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Power and (Im)Politeness in Traditional Chinese Criminal Investigations

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discourse analytic study of a group of German high-school girls interactions outside the school framework. Via the participant observation I conducted for more than two years, I was able to collect a large corpus of the girls everyday communication.

[Stenström Anna-Brita]

**Klaus Zimmerman**, *An outline for a comparative study of adolescent speech varieties in the Spanish speaking world*

Special varieties of the speech of adolescents and young people seem not to be an universal phenomena but arose in special socio- economic conditions in the second half of the 20th century. But since they have been generated in nearly every speech community of modern societies. Very little studies exist of comparing the linguistic mechanisms of variety constitution in each speech community. Pilot studies reveal some common features but differences too. Another dimension of comparing features is that of the same language but in different regions, especially in pluricentric languages. Here we have basically the same linguistic material at disposition, but different sociological contexts which influence the concrete shape of the varieties and supposedly different functions according to the situation of young people. In my paper I will give an outline of the dimensions and research methods of those diatopic-comparative studies in the Spanish- Speaking countries. To do this, I will treat theoretical aspects of genesis and status of these types of varieties, too.

## PANEL

**Hao Sun & Daniel Z.Kadar**, *Chinese institutional discourse(s)*

The aim of this panel is to fill a long-felt gap in communication, discourse and culture studies by providing descriptive account s of Chinese institutional interactions in different contexts. In spite of growing interest in institutional talk in recent years, researchers have primarily focused on languages and cultures in so-called Western societies. As interactions and cultural exchanges between Western countries and China increase in an expanding global economy, Chinese institutional discourse has gained new significance. Whether institutional discourse is perceived as organizational talk or interpreted as a variety of speech events defined by collectively determined cultural norms, successful cross-cultural communication in institutional discourse requires understanding of key issues such as institutional roles, sociocultural norms and discourse conventions. Specifically, this panel has a twofold aim. On the one hand, the panel contributes to the latest developments in discourse analysis, c onversation analysis, critical discourse analysis, pragmatics, and cross-cultural communication studies, offering insights based on Chinese discourse data. On the other hand, the panellists present applications of different analytic tools, addressing methodological issues that are of central concern and relevance to the theme of the forthcoming conference.

Examining Chinese discourse in both contemporary contexts (including intercultural settings such as Hong Kong ) and old China , the panellists apply different theoretical perspectives including c onversation analysis, critical discourse analysis, cross-cultural pragmatics, the ethnography of communication, historical pragmatics, politeness theories and interdisciplinary approaches. All the studies, nevertheless, share a common interest in the exploration of manifestation of cultural features of Chinese discourse and the intersection between institutional discourse and particular features of Chinese interactions. The presentation of the unique data collected in various settings and the adopted analytic methodologies will interest specialists in Chinese linguistics as well as scholars conducting research in institutional discourse or sociocultural aspects of communication.

## Contributions

[Sun Hao]

**Daniel Zoltan Kadar**, *Power and (Im)Politeness in Traditional Chinese Criminal Investigations*

Due to recent developments in critical discourse analysis (CDA) and forensic linguistics (FL), the theories regarding utilisation of language in police interviews and courtroom interactions have been refined, cf. Cotterill (2003), Gibbons (2003), and Thornborrow (2002). Researchers argue that even in the considerably authoritative police questioning process and courtroom settings, language is a means that not only serves the maintenance but also the redistribution (Bourdieu 1991) of power, i.e., possible resistance against authority. It is a generally accepted view that (im)politeness is one of the most important tools in struggles for power in courtroom trials, cf. Lakoff (1989), or Kurzon (2001).

The aim of this study is to apply CDA and FL theories to the linguistics examination of traditional Chinese criminal investigation(s) (TCCI), i.e., the process of interrogating suspects in imperial China in the period spanning the period

from the Ming dynasty (1368/1644) through the Qing dynasty (1644/1911).<sup>[1]</sup> In the course of analysing TCCI, particular attention is devoted to the study of traditional Chinese (im)polite formulae and their role in criminal investigations. TCCI and its institutional (im)politeness are of relevance to both CDA and FL, since their examination can show how language and (im)politeness are utilized in attaining discourse goals in historical Chinese legal settings, which differ enormously from the well-studied modern Western ones. Besides, TCCI is a hitherto regrettably understudied topic. Notwithstanding the pivotal place occupied by traditional Chinese law amongst the legal traditions of the world (Katz ed. 1986), traditional Chinese courtroom language has not been studied in any detail by historical pragmatics or forensic linguists. Furthermore, while traditional Chinese law has an extensive sinological literature, such works only touch upon, if discuss at all, its language.

In the first part of this study I aim to reconstruct the general institutional characteristics of TCCI. As discourse extracts demonstrate, in TCCI language resources, in particular the application of (im)polite formulae, were unequally distributed between the magistrates (i.e. judges) and the suspects/witnesses, even though traditional Chinese penal law laid emphasis on the fairness of investigations, cf. MacCormack (1996). In other words, while in TCCI the magistrates had to maintain the official tone of the interrogation by applying judicial formulae, they could utilize impoliteness whenever it was necessary to put pressure on the suspects to detect the truth; the suspects, on the other hand, were institutionally, and if needed physically, forced to respond to the judges politely by applying honorific formulae. This unequal situation was rooted in the fact that officials represented imperial power and majesty in the strongly hierarchical traditional Chinese society.

In the second part of this study I aim to show that the real work of language in TCCI was more complex than shown in the first part. I analyse the so-called *ne Zhou* trial as a case study, a notorious court case where the skilful rhetoric of an eloquent woman could all but break down the entire process of imperial jurisdiction. The discourse extracts of this trial not only prove the claim that in TCCI interactions power could fluctuate, but they also demonstrate that (im)politeness as a discourse resource (Kadar 2007) plays a fundamental role in the struggle to gain power in the course of criminal investigations. As the analysis shows, even in TCCI, which was a very autocratic institution compared to modern Western police investigations, the suspects could apply practically every (im)politeness formula/strategy which was available for the magistrates. This fact also queries the applicability of Heydons (2005) recent theory of the language of police investigations to TCCI discourses, according to which many discourse resources are inherently pre-allocated to the interviewing officers.

In this study, I apply CDA and conversation analysis as basic methodologies, and also use historical pragmatic analysis (Culpeper and Kyt 2000, or Jucker 2000) to reconstruct the characteristics of TCCI discourse(s) from literary texts. The corpus of research is the so-called traditional Chinese vernacular or *baihua* (lit. clear-speech) literature.

[Sun Hao]

**Kang Kwong Luke**, *Electronic Medical Record Keeping and Doctor-Patient Interaction: An Analysis of Medical Consultations in Hong Kong*

The introduction of electronic medical record keeping (EMR) in health care systems in recent years has meant that computer use has become a regular feature of medical consultations in many parts of the world. One important question that has been raised in this context is: what are the effects of the use of computers on the quality of doctor-patient interaction? Many studies have been carried out on this issue, but the answer is far from clear. Investigations of doctors and patients perception of computer use and self-rated levels of patient satisfaction have yielded either positive results that underlined the benefits of EMR-keeping or neutral results that showed no effect (Ridsdale and Hudd 1994, Solomon and Dechter 1995). However, researchers in other studies have found possibly negative effects, particularly in terms of the promotion of patient-centred practices, i.e. strengthening patients active participation during consultations (Greatbatch et al 1995, Margalit et al 2006).

In the present research, 30 medical consultations conducted in Cantonese were videotaped at a family clinic in Hong Kong. The recordings were put through a series of quantitative and qualitative analyses. In the quantitative analysis, doctors and patients verbal as well as non-verbal behaviours were coded using the Roter Interaction Analysis System (RIAS), a coding scheme developed by Debra Roter of the JohnsHopkinsUniversity for the identification of patterns in verbal and non-verbal behaviour during doctor-patient interaction. While a positive correlation was found between degree of computer use and the giving of medical information and information about therapeutic regimen by the doctors, there was a negative correlation between computer use and the amount of social talk with patients. Transcripts of the medical consultations were then examined using Conversation Analytic techniques, with special attention being paid to the ways in which patients concerns were voiced in the course of the medical consultations. A close analysis of the data revealed that apart from opportunities opened up through doctors use of invitation formats (e.g. Alright, anything else?), patients had at their disposal ways of initiating concerns. One interesting way in which this is done is to have as-yet unvoiced concerns verbalized in the course of doctors extended periods of silence when keyboarding or gazing at the computer screen.

It is proposed that further research be carried out on different communicative styles adopted by doctors during medical consultations. Computer use may be more properly seen as a component part of doctors communicative style within the wider context of patient care and patient education.