

# researchdossier

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## research dossier: overview

I study rhetoric and argumentation, especially in legal and professional communication. My communication research focuses on rhetorical and argumentation theory in context and practice, using text-analytic, computational, and cognitive methods. I attempt to draw explicit connections between legal philosophy or jurisprudence, argumentation theory, and empirical practice. My other research interests include law and rhetoric, digital media law, writing pedagogy, and research methods, especially as they relate to digital writing and digital humanities.

## legal communication & argumentation

**Project: Gender/genre.** This project uses tools of text linguistics and natural-language processing (NLP) to explore whether gendered authors entering a new professional discourse community exhibit differences in uses of lexical and quasi-syntactic stylistic features in their writing; I explain the findings by adapting Wilson and Sperber's (1995) relevance theory. This work challenges the essentializing narrative of gender-difference in "folk belief" and some other NLP studies, helps to explain the acculturation of students to a new professional discipline, and will likely be the first published application of relevance theory to technical communication.

I plan four articles from this material, including one with findings of the statistical analyses; one with the findings of machine-learning analyses, with a focus on the epistemic possibilities of machine learning for research in writing; one regarding the use of gender as a variable in studies of writing; and one proposing relevance theory as a ground for an entente between rhetoric and pragmatics.

I am also working to make the corpus from this project available to other researchers through the Linguistic Data Consortium.

**Project: Exemplary reasoning in the law.** This project is an examination of reasoning by example in the law (which lawyers often call "analogical reasoning"). I conceive of this as a book project addressing the question at three levels: Theoretical justification, empirical practice, and law-school pedagogy. I hope to target the project to be of interest to rhetoricians and argumentation scholars, legal educators, and law students on at least three grounds.

First, exemplary reasoning is at the heart of much legal argumentation, but such previous essays on the subject as Brewer (1996), Weinreb (2005), Posner (2006), and Macagno and Walton (2009) have struggled to offer a theoretical justification for its use—I believe because they have tried to ground it in Anglo-Saxon analytical philosophy. I propose to justify it with principles of pragmatic argumentation and cognitive science.

Second, no published study has systematically examined the uses of exemplary reasoning by lawyers seeking to persuade judges; previous studies looked at the opinions of judges, which play a different role than lawyers' briefs, and have been limited to case studies. I'm collecting and annotating the data for it now in preparation for performing both "close reading" and automated "distant reading" analyses.

Finally, legal writing pedagogy (at least as evidenced in its textbooks) teaches exemplary reasoning in a way disconnected both from the theoretical justifications for it and from the practices of lawyers. I intend to propose a pedagogy of exemplary reasoning that takes account of the theory and practices of professionals.

## law & rhetoric

**Project: *Star-Spangled*.** Dr. Genelle Belmas at University of Kansas and I are developing a book project, the working title for which is *Star-Spangled: Law and Rhetoric of a National Symbol*. It addresses the development of a body of law around the U.S. flag and the interaction of the rhetoric of the flag in public discourse and the rhetoric of the law in cases about the flag. This interdisciplinary project is founded in Dr. Belmas's expertise in media law and mass communications theory and mine in rhetoric and the law.

## digital media law

**Project: *The Year's Developments in Digital Media Law*.** My law practice before coming to Georgia Tech was focused on digital media: online communities, copyright online, database copyrights and licensing, the Internet's domain-name system, and related matters. My published research with my collaborator Dr. Genelle Belmas studied interactions of First Amendment free-speech rights with copyright (Belmas & Larson, 2007) and with public records databases and public records laws (Larson & Belmas, 2007). At present, I'm preparing "The Year's Developments in Digital Media Law" with Dr. Belmas. It will have its inaugural presentation in October 2015 at the annual legal seminar of the Council of Multiple Listing Services; we will update it and offer it continually to interested academics and law practitioners nationally.

## writing pedagogy

I look for opportunities for all my research to be useful in the classroom (see, e.g., the *Exemplary reasoning in the law* project above). But some of my research is overtly focused on pedagogy.

**Project: *Writing for International Students (WINS)*.** Dr. Laura Pigozzi at University of Minnesota and I are co-principal investigators on an empirical research project to examine the experiences of international and multilingual students in upper-division technical and business writing courses at the University of Minnesota. The study was funded by a competitive intra-university grant from the Provost's office. The third collaborator is Associate Professor Anne Lazaraton at Minnesota. We collected survey data, interviews with students and instructors, and classroom observations and developed inductive coding schemes for the data. We have submitted the first article from the study, which examines the needs and expectations of the students themselves and argues for an application of principles of Universal Design in Higher Education (Bergstahler & Cory, 2008) to technical communication pedagogy. We are presently analyzing interview data from course instructors to determine how they discursively construct the international students in their classes. This will result in a second article.

**Project: *Breuch collaboration*.** Dr. Lee-Ann K. Breuch at University of Minnesota and I have been collaborating for a few years on a project involving a close textual analysis of student papers in an upper-division undergraduate technical communication course. We examined the papers for uses of the *rhetorical moves* identified by Swales (1990) and used by others in analyses of writing. These efforts have resulted in two publications in progress: A chapter in an edited collection presenting partial findings relating to students' use of research sources

and focusing closely on our methods; and a journal article examining the patterns of moves used by students in general.

**Project: Comparison of law-student writing to professionals.** The corpora resulting from the *Gender/genre* and *Exemplary reasoning* projects above will also allow an automated comparison, using corpus and NLP tools, of a corpus of student texts with a corpus of professional texts in the same genre and on the same topic. This study can help to inform teachers of legal writing of the ways in which their pedagogy and students' performances are similar to or vary from the practices of legal-writing professionals.

## **methods: digital/quantitative and qualitative**

Though I have no particular project devoted to the topic, I am deeply preoccupied with methodology: understanding which methods can support which epistemic claims given particular theoretical orientations. I am particularly interested in the ways that two approaches interact: "distant reading"—which I define as using automated methods for analyzing large corpora of data—and "close reading"—which I define as the case-study approach of examining one interaction or set of them taking into account a "thick description" of the context. I treat these concerns in each of the projects above, most explicitly in *Gender/genre* and the *Breuch collaboration*. But I have also examined the question in other contexts that would be described as part of the digital humanities (DH): For example, a presentation on open-source NLP resources for DH at a Modern Language Association conference; and another on the limitations on claims that can be supported by a network analysis of Twitter activity at the Conference on College Composition and Communication.