

A COMPARATIVE STUDY OF THE RHETORICAL FUNCTIONS AND FEATURES OF PERSONAL PRONOUNS IN ENGLISH AND CHINESE LEGAL NEWS¹

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Abstract: This paper mainly discusses the distribution and rhetorical functions of personal pronouns in English and Chinese legal news reports which is divided into two narrative types, the objective and the semi-dialogic. Through the comparative analysis of some English and Chinese legal news texts in the two types, it finds that the differences in narrative type directly affect the distribution of personal pronouns. In objective narrative, the use of

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third person pronouns accounts for an absolute proportion, and the frequency of using first person and second person pronouns is close to zero. In semi-dialogic narrative, the use of third person pronouns is still the highest, but only slightly higher than the use of first person and second person pronouns, accounting for only a small number. After analysis, this paper holds that there are three reasons for the uneven distribution: first, the differences between the dialogic style and the narrative style; second, the legal narrative being a story narrative; third, the specific restrictions on the use of legal rhetoric.

Keywords: Legal News; Personal Pronouns; Dialogic; Narrative; Rhetoric.

人称代词在英汉法制新闻中的修辞功能与特征比较研究

摘要: 本文主要探讨人称代词在中英法律新闻报道中的分布及其修辞功能。通过多篇跨国跨境英汉新闻语篇比对分析在两种叙事方式,即在客观叙事和半对话体叙事的法制新闻报道中,叙事方式上的差异直接影响到人称代词的分布,客观叙事中第三人称占绝对比例,第一二人称用例频次接近于零;而半对话体叙事中第三人称用例仍为最高,但只略高于第一二人称,仅占微弱多数。经分析,本文认为造成这种分布不均的原因有三:一是对话体和叙事体本身的差异;二是法律叙事是故事性叙事;三是法律修辞使用上的特定限制条件。

关键词: 法制新闻; 人称代词; 对话; 叙事; 修辞。

Introduction

As core concept in linguistic research, referentiality which stems from ancient Greece has been the important study object and has been studied from different perspective, ranging from logic and philosophy, semantics, pragmatics, and discourse analysis (Chen 2015: 1-5). The study of personal pronouns which is the part of referentiality, mostly focuses on discussing grammatical functions and barely researching rhetoric functions in recent years, except for several papers analyzing the rhetoric function in German and Russian text. This paper probes into the rhetoric functions in English and Chinese legal news reports. According to narrative methods (Xue 2011: 12-14; 2012: 168), legal news reports can be generally divided into two types, which are the objective narrative and semi-dialogic narrative of legal news reports.

The objective narrative type of legal news reports is also called documentary reports, which are aimed at recording the whole process of cases and restoring the full picture of facts. In documentary reports, third-person pronouns are used to narrate cases and objectively show the whole picture of cases to the readership from the bystander's perspective. By doing so, the basic spirit of objectivity and justice of the law can be embodied to the greatest extent in legal news reports. Another type of legal news reports is called the semi-dialogic narrative type of legal news reports, which adopts the method of narrating and discussing to appropriately integrate the accounts of cases, psychological descriptions of the persons involved in cases, remarks made by the persons involved in cases and comments from other persons concerned. By doing so, such reports can not only tell readers what happened, but also can to some extent analyze the subjective motives of the person involved in cases when committing crimes, the confession performance of the person involved in cases after being brought to justice and the responses concerning cases from all walks of life. Therefore, apart from reporting the facts of cases, the semi-dialogic narrative type of legal news reports can also effectively publicize the warning and educational significance of cases, so as to shoulder the social responsibilities of legal news reports. By comparing the above two types of legal news reports, we can see the second type of legal news reports has two obvious advantages. One advantage is that the second type of legal news reports can guide and stimulate readers' active reading consciousness, and promote readers to have more thinking and reflection. Another advantage is that the second type of legal news reports have a better performance in achieving reporters' intended communicative purposes and receiving good social effects.

By analyzing the above two types of legal news reports, we find the two types of legal news reports differ from each other in terms of the use of personal pronouns. Legal news reports belong to legal language, so do legal provisions, judicial judgments, trial language, etc. Among the last three types of legal language, we find there are few personal pronouns. For example, few personal pronouns appear in judicial judgments. When referring back to a proper name (person's name), words such as "defendant" and "plaintiff" are often used instead of the proper name in the judgment, and personal pronouns such as "he/she", "they", are generally not used. This situation probably due to the fact that judgments require a high degree of

precision and allow no ambiguity or misreading so as to avoid any confusion arising therefrom and highlight the preciseness and deterrence of the law. However, in general discourse, there is no need using such careful wording. When using personal pronouns for anaphora, the conventional context conditions are sufficient to establish the semantic association between personal pronouns and proper nouns, and establish the unit of reference according to the needs of the context. From this perspective, we can say the use of personal pronouns in legal news reports is like that in general discourse. Based on the above classification of legal news reports, we find that personal pronouns in the first type of legal news reports are fewer than that in the second type of legal news reports, and the use of personal pronouns in the second type of legal news reports is very similar to that in general discourse.

This paper aims to make a qualitative analysis of legal news report by selecting 10 texts randomly from different official media websites in the United Kingdom, the United States, Australia, and China. In this paper, we will examine the use of personal pronouns in English and Chinese legal news reports and the important role and significance of personal pronouns in terms of rhetoric, communicative functions, etc. The comparison of distribution and rhetoric function of personal pronouns in Chinese and English legal news will distinguish the linguistic and logical differences between the two legal systems and provide guidance for bilingual practitioners.

1. Personal pronouns in legal news reports

In this paper, we only make a comparative analysis concerning the use of personal pronouns in the first and second type of English and Chinese legal news reports. Due to the limitations of space, the use of personal pronouns in other types of legal discourse will not be analyzed in this paper. Moreover, because English and Chinese personal pronouns have different referential systems, we find the performances of personal pronouns in English and Chinese legal news reports are slightly different from each other.

1.1. Distribution of personal pronouns in English legal news reports

We believe the distribution of personal pronouns in English legal news reports is significantly different from that in general discourse. The distribution here mainly refers to whether to use pronouns and how many pronouns to use. In the first type of report, this difference is obvious. The main reason is that it is restricted by two aspects. One is the restriction of legal genre itself. Preciseness and accuracy are the primary standards of legal language. Naturally, legal news reports should follow this rule and be as strict as possible in the use of pronouns. Therefore, borrowing legal words to replace the original pronouns can effectively improve the preciseness. Another restriction is that personal pronouns interact with discourse and communicative purposes. Discourse and communicative purpose restrict the use of pronouns, and the referential characteristics of pronouns also affect their distribution and frequency in discourse. In the following paragraphs, we will analyze specific examples to describe and explain the rules and characteristics of pronouns in legal discourse, namely, legal news reports.

This paper makes a qualitative analysis of six representative legal reports randomly selected from official media websites in the United Kingdom, the United States and Australia. According to the types of legal news report, three of them belong to the first type, and the other three belong to the second type. The first to third reports are of the first type, and the fourth to sixth reports are of the second type. The main criterion to distinguish the first type of report (1-3) and the second type of report (4-6) is to judge whether direct speech is used in the report. The unused report is classified as the first type, and the used report is classified as the second type.

In the first type of legal news, Report 1 is taken from BBC website, with a total of 211 words, including 12 pronouns, accounting for 5.6% of the whole report. Report 2 is 450 words from Yahoo official website, including 13 pronouns, accounting for 2.9%; Report 3 is 208 words from ABC official website, including 17 pronouns, accounting for 8.1%. The average proportion of pronouns in the three reports is 4.8% (see Table 1 for details). From Table 1, we can also see that in the three reports, the frequency of first-person pronouns and second person pronouns is zero, and the use cases of all pronouns are

third person pronouns. This can be temporarily attributed to the fact that the first person and the second person often appear in face-to-face speech or direct speech, while the third person is more suitable for reporting and indirect speech.

The following is the table of use frequency in terms of the use of personal pronouns in Reports 1,² 2,³ and 3⁴ (see Table 1).

Table 1. Personal pronouns use frequency in reports 1-3.

News reports			Report 1 (media of the UK)	Report 2 (media of the US)	Report 3 (media of Aus.)	Total number	Types of personal pronouns
Singular	The nominative case	I	1	0	0	1	First person pronouns
		Y o u	0	0	0	0	Second person pronouns
		H e	3	6	5	14	Third person pronouns
		S h e	1	0	1	2	Third person pronouns

² Report 1, <http://www.bbc.com/news/world-asia-china-43921567#> (Last visited on August 15, 2018).

³ Report 2, <https://www.yahoo.com/news/ex-cop-charged-golden-state-killer-case-due-100327690.html> (Last visited on January 31, 2021).

⁴ Report 3, <http://www.abc.net.au/news/2018-04-27/man-jailed-for-imprisoning-woman-in-six-day-ordeal/9705074> (Last visited on August 15, 2018).

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		It	3	0	0	3	Third person pronouns
The objective case		Me	0	0	0	0	First person pronouns
		You	0	0	0	0	Second person pronouns
		him	0	3	0	3	Third person pronouns
		her	0	0	4	4	Third person pronouns
The possessive case		My	0	0	0	0	First person pronouns
		Your	0	0	0	0	Second person pronouns
		His	0	3	3	6	Third person pronouns
		Her	0	0	4	4	Third person pronouns

		I s	0	0	0	0	Third person pronouns
Plural	The nominative case	W e	0	0	0	0	First person pronouns
		Y o u	0	0	0	0	Second person pronouns
		T h e y	1	0	0	1	Third person pronouns
	The objective case	U s	0	0	0	0	First person pronouns
		T h e m	2	0	0	2	Third person pronouns
	The possessive case	O u r	1	0	0	1	First person pronouns
		Y o u r	0	0	0	0	Second person pronouns
		T h e i r	0	1	0	1	Third person pronouns

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Total number	12	13	17	42	
Pronouns/ Full text	12/211= 5.6 %	13/450= 2.9%	17/208= 8.1%	42/869= 4.8%	Pronoun/ Full text
First person pronouns/Total pronouns	2/12=1.7%	0/13=0%	0/17=0%	2/42=4.3%	2/869= 0.2%
Second person pronouns/Total pronouns	0/12=0%	0/13=0%	0/17=0%	0/42=0%	0/869= 0%
Third person pronouns/Total pronouns	10/12=83%	13/13= 100%	17/17= 100%	40/42=95%	40/869= 4.6%

In the second type of legal news reports, Report 4 is still taken from BBC official website, with 276 words in total, including 12 pronouns, accounting for 4.35% of the total; Report 5 is taken from CNN official website, with 298 words in total, 22 pronouns, accounting for 7.38%; Report 6 is taken from ABC official website, with 367 words in total, 24 pronouns, accounting for 6.54% of the total.

The following is the table of frequency in terms of the use of personal pronouns in Report 4,⁵5,⁶and 6⁷ (see Table 2).

⁵ Report 4, <http://www.bbc.com/news/uk-northern-ireland-43933800> (Last visited on August 15, 2018).

⁶ Report 5, <https://edition.cnn.com/2018/04/28/us/waffle-house-victim-gospel-songs-trnd/index.html> (Last visited on February 1, 2021).

⁷ Report 6, <https://www.yahoo.com/news/ex-cop-charged-golden-state-killer-case-due-100327690.html> (Last visited on February 1, 2021).

Table 2. Personal pronouns use frequency in reports 4-6.

News reports			Report 4 (media of the UK)	Report 5 (media of the US)	Report 6 (media of AUS)	Total number	Types of personal pronouns
Singular	The nominative case	I	1	4	2	7	First person pronouns
		You	0	1	4	5	Second person pronouns
		He	3	0	8	11	Third person pronouns
		She	1	2	0	3	Third person pronouns
		It	3	0	1	4	Third person pronouns
		Me	0	1	0	1	First person pronouns

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	The objective case	You	0	3	0	3	Second person pronouns
		Him	0	1	3	4	Third person pronouns
		Her	0	2	0	2	Third person pronouns
	The possessive case	My	0	0	0	0	First person pronouns
		Your	0	0	0	0	Second person pronouns
		His	0	1	1	2	Third person pronouns
		Her	0	2	0	2	Third person pronouns
		Its	0	0	0	0	Third person pronouns

Plural	The nominative case	We	0	1	0	1	First person pronouns
		You	0	0	0	0	Second person pronouns
		They	1	2	1	4	Third person pronouns
	The objective case	us	0	0	0	0	First person pronouns
		Them	2	0	0	2	Third person pronouns
	The possessive case	Our	1	0	0	1	First person pronouns
		Your	0	2	1	3	Second person pronouns
		Their	0	0	3	3	Third person pronouns

Total number	12	22	24	58	
Personal pronouns/Full text	4.35%	7.38%	6.54%	6.09%	
First-person pronouns/Total pronouns	2/12=17%	6/22=27.3%	2/24=8.33%	10/58=17%	10/941=1.0%
Second-person pronouns/Total pronouns	0/12=0%	6/22=27.3%	5/24=20.83%	11/58=19%	11/941=1.2%
Third-person pronouns/Total pronouns	10/12=83%	10/22=45.4%	17/24=70.83%	37/58=64%	37/941=3.9%

The data in Table 1 shows that the average frequency of personal pronouns in the three reports is 4.8%, of which the first person pronouns and second person pronouns account for 0.2%, and the third person pronouns account for 4.6%; the data in Table 2 indicates that the average frequency of personal pronouns in the three reports is 6.09%, of which the first person pronouns and second person pronouns account for 2.2%, and the third person pronouns account for the remaining 3.9%. According to the results of Table 1 and Table 2, we get two obvious characteristics: first, the total number of pronouns in the second type of reports is slightly higher than that in the first type of reports; second, the number of third person pronouns in the two types of reports is higher than that in the first and second type of reports, and the third person pronouns in the first type and the second type of reports account for 95% and 64% of the total respectively. After analysis, we think that the first characteristic is due to the different types of reports. Because the second type contains a large amount of direct speech, the use of pronouns has increased greatly; and the second feature is also related to the type of report. Because the first type of report basically reports the event content without using any direct speech, it only uses the third person to make the necessary reference. In the second type of reports, the use of direct speech leads to the increase of the number of first and second person pronouns and the decrease of the use of third person pronouns. From this point, we think that the use of pronouns in the second type of reports is closer to the general news reports, which is in line with our expectations. Of

course, due to the small number of samples, the above data can only be regarded as preliminary conclusions, and the more general conclusions need the support of large databases.

1.2. Distribution of personal pronouns in Chinese legal news reports

We adopt the same method as above to analyze Chinese legal news reports. We select one legal news report from each of the four native Chinese speaking countries or regions. In order to keep consistent with the sample analyzed above, we still select case news reports, and do not consider other types of reports, such as case analysis, case background introduction, etc. In addition, of the four reports, two (Reports 7 and 8) do not contain direct speech and should belong to the first type; the other two (Reports 9 and 10) contain direct speech and should belong to the second type.

Report 7, belonging to the first type of legal news report, is from *Xinhuanet*, one of the official media in China. A report under the legal column of *Xinhuanet* has 462 words in total, with only 2 personal pronouns, accounting for 0.4% of the total number of words. Report 8 is taken from the legal column of the official website of *Sohu*, one of the large-scale network media in China, with 727 words in total, with 15 personal pronouns, accounting for 2% of the total number of words. Report 9 is taken from *Takungpao*, one of the major media in Hong Kong, with a total of 754 words, and 2 personal pronouns, accounting for 0.26% of the total number of words. Report 10 is taken from STNN, one of the earliest media in Hong Kong, with a total of 878 words, and 13 personal pronouns, accounting for 1.48% of the total number of words.

The following is the table of frequency in terms of the use of personal pronouns in Chinese legal news reports 7⁸, 8⁹, 9¹⁰ and 10¹¹

⁸ Report 7, http://www.xinhuanet.com/legal/2018-04/29/c_1122763384.htm (Last visited on February 1, 2021).

⁹ Report 8, <http://police.news.sohu.com/20160905/n467691022.shtml> (Last visited on February 1, 2021).

¹⁰ Report 9, <http://www.takungpao.com.hk/hongkong/text/2018/0429/162185.html> (Last visited on February 1, 2021).

(see Table 3).

Table 3. Personal pronouns use frequency in Chinese legal news reports 7-10.

News reports			The first type	The second type	The first type	The second type	Total number	Types of personal pronouns	
			Report 7 (Xinhua News Agency)	Report 8 (SOHU)	Report 9 (Ta-kung-pao)	Report 10 (STNN)			
Personal pronouns	Singular	The nominative case	我	0	11	0	2	13	First person
			你	0	0	0	2	2	Second person
		/The objective case	他	0	2	2	6	10	Third person
			她	0	0	0	0	0	Third person
			它	1	0	0	0	1	Third person
	The possessive case	我的	0	0	0	0	0	Third person	
		你的	0	0	0	0	0	Third person	
		他/她/它的	0	0	0	1	1	Third person	
		其	1	1	0	0	2	Third person	
	Reflexive	自	0	1	0	2	3	Third	

¹¹ Report 10, <http://news.stnn.cc/shwx/2018/0429/543460.shtml> (Last visited on August 15, 2018).

	pronouns	己						person
Plural	The nominative case / The objective case	我们	0	0	0	0	0	First person
		你们	0	0	0	0	0	Second person
		他们	0	0	0	0	0	Third person
		她们	0	0	0	0	0	Third person
		它们	0	0	0	0	0	Third person
	The possessive case	我们的	0	0	0	0	0	First person
		你们的	0	0	0	0	0	Second person
		他们/她们/它们的	0	0	0	0	0	Third person
Total number of personal pronouns		2	15	2	13	32	Ratio	
The first-person pronouns / pronouns		0	11	0	2	13	42%	
The second-person pronouns		0	0	0	2	2	6%	
The third-person pronouns		2	4	2	9	17	55%	

In these four Chinese legal news reports, we find that the use of personal pronouns in Chinese legal news reports is basically consistent with that in English legal news reports, that is, the number of personal pronouns in the first type of reports (Reports 7 and 9) is slightly lower than that in the second type of reports (Reports 8 and 10), and the use frequency of the third person is higher than that in the first and second types of reports except Report 8. The reason why Report 8 is special is that there is a self-narration made by the criminal

himself in the report, so the first person is used a lot, resulting in the special case that the frequency of first person is higher than third person, but it is not enough to overturn the second rule: in the two types of reports, the uses of the third person pronouns are more than the first person and the second person. In addition to the above two rules basically followed by English and Chinese legal news reports, we also find that the use frequency of personal pronouns in Chinese legal news reports is generally slightly lower than that in English legal news reports. In this regard, there may be at least two reasons: first, because of the different working environment of English and Chinese personal pronoun systems, the pronoun systems of the two cannot be completely equivalent. For example, “it”, an English third-person pronoun in the singular, can refer to animals, events, or infants, weather, etc. while “它” (Ta), the Chinese counterpart of “it”, can only refer to animals or events. The different referential nature of English and Chinese personal pronouns will naturally affect their applicable environments. The second reason may be due to the differences between English and Chinese. Chinese is a subject shedding language, and the subject can be in zero form (Zou 2006: 5). In such a language, the pronouns that act as anaphora of the subject can often be omitted. This may be another reason why the total number of personal pronouns in Chinese legal discourse is less than that in English legal discourse.

From the above three sets of data, we can see the distribution of personal pronouns in English and Chinese legal news reports is different from that in general discourse. We believe that such difference is probably due to the restrictions coming from the stylistic features of legal language and the purposes of legal communication. Legal style is a subclass of stylistics, which belongs to the same category as other types such as literary style and news style. The legal news report has the characteristics of both legal style and news style. After the deep mixing of the two, it forms the news report with the characteristics of legal style. Another reason is that both the content and the way of communication are restricted by the purpose of communication and serve the purpose of communication. Meizhen Liao puts forward that the principle of goal can better explain conversational interactions and law-related conversational interactions than the cooperative principle and the politeness principle do (Liao 2004: 43). Driven by the goal principle, the content and form of legal news report should serve the legal purpose set by the report to achieve

the maximum social effect. Therefore, we can at least make a preliminary judgment that the distribution of personal pronouns in English and Chinese legal news reports is subject to the goal principle.

1.3. Referential features of personal pronouns in English and Chinese

According to the above analysis, the distribution of personal pronouns is restricted by the goal principle in both legal discourse and other discourse. However, the goal principle is a universal principle. Although the goal principle can partly explain the features of personal pronouns in legal contexts, it cannot fully explain the rules of personal pronouns. In other words, the inherent referential features of personal pronouns are not restricted by the goal principle. The referential features of personal pronouns are as follows.

In terms of functions, personal pronouns are mainly used for anaphora. Personal pronouns do not have semantic meanings, nor do they have specific referential units. Both the semantic meanings and references of personal pronouns depend on their antecedents. An antecedent is a definite or indefinite noun that appears before a pronoun and is usually a person or thing appearing for the first time in a discourse or a conversation, as shown in Examples 1 and 2.

Example 1:

John is seven years old. He is a schoolboy.

In Example 1, “John” is a definite noun acting as the antecedent of the third-person pronoun “he”. The word “he” is a third-person pronoun in the singular and refers back to the antecedent “John” in the preceding sentence.

Example 2:

I ate an apple. It is delicious.

In Example 2, “an apple” is an indefinite noun acting as the antecedent of the third-person pronoun “it”. The word “it” is a

third-person pronoun in the singular and refers back to the antecedent “an apple” in the preceding sentence.

The personal pronouns in Chinese refer to the antecedents in the same way as the English examples above.

In essence, personal pronouns belong to functional words, which is different from nouns belonging to notional words. The most important difference between them is that nouns can directly refer to people and things in the real world while pronouns cannot. The English counterparts of “名词”(Ming Ci) and “代名词”(Dai Ming Ci) are “nouns” and “pronouns” respectively. From names alone, we can tell the difference and connection between “名词”(nouns) and “代词”(pronouns), which is that pronouns are words used to replace nouns. Pronouns can only refer to people or things in the real world in an indirect way through referring back to nouns that act as antecedents. Pronouns don't have definite referential meanings, whose referential meanings are constrained by their antecedents. Since the referential attributes of pronouns vary with antecedents, many scholars also regard pronouns as variables.

In terms of categories, personal pronouns are contextual units. Owing to the referential features of pronouns, its referential function does not directly work within a clause, but work between two or more clauses. Generally, sentences with anaphoric relationships are two adjacent sentences, as shown in Examples 1 and 2. However, if the context allows, pronouns can also refer to antecedents in distant sentences without causing semantic confusion. Moreover, a pronoun can refer back to the same person or thing many times, and sometimes a pronoun can even refer back to different people or things. If the above situations occur, we often conduct contextual analysis to determine the semantic orientation of pronouns.

In summary, we believe that the referential nature of personal pronouns is not disturbed by the context and communicative purposes. However, the use effects and interpretation of pronouns depend largely on the context and are restricted by the goal principle.

2. Active rhetoric and personal pronouns in legal news reports

Rhetoric in English and Chinese legal news reports is active and positive. Law plays a mandatory role in regulating human behavior in human society. Any behavior that does not comply with the law or destroys the law will be punished. Establishing the solemnity of law and cultivating legal awareness are the primary conditions for citizens to observe law and disciplines. It is the legal style that shows the solemnity and sanctity of law. Jiezheng Niu and Suying Wang hold that legal English has unique register stylistic features such as complexity, accuracy, and solemnity (Niu and Wang 2010: 148). Legal language, including legal news reports, all highlights this feature without exception. The legal features in legal news reports are the result of active rhetoric. Traditional studies generally believe that such active rhetoric is mainly embodied in lexical and syntactic aspects. However, we further point out that such active rhetoric extends to relationships between sentences, which are traditionally called discourse cohesion. The living environment of personal pronouns is just between sentences and plays the role of discourse cohesion.

Meizhen Liao agrees that discourse cohesion can be realized through lexical items or syntax. At the lexical level, there are five methods: reference, substitution, ellipsis, conjunction, and lexical cohesion. At the syntactic level, discourse cohesion is manifested as structural cohesion such as parallel symmetric structures, theme, rheme, known information and unknown information (Liao 2005: 351). Personal pronouns have the referential nature, and they are one of lexical means to achieve discourse cohesion. Therefore, we can see that the reference and interpretation of personal pronouns are mostly carried out in discourse. Of course, personal pronouns can also be used within a sentence. For example, both reflexive pronouns and possessive pronouns can refer to antecedents within a sentence.

In the foregoing, we find that the distribution of personal pronouns is restricted by the legal style and legal purposes. We also notice that although the referential nature of personal pronouns is not affected by context and pragmatic purpose, their referential effect and interpretation will be affected. In the following part, we will discuss that personal pronouns are part of active rhetoric. The use of personal pronouns is restricted by the goal principle, and they actively serve the

legal pragmatic purpose together with active rhetoric.

2.1. The inertia of personal pronouns and active rhetoric in legal language

Personal pronouns have referential functions. Moreover, personal pronouns are also in an ellipsis form. By referring back to the antecedents, communicators can convey the same semantic meaning and accomplish the communicative purposes without repeating the previous nouns all the time. This approach is consistent with the “economical principle” of languages. Although personal pronouns can refer back to antecedents, their anaphoric antecedents can be transferred under the influence of context, which results in the diversity and complexity of the use of personal pronouns.

Personal pronouns are inert. They belong to the type of closed vocabulary in grammar. The number and referentiality of pronouns are invariable, which seems to be far from active rhetoric. However, personal pronouns can be ranked in the top in terms of their activeness. Pronouns can be found almost everywhere in general discourse. And even in the rigorous legal regulations and judgments, pronouns are necessarily used. Of course, pronouns in rigorous legal regulations and judgments are usually used for general reference instead of referring to a specific person.

Example 3:

“If a person acts as manager or provides services in order to protect another person’s interests when he is not legally or contractually obliged to do so, he shall be entitled to claim from the beneficiary the expenses necessary for such assistance.” (Zhang 2013: 107).

In Example 3, the personal pronoun “he” refers back to the antecedent “a person”. However, since the antecedent “a person” does not refer to a specific person, the personal pronoun “he” is used for general reference.

The activeness of personal pronouns in discourse is also reflected in rhetoric. Active rhetoric requires a dynamic perspective on the interaction of various aspects of the context. It emphasizes that

rhetoric is an active and dynamic process. Rhetoric is the result of interaction and cooperation with various elements of context. The degree and method of rhetoric serve the purpose of communication. The communicative purpose of legal discourse is usually to popularize the law and warn the public. Under the guidance of this principle, rhetoric is one of the most effective means to help the discourse achieve this purpose. Rhetoric is not static, and its dynamic features are reflected in the following aspects: lexical rhetoric, syntactic rhetoric, and discourse rhetoric. In legal discourse, active lexical rhetoric refers to the choice of legal words with strong interaction with readers, and it can also include legal words that make readers feel strong. Active lexical rhetoric not only requires the use of legal terms related to the law, but also pays more attention to the “illocutionary force” of lexical items. Active syntactic rhetoric means that legal news reports abandon legal syntactic structures known for lengthiness and adopt concise and understandable sentences of the news style to reach more audiences and better fulfill its publicity purposes. Active discourse rhetoric refers to the connection between sentences, which is manifested in clearer reference and more prominent new information.

The most important feature of active rhetoric is to consider the “effects of words” of information transmission, that is, to consider the feelings and reactions of the audience of legal reports. Today, due to the highly developed information technology and the huge amount of information, the obscure and reader-unfriendly information is very likely to be ignored. In this background, active rhetoric has greatly increased the publicity effects of legal news reports, and it has positive significance.

2.2. Active rhetoric of personal pronouns in English legal news reports

In English legal news reports, personal pronouns are a part of active rhetoric, which actively promote the accomplishment of communicative purposes. To begin with, personal pronouns usually appear in the following positions. Personal pronouns rely on semantic referential relations to connect independent sentences to construct discourse units. This kind of semantic relations is realized through the

corresponding relationship between individual words, which has no explicit expression in syntax, at least in English. At present, there is no clear standard on how to judge whether a pronoun is related to an antecedent. Traditionally, it is generally judged by distance. The antecedent often exists in the preceding sentence closest to the pronoun, as shown in Example 4.

Example 4:

“DeAngelo was a police officer in two small California communities - Exeter and Auburn - during the 1970s. He was fired from the Auburn force in 1979 after being accused of shoplifting.” (Report 2)

In Example 4, the pronoun “he” refers back to the subject “DeAngelo” of the preceding sentence and completes the referential task.

Example 5:

“Judge Cotterell sentenced Guy to two years in jail, but he will only spend a further three months in prison because of the time he has already spent in custody. He will then be released on a three-year community corrections order.” (Report 3)

In Example 5, all three pronouns “he” not only can refer back to the same word “Guy”, but also can avoid referring back to the expression “Judge Cotterell”. Here, it seems that they can still be explained by the distance. “Guy” is closer to the pronoun “he” than “Judge Cotterell” in distance, and there is no other noun between “Guy” and “he”.

According to Examples 4 and 5, it seems that we can draw such a conclusion temporarily: if there is no other noun between pronoun and antecedent, there is a referential relationship between pronoun and antecedent.

However, if the linear order of antecedents and pronouns is reversed, the referential relationship between them will not exist.

Example 6:

She asked if Mary could help her.

In Example 6, the pronoun “she” cannot refer to “Mary”, nor can the pronoun “her”. Therefore, we modify the above conclusion: if there is no noun between a pronoun and an antecedent in the preceding sentence, there is a referential relationship between the pronoun and the antecedent.

Moreover, the pronoun “he” acting as the subject in the subordinate clause can refer back to the subject in the main clause, as shown in Example 7.

Example 7:

“DeAngelo, wearing orange jail garb and shackled to a wheelchair, spoke only a few words to acknowledge that he understood the charges and that he was being represented by a public defender.”
(Report 2)

In Example 7, both pronouns “he” acting as the subjects in the two parallel object clauses can refer back to the same subject “DeAngelo” in the main clause.

From Examples 4, 5 and 7, we can see that the positions of pronouns in syntactic structures are relatively fixed. Otherwise, an invalid reference like the one in Example 6 would occur. Therefore, only on the premise of not violating pronoun rules can active rhetoric make pronouns more active by means of certain rhetorical devices. For example, a pronoun can be repeatedly used to refer back to the same antecedent, as shown in Example 5. Such usage similar to repetition has two opposite functions. On the one hand, from the perspective of old and new information, pronouns are the old information which is not the focus or purpose of communication. The function of pronouns is only to repeat the old information and to serve as a transitional tool in the process of replacing the old information with the new information; on the other hand, because pronouns can be repeated infinitely in principle, repetition itself is a common phenomenon. As a rhetorical device, repetition can have the function of emphasizing and highlighting information. In this way, repetition will activate pronouns again, and sometimes even replace new information as the focus of communication. It can be seen that personal pronouns do not only play a passive role as traditionally believed. If appropriate rhetorical devices are used, the initiative of personal pronouns can be compared with other kinds of pronouns.

In addition, pronouns are an important medium for the connection and association between independent sentences or between the main and subordinate clauses in complex sentences. When the pronouns are used repeatedly, it is easy to form the juxtaposition in the sentence structure. As shown in Example 7, both juxtaposition and parallelism are important syntactic rhetoric devices, which can play the rhetorical role of emphasis and contrast. This can be said to be the implicit rhetorical function of pronouns.

Finally, it is because of the proper use of pronouns that legal news can take into account the preciseness and accuracy of the law as well as the timeliness and authenticity of the news. Other rhetorical devices, such as exaggeration, derogation and metaphor, are not suitable for legal news reporting. In terms of ensuring the transmission of authentic facts and maintaining the solemnity and sanctity of law, the active rhetoric function of pronouns undoubtedly plays an important role.

2.3. Active rhetoric of personal pronouns in Chinese legal news reports

Chinese personal pronouns are different from English personal pronouns in several aspects. First of all, the English pronoun “it” and the Chinese pronoun “它”(Ta) are not completely corresponding, as shown in Example 8.

Example 8:

“For these reasons, the jury instructions here were flawed in important respects. The judgment of the Court of Appeals is reversed, and the case is remanded for further proceedings consistent with this opinions.

It is so ordered.” (Zhang and Gong 2013: 86)

In Example 8, the pronoun “it” refers back to the event mentioned in the preceding sentence rather than a specific person or thing. If we translate Example 8 into Chinese, the English personal pronoun “it” cannot be literally translated as the Chinese personal pronoun “它”(Ta). Instead, the English personal pronoun “it” should be

translated into Chinese demonstrative pronouns such as “这”(Zhe) or “那”(Na).

Moreover, Chinese personal pronouns are more complex in morphology than English pronouns. From the diachronic point of view, modern Chinese and ancient Chinese each have a set of reference system, which is not the same; from the regional distribution point of view, each dialect has its own system, which is not consistent with the reference system in Putonghua. Even if we only focus on the referential system in Putonghua, it is different from English pronouns. The obvious difference is that there are honorific forms in Chinese personal pronouns, but not in English. For example, in Chinese, the honorific form of the personal pronoun “you” (“你” Ni) is the personal pronoun “you” (“您” Nin). However, due to the specific style of legal reports, honorifics and modest words are not common in legal reports while frequently used personal pronouns such as “你” (Ni) “我” (Wo) and “他” (Ta) are common in legal reports.

Example 9:

“有男職員介紹，其中一款售價 3000 元有座位，車速可達 40 公里，強調「上斜好力，可負重 200 磅」，不過他表明：「啲車在街踩犯法！」但又指在私家路使用就無人理，着記者自行判斷。” (Report 9)

(Translation: A “男職員”(male employee) said that one of those cars was priced at 3,000 RMB and had seats. The speed of the car could reach 40 kilometers and he emphasized that [the car had good uphill power and could bear 200-pound weight]. However, “他” (he) said, [It’s against the law to drive the car on the public streets!], but it is fine to drive the car on private roads and the legality is determined by the journalist himself). (Translation provided by the author).

In Example 9, the pronoun “他” (he) refers to the antecedent “男職員” (male employee) in the preceding sentence. The position of the pronoun and its relationship with the antecedent are the same as the English pronoun “he”. Let us look at Example 10.

Example 10:

“经查，赵某某于 1995 年至 1996 年间，其伙同他人多次实施盗窃，被盗物品价值共计 17107.87 元。同案的二人于 1997 年分别

被判处无期徒刑及有期徒刑十二年，而他却踏上了长达 20 年的逃亡之路。”(Report 8)

(Translation: According to the investigation, from 1995 to 1996, “赵某某”(Zhao XX), together with others, committed theft for many times, with a total value of 17107.87 yuan. In 1997, the two men were sentenced to life imprisonment and 12 years’ imprisonment respectively, but “他”(he) set foot on the road of escape for as long as 20 years). (Translation provided by the author).

In Example 10, the personal pronoun “他” (he) refers back to the antecedent “赵某某”(Zhao XX) in the preceding sentence. However, it is worth noting that there is a noun between the personal pronoun “他” and the antecedent “赵某某”. Because the noun “二人” (Er Ren) is a plural noun meaning two men, the noun “二人” is excluded from the possibility of being the antecedent of the singular pronoun “他”. In addition, there is already a pronoun “其” (Qi/he) in the first sentence, which can be regarded as a variant of “他” (he). In this way, in Example 10, there are actually two pronouns “他” referring to the antecedent “赵某某”. This is no different from English pronouns. Then compare Example 11.

Example 11:

“4 月 27 日，8L9720 三亚至绵阳航班到达绵阳机场后，在下客过程中，一名陈姓男子觉得机舱闷热，顺手打开了飞机左侧应急舱门，导致飞机悬梯滑出受损，其行为已违反相关法律法规，目前该男子已被绵阳机场公安分局依法行政拘留 15 天，航空公司正在研究对该旅客追讨赔偿的相关事宜。”(Report 7)

(Translation: On April 27, after the 819720 flight from Sanya to Mianyang arrived at Mianyang Airport, a man surnamed Chen felt the cabin was stuffy and opened the emergency cabin door on the left side of the plane, causing the aircraft’s hanging ladder to slide out and damaged. “其”(His) behavior has violated relevant laws and regulations. At present, “该男子”(the man) has been detained by Mianyang Airport Public Security Bureau for 15 days according to the law. The airline is studying matters related to the recovery of compensation from the passenger). (Translation provided by the author).

In Example 11, the pronoun “其” (Qi/he) should be understood as the possessive pronoun “他的” (his), and refers back to the antecedent “陈姓男子”(a man surnamed Chen) in the preceding sentence. It is worth noting that the subject of the predicate verb “打开”(Da Kai/opened) is originally “he”, but it has been omitted. This is different from English because Chinese is a subject dropping language, so it can be omitted. And such omission of subjects is not allowed in English sentence, except in imperative sentence. In this way, in Example 11, there is only one phonetic zero form of “他” (he) (whose position is in front of the verb “打开”), which implicitly refers to the antecedent “a man surnamed Chen”.

From the above Examples 9-10, it can be seen that there is not much difference in referential expression between Chinese and English, which further proves that pronouns can play an active role in discourse. However, Example 8 shows that the Chinese pronoun “它” (Ta/it) is not the same as the English pronoun “it”; in addition, Example 11 shows that the Chinese pronoun “他” (Ta/he) can refer back to the antecedent in the form of phonetic zero, but not in English.

In addition to the similarities and differences at the lexical level, Chinese pronouns cannot form juxtaposition and parallelism relationship in the syntactic structure like English after repeating many times, see Example 12.

Example 12:

“当年，因为害怕，逃跑的时候身份证、户口本什么都没带，久而久之我就成了一个‘黑人’，这20年我一直都在比较偏僻的乡镇给人家放羊，给养鸡场喂鸡，给矿山上看场子，除了两次病得严重被人带到县城买了两次药，几乎没有再进过城。今年3月份，养鸡场的一个工人说，像我这样的人，国家现在有好多好政策呢，我这么大年纪了，就不用这么辛苦讨饭吃了。但是我没有身份证和户口了，所以这次我决定到公安机关自首，承认我以前干的坏事，希望能恢复我的身份，让我将来不至于死了都没个去处。” (Report 8)

(Translation: At that time, owing to fears, I fled without taking my ID card or Household Register. As time went by, I became an “unregistered resident”. In the past 20 years, I have been herding sheep for others, feeding chickens in chicken farms and guarding the mines in a relatively remote town. Except for two occasions when I was seriously ill, I went to the county town with other persons to buy medicine, and I hardly ever entered the city. In March this year,

a worker in a chicken farm said there were many good policies for people like me in the country, and people at my age don't have to work so hard to make a living. However, I have no ID card or household register, so this time I decided to turn myself in to the public security organs, admitted the bad things I had done before, and hope to restore my identity so that I will not die homeless in the future). (Translation provided by the author).

Because Example 12 is a self-narration made by the offender, the first-person pronoun “我”(I) has been repeatedly used. However, the repetition of the first-person pronoun “我” (I) does not form neat parallel sentences as the repetition of English personal pronouns does, which may be related to the great differences between English and Chinese sentence structures. Of course, this may also be related to the fact that the narrator of this paragraph is not well educated and uses colloquial style. Nevertheless, we believe the repetition of the pronoun “我” (I) is still enough to play the rhetorical role of emphasis. Therefore, we believe that Chinese pronouns also have the implicit function of active rhetoric in terms of syntactic structures as English pronouns do.

Conclusion

This paper makes a detailed analysis and comparison of the distribution and rhetorical significance of personal pronouns in English and Chinese legal news reports. The similarities lie in that the third person pronouns account for a vast majority among all personal pronouns in both English and Chinese objective narrative legal news reports. After analysis, we know that this is related to the typical characteristics of narratives. Because legal news reports are actually reports of an event, generally not the self-narration of the parties, the third person is used in the majority. Second, in English and Chinese legal news, the use of the first person and the second person in the semi-dialogic narrative type is significantly increased, which is probably related to the dialogic nature of the semi-dialogic narrative. The third person pronouns do not have this kind of self-reported communicative function, so the use cases of the third person pronouns are relatively reduced. The difference lies in the fact that the

referential functions of English and Chinese pronouns are not completely corresponding. For example, the English word “it” can refer to infants, but “它” (Ta), the Chinese counterpart of “it”, cannot refer to mankind. As a result, these differences restrict the use of pronouns to some extent. Legal rhetoric, driven by its special pragmatic purpose, will promote or restrict the use of personal pronouns in varying degrees. These similarities and differences can dissolve the misunderstanding caused by the property of legal language in Chinese and English and help bilingual practitioners grasping the legal news. The true comprehension of Chinese and English legal news to some extent facilitates the spread of legal news which is good for the construction of justice and transparency of the law.

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