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HETEROGLOSSIC ENGAGEMENT PATTERNS IN THE TIKTOK, INC. VERSUS GARLAND ORAL ARGUMENT TRANSCRIPT

POLA KETERLIBATAN HETEROGLOS DALAM TRANSKRIP ARGUMEN LISAN TIKTOK, INC. VERSUS GARLAND

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Abstract

The present study examines how U.S. Supreme Court participants, including judges and lawyers, manage these viewpoints in the TikTok, Inc. versus Garland oral argument transcript by using an engagement system that focuses on the heteroglossic subtype, where speakers acknowledge other perspectives to support or challenge them. The study employs a discourse analysis approach. The data were sourced from the oral argument transcript on the U.S Supreme Court official website. The study applies the The UAM Corpus Tool, a software developed at the Universidad Autónoma de Madrid, was used to manually annotate engagement markers in the dataset and categorise words, phrases, clauses, and sentences, examining heteroglossic engagement by analysing how speakers opened up space for other views or closed it down in arguments. The study found that both judges and lawyers frequently used strategies to limit opposing views. Judges often denied claims directly and weighed opposing arguments to demonstrate that they were unreasonable. While lawyers conceded minor points only to return to their main arguments, the expansions were also identified, which allowed the judges to entertain possibilities by using specific phrases to discuss ideas openly. Conversely, lawyers acknowledged the other side's points before arguing against them.

Keywords: appraisal system; courtroom; dialogism; engagement; heterogloss

Abstrak

Penelitian ini mengkaji bagaimana para partisipan persidangan Mahkamah Agung AS, termasuk hakim dan pengacara, mengelola berbagai sudut pandang dalam transkrip argumen lisan TikTok, Inc. versus Garland dengan menggunakan sistem keterlibatan yang berfokus pada subtipe heteroglos, yang menunjukkan pembicara mengakui perspektif lain untuk mendukung atau menantangnya. Penelitian ini menggunakan pendekatan analisis wacana. Data diperoleh dari transkrip argumen lisan yang tersedia di situs laman resmi. Penelitian ini menggunakan UAM Corpus Tool, sebuah perangkat lunak yang dikembangkan oleh Universidad Autónoma de Madrid untuk menganotasi

dan mengkategorikan secara manual kata, frasa, klausa, dan kalimat, dengan memeriksa keterlibatan heteroglossik melalui analisis cara pembicara membuka ruang bagi pandangan lain atau menutupnya dalam argumen. Temuan penelitian menunjukkan bahwa baik hakim maupun pengacara sering menggunakan strategi untuk membatasi pandangan yang berlawanan. Hakim cenderung menyangkal klaim secara langsung dan menimbang argumen lawan untuk menunjukkan bahwa argumen tersebut tidak masuk akal. Sementara itu, pengacara hanya mengakui poin-poin minor sebelum kembali ke argumen utama mereka. Di samping itu, tipe ekspansi yang dituturkan oleh hakim menggunakan frasa tertentu untuk membahas gagasan secara terbuka. Sebaliknya, pengacara mengakui poin-poin pihak lawan sebelum membantahnya.

Kata kunci: sistem appraisal; persidangan; dialogisme; keterlibatan; heteroglosia

1. Introduction

The adversarial nature of legal argumentation creates a dynamic interplay of competing voices among the discourse participants in the trial, where lawyers must simultaneously acknowledge, challenge, and attempt to dominate opposing interpretations of the law (Sun et al., 2025). The use of language in an argumentative context is particularly evident in courtroom interaction, where strategic language choice can significantly influence judicial perception and outcomes (Liang, 2020). The discourse participants involved in the trial do not simply state their position, but actively respond to alternative interpretations. They may use expansion strategies to appear reasonable while still asserting their stance. At the same time, they employ contraction strategies to shut down opposing arguments and strengthen their own. Therefore, the legal argumentation in the trial is a strategic interplay of voices where the discourse participants use appraisal resources to manage competing interpretations (Shi, 2018).

The language use in legal argumentation is fundamentally dialogic, always responding to and anticipating other viewpoints. It is also interactive and multi-voiced, a concept known as heteroglossia, which describes how every utterance contains traces of different social perspectives, ideologies, and ways of speaking (Bakhtin, 1981). In courtroom settings, the heteroglossia itself manifests through lawyers' constant engagement with judicial questions and opposing arguments. Martin and White (2005) build on this foundation by providing specific tools to analyze how speakers linguistically handle the multiple voices, namely engagement system. It is one of the three domains of appraisal systems, and is divided into two subcategories: monoglossic and heteroglossic. Heteroglossic expression serves to simultaneously acknowledge competing interpretations while rejecting the validity of the shared arguments;

therefore, it most commonly occurs in the trial, rather than monoglossic expression. Heteroglossic expressions are categorized into two key aspects: the dialogic expansion and the dialogic contraction. Dialogic expansion deals within the opening space for alternative perspective, while dialogic contraction refers to the closing down of that space (Martin & White, 2005). For example, when lawyers say "*You may argue…*", they acknowledge other views exist, but when they say "*That's incorrect,*" they try to eliminate competing interpretations.

Existing studies have examined the appraisal pattern in public communication, with some specifically focusing on evaluation in news reporting (Cavasso & Taboada, 2021; Jullian, 2011; Trnavac & Põldvere, 2024). Cavasso and Taboada (2021) examine how online news commenters convey their feelings and judgments by demonstrating how readers evaluate stories. Similarly, Trnavac and Põldvere (2024) compare real and fake news, which proves that false stories use stronger language to persuade. Jullian (2011) adds important detail, finding that journalists subtly share their views by selecting which quotes to include, even when appearing neutral. The theme of attitude can also be identified in news reports (Asad et al., 2021; Etaywe & Zappavigna, 2022; Shang & Jia, 2021). Asad et al. (2021) and Shang and Jia (2021) investigate how news reports convey positive or opposing viewpoints. For example, Shang and Jia (2021) show China Daily framed COVID-19 stories to influence readers' emotions. Etaywe and Zappavigna (2022) extend the idea to threatening online posts by finding that extremists use similar attitude patterns to create group identity and justify violence. Research by Mintah (2024) and Mohammed (2024) on famous figures aligns with this pattern. They investigate the way media outlets portrayed Queen Elizabeth II and Nelson Mandela after their deaths. The studies confirm that news language is never truly neutral; instead, the choices in words reveal cultural attitudes and political biases. Fuoli (2012) compares companies' social reports and reveals how businesses like BP and IKEA use positive language to improve their image.

Besides the news reports, the appraisal pattern is also found in various contexts, such as advertisements (Istianah & Suhandano, 2022; Križan, 2016), academic writing (Lam & Crosthwaite, 2018), and political discourse (Aloy-Mayo & Taboada, 2017; Li & Zhu, 2020; Ross & Caldwell, 2020). Križan (2016) studies British ads and finds they often use positive words to judge products as 'good' or 'reliable', which makes people

trust the brand. Similarly, Istianah and Suhandano (2022) examine a tourism website for Kalimantan, demonstrating how descriptions of nature and culture employ strong, positive language to make the place appear attractive and special through the use of certain adjectives. Unlike the previous two studies, Lam and Crosthwaite (2018) are interested in comparing university essays written by native and non-native English speakers. They find both groups use appraisal to express their views, but in different ways. Native speakers often express strong opinions, while learners tend to be more cautious, indicating that students also need to evaluate ideas and take a stance in academic writing. The appraisal patterns are also evident in political discourse, where media and leaders utilize language to shape public opinion. Li and Zhu (2019) study Chinese political texts and reveal how language praises China's actions but criticizes those of other countries, thereby creating a strong national identity. Aloy-Mayo and Taboada (2017) analyze US election coverage aimed at women and find articles that mixed praise for female politicians with criticism of their opponents. Still within the US political context, Ross and Caldwell (2020) examine Donald Trump's tweets, whose language often directly attacks others, using strong negative words to evoke fear and anger in the public.

The appraisal patterns can be applied in multidisciplinary research such as combined with forensic linguistics (Izes, 2023; Reczek, 2023), and specifically in courtroom discourse (Bartley, 2020; Chaemsaithong, 2018; Dai, 2023; Dai & Zhou, 2019; Deuna & Ballesteros-Lintao, 2022; Hurt & Grant, 2019; Shi, 2018). Bartley (2020) examines closing arguments in rape trials whose finding lawyers use strong emotional language to influence juries, while Chaemsaithong (2018) investigate the lawyers control conversation in opening statement. Additionally, Dai (2023) and Shi study judges' language in sentencing that reveals how they criticize offenders to justify punishments. Dai and Zhou (2019) examine the high-profile Steven Avery case in the United States by focusing on how attorneys construct opposing narratives through appraisal choices. Deuna and Ballesteros-Lintao (2022) analyze a Philippine drug trial and reveal how prosecutors and defense lawyers use different appraisal strategies, by which prosecutors frequently employ strong negative judgments about defendants' character, while defense attorneys focus more on mitigating circumstances. Then, Hurt and Grant (2019) compare real and imagined violent threats, which shows the way

courts evaluate dangerous language. The appraisal patterns also function in judicial decision-making and legal justifications (Goźdź-Roszkowski, 2022; Su & Hunston, 2019). Goźdź-Roszkowski (2022) analyzes how judges explain their rulings. He finds they use evaluative words like 'reasonable' and 'unacceptable' to make decisions seem fair. Similarly, Su and Hunston (2019) study the grammar patterns that show how small language choices subtly express judgment in the proceedings.

Furthermore, legal documents can be scrutinized based on their appraisal pattern. Tupala (2019) examines EU immigration documents, demonstrating that the text employs impersonal language through an analysis of word patterns. The use of deontic modality obscures the actual human impact of policies, which makes the EU's decisions appear neutral, even when they are stringent. Some employ a multimodal analysis approach within the courtroom interaction (Sun et al., 2025; Yuan, 2019). Sun et al's (2025) study of Chinese courtrooms demonstrates how judges maintain institutional power through specific communicative strategies, as revealed by their cognitive-functional analysis, which shows that judges frequently use imperatives in their speeches. Yuan's (2019) comparative study offers a contrasting view by analyzing both Chinese and American courtroom interaction. She identified that Chinese courtrooms function like 'lecture halls' where judges dominate through monologic speech patterns and restrained gestures. In contrast, American courtrooms resemble 'battlefields' characterized by rapid dialogic exchanges and more expressive body language among all participants. Two studies specifically investigate one of the appraisal domains of engagement (Daniel & Unuabonah, 2021; Liang, 2020). Liang (2020) analyzes a lawyer's closing speech. The lawyers used specific phrases to pull him over to their side. Then, Daniel & Unuabonah (2021) study Nigerian judges by focusing on specific words to lend their rulings a final and unquestionable tone.

Aforementioned studies have frequently scrutinized the appraisal pattern in various discourses, but only a few focus on the courtroom discourse, especially in the engagement domain of the appraisal system proposed by Martin and White (2005). Thus, the present study attempts to explore specifically on the heteroglossic engagement resources in an oral argument transcript of the court proceeding. The authors argued that heteroglossic expressions are more frequently found in courtroom interactions, as they present the dialogic interaction through which each discourse

participant is involved in giving and challenging the argument within the discourse. Moreover, the present study aims to identify how are the heteroglossic engagement patterns manifested in one specified case, which is the TikTok, Inc versus Garland oral argument transcript and uncover how the discourse participants' argumentation within the trial acknowledges or interacts with other voices to position their stance about potential alternative viewpoints, either by opening up the discourse to consider them or by closing it down through dismissal or challenge.

2. Theoretical Basis

The present study focuses on the heteroglossic engagement instead of monoglossic engagement in the appraisal system since the courtroom discourse closely related to the oral argumentation delivered by the discourse participants in the court proceeding. The engagement explains how the speakers manage different viewpoints in their speech. A key distinction is between monogloss and heterogloss. Monogloss is a single-voice language that presents information as a simple fact without acknowledging any other possible perspectives or sources. Conversely, heterogloss is a multi-voiced language that actively recognizes the existence of other viewpoints. Within heterogloss, speakers employ either contracting or expanding strategies. Contracting reduces the possibility of disagreement by asserting the speaker's authority, which has two types: disclaim and proclaim. A disclaimer is when the speaker denies or counters a contrary viewpoint. While proclaiming strategies assert the speaker's position against others and have three types: endorse, concur, and pronounce. Then, expanding strategies acknowledge other voices that make the speech more open to discussion, which include two subtypes: entertaining and attributing. When the speaker suggests their claim is one possible view among others by using modals or hedging words, it is called 'entertaining' and then explicitly acknowledges other sources by using reporting verbs. The complete illustration of the engagement system by Martin and White (2005) is displayed as in Figure 1.

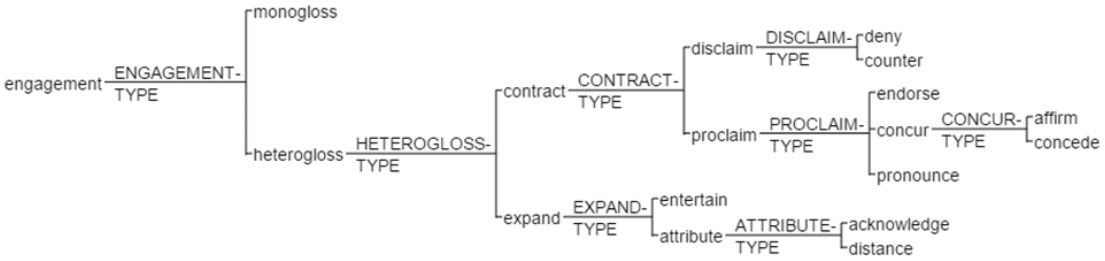

Figure 1 Engagement of Appraisal System (Martin & White, 2005)

3. Research Methodology

The present study employed a discourse analysis approach with the help of corpus tool software. Data analysis was conducted through manual annotation using a corpus tool. The data were categorized into sub-categories of appraisal, focusing solely on heteroglossic engagement based on Martin and White's (2005) appraisal framework, which is fully available in the corpus tool. The data were sourced from the TikTok case argument transcript, and downloaded from the U.S. Supreme Court official website. The data were in the form of words, phrases, clauses, and sentences within in an argument transcript of the conversation among the discourse participants, which are judges and lawyers. The argument transcript can be downloaded on the official website of the U.S. Supreme Court, available at https://www.supremecourt.gov/oral_arguments/argument_transcripts/2024/24-656_1an2.pdf. The research data consists of heteroglossic engagement resources, which include words, phrases, clauses, and sentences. Data collection was assisted by the UAM Corpus Tool 3.3, an annotation software that can automatically analyze grammatical structures and text parts while allowing manual annotation of linguistic features using different frameworks. Hu & Tan (2017) describe the UAM Corpus Tool as an integrated software for multi-layered linguistic annotation. Moreover, the present study utilized the feature of appraisal annotation scheme that has been available and provided by the UAM Corpus Tool, which can assist authors in annotating data related to heteroglossic engagement resources.

4. Discussion

Heteroglossic Engagement Patterns in the TikTok, Inc. versus Garland Oral Argument Transcript

Table 1 below illustrates the comparison of the use of heteroglossic engagement patterns by judges and lawyers in court. Judges tend to use more countering statements (24%) compared to lawyers (18.12%). Similarly, judges deny claims more frequently (14.35%) than lawyers (13.88%). When it comes to proclaiming strategies, judges endorse (2.12%), affirm (3.29%), and concede (1.65%) more often than lawyers, who use these strategies at lower rates (1.01%, 0.51%, and 1.52% respectively). Pronouncements are rare, with only two in lawyers (0.47%) and none by judges. In

terms of expansion, judges also entertain (4.71%) and acknowledge (7.29%) more frequently than lawyers (2.12% and 4.94%). Overall, judges use a wider range of engagement strategies more frequently than lawyers.

Table 1 Frequency of heteroglossic engagement patterns in the *TikTok, Inc. versus Garland* oral argument transcript

ENGAGEMENT	**Judges**		**Lawyers**	
Sub category	**Freq**	**(%)**	**Freq**	**(%)**
HETEROGLOSIC				
contraction				
disclaiming				
deny	61	14.35	48	12.12
counter	102	24.00	74	18.69
proclaiming				
endorse	9	2.12	4	0.94
affirm	14	3.29	2	0.47
concede	7	1.65	7	1.65
pronounce	0	0.00	2	0.47
expansion				
entertain	20	4.71	9	2.12
acknowledge	31	7.29	21	4.94
Total	**244**		**181**	
	425			

Excerpt 1 (Disclaim:Deny)

> MR. FRANCISCO: "…. But I also think more directly what this law does is it says to TikTok, Incorporated, if ByteDance doesn't exercise a qualified divestiture, you have to go mute. You cannot speak at all. Full stop, period."
> JUSTICE JACKSON: "**No, I don't think it says that**, though. I mean, if -- if -- if TikTok were to, post-divestiture or whatever, pre-divestiture, come up with its own algorithm, right, then, when the divestiture happened, it could still operate."
> MR. FRANCISCO: "I think –"
> JUSTICE JACKSON: "**It doesn't say**, TikTok, you can't speak."
> MR. FRANCISCO: "-- I -- I think that's theoretically correct, Your Honor."

Excerpt 1 demonstrates a denying statement where Justice Jackson rejects an opposing viewpoint to close down the debate. Justice Jackson uses strong negative utterances to deny Mr. Francisco's claim that the law forces TikTok to go mute if ByteDance does not divest. Specifically, Justice Jackson interrupts him to state, "*No' I don't think it says that, though*," using the word *no* to explicitly signal rejection. Then, she repeats the denial later by emphasizing, "*It doesn't say, TikTok, you can't speak*." The clause "*it*

doesn't say" directly contradicts Mr. Francisco's interpretation in presenting her view as the correct one. The use of deny shuts down Mr. Francisco's argument by treating it as factually wrong, and it also strengthens Justice Jackson's authority by offering an alternative scenario in which TikTok creates its algorithm. The denial response is clear when Mr. Francisco weakly concedes calling her point "*theoretically correct*".

Excerpt 2 (Disclaim:Counter)

> MR. FRANCISCO: "…I'm going to shut down TikTok because it's too pro-Republican or too pro-Democrat or won't disseminate the speech I want, and that would get no First Amendment scrutiny by anybody. **That cannot possibly be the case, yet that is** the effect of their position."

The counter of the disclaiming statement, as in Excerpt 2, is to close down the alternative perspective similar to Excerpt 1. However, the counter-subtype achieves this explicitly by presenting an opposing argument, only to systematically dismantle it through logical contrast. Mr. Francisco first constructs a hypothetical scenario in which the government could abuse its power by shutting down TikTok for political reasons, deliberately framing this possibility as a neutral consequence of his opponent's position. He then delivers a rebuttal through the phrase "*That cannot possibly be the case*" by using modality to reject the scenario's validity. The pivotal marker of the counter disclaimer is located in the use of *yet* in the final statement, and the part of "*that is the effect of their position*" creates an opposition between what he presents as reasonable in his view and unreasonable in his opponent's stance. At this point, the counterstrategy lies in its ability to make the opposing view appear not only incorrect but also absurd, thereby strengthening the speaker's position regarding First Amendment protections.

Excerpt 3 (Proclaim:Endorse)

> CHIEF JUSTICE ROBERTS: "**Congress doesn't care about what's on TikTok.** They don't care about the expression. That's shown by the remedy. **They're not saying** TikTok has to stop. They're saying that the Chinese have to stop controlling TikTok. So it's -- it's not a direct burden on the expression at all. Congress is fine with the expression. They're not fine with a foreign adversary, **as they've determined it is**, gathering all this information about the 170 million people who use TikTok."

Chief Justice Roberts uses endorsements of proclaiming, as in Excerpt 3, to affirm Congress's position and present it as unquestionably valid. The endorsed expression

uses explicit evidence to support a claim. Roberts endorses Congress's intent by framing their actions as logical and justified. He also states, "*Congress doesn't care about what's on TikTok…*" At that utterance, he uses a definitive phrase of "*doesn't care*" to dismiss alternative interpretations. He then reinforces this by using the repetition of "*they are not saying*," which positions Congress's motive as factual and reasonable. He concludes his argument of endorsement by treating Congress's stance as self-evident, "*as they've determined it is*," in which his utterance implies no other viewpoint is credible.

Excerpt 4 (Proclaim:Affirm)

> JUSTICE KAVANAUGH: "Could the president say that we're not going to enforce this law?"
> GENERAL PRELOGAR: "**I think, as a general matter, of course,** the president has enforcement discretion."

In Excerpt 4, General Prelogar uses affirmation to agree with Justice Kavanaugh's suggestion about presidential powers. The affirmation shows the agreement, as General Prelogar begins with "*I think*,," which might seem hesitant, but then uses two strong affirming phrases, such as "*of course*" and "*the president has enforcement discretion*." The phrase "*of course*" is crucial, as it makes the statement sound unmistakable and unquestionable, as if everyone should also agree with it. Moreover, General Prelogar supports Justice Kavanaugh's idea about the president's power and presents this as an apparent fact that should not be debated. The strategy is effective since it uses straightforward language to make the statement sound authoritative yet absolute. The affirmation leaves little room for disagreement, effectively closing down any alternative arguments about presidential authority in this situation.

Excerpt 5 (Proclaim:Concede)

> JUSTICE KAVANAUGH: "So you acknowledge the risk that Congress and the President were concerned about. You're just saying the means they chose to address that risk were incorrect?
> MR. FRANCISCO: "So I -- I –"
> JUSTICE KAVANAUGH: "Not permissible?"
> MR. FRANCISCO: "-- I mean, **I certainly acknowledge the risk**, but I think there are lots of reasons…"

As in Excerpt 5, the use of a concession statement illustrates that Francisco accepts Justice Kavanaugh's position while reinforcing his argument. The concede subtype of

proclaim allows for controlled acknowledgement of opposing arguments before continuing them. Francisco's response follows a three-part structure of concessions. At first, he employs affirmation as in "*I certainly acknowledge the risk*" by using the adverb "*certainly*" to emphasize his argument about the security concerns. The initial concession serves an important rhetorical purpose, as it establishes Francisco as reasonable and open to dialogue, thereby building credibility. However, the pivotal contrast marker of *but* then signals his shift back to his position at the beginning, to "*but I think there are lots of reasons why that risk still can't justify the law*." The transition is crucial as it demonstrates that while he recognizes the validity of some concerns, they remain insufficient to support the law. Francisco strengthens his position further by invoking legal precedent and drawing parallels to data security laws, providing substantive support for his continued objection. The strategy lies in its balance by conceding part of the opposing view. Francisco appears measured and thoughtful, while the subsequent rebuttal maintains the stance of his main argument. So, it narrows the discursive space for counterarguments as it addresses and contains potential objections while still advancing the speaker's primary position.

Excerpt 6 (Proclaim:Pronounce)

> MR. FRANCISCO: "Well, Your Honor, we are here on a record, and there is nothing in the record that says that TikTok, like any other subsidiary, doesn't have its own independent-making authority. If you look at their record cites, what they point to is the ordinary types of control that a parent company has over a subsidiary company. But it doesn't change the fact that –"
> JUSTICE GORSUCH: "All right. What is the fact? Are you prepared to make a - a representation of the fact here?"
> MR. FRANCISCO: "Yes, Your Honor. **The fact is that TikTok, Incorporated, as a U.S. company, does have a choice over the algorithm**. Now it would be a incredibly bad business decision for them to abandon this algorithm, and they very doubtful would ever do it, but they have that authority. What **they clearly have the authority** to do is shut down the platform in the face of Chinese pressure."

Mr. Francisco makes the statement, as in Excerpt 6, to assert his position as definitive, which showcases the pronounced proclaim subtype. It involves making explicit declarations of fact in which, when pressed by Justice Gorsuch to clarify the factual record, Francisco transitions from hesitant responses "*Well, Your Honour..*" to a firm pronouncement as in "*The fact is that TikTok, Incorporated, as a U.S. company, does*

have a choice over the algorithm." The statement uses the phrase "*the fact is*" to present his interpretation as an objective truth rather than a mere opinion. He further reinforces this pronouncement with additional authoritative claims, such as "*they clearly have the authority*" and "*it would be a incredible bad business decision*." The contrast marker of "*but*" in his final sentence serves to acknowledge potential counterarguments while maintaining his pronouncement as irrefutable. Francisco's pronouncement counters potential challenges by framing his position as fact-based and limiting the space for other interpretations.

Excerpt 7 (Expand:Entertain)

> JUSTICE KAGAN: "… you know, I think what you're basically saying is that all speaker-based restrictions generate strict scrutiny. I'm not sure that we've ever said anything like that. You know, let's put aside the facial -- your argument that this is facially content-based. **It seems to me that** your stronger argument or at least the one that most interested me was this argument of, look, if the government is doing something specifically for the purpose of changing the content that people see, that has to be subject to strict scrutiny. But I don't see that as - as affecting TikTok as opposed to as affecting ByteDance."

Excerpt 7 demonstrates Justice Kagan's use of entertainment in an expanded subtype, which is an open-up dialogic space by acknowledging as many multiple perspectives as possible. It also presents propositions as one possibility among others. Justice Kagan employs some markers where, in the beginning, she starts with tentative phrasing "*I think what you're basically saying is…*" showing interpretations rather than assertion, and "*I'm not sure that we've ever said anything like that,*" expressing doubt. The hedges create space for discussion rather than closing it down. Then, the phrase "*It seems to me*" further personalizes her perspective, presenting it as a subjective rather than an absolute statement. When she identifies what she considers the stronger argument, like "*your stronger argument or at least the one that most interested me,*" she does so while maintaining openness for discussion, and the modifiers of "*at least*" and "*most interested me*" show she recognizes other possible interpretations. However, she also uses contrast expressions, such as "*But I don't see that as …*" to differentiate her view without dismissing the alternative. Justice Kagan's statement invites continued dialogue and acknowledges the complexity of the legal case.

Excerpt 8 (Expand:Acknowledge)

> GENERAL PRELOGAR: "... With respect to the feasibility of divestiture, **my friends have said** it would have been impossible to do this within 270 days. You know, at the outset, obviously, there's no inherent impediment to divesting a social media company. We just saw Elon Musk buy X, or Twitter, in about six months from offer to completion. And even with respect to this particular company, **I think my friends are not well positioned** to complain about the timeline because they've been on notice since 2020 that unless they could satisfy the federal government's national security concerns, divestiture might be required."

Another expansion of the acknowledgment subtype is in Excerpt 8, where General Prelogar employs acknowledgment to recognize opposing arguments while maintaining her position, creating a balanced yet persuasive discourse. It involves referencing other viewpoints without agreeing with them. General Prelogar begins by stating her position about Congress's intent, then acknowledges the counterargument as in "*my friends have said it would have been impossible to do this within 270 day*." The statement recognizes the opposition through the use of the attribution of "*my friends*." She then provides counter-evidence to challenge this claim while maintaining a reasonable tone. The phrase "*I think my friends are not well positioned to complain*" demonstrates how the acknowledgement allows the speaker to recognize opposing views while undermining their validity. Additionally, it aims to address potential objections, and the speaker has considered alternative perspectives. Moreover, her acknowledgement is not neutral; she uses it as a setup for her rebuttal that shows how the acknowledgement can be deployed to appear open-minded while strengthening one's position. Then, the reference to the 2020 notice serves as final evidence that weakens the opposition's stance, demonstrating how the acknowledgement can incorporate opposing views only to refute them.

The findings reveal patterns in how judges and lawyers manage differing viewpoints during interactions. The frequent use of contracting strategies by the discourse participants aligns with the previous studies that concern the appraisal system in the courtroom, as in Excerpt 1 illustrating the Justice Jackson's denial statement that directly opposing views were also confirm of what Bartley (2020) observed in a rape trial where lawyers use strong language to control the narrative and shut down unwanted interpretation. It is also similar to Daniel and Unboanah (2021), who demonstrated that judges use denial to lend their rulings a final appearance. Additionally, the counterargument, as exemplified in Example 2 by Mr. Francisco,

dismisses an opposing argument, which also illustrates that judges often frame lawyers' actions negatively to make counterarguments seem logical (Deuna & Ballesteros-Lintao, 2022). However, the endorsement also used by Chief Justice Roberts that treats Congress's position as fact, as in Excerpt 3, and it resembles Goźdź-Roszkowski's (2022) finding that judges use certain words to present decisions as fair and unquestionable. This is supported by Su and Hunston (2019), who found that language choice can express strong, hidden judgments.

Moreover, the discourse participants, particularly the judges, also used expanding strategies to appear open-minded while still guiding the argument. Justice Kagan uses hedges like "*I think*" and "*seem*" as in Excerpt 7 to discuss possibilities without forcing one view. This aligns with Liang (2020), which shows lawyers phrase ideas to persuade listeners. Then, the acknowledgement uttered by General Prelogar is when citing the opposition's view before arguing against it. It mirrors Dai and Zhou (2019) of the Steven Avery case, where lawyers acknowledged opposing narratives only to weaken them later. Tupala (2019) observed that EU documents also align with this, in which the tactic makes the speaker seem natural while controlling the message.

Furthermore, the judges often used a proclaiming and disclaiming to assert authority and limit the debate. For example, Justice Gorsuch prompted Francisco to state a clear fact, as in Excerpt 6, illustrating how judges demand definitive answers to control discussion and maintain their power (Sun et al., 2025). Then, lawyers like Francisco adjusted their strategies based on the specific situations. Francisco uses concede, as in Excerpt 5, to agree partly with a justice before restating his main point. It shows how lawyers appear cooperative while protecting their arguments. Prelogar used the phrase "*of course*" to convey certainty when supporting a justice's idea, and it also illustrates that lawyers actively fight for their position, much like on a battlefield (Yuan, 2018). Additionally, the discourse participants, both judges and lawyers, used 'deny' and 'counter' for different purposes. For example, the judges refused to correct misunderstandings, while the lawyers countered to attack the opponent's logical thinking. Therefore, each participant has a different role in the court to control the other viewpoints, which also becomes their tactics (Chaemsaithong, 2018).

5. Closing

The present study reveals how discourse participants use particular language to manage their viewpoints. Judges frequently employ contracting strategies, such as denying, pronouncing, and endorsing, to control the discussions and present arguments that align with their role as authorities who guide legal debates. Conversely, lawyers use more adaptive and expansive strategies to negotiate their position. They sometimes mix the expanding and contracting types, such as in the use of acknowledgement in their utterances, which functions to appear more reasonable while protecting their arguments. It is further confirmed that institutional roles shape the language choices by which judges close down debates to assert authority, while lawyers strategically open up space to persuade without confrontation. It is also noted that strategies like using hedges subtly guide arguments toward the speaker's view. Thus, while all the discourse participants use engagement resources to persuade, their goals may differ based on their role in the courtroom, and it is also different from the engagement resources in the written text.

The study uncovered the heteroglossic engagement in the TikTok, Inc. versus Garland oral argument transcript. However, the present study might need to explore beyond the engagement system analysis. Thus, the upcoming research may scrutinize other aspects that the present study has not yet discussed, such as comparing courts in different countries and identifying the influence of cultural backgrounds on the appraisal system. It is also suggested that politeness strategies be correlated with the appraisal system to explore how the two can be intertwined in the courtroom discourse setting. Additionally, future researchers can also build their own corpus to complete the trial argument transcripts and analyze from a diachronic perspective.

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