**sifa gongkai**	guifanhua	biaozhunhua	jianshe
one	COP	promote	**judicial.openness**	regularize	standardize	construction

全方位	拓展	**司法公开**	范围；
quanfangwei	tuozhan	**sifa gongkai**	fanwei
comprehensively	expand	**judicial.openness**	scope

二	是	健全	**司法公开**	形式…
er	shi	jianquan	**sifa gongkai**	xingshi
two	COP	build.complete	judicial.openness	form

三	是…	深化	**司法公开**	四	大	平台	建设;
san	shi	shenhua	**sifa gongkai**	si	da	pingtai	jianshe
three	COP	deepen	**judicial.openness**	four	major	platform	construction

四	是	落实	**司法公开**	工作	责任	制
si	shi	luoshi	**sifa gongkai**	gongzuo	zeren	zhi

four COP implement **judicial.openness** work responsibility mechanism
'First, to promote the standard and regular construction of **judicial openness;** second, to fully construct a form of **judicial openness**…third…to deepen the construction of the four major **judicial openness** platforms; fourth, to implement a mechanism of responsibility for **judicial openness** work…'

While these references to *sifa gongkai* almost always presuppose that more is better – the term is something to be expanded, deepened, constructed, and ensured – a small minority of instances that have appeared in news articles since 2019 have described it as a value to be balanced against privacy. In a 2020 article entitled "CCTO exceeds 10 million open trials," published in Xinhua, the most authoritative of state media, Zhao Jinshan, deputy bureau chief of the Supreme People's Court Official Enforcement Bureau, is quoted addressing this balance in a statement shown in Example 4.10.

(4.10)

最高人民法院	正在	着手	制定	相关	司法	解释…
Zuigaorenminfayuan	zhengzai	zhuoshou	zhiding	xiangguan	sifa	jieshi
Supreme.People's.Court	PROG	aim	design	relevant	judicial	explanation

努力	在	**司法公开**	和	维护好	公民	隐私权、	企业
nuli	zai	**sifa gongkai**	he	weihu-hao	gongmin	yinsi-quan	qiye
work.hard	in	**judicial.openness**	and	protect-RES	citizen	privacy-right	enterprise

商业	秘密	之间	取得	平衡。
shangye	mimi	zhijian	qude	pingheng
commercial	secret	between	achieve	balance

'The Supreme People's Court is in the process of developing relevant judicial explanations…working hard to achieve a balance between **judicial openness** and protecting citizens' rights to privacy and enterprises' corporate secrets.'

Compared to definitions of *sifa gongkai*, in descriptions of government work, the term is often a patient of a government body (such as the Supreme People's Court in Example 4.10), an unspecified agent in official laws or directives, which imply a legal obligation to act upon it, or a modifier of a government project such as *pingtai* "platform." Agency here is defined as the use of linguistic resources to indicate that something is acting upon or changing a patient, which receives and may be changed by that action. Government actions and aims are described uniformly in a positive manner, explicitly describing good intentions, good efforts, and tangible achievements.

In sum, definitions of *sifa gongkai* emphasize both its legitimacy due to its promotion of rule of law as well as its connection to CCTO and other online platforms. While "rule of law" is not explicitly defined, it is referenced in two disparate ways – as a globally shared value and a distinctly Chinese tradition – both of which are sources of legitimacy. When *sifa gongkai* is described in reference to government achievements and aims, it is often presented as a patient enhanced or increased by government bodies' positively valenced actions and an adjective modifying government projects.

Instances of *sifa gongkai* in academic papers were categorized based on the same schema as in news articles, distinguishing between explicit definitions and references to the term in relation to recent government achievements and objectives. Of these instances, 22 were explicit definitions, while 78 were other references. Compared to the news corpus, explicit definitions were slightly more common.

Three of the 22 instances in which *sifa gongkai* is explicitly defined occur in the abstract of "China's judicial openness guided by Xi Jinping's important speeches." This article is also the source of a plurality of all instances of the term. Below, two longer extracts (Examples 4.11 and 4.12) are presented in full due to their significance as explications of the official state ideology toward judicial openness. These extracts are presented without pinyin or glossing, as the explicitly conveyed ideology is examined rather than that implicitly conveyed through lexico-grammatical structure.

(4.11)

习近平总书记所论述的司法公开，是作为阳光司法机制的广义的司法公开，包括审判公开、检务公开、警务公开、狱务公开四大内容。习近平认为，司法公开的出发点是保障人民知情权的需要、直接目的是让权力在阳光下运行、最终目的是实现司法公正。他提出，司法公开的原则是"除法律规定的情形外，一般都要公开"，司法公开的标准是"开放、动态、透明、便民"。对于违法干预过问案件记录情况这一特殊司法信息，有的要向全社会公开，有的要在一定范围内通报。习近平对于媒体与司法关系作了重要论断，他指出，要充分认识到媒体与司 法面临自媒体时代的新环境，执法司法时刻处在公众视野里、媒体聚光灯下。为此，政法机关要自觉接受媒体监督，以正确方式及时告知执法司法工作情况，有针对性地加强舆论引导。新闻媒体要加强对执法司法工作的监督，也要为执法司法营造良好舆论环境。我国司法公开取得了巨大的成绩，是中国对世界司法 人权事业做出的重要贡献。我们应当在习近平新时代中国特色社会主义理论的指引下，不断拓展司法公开的广度、深度和力度。

'Judicial openness, according to Party Secretary Xi Jinping's speeches, is the broadly defined judicial openness of the Sunshine Judiciary system, including the four main aspects of judgement openness, procuratorate work openness, police work openness, and prison work openness. Xi Jinping believes that the point of departure for judicial openness is ensuring the right of the people to information, its direct purpose is to make power operate in the light, and its overall objective is to realize judicial fairness. He points out that the principal of judicial openness is that "aside from circumstances regulated by the law, generally everything should be made open." The standards for judicial openness are "open, dynamic, transparent, and convenient." As for the special judicial information of records of illegal interference cases, some should be opened to society as a whole, and some should be reported in a certain scope. Xi Jinping made an important judgement about the relationship between media and the law. He indicated that we must fully realize that in the new environment in which the media and judiciary face the new media age, law enforcement and the judiciary are always under the eyes of the masses and

the media spotlight. Therefore, political and legal organs must voluntarily accept media supervision, inform them of law enforcement and judicial work in the proper manner, and strengthen guidance of public opinion in targeted ways. News media must enhance supervision of law enforcement and judicial work, and must also create a good public opinion environment for it. China's judicial openness has achieved great results, and is China's important contribution to the work of judicial human rights worldwide. Guided by the theory of socialism with Chinese characteristics in the new age of Xi Jinping, we should continually expand the breadth, depth, and power of judicial openness.'

As is apparent from Example 4.11, judicial openness involves not only the release of information, but also guidance of its interpretation, both by judicial organs and the media. Its definition is also explicitly linked to the speeches of Xi Jinping, his beliefs, and his judgements. This definition of judicial openness differs from traditional understandings of the term in English, a point which is addressed later in the same academic article, the excerpt in 4.12 below.

(4.12)

中国的执法司法机关与其他国家相比，体现了更多的主动性和积极性。例如在庭审公开方面，英国和美国的联邦司法系统主张法院庭审要公开举行，但是法院要与媒体保持距离来保障司法的独立性，虽然允许媒体代表到场报道，但是一般并不会主动发布庭审现场的图文信息和录音录像，但是，中国法院通过自己的审判管理人员专门组织庭审直播…由法院官方组织的这种直播与西方国家允许媒体记者发布庭审现场信息的方式相比，更加及时、全面、准确、权威…

'Compared to other countries, China's law enforcement and judiciary organs are more proactive and positive. For example, in terms of court trial openness, Britain and the United States' federal judiciary systems hold that court trials should be held publicly, but that the court should maintain a distance from the media to ensure judicial independence. Although they allow media representatives to report from the scene, they generally do not proactively release document information or recordings from the trial. However, Chinese courts specially organize trial streaming through their own judges in charge…compared to Western countries allowing media reporters to release information from the trial, these are more timely, comprehensive, accurate, and authoritative…'

Example 4.12 includes an explicit positive stance toward the officially organized streaming of court trials, without taking an explicit stance toward the relative importance of judicial independence or other values. By comparing these two systems and evaluating their effectiveness and desirability in terms of degree, they are implicitly presented as differing in degree rather than in a fundamental way related to institutional structure or legal basis.

In these and other official descriptions of the term, *sifa gongkai* is presented as an obligation for the courts and media to release information and guide opinion about it in a coordinated way. It is described as superior to other systems by virtue of increased degree openness, as well as official control of information dissemination. In this framing, "openness" is a quality that can be quantified, with a higher degree being more desirable expect under special circumstances, while the official control of the process is also presented as a positive attribute (making it more authoritative) rather than a potential conflict of interest or impediment to independent monitoring.

However, not all definitions of *sifa gongkai* in the academic corpus link it to the same government programs of trial streaming as the paper referenced in Examples 4.11 and 4.12, which describes the official government stance. In Example 4.13, taken from the 2020 paper "Reflections on trial streaming – from the perspective of judicial openness," there is an explicit denial of this connection.

(4.13)

从	法理	角度	审思，	庭审	直播	与	**司法公开**	的
cong	fali	jiaodu	shensi,	tingshen	zhibo	yu	sifa gongkai	de
from	jurisprudence	angle	consider	trial	streaming	and	judicial openness	ASSO

根本	宗旨	存在	冲突，	难以	成为	**司法公开**	的
genben	zongzhi	cunzai	chongtu,	nanyi	chengwei	**sifagongkai**	de
fundamental	aim	exist	conflict,	hard.to	become	**judicial.openness**	ASSO

适当	路径。
shidang	tujing.
suitable	avenue

'From careful consideration of jurisprudence, there is a fundamental conflict between the aims of trial streaming and **judicial openness**, and it would be difficult for it to become an appropriate avenue for **judicial openness**.'

References to *sifa gongkai* in the context of specific government achievements and aims also diverge in terms of their normative assessments. In one comparison of Chinese and foreign judicial openness policies, translated below in Example 4.14, taken from the paper "Comparative research on the judicial openness mechanisms in China and abroad," the author treats *sifa gongkai* as a realized set of policies to be evaluated, considered, and reformed. As with Examples 4.11 and 4.12, because the primary level of meaning examined is the explicit, it is presented without glossing or pinyin.

(4.14)

本项目研究小组旨在通过中外司法公开制度的比较研究，反思我国司法改革进程中司法公开制度的相关规定和实施状况，进而讨论我国司法公开的先进性和存在的不足，并对司法公开与舆论监督进行剖析，在对比国外司法公开机制及举措中，借鉴他山之石，深入思考如何对中国现有的司法公开机制提出再造启示。

'This project research group aims, through the comparative research of Chinese and foreign judicial openness policies, to reflect on the regulations related to judicial openness policies and their implementation in the process

of domestic judicial reform, and thereby to discuss the aspects of domestic judicial openness that are advanced and its existing insufficiencies, and to conduct evaluation of judicial openness and public opinion monitoring, and through comparison with foreign judicial openness mechanisms and measures, to take a page from their book, to deeply think about how they can offer a lesson on how China's existing judicial openness mechanism might be reformed.'

Other references to *sifa gongkai* in specific government work include both positive and negative evaluations of its realization. One such instance is shown below in Example 4.15, from a paper entitled "The influence of a new technology medium on judicial verdicts and countermeasures." Much as in previous examples, *sifa gongkai* is the patient, but the positively valenced *tuidong* "promote" is tempered by an explicit reference to the negative effects of the streaming format. Unlike previous examples, however, the agent of this action is not the government or an official program, but the medium of transmission itself – the decisionmakers behind the program are absent.

(4.15)

直播	媒介	在	推动	**司法公开**	的	同时，	对	审判
zhibo	meijie	zai	tuidong	**sifa gongkai**	de	tongshi,	dui	shenpan
streaming	medium	in	promote	**judicial openness**	GEN	same-time	to	trial

工作	和	法律	适用	会	产生	潜在	的	不利	影响。
gongzuo	he	falü	shiyong	hui	chansheng	qianzai	de	buli	yingxiang.
work	and	law	application	will	produce	latent	GEN	unbeneficial	impact.

'As the streaming medium promotes **judicial openness**, it will produce a latent bad influence on trial work and the implementation of the law.'

While *sifa gongkai* is a highly frequent phrase in both the news and academic CCTO corpora, it appears in different contexts and with different implications. In news media, the term is defined as a positive value linked to *fazhi* "rule of law," and alternately described as an international standard and a uniquely Chinese characteristic. In academic papers, there are even more conflicting definitions, namely those that cite the directives of Xi Jinping and describe the concept as a series of policy measures under the "Sunshine Judiciary" movement, and those that cite jurisprudence and deny that certain policies and programs qualify as expressions of the value.

When the implementation of *sifa gongkai* is described in the two different corpora, more differences are apparent – in news media, the term is often a patient of a government body agent and is positively impacted by its actions, often "deepened" or "expanded" and in a small minority of instances, "balanced" with other values. In the academic papers, the government agent is absent when the evaluation of the action is more equivocal, and negative evaluations are both more common and more direct. On the whole, however, the term appears in largely positive contexts, and is frequently described as a government achievement or aim across the two corpora. In the following section, I turn to televised confessions to determine whether articles in the two genres also approach their subject in a similar way or diverge more sharply.

4.5.2 Qualitative analysis: Televised confessions

The two televised confession corpora differed from the CCTO corpora in this regard – the same subject is discussed in vastly differing ways, with highly different evaluations of the practice. Because of this, a keyword was unlikely to be the best point of entry, and instead, descriptions of televised confessions were manually extracted from both corpora, yielding a total of 259 instances in the academic corpus and 292 in the news media corpus. Smaller subsets were generated for each by employing the same method as detailed in Section 4.5.1, selecting the first five instances from each article in which the phenomenon is described. This resulted in a subset of 89 instances from the academic papers and 114 from news media articles.

A comparison of excerpts from each genre revealed major differences in the way televised confessions were described in discrete instances. Primarily, these were seen in the way authors used lexical grammar to assign agency for the confession to an individual or institution and the encoding of evaluation of the confessions in explicit statements, modifiers, and verbs. Descriptions of televised confessions in academic papers were slightly less likely to specify an agent than in news media, as shown in Figure 4.1, at 37.1%, or 33 out of 89 instances, compared to 31.6%, or 36 out of 114 instances. In all figures below, the percentages refer to percentages from each corpus subset.

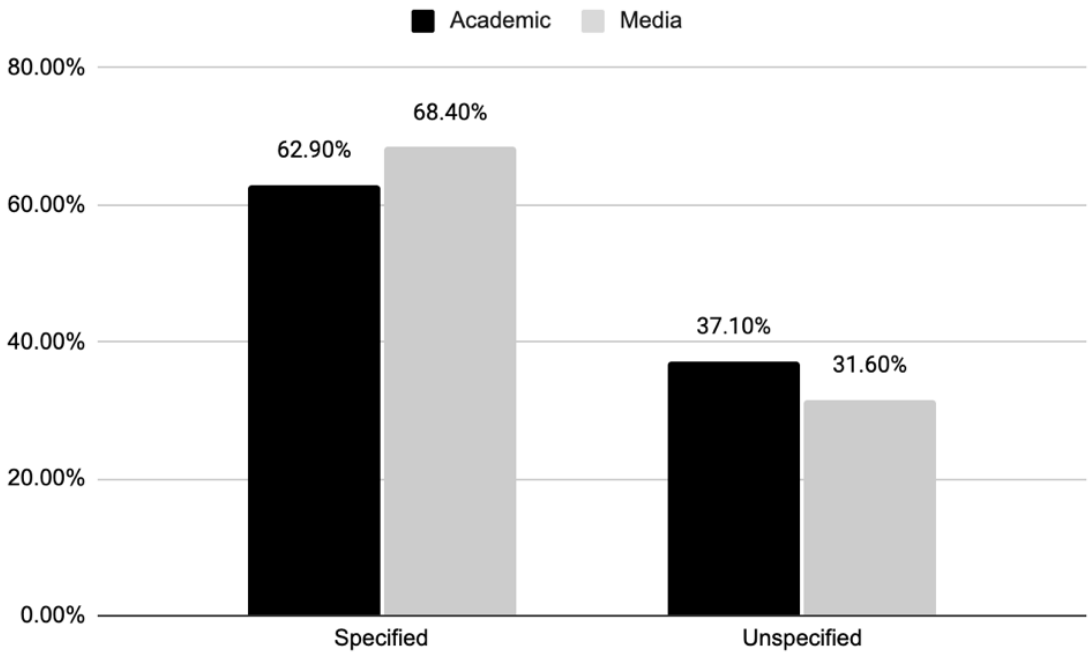

Figure 4.1 Specification of agent in descriptions of televised confessions

In the subset of instances in which an agent was specified, the authors of papers in the academic corpus were more likely than those of the news corpus to assign agency to the media, rather than the individual voicing the confession, as shown in Figure 4.2.

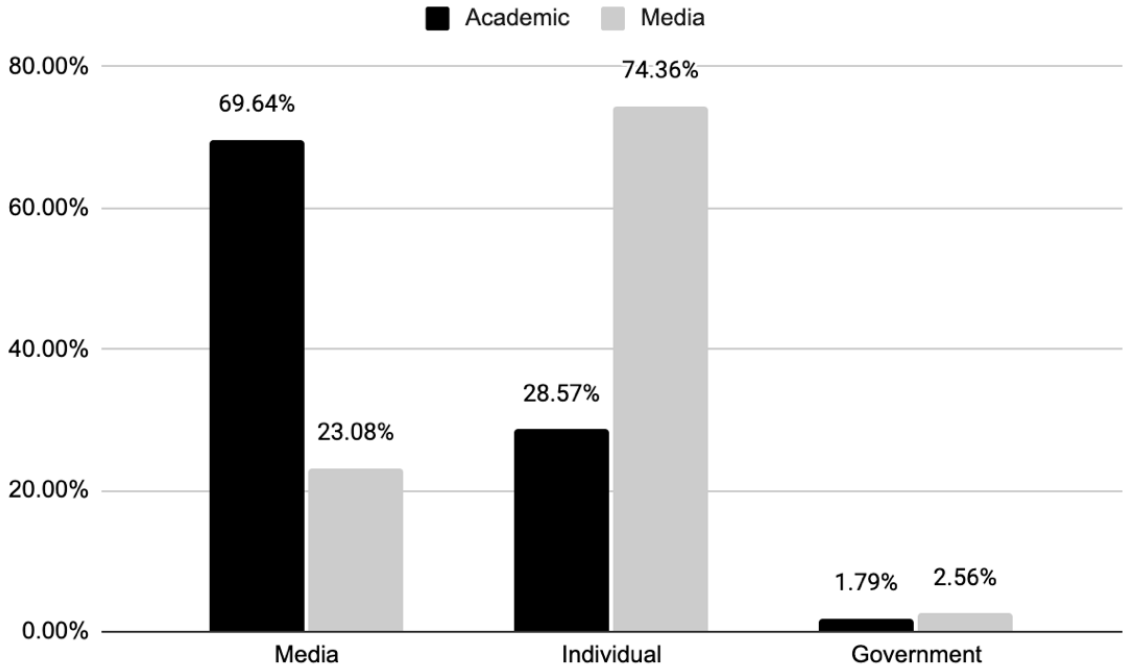

Figure 4.2 Agents in descriptions of televised confessions

When an agent was specified, in the academic corpus, institutions – including media (39 instances) and the government (1 instance) – were over twice as likely to be the agent than an individual (16 instances), at a combined 71.43% vs. 28.57% respectively. In in the media corpus, in which 58 instances had an individual agent, 18 had a media agent, and 2 had a government agent, an individual was almost three times as likely to be the agent than an institution, at 73.9% vs. 26.1% respectively. In both corpora, media – whether CCTV, journalists, or television news – were much more likely to be the agent in a description of televised confession than any government body.

In news articles on televised confessions, the act is often described as a media interview in which the subject makes truthful statements about guilt, with value judgements about the consent

of the subject and veracity of the confession encoded in the valence of the verb and value judgements about the desirability of the confession encoded in modifiers. In academic papers, the phenomenon is most often described without normatively encoding stance or explicitly referencing it in the immediate context of its introduction. Across the instances in both corpora, stance toward televised confessions, whether explicitly made in the immediate sentence context or encoded implicitly, was recorded for each instance, the breakdown of which is shown in Figure 4.3. Evaluative stance was identified by words, punctuation, structures, and framings that conveyed, explicitly or through their connotations, the (il)legitimacy of the events or the (in)voluntary and (un)truthful nature of the confessors, which shifted agency or blame to either the confessing individuals themselves, an institutional actor, or an implied, but unnamed, agent.

For example, when the verbs used to describe the action of confession connoted veracity and willingness, as in Examples 4.16, 4.18, and 4.19, the instances were categorized as positive stances toward televised confession. In Example 4.21 and 4.22, the use of the term “facts” to describe the televised confession news segments encodes a positive stance toward the veracity of those confessions. In these instances, stance is largely conveyed through the connotations of the lexical items used.

When quotes from televised confession videos were presented as facts, taking their veracity and the confessor’s willingness to give them at face value, as in Example 4.20, these were also taken as a positive stance toward the phenomenon. Although no lexical item conveys this stance, the manner in which the quote is introduced frames it as a true and desirable action. Furthermore,

the position of this quote as the lead in a news article leverages the connotation associated with its structure, since the lead is generally accepted to be the most relevant and interesting aspect of a story.

Finally, when scare quotes were used around terms such as “confession” to indicate irony or otherwise make the term marked, as in Examples 4.23 and 4.24, they were categorized as negative. In this usage, punctuation was employed not to disambiguate meaning, but to convey additional meaning, namely that the televised confessions were likely not made willingly.

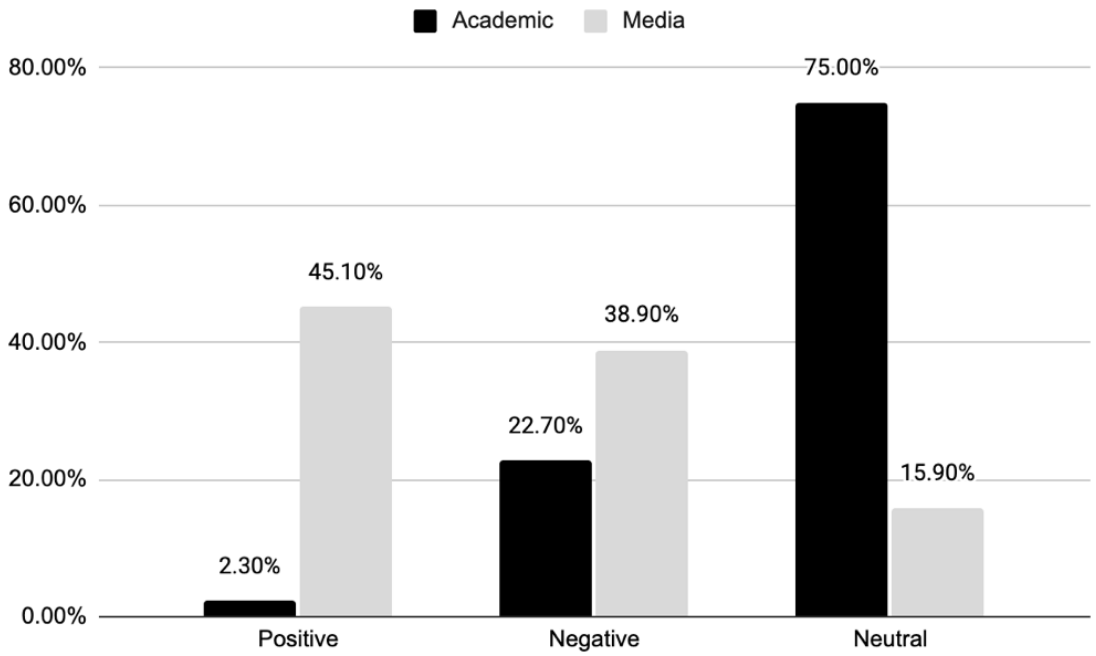

Figure 4.3 Evaluation of televised confessions

In news media, positive evaluations were the most likely, followed by negative evaluations, while neutral evaluations were the most unlikely. In academic papers, neutral evaluations were

overwhelmingly the most likely, followed by negative evaluations, with positive evaluations being by far the least likely. Academic papers were far more likely than news media to describe the phenomenon neutrally, at 75% compared to 15.9%. They were also less likely, at 38.9% compared to 22.7%, to negatively describe the phenomenon. However, the largest difference could be seen in the number and percentage of instances that conveyed a positive evaluation of the phenomenon. News media were almost twenty times as likely as academic papers to include positive evaluations of televised confessions. However, as will be shown in Section 5.2, almost all of these positive evaluations were conveyed implicitly through the use of positively valenced modifiers and verbs and the format of information presentation, rather than through explicit statements.

Finally, the two corpora differed in how televised confessions were presented contextually. As Figure 4.4 shows, televised confessions were most frequently presented in both corpora in descriptions (see Examples 4.19 and 4.23) . The academic papers were slightly more likely to refer to it by a set term such as *dianshi renzui* “televised confession” or *renzui shipin* “confession video.” The largest difference was in the use of direct quotations from televised confessions (such as in Example 4.20) in news media, which was almost totally absent in the academic articles.

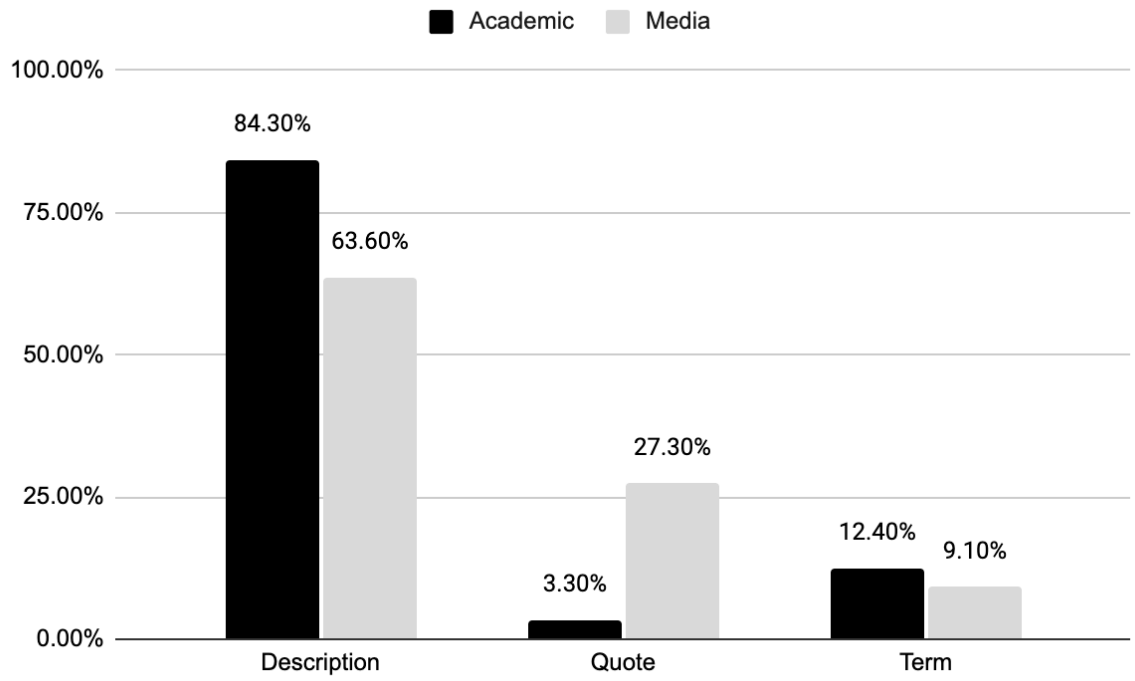

Figure 4.4 Contexts of televised confessions

The replication of quotes from televised confessions, when presented without reference to their broadcasting conditions, as in Example 4.20, in essence reproduces the phenomenon of televised confession for a reading, rather than viewing, audience. In this sense, they convey a positive evaluation of the televised confession even without the use of explicit stance or implicit encoding of stance. Below, the contexts, lexico-grammatical structure, and evaluative features of descriptions of televised confessions in the two corpora are discussed in more detail.

In the news articles, televised confession is often framed as a positive, voluntary act of which the confessing subject is the agent. Example 4.16 is an excerpt from a news article on Lin Zuluan, an official from the village of Wukan and former protest leader accused of bribery. Local news released a video of him confessing to the crimes of which he was accused, although

debate about the veracity of his guilt remained. In the article, the excerpt in Example 4.16 precedes a quote attributed to Lin Zuluan describing the alleged crimes.

(4.16)

林祖恋	在	**接受**	陆丰	检方	审讯	时，
Linzuluan	zai	**jieshou**	lufeng	jianfang	shenxun	shi,
Lin Zuluan	when	**accept**	Lufeng	procurator	interrotation	when,

向	办案	人员	**坦诚：**
xiang	ban'an	renyuan	**tancheng:**
to	do.case	personnel	**come.clean**

'While **accepting** interrogation by Lufeng procurators, Lin Zuluan **came clean** to personnel in charge of the case：'

In Example 4.16, the verb for which Lin is the agent is *tancheng,* which implies both the propriety and veracity of his confession. The employment of the verb *jieshou* to describe his active acceptance of the interrogation also connotes voluntary participation in the interaction. Similar value judgements are encoded in Example 4.17 below, which is the first half of the title of an article about Wang Xiaolu, a journalist accused of spreading rumors online.

(4.17)

《财经》	王晓璐	央视	镜头	前	**公开**	**认错**
Caijing	Wangxiaolu	yangshi	jingtou	qian	gongkai	rencuo
Caijing	Wang Xiaolu	CCTV	camera	before	openly	admit.fault

'*Caijing*'s Wang Xiaolu **openly admits fault** before China Central Television camera'

In Example 4.17, the confession is described as an admission of fault modified by *gongkai*, a word meaning "transparent" "public" or "open" and having a positive connotation. The voluntary nature of the act is also implied by the fact that Wang Xiaolu takes an agent position, while the media is described as a stationary entity before which the admission takes place. In many other instances, the words of the televised confession subject are presented as statements given when accepting a media interview, with value judgements about the veracity of the statements and the subjects' motivations for giving them encoded in lexical items used to describe them. In Example 4.18, for example, an image caption describes the televised confession in such terms. The caption is presented beneath a still image from Gui Minhai's televised confession.

(4.18)

桂敏海	此前	**接受**	**采访**	的	视频	截图。
Gui Minhai	ciqian	**jieshou**	**caifang**	de	shipin	jietu
Gui Minhai	previous	accept	interview	ATTR	video	screenshot

'Still image from an earlier **interview accepted** by Gui Minhai'

The same term, *jieshou* "accept," is used in descriptions of Qin Huohuo's televised confession, presented in Example 4.19.

(4.19)

涉嫌	犯罪	的	网络	造谣	传谣	者	“秦火火”…
shexian	fanzui	de	wangluo	zaoyao	chuanyao	zhe	Qinhuohuo
suspected	commit.crime	ATTR	internet	make.rumor	spread.rumor	3SG	Qin.Huohuo

在	被	刑拘	后	首	次	**接受**	媒体	采访，
zai	bei	xingju	hou	shou	**ci**	**jieshou**	meiti	caifang
while	PASS	detain	after	first	time	**accept**	media	interview

这样	表达	自己	此	刻	的	悔恨	和	愧疚.
zheyang	biaoda	ziji	ci	ke	de	huihen	he	kuijiu
this.way	express	self	this	moment	ASSO	repentance	and	remorse

‘In the first **media interview accepted** after being detained, “Qin Huohuo,” accused of starting and spreading rumors online…expressed his guilt and regret in this way.’

As with previous examples, the role of the media is backgrounded while the individual subject’s actions are foregrounded. At times, the role of the media in the televised confession is backgrounded to the greatest possible extent, by omission. Several articles quote from televised confessions without reference to the broadcast process at all. These quotes are included in news articles focused on the individuals’ alleged crimes and often draw liberally from the televised confession videos, reproducing newscaster commentary as well as direct quotes from the confessions.

One such quote, in an article entitled “Beijing Fengrui Law Firm Director Zhou Shifeng confesses and repents,” is the very first line in the article, emphasizing its importance. Journalistic writing commonly requires that the most important content of an article be mentioned first, and to do otherwise is known as “burying the lead.” This quote, shown in

example 4.20, is presented as the lead, as a full quote from the individual made to confess with no other context.

(4.20)

“我	认罪，	希望	能	给	我	一	个	机会。”
wo	renzui,	xiwang	neng	gei	wo	yi	ge	jihui
1SG	admit.crime	hope	can	give	1SG	one	CL	opportunity

‘ “I confess and hope that I can be given another chance.” ’

Media backgrounding is not the only way in which positive stance toward the veracity and desirability of televised confessions is accomplished. In another example in which the media’s role in the televised confession is depicted more actively, it is also depicted more positively. In Example 4.21, which is taken from an article about Simon Cheung’s confession and subsequent suit of CGTN (a PRC state-run English-language television channel), a PRC official addresses Cheung’s claim that the confession was forced.

(4.21)

对于	郑文杰	事件，	中国	驻	英国	使馆	发言人
duiyu	Zhengwenjie	shijian,	Zhongguo	zhu	Yingguo	shiguan	fayanren
as.for	Simon.Cheung	incident	China	in	UK	embassy	spokesperson
27	日	已	发表	谈话		**澄清**	**事实**
ershiqi	ri	yi	fabiao	tanhua		dengqing	shishi
27	day	already	publish	discussion		clear.up	facts

‘On the subject of the Simon Cheung affair, the PRC ambassador to Britain already made a statement on the 27th **clearing up the facts.’**

Shishi “the facts” encodes the connotation that the official’s account of Simon Cheung’s televised confession is the truthful version, and that the release of these facts is accomplished through a positive and desirable action, *dengqing,* which connotes an official and truthful clarification. In another quote from the same article, shown in Example 4.22, Shen Yi, Assistant Professor of International Relations and Public Affairs at Fudan University, gives a quote that is used as the article’s final line and which also includes the term *shishi.*

(4.22)

“中国	媒体	只	是	**公布**	了	**事实。”**
Zhongguo	meiti	zhi	shi	gongbu	le	shishi
China	media	only	COP	public.release	ASP	facts

‘“Chinese media just released the facts.”’

Here, positive stance toward the media’s action is conveyed in both the verb and its object. *Gongbu* connotes an appropriate release of information to the public, while *shishi* explicitly describes the released information as factual. As with Example 4.21, which is attributed to a high level official and thus represents the institutional voice, Example 4.22 is attributed to an individual whose academic credentials bolsters the credibility of his statement.

The description of businessmen and outspoken social media personality Charles Xue’s televised confession in the 2013 article by Hu Xijin also uses the lexical item *xinxi* “information” to describe the confession content, making an assertion as to its veracity, as seen in Example 4.23.

(4.23)

官方	将	他	承认	自己	嫖娼	的	录像	通过
guanfang	jiang	ta	chengren	ziji	piaochang	de	luxiang	tongguo
official	PT	3SG.M	admit	self	solicit.prostitute	ATTR	recording	pass.through

电视台	播放出来，	至少	增加	了	有关	该	案	的
dianshi-tai	bofang-chulai	zhishao	zengjia	le	youguan	gai	an	de
television-station	broadcast-COMPL	at.least	increase	PFV	related	this	case	ATTR

信息	量。
xinxi	liang
information	amount

'Authorities broadcast the recording of his admission that he had solicited prostitutes on television, which at least **increased** the amount of **information** related to this case.'

Descriptions of discrete instances of televised confessions in this data set's news articles reproduce and positively evaluate the confessions as proper, factual, and made willingly to the media, who are carrying out a positive act in the public interest of increasing publicly available information and transparency about criminal cases. Instead of making these claims explicitly, the value judgements are encoded in the foregrounding of the confession subject's statements, the backgrounding of the media's involvement, and connotations of lexical items utilized.

In contrast to these news articles, in which televised confessions are often presented as desirable and legitimate events embodying such values as transparency, academic articles collected in this data set universally condemned the practice. In the academic articles, negative value judgements related to the government and media's actions were often made explicitly, describing the media's role in orchestrating the events and condemning them, while confessors were less likely than in the television corpus to be agents in descriptions of the confessions, as

shown in Figures 4.1, 4.2 and 4.3. Doubt was also cast as to the veracity of the confessions or the voluntary nature of the process through the use of quotation marks and modifiers.

Example 4.24 is an instance of such a use of punctuation to convey a negative stance toward televised confessions and the assignment of agency to a media body. In an article analyzing response to the televised confession of journalist Chen Yongzhou, broadcast by CCTV, the instance is described primarily in terms of the media's actions.

(4.24)

央视	使	犯罪	嫌疑人	在	镜头	面	前	**“认罪”** 。
yangshi	**shi**	fanzui	xianyiren	zai	jingtou	mian	qian	**renzui**
CCTV	**make**	commit.crime	suspect	at	camera	face	before	**admit.guilt**

‘CCTV **made** the suspect **“confess”** in front of the camera.’

The use of *shi* –“make” or “cause” – explicitly identifies CCTV as the agent of the confession, while the use of quotes around the term “confess” imply doubt about the veracity or willingness of the action. Furthermore, besides the use of lexical items and punctuation to encode value judgements, explicit negative judgements of the practice are also included. Example 4.25 is taken from an academic article that describes the confession of Lin Zuluan, using verb modifiers to convey the author's stance that the confessions were forced. Lin's direct quote is represented by the three ellipses.

(4.25)

林祖恋	**只好**	**“交代”**	道：	“…”					
Linzuluan	**zhihao**	**jiaodai**	dao:	“…”					
Lin Zuluan	**could.only**	**confess**	say:	“…”					
可见	林祖恋	**不得不**	**屈服**	**于**	电视	示众	的	压力	
kejian	Linzuluan	**bu-de-bu**	**qufu**	**yu**	dianshi	shizhong	de	yali	
can.see	Lin.Zuluan	**NEG-PT-NEG**	**submit**	**to**	television	exposure	GEN	pressure	
而	**被**	**迫**	“审	前	认罪。”				
er	**bei**	**po**	shen	qian	renzui				
and	**PASS**	**force**	trial	before	admit.guilt				

‘Lin Zuluan could only **“confess”** by saying, “…” Clearly, Lin Zuluan **could not but** bow to the pressure of televised exposure and be forced to “confess before the trial.”’

In Example 4.24, the author of the paper casts doubt on the voluntary nature of the confession via adverb modifiers and the grammatical structure of the description. The two adverbs precede verbs related to confession, as Lin Zuluan *zhihao* “could only” respond with a confession and *budebu* “could not but,” bow to the pressure to do so. The use of scare quotes around the verb *jiaodai* “confess” also conveys the author’s doubt about whether his statement is actually a confession. The use of the *bei* particle, a passive marker, to modify the verb *po* “forced” designates Lin as the patient of the forcing action.

In the immediately preceding clause in the same academic paper, shown in Example 4.26, the author also uses a modifier, specifically the adjectival phrase “not appearing on camera” that precedes the word “host” to describe Lin’s questioner. This textually foregrounds the questioner’s visual backgrounding in the televised confession. The absence of the questioner in the video is made explicit by the statement that he or she does not appear on camera.

(4.26)

视频	的	开头，	**没有**	**出镜**	**的**	主持人
shipin	de	kaitou,	**meiyou**	**chujing**	**de**	zhuzhiren
video	GEN	beginning	**NEG.have**	**on.camera**	**ATTR**	host
一	副	审判官	的	样子:		
yi	fu	shenpanguan	de	yangzi		
one	CL	judge	ATTR	appearance		

“今天	有	什么	要	向	我们	主动	交代	的
jintian	you	shenme	yao	xiang	women	zhudong	jiaodai	de
today	have	any	will	to	us	voluntarily	confess	NMLZ

‘In the beginning of the video, a host **who does not appear on camera** acts just like a judge: “Do you have anything to voluntarily confess to us today?”’

These critiques of televised confession at the lexical and structural level specifically respond to visual resources employed in the original video. The use of the term *shizhong* “expose” in Example 4.25 also equates the confessions with the term’s negative associations, discussed in section 4.4.2, attributing ill intent and control to a visually absent agent.

While the term *shizhong* appears 210 times in the TV-confessions academic corpus, often as an explicit description of televised confessions embedded in explicit critique of the practice, it appears only twice in the news corpus. It appears in the same context both times: as a quote by James Zimmerman, former chair of the American Chamber of Commerce in China, originally printed in a 2013 Reuters article (Rajagopalan 2013). Zimmerman gave the comment to Reuters by email, and it was subsequently translated in two different PRC state media articles.

Close examination of this instance of *shizhong* in the television corpus shows that although the term itself conveys a highly negative stance toward televised confession, it is tempered by its

translation, which conveys the stance that televised confession results from legitimate aims and deletes the explicit negative evaluation of the term that was present in the original English. The quote from the PRC state media articles is presented in Example 4.27 below, with an additional line beneath the free translation including the original English quote from the Reuters article (Rajagopalan 2013).

(4.27)

他	认为	把	被	拘押	的	被告	在	媒体
ta	renwei	ba	bei	juya	de	beigao	zai	meiti
3SG.M	believe	PT	PASS	detain	ATTR	defendant	on	media

中	示众	反映	出	某	种	政治	考虑
zhong	**shizhong**	fanying	chu	mou	zhong	zhengzhi	kaolü
on	**expose**	reflect	out	some	kind	politics	consideration

与	希望	快速	作	出	判断。
yu	xiwang	kuasu	zuo	chu	panduan
and	hope	fast	make	out	verdict

'He thinks **exposing** the arrested defendant in the media reflects certain political *considerations* and *hope to rapidly* make a judgement.'

'Parading **just-**detained criminal defendants in the media **is repugnant and** reflects political *expediency* and a *rush* to judgment.'

As a comparison of the translation and original shows, the PRC state media translation of Zimmerman's statement omits the explicit negative value judgment ("is repugnant") and downplays other value judgements in three ways. First, the Chinese translation of Zimmerman's quote omits "just" before detained, leaving the duration of time from arrest to confession unremarked upon. This lessens the potential illegitimacy of the confession. Second, the term

"expediency" – which has a negative connotation and implies improper action – is translated as *kaolü* "considerations," which has a neutral or positive connotation and implies legitimate concerns. Finally, "a rush to judgement" becomes "a hope to quickly come to a judgement," losing the negative connotation of rush, which implies that the timeline at which something occurs as improper, and gaining the positive connotation of "hope" along with the positively valued adjective "quickly."

Such encoding of state ideology in official translations has also been observed in PRC press conferences (Liu 2017). Official interpretation of English questions at PRC press conferences involves the choice to include or exclude certain lexical items so that the Chinese translation reflects state positions on potentially controversial matters, such as territorial sovereignty, at times even adding terms that are absent in the original or excluding terms that are, much as with the quote in Example 4.27.

Because of this, the presence of the term *shizhong*, which accurately reflects the negative context and connotation of "parading" in the original Reuters quote, is significant, since other, less negative terms may have been chosen. As this translation appears in Xinhua, the most authoritative of Chinese state media, it may reflect some degree of confirmation that Peter Humphrey's arrest and televised confession were events intended to convey a message to a larger audience.

In the same two news articles as the instances of *shizhong* appear, the encoding of institutional stance through the process of translation conveys other positive value judgements

about the veracity and desirability of televised confessions. Example 4.27 is the first line of the news article, which is pulled from the same Reuters article. As with Example 4.27, the last two lines are the free translation of the Chinese, followed by the original wording from the Reuters article (Rajagopalan 2013).

(4.28)

中国	国家	电视台	播放	了	一	系列	外国人	和
Zhongguo	guojia	dianshitai	bofang	le	yi	xilie	waiguo-ren	he
China	state	television.station	broadcast	PFV	one	series	foreigner	and
本国	高管	**坦白**	交代	**违法**	**犯罪**	**行为**	的	画面
benguo	gaoguan	**tanbai**	jiaodai	**weifa**	**fanzui**	**xingwei**	de	huamian
domestic	executive	**honestly**	confess	**illegal**	**commit.crime**	**behavior**	ATTR	scene
在	商界	引起	担忧…					
zai	shangjie	yinqi	danyou					
in	commercial.field	bring.about	concern					

'Scenes from Chinese national television broadcasts of a series of foreign and local executives **honestly** confessing **to illegal criminal behavior** has spurred anxiety among the business community…'

'A series of confessions by foreign and local executives on China's state-controlled television has spurred anxiety among the business community…'

In Example 4.28, the translation of the Reuters wording introduces additional lexical items that all support an understanding of the confessions as honest, desirable, and legitimate. The term *tanbai*, which can mean "open," "honest" or "forthright," shares its first character with *tancheng* "candid" or "frank," which was used as a modifying adverb for official Lin Zuluan's confession in Example 4.16. The introduction of the patient "illegal criminal behavior," fully absent in the original wording, represents the institutional stance on the guilt of the confessing subjects.

This is especially notable as no official stance has been taken on televised confessions. The term appears only twice on the website of the PRC Ministry of Foreign Affairs, in both instances in the context of denying that they have taken place (Embassy of the People's Republic of China in Sweden 2018a, Embassy of the People's Republic of China in Sweden 2018b). Unlike the operation of the CCTO website, which is an explicitly mandated and promoted government program, government representatives deny responsibility for televised confessions, attributing them to the voluntary repentance of the subjects, rather than design or coercion by authorities (Embassy of the People's Republic of China in Sweden 2018a).

In sharp contrast to PRC news media coverage of televised confessions, in which the act is often depicted as voluntary and its implementation as a form of intimidation only indirectly confirmed, academic writing on the subject explicitly labels the practice as an illegal, immoral, and deliberate act of exposure and intimidation. In the academic televised confessions corpus, the term *shizhong* appears 210 times, and in the title of five of the collected articles, presented in Examples 4.29-4.33.

(4.29)

电视	荧屏	**示众**	问题	研析	——	以
dianshi	yingping	**shizhong**	wenti	yanxi	–	yi
television	screen	**expose**	problem	analysis	–	take

未决犯	认罪	**示众**	为	切入点
weijuefan	renzui	**shizhong**	wei	qierudian
pending.criminal	admit.crime	**expose**	as	incision.point

‘Analysis of the **exposure** issue in television media – taking the **exposure** of public confession of criminals in undecided cases as a point of entry’

(4.30)

示众	的	艺术：	电视	上	的	官员
shizhong	de	yishu:	dianshi	shang	de	guanyuan
expose	ASSO	art:	television	on	ATTR	officials

‘The art of **exposure**: officials on television’

(4.31)

法治	节目	中	**“示众”**	的	负面	效应	与	规避	对策
fazhi	jiemu	zhong	**shizhong**	de	fumian	xiaoying	yu	guibi	duice
legal	program	on	**expose**	ASSO	negative	effect	and	avoid	measure

‘The negative effect of “**exposure**” in legal television programs and methods to avoid it’

(4.32)

未决犯	认罪	**示众**	问题
weijuefan	renzui	**shizhong**	wenti
pending.criminal	admit.crime	**expose**	problem

‘The **exposure** issue of confession by suspects in undecided court cases’

(4.33)

嫌疑人	电视	荧屏	**示众**	应该	制止
xianyiren	dianshi	yingping	**shizhong**	yinggai	zhizhi
suspect	television	screen	**expose**	should	stop

‘[The practice of] suspects being televised as a form of exposure should be stopped’

Here, *shizhong* is the explicit, negatively valenced lexical term used in abstract descriptions of the practice of televised confessions. In Examples and 4.29 and 4.32, it is a modifier for *wenti*

"problem" or "issue," marking it as the central topic of critique. In total, the term appears in three additional papers, and in all eight, it is always used to describe televised confession as undesirable and illegitimate actions.

Other abstract descriptions of confessions in the academic articles convey more implicit negative judgement of the practice through the connotations of a particular adverb. Example 4.34, taken from an academic article entitled "Issues in news reports on crime and paths toward improvement," is an example of such encoding.

(4.34)

在	案件	终审	判决	前，	媒体	**就**
zai	anjian	zhongshen	panjue	qian	meiti	**jiu**
at	case	final	verdict	before	media	**PT**

组织	拍摄	犯罪	嫌疑人	道歉	认罪	的	视频...
zuzhi	paishe	fanzui	xianyiren	daoqian	renzui	de	shipin…
organize	shoot	commit.crime	suspect	apologize	admit.crime	ATTR	video…

'Prior to the final verdict in a case, media **already** organized the shooting of a criminal suspect's apology and confession video…'

The primary critique of televised confessions in the article in which Example 4.34 appears is that they are a form of trial by media, usurping the role of legal institutions in the prosecution of crime. A critique of the order in which media and criminal processes take place may be seen in the use of *jiu* as an adverb indicating an extremely short interval (Biq 1988), in this case implying that something happens earlier than may be expected under normal circumstances. This

designates the media's design, shooting, and description of the confession video as an abnormal sequence of affairs.

In sum, news media were found to take a generally positive stance on the veracity, legitimacy, and desirability of televised confessions. This was most frequently accomplished through descriptions of discrete incidents in which stance is encoded via implicit means, including through the introduction of absent value judgements in translations of English-language reportage. Reproduction of the televised confessions textually, with quotes from the confessing subjects presented as responses to voluntary media interviews, was another common means of reproducing the official stance that these acts were legitimate. Academic articles, on the other hand, took a firmly negative stance toward televised confessions, often assigning agency to the media, and expressed these stances explicitly as well as encoding them in lexico-grammatical structure and punctuation.

These findings largely corroborated initial hypotheses from corpus keyword results. Discourse related to televised confessions differed in terms of stance and means of conveying stance. These largely divergent stances were conveyed explicitly, as well as through lexico-grammatical structure, foregrounding and backgrounding, transformative translation, and punctuation. However, academic articles, which were expected to convey stance more implicitly, were found to express stance more explicitly than media articles, especially in the two televised confession corpora.

4.6 Discussion

This chapter analyzed the differences in the ways language ideology was conveyed in media and news articles about televised confessions and CCTO, a government trial streaming website. It was hypothesized that the media articles would take more positive, explicit stances toward these two phenomena than the academic articles, which would be more likely to convey stance implicitly. This was found to be only partially true. In the data set, positive stance toward these phenomena was far more common in the media than the academic articles. The term *sifa gongkai* "judicial openness," which was taken as an entry point for the CCTO corpora, for example, was found to appear in largely positive contexts across the news and academic genres, but differ in the degree of linkage with CCTO. However, news articles were found to convey stance implicitly very often, especially toward televised confessions, while academic articles included more explicit normative evaluations. While news media conveyed the official stance that CCTO and other platforms increased and represented judicial openness, some academic articles explicitly critiqued the suitability of CCTO as an avenue for judicial openness.

A comparison of descriptions of televised confessions in the corresponding corpora revealed that discourse differed very widely compared to the other two corpora. News articles about televised confessions often backgrounded the involvement of the state and media, encoding positive value judgements about the desirability, veracity, and legitimacy of these statements in the lexico-grammatical structure. They also foregrounded the individuals who voiced the

confessions, assigning them agency in the lexico-grammatical structure and presenting their quotes as voluntary, factual statements without mention of the broadcasting context.

Academic articles on televised confessions, on the other hand, explicitly critiqued the practice and foregrounded the involvement of state and media actors. Punctuation and lexico-grammatical structure were employed to question the practice and assign responsibility for it to media and government actors. In descriptions of televised confessions, the individual subjects of confession videos were far less likely to be in the agent position, and the verbs and modifiers used connoted the involuntary nature of their confessions. In the data set, descriptions of televised confessions in academic papers were 19.6 times less likely than news articles to convey a positive stance toward the phenomenon and 8.3 times less likely to use a direct quote from a televised confession. They were also far more likely to critique the practice as a form of *shizhong,* meaning "exposure" or "to make an example of someone."

In short, news and academic coverage about CCTO shared the same terms and tended to differ only in degree of positive stance toward its exemplification of judicial openness, while news and academic discourse televised confessions sharply diverged at the structural, contextual, and lexico-grammatical levels. An official state stance toward judicial openness was conveyed both in state media articles – where the term was linked to the internationally accepted definition of rule of law and a unique domestic sense of rule of law – and in an article outlining Xi Jinping's definition of the term. State ideology was conveyed more explicitly in the case of CCTO and more implicitly in the case of televised confessions. Quotes from officials and

descriptions of televised confessions in state media denied government involvement and conveyed both the positive, active role of the media and the true, voluntary nature of the individuals' statements. Government bodies often occupied the agent position in descriptions of CCTO and judicial openness, while they were almost entirely absent in the agent position in descriptions of televised confessions, occurring in 1% of all instances in the data set.

These findings highlighted the importance of including lexis, grammar, and more contextually determined units of organization when analyzing ideology in discourse. Ideology was often conveyed at the lexico-grammatical level through the connotations and meanings of different lexical items and the placement of different parties in the agent and patient position, as has often been demonstrated in CDA research. However, it was also conveyed through its inclusion or exclusion of other discourses, such as direct quotes from televised confessions, as well as the use of genre-specific features like the journalistic lead or academic article title. The limited use of quantitative measures, such as keyword lists and randomized data sets, to direct and inform qualitative analysis has enabled a more systematic approach to discourses surrounding the changing relationship between media and the law in the PRC.

CCTO and televised confessions both sit at the intersection of the implementation of the law and mass media broadcasts. As these two spheres have overlapped and the boundaries between them have become blurred, state media has championed this as a sign of increasing judicial openness and progress, while critics have emphasized the accompanying threats to individuals' rights and dignity and the fear inspired by making trials and confessions public. What Chapter 4

has shown is how this conversation is taking place in the media and academic spheres. In Chapter 5, the conclusion, its significance in the larger discourse about media and the law in the PRC will be discussed.

Chapter 5 Conclusion

In this study, I took a methodologically diverse approach to three different kinds of linguistic data in order to better understand the changing relationship between the law and media in the PRC. First, I analyzed judge-defendant interaction in criminal trials streamed on CCTO, an official government website, through a combination of conversation analysis and corpus linguistics, identifying when and how defendants constructed resistance and judges responded to these acts. Second, I looked at news segments broadcast on state backed television channels in which individuals were shown to confess to crimes, conducting thematic, lexico-grammatical, and multimodal analysis of the content to identify patterns in language ideology across three separate segments with ostensibly different focuses. Third, I constructed four corpora of representative news and academic writing about these two phenomena – trial streaming and televised confessions – to research the construction of stance toward them in the two genres. In this conclusion, I will discuss the implications of the findings from these chapters and avenues for future research. I first discuss the findings of each chapter and then address the methodological implications of the study as a whole for the integration of CA and CDA approaches.

In Chapter 2, instances of defendant resistance to ascriptions of guilt in procedural trial question-answer sequences were identified through conversation analysis of twenty criminal trials from the CCTO website. Several important findings were made in this process. First,

although all defendants in the data set had pled guilty and some were tried via summary trials, in which all parties in theory must agree to the charges beforehand, many still resisted the ascriptions of guilt during the trials. Second, when defendants did construct resistance, they did so in implicit ways and in sequential positions that minimized conflict with the judge and procurator. Third, judges responded to these instances of resistance by reasserting ascriptions of guilt and pursuing explicit affiliation with these stances from defendants. Finally, the specific linguistic resources defendants and judges used in these negotiations were identified, showing that ascription of and resistance to guilt were accomplished in very contextually dependent ways.

These findings support Chang's (2002) argument that PRC criminal trials are intended to serve a persuasive rather than investigative purpose by convincing defendants of their guilt through a combination of trial setting, procedural sequence, turn allocation, and questioning strategies. Chang further shows that trials she examined, which were broadcast on public television, served the additional purposes of persuading the public that justice has been done, educating them about the law and in so doing persuading them to abide by it.

Where Chang (2002) studied criminal trials edited and broadcast on state television, the trials in my data set were livestreamed and hosted on an official government website. Compared to televised broadcast of select trials, online streaming of a much larger body of trials has the potential to transform any trial proceeding into a pedagogical event for a larger audience. Much as Chang (2002) says that one of the purposes of trials is to, "persuade the public that crimes will never be tolerated thus helping the court realize justice as righteousness" (128-129), the 2017

Supreme People's Court Work Report describes the purpose of advancing judicial openness – including the broadcasting of court proceedings via CCTO – as "making the people able to see and feel fairness and righteousness" (Supreme People's Court Work Report 2018).

In Chapter 3, news segments that included confessions by the subject of the segment were examined in a multimodal critical discourse analysis framework for commonalities in thematic organization, lexical grammar, and deployment of visual semiotic resources. Across three such segments broadcast in 2016, thematic organization was found to emphasize the topic of national identity, which was addressed in the last section of each. In parts of the segments that dealt with national identity, the term *Zhongguo,* meaning China or Chinese, appeared most often as the patient modifier of a negatively valenced verb. Other statements related to national identity conveyed the presuppositions that PRC national identity is impermeable through explicit statements, metaphor, and first-person pronoun referents.

Furthermore, gaze and other visual resources were deployed in these segments to convey the authority of the media anchors, contrition of the confessing subjects, and official stance toward the victimization of the PRC. In segments in which the subjects were shown to confess to crimes or negatively impact the PRC's national interests, their gaze was indirect and downward, contrasted to the indirect and level gaze they displayed when making more neutral statements. Additionally, B-roll footage and still images of these subjects in detention with downcast expressions emphasized their guilt. In contrast, news anchors opened the segments by gazing

directly into the camera, positioning themselves as authoritative mediators between the subjects and mass media audiences.

Together, the organization of these segments and these patterns in the deployment of lexico-grammatical and visual resources construct ideological beliefs about individual and group identity, namely that PRC national identity is immutable and that foreign actors are victimizing the PRC. While this study is the first to analyze the linguistics of PRC televised confessions, Fang (2001) discovered similar patterns in coverage of foreign affairs by the state-run *People's Daily,* finding that its "reports validate the foreign policies adopted by those in control, and they actively divide the world into 'us' and 'them' for the readers" (479). This study builds on this and other studies of langauge ideology in PRC state media (Fang 1994, Fang 2001, Feng 2013, Feng 2016) by incorporating attention to visual resources such as gaze, as well as addressing the understudied topic of televised confessions.

In Chapter 4, I constructed four corpora to better analyze how livestreamed trials and televised confessions were perceived and evaluated in PRC news media and academia. By comparing state media use of the term *sifa gongkai* "judicial openness" with its use in academic articles, it became apparent that the institutional stance toward the policy of judicial openness through trial streaming was more positive, while the opinion in academia was slightly more divided and was less likely to link the concept of judicial openness with trial streaming.

While the way in which *sifa gongkai* was discussed did not differ much between news and academic articles, the manner in which televised confessions were presented and described in

news media differed very sharply from how they were described in the academic data set. In academic articles, neutral and negative evaluations of televised confessions dominated, while a plurality of instances in which televised confessions were described in news media conveyed a positive stance toward the phenomenon.

These stances tended to be conveyed explicitly in academic writing, often by labelling the practice as *shizhong,* or making an example of someone. This term draws a parallel between televised confessions and the confession-centered televised criminal trials analyzed by Chang (2002), as both are described as aiming to educate and intimidate an audience, thereby deterring further criminal activity. Academic authors tended to assign agency for televised confessions to news media, emphasizing their role in the coordination and broadcast. Negative evaluations of televised confessions were also conveyed in the academic articles by the use of scare quotes around terms such as "confession" to draw attention to the fact that their legitimacy or veracity was questionable.

In contrast, news media conveyed a positive stance toward the veracity, legitimacy, and desirability of the televised confessions, largely by attributing agency to the confessors and backgrounding media or government involvement. In this data set, the presentation of direct quotes from televised confessions attributed to the subjects, either without other framing or by using verbs for their speech which connoted veracity and remorse, also replicated the effect of the televised confessions for an online readership rather than a television audience. Where verbs and modifiers used in academic descriptions of televised confessions implied that the media

forced unwilling subjects to confess, verbs and modifiers found in news media descriptions often connoted willingness on the part of the subjects and legitimate motivations rooted in the public interest on the part of the media.

The manner in which CCTO and televised confessions were evaluated in state media also differed, with the former being explicitly praised while positive stance toward the latter was conveyed implicitly. While trial streaming has been widely promoted as a government program, in law and important political meetings, government bodies have officially denied responsibility for televised confessions, claiming that these news segments are produced and broadcast by the media in the public interest. Although in both phenomena confessing subjects are presented to mass media audiences as cautionary tales, trial streaming is perceived as a program with at least some legitimacy and legal grounding, while televised confessions are almost universally condemned in academic articles.

In news media, positive institutional stance toward trial streaming is conveyed explicitly, while positive institutional stance toward televised confessions is conveyed implicitly, which indicates an awareness of the relatively lower level of legitimacy for televised confession news segments. Despite this legitimacy deficit, its promotion in state-run media indicates that decisionmakers feel that implicit stance may be persuasive to its target audiences. This indicates that more controversial policies and programs may be better understood through close linguistic attention to language ideology, which may be conveyed through a complex combination of topic

selection, thematic organization, framing, sequence, and visual as well as lexico-grammatical resources.

Both CCTO and televised confessions are genres of discourse in which interactions related to criminal guilt are deployed by a state actor in monologic, one-to-many communications. By considering both together, patterns of interaction they shared, such as the pursuit of an admission of guilt, became more apparent. In criminal trials streamed on CCTO, judges responded to instances of defendant resistance by pursuing explicit affiliation with reasserted ascriptions of guilt, within a sequence and turn allocation system that supported these pursuits. In televised confessions, national security personnel, script writers, directors, and video editors also controlled the sequence of interaction and leveraged their power to elicit confessions of guilt.

The fact that these genres of discourse were also monologic, one-to-many communications necessitated consideration of the purpose of their messaging and audience reception. While it would have been impossible to survey every person who has watched a streamed trial or televised confession, media and academic writing about these two phenomena were a window into their broadcasting and reception. State media coverage of CCTO and televised confessions reflected institutional stance toward their purpose and effect, while academic writing revealed the diverse reactions of audience members.

Surveying different kinds of linguistic data – institutional interaction, scripted and edited news segments, and textual articles – made it possible to examine multiple facets of the same phenomenon, but it also presented methodological challenges. The tools and approach necessary

for making sense of natural conversation, for instance, were unsuited to the scripted news segments and written articles. The integration of qualitative and quantitative methods also required consideration of the premises on which each was based.

For the judge-defendant interaction examined in Chapter 2, a corpus linguistics (CL)-assisted conversation analytic (CA) approach was taken. Conversation analysis enabled micro-level attention to the on-line construction of the legal institution, while corpus linguistics provided a framework for observing patterns across the data set. Once each trial had been coded for trial segment and speaker, CA was conducted to locate instances of resistance, which where then also coded for in the corpus linguistic software. The quantitative results revealed at which point in trials defendants were most likely to pose resistance, while the qualitative results showed how they did so. Corpus linguistics was not used to discover linguistic patterns or collocations, but rather to discover patterns in agenda setting and turn taking.

The televised news segments considered in Chapter 3 required a multimodal approach, as the visual aspect of their production was much more pre-planned and complex. Additionally, while conversation-style speech is a feature of news as a genre, it is produced very differently than in natural interaction and the visual aspects of its production are heavily manipulated. In Goffman's (1975) framework, the person seen confessing in one of these segments may be merely the animator, while the author is a state media employee and the principal is even farther behind the scenes. A critical discourse analysis perspective was also taken in light of the power

dynamics reflected by this participation framework as well as the power of state media over its audience.

The three video segments analyzed in Chapter 3 were all selected because they were broadcast in the same time period, 2016, but featured different individual subjects, reported different news stories, and were broadcast on different television channels. These differences ensured that patterns shared by all three videos were more likely to be shared features of televised confessions than similarities in focus or reporting style. The relatively smaller data set enabled more thorough qualitative analysis, including the outlining and cataloguing of both visual and verbal semiotic resources deployed.

In Chapter 4, the data set was made up of academic and news articles about trial streaming and televised confessions. Unlike the two data sets examined in Chapters 2 and 3, these data sets were primarily textual, with a limited number of visual resources deployed in the form of still images supplementing the text. Published between 2013 and 2021, these articles were representative samplings of news and academic writing on their respective topics. The representativeness and textual nature of this set meant that corpus linguistics software was capable of identifying more features of the discourse than it would be with more spoken or natural data. These features helped refine an initially broad research approach and inform the qualitative analysis.

When qualitative and quantitative methods are used in the same study, the question of their respective purposes and limitations is always at the forefront. Practitioners of CA have argued

that without the knowledge of what is happening at the micro level, CDA is at risk of imposing researchers' understandings over the understandings of the participants themselves (Schegloff 1993). They argue that talk-in-interaction is methodological leverage for uncovering these understandings, because it is possible to find proof for participants' intent and methods within the data itself (Schegloff 1997). By limiting focus to the interaction, and not to factors that might influence it, what participants demonstrate they believe through their interaction is revealed, rather than what researchers speculate they might believe.

However, some proponents of CDA feel that an inattention to factors outside of a specific interaction may result in a stripped understanding of it and presuppose an ideologically neutral playing field when none exists (Billig 1999). They also argue that the methods of CA are in fact another form of ideologically imposing meaning, by defining international participants' conversations in a terminology that conveys equality of interaction and focusing on ways of speaking rather than what is said (Billig 1999). If social reality – including imbalanced power relations in institutions – and dialogue are co-constructing, then to ignore one half of the equation might result in a skewed understanding of that reality.

I believe that CA practitioners are right when they claim that close analysis of talk-in-interaction is a necessary foundation for research about social reality. The leverage Schegloff (1997) talks about allows researchers to base their understanding of interactions in the interactions themselves. This leverage is also compounded by the researcher's implicit pragmatic competence, as Mey (2001) points out, though I do not see this as necessarily a negative.

However, I propose that the endogenous approach of CA is not incompatible with the occasionally more deductive approach of CDA, and indeed, both approaches are necessary to answer certain types of questions.

Firstly, while social reality may be brought into being through talk-in-interaction, it does not exist in a vacuum. Participants may orient to many of the factors influencing their interaction, but these factors may not always be apparent in each instance of interaction. Contextual knowledge of the pressures defendants face to plead guilty, even when innocent, may direct the researcher to broaden the scope of their investigation. Knowledge of what remains unsaid, and why, can supplement research into what is said.

Secondly, for the primary interactional participants of this study – trial defendants and subjects of televised confession news segments – multiple modes of communication and mass media are just as relevant and life-affecting as face-to-face interaction. Many of the most influential forms of communication in their lives are one-to-many, including mass media and state policy. Because the participants analyzed in this study – defendants in criminal trials and individuals forced to confess on television – must deal with these multiple forms of communication, these forms are all relevant as objects of research. The tools used to research these forms of communication must be methodologically suitable to them, and thus multiple methodologies are necessary. As discussed above, conversation analysis is uniquely suited to research on talk-in-interaction, while discourse analysis is more suited to textual and multimodal materials.

Finally, the danger of imposing the researcher's ideology onto the subject is present in any kind of research. The advantage of a combined CA/CDA approach is that the researcher's ideology is more explicit, and therefore more open to investigation, challenge, and supplementation from other researchers and the subjects themselves. Rather than a kind of "theoretical imperialism," as Schegloff (1997, 167) warns of, this is a form of collaborative investigation, albeit merely one stage of it.

Recent studies have shown how formal coding systems that are based on the CA approach rather than top-down categorization systems can help answer questions that CA alone cannot (Stivers 2015). The coding system developed for Chapter 2 does not supplant the CA analysis but builds off of it, by first finding instances of resistance through micro-level analysis and then determining its distribution in different trial segments. Chapter 3, the most qualitative of the analytic chapters, incorporates quantitative measures only in the basic categorization of qualitative results.

Chapter 4 is comparatively the most data-driven, employing corpus linguistic analysis at the very outset to help refine the research question. As the corpora constructed for this chapter contained monologic, textual data that included little of the interactional complexities of naturally occurring conversation, they were considered more suitable for quantitative analysis. Crucial, too, was the representativeness of the corpora; while the twenty criminal trials examined in Chapter 2 are a drop in the bucket of all livestreamed criminal trials, the articles collected for Chapter 4 represented a much larger sample of news and academic discourse on their respective

topics. Initial quantitative research was only conducted to determine exactly what was most discussed in each corpus; subsequent qualitative analysis of a representative sample of each corpus was conducted to draw conclusions about how these topics were discussed. Coding based on this qualitative analysis was then employed to draw comparisons between corpora. In this way, quantification was used to guide and reflect qualitative analysis, not limit or replace it. This mixed methods approach to livestreamed trials and televised confessions makes it possible to approach large bodies of data in a systematic way, without decontextualizing it.

Much as the combination of quantitative and qualitative methods is somewhat controversial, the critical approach to discourse analysis for this subject matter is as well. Lan and Liao (2011) observed that in critical discourse analysis research in PRC journals over the past fifteen years, descriptive studies predominated, while applied studies were largely confined to foreign subject matter, with sensitive topics like media and politics receiving little attention (119). They also questioned the utility of overly critical methodological approaches to PRC subject matter, arguing that in the current political and social climate, this might magnify rather than resolve issues. Perhaps for this same reason, televised confessions have not be the subject of linguistic research in the PRC, and linguistic studies of CCTO tend to use it as a source of data rather than an object of research.

Whether something is overly critical is a highly subjective matter, but the approach of this study is certainly a critical one. This approach was chosen in an effort to understand the relationship between the law and media in the PRC. Law is, in essence, one way that a state

exercises power over individuals, and state-run media is one way that it influences them. A study of this topic that did not identify the exercise of power in language would therefore be woefully insufficient.

By taking a systemic, critical approach to linguistic data, this study showed that the media is increasingly deployed in the exercise of legal power, both in livestreamed trials and televised confessions. First, analysis of defendant-judge interactions in livestreamed trials revealed how these events ascribe guilt onto the defendant despite the exercise of resistance. Subsequently, attention to the lexical grammar and visual resources deployed in three televised confession news segments showed that these mass media events functioned to ascribe guilt to the confessing subjects and stoke nationalist sentiment. Finally, corpus-assisted critical discourse analysis of news and academic writing about these two subjects revealed diverging public and institutional stances toward them.

As relatively new or renewed phenomena, livestreamed trials and televised confessions are fruitful subjects for future research of all kinds. Linguistic research in particular is underrepresented at the intersection of law and media in the PRC. Though a sample of streamed criminal trials and televised confessions were examined, future studies might expand on this study in scope and include additional types of data, such as civil trials. Future studies of televised confessions may also take into account the many other videos, some broadcast by PRC media in languages besides Mandarin Chinese. This study has not considered television or online audience members' reactions apart from what is communicated in the news and academic articles

examined; future studies on the effects of these mass media events may take into account a broader and more diverse range of audience evaluations. It is my hope that this study, with its experimental approach to combining qualitative and quantitative methods, may provide some insight into how future studies on this subject may study large bodies of linguistic data systematically.

Appendix 1: Glossing Conventions

Glossing in this study is based on the Leipzig conventions (Comrie et al. 2008). Some minor changes have been made (such as abbreviating classifiers as CL rather than CLF) for brevity. In Chapter 2, abbreviations WIT and DEF are also included to mark names (glossed NM) by their role (witness or defendant respectively). The complete list of abbreviations used is below, with bolded terms indicating those that are additions to the original Leipzig abbreviations list.

1	first person
2	second person
3	third person
ASP	aspect marker
ASSO	**associative**
ATTR	**attributive**
CL	**classifier**
COMPL	complementizer
COP	copula
DEF	**defendant**
DUR	durative
EXP	experiential particle
FIL	**filler**
INCH	**inchoative**
M	masculine
NEG	negative, negation
NM	name
NMLZ	nominalizer/nominalization

PASS	passive
PFV	perfective
PL	plural
PROG	progressive
PT	**particle**
Q	**question particle**
RES	resultative
SG	singular
WIT	**witness**

Appendix 2: Data Transcription Conventions

Excerpts in Chapter 2 are transcribed using CA conventions as first proposed by Jefferson (2004). One exception is the use of parenthesis () to indicate that the enclosed words in the English free translation are necessarily implied but not explicit in the original Mandarin, in such cases as their omission in the English would result in an ungrammatical or infelicitous utterance that does not accurately reflect the meaning of the original. Names are rendered as XXX. Overlap and prosodic features are rendered in the pinyin line, as the phonetic nature of pinyin makes it easier to indicate when precisely such features occur within syllables. When pauses occur at a transition relevance space, they are transcribed on their own line. The complete list of transcription symbols used is presented below.

[ ]	Overlapping speech
↑ ↓	Significant pitch movement relative to normal speech pitch ebb and flow
->	Line or lines discussed in analysis
underlining	vocal emphasis
CAPITALS	louder speech
° °	encloses quieter speech
x in parentheses	a pause of x number of seconds
. in parentheses	a micropause
hhh	aspiration (exhaling)
.hhh	inspiration (inhaling)
,	continuation marker
> <	encloses speeded-up speech
-	cut off preceding sound
:	elongation of prior sound
(( ))	encloses transcriber notes
()	used in free translation to include words necessary to make the translation felicitous that are absent in the original Mandarin

Appendix 3: Academic and Media Corpora

All articles included in the four corpora below are listed below, in the order they were added to the corpus.

CCTO – Media Corpus

Article	Date	Source	Link
中国庭审公开网公开庭审突破1000万场	12/4/2020	新华网	http://www.xinhuanet.com/2020-12/04/c_1126823314.htm
中国庭审公开网庭审直播已突破500万场	10/23/2019	腾讯网-人民法院新闻传媒总社	https://xw.qq.com/cmsid/20191023a0pd2500?f=newdc
2018年庭审直播哪家强？中国庭审公开网榜单出炉	1/4/2019	澎湃新闻-人民法院新闻传媒总社	http://www.thepaper.cn/newsDetail_forward_2816277
中国庭审公开网访问量逾130亿次	11/28/2018	环球网/法制日报	https://china.huanqiu.com/article/9CaKrnKfjBm
最高法：中国庭审公开网直播庭审突破200万场	11/27/2018	中国网-人民网	http://www.china.com.cn/guoqing/2018-11/27/content_74213722.htm
中国裁判文书网公开文书4278.3万份	3/9/2018	中国网	http://www.china.com.cn/lianghui/news/2018-03/09/content_50691146.shtml
网上晒庭审 专家细点评 ——记第三方评价中国庭审公开网庭审活动	1/12/2017	《实务周刊》	http://rmfyb.chinacourt.org/paper/images/2017-01/12/05/2017011205_pdf.pdf
周强:中国庭审公开网直播庭审64.6万件	3/9/2018	人民政协网	http://www.rmzxb.com.cn/c/2018-03-09/1986889.shtml
娄底中院成为中国庭审公开网庭审直播第400万场法院	7/23/2019	腾讯网	https://new.qq.com/omn/20190723/20190723A0V8IJ00.html
中国庭审公开网已累计直播庭审81万余次	4/27/2018	中国政府网-新华社	http://www.gov.cn/xinwen/2018-04/27/content_5286433.htm
让正义以看得见的方式实现——中国庭审公开网交出一周年“成绩单”	9/28/2017	中国法院网-人民法院报	https://www.chinacourt.org/article/detail/2017/09/id/3006972.shtml
法院庭审直播发展迅猛 中国最高法表示将妥善保护隐私	12/4/2020	大众网-中国新闻网	https://www.dzwww.com/xinwen/guoneixinwen/202012/t20201204_20003145.htm
孙洪山：“线上线下”齐发力 让群众感受到触手可及的公平正义	3/7/2021	中国法院网	https://www.chinacourt.org/article/detail/2021/03/id/5847688.shtml

要闻 丨 中国庭审公开网公开庭审总量破千万场 最高法已就庭审直播制定司法解释	12/7/2020	澎湃新闻	https://www.thepaper.cn/newsDetail_forward_10309612
汪卫军：“优秀直播法官”是怎样“炼”成的？	3/12/2021	澎湃新闻-天津政法报	https://www.thepaper.cn/newsDetail_forward_11693370
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中国庭审公开网最高日直播超3600 场	2/28/2018	人民网-法制日报	http://legal.people.com.cn/n1/2018/0228/c42510-29839174.html
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全国政协委员朱征夫：嫌疑人电视认罪要慎重	3/1/2016	财新网[微博]	https://news.qq.com/a/20160301/054567.htm
政协委员:让嫌疑人上电视认罪不利于司法公正	3/2/2016	中国青年网	http://news.youth.cn/gn/201603/t20160302_7693062.htm ， http://www.china.com.cn/lianghui/news/2016-03/02/content_37912939.htm
【光明论·两会大家谈】嫌犯“电视认罪”该寿终正寝了	3/3/2016	光明时评	https://guancha.gmw.cn/2016-03/03/content_19143556.htm
刑事案件不宜进行“判前电视认罪”	3/3/2016	中国经济网-西安晚报	http://views.ce.cn/view/ent/201603/03/t20160303_9253215.shtml
“电视认罪”不利于司法公正	3/14/2016	大众日报-大众数字报	http://paper.dzwww.com/dzrb/content/20160314/Articel03008MT.htm
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汕尾市政府播放林祖恋认罪视频，已被免去乌坎村党总支部书记	6/21/2016	澎湃新闻	https://www.thepaper.cn/newsDetail_forward_1486715
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