

General information

This course is the first half of a two-quarter research seminar, in which we will be concerned with the intersection of (quantitative) (corpus) linguistics, lexical semantics, and legal/statutory interpretation. I will be taking some corpus-linguistic knowledge for granted (nothing technical, just the general ideas – if you want to make sure, you're on top of everything, maybe just check out Chapter 2 of the [second edition of my corpus textbook](#)). The first three weeks will be easy, slow, and introductory as we will deal with various aspects of semantics, in particular (dictionary) definitions, Natural Semantic Metalanguage, sentence semantics, and some aspects of cognitive semantics. After that, it'll get more intense, because the first quarters of these two-quarter research seminars are reading-intensive! We will consider several applications of corpus-linguistic methods to legal/statutory interpretation; you will read (and partially present)

- some Supreme Court opinions;
- some corpus-linguistic papers discussing legal applications;
- a famous/infamous report currently under litigation;
- legal critiques of corpus-linguistic applications;
- discussions of experimental jurisprudence.

with some discussion of corpus linguistic methods on the side. If there's time or even interest, I might outline a few relevant aspects of working as a linguistic expert witness.

The goals are to familiarize you with at least some aspects of legal/forensic linguistics so that you can write a (likely empirical) paper in the second quarter and maybe be a good expert witness at some point ;-)

Course requirements

- i. attendance, thorough reading of homework assignments, and lively participation in potentially controversial discussions;
- ii. four small presentations (1 of a small 'linguistic analysis', 2 of one paper each, 1 of your thoughts on what you want to explore in the second half of the quarter.

'Warning': some of the reading/lessons will involve controversial topics and, therefore, potentially controversial opinions. If you do not feel like you can tolerate disagreement, hear or produce inconvenient opinions, accept differences of opinions, and continue discussing tricky topics in good faith, this course (or any course involving legal interpretation) is not for you – what we want to avoid is [this](#) (or [this](#)).

Contact (STG)

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Course plan

- (1) 01/03: Dictionary definitions & Natural Semantic Metalanguage**
 Obligatory follow-up: sign up for a [COCA](#) account, worksheet on *lie*
 Optional follow-up: Goddard (1998a, 1998b)
- (2) 01/10: *Lie* & cognitive semantics**
 Homework assignment: Muscarello v. US, Croft & Cruse (2004)
 Optional follow-up: Watson v. US, Smith v. US, Norvig & Lakoff (1986),
 Sandra & Rice (1995)
- (3) 01/17: no class**
 Homework assignment: check out the slides on sentence semantics & lexical
 relations
- (4) 01/24: Against dictionaries in legal/statutory interpretation & case studies**
 Homework assignment: Lee & Mouritsen (2018), Phillips & Egbert (2017)
 Optional follow-up: Finegan (2017)
- (5) 01/31: Case study: *stand trial***
 Homework assignment: read the executive summary of the Hoffman report &
 prepare an in-class presentation on whether it's statement of
 facts or opinions
- (6) 02/07: Statements of facts vs. opinions & collusion**
 Homework assignment: each student reads one of Herenstein (2017), Hessick
 (2017), Tobia (2018, draft) & prepares to present it in class
- (7) 02/14: Critiques of legal corpus linguistics & *Bostock v. Clayton County***
 Optional follow-up: Eskridge, Slocum, & Gries (2021)
- (8) 02/21: More advanced corpus methods & *rape***
 Homework assignment: each student reads one of Sommers (2020), Tobia (to
 appear), Tobia, Slocum, & Nourse (to appear) &
 prepares to present it in class
- (9) 02/28: no class**
 Homework assignment: prepare to present in class ideas/thoughts regarding your
 paper for the second quarter
- (10) 03/07: Experimental jurisprudence & project brainstorming**

References

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 Eskridge, William N., Brian G. Slocum, & Stefan Th. Gries. 2021. [The meaning of sex: Dynamic words](#).

- [novel applications, and original public meaning](#). *Michigan Law Review* 119(7). 1503-1580.
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- Gries, Stefan Th. 2021. Corpus linguistics and the law: extending the field from a statistical perspective. *Brooklyn Law Review* 86(2). 321-356.
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- Gries, Stefan Th. 2022b. What do (most of) our dispersion measures measure (most)? Dispersion? *Journal of Second Language Studies*.
- Hanks, Patrick. 1987. Definitions and explanations. In John M. Sinclair (ed.), *Looking up*, 116-136. London: Collins.
- Herenstein, Ethan J. 2017. [The faulty frequency hypothesis: Difficulties in operationalizing ordinary meaning through corpus linguistics](#). *Stanford Law Review Online* 70. 112-122.
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- Lee, Thomas R. & Stephen C. Mouritsen. 2018. [Judging ordinary meaning](#). *The Yale Law Journal* 127(4).
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- Tobia, Kevin & John Mikhail. 2021. Two types of empirical textualism. *Brooklyn Law Review* 86(2). 460-487.
- Tobia, Kevin. to appear. [Experimental jurisprudence](#). *University of Chicago Law Review*.
- Tobia, Kevin, Brian G. Slocum, & Victoria Nourse. to appear. [Statutory Interpretation from the Outside](#). *Columbia Law Review*.

Cases/case materials/opinions

- [Muscarello v. US](#) (click on "Case")
- [Watson v. US](#) (click on "Opinion Souter" and "Concurrence Ginsburg")
- [Smith v. US](#) (click on "Case")
- [Bostock v. Clayton County](#)
- the [Hoffman report](#), a [NYT article](#) on the issue, [background₁](#), and [background₂](#)