

THE CONSTRUCTION OF ADDRESSEE IN LAW STUDENTS' WRITING

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ABSTRACT

Successful writing by students is often presumed to be possible only when students have achieved mastery over relevant genres, and genres are described in terms of the relatively stable forms which characterise texts produced for specific purposes in specific social contexts. However, students are often engaged in the successful production of texts prior to gaining mastery. Bakhtin suggests genre is defined by the typical addressee it is directed to. However, for many students the typical addressee is relatively opaque. This paper takes up Bakhtin's concept of dialogism to show how students produce addressee and genre through dialogic responsiveness to the contingent circumstances of their writing. It argues that this process is more critical to successful writing than gaining mastery over typified formulations of addressee and genre.

KEY WORDS: Addressivity; Bakhtin; legal writing; second language acquisition; genre; writing subject.

RESUMEN

Redactar de forma satisfactoria se presume a menudo posible sólo por que los estudiantes han alcanzado maestría sobre los géneros relevantes, y que los géneros se describen en términos de formas relativamente estables que a su vez caracterizan textos producidos para propósitos específicos en determinados contextos sociales. Sin embargo, suelen participar con éxito en la producción de textos antes de obtener la maestría. Bakhtin sugiere que género se define por el destinatario típico a que está dirigido. Sin embargo, para muchos estudiantes el destinatario típico es relativamente opaco. En este trabajo hemos adoptado el concepto Bakhtiniano de dialogismo para mostrar cómo los estudiantes producen tanto el destinatario como el género a través de una respuesta dialógica a las circunstancias contingentes de la redacción. Se sostiene que este proceso es más crítico para la redacción exitosa que para ganar maestría sobre formulaciones tipificadas del destinatario y género.

PALABRAS CLAVE: Direccionalidad; Bakhtin; redacción jurídica; adquisición de segundas lenguas; género; sujeto que escribe.



INTRODUCTION

Assessing students through written assignments demands not only that they understand the substantive issues they must write about but also that they are capable of communicating their understanding in acceptable ways. Such a capability is often viewed as possible only when a speaker/writer assumes the “ways of behaving, interacting, valuing, thinking, believing, speaking and often reading and writing that are accepted as instantiations of particular roles” associated with the discourses involved (Gee, *Social* viii). That is, producing competent text, whether spoken or written, requires that one has acquired the relevant ways of thinking and being and gained mastery over the linguistic skills that both characterise and produce such roles or ways of being. This includes mastery over micro-levels of grammar to macro-levels of the genre appropriate to the specific social context in which one speaks/writes. In this view, pedagogy thus entails inducting students into appropriate practices and explicitly teaching formal properties of the language and genres involved. Language is therefore both the medium through which one becomes a certain kind of person, and “language-in-use is a tool” which we use “to design and build things” (Gee, *Introduction* 11).

In this paper, however, I wish to focus on genre not as something one masters and reproduces, but as something one engages with. In order to do this I take up Bakhtin’s notion of dialogism (*Dialogic, Speech*). Bakhtin notes that genres acquire “relatively stable forms” (*Speech* 60) and consequently, that “genres must be fully mastered in order to be manipulated freely” (*Speech* 80), and the understanding that language learning is concerned with precisely acquiring and mastering existing conventions has been taken up by various researchers who draw on Bakhtin (e.g. see contributors to Hall, Vitanova, and Marchenkova). However, Bakhtin’s model of language also centres on dialogic processes which ensure both meaning and form are never finalised. A central concept for Bakhtin is the utterance and this places the emphasis not on form but on the active participation of a speaker-listener in the realisation of language in social life. On hearing an utterance one “simultaneously takes an active, responsive attitude towards it” (Bakhtin, *Speech* 68) and in responding one necessarily directs one’s own utterance towards an addressee (*Speech* 95). Consequently, “any utterance is a link in a very complexly organised chain of other utterances” (*Speech* 69). Because utterances exist in ongoing, lived activity, the utterance “provides the link between language and life” (*Speech* 63) and constitutes a fundamental feature of language which is irreducible to the syntactic and textual forms through which it is realised. Indeed, for Bakhtin grammatical and generic forms emerge from language as lived practice and in this sense are secondary phenomena, and thus genres, or “typical forms of utterances” (*Speech* 78) themselves derive their force not from the “relatively stable forms” (*Speech* 60) they assume, but from the dialogic processes which gave rise and continue to give rise to them.

In this paper I want to examine evidence for the Bakhtinian view of dialogism in the construction of texts by students. Instead of looking for how dialogism leads to mastery by students over relevant generic forms, the argument here is that the dialogic processes between students and lecturers *produce* the context through



which they are both constituted as participants and this in turn constrains the kind of text produced by the student which will successfully satisfy the demands of that context. That is, to understand the text that emerges and its success we need not measure it against relatively stable conventions but instead observe how such conventions and practices are nuanced and, indeed, made differently through the ongoing, dialogic relationship.

This paper draws on a larger research project which followed a number of international postgraduate law students enrolled in an Australian university through the process of writing research assignments for assessment. They had Bachelor degrees in law from their home countries which, unlike Australia, did not follow the common law system (for further details see Price, *Engagement*). In addition to the system of law being unfamiliar, English was not their first language, and consequently, as remarked by the students, they were struggling to understand an alien legal system they had no background or experience in, which was an expression of a culture they knew little of, and all their efforts at understanding had to be achieved in a language they did not feel very confident about!

The project involved students keeping a journal in which they documented their thoughts and practices as they worked through researching and writing their assignments. Copies of a first draft and final draft of the assignment were submitted to the researcher for analysis, and interviews were held with both the students and their examiner-lecturer after the assignments had been graded. Material from each of these sources is drawn on in this paper. The analysis focuses in particular on the assumed addressee the student texts presuppose and the impact this has on their texts, since for Bakhtin genre is defined by the typical conception of the addressee it is directed to (*Speech* 95). Each of the student essays referred to were very successful (receiving the highest or second highest grade from a spectrum of five grades, the lowest being a fail) and my argument is that this success is not because the students produced texts which conformed closely to the “relatively stable” forms of the relevant genres, since in certain respects they did not. The success is due to the text produced arising out of a dialogic process the student engaged in with their lecturer and text sources, and which resulted in the students producing a text which addressed the addressee produced through this process rather than the more typical but abstract addressee entailed by the typified generic form that is usually taken to characterise the student research assignment.

BAKHTIN ON GENRE AND ADDRESSIVITY

For Bakhtin, even the briefest utterance is unavoidably generic in nature. Although “language is realised in the form of individual concrete utterances by participants in the various areas of human activity” it is “compositional structure” more than linguistic choices (lexical, syntactic etc) that above all reflect the “specific conditions and goals of each such area” (Bakhtin, *Speech* 60). These compositional structures are conventionalised: “each sphere in which language is used develops its own *relatively stable types* of these utterances. These we may call



speech genres" (Bakhtin, *Speech* 60, italics in original translation). The individual who produces an utterance in speech or writing always has a plan or speech will (77) and realizes this through "a generic form in which the utterance will be constructed" (77). "The speaker's speech will is manifested primarily in the *choice of a particular speech genre*" (78). Genre is therefore unavoidable: "all our utterances have definite and relatively stable typical *forms of construction of the whole*." Consequently, "when the speaker's speech plan with all its individuality and subjectivity is applied and adapted to a chosen genre, it is shaped and developed within a certain generic form" (78). In this sense, effective communication is constrained by and presupposes that the writer/speaker grasps the social context in which s/he speaks and has mastery over the relevant generic forms. The critical question, however, is: in what sense are such genres realized (or is communication successful) when the writer does not have mastery over the genre and the context in which they are writing remains clouded for them?

For Bakhtin, the dialogic nature of language operates diachronically. That is, an utterance simultaneously responds to prior texts and anticipates an addressee, and thus, although texts and addressees may appear to be synchronously present the dynamic relationship at work is diachronic. Every utterance lies within a chain of utterances or of communication and this position constrains the potential meaning an utterance has. "Each individual utterance (which a text is) is a link in a chain of communication" (*Speech* 93) and each link contributes to the chain not by virtue of repeating generic form (although it may well do so) but by virtue of it being a response to prior utterances and by addressing an anticipated reader. With respect to the addressee, "from the very beginning, the utterance is constructed while taking into account possible responsive reactions, for whose sake, in essence, it is actually created" (*Speech* 94). This "quality of being addressed to someone" is "an essential (constitutive) marker of the utterance" (*Speech* 95). The chain is held together by the responsiveness and addressivity inherent in the utterances of which it consists. Consequently, while generic forms may become stabilised, and may be imposed upon students, they nevertheless are a *consequence* of and subject to this dialogic dynamic (responsiveness and addressivity) *which persists* in being active.

Because a chain of utterances is in principle non-finite and can always be added to, the meaning of an utterance can never be finalized. Genres then, these "relatively stable types of utterances," are produced historically and my argument here is that these also can never be finalized. The "relative stability" therefore can be viewed as a secondary phenomenon, born of the centripetal forces Bakhtin recognizes in language use but which he suggests are "posited" and not integral to language use itself. Centripetal forces "are the forces used to unify and centralise the verbal-ideological world" but "a unitary language is not something given but is always in essence posited" (Bakhtin, *Dialogic* 270). The dialogic process from which certain forms emerge and which in turn are posited as normative nevertheless allows for the possibility of utterances participating in a chain of communication even when they do not reproduce established generic forms.

We noted above that addressivity is "an essential (constitutive) marker of the utterance" (*Speech* 95) and Bakhtin points out that "the variations and conceptions



of the addressee are determined by that area of human activity and everyday life to which the given utterance is related" (95). Of course, when that area of human activity is relatively opaque to the speaker (eg a student coming to grips with new discursive worlds) they have no clear sense of the "area of human activity" they engage in nor the typical addressee that belongs to it. This is especially so if their access to the area of human activity is mediated wholly by texts and not at all, or minimally, by actual, embodied participation in it. Nevertheless, for Bakhtin "both the composition, and, particularly, the style of the utterance depend on those to whom the utterance is addressed, how the speaker (or writer) senses and imagines his addressees, and the force of their effect on the speaker (or writer)" (95). The dialogic process entails that the addressee one "imagines" will be nuanced by the student writer's own history and interests. Although "each speech genre in each area of speech communication has its own typical conception of the addressee, and this defines it as a genre" (*Speech* 95), I am suggesting that when this "typical conception of the addressee" is not clear to the student, their writing can nevertheless be successful as they *construct* an addressee through responding to resources available (source texts; conversations with lecturers), even though these do not necessarily replicate the "area of human activity" they are being asked to simulate (for example, a lawyer advising a legal client).

It is possible to read Bakhtin as suggesting that to communicate effectively a writer must try and put him or herself into the shoes of another in order to anticipate the response the addressee will make. For Bakhtin, "when constructing my utterance I try actively to determine this response" (*Speech* 95) and this in turn constrains my utterance. Morson takes this view (323) and argues that it is not a matter of dominating or overcoming and thereby destroying the voice of this other (then there can be no dialogue) but instead one must be open to "other" voices (e.g. 326).

This raises an important question. How do we put ourselves in the shoes of an "other" who is unknown to us? To answer that we do so through language misses the important point at stake: how do we engage through language if meaningful utterances in an area of life is possible only when an understanding of that "area of life" has been achieved? How do we approach an "other" and engage in meaningful communication when there is an absence of shared life experiences? How can we possibly place ourselves in the shoes of another if our means of conceptualizing and understanding them is necessarily different from their self-understanding and experience? It is in answer to this question that I next explore the process by which the student writer constructs both themselves and their addressee. Central to this discussion is the idea that the "authoritative discourse" which plays a part in the development of "ideological consciousness" (Bakhtin, *Dialogic* 342) is not a discourse that one must reproduce or obey but instead, a discourse (or its textual representation) one must attend to. Such discourses are plentiful for the student, in terms of both the institutional discourses regulating processes of assessment which demand the student write, and the disciplinary discourses/texts to which they respond in the substance of their assignments.



STUDENT CONSTRUCTION OF ADDRESSEE

I now want to look at the construction by these postgraduate law students of their addressee as revealed by their comments in an interview and by their text. The focus of this discussion is on the way students engage with the resources available to them (their text sources; their lecturers) and it is this *process* of engagement which is placed at the centre, and not how such engagement may facilitate the acquisition of *pre-given* disciplinary practices and generic forms, which, it is sometimes argued, are constitutive of the discourse. That is, the emphasis is on showing the *construction* of the addressee by the students in the course of dialogically engaging with source texts and lecturers and how this in turn gave generic shape to their texts.

While we can happily accept that conventions exist, it is through engagement with them that they take up a place in a chain of communication, not by the reproduction of them. Thus they are always open to variation and adaptation and “being done differently,” and thus differences produced even by writers conventionally described as novices can be fully legitimate and not merely aberrations from the norm. The point to emphasise here is that this “being done differently” is in itself no more than a conventional way of speaking. That is, the “sameness” we attribute as present in different instantiations or reproductions of a genre is itself a metadiscursive construction; what is seen as the same is posited by an external discourse rather than determined by empirical properties to be found within the texts. Thus, these centripetal forces deeming (leading to a demand for) “sameness,” as already noted, are for Bakhtin not intrinsic to the communicative act.

Freadman points out that a genre (such as providing legal advice for a client) when simulated in the classroom becomes something else (48). That is, the exigence (Miller, “Genre” 30) which sets in motion and gives direction to the genre of “legal advice” is replaced by quite a different exigence for students. As students, their purpose in writing is to fulfil the communicative act the institution requires of them. Their primary concern is no longer to advise a client or provide an analysis of existing law in terms of policy interests, but to demonstrate to the examiner his/her legal understanding, and this clearly impacts on the kind of text they produce. The stakes that produce the genre of legal advice are no longer at stake (Freadman 48). With no experience of the “real life” contexts in which such a genre naturally arises the students’ capacity to reproduce the genre is minimal, other than in a merely formulaic manner. Yet there are forces compelling them to attend to, engage with such a genre, even though these are not the same as those which compel a lawyer to attend to and produce such advice. These forces of course are, amongst others, the institutional demand that students produce such a text for assessment. The centrifugal forces at work here threaten to tear apart the typified addressee of such a genre (the client a lawyer addresses) although, as already noted, the students have no or very little sense of who that typified addressee is in the first place. The relative stabilities Bakhtin speaks of, constituting not only the genre and addressee, but we can add, the writer (as student; as lawyer), are all clearly rendered considerably *unstable*. Thus, “attending to” unavoidably predominates over any “reproduction of” and in this respect there always remains a certain open-endedness which



the students must manage. As Lea notes, the precise demands placed on students vary not only from discipline to discipline but from department to department and person to person. For this reason she argues that writing should be understood in its “institutional and epistemological context” rather than in terms of achieving mastery over specific generic forms.

As an example, one student was required in his assignment to provide legal advice to an imaginary client and it was clear from his text that for this student his addressee remained unclear. This was evident in several confusions which satisfied neither the legal world of advising clients nor the institutional world of students writing for assessment. The student fluctuated between addressing the client (using the second person “*you* should”) and addressing the lecturer (using the third person “he should” when referring to the client). Similarly, there was confusion over whether or not to cite legal authority (a requirement when writing as a student; not usually included in advice written for a client) and which register to write in (whether to write more formally and use legal jargon to demonstrate to the examiner his grasp of legal concepts and associated terminology) or whether to write in a style which avoided technical legal language with the purpose of ensuring the client clearly understood the advice he was receiving. It is worth noting that the lecturer stated that he had not actually thought about the problem students face as they seek to address both client and lecturer.

Kamler and MacLean follow a cohort of students in order to study how they transition from being a “law student” subject to becoming a “lawyerly” subject in the course of their study. While distinguishing such subject positions is useful, I am suggesting that what counts as a “law student” subject or “lawyerly” subject are themselves not givens but subject always to ongoing dialogic processes. Kamler and MacLean tend to treat both subject types as givens, and so becoming a “lawyerly” subject is a matter of adapting to a subject position already given and identifiable in advance, and the process they describe by which students learn to become such a subject appears to offer no acknowledgement of the experiences and understandings students bring to this process. In addition, achieving such a “lawyerly subject” position would not resolve the problem of writing *at the same moment* for both the client and the examiner. Indeed, this is usually resolved by the examiner instructing students what to do, for example whether to include citations or not, and this of course has force as an utterance only for a *student* subject, further performatively entrenching the “law student” position and diminishing the lawyerly subject!

AN EXAMPLE OF ADDRESSEE CONSTRUCTION THROUGH STUDENT ENGAGEMENT WITH SOURCE TEXTS

In another example we see a student who is motivated by a desire to understand the common law, rather than simply fulfill institutional requirements and obtain a good grade, but she was very much aware of her “lack of background” (a phrase repeated a number of times in an interview with her) in common law practices and the common law system. Although her previous work as a drafter of law



in the parliament of her home country had exposed her to common law examples of legislation which dealt with issues her own country needed to address, her actual exposure to the common law was fundamentally through texts in her work place, and now through formal lectures/seminars in her studies.

Thuy had a conception of what was entailed in being a student from her experience as a student in her own country, but she had also been obliged to attend in Australia, prior to commencing her Master's degree study, a five-week bridging programme which sought to induct her into the academic culture of Australian universities and to provide her with instruction on academic writing. During that course she had been instructed, she said, to write her assignments

for the professional people. So don't go on the detail, or the issue. You don't have to explain everything. So I just think of that from the first semester, up to now [right]. Write something for the professional people.

Similarly, she was taught that when researching and writing assignments to "do the research, develop an outline" and then "stick to that and start writing." However, she added "it didn't work with me." Significantly, Thuy's attempt to engage with, or acquire a good grasp of the common law system led her away from such instrumental approaches to writing as she sought not simply to fulfil her position as a student but more importantly for her to come to grips with the common law in a way that was meaningful. Thus, having in mind her lack of background knowledge of the common law in general as well as of the specific issues raised within it and which she had to research and address, she stated "I'm not sure what the lecturer expects from us." For this reason, she said, she wrote for "somebody like me" and in this statement she clearly moves away from the "professional addressee" she had been taught she should write for, since Thuy clearly feels she does not know who such a professional addressee might be in this common law context! Thus she included in her essay contextual and background material she needed in order to frame and make sense of issues she was dealing with. Her addressee is not an expert reader but a person who is struggling to understand this legal system and specific areas of law. Her primary concern then is not to present to her reader as an expert or as a writer addressing the requirements of her institutional context. Unlike the student I shall discuss next, who was clearly aware of his reader as "examiner" and mentioned several times that he included specific elements in his assignment to "show the lecturer that I have done research" or that he "looked at contrary views" to show he was being fair, Thuy insisted on quite the opposite. She said that she would have liked more time and words for her assignment, because "I want to go deeper inside." When asked whether this was "to get your position worked out more clearly" or because she wants to show the extent of her reading, she replied "No, I don't want to show, to show off. Yes, I just want to explain it carefully." The sense again here is that the institutional addressee, the examiner, loses significance as she struggles to address the discipline and construct a place for herself within it. Indeed, she adds elsewhere that:



I didn't know how she assess the assignment. The way she assess it. I didn't sure about the result, but I still feel satisfied with this . . . and it doesn't matter how the result is [*laughs*].

The insistence here is on a satisfaction which has nothing, or at least little, to do with meeting the institutional requirement as such and obtaining a good grade. "It doesn't matter what the result is" yet "I still feel satisfied with this" points to the creation of a position for herself through her engagement with her sources which satisfies her even though she has little sense of where this self might be located within the institutional context (how she might be graded as student). Her identification is with this new position (the person also for whom she writes) and not with the "student" satisfying institutional demands and therefore she can say "it doesn't matter how the result is" (in fact, she received the highest mark, a High Distinction).

Of course, she remains a student and is aware she must write for her institutional addressee, the examiner:

when I write I also show that I understand about what this section means before to evaluate as an issue relate to this topic [mm]. That's shows the teacher what I understand in this course, I guess so" (CL T112).

Nevertheless, the "I guess so" hints at a weak attachment for her to this institutional addressee and the need to speak/write to them in a manner that will elicit an anticipated response (Bakhtin, *Speech* 94).

Thuy reads her source texts with the purpose of constructing herself as a reader of the common law, and thus aims at an addressee who is the ideal reader who understands her completely (the superaddressee for Bakhtin, *Speech* 126) even though this reader is not well-formed for her. This is not a process of becoming a given, typical "lawyerly subject" but of constructing a speaker and addressee whose characteristics remain unknown in advance. In effect she does not *know* who she is becoming, but in allowing herself to be led by the *texts* she engages with she allows an unfolding to take place. Again, this is unlike the student I shall comment on next who appears to have remained unchanged by the process; he remains a pragmatic student instrumentally directed towards managing whatever was relevant to produce the kind of text he believed his institutional addressee—his examiner—wanted, although as I will show who he was as student and who she was as examiner were equally produced through their dialogic encounter.

For Thuy this process entailed being vulnerable since it required her to surrender any present sense of a writing or student self as she allowed herself to be led by the texts she engaged with and for an unknown common law identity and addressee to emerge from that process. An anxiety associated with this which I would suggest was ontological in nature was evident in several comments she made. First of all, she commented in a despairing tone that on a number of occasions where a judgment was called for concerning what to include/exclude, what points to follow up on and so on, she felt she had no bearings and all she could do was "just try."



Secondly, she spoke of “depression” at crucial moments in the writing of both the assignments she was interviewed about, and this affective suffering appeared to be linked to the process of composing her papers. That such a process of becoming had prominence is also suggested by her comment that she had “no great commitment to the position she developed” but she nevertheless felt very satisfied with her achievement. I take this satisfaction to reflect the quality of her *struggle with her texts*, rather than having to do with the quality of her essay with respect to institutional requirements. She still had no idea how her lecturer would read and judge what she had accomplished. In this regard the identity and her alter ego addressee she is creating draw some of their quality from her *engagement with text*, since she has felt during the process and even on completion of her assignment that she still has little sense of position and identity within the broader common law discourse. This satisfaction is not reducible to the discourses and meanings that are perceived to attach to such texts.

In this section I have indicated how a student constructed a sense of self and an addressee from her engagement with relevant texts, but their place within the broader common law discourse remains unclear to her, as evident from her statements, not only to the effect that she doesn't know how her examiner will read her text, but also that she doesn't really care, not because she is indifferent but because her encounter with her texts has already enabled the emergence of an addressee who provides an anticipated response. But it is critical to insist here that this addressee is not the product of a narcissistic subject but of a subject who has opened herself to the “otherness” of the texts she encountered. In my view this suggests that texts are not solely mediators of discourse but also contribute to the process of subject formation in ways not reducible to discourse.

AN EXAMPLE OF ADDRESSEE CONSTRUCTION THROUGH STUDENT ENGAGEMENT WITH LECTURER-EXAMINER

In this section I discuss the effects of a student's encounter with his lecturer on the text he produced and the addressee he wrote for. The 134 word introduction to Narin's 4,000 word “Law of the Internet” essay reads as follows (P2P refers to “person-to-person”):

This paper will discuss the statement of Bowrey with following steps. Firstly, this paper will explain generally the operation of P2P file sharing network. Secondly, I will look at the existing law which is a legal constraint regulating P2P file sharing. Thirdly, I will describe why P2P file sharing has been used widely, which makes the music industry has to respond in order to protect their interest. Next part of this paper will discuss the case in the U.S and Australia. In this part, this paper will show how the court in the U.S and Australia deal with applying copyright laws with P2P file sharing networks. Finally, this paper will discuss the consequence of the litigation against P2P file sharing distributors and determine whether the courts have the consistent view with Bowrey or not.



The first striking feature is the brevity of the introduction, and then its content, which consists solely of an outline of what the essay will do. This is not a typical “introduction” to such a research essay, as described by Swales and Feak (24); also Swales. For Swales and Feak, the introduction of a research paper typically consists of three moves: “establishing the territory”; “establishing a niche”; “occupying the niche.” The *structure* of this introduction presupposes a reader of a very particular kind. In following only the third move Swales and Feak outline, Narin implies a specific view about what his addressee needs to know.

We can read the structuring of this introduction in light of his encounters with his lecturer, with his addressee being constructed from these experiences. Narin contacted his lecturer in order to confirm he was interpreting the question appropriately and to seek further advice. He met her face to face on two occasions where the lecturer was able to direct Narin in a number of ways. The lecturer commented that

I actually remember him very well which is unusual because um, this subject is taught entirely on-line and so often I don't get to see, or talk to the students at all, but he actually came to see me, at least once, I think it is probably more like twice. So I spoke to him. So it was unusual in the sense that I had more contact with him than I have with the majority of students that do this subject.

It is clear from further comments she made that when assessing his final text she had in mind these meetings and was continuing the dialogue that came out of them. She said it was clear he was “genuinely trying to do what was being asked of him” even if not always successfully, but his effort pleased her. Narin too, in explanations he gave for features of his text and in reading the comments his lecturer made on his final draft, refers to these conversations he had with her. It is quite clear that the dialogue extends beyond the face to face meetings to the writing of his text and the assessment of it. Both can be said in this sense to be engaged in a “rhythmning” that Taylor (172) speaks of through which the *rules* of Narin's writing are being constructed.

The concrete engagement Narin has with his lecturer produces a context within which a sense of what is called for arises. He writes to that context, and his lecturer's comments, on his text and in an interview later about this text, suggests she shares this context when reading his text. He writes for a particular addressee which in this context his reader identifies with. This is an addressee who knows the task he is dealing with (she set it, and they have talked about it together). What she does not know, however, is the structure and development he will give to his text, and so this he outlines. In this respect his text is another turn in the discussions he has already had with his lecturer. In this way Narin narrows the community for whom his text is written (Martin and Rose 305) limiting it to his lecturer and himself, a community which his lecturer in fact perpetuates in the way she responds to his text.

There is then a shifting in Narin's positioning on the concrete-typified spectrum within which he writes, which demonstrates that context itself is very fluid, as indeed Widdowson suggests in his critique of linguistic perspectives that treat “context” as something given, and which Maybin foregrounds in her argument



for the situated and hence constructed nature of context. This sometimes facilitates an approximation towards more typified “disciplinary” practices (the practices of a “lawyerly subject” as Kamler and MacLean put it) and other times towards the more immediate, concretely-experienced world the student is writing within which nuances greatly the form the genre takes.

This addressee may not be clearly conceived as such by Narin, of course, but the structuring of this introduction does not come from nowhere. Bakhtin states that a genre has “its own typical conception of the addressee, and this defines it as a genre” (*Speech* 95), and certainly Narin shows some recognition of this typified addressee in the very act of writing an introduction for his text. But a typified addressee is rather abstract. Miller suggests that “for the student, genres serve as keys to understanding how to participate in the actions of a community” (“Rhetorical” 57) since they mediate between the micro level of language processing and the macro level of culture (“Rhetorical” 68). But the application of an abstract formulation on a particular occasion always entails some uncertainty, argues Taylor (176-7); see also Derrida (961) and at such a point the rule has to be constituted, which goes beyond the instancing Miller speaks of. It is such a construction that I suggest Narin is engaged in, *through* the relationship with his lecturer and to which his lecturer contributes. This dialogic process ultimately sustains what *counts* as an instance of a given genre.

It is worth noting that the lecturer-examiner, on re-reading Narin’s text six months later, expressed some surprise and said she felt she had been overly generous in the grade she awarded, although she then began to find reasons why perhaps she had not been! She was of course now reading his text in a context that was considerably removed from the context Narin and she had co-constructed through their interactions and so she now read his text differently.

CONCLUSION

These findings suggest that the production of successful text by students is not wholly dependent upon the extent to which they conform to existing, “relatively stable” forms. It is true that the exercise of power may result in certain “rules” being imposed, but these are not integral to the process of engaging satisfactorily with and hence in a genre. Such rules are contingent impositions, part of the centripetal forces which are always present, in Bakhtin’s view, yet at the same time never inherent in the language process itself. For Bakhtin, the communicative effectiveness is hinged along an axis of responding and addressing which introduces a “semantic openness” and exposes the “unfinishedness and the inexhaustibility” that issues from dialogic interaction (Bakhtin, *Dialogic* 346). It is therefore a process of engaging or attending to which is operative, rather than learning to conform to and reproduce given forms and practices. Thus I argue against the view that dialogism is a means of understanding how learners come to acquire existing conventions, or “stable genres.” Instead of viewing dialogism as a tool which makes facilitates the acquisition by students of a language, genres and discourses with their stabilized and characteristic forms, it is better viewed as a process with ontological status, that



is, as bringing into being again and again language, genres and discourse, each of which have no existence beyond their instantiation on each occasion (see Price). The emphasis on reproducing existing forms and practices is essentially a socially conservative view of discourse and genre, whereas a dialogic approach opens the door always for change, including through the contribution learners may bring. In a parallel way we can argue that speakers and writers in English, but for whom English is not the primary language, also participate in this dynamic, and understanding this dynamic is more important than understanding how such speakers can learn to conform to relatively stable practices already in place. I have argued this process underpins the production of competent text by students, but we can extend this argument to other domains, such as publishing research.

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