

研究論文

流動的正義建構：案件型媒體事件的演變 (2000–2016)

楊春、林芬

摘要

本文關注由司法案件引發的、大量媒體報道構成的「案件型媒體事件」。通過梳理2000–2016年間的案件型媒體事件，本文借助社會建構理論，分析國家、公眾、媒體和法院共同建構社會正義認知的動態過程，詳細討論正義建構過程中「外化」、「客觀化」和「內化」三個階段。研究發現，社會矛盾、媒體生態和司法改革進程共同推動了正義建構機制的演變。在媒體事件中，不同類型的正義建構機制同時存在，但主導模式逐步由2000年代初期的「小報型正義建構」，中期的「同情型正義建構」，後期的「爭議型正義建構」，轉變為2013年後的「配合型正

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論文投稿日期：2020年8月31日。論文接受日期：2021年6月2日。

《傳播與社會學刊》，(總)第60期(2022)

義建構」機制。本文提出的正義建構框架，既為現有研究中的「媒體審判」或「媒體監督」的爭論提供動態分析模型，也為研究中國的社會變遷提供一個嶄新視角。

關鍵詞：媒體審判、媒體監督、正義的社會建構、媒體事件、媒體司法關係

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Research Article

Fluid Social Construction of Justice: Transition of Trial-Based Media Events (2000–2016)

Chun YANG, Fen LIN

Abstract

This study focuses on media events reported in the extensive news coverage of judicial trials in China. From a social constructionist perspective, we examine trial-based media events from 2000 to 2016 to reveal dynamic mechanisms through which the state, public, media, and courts collectively construct perceptions of social justice. Specifically, we elaborate on three steps in the justice construction process: externalization, objectivation, and internalization. We demonstrate how contemporary social conflicts and developments in media and legal institutions shape the transition of justice construction processes in trial-based media events. Over the years, while different mechanisms have existed simultaneously, the dominant construction mechanism has transformed from the tabloid justice construction process in the

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early 2000s, to sympathetic justice construction, to controversial justice construction, and then to collaborative justice construction in 2013. The social construction framework we propose provides not only a dynamic analytic model for the debate between “trial by media” and “media supervision” in existing studies, but also a new perspective to investigate social transition in China.

Keywords: media trial, media supervision, social construction of justice, media events, media-court relationship

Citation of this article: Yang, C., & Lin, F. (2022). Fluid social construction of justice: Transition of trial-based media events (2000–2016). *Communication and Society*, 60, 23–56.

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