



REVIEW

**THE ARCHAEOLOGY OF MEANING AND
THE CONSTRUCTION OF PERSUASION: AN
ANALYSIS OF BARDIN'S WORK IN THE
LIGHT OF LEGAL RHETORIC**

**A ARQUEOLOGIA DO SENTIDO E A CONSTRUÇÃO
DA PERSUASÃO: UMA ANÁLISE DA OBRA DE
BARDIN À LUZ DA RETÓRICA JURÍDICA**

**LA ARQUEOLOGÍA DEL SENTIDO Y LA
CONSTRUCCIÓN DE LA PERSUASIÓN: UN
ANÁLISIS DE LA OBRA DE BARDIN A LA LUZ DE
LA RETÓRICA JURÍDICA**

**GILIARDE BENA VINUTO ALBUQUERQUE CAVALCANTE VIRGULINO
RIBEIRO NASCIMENTO E GAMA ¹
JÉSSICA PAINKOW ROSA CAVALCANTE ²**

The work of Laurence Bardin, entitled *Content Analysis*, constitutes a methodological landmark for the human and social sciences by systematizing a set of techniques aimed at interpreting communications. Originally published in 1977 and updated in

How to cite this article:

GAMA, Giliarde
Benavinto
Albuquerque Cavalcante
Virgulino Ribeiro
Nascimento e;
CAVALCANTE,
Jéssica Painkow Rosa.
The archaeology of
meaning and the
construction of
persuasion: an analysis
of Bardin's work in the
light of legal rhetoric.
**Journal of Socio-
Environmental Law -
REDIS,**
Morrinhos, Brasil,
v. 04, n. 01, jan./jul..
2026, p. I-V.

Submission date:
25/04/2026

Approval date:
24/05/2026

¹ Professor at the State University of Tocantins (Unitins). Ph.D. in Regional Development, with an emphasis on Indigenous Rights, from the Federal University of Tocantins (PPGDR/UFT). Master's degree in Communication and Society (PPGCOMS/UFT), with an emphasis on the Prison System and Personality Rights. Specialist in Criminology, Criminal Law and Criminal Procedure, Labor Law and Labor Procedure, and Tax Law and Tax Procedure. Bachelor of Laws from the Federal University of Tocantins (UFT) and Bachelor of Education (Pedagogy) from the Federal University of Amapá (UFAP). Contact e-mail: benavinto.gama@gmail.com. Lattes CV: <http://lattes.cnpq.br/4525837393612907>. ORCID: <https://orcid.org/0000-0001-8146-6811>.

² Professor at the State University of Tocantins (Unitins). Ph.D. in Public Law from the University of Vale do Rio dos Sinos (UNISINOS, 2023). Master's degree in Human Rights from the Federal University of Goiás (UFG, 2018) and Bachelor of Laws from the Pontifical Catholic University of Goiás (PUC Goiás, 2014). She also holds degrees in Social Sciences (2024) and Portuguese/English Language and Literature (2025). Specialist in Agrarian Law and Agribusiness (2018), as well as Civil Law and Civil Procedure Law (2017). Contact e-mail: jessicapainkow@hotmail.com. Lattes CV: <http://lattes.cnpq.br/4024280261959707>. ORCID: <https://orcid.org/0000-0002-6325-5735>.

subsequent editions, the work transcends the mere inventory of technical procedures by proposing a true controlled hermeneutics—a methodological deviation against the illusion of data transparency. Bardin defines content analysis as a set of communication analysis techniques which, through systematic and objective procedures for describing message content, allows for the inference of knowledge regarding the conditions of production or reception of such messages.

The author structures the work into four fundamental parts: (a) the history and theory of the method; (b) practice through concrete examples; (c) the method itself, with its coding and categorization operations; and (d) specific techniques such as categorical analysis, evaluative analysis, enunciation analysis, and structural analysis. The guiding thread of the work is the search for a balance between objective rigor—materialized in quantification and procedural fidelity—and subjective fecundity, which enables the discovery of latent meanings not apparent to ordinary reading. In this sense, Bardin demonstrates that the analyst, like an archaeologist or a detective, works with traces—carefully positioned indices—to infer causalities, intentions, or underlying sociological and psychological contexts of manifest discourse.

From a critical standpoint, the main virtue of Bardin's work lies in its ability to transform intuition into demonstration and suspicion into proof. By rejecting naïve readings and advocating the need for a methodological interval between the stimulus of the message and the interpretative response, the author provides an antidote to subjectivism and spontaneous sociology. The emphasis on controlled inference, whether quantitative or qualitative, grants the method a scientific dignity often lacking in many interpretative approaches.

However, it is possible to identify an internal tension in the work, which the author acknowledges with intellectual honesty. The demand for objectivity, inherited from North American behaviorism and the Berelsonian tradition, sometimes clashes with the need for interpretative creativity, especially in enunciation analysis and qualitative approaches. Categorization, the central operation of content analysis, although necessary for data condensation, risks producing epistemological violence by fragmenting the semantic unity of discourse. In this regard, Bardin recognizes that the system of categories should not introduce distortions into the material, but rather reveal invisibilities. Nevertheless, the choice of categorization criteria is always an act of decision by the analyst, imbued with their own subjectivity and theoretical framework, thus reintroducing the problem of scientific neutrality at the core of the methodology.

Another relevant point of critique concerns the computerization of content analysis, a topic to which the author devotes an entire chapter. While acknowledging the virtues of speed, rigor, and the capacity to process large volumes of data, Bardin demonstrates a prudent caution regarding the

limits of computational tools, especially in disambiguating meanings and understanding implicit content. She warns that the computer is not a magician and that final interpretation—the inferential act par excellence—remains a prerogative of the human analyst, thereby preventing content analysis from degenerating into a reductive technocratic practice.

Bardin's content analysis engages in a precise and fruitful dialogue with legal oratory and rhetoric, offering an analytical instrument of remarkable effectiveness for understanding and critiquing forensic discourse. Legal rhetoric, from the Greek classics to modern argumentation theory, aims at persuasion through structured discourse. Bardin's work provides the tools to dismantle the mechanisms of such persuasion, acting as an analytical scalpel applied to legal pleadings, oral arguments, and judicial decisions.

Firstly, the categorical analysis proposed by the author—particularly thematic analysis—allows legal practitioners to identify the core meanings of an initial petition or an appeal. Through the coding and categorization of recording units, lawyers and judges can map recurring themes, dominant argumentative strategies, and blind spots in opposing discourse. The frequency with which a given argument appears, or its absence at strategic points, becomes an inferential indicator of the strength or fragility of the thesis advanced. This constitutes a technique of argumentative auditing that goes beyond simple linear and impressionistic reading.

Secondly, evaluative analysis, as developed by Osgood and referenced by Bardin, is of particular usefulness for legal rhetoric. By identifying attitude objects, evaluative terms, and verbal connectors within discourse, the analyst can measure the direction and intensity of expressed opinions. In closing arguments or judicial opinions, for example, it is possible to quantify the degree of favorability or hostility of the speaker toward evidence, witnesses, or normative principles. Bardin's intensity scale enables jurists not only to understand what is being said, but also how strongly it is said—an essential indicator for assessing conviction or bias.

Thirdly, enunciation analysis, with its focus on disruptions in discourse—slips, rhetorical figures, and verbal alibis—offers fertile ground for interpreting witness testimonies and statements made in court. Bardin demonstrates that the form of discourse—hesitations, repetitions, and syntactic ruptures—reveals emotional states such as anxiety, fear, or dissimulation. A jurist trained in this technique may infer indications of falsehood or psychological constraint from the linguistic materiality of testimony, complementing semantic analysis with a pragmatic evaluation of the conditions of discourse production. The maxim that “the body speaks” finds its linguistic counterpart here: language also hesitates, stammers, and contradicts itself when truth is at risk.

Finally, structural analysis and co-occurrence analysis allow for the reconstruction of the argumentative logic underlying legal narratives. Rather than adhering to the linear sequence of narrated facts, the analyst may identify associations, oppositions, and thematic exclusions that structure discourse. For instance, the systematic co-occurrence of the themes of “freedom” and “property” in a series of judicial decisions reveals a specific legal worldview—an implicit judicial ideology that, although not explicitly stated, guides the production of decisions. Bardin thus provides a method for deconstructing the ideological implicit within legal rhetoric, transforming content analysis into a tool for institutional critique and for monitoring the argumentative rationality of law.

Bardin’s work is not a manual of rhetoric, but rather a metatheory of discourse interpretation. The jurist who masters its principles is equipped not only to produce persuasive discourse, but also to dissect opposing arguments, anticipate counterarguments, and rigorously assess the internal consistency of legal narratives. In this context, content analysis becomes a technique of argumentative due diligence—a semiological expertise applied to legal texts.

In conclusion, it may be stated that *Content Analysis* by Laurence Bardin is indispensable for legal professionals who seek to transcend interpretative empiricism. By equipping jurists with a systematic and objective analytical framework for understanding communications, Bardin offers a methodological pathway toward a more transparent, controllable, and thus more scientific legal rhetoric. The relationship between the work and forensic oratory is one of radical complementarity: while rhetoric teaches the art of speaking well and persuading, content analysis teaches the art of listening well and understanding the conditions that make persuasion possible. Judges who employ this method ground their decisions not in purely introspective conviction, but in textual indicators subject to intersubjective verification. Lawyers who master it construct their arguments not only on norms and facts, but also on the inferential effectiveness of the language they employ.

The work is recommended to all legal practitioners who understand that justice is also—and fundamentally—constructed at the level of discourse, and that procedural truth is a linguistic artifact to be methodically deciphered. In this sense, the work constitutes a treatise of hermeneutic hygiene for the human sciences, particularly applicable to the tense and performative universe of courtroom language.

REFERENCES

BARDIN, Laurence. *Análise de conteúdo*. Tradução: Luis Antero Reto e Augusto Pinheiro. 1. ed. São Paulo: Edições 70, 2016. 3. reimpressão. 281 p. ISBN 978-85-62938-04-7.

This version was originally submitted in Portuguese and translated into English with the assistance of Artificial Intelligence.

Copyright 2026 – Journal of Socio-Environmental Law – ReDiS

Editor-in-Chief: Thiago Henrique Costa Silva.



This work is licensed under a License Creative Commons Atribuição-NãoComercial-SemDerivações 4.0 Internacional.