

The use of Hedges in Interrogation -- A Case Study of the Ma's fraud Trial

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Abstract. Interrogation language is different from ordinary language. During interrogation, the two sides of interrogation are antagonistic, conflicting and often cooperative. It can be said that interrogation language is a kind of language in a special context, and it is particularly important to select and control these languages by interrogators. Hedges plays an important role in the game of interrogation. If it is properly applied to investigative interrogation, unexpected special effects can be achieved. Reasonable use of hedges in different situations will make interrogators get twice the result with half the effort. But at the same time, there are also some problems in the process, which deserve our attention. Through the use of hedges in an selected interrogation, this paper tries to summarize the characteristics of hedges, explore the use of hedges, and provide some ideas for better use of hedges in view of different interrogation occasions.

Keywords: Hedges; Interrogation; Fraud trial.

1. Introduction

Hedges refers to the language with vague and uncertain meanings. The existence of hedges is mainly due to the fuzziness of the objective world and the uncertainty of human understanding of the objective world. In the interrogation, the main tool using by both sides of the interrogation is language. How to use this tool well and strive for a more favorable situation for themselves is what both sides of the interrogation attach great importance to. A reasonable using of these uncertain languages in the interrogation process will have an unexpected effect. Therefore, some specialist say that hedges is a trump card in interrogation.

In the trial of Ma's fraud case, the trial lasted a total of 32 minutes. According to rough statistics, there were 14 uses of hedges. It can be easily seen that, Today, even in a case with low attention, interrogators have habitually used hedges for interrogation. Hedges is not only an exclusive technology for professionals, but also an important tool in daily interrogation. Its value and popularity are self-evident.

2. Classification of hedges in Interrogation

2.1 Classification from the word itself

Due to the mandatory and authoritative requirements of the law when being interrogated, the legal language must be understandable, but the degree of understanding and the way of understanding are indeed controllable. From the perspective of the words themselves, the complex and changeable language gives interrogators the opportunity to speak euphemistically and implicitly by using some languages that are vague in their own concepts or blurred in this situation. Compared with the use of accurate concepts and accurate language, such words will allow more room for manoeuvre when interrogated, and achieve special effects at the same time.

2.1.1 Words are vague in meaning

There are some words whose semantics are unknown, so it is necessary to give some standard assistance in advance to let the listener understand the meaning of the words. For example, words such as "serious circumstances" and "bad attitude" which appear in this interrogations——What is

the "serious"? What kind of attitude is "bad"? To some extent, these words, belongs to hedges, themselves are difficult to draw a clear meaning boundary, which belongs to the words whose semantics are fuzzy. Although these words are vague in meaning, the connotation of these concepts can still be understood if a contrast or a limited scope is given. For example, if the concept of "right" is compared with a "wrong" thing, the meaning will become clear. In other words, although the meaning of the word itself is vague, it is not incomprehensible.

2.1.2 Words with clear meaning

In the interrogation, the interrogator will also use some words that have exact meanings in themselves, but in the context of interrogation, the meaning depended on the understanding of different people. For example, in the Ma's fraud case, the interrogator said, "I don't lack your indicator." The meaning of the word index itself is very clear. The dictionary meaning is "the index, specification and standard expected to be achieved ", and it can be understood without additional explanation. But here, the "indicator" is obviously not its original meaning, but a word that needs to be understood by the interrogated person himself.

2.2 Classification from the functional in Interrogation

2.2.1 Implicit type

Implicit type is the most common in the selection of hedges. Its characteristic is not to express the original intention directly, but to use a kind of implicit questioning method to hide the core plot in implicit expression. The use of this type of hedges needs to find the right time, and it is best to choose the case when the interrogated person does not understand the investigation progress of the investigation organ. At this time, his spirit is relatively in a state of tension, so a little stimulation by language can make him suspicious and confused, and the interrogator can obtain effective information more easily. It is obvious in Ma's fraud case. For example, the interrogator said, "what others(confederate) say can be followed..." before the interrogator finished speaking, the interrogated immediately interrupted, "then you can ask xx." It is obvious here that the Interrogator's words gave Ma a knowing blow, which led to Ma's immediate guilty response. No matter whether the investigators mastered the statements of several others, Ma subconsciously thought that things were going in the direction of ignoring him due to the use of the Interrogator's hedges, so he wanted to explain immediately. At this time, it is most likely to make mistakes for the interrogated.

2.2.2 Euphemistic type

In most interrogations, once sensitive words are involved, the interrogators will choose other expressions to replace them, using a relatively tortuous expression to put forward things that both parties know, but do not want to point out. Euphemism and implication can enhance the psychological contact with the suspect when the criminal suspect's resistance is strong, and effectively avoid causing psychological stimulation to him. For example, in the Ma's fraud case, the interrogator said, "tell me about the situation." In fact, here is to want the interrogated person to tell the truth of his fraud, but the interrogator did not ask questions with words such as fraud, but used neutral words such as "situation". Using it, on the one hand, the interrogator can minimize unnecessary conflicts with the interrogated person and let the interrogated person relax; On the other hand, we should enlarge the openness of questioning conceptually, so that the interrogated can tell as much as possible about the specific situation at that time.

2.2.3 Pun type

Pun is first of all a rhetorical device, which refers to the use of polysemy and homonym of words to make sentences have dual meanings in a certain language environment. Using puns in interrogation can take advantage of the guilt fear of the interrogated person and let him associate freely. The more he thinks, the greater the interrogator's grasp of the authenticity of his confession, the more he can hide the intention of interrogation and enhance the flexibility and attack of language. In Ma's fraud case, the pun type of hedges interrogation is not obvious, but it has already had the preliminary effect

of pun, so it is also illustrated here. For example, the interrogator said, "are you sure?". In connection with the context, here, the interrogator just asked Ma about the amount of fraud, and Ma faltered. Therefore, after criticizing Ma's faltering state, the interrogator immediately said this sentence. On the one hand, it is warning Ma to correct his attitude ; On the other hand, he asked again about the amount. As soon as sensitive words came out, Ma was bound to be nervous, which was also a shock to him.

3. The function of hedges

3.1 Confuse the interrogated person

Hedges are usually confusing, multi-directional and tendentious. Because the meaning of hedges is uncertain, it will produce a situation of one word with multiple solutions and incomprehension, which will confuse the other party. It is this confusion that will greatly promote the progress of the case in the process of interrogation, which mainly takes advantage of the special psychology and illusion of the interrogated. From the perspective of the interrogated party, their usual psychological state is guilty of being a thief. When the interrogated party does not reveal the truth and uses hedges, the psychological state of the interrogated party will turn into contradictory psychology - they are afraid that the accomplice has been exposed or the witness has given testimony that is not beneficial to them, and they are not clear about the real progress of the case, and they are afraid that they will inadvertently say more and expose new clues. Driven by this ambivalence, the interrogated person often tends to prefer the idea of ignoring himself because of illusion, and constantly strengthen this idea in his heart, and may eventually confess directly and truthfully.

3.1.1 Making the interrogated person mistakenly believes that we have the evidence

In this case, the interrogator said, "I tell you, there is a witness... You'd better follow what others said" "... The case can also move forward..." the interrogator didn't say the specific connotation of this "next step" and what "others" said, but the interrogated person would think about the progress of the case and mistakenly think that we have mastered the evidence. If he didn't say it, it wouldn't affect the next progress of the case but will delay the commutation of his sentence instead. Therefore, in the following interrogation process, the facts stated by the interrogated person are obviously more complete and richer.

3.1.2. Making the interrogated person mistakenly thinks that the accomplice has confessed

In this case, when the interrogator mentioned the other party's witness, the interrogated immediately mentioned his own witness. But at this time, the interrogator said, "it would be good if the xx (Ma's witness) said the same as you." The interrogated person will immediately panic, mistakenly thinking that what his witness said is different from what he said. So, he thinks that he has been exposed, and immediately becomes shorter momentum.

3.2 Enhance cooperation

3.2.1 Alleviate the interrogated people's fear of crime

Due to the mental tension and the oppression brought by being in a confined space, most of the interrogated people will inevitably have anxiety and other emotions, and their fear of guilt will be more serious. In this moment, if the interrogated person remains silent for a long time, the interrogation will be difficult to proceed. Therefore, in addition to the confrontational use of hedges, they can also consider choosing some hedges in cooperation. For example, in this case, the interrogator said: "... Lenient treatment...", the lenient treatment mentioned many times is actually a signal of cooperation. He wants to reduce the guilt fear and tension of the interrogated person and let him know that if he cooperates, he can get benefits. Although the concept of "Leniency" is very vague here, the interrogated person, out of his own consideration, will inevitably choose an explanation

conducive to himself, deepen the degree of "Leniency", and achieve the effect of alleviating the fear of crime.

3.2.2 Defuse conflict

Tracing to its source, interrogation is a dialogue between people. There must be psychological conflicts between the two sides in the opposite situation. At this time, it will be more conducive to the development of interrogation work and the acquisition of real information to make the interrogated believe in the interrogator. In this case, the interrogator said, "we also protect your rights, but your rights are very limited." As in the previous article, although the "limited" degree is not given, the interrogated person will make a presumption in favor of himself, and the conflict will be reduced.

4. Problems in using hedges

In the process of using hedges, not every scene has played a positive role, and there are still problems in the use of hedges:

4.1 Improper timing

As mentioned above, using hedges at the right time will get twice the result with half the effort. Using the psychology of the interrogated at this time can obtain unexpected gains. On the contrary, if the time is not right, hedges may not help. Using it too early may enable the suspect to find out the evidence held by the interrogator's words, and may even expose the source of the evidence; If it is used too late, it cannot deter the interrogated. Although such a problem is not involved in this case, there are still many problems in practice.

For example, in the process of investigating a series of robberies, the investigators have a suspect Cui and searched his home, founding some stolen money and goods under his bedroom bed. During the trial of Cui, he always avoided the important and took the light, only confessed to a number of minor cases, but kept silent on some major cases. In response to this situation, the investigators said, "Cui, you're still secretive up to now. Why don't you think about what else is in your bedroom?" The "else" said by investigators was originally a hedge, intended to hint to the suspect that the investigation authorities had searched for the stolen money and goods, so as to urge him to confess as soon as possible.

However, Cui inferred from the words of the investigators that the investigation organ had not found several key stolen goods hidden in other places outside the bedroom, and immediately had no fear, and resolutely refused to admit the remaining cases. So far, the case has reached an impasse, and there has been no breakthrough until new evidence is found. It can be seen from the excerpt of the case that the interrogators chose the wrong time to use hedges, which exposed the progress of the investigation and led to the deadlock of the case. This reminds the interrogators that in the process of practice, they should pay attention to the specific situation and use hedges in a timely and appropriate manner.

4.2 Use inappropriate hedges and violate civil rights

If hedges are used properly, it can cause great confusion and deterrence to suspect, but if it is not used properly, it may cause acts such as extorting confessions, inducing confessions, deceiving, and infringing on civil rights.

Here we should focus on the concept of hedges. Fuzziness is not equal to deception, nor is it equal to confusing concepts. Instead, through a deviation in understanding between both sides, we can skillfully build a psychological blind spot, so as to achieve the desired effect. China's law expressly stipulates that no form of extorting confessions is allowed. Many places have also made punishment provisions for these acts, which explicitly prohibit the infringing on civil rights.

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