



## Exploring the language of evaluation in the Maguindanao massacre case

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### Abstract

Language is central in the development and implementation of the law. Because laws are constructed using language, the processes of the law are mediated through language (Gibbons, 1999). Anesa (2011) explains that language can also be used as a criterion for evaluating witnesses, as well as for determining the credibility of narratives. This study analyzed the significantly distinct evaluative items from the testimonies of three direct witnesses in the Maguindanao massacre case. The testimonies of the three direct witnesses consisting of 17,905 words served as the study corpus. Using the lens of appraisal theory (Martin & White, 2005), the behavior of the witnesses, based on the perspective of the judge, was examined through the evaluative language used in the document. These evaluative items were categorized based on the values under the semantic area of judgment — social esteem (capacity, tenacity, normality) and social sanction (veracity and propriety). The findings of the study revealed that social esteem evaluative lexis were more prevalent than social sanction evaluative lexis. Words that mirror social esteem, specifically tenacity, were utilized to admire the behavior of the witnesses and criticize the defendant, while words that reflect social sanction evaluated the legality of the actions of the defendant. The study shows how the use of evaluative items reflects the verdict of the court on the case, underscores how evaluative meanings can be constructed through language in a court case, and provides a collection of evaluative words that serves as valuable information for the lay people to realize the importance of language in the law.

**Keywords:** Appraisal theory, evaluative language, judgment, Maguindanao massacre

## 1. Introduction

In the court of law, forensic linguistics involves linguistic theories which are essential and well-utilized during courtroom proceedings (Catoto, 2017). Gibbons (1999) states that language is the primary medium to canvass and to propagate laws. Furthermore, language can be considered as an essential requirement of the law, for the law cannot exist without language (Anesa, 2011), and the use of law relies on language — in communicating, writing, persuading, etc. (McAuliffe, 2012). Anesa states that language can also be used as a criterion for evaluating witnesses, as well as for determining the credibility of narratives. Witnesses are brought before the court to help deepen the understanding of the evidence presented during the proceedings (Ball, 2017). They are expected to tell stories that are constructed by lawyers and jurors from evidence, which are then used by judges for deliberation (Heffer, 2012, as cited in Deuna, 2016). The narratives of witnesses present the sequence of events about the pending case. A study on the application of forensic linguistics by Dai and Zhou (2019) showed that language is a means for legal practitioners to derive meanings from witnesses' testimonies and to understand how and why words are used to construct those statements. They analyzed the script of Steven Avery's case in 1985. Steven Avery was accused of committing sexual assault and attempted murder. Guided by the appraisal theory and the analysis of extracts obtained from the script, the study showed that both the criminal court discourse and the discourse of the judge mainly used the engagement domain, which focuses on the attitudes of the person using language with appreciation and graduation. However, it was found that appreciation and graduation were not as prominent in the discourse of the judge at this criminal court. These findings explain how the lawyer or the respondent proves the authenticity of the evidence they present using resources of engagement and how the judge employs engagement to report where the court stands about the evidence or the whole case.

Volosinov (as cited in Sarangi, 2003 & Lintao, 2018) states that every utterance is an evaluative expression, in which all its elements express meaning and value. Roszkowski and Pontrandolfo (2014, as cited in Deuna, 2016) also delineate evaluative language as subjective since it expresses one's personal opinions, value, judgment, and intersubjective for it involves social communication. Hunston and Thompson (2006, as cited in Lintao, 2018) indicate that an individual's thoughts, attitude, and perspective concerning a particular subject matter are reflected through one's language of evaluation, which shows the background and experiences of the person just by understanding their use of language and ultimately help in understanding the connection between the testimonies and the verdict. How people relate themselves with others is indeed reflected in their language of evaluation.

One of the frameworks commonly used in detecting the language of evaluation is the appraisal framework. The appraisal framework focuses on describing the inscribed and evoked codification of intersubjectivity in discourse, while simultaneously considering the epistemological and interpersonal aspects of the expressions (Oteiza, 2017). Oteiza also states that this framework asserts that intersubjectivity is established by writers and readers who fulfill particular social roles and who behave in defined social and cultural

realms that influence how emotions and opinions are structured through language. The appraisal framework enables the readers to understand the perspective of the writer, therefore identifying how factors, such as their differences in social and cultural backgrounds, affect the way they show emotions and opinions using language.

In 2018, Lintao used the appraisal framework to study how Chinese and Philippine news reports differ in their use of evaluative items. She explains that language, which functions as a system of representation, is a method to frame positions and ideologies and to understand the processes involved in the construction of meanings. Heffer (2008) also explored the relation between factual evidence and subjective judgment using a corpus-based analytical overview of the linguistic construal of judgment by legal professionals in court. The study also suggested “to consider more generally the relationship between evidence and the judgment of participants in courtroom discourse” (p. 177). These studies represent how meanings are embodied in language, which can be used in evaluating an individual, and emphasize how the language of individuals can be analyzed through the appraisal framework.

In 2014, Roszkowski and Pontrandolfo emphasized that constructing evaluative meanings is important to legal communication in court. Bartley (2018) states that words have a significant effect on one’s perception of events and people involved, and this explains why injustice is prevalent in criminal cases. For instance, politicians display uncooperativeness in their communication, and they appear untruthful in their conversation by means of violating conversational maxims during a court trial in the Philippines (Ceballos & Sosas, 2018). Gibbons (2013, as cited in Catoto, 2017) states that answers must be in consonance to questions where lawyers ask witnesses to elicit imperative information. However, Maher and Rokosz (1992, as cited in Jordan, 2002) describe that during cross examinations, it is the lawyers’ duty to defame the credibility of a witness, and this can be achieved through different strategies; for example, the testimony of a witness can be manipulated by a lawyer to become inconsistent.

Gales and Solan (2017) demonstrated the use of appraisal theory to procure an extensive understanding and analysis of lawyers’ stance markers during a cross-examination. They specified that cross-examination seeks to discredit a witness through manipulation of the witness’ narrative. Consequently, Matoesian (1993) and Taslitz (1999) provide that defense lawyers in the U.S. court system are the root of witness revictimization during cross-examinations (as cited in Gales & Solan, 2017). Gales and Solan (2017) examined the strategies used by lawyers during the cross-examination of the different cases presented; hence, the defense lawyers’ statements were analyzed, which allowed for the preservation of prosodic meaning. Each utterance was then categorized and coded into the appraisal systems – attitude, engagement, and graduation. The results of the study were validated through an inter-reliability test; significantly, the cross-examination strategies used in the cases overlapped. The study also suggests to further explore the subcategories of judgment which include social sanction – which provides more socially negative assessments – and social esteem as both these subcategories position the witness in a particular manner. The analysis conducted through the appraisal theory suggested that the kinds of feedback the

witnesses convey are dependent on how they are questioned because these questions reflect the lawyer's viewpoint on the witnesses. Collectively, this method of analysis can assist individuals in the court system to understand and to investigate the underlying functions of language that may cause the revictimization among women pursuing rape causes.

The above-stated literature highlights the importance of language evaluation in courtroom discourse in establishing credibility among witnesses. Specifically, the evaluation of meanings in statements provided by legal professionals and lay people during criminal case trials elucidate the involvement of persons in the crime. Though language has been examined in foreign courtroom cases, there is a dearth of studies that analyzed the language of evaluation in Philippine court trials. Moreover, previous studies have not explicated the role of language in communicating the verdict of the judges who preside over legal proceedings. Therefore, it is important to investigate how evaluative meanings are construed in the Philippine court of law.

Laws are evaluated by the judicial branch, and, as established in the 1987 Philippine Constitution, judicial power comprises the responsibility of the court of justice to settle controversies regarding rights that are deemed demandable and enforceable. The judiciary is also tasked to ascertain if there has been a grave abuse of discretion amounting to lack or excess of jurisdiction on the part of any branch or instrumentality of the government (Article VIII, Section 1, 1987 Constitution). Judicial power rests with the Supreme Court and the lower courts, (Art. VIII, sec. 1 of the 1987 Constitution), which include regional trial courts. The Rules of Court of the Philippines defines the rules and procedures of the judiciary; these rules shall be interpreted liberally to promote the purpose of every action and proceeding in all courts of securing a just, speedy, and inexpensive disposition.

## 1.2 Research Objective

Discourse is perceived by Foucault as a “system of representation” that affects how ideas are practiced and regulates how people present themselves (Hall, 2006, as cited in Lintao, 2018, p. 66). Essentially, the use of language assists legal professionals in evaluating individuals. By examining language use, the authenticity of witnesses' testimonies can be determined, which can show the meanings of coded lexes and reflect the social position of an individual as well as his thoughts and opinions. These are factors that greatly affect how the court formulates its decisions and upholds justice. As several studies have used the appraisal theory in assessing evaluative meanings of various discourse such as courtroom proceedings and news reports, it would be interesting to look into the verdict of a controversial court case in the Philippines that involved politicians and journalists. This study, therefore, investigated the evaluative language used in the verdict of the Maguindanao massacre case. Specifically, the study focused on answering this question: What are the evaluative expressions used to describe and to assess the behavior of witnesses which may have influenced the judge's decision on the case?

### 1.3 Theoretical Framework

The appraisal theory deals with interpersonal meanings in written discourse (Martin & White, 2005). This theory analyzes the interaction of ideas and emotions of the author with the readers through the text. It also emphasizes the writer's standpoint in the presented material towards the people addressed. Martin and Rose (2013, as cited in Pascual and Unger, 2010) believe that the use of evaluative resources in language to negotiate social relationships between speakers and listeners or readers is the key concept of appraisal theory, wherein speakers convey their feelings about a matter, reflecting their attitude to the listeners or readers. Furthermore, the appraisal theory highlights not only the overtly encoded attitudes by the speakers but also their indirectly projected evaluations (Lintao, 2018). These evaluative resources and stances used by writers or speakers may exert influence on the evaluative attitude of the readers or listeners.

The system of appraisal is composed of three interrelated domains: attitude, engagement, and graduation. According to Martin and White (2005), attitude deals comprehensively with people's feelings which concern emotional responses, behavioral judgments, and evaluation of things. Engagement refers to the intersubjective positioning of voices with respect to the opinions created in discourse. Lastly, graduation relates to the grading phenomena in adjusting the degree of evaluation or feeling. Attitude was utilized in the study to assess the behavior of the witnesses and the accused with the use of evaluative items used by the judge. Under the system of attitude are three semantic areas: affect, judgment, and appreciation. Affect connects to feelings that are expressed positively and negatively; judgment concerns the ethics or assessment of behavior, and appreciation emphasizes the value of things in a given field including the evaluations of semiotic and natural phenomena. Martin and White (2005, as cited in Lintao, 2018) further categorized judgement into two subdivisions: social esteem (values of normality, capacity, and tenacity) and social sanction (values of veracity and propriety). Social esteem concerns admiration and criticism. Judgments of esteem deal with 'normality' (how unusual someone is), 'capacity' (how capable they are), and 'tenacity' (how resolute they are). On the other hand, social sanction concerns praise and condemnation. Judgments of sanction deal with 'veracity' (how truthful someone is) and 'propriety' (how ethical someone is). The evaluative items were classified based on the two sub-categories of judgment.

## 2. Method

### 2.1 Research Design

Using a descriptive qualitative research design, the work involved a lexico-semantic analysis of the testimonies and verdict employed in the Maguindanao massacre case. In particular, the study assessed the stance of the study participants and the meaning behind the participants' attitude and behavior on the subject.

## 2.2 Data Source

The final verdict of the Maguindanao massacre case accessible to the public can be downloaded from the Supreme Court E-library (URL: <http://sc.judiciary.gov.ph/9464/>) and has 761 pages in total. The first part of the document lists the names of those involved in the case, as well as short descriptions of those who filed for bail and those who were accounted dead while the trial was ongoing. The names of the main defendants of the case (Defendant 1 and Defendant 2) are found at the top of the list.

The next part of the document includes the prosecution's evidence in which the different types of witnesses and their names and connection to the case are stated. The witnesses' testimonies are divided into direct examination and cross-examination as narrated in the judge's perspective. Moreover, this part describes in full detail the important dates and events that led to the massacre.

The last part of the document discusses what grounds the court was able to arrive at a guilty verdict by stating the laws that were violated and the damages caused by the accused. Additionally, this section indicates the different sanctions that the suspects were given for their crimes.

### 2.2.1 About the Maguindanao Massacre Case

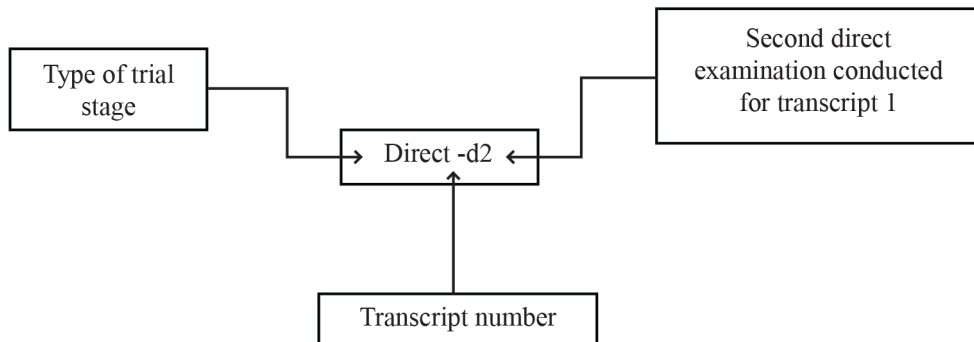
On November 23, 2009, 58 people were killed in Ampatuan town, Maguindanao. There were six passersby killed on the scene, but the victims were mostly from the convoy of Vice Mayor Esmael "Toto" Mangudadatu who was about to file a certificate of candidacy for provincial governor in the 2010 elections of Buluan. Mangudadatu had the motive to terminate the power of the Ampatuan clan after two decades. According to Mangudadatu's testimony, the Ampatuans asked him at least twice to forgo running for the position since Defendant 1 was his rival for the gubernatorial election. A key witness (Witness 2) testified that after Mangudadatu first declined the Ampatuans' request, the plot of killing the candidate was devised. On November 23, 2009 the plan was delivered by sending the alleged private army of the clan to block the checkpoints and execute the killings.

The proceedings of the Maguindanao massacre case were held in the Quezon City Regional Trial Court with Jocelyn Solis-Reyes as its judge. The case went on for 10 years with the Ampatuans as its prime suspects. The court's decision was finally promulgated on December 19, 2019. Of the 197 people accused of being involved in the crime, 15 were members of the Ampatuan family, eight died in the duration of the 10-year trial and 11 were bailed. After the court's ruling, 43 were proven guilty, and 56 were acquitted for the Maguindanao massacre. Of the 43 guilty, 28 were convicted of 57 counts of murder including Defendant 1 and seven other members of the powerful clan. Meanwhile, 15 were sentenced to six to 10 years of imprisonment for being accessories for the crime, most of which were police officers manning the checkpoints. Fifty-six defendants had no knowledge of the killing and did not perform any overt acts; therefore, they were acquitted for murder charges on reasonable guilt. The Maguindanao massacre case was regarded to be the worst happening for journalists in history as 34 journalists were known to have died in the massacre.

### 2.3 Data Gathering Procedure

This study focused on evaluating the testimonies of the three direct witnesses in the Maguindanao massacre case. Only testimonies of the three direct witnesses served as the research corpus of the study totaling 857 sentences or 17,905 words. The direct witnesses of the prosecution were considered as such for they had allegedly directly seen or heard the purported crime. Three were chosen out of the 16 witnesses categorized as direct witnesses. They also directly interacted with the accused by participating in the crime itself or in the planning done. For this reason, their testimonies gave a more detailed narration and explanation of the events that led to the crime. The first direct witness (Witness 1) was chosen because he was the personal assistant of the main suspect who was also present during the planning of the attack. His connection to the accused and the crime itself made his testimony an important part of the trial because he was able to provide an idea of how the killings were planned from the beginning and what motives the Mangudadatus had for them to do the crime. In addition, Witness 2 was chosen as the second direct witness because he commanded the armed men of the Ampatuan family. His role as the commander of the troop who executed the crime serves as a very important factor in determining what happened during the killings. Finally, Witness 3, who was the Vice Mayor of Ampatuan Municipality, Maguindanao was chosen as the third direct witness because he accompanied the second main suspect in the alleged murder of the victims. His testimony was important for he was with the accused when the crime was committed, and he himself took part in the killings. From the 857 sentences, evaluative items were chosen manually based on two criteria: the meaning and the way the words were used in discourse. These criteria were anchored on the appraisal theory. AntConc, which is “a freeware, multi-platform, multi-purpose corpus analysis toolkit, designed specifically for use in the classroom” (Anthony, 2004, p. 7), was utilized in the process of identifying the number of instances of each evaluative item in the testimonies as well as understanding the usage and function of the words in different statements of the witnesses.

Using Wordnet, an online site which is a lexical database for English and can be thought of as a large electronic dictionary (Fellbaum, 2012), the evaluative items were sorted together into sets of synonyms, each representing a lexicalized concept (Miller, 1995). Most importantly, all evaluative items in Filipino or in Maguindanao were not translated to retain their meaning for an insightful analysis. Finally, the words were classified based on the semantic area of judgment that highlights the behavior of a person. The extracts containing the evaluative items were then labelled by observing three codes: the type of trial stage, the transcript number, and the order of direct or cross examination for the said transcript number. The type of trial stage referred to whether the extract was obtained from the direct or cross examination of the witness. Following this code was the transcript number from one to three (1- Witness 1, 2- Witness 2, and 3- Witness 3), indicating from which of the three direct witnesses the extract was acquired. Lastly, the final code showed the order of direct or cross examination, so as to specifically identify which stage of the trial the extract was from. An example of the complete label is given below:



**Figure 1.** *How the extracts were labeled in the study*

## 2.4. Data Analysis

The method of analysis used was content analysis, which involves specifying characteristics of communication, coding them, counting occurrences of the coded categories, and, subsequently, using statistical techniques to analyze the data (Harvey, 2012). The appraisal theory served as the analytical framework used in classifying the words in each type of judgment based on their meaning and usage in each statement assessed. By identifying the different evaluative items using the judgment semantic area, the study was able to understand how the judge of the case was able to come up with the final verdict and what evaluative items reflect that decision. The authors were all assigned a data segment to code; validation was done by all the authors who subsequently examined the whole data set. This process ensured that the items under investigation were analyzed reasonably well through investigator triangulation.

The study used the semantic area of judgment, a category from the appraisal theory framework, which focuses on the institutionalization of feelings in terms of norms or proposals about the behavior of people (Oteiza, 2017). In handing down the guilty verdict, determining what the defendant did wrong was crucial. The acts committed by the accused were proven through the identification of the evaluative items that described what behaviors the people involved had exhibited and if those actions exhibited negative or positive attitudes. This process of analyzing the testimonies with the appraisal theory, specifically with the semantic area of judgment, helped the study provide a comprehensive and thorough investigation of how language affected and supported the judge's decision.

## 3. Findings

Table 1 presents the classification of the significantly distinct evaluative items into the appraisal system of judgment: social esteem, i.e., normality (how customary someone's



behavior is); capacity (how capable someone is); and tenacity (how resolute or dependable someone is), and social sanction, i.e., veracity (how truthful someone is) and propriety (how ethical someone is). These evaluative items were labelled – significant and distinct – because among all the words used in the evaluative language of the witnesses’ testimonies, they were found to be the most frequent and most notable in the final verdict. These words provided information that greatly supported the decision made by the judge. These reflected the opinions, thoughts, and intentions of the people involved in the crime, which gave the judge an idea of how and why the event came to place. Altogether, this table shows the important evaluative items utilized by the judge in handing her final decision on the Maguindanao massacre case.

**Table 1**  
*Distinct judgment evaluative items in the testimonies of the three major witnesses in the Maguindanao massacre case*

Subcategory	Type of Judgment	Significantly Distinct Evaluative Items
Social esteem	Normality (how customary someone’s behavior is)	armed (fully armed) fear (-ed, -s), afraid, scared trust (-ed)
	Capacity (how capable someone is)	instruct (-ed), order (-ed) assign (-ed, -ment), task (-ed) serve (-d, -ing)
	Tenacity (how resolute someone is)	witness knew help
Social sanction	Veracity (how truthful someone is)	identify (-ied) claim (-ed), maintain (-ed), confirm (-ed), affirm (-ed) remember (-ed), recall (-ed)
	Propriety (how ethical someone is)	kill (-ed, -ing), <i>papatayin</i> , <i>imatayan</i> accused surrender (-ed)

Table 2 presents the most prevalent evaluative items under *tenacity*. Tenacity is a type of judgment that shows how resolute or dependable a person is. The evaluative items found under this judgment were classified based on how the judge perceived them as how reliable one can be for the Maguindanao massacre case. The evaluative items found under this judgment were mostly used to show how persistent and reliable the witnesses were in giving their testimonies. The use of tenacity evaluative items implies that in the perspective of the judge, witnesses can be a reliable source of information to deepen the investigation for the Maguindanao massacre case.

**Table 2**  
*Frequently used judgment-tenacity evaluative items in the testimonies of the three major witnesses in the Maguindanao massacre case*

Evaluative Items	Frequency	Percentage
1. Witness	196	77.78%
2. Knew	17	6.75%
3. Help	6	2.38%
4. Others	33	13.10%
Total	252	100%

The evaluative item *witness* in extracts 1 and 2 shows someone who will give testimony for a judicial tribunal. This evaluative item appeared the most (196) in the three testimonies of the witnesses and were found to be 77.78% of the total evaluative items classified under tenacity. The word *witness* showcases tenacity as it reveals that the judge sees the witness as someone dependable. It expresses the importance of their personal knowledge regarding the massacre or firsthand authentication to be used as evidence against the accused. From the judge's perspective, the witnesses were considered as sources of accurate evidence regarding the crime. Testimonial evidence from the witnesses is crucial in determining the criminal liability of the accused; thus, the judge used the word *witness* frequently in the verdict.

**Extract 1**

(J: Judge)

J: The witness confirmed the execution of his affidavit, its contents, as well as his direct testimony given in open court.

[Cross3-c1]

**Extract 2**

J: On cross-examination on January 13, 2010, the witness said that he is related to the Mangudadatus: the Mangudadatu brothers are siblings with his aunt's husband, Governor XXX of Sultan Kudarat.

[Cross3-c1]

Meanwhile, the word *knew* appeared 17 times in the testimonies comprising 6.75% of the total evaluative items under tenacity. In extract 3, *knew* manifests tenacity as the witness

still disclosed the information in court despite the insufficient details about the accused. The evaluative item shows how Witness 2 assured the court that his knowledge about the crime and the people involved can be considered as factual evidence. The use of the word *knew* implies that the judge perceived the witness as someone whose knowledge about the crime is dependable and can support the judge's decision on the case.

**Extract 3**

(J: Judge)

J: *As regards the persons he identified in open court, the witness said that he did not know their names, but he knew their faces.*

[Cross2-c1]

The item *help* appeared six times in the testimonies and was found to be 2.38% of the evaluative items under tenacity. This evaluative item was used in extract 4. This shows tenacity as Defendant 1 counted on the following people that they would do everything in their power to aid Defendant 1 after the latter surrendered in the care of former President Gloria Macapagal Arroyo. The use of the word *help* also implies that there were other individuals involved, aside from the accused himself, in making sure that Defendant 1 would not suffer the consequences of his actions.

**Extract 4**

(J: Judge)

J: *Atty. XXX and Cong. XXX and other supporters allegedly assured Datu Andal, Sr. that they would do their best to help [Defendant 1]*

[Direct1-d1]

Table 3 indicates the most dominantly used evaluative items under *propriety*. Propriety is a type of judgment that shows how ethical someone is, which refers to the righteousness of their actions. The evaluative items found in the testimonies, especially in the statements heard from the accused, were assessed based on how moral or immoral their actions have been. Through the evaluative items found in propriety, the decision of the judge was given a more evident explanation since it showed that the accused has performed multiple unethical acts during the Maguindanao massacre case. Such unethical acts are considered violations of law; thus, the occurrences of propriety evaluative items shed light on the sanctions and the criminal offenses handed by the judge to those accused.

**Table 3**  
*Frequently used judgment-propriety evaluative items in the testimonies of the major witnesses in the Maguindanao massacre case*

Evaluative Items	Frequency	Percentage
1. Kill (-ed, -ing), <i>Papatayin, Imatayan</i>	78	43.09%
2. Accused	48	26.52%
3. Surrender (-ed)	11	6.08%
4. Others	44	24.31%
Total	181	100%

The words *kill (-ed, -ing)*, *papatayin*, and *imatayan* appeared the most (78 times) in the testimonies of the three witnesses and were found to be 43.09% of the total evaluative items classified under propriety. The evaluative items *kill* in extract 5, *papatayin* in extract 6, and *imatayan* in the Maguindanao language used in extract 7 refer to an individual taking another person's life. This shows propriety because the act of killing is considered immoral and unethical in society and against the law. These evaluative items could have played an essential role in the decision-making of the judge, since they were the main focus of the trial itself. Furthermore, these words under propriety could have helped the judge in determining the criminal offenses committed by the accused so they would be penalized according to the final verdict of the case.

**Extract 5**

(J: Judge)

J: [Defendant 2] in a loud voice, promoted to kill Toto Mangudadatu.

[Cross2-c1]

**Extract 6**

(DU: Defendant 1)

DU: *Ama, kung sinumang magtangkang umagaw sa kapangyarihan natin ay papatayin natin silang lahat, lalong lalo na ang mga Mangudadatu na iyan.* [Father, whoever attempts to steal the power that we have will be killed, especially those Mangudadatus.]

[Direct2-d1]

**Extract 7**

(DAS: Defendant 2)

DAS: *Imatayan si Toto Mangudadatu, matagasan ang ulo. Patayin si Toto Mangudadatu dahil masyadong matigas ang kanyang ulo.* [Kill Toto Magudadatu, he's too stubborn.]

[Direct2-d1]

The item *accused* appeared 48 times in the testimonies and were found to be 26.52% of the total evaluative items classified under propriety. The evaluative item used in extracts 8 and 9 shows that the person is held as a defendant because he is being suspected of committing a crime. Propriety was shown in the statement because the word *accused* refers to someone who did something that is considered unethical. This evaluative item helped the judge refer to those who violated the law and should be given the proper sanction for their unlawful acts.

**Extract 8**

(J: Judge)

J: *As for XXX, the witness said that he saw the accused pointing his firearm to the people lying prostrate on the ground.*

[Direct2-d3]

**Extract 9**

J: *The accused had these people lie prostrate to the ground.*

[Direct2-d8]

The word *surrender* and its derivative *surrendered*, appeared 11 times and were found to be 6.08% of the evaluative items under propriety. In extract 10, the words *surrender* and *surrendered* show negative propriety because Defendant 1 continued to hide from the authorities which is an immoral act. This means that he is only willing to surrender to President XXX to avoid being jailed and to lessen the sanctions that he will receive due to his crimes. On the other hand, the use of the word *surrendered* in extract 11 shows positive propriety because he surrendered himself to the authorities to pay for his immoral acts. In both cases, the word *surrender* implicates that the accused was brought to justice, and he would allow himself to be held criminally liable for his actions when handed over to the authorities. *Surrender* reflects how the accused acknowledged his unlawful behavior and took full responsibility for the illegal acts he committed.

**Extract 10**

(J: Judge)

J: *In particular, the witness, who was just at the back of [Defendant 2} heard that the latter was willing to surrender Defendant 1 to Secretary XXX with the latter's promise that he would be surrendered only in the care of then President XXX.*

[Direct1-d1]

**Extract 11**

J: *He [Witness 2] surrendered to the government on November 07, 2010, when he was fetched by elements of the 33<sup>rd</sup> Infantry Battalion in his hideout in Lambayong, Sultan Kudarat.*

[Cross2-c1]

Table 4 shows the evaluative items under *veracity* with the most occurrences. Veracity is the type of judgment that shows how truthful someone or how believable a person is. The evaluative items found in one's statement shows how they can either be telling the truth or not. This type of judgment was manifested in the Maguindanao massacre, specifically in the testimonies given by the witnesses inside the court during their direct and cross-examinations. The evaluative items classified under veracity explains how the judge believed that the witnesses were telling the truth about their knowledge of the crime. Moreover, veracity evaluative items may have helped the judge to assess how accurate and consistent the statements of the witnesses were in order to strengthen the evidence against the defendants.

**Table 4**

***Frequently used judgment-veracity evaluative items in the testimonies of the three major witnesses in the Maguindanao massacre case***

Evaluative Items	Frequency	Percentage
1. Claim (-ed), maintain (-ed), confirm (-ed), affirm (-ed)	46	28.93%
2. Identify (-ied)	38	23.90%
3. Remember (-ed), recall (-ed)	28	17.61%
4. Others	47	29.56%
Total	159	100%

The words *claimed* (12), *maintained* (15), *confirmed* (4), and *affirmed* (15) appeared 46 times in total and were found to be 28.93% of the evaluative items classified under

veracity. These words were also found to be the most prevalent veracity evaluative items and were shown to have the same meaning according to WordNet. *Claimed* was used in extract 12, where Witness 1 said how the accused, Datu Andal Sr., trusted him, showing how he was connected to him; therefore, his statement as a direct witness was found reliable. Next, the word *maintained*, taken from extract 13, explains the witness' ability to keep or be firm about his initial statements. In extract 13, the witness was able to assure the judge that his statement about the events on November 17, 2009 was indeed truthful, since he was able to keep what he said until he was cross-examined for confirmation. In relation, the word *confirmed* was used in extract 14, which also shows that the witness reassured the court about his knowledge of the crime. Similarly, the word *affirmed* was also shown to have the same usage as in extract 15, where Witness 1 was also able to maintain the testimonies he has given about what happened on November 26, December 4, and December 5, 2009. The use of *claimed*, *maintained*, *confirmed*, and *affirmed* shows that the witnesses were able to retain their testimonies especially during the cross-examination stage of the trial, which is the reason why the judge found their shared information to be truthful and reliable as evidence in court.

**Extract 12**

(J: Judge)

J: *Witness 1 claimed that Defendant 2 trusted him very much and that he always stayed right beside him.*

[Cross1-c1]

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**Extract 13**

J: *Witness 1 maintained his testimony regarding the events that transpired on November 17, 2009, including the incidents of the meeting held at the house of Datu XXX later in the evening.*

[Cross1-c1]

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**Extract 14**

J: *On cross-examination by Defendant 1's counsel, Witness 1 confirmed that he has personal knowledge of the fact that Defendant 1 hid from the military after the massacre on November 23, 2009, as he was the latter's prime suspect.*

[Cross1-c2]

**Extract 15**

J: *Witness 1 affirmed his statements regarding the incidents on November 26, December 04, and December 05, 2009.*

[Cross1-c1]

In extracts 16, 17 and 18, the words *identify* (8) and its derivative *identified* (30) were used. Overall, these evaluative items appeared 38 times in the testimonies of all three witnesses and was found to be 23.90% of all the evaluative items found under veracity, making it the second most occurring evaluative item under veracity. The use of the words *identify* and *identified* implies how the judge saw their credibility because they were able to name those who were involved in the plan. The usage of the words was the same in all three statements, showing how all three witnesses were able to point out the actions of the accused during the crime. Furthermore, the words *identify* and *identified* show veracity because they depict how truthful the statements of the witnesses were and how the judge accepted their testimonies during the trials to support the final decision.

**Extract 16**

(J: Judge)

J: *At this juncture, the prosecution through Prosecutor XXX and Atty. XXX, counsel of accused Defendant 1, had entered into stipulation on the ability of said witness to identify accused Defendant 1 as the person whom he saw as present during the meetings in Maguindanao.*

[Direct1-d1]

**Extract 17**

J: *On January 30, 2014, the defense stipulated that Witness 1 could identify Datu XXX, as the same person being charged in court whom he allegedly saw attending the November 17 and 22, 2009 meetings.*

[Direct1-d7]

**Extract 18**

J: *Later on in the testimony, the witness identified these women through photographs (Exhs. "C" and "C-1. ").*

[Direct3-d1]



The evaluative items *remember* (1), *remembered* (12), *recall* (1) and *recalled* (14) occurred 28 times in the three testimonies and made up 17.61% of all the evaluative items classified under veracity. The evaluative item *remember (-ed)* was found in extract 19. The use of *remember* shows how the witness was able to testify about what the accused stated during the meetings, as well as stating additional information based on what he remembers as a direct witness of the scene. In addition, the evaluative item *recall (-ed)* was found in extract 20. The use of the word *recall* shows how the witness was able to point out more details related to the crime and the actions of the accused during the crime, as he recalled that the Mangudadatu siblings wanted to compete against each other to see who does better at killing. With *remember* and *recall* as evaluative items used to point out the details of the crime and to show how the witnesses were able to narrate every incident they have witnessed to the court, the witnesses' statements against the accused were deemed truthful, reflecting the judgment of veracity and its significant effect on the judge's decision.

**Extract 19**

(J: Judge)

J: *Witness I remembered that aside from uttering 'pakinggan natin si ama, okay kaming lahat na patayin sila,' Datu XXX additionally said 'mabuti nga sa mga Mangudadatu na mahilig mag-ambisyon na patayin sila lahat. [Let's listen to father, we're all okay to kill them... Serves the ambitious XXX right for all of them to be killed.]*

[Direct1-d3]

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**Extract 20**

J: *He recalled that the brothers had a contest as to who had the most number of kills.*

[Direct2-d6]

Table 5 exhibits the most recurring judgment-capacity evaluative items in the corpus. The judgment of capacity emphasizes the ability of a person to do something. The evaluative items reveal the competency of the accused and the witnesses throughout the Maguindanao massacre case. Such knowledge could have helped the judge in classifying the suspects into six: individuals who had known about the conspiracy could either have (1) fired at the victims in Sitio Masalay; (2) performed other acts outside of Sitio Masalay; or (3) did not at all perform any overt act; and individuals who had not known of the conspiracy could either have (4) fired at the victims in Sitio Masalay; (5) performed other acts outside of Sitio Masalay; and (6) did not at all perform any overt act.

**Table 5**  
*Frequently used judgment-capacity evaluative items in the testimonies of the three major witnesses in the Maguindanao massacre case*

Evaluative Items	Frequency	Percentage
1. Instruct (-ed), order (-ed)	33	34.02%
2. Assign (-ed, -ment), task (-ed)	13	13.40%
3. Serve (-d, -ing)	9	9.28%
4. Others	42	43.30%
Total	97	100%

The words *order* (1), *ordered* (10), *instruct* (1), and *instructed* (21), which were the most utilized evaluative items (33), were found to be 34.02% of the words under the *judgment of capacity*. They are classified under this type of judgment because these words signify authority of the accused, Defendant 1, over the selected direct witnesses, Witness 2, Witness 1, and Witness 3. *Order* was found in extracts 21, 22, and 23. Meanwhile, *instructed* was found in extracts 24 and 25. The items *ordered* and *instructed* implicate how Defendant 1, one of the accused, perpetrated the illegal act while using his position of power over his subordinates. His large role in the massacre reflected by the evaluative items put him at fault for the killings.

**Extract 21**

(J: Judge)

J: *After the passengers were gunned down, Defendant 1 called the witness [Witness 2] and ordered the latter to 'finish' them.*

[Direct2-d1]

**Extract 22**

J: *At the end of their conversation, Defendant 1 ordered Witness 1 not to mention to the colonel of what they talked about.*

[Direct1-d1]

**Extract 21**

(J: Judge)

J: *After the passengers were gunned down, Defendant 1 called the witness [Witness 2] and ordered the latter to 'finish' them.*

[Direct2-d1]

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**Extract 22**

J: *At the end of their conversation, Defendant 1 ordered Witness 1 not to mention to the colonel of what they talked about.*

[Direct1-d1]

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**Extract 23**

J: *On March 21, 2010, inside Camp Panacan, Defendant 2. ordered Witness 1 to meet Chow, a man of Datu Nanon Ampatuan.*

[Direct1-d1]

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**Extract 24**

J: *The witness was instructed by Defendant 1 to do the finishing.*

[Cross2-c1]

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**Extract 25**

J: *The latter [Defendant 1] called the witness and instructed him to go back to Sitio Malating and tell the people there that "they did not see and did not hear anything.*

[Direct3-d1]

From Witness 2's direct examination, the evaluative items *assigned* (9), *assignment* (1), and *tasked* (3) appeared 13 times and were found to comprise 13.40% of the evaluative items classified as *capacity*. Extracts 26 and 27 displayed capacity as the accused, Defendant 1, had the means to make other people do the work for him. The first statement shows that the accused had other people to help him come up with a plan to stop Mangudadatu from running against Defendant 1, while the second statement shows that Andal had other people

to execute the killing. The words *assigned*, *assignment* and *tasked* indicate that Datu Andal, as the accused, was directly liable for orchestrating the murders, which is evident through his delegation of particular tasks among his accomplices in executing his scheme.

**Extract 26**

(J: Judge)

J: *Then Defendant 2 assigned Atty. XXX and XXX to find ways on how Toto Mangudadatu may be killed and how to prevent him from filing his candidacy, in whatever way, in Cotabato City.*

[Direct2-d1]

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**Extract 27**

J: *Defendant 2 tasked Datu XXX and Akad alias 'Maestro' to kill XXX and prevent his filing of Certificate of Candidacy (COC) in Manila.*

[Direct2-d1]

Furthermore, *served* (6) and *servicing* (3) were used nine times in the document, making up 9.28% of all words under capacity. The word *served* in extract 28 shows that Witness 1, was capable of providing service to the Ampatuans since he became the personal assistant of Andal Sr., his daughter Bai Ameera, and his son Anwar, Sr. for more than a decade. These capacity items reflect how the accused perceived Witness 1 as someone they can trust with fulfilling their needs, addressing their concerns and accompanying them to every meeting. The evaluative items *serve*, *served*, and *servicing* implicated that Witness 1, as an assistant to the Ampatuans, still performed his duties prior to the massacre, thus his dedication to his job as a helper and the time that he served under the Ampatuans make his testimony a key asset in reaching a fair judgment during the trial.

**Extract 28**

(J: Judge)

J: *He served as 'kasambahay' [helper] of the family, beginning with Datu XXX., the son of Defendant 2 from 1987 to 1995.*

[Direct1-d1]

Table 6 shows the most frequently used evaluative items under *judgment-normality*. Normality explains how customary or unusual the behavior of a person is. These evaluative items described how people involved in the case behaved differently especially in the events that led to the crime as well as during the process of investigation; these unusual behaviors aid

in finding out if a violation of the law has been committed. Evaluative items under normality can be used to identify which actions of the defendants are subject for further investigation because they were deemed as suspicious and odd by the judge.

**Table 6**  
*Frequently used judgment-normality evaluative items in the testimonies of the three major witnesses in the Maguindanao massacre case*

	<b>Evaluative Items</b>	<b>Frequency</b>	<b>Percentage</b>
1.	Armed (fully armed)	22	48.89%
2.	Fear (-ed, -s), afraid, scared	10	22.22%
3.	Trust (-ed)	9	20%
4.	Others	4	8.89%
Total		45	100%

The words *fully armed* (2) or *armed* (20) were the most frequent evaluative items under *normality*, with 22 (48.89%) occurrences. Extracts 29 and 30 show that these lexes are classified under normality because it is considered an aberrant or uncommon sight for people to be fully armed at a location that is not normally established as a checkpoint. Extract 29 showed that the accused, Talemba Masukat, a CVO commander, was waiting for the arrival of the Mangudadatu convoy in Crossing Saniag, one of the checkpoints newly installed for the ambush, as instructed by Akmad ‘Tato’ Ampatuan, another one of the accused. Meanwhile, in extract 30, the people that the witness found fully armed were men of the Ampatuans’ political ally, Mayor XXX, who were present in executing the plan to stop the filing of candidacy of Esmael ‘Toto’ Mangudadatu.

The presence of men bearing firearms in this location was deemed unusual because it was installed as a checkpoint especially for the orchestration of the killings. This also indicates that *fully armed* and *armed* were used to distinguish the possession of firearms as a noteworthy and peculiar detail by the judge relative to how the witness described the encounter. Being the most frequently used evaluative item under normality, *fully armed* or *armed* reflects the distinct changes in the security system of Maguindanao during the execution of the plan and implies that the armed men at the checkpoint have malicious intentions planned for the Mangudadatu convoy leading up to the crime itself.

**Extract 29**

(J: Judge)

J: *November 23, 2009, XXX was in Crossing Saniag, fully armed, and waiting for the XXX convoy.*

[Direct2-d8]

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**Extract 30**

J: *At Crossing Saniag, he (Witness 2) saw a lot of people, armed men, police, and commanders, who were fully armed.*

[Direct2-d1]

The words *fear* (2), *feared* (1), *fears* (1), *afraid* (4) and *scared* (2) were used 10 times in the testimonies and are the second most frequent normality evaluative items (22.22%). *Afraid* in extracts 31 and 32 show normality as the witnesses used the word to describe the feeling of being distressed or being alarmed about their knowledge of the crime. In the context of extract 31, although Witness 1 knew that the instruction of setting up a plan to kill Attorney XXX would put himself into danger, he unwillingly went along with the plan because of the possible consequences he might receive from the accused who has authority over him. Meanwhile, extract 32 shows that Witness 2 did not want to risk his own safety because the accused holds the highest power in Masalay, Maguindanao, similar to a president in terms of power. Leaking the plan could cost his life since those who plotted the massacre are capable of sending their forces to kill him. Both extracts 31 and 32 depict the strong influence of the XXX among their men. Their ability to intimidate others to follow their orders was an important factor in implementing the plan of killing those who will file for Mangudadatu's candidacy, which also placed both Witness 1 and Witness 2 in unfortunate circumstances.

**Extract 31**

(J: Judge)

J: *Even if the instructions were against his will, [Witness 1] followed because he was afraid of the XXX.*

[Direct1-d1]

**Extract 32**

J: *Even if the witness knew the secretary of National Defense, he was afraid to leak the plan because at that time, those involved were like presidents, and could do anything they desired.*

[Cross2-c6]

Meanwhile, the word *scared* in extract 33 shows normality because the witness was frightened by the fact that there is a possibility of a shooting to happen which may result in a massive killing. This word shows unusual behavior because Witness 3, who had been informed by Defendant 1 about his plans, should have expected this outcome. On the other hand, the witness may have acted this way in the fear that he may be killed during the shootout. Moreover, while he agreed to the plan of killing, Witness 3 only accompanied the perpetrators to Crossing Saniag under Defendant 1's orders because he dreaded that Defendant 1 would get mad and harm him and his family. *Scared*, like *afraid*, further compounds that the witnesses' common fear of the Ampatuans compelled their involvement in the massacre. In addition, *fear* in extract 34 manifests normality as this dreadful emotion had driven the witness to keep the information confidential to the police since there was a threat of danger from the accused. The words *afraid*, *scared*, *fear*, *fears* and *feared* implied that from the judge's point of view, the unlawful tactics of the accused caused the witnesses to exhibit peculiar and distressful behavior.

**Extract 33**

(J: Judge)

J: *The witness felt scared as he feared that there might be an exchange of fire.*

[Direct3-d1]

**Extract 34**

J: *The witness did not report or cause the plan to be entered in a police blotter out of fear that he would be killed.*

[Cross2-c6]

Lastly, the word *trust* (1) and its derivative *trusted* (8), were stated in the verdict nine times (20%). In extract 35, *trusted* exhibits positive normality as it establishes that the relationship between the witness and the accused is unique. Witness 1 emphasized in his testimony that he accompanied the Ampatuans for all the events and meetings they attended, as well as witnessed and listened to them conspiring to kill all the Mangudadatus while they en route to file for the certificate of candidacy. Witness 1's direct connection to the Ampatuans and his presence during the meetings prior to the attacks make his testimony

valuable in helping the judge understand the role of the Ampatuans in planning the massacre and identify the crimes they should be convicted for.

**Extract 35**

(J: Judge)

J: *Witness 1 claimed that Defendant 2: trusted him very much and that he always stayed right beside him.*

[Cross1-c1]

Table 7 shows that out of the 734 evaluative items found in the testimonies of the three selected direct witnesses of the case, 252 (34.33%) were classified under *tenacity*, followed by 181 (24.66%) under *propriety*, 159 (21.66%) under *veracity*, 97 (13.22%) under *capacity*, and 45 (6.13%) under *normality*. The results show that tenacity, the type of judgment that focuses on how resolute or dependable a person is, was notably used to refer to the witnesses and how reliable their given statements were, shown through the use of the word *witness*. This proves that the judge indeed saw their testimonies as evidence. This type of judgment also exhibits the expectations of the judge from the witnesses in giving their testimonies.

**Table 7**

***Frequency of judgment subcategories in the testimonies of the three major witnesses in the Maguindanao massacre case***

Subcategory	Type of Judgment	Total Words Found	Percentage
Social esteem	Normality	45	6.13%
	Capacity	97	13.22%
	Tenacity	252	34.33%
Social sanction	Veracity	159	21.66%
	Propriety	181	24.66%
Total		734	100%

The second most used type of judgment was propriety, which focuses on how ethical or immoral a person is. It was used to describe the actions of those involved in the crime, especially the accused. The words under this type with the most occurrences were *kill (-ed, -ing)*, *papatayin*, and *imatayan*, which were all used to describe the unethical act of



taking another person's life. With 159 occurrences, veracity was the third most used type of judgment. Veracity describes how honest a person is, which was shown through the words *identify*, *claimed*, *maintained*, *confirmed*, *affirm*, and *testify*. These evaluative items were used to refer to the witnesses and the truthfulness of their testimonies, especially during the cross-examination stage of the trial. Following this, capacity, the fourth type of judgment, received a moderate frequency of 97 occurrences. Capacity pertains to how capable a person is, thus *instructed* and *ordered* was used to show the power and authority of the accused. Normality appeared to be the least used among the five types of judgment with only 45 occurrences. Normality describes how unusual or special someone is, which was demonstrated through the use of *armed* or *fully armed*.

With that said, social esteem, which includes normality, capacity, and tenacity, was found to be more prevalent (53.68%) compared to social sanction (46.32%), which included veracity and propriety. The result implies that the subcategory social esteem, which focuses on admiring or criticizing behavior, was used more often than social sanction, which refers to praising or condemning behavior. The use of social esteem in the testimonies shows how the judge perceived the reliability of the witnesses in providing their testimonies to the court. Social esteem also emphasizes the unusual, capable, and dependable behavior of both the accused and the witnesses before, during, and after the events that led to the crime, as well as for the duration of the court trials.

Moreover, social esteem pertains to commending the actions of the witnesses by using language as an instrument to create the foundation of truth in their testimonies, as demonstrated by tenacity. With negative evaluative items, social esteem criticizes the behavior demonstrated by the accused in planning the massacre as well as their use of authority to threaten and to order the witnesses as indicated by normality and capacity.

On the other hand, social sanction evaluates the legality of an action according to the rules and regulations of the law. This subcategory of judgment assesses the validity of the witnesses' statements as reflected by the evaluative items under veracity. Meanwhile, the moral and legal implications of the crime as implied by propriety condemns the actions of those involved in the massacre, hence the use of social sanction to imply that the accused should be given legal punishment for disobeying the law. Thus, both social esteem and social sanction strengthened the statements of the witnesses and emphasized the breach of criminal laws, supporting the guilty verdict handed to the accused by the court.

#### 4. Discussion

The evaluative items show that the judge evaluated the witnesses' testimonies with regard to social esteem. Social esteem relates to the aspect of social ethics, as it is often used to judge the opposite party negatively in critical court discourse (Dai & Zhou, 2019). Social esteem is also described by Tokunaga (2010, as cited in Lintao, 2018) as the system that evaluates the behavior of an individual depending on one's social position in the society. Among the types of judgment under social esteem, tenacity scored the highest frequency (34.33%), and it is

the most prevalent among the five types of judgment. Deuna (2016) states that the prevalence of tenacity shows two of the most important values sought and expected on witness in a trial – credibility and reliability. These two values are reflected by the frequency of the word *witness*, which accounts for 77.17% of the evaluative items under tenacity. Moreover, the prevalence of the evaluative item *witness* shows the willingness of a person in sharing his knowledge of the incident in court, where he is expected to be truthful and dependable. Witnesses become reliable sources of information by giving evidence that helps the court in making the right judgment. Regardless of one's social standing, a witness' testimony is important for ensuring a decision for successful prosecution and is often seen as credible and reliable by the judge.

Capacity is the fourth most prevalent type of judgment (13.22%) among the testimonies as Bartley (2017) states that reference to the capacity of an individual is not limited to positive or negative, but is also attributed to the various persons entailed in the case on trial. The findings of the study agree with Deuna's (2016) which claims that the moderate use of capacity assesses or negates the credibility of the witness by generally emphasizing the witness' capability and knowledge about the incident. The words *instructed*, *ordered*, *assigned*, *tasked* and *serve* (-ed, -ing) show positive capacity as they describe both the witnesses and the accused to have been capable of performing actions which indirectly or directly resulted in the execution of the planned killings.

According to Martin and White (2005), modality of usuality may be associated with judgments of normality. Furthermore, the last type of judgment that has a relatively low frequency (6.13%) in the testimonies was normality. This implies that there is minimal evaluative language showing the unusualness of the accused and the witness' behavior. Nevertheless, the evaluative items such as *armed* or *fully armed* which had the highest frequency (48.89%) under normality, still greatly impacted the decision of the judge. These words describe how the accused and their group of men involved held the possession of firearms, an act that is deemed peculiar for the ownership of the said weapons can be associated with violence and ill intentions.

The study also demonstrates that the judge evaluated the witness' testimonies in terms of social sanction. Shi (2018) explains that social sanction assesses the validity of an individual's behavior and judgments of legality have an essential role in judgments of social sanction because the latter determines if a person is considered as honest or dishonest as well as the appropriateness of one's behavior. These are important as they are crucial factors that influenced the decision of the judge. Respectively, propriety was the second most evident (24.66%) assessment in the testimonies. Words of propriety depict the "relative moral wickedness" of a crime which partly determines the type of punishment (Hart, 1962, as cited in Heffer, 2008). This shows that the judge emphasized the value of ethicality. The evaluative items under propriety mentioned in courtroom discourse annihilate the character of a person standing trial (Bartley, 2017). More specifically, the evaluative items *kill* (-ed, -ing), *papatayin*, and *imatayan* reflected the judge's decision of a guilty verdict because it describes the unethical behavior of the accused involved in the massacre. In addition, the actual killings are penalized as murder under the conditions of Article 248 of the Revised Penal Code in the Philippines.

According to Hurt and Grant (2018), social sanction encapsulates values more integral to people's roles as citizens, which emphasizes the use of veracity. Veracity was the third most used type of judgment (21.66%), and it was used to refer to the truthfulness of the witnesses' statements about the crime. Deuna (2016) stated that veracity was frequently used by lawyers against the witness to validate and challenge the information provided by the witnesses, as well as their source of knowledge. The evaluative item *identify(-ied)* was shown to have the most frequent occurrences due to the witnesses' ability to name those who were involved in the crime. Most veracity evaluative items were also found in the cross-examination stages of the trial because lawyers aim at winning the favor of the jury, or the judge, and in discrediting the opposing witness (Laird & Cummings, 2015, as cited in Deuna, 2016).

These findings indicate how the evaluative items from the testimonies influenced the final verdict of the Maguindanao massacre case. The appraisal framework, specifically the semantic area of attitude which includes the system of judgment, was utilized in the assessment of the behavior of the people involved through the evaluative language in the testimonies of the witnesses. White (2005, as cited in Bock, 2017) states that judgment, serving as an attitudinal positioning system, is constructed by the certain ideological and cultural circumstances in which it functions; thus, analyses should be founded on these conditions. This explains how the judge was able to give meaning to the behavior of both the accused and the witnesses. She was able to hand down the guilty verdict because she proved the crime to be true with the help of her knowledge, the application of the law, and the witnesses' statements. The said statements formed the evaluative language that reflected the capacity of the accused to commit the crime. Furthermore, the judge provided criticism and condemnation to the accused for their behavior based on her examination of the language provided by the witnesses, reflected through the semantic system of judgment in the appraisal theory.

## 5. Conclusion

This study reveals the significance of the evaluative language of both the witnesses and the accused in reflecting their attitudes and perception of the event. Further, it presents the tendency of the judge to evaluate the behavior of selected witnesses towards the semantic area judgment, which has the subcategory social esteem, under which tenacity is categorized. This indicates that the witnesses were credible and reliable, thus, their testimonies served as sufficient evidence, as supported by the evaluative items, to prove that the accused were guilty of the crime. Meanwhile, the acts done by the accused used social sanction, another subcategory of judgment, to evaluate whether their actions abide by the law or not.

The findings demonstrated how evaluative meanings can be constructed through language in court cases. These meanings manifest the significance of the language of evaluation in understanding the actuality of events from the perspective of the judge. Further, investigating the evaluative language enables legal professionals to contextualize and

identify the attitudinal expressions utilized in courtroom discourse. Overall, this paper offers additional insights on the role of language evaluation in the Philippine court of law.

Future linguistic studies on courtroom discourse may broaden the scope of the corpus to analyze the perspectives of more witnesses about the crime committed by the accused. Supporting documents which provide statements of the prosecution and defense during court trials can also be included in the analysis to gain more insight on how evaluative language is used by legal professionals to incriminate or absolve the accused in criminal cases. Furthermore, the systems of engagement and graduation of the appraisal framework may also be employed to elaborate on the meanings coded in the language of evaluation during legal proceedings.

## References

- Anesa, P. (2011). *Courtroom discourses: An analysis of the Westerfield jury trial* [Doctoral dissertation, Universita 'Degli Studi Di Verona, Verona]. Department of Foreign Languages and Literatures Universita de Verona. [https://www.dlts.univr.it/documenti/AllegatiOA/allegatooa\\_8226.pdf](https://www.dlts.univr.it/documenti/AllegatiOA/allegatooa_8226.pdf)
- Anthony, L. (2004). AntConc: A learner and classroom friendly, multi-platform corpus analysis toolkit. In L. Anthony, S. Fujita, & Y. Harada (Eds.), *Proceedings of IWLeL 2004: An interactive workshop on language e-learning* (pp. 7-13). Waseda University.
- Ball, C.E. (2017). *Swaying the jury: The effect of expert witness testimony on jury verdicts in rape trials* [Senior capstone thesis, Arcadia University]. Scholarworks@Arcadia. [https://scholarworks.arcadia.edu/senior\\_theses/29](https://scholarworks.arcadia.edu/senior_theses/29)
- Bartley, L. (2018). *Forensic linguistics gives victims and the wrongfully convicted the voices they deserve*. The Conversation. <https://theconversation.com/forensic-linguistics-gives-victims-and-the-wrongfully-convicted-the-voices-they-deserve-101660>
- Bartley, L. V. (2017). *Transitivity, no stone left unturned: Introducing flexibility and granularity into the framework for the analysis of courtroom discourse* [Doctoral dissertation, Universidad de Granada]. Universidad de Granada. <http://hdl.handle.net/10481/48043>
- Bock, Z. (2007). *A discourse analysis of selected truth and reconciliation commission testimonies: Appraisal and genre* [Doctoral dissertation, University of the Western Cape]. University of the Western Cape Theses and Dissertations Repository. [http://etd.uwc.ac.za/xmlui/bitstream/handle/11394/3631/Bock\\_PHD\\_2007.pdf?sequence=1](http://etd.uwc.ac.za/xmlui/bitstream/handle/11394/3631/Bock_PHD_2007.pdf?sequence=1)

- Catoto, J. (2017). On courtroom questioning: A forensic linguistic analysis. *Journal of Humanities and Social Science*, 22(11), 65-97. <https://doi.org/10.9790/0837-2211086597>
- Ceballos, C. & Sosas, R. (2018). On court proceedings: A forensic linguistic analysis on maxim violation. *Journal of Nusantara Studies (JONUS)*, 3(2), 17-31. <https://doi.org/10.24200/jonus.vol3iss2pp17-31>
- Dai, X & Zhou, J. (2019). Analysis of criminal court discourse on Steven Avery case from the perspective of appraisal theory. In *4th International Conference on Contemporary Education, Social Sciences and Humanities (ICCESSH 2019)* (pp. 1917-1922). Atlantis Press. <https://doi.org/10.2991/iccessh-19.2019.411>
- Deuna, I.F. (2016). *Exploring the language of evaluation in a Philippine drug trial*. [Unpublished thesis]. University of Santo Tomas.
- Fellbaum, C. (2012, November 5). WordNet. *The Encyclopedia of Applied Linguistics*. <https://doi.org/10.1002/9781405198431.wbeal1285>
- Gales, T., & Solan, L.M. (2017, December 18). Witness cross-examinations in non-stranger assault crimes: An appraisal analysis. *Language and Law*, 4(2), 108-139.
- Gibbons, J. (1999). Language and the law. *Annual Review of Applied Linguistics*, 19, 156-173. <https://doi.org/10.1017/S0267190599190081>
- Harvey, L. (2012). *Researching the real world*. Quality Research International. [www.qualityresearchinternational.com/methodology](http://www.qualityresearchinternational.com/methodology)
- Heffer, C. (2008). Judgement in court: Evaluating participants in courtroom discourse. In K. Kredens & S. Gozdz-Roszkowski (Eds.), *Language and the law: International outlooks* (Vol. 16, pp. 145-179). Peter Lang. <https://www.semanticscholar.org/paper/Judgement-in-court%3A-evaluating-participants-in-Heffer/6e9a4d1d66e6a6b2a2f6887ab21c2beadad5b0c9>
- Hurt, M. & Grant, T. (2018). Pledging to harm: A linguistic appraisal analysis of judgment comparing realized and non-realized violent fantasies. *Discourse & Society*, 30(2), 154-171. <https://doi.org/10.1177/0957926518816195>
- Jordan, S.N. (2002). Forensic linguistics: The linguistic analyst and expert witness of language evidence in criminal trials [Master's thesis, Biola University]. Educational Resources Information Center (ERIC). <https://files.eric.ed.gov/fulltext/ED472652.pdf>
- Law Teacher (2019, August 6). *Importance of a witness*. <https://www.lawteacher.net/free-law-essays/administrative-law/importance-of-a-witness-law-essays.php?vref=1>
- Lintao, R. (2018). Investigating the evaluative language in Philippine and Chinese news reports on the South China Sea disputes. *Advances in Language and Literary Studies*, 9(6), 66-77. <https://doi.org/10.7575/aiac.all.v.9n.6p.66>

- Martin, J. & Rose, D. (2003). *Working with discourse: meaning beyond the clause*. Bloomsbury Academic.
- Martin, J. & White, P. (2005). *The language of evaluation: Appraisal in English*. Palgrave Macmillan. <https://doi.org/10.1057/9780230511910>
- McAuliffe, K. (2012). Language and law in the European Union: The multilingual jurisprudence of the ECJ [Abstract]. In L. Solan & P. Tiersma (Eds.), *The Oxford handbook of language and law* (pp. 209 – 212). Oxford University Press.
- Miller, G.A. (1995). WordNet: A lexical database for English. *Communications of the ACM Archive*, 38(11), 39 – 41. <https://doi.org/10.1145/219717.219748>
- Oteiza, T. (2017). The appraisal framework and discourse analysis. In T. Bartlett & G. O'Grady (Eds.), *The Routledge handbook of systemic functional linguistics* (1st ed., pp. 457-472). Routledge. <https://doi.org/10.4324/9781315413891.ch28>
- Pascual M. & Unger L. (2010). Appraisal in the research genres: An analysis of grant proposals by Argentinean researchers. *Revista Signos*, 43(73), 261-280. <http://dx.doi.org/10.4067/S0718-09342010000200004>
- Roszkowski, S.G. & Pontrandolfo, G. (2014). Exploring the local grammar of evaluation: the case of adjectival patterns in American and Italian judicial discourse. *Research in Language*, 12(1), 86-88. <https://doi.org/10.2478/rela-2014-0014>
- Sarangi, S. (2003). Evaluating evaluative language. *Text & Talk*, 23(2), 165-170.
- Shi, G. (2018). An analysis of attitude in Chinese courtroom discourse. *Poznan Studies in Contemporary Linguistics*, 54, 147-174. <https://doi.org/10.1515/psicl-2018-0005>

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