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**Editorial**

Henos aquí con un nuevo número de *Bridging Cultures* que ve la luz luego del trabajo y del esfuerzo incansable, generoso y desinteresado de cada uno de los eslabones del proceso editorial: partiendo de los autores, y pasando por los expertos revisores, el comité editorial y el comité de redacción. Cada etapa, única y esencial, trae como resultado este producto académico que, esperamos, encuentre de su interés.

El que fue un proyecto hace ya varios años, cuando se empezó a esbozar la idea de poner manos a la obra para lograr un producto de calidad para la comunidad de profesores, traductores, alumnos, y demás lectores interesados, es hoy una realidad. Así, ofrecemos, una vez más este espacio de intercambio profesional sobre nuestra área de conocimiento.

Exhortamos a todos los lectores, a que se animen a enviar sus trabajos científicos, trabajos cortos y columnas varias para su consideración en nuestras próximas convocatorias. En nuestro sitio (http://erevistas.uca.edu.ar/index.php/BRID), podrán encontrar el *Reglamento* de nuestra revista. Si acaso tuvieran alguna duda, nos pueden escribir a bridging_cultures@uca.edu.ar. Estaremos más que gustosas de contestar sus consultas y de recibir aportes profesionales para someterlos al proceso editorial.

Esperamos que en el transcurrir de cada una de sus hojas encuentren una lectura placentera y enriquecedora, que, a su vez, los inspire a tomar la pluma (hoy, el teclado) y ponerse a escribir para así poder compartir su conocimiento con todos los lectores, que aguardamos, con ansias, enriquecernos con lo que quieran contarnos.

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# *Índice de contenidos*

# The Challenges of Designing a Textual Corpus to Develop Translation Students' Academic Literacy

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## Abstract

This work discusses the progress of Research Project J031, *Alfabetización Académica y Tipologías Textuales en la Enseñanza del Inglés para la Traducción* (2018-2021), whose aims are the compilation of an English-language authentic-text corpus for the design of didactic materials to advance translation students' academic competences in English. The theoretical-methodological framework of this work, like that of the Project J031, is anchored in Academic Literacy (AL) studies (largely Bazerman's *Writing Across the Curriculum* movement), Genre Theory, and the conception of teaching English in translator training as *English for Specific Purposes*.

A discussion of the findings so far accounts for the benefits of the elaboration of a corpus of authentic texts for the development of learners' AL and translation competence; and presents two elements for the analysis of the corpus: a classification tool and a taxonomy for text annotation. As preliminary conclusions, it is hoped this work contributes to the enhancement of students' translation strategies and to the strengthening of links between theory, practice and research in AL and translator training.

## Key words:

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**Resumen**

Este trabajo presenta el avance del proyecto de investigación *Alfabetización Académica y Tipologías Textuales en la Enseñanza del Inglés para la Traducción* (2018-2021), cuyos objetivos son elaborar un corpus con textos auténticos en lengua inglesa y proponer materiales didácticos que favorezcan la alfabetización académica (AA) de los estudiantes en la L2. Tanto el proyecto J031 como el presente trabajo se encuadran en el marco teórico-metodológico de la alfabetización académica (principalmente en los aportes del movimiento *Writing Across the Curriculum*), la Teoría de Género y el enfoque del *inglés con propósitos específicos* para la enseñanza de inglés en el traductorado.

En cuanto a los resultados obtenidos hasta el momento, la discusión se centra en los beneficios que ofrece la utilización de un corpus de textos auténticos para el desarrollo de las competencias académica y traductora de los estudiantes, así como en la presentación de dos elementos para el análisis del corpus: una herramienta de clasificación y una taxonomía para la anotación de los textos. Como conclusiones preliminares, se espera que este trabajo contribuya a incrementar las estrategias traductoras de los estudiantes y a consolidar los vínculos entre la teoría, la práctica, la investigación en AA y la formación de traductores.

**Palabras clave:**

Alfabetización académica - diseño de corpus - Teoría de Género - formación de traductores - Inglés con propósitos específicos

**Introduction**

Over the last twenty years, research on Academic Literacy (AL) conducted in Argentina and Latin America has suggested that the most effective training for the acquisition of discipline-specific forms of writing is one that caters for the singular needs of each academic or professional discipline (Carlino, 2004, 2013; Navarro, 2012; Parodi, 2010). This type of training involves the use of authentic discursive practices- that is to say, those with unabridged texts, as opposed to texts that have been manipulated for classroom use. These practices encourage *enculturation,* defined as the learners' acquisition of tools for social interaction which happens at the same time as they are taking part in it (Prior & Bilbro, as cited in Carlino, 2013).

This work presents the advances of Research Project J031, *Alfabetización Académica y Tipologías Textuales en la Enseñanza del Inglés para la Traducción* (2018-2021), whose

main objective is to promote the development of Academic Literacy of Translation Program students at Facultad de Lenguas, Universidad Nacional del Comahue (UNCo), Argentina. Specifically, our project aims at designing a corpus of academic texts in English- used for teaching the English language and Translation- in order to create pedagogic guidelines and didactic materials for classroom exploitation. In order to achieve this objective, this project has been divided into different stages; the corpus design is expected to be completed by 2020, and the analysis and systematization of the data obtained, together with the didactic materials production, should be concluded by 2021. Additionally, these activities will be accompanied by surveys to students and teachers about the importance of AL, as well as transfer activities to engage teachers across the curriculum to make use of these materials.

**Rationale and Methodology**

Along the lines of Project J031, this work considers Academic Literacy (AL) as the core concept around which its theoretical and methodological framework is built, following two approaches it encompasses. The first one is *Writing across the Curriculum*, put forward by Bazerman (2013), which favors the development of academic writing, along with all the competences related to it, across the subjects of the curricular design of a course. The second one is Genre Theory (GT) (Swales, 2004), which involves the analysis of texts according to their function within their target community. It should also be noted that language learning in the context of the Translation Program at *Facultad de Lenguas* is understood as English for Specific Purposes (ESP), which implies the inclusion of methodologies and techniques related to the field of specialization under study (in this case, translation), and the adaptation of the language and activities included to the grammar, lexis, register and skills specific to such field (Basturkmen, 2006). Thus, this investigation also focuses on identifying some points of contact between AL, ESP and GT. Finally, a classification tool for corpus analysis that considers the communicative, socio-cultural, formal and cognitive aspects of discourse (Ezpeleta Piorno, 2008) will be proposed for the subsequent design of the didactic materials.

**WAC and ESP: antecedents**

Project J031 adopts the research criteria of Project D-100 "*La comunicación académica: estrategias para el análisis y la producción textual*" (2014-2017) , which dealt with reading and writing practices and the dissemination of knowledge at different faculties of Universidad Nacional del Comahue and had as its main aim the development of oral and written discourse in academic and professional contexts. This project performed a comparative analysis of AL

in Argentina, based on its most relevant authors, and in Latin America and Spain. Some authors, such as Carlino (2004, 2013), Navarro (2012) and Parodi (2010), have drawn attention to the importance of encouraging situated practices as part of an enculturation process (Prior & Bilbro, as cited in Carlino, 2013). Moreover, Carlino suggests that AL development should be included in university programs as part of their curricula, and teachers' participation and training should be sought. This author also argues that students should exploit the epistemic possibilities of writing and address their potential audience- not only their teachers- in a real-life situation. Likewise, Navarro (2012) explains that it is necessary to remedy the deficiencies of previous stages in the educational system in Argentina, and encourages the implementation of new and more complex discursive practices based on textual genres.

A further contribution of Project D100 was the development of a differential model, called the sample/process–product/assessment [SPPA] model (Massi & Liendo, 2016) for students of the Teacher-training Program in the light of the competences and strategies that such students need to develop. This didactic model is divided into two stages. The first one –the *sample/process* stage– starts with the analysis of *sample texts* which are thematically related to a specific subject. The texts are further deconstructed into their linguistic, textual, paratextual and contextual components; and these are analyzed and categorized for the creation of a linguistic and textual *reservoir*. This process positions the students within the communicative events and allows them, in turn, to identify the rhetorical features of the text type that is being analyzed. The second stage –*product/assessment*– focuses on the product, which is the students' final output. This stage involves revision work to assess thematic progression and redrafting, if necessary, leading to a final feedback from peers and teachers.

As for advances in AL in the English-speaking world, Bazerman (2005, 2012, 2013) is one of the most noted authors. He puts forward the *Writing across the Curriculum* approach, which encourages the exploitation of the rhetorical and epistemic potential of writing in every field of knowledge and subject at university. Bazerman sees writing as multidimensional – including linguistic, logical, rhetorical, emotional, personal, social and referential aspects– and sustains that genres and identity (both disciplinary and personal) are closely linked and mutually dependent. He claims that we, as writers, resort to both of these for the dynamic organization of the world.

Nevertheless, the development of AL in translator training poses further challenges, like the relatively recent acceptance of translation as a scientific discipline and the lack of pedagogic

literature on language learning for translation students (Coelho & Fujihara, 2009; Liendo & Massi, 2017). Thus, it is relevant to delimit language learning for translation as ESP and, at the same time, identify points of contact between Linguistics and Translation Studies (TS). In the early years, ESP teaching was thought of as a *linguistic repertoire* of a specific discipline; now, it implies that students acquire a *communicative repertoire* for various situations related to the discipline as well as the concepts that enable them to develop the *underlying* competence (Basturkmen, 2006).

Basturkmen (2006) adheres to Stern's three lines of research for the analysis of the foreign language teaching-learning process. Stern (as cited in Basturkmen, ibid.) claims that this analysis should be based on the preconceptions held about the language, about how that language should be taught/learned and about the function of learning and teaching that language- that is to say, what the language is taught/learned for. Basturkmen explains that Stern considered that every language teaching approach has four basic concepts that underlie its rationale: perspectives about language, learning, teaching and context. In other words, teaching styles and educational policies will be shaped as a result of whether you consider language as a system of rules or in its sociocultural dimension, for example- or the teaching learning process as the passing of knowledge from teachers to students or as a social construction. Therefore, when teaching ESP, with a specific discipline and communicative repertoire in mind, language learning is conceived as a means to perform more efficiently in a given professional or academic context. Likewise, the syllabus should be based on the needs of the students, which implies a higher motivation on their part but also a compliance with certain time constraints. This situation makes it mandatory to carefully select the linguistic and extralinguistic items that best satisfy students' needs before including them in the curricular design.

As a result, English teaching for the specific purpose of translation training requires, on the one hand, the development of techniques and strategies related to the areas of specialized translation (legal, commercial, technical, scientific, literary) as well as expertise in the management of textual resources as linguistic input. On the other hand, ESP practices demand the analysis of the state of the art of Translation Studies (TS) as a field of investigation and professional development. In other words, translation programs should consider the development of a *translation competence,* which, according to PACTE group (as cited in Ezpeleta Piorno, 2005), is made up of the following competences:

- Communicative Competence in the two languages: it includes the textual sub-competence, for writing texts, and the sociological sub-competence, which implies the correct understanding and production of texts in different sociological contexts;

- Psycho-physiological Competence: it involves developing cognitive skills (process of creativity, logical reasoning, etc.) and psychological attitudes (intellectual curiosity, self-confidence, etc.);

- Instrumental- Professional Competence: it is composed of different abilities, such as using parallel texts as a documentation source and the contrastive analysis of texts;

- Strategic Competence: it includes strategies to improve textual comprehension; and

- Transfer Competence: it enables the translator to understand the source text and its paraphrase into the target language.

It can thus be said that translator training involves a high level of specificity not only as regards linguistic, textual, metalinguistic and metacognitive knowledge but also extra-linguistic knowledge, according to the complexity of the given source text. Therefore, many authors stress the importance of identifying contact points between Linguistics and TS and argue that Genre Theory may provide for such convergence.

**Genre Theory and Translator training**

Swales' definition of the academic discourse genre as a communicative event (1990, 2004) is grounded on the analysis of some frequent features and patterns related to the macrostructure of a text (including, for example, the analysis of context and the author's purpose) and its microstructure (which comprises the thematic progression, the grammatical and lexical choices, and the register of the text, among others). Bhatia (as cited in García Izquierdo, 2005) further develops Swales' theory and suggests the idea that GT makes it possible to determine the circumstances of institutionalized communication situations, by means of the study of linguistic cues that allow for the identification of different linguistic patterns in their contexts of occurrence. Bhatia (ibid.) outlines the importance of the communicative purpose as the ultimate identification criterion, and acknowledges the fact that some features, such as the speech community and the choice of tone, can result in a change of genre or in the appearance of a sub-genre, irrespective of the communicative purpose.

In her assessment of Swales' contributions to GT, Devitt (2015) highlights Swales' role in bringing together Linguistics and Rhetoric by establishing links between the distinctive linguistic patterns of a genre, the discursive community that uses them and the rhetorical moves. This author adds that the main aim of genre analysis is to offer a new approach for

teaching English for Academic and Research purposes. She also favors the study of different texts within a genre in order to discover textual conventions, interpret them and eventually identify rhetorical strategies. In addition, Devitt acknowledges that this methodology has prevailed in the teaching of AL in recent years, particularly to non-native speakers of English. However, she sustains that this approach falls short when students have to apply the conventions to their own written products. Thus, she puts forward the concept of *genre performance* , taking formal linguistics' definitions of competence and performance (Chomsky, as cited in Devitt, ibid.). The author defines *genre performance* as ways of producing texts which are adequate to the tasks students have to complete. For its realization, the author highlights the centrality of metacognition (Artmeva and Fox, Beaufort, Nowacek, Reiff and Bawarshi, as cited in Devitt, ibid.), that is to say, reflection over the singularity of each communicative act of writing, the importance of making the text adequate to the communicative situation, and the decisions that must be taken as a consequence.

With respect to Translation Studies, many authors have highlighted the relevance of GT. For instance, Hatim & Mason (as cited in Coelho & Fujihara, 2009) define genres as conventionalized text structures; Kress (as cited in Coelho & Fujihara, ibid.) subscribes to this notion and suggests that these structures are at the same time hybrid and dynamic. Similarly, Reiss & Vermeer (as cited in Coelho & Fujihara, ibid.) introduce a translation model that includes the idea of genre, as it is based on the concept of Skopos or target-text purpose- even though they propose a text-type taxonomy that is not convenient for cases in which the text function is difficult to recognize. Nord (as cited in Coelho & Fujihara, ibid.) introduces a model that leaves aside the concept of text type and highlights the notion of genre, proposing the analysis of intratextual and intertextual features since these should guide the translator's decision-making process. This model for textual analysis applied to translation is based on the assumption that the source-text and target-text functions may be different according to the initiator's needs and the translation purpose.

**Discussion: Corpus Design**

As stated above, the aim of this work is to share the progress of Project J031, whose final objective is the design of didactic materials for the advancement of translation students' academic competences. The project is currently at the stage of corpus design. Therefore, this section begins with the identification of the benefits of designing training materials based on the use of a corpus, within the theoretical and methodological framework defined above. In addition, this section discusses the characteristics required of a textual corpus for the purpose

of creating didactic materials for translator training and the methodology applied in its compilation to suit such needs. Finally, a preliminary application of a classification tool is analyzed, together with a proposed taxonomy for the annotation of texts, which will need further discussion and assessment in subsequent stages of the research plan.

**Benefits of using corpus-based training**

Scholars like Pym and Hatim, among others, have highlighted the importance of arguing against the separation of theory and practice in translators' education (as cited in Arhire, 2015). Pym believes that "translators themselves are theorising", while Hatim proposes a reassessment of the "unhelpful dichotomies" of theory and practice. Hatim suggests that the best way to do this is by considering the dialectical and mutually enriching relationship that exists between research and action; and argues that the so-called theory-practice cycle should be considered as "the research cycle of practice-research-practice" (as cited in Arhire, ibid.: 163).

Along the same lines, it is believed that the design of a corpus will favor class discussions about the discursive features of texts of various types and genres, providing useful materials for the analysis of authentic language, which traditional English textbooks do not seem to cater for (Tolchinsky, 2014). As for translator training in particular, the pedagogical use of corpora may also breach the gap between theory, practice, training and research, as well as raise learners' awareness of the benefits of using corpora and acquiring user-friendly corpus-construction and access tools (Bernardini and Castagnoli as cited in Arhire, 2015). In addition, two further benefits of using a monolingual corpus are the avoidance of SL influence (Laviosa and Bernardini & Castagnoli as cited in Arhire, 2015), and the fact that it may be a valuable source of both linguistic and cultural knowledge for back translation training (Laviosa as cited in Arhire, ibid.). Corpus-based translator training may also raise learners' awareness of professional translator strategies (Pearson, as cited in Bernardini, 2006) and train them to produce more naturally-sounding translations (Zanettin, as cited in Bernardini, ibid.), in a context that closely reproduces their future work environment (Bernardini, ibid).

**Corpus definition and design methodology**

In this work, a corpus is understood as a collection of pieces of language text in electronic form, selected according to external criteria to represent, as far as possible, a language or language variety as a source of data for linguistic research (Sinclair, as cited in Tolchinsky, 2014).

Tolchinsky (2014) also identifies the following parameters to characterize corpora: the percentage and distribution of texts; their specificity (whether they are general or specialized corpora, and whether a specific linguistic variety is considered); the length of the texts and whether they are fragments- belonging to one or several text-types- or complete pieces; and whether any specified coding or annotation system is used. This author defines an annotated corpus as one containing texts to which some kind of linguistic information has been added. In other words, an annotated text contains tags with morphological, semantic or syntactic information- an unannotated corpus, on the other hand, only includes the linguistic material without any added text. In addition, it should be considered whether there are any further documents accompanying the texts included in the corpus.

Following the characterization proposed by Tolchinsky (2014), the corpus discussed in this work has been designed according to the following features:

- it is a set of written texts in English
- they are full texts, of a maximum length of two pages
- they are specific texts (texts used in different subjects of the Translation Program at FadeL, UNCo)
- they include annotations (tags with linguistic information)
- they are accompanied by a purposefully-designed classification tool (Fig. 1)

| TITLE/ HEADLINE | DATE | SOURCE | ST/TS | GENRE | SUBGENRE | MAIN THEME | SUBTHEMES | COMMUN. FEATURES | SOCIOCULT. FEATURES | FORMAL FEATURES | COGNITIVE FEATURES |
|---|---|---|---|---|---|---|---|---|---|---|---|
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ST/TS: potential Source Text/academic text about Translation Studies

Commun. Features: Communicative features

Sociocult. Features: Sociocultural features

Figure 1 – Classification tool

It should also be pointed out at this stage that, for the creation of the classification tool in Figure 1, several aspects of the theoretical and methodological framework discussed in *Rationale and Methodology* have been taken into consideration. In terms of Academic Literacy (AL) development, this tool will be used for the classification of texts that can be encountered by students in their professional environment, either as ST or as TS materials

read for professional development. Additional AL aspects such as the *enculturation* (Prior & Bilbro, as cited in Carlino 2013) of students into the target culture they intend to belong to will be considered. Moreover, the epistemic and rhetorical potential of these texts will be discussed, as well as their thematic and linguistic similarities and differences with other texts across the curriculum (Bazerman, 2005, 2012, 2013) and their possible use as samples for analysis and assessment (Massi & Liendo, 2016).

By the same token, several aspects of Genre Theory have been involved in the elaboration of this tool, as its use implies carrying out a macro- and microstructural analysis of the texts (Swales, 1990), and the identification of genre-specific linguistic patterns (Bhatia, as cited in García Izquierdo, 2005). For the classification of the distinctive features of each text, Ezpeleta Piorno's categorization (2008) has been used, as it allows for the identification of both the prototypical features of each genre and those particular features, typical of hybrid texts, which account for the uniqueness of each communicative situation- and therefore challenge translators in their decision-making processes (Nord, as cited in Coelho & Fujihara, 2009)

Overall, this tool has been designed with the didactic needs of the different subjects taught in our Translation Program in mind. The final goal is the use of the corpus in the creation of pedagogic materials that favor the development of learners' *translation competence,* specifically the communicative (textual and sociological), instrumental-professional, and strategic competences (PACTE, as cited in Ezpeleta Piorno, 2005).

 **Application of classification tool and proposed taxonomy**

As discussed above, the classification tool in Figure 1 aims to analyze the distinctive characteristics of the texts in the corpus, following a GT approach and considering their communicative, sociocultural, formal and cognitive features (as defined by Ezpeleta Piorno, 2008). So far, the classification tool has been applied to three different texts- one essay contributed to a newspaper, one news article and one criminal complaint. Some preliminary conclusions to be driven from this first stage of analysis are related to the limitations of the tool. This kind of research is of the qualitative type, and there are many potential subcategories to be considered in the parameters defined for the classification of some of the features. For example, microstructural features, within the category of formal features of the text, may include level of formality, different lexical choices (presence or absence of specialized terms, use of phrasal verbs, idioms, words of Latin origin and nominalizations) or

syntactic choices (simple or complex sentences with coordination or subordination, inversion, fronting and focalization), to name just a few.

These findings have given rise to the discussion over the need to narrow the scope of the parameters to be taken into account when using the classification tool, particularly considering that the inclusion of different genres, and within these, diverse text types, might result in the discovery of new subcategories that might not have been originally contemplated and may well be relevant to the rhetorical analysis of a text. As a consequence, a taxonomy has been defined for the categorization of certain parameters in the classification table (Figure 2).

| MAIN THEME | COMMUNICATIVE FEATURES | | | FORMAL FEATURES | | | | COGNITIVE FEATURES |
|---|---|---|---|---|---|---|---|---|
| | PURPOSE | | POWER RELATION I/A | MACROSTRUCTURE | MICROSTRUCTURE | | | RHETORICAL CHOICES |
| | MAIN | SECONDARY | | | DEGREE OF FORMALITY | LEXICAL CHOICES | GRAMMAR CHOICES | |
| POLITICS | GIVE AN OPINION | GIVE AN OPINION | EQUALITY | NARRATION | FORMAL | SPECIALIZED TERMINOLOGY | SIMPLE SENTENCES | PARALLELISM |
| RELIGION | PERSUADE | PERSUADE | INEQUALITY | ARGUMENTATION | SEMI-FORMAL | PHRASAL VERBS | SUBORDINATION | ADDRESS TO THE READER |
| ECONOMY | INFORM | INFORM | | DIALOGUE | INFORMAL | IDIOMATIC/ FIGURATIVE LANGUAGE | COORDINATION | USE OF FIRST PERSON |
| LAWS AND REGULATIONS | GIVE INSTRUCTIONS | GIVE INSTRUCTIONS | | CITATION | COLOQUIAL | WORDS OF LATIN ORIGIN | FOCALIZATION | MODULATION |
| LIFESTYLE | EXPRESS FEELINGS | EXPRESS FEELINGS | | INDIRECT/REPORTED SPEECH | | OLD-FASHIONED/ DATED TERMS | UNGRAMMATICAL STRUCTURES | REPETITION |
| HEALTH & NUTRITION | | | | FACTS AND FIGURES | | CONTRACTIONS | | EUPHONIC EFFECTS |
| EDUCATION | | | | | | | | |
| NATURE & THE ENVIRONMENT | | | | | | | | |

Power relation I/A: Initiator/Addressee

Figure 2

Taxonomy for text classification

The use of this taxonomy is expected to prove useful in the upcoming stage of text annotation. The process to be followed with each text will involve its analysis with the classification tool and the subsequent inclusion of annotations on each text, following the taxonomy in Fig. 2. In other words, the *tags* used as annotations on each text will be labelled according to the categories established in the taxonomy above. Subsequently, these tags will be grouped in *families* and *subfamilies*, and this grouping will be the starting point for search activities that will lead to the design of didactic materials. To mention just one example, the identification of a cognitive feature like *parallelism* across texts can be used to design activities for students to compare different texts which contain the same feature, and analyze whether these texts belong to the same genre, deal with the same themes and subthemes,

fulfill the same main and secondary purposes, share other microlinguistic (formal) features, such as the use of specialized terminology or subordination, among many other possibilities.

It is also relevant to mention that several IT tools are being studied and tried out to decide which will satisfy the needs of the research team more successfully. This presents another challenge to the research team members, as technology is beyond our field of expertise and demands long hours of research and trial and the support of staff who, so far, have not been incorporated to the team. Nevertheless, two applications have been shortlisted and it is expected that either of them will be deemed useful for the purpose of the research under way. Further challenges are expected to be identified once the taxonomy is applied by means of the selected IT tool. As stated before, neither the taxonomy nor the classification tool are believed to comprehensively cater for the needs of classifying a text. It is foreseen that, as these tools are effectively employed, new potential parameters will appear. These new parameters will, therefore, have to be included by means of upgrading or modifying the tools.

**Conclusions**

As stated in previous sections, this work presents the progress of a research project, which is to be completed in 2021, and therefore only preliminary conclusions can be reached. However, it is foreseeable that there will be some difficulties when dealing with the data collection. Databases can be very useful for students and for teachers as well, as a means of consulting text models or creating activities related to search and assessment. However, the fact that there are many aspects to consider when analyzing a text, and the possible limitations the tool may have, prove the complexity of the task. For example, when analyzing texts under certain criteria, new unpredicted aspects might appear and it might be difficult to classify them or to identify their specific linguistic patterns. Finding the appropriate technology that will help in collecting and crossing data is another challenge for this project. As stated, some programs are being analyzed for this purpose.

As regards the continuity of this research project, in terms of the use of textual corpora in the classroom, it is expected that it will enhance students' autonomy and contribute to a better use of collaborative learning. This type of learning will develop *proactive, learner-centered learning strategies* (Kiraly, González Davies, and López & Tercedor, as cited in Arhire, 2015), which are essential in translator training. The following learner-focused activities, suggested by López and Tercedor (as cited by Arhire, ibid.: 167), may be considered when designing the tasks for the exploitation of the corpus: "(i) students´ becoming familiar with

corpora and their annotation; (ii) content and text-type knowledge acquisition; (iii) identifying problems in translations; (iv) establishing translation strategies; (v) assessing the solutions emerging from class (peer- and self-assessment)".

Overall, it is hoped that the expected final outcome of this project- the corpus-based didactic materials and transfer activities- may help future translators and their trainers in the development of their AL and enculturation. It is also the desired aim of this work to pave the way for further lines of research in AL and translation in order to strengthen the links between Genre Theory and translator training.

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## The Role of Memory in the English as a Second Language Classroom

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**Abstract**

In the recent years, memory has been frequently disregarded as a tool to learn as it is considered a vehicle that makes students acquire temporary information and deprived of all meaning. However, memory could be the tool that leads to effective, meaningful and consequently permanent learning. Nowadays, research on the brain and its areas in connection with learning has led to consider the benefits of taking these areas into account in the ESL field. The various processes memory provides learners with during each learning episode should be taken into account in order to provide students with a selection of activities according to the way in which these processes occur. The aim of this paper is to analyse how teachers use memory, memory-friendly approaches and activities in the classroom to foster the real role of memory: effective learning.

**Key words:** brain, ESL, secondary school, effective learning, memory, lesson plan, approaches, activities.

**Resumen**

En años recientes, la memoria ha sido frecuentemente desestimada como una herramienta para aprender ya que es considerada un vehículo que hace que los estudiantes adquieran información temporal y privada de todo significado. Sin embargo, la memoria podría ser la herramienta que conduce a un aprendizaje efectivo, significativo y consecuentemente permanente. Hoy en día, la investigación acerca del cerebro y sus áreas en conexión con el aprendizaje ha llevado a considerar los beneficios de tener en cuenta dichas áreas en el campo de ESL. Los procesos varios que la memoria otorga a quienes aprenden durante cada episodio de aprendizaje deberían ser tomados en cuenta para así proveer a los estudiantes con una

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selección de actividades acorde a la forma en la cual estos procesos ocurren. El objetivo de este trabajo es analizar cómo los maestros usan la memoria, los enfoques y las actividades afines en la clase para promover el verdadero rol de la memoria: el aprendizaje efectivo.

**Palabras clave:** cerebro, ESL, escuela secundaria, aprendizaje efectivo, memoria, planificación, enfoques, actividades.

**Introduction**

In the recent years, theories on Brain Based Learning have been developed in order to show how learning may be improved by considering the way in which the brain processes information (Jensen, 1998). However, one of the processes of the brain in connection with learning seems to deserve special attention since it is responsible for making learning effective: Memory. Since learning is the process by which individuals acquire new knowledge and skills and memory is the process by which they retain that knowledge and those skills for the future (Sousa, 2011), teachers' knowledge on the subject may enlighten their understanding on how students learn.

Connell (2009) explains that Brain Based Learning may be considered a vehicle to reaching techniques that have arisen thanks to research in neurology and cognitive science. These techniques may be used to enhance teachers' instruction as well as students' ability to learn through ways in which they feel most comfortable because learning occurs according to the way in which the brain naturally learns. Understanding the brain may lead educators to find principles derived from this understanding and to use them as strategies in the classroom (Jensen, 2008).

Understanding how the brain learns derives in understanding how memory operates. Though the use of memory in learning seems quite obvious and linked to every activity teachers conduct in their lessons, it may be surprising to find out how far some activities are from involving memory in the learning process. Consequently, new information is not retained properly and it might be finally lost. The various processes memory provides learners with during each learning episode should be taken into account in order to provide students with a selection of activities according to the way in which these processes work, making retention possible.

Therefore, to understand how learning takes place through these processes, that is to say, how information is acquired, it is necessary to know how this information undergoes a process of

different stages. In the 1980's, Robert Stahl of Arizona State University initially developed a model based on this process and this model was later modified and updated for its current application (Sousa, 2011). The model explains how information is learnt and how memories are formed. Then, if the process through which memory deals with new information is considered, it seems evident that memory may become the tool to be taken into account to comprehend how new information is dealt with and what is applied in every learning episode of any type.

The use of memory could be activated through lesson plans and activities designed and selected according to the way in which memory works in favour of the learning process and the storage of new information. In order to do so, lesson plans should take timing, activity shifting and distributed practice into account, as well as the type of activities provided according to different types of intelligences, taxonomies and emotions in order to foster and improve the way in which students use their memory to learn. All these aspects influence the way in which memory works as they act as a net to make memory work efficiently.

Nonetheless, no matter how varied the methods educators apply may be, results may not probably change because most tend to be based on memorising. In fact, though memorisation is disesteemed, the aim of traditional education models seems to be to assess the memory processes implied in that path. Then, the problem may rely on how education focuses on memorising as an aim and not as a tool to reach meaningful learning.

Although Brain Based Learning and the ways in which memory operates to make learning effective may be studied in a wide range of subjects, and since it is very disappointing for teachers to see how ESL secondary students fail to remember grammar structures or vocabulary covered in previous units or to apply them to other activities in a different context, this paper will focus on traditional English as a Second Language (ESL) lessons and activities in secondary school and on how activities may be adapted to theories related to memory and learning. Proper knowledge on these issues may allow ESL secondary school teachers to find strategies which foster the use of memory in order to achieve effective and meaningful learning through retention. Considering some of these ideas seems to suggest that ESL teachers should revise how they organize their classes to get efficient results, or, in other words, how they design and plan their lessons including activities in order to empower the role of memory.

Therefore, it is the aim of this paper to analyse the extent to which the lesson plans, activities and strategies applied by ESL secondary teachers in schools in the city of Buenos Aires are

chosen making the best use of the theories and techniques that foster the real role of memory, that is, effective learning.

**Memory-friendly approaches in the ESL lesson plan**

Teachers design lesson plans based on instructional technologies and apply them to their lessons according to their experience (Sousa, 2011). However, those technologies do not seem to be the tools teachers mainly use to organise and design their lessons in secondary school. Instead, lecturing is the main method of instruction while, not surprisingly, students present an increased novelty-seeking behaviour.

Achieving meaningful learning implies making the way teachers teach match both the ways in which memory works and its paths to make learning effective. By implementing a memory-friendly lesson plan, teachers may use memory paths to help students retain and recall what they are taught through a right choice of activities based on memory-friendly theories and help them reach meaningful learning. Reinforcing this idea, Connell (2009) explains that teachers should design their lesson plans taking into account aspects based on the way in which memory operates and which helps information to move through memory's paths properly.

**The PPP model and the role of memory**

One of the traditional lesson plan models in ESL teaching is the *PPP model*, which stands for *Presentation*, *Practice* and *Performance*, due to its characteristic regarding the introduction of a topic and language in a contextualized manner. Harmer (2008) explains that through this method of lesson plan design, the teacher introduces the language to be taught in a contextualized situation, in order to generate meaning. As finding meaning will make learning effective because it allows memory to establish more connections, this paper will consider this approach in order to analyse activities in traditional English as a Second Language classes through a memory-friendly lesson plan design. Indeed, it might be said that there is a parallel between how the *PPP* approach presents a topic and makes it move through each of its steps, and the way in which memory receives that topic and makes it move towards the long-term memory, as both paths search for meaning. What is more, the Primacy-Recency effect (Sousa, 2011) seems to match the stages in a *PPP* lesson plan.

The effect known as Primacy-Recency (Sousa, 2011) describes how during a 40-minute-learning episode, learners tend to remember best that which comes first, secondly that which

comes last and least that which comes in the middle. Consequently, it is possible to believe that if new topics or revision of previously taught topics occur in the middle of the class, information will not be easily remembered afterwards. On the contrary, information received at the very start of the class, for example, through Warm-up activities, and the last part, for instance, through Closure activities, may stand a better chance since information is likely to be remembered. Following this idea, the beginning of the class may become the most important moment because it will lead students to remember information more effectively.

From the very beginning of the class, during the *Presentation* step, students apply both types of short-term memory: immediate and working memory. When the teacher starts the lesson through *Warm-up* activities, students receive information through the immediate memory and then it moves on quickly to be dealt with in the working memory in order to retain the information students need to follow those activities and apply it accordingly. Later, teachers tend to present a new topic during the *Teaching phase*. Even though information is presented in a contextualized way, as short-term memory presents time limits, it is at this stage that some of that information seems to get lost. Therefore, timing and certain moments of the class are important elements to consider since students' focus and attention need to be kept high.


**Memory friendly approaches and activities in the lesson plan**

Manes and Niro (2015) explain that attentional resources are directed towards something specific in a certain moment and that specific something is what is perceived in a conscious way. Moreover, Lombardi (2008) explains that activity shifting or changing activities two to three times during a class, as well as considering different learning styles stimulate thought and action. In order to do so, it is necessary to change the way in which learners deal with new items presented by organizing activities into meaningful parts, placing ideas in context, creating the right atmosphere and infusing a range of learning styles into classroom practice. Therefore, this paper will focus on activities that match memory-friendly approaches such as Gardner's Multiple Intelligences, Bloom's taxonomy and emotions in learning.

In the *Presentation* step, the consideration of a wide variety of intelligences is extremely important since they help keep attention high and accompany the reception of information, helping memory in this task. The inclusion and participation of all students, and the selection of activities according to the different learning styles in the classroom would collaborate to create an atmosphere to enhance positive emotions to make each student feel comfortable

during the class. Besides, considering multiple intelligences opens the door to help memory receive information in a way that also responds to students' needs.

Some considerations to apply the Primacy-Recency (Sousa, 2011) concept in the classroom include teaching new material first during Prime-time-1, allowing students to practise during Down-time, and doing closure during Prime-time-2. According to this concept, whatever the topic introduced is, it should be conducted at the beginning of the class, right after the *Warm-up*, to make effective use of that time.

The consideration of this last point in connection with timing may suggest that *Practice* should follow during the Down-time period in order to provide learners with enough time to use new information in the working memory. During this part of the lesson, learners should be required to do exercises to check if they remember what was explained before. Therefore, in this step the *Remembering* category in Bloom's taxonomy should be taken into account to provide students with the right selection of activities. During this step of the class, the repetitive use of the topic through a variety of activities allows memory to create patterns and therefore, to establish connections forming new memories. As practice becomes more frequent, connections and memories are formed, since according to Sousa (2011) repetitions make connections stronger. What is more, Willis (2008) states that networks become stronger if they are promoted with practice.

Finally, in the *Production* phase, in which it might be inferred Prime-time-2 occurs, students should be asked to apply information to a new context where their own creation is implied (Harmer, 2001). So, they are able to transfer their new knowledge to new created contexts, which guides them to connect what they have learnt with their personal experience and thus, to a real context. This is the point when memory-friendly approaches converge, since new contexts are required when applying Bloom's taxonomy or a variety of activities according to different intelligences, and emotions allow students to connect all of these with their personal experiences. It might be concluded that the combination of the three of them empowers the results of students' activities making learning occur, since they all walk in the same direction and towards the same objective: meaningful learning. Consequently, students find sense and meaning in learning the topic, and it is in this way that new information begins its path towards the stage of the long-term memory (Sousa, 2011).

Nevertheless, students are frequently asked to do activities in the *Practice* phase during Prime-time-2. So, what tends to be best remembered are those exercises which help to memorize instead of those which help to find meaning and establish connections with

personal experiences to find the topic meaningful. Learners remember drills rather than critical thinking exercises.

As the last part of the lesson tends to be best remembered, it is relevant to use this time in a very effective way to avoid wasting it. According to Nickelsen (2004), activities such as comparing and contrasting as well as metaphors, similes and analogies, are really important for memory since they provide meaning. Therefore, activities for this step should be selected carefully in order to provide students with the information the teacher wants them to retain in a meaningful way. The right choice of tasks according to Bloom's pyramid and a wise selection of activities that respond to the intelligences presented in the classroom will help to make them meaningful.

Towards the end of the class, students should be capable of doing different activities, applying knowledge to determine if that learning has been consolidated or not during the *Production* phase, in Prime-time-2. Therefore, since knowledge produced in this stage will most likely be the second best remembered (Sousa, 2011), students will recall activities that are meaningful (rather than activities such as drillings that help them remember to keep on using that information) and to transfer it to other contexts.

As regards emotions, as a general principle, according to Christianson (2014), those events which are associated with strong emotional reactions tend to be learned well, and even more when the reaction is even stronger. For highly affective material, that is, material which evokes either positive or negative emotions, there is wide memory advantage. There are benefits for memories of strong emotional reactions. Christianson (2014) states that a strong determinant of memory for an event is how much emotion it has originally aroused, either a pleasant or unpleasant experience. He indicates that an event's memorability also depends on its infrequency and uniqueness, because routine events are quickly and easily forgotten.

Moreover, task enjoyment directs attention towards the task, thus allowing students to make full use of cognitive resources. Pekrun (2014) explains that emotions such as enjoyment, hope and pride should foster learners' self regulation of learning.

Ballarini (2015) states that one of the dimensions of stimulus appraisal is novelty since whenever something unexpected happens in the lesson it will be mostly remembered.

Nonetheless, considering emotions in the ESL secondary school classroom is not explicit. On the contrary, emotions are key elements that underlie every activity and interaction in the classroom. Making sure they are being promoted correctly, especially with teenagers, may guarantee meaningful learning.

Therefore, teachers should consider the type of emotions and atmosphere that their choice of activities will set. To start with, *Warm-up* activities set the atmosphere in the classroom to learn. Making students participate and feel involved with their teacher and classmates will help them feel comfortable form the very beginning. Evaluation periods should also be considered as key moments to work on creating a good learning atmosphere, as they usually differ quite a lot from everyday lessons.

**Timing and recollection**

Activities in the *Production* phase constitute opportunities to transfer new knowledge but so do exams since information has to be recalled. According to De Brigard (2011), the effect of temporal distribution between study and recall of information during the learning process, that is to say, the time between studying material and the first exam, is extremely relevant to determine the effect of the test as a tool to learn. The period between the last presentation of the material or topic and the final exam may influence the obtained results. Sometimes, the exposure to material does not seem to be sufficient but it is important to consider the temporal distributions between the time devoted to study and the exams, and the different types of information to be assessed. This might suggest that studying the previous night provides good results regarding marks, but information might not be retained or applied to a new context.

Once a topic has been presented, practised and applied to a new context, it is necessary to recycle the topic constantly. Nevertheless, it is very disappointing for teachers to see how students fail to remember and apply what has been learned before to other activities in a different context and how results are not exactly those they expected. The reason for this seems to be connected to the way in which that new topic was stored. Zandi and Toushmalani (2011) explain that some of the information transferred from the short-term to the long-term memory is lost. So, review of the information in the learning process, that is to say, recycling within a period of 24 hours is completely necessary to allow the long-term memory to work properly.

Therefore, for information to be recalled afterwards it is necessary to reach correct storage, and it is logical to see that no recycling is possible if learners cannot recall what they have learned before. According to Sousa (2011), recalling occurs when information is retrieved from long-term storage sites, and then consolidated and decoded back into working memory, which implies relearning. Thus, activities such as project assignments are useful to make

recalling necessary, that is to say, going back to previous topics and applying them while working on the long-term project.

As recycling is a key tool to allow both teachers and students to obtain continuity and coherence in lessons, it seems necessary to reinforce it in order to improve storage. If students are able to recall learning after a 24-hour-period, retention has occurred (Sousa, 2011). As daily lessons require constant recycling, this factor may be easily checked at the beginning of each lesson. If information cannot be recalled, future activities should be chosen to make students start the whole storage process again, until information can be recalled properly. Nickelsen (2004) points out that in order to do so, students should be given a test or a quiz 24 hours later. If they score well, information was probably understood and they stored information in the long-term memory.

Therefore, the types of activities to be included in the design of each lesson plan should be carefully considered and should include tasks and tests that match the requirements that will probably lead to a meaningful class. Moreover, it is also important to vary activities in order to keep attention high, and to allow students to perform at their best.

Multiple intelligences provide a number of activities to consider when planning lessons ahead. Students are a wonderful combination of different ones and it is a true challenge for ESL secondary school teachers to discover them. Moreover, the consideration of multiple intelligences allows ESL secondary school teachers to select them for each step in the *PPP* lesson plan, as they may be applied either in the *Presentation, Practice* or *Performance* phase to design activities.

Typically, when the *Warm-up* phase finishes, the teacher presents the new topic or the topic to be recycled in that ESL lesson. Consequently, students will be handling information through their working memory, and this is the information that must be stored in that lesson to recall it afterwards.

Consequently, the *Practice* phase should offer tasks to start a path towards critical thinking, or in other words, meaning, to help information move through the next steps in the path of the short-term memory towards the long-term memory considering the taxonomies in Bloom's pyramid. Therefore, as the aim of achieving a meaningful lesson is to help memory operate, a parallel between the path memory follows towards discovering meaning and the path of Blooms' pyramid towards critical thinking could be drawn to find activities that match both of them, as both move in the search of meaning.

**Memory vs. Memorizing**

Nowadays, many positions are the result of the rejection towards teaching strategies based on memoristic learning or to those which do not promote any real comprehension of topics. When discussing meaningful learning, which pursues the deep comprehension of the content to be learned, the type of learning which requires practice or memorization is negatively valued, as if it troubled the achievement of meaningful learning, or if it had to be replaced for more complex processes. Consequently, the Practice phase might become weak as *Remembering* tasks are not valued enough. However, the obvious warning is not to confuse simple components of a learning activity with the broader unit that contains them and provides meaning to them.

In the *Practice* phase, ESL secondary school students handle information through the working memory. That information will move later to the long-term memory. Therefore, activities provided at this point should help them to reach this aim. According to Bloom's pyramid, the *Remembering* and *Understanding* categories provide teachers with activities that help students fix what they are learning. Then, if the basis of the pyramid is not strong, the path towards critical thinking categories will not be reached. That is to say, the path towards meaning and the long-term memory, or in other words, to effective learning, is also unlikely to be started.

In fact, practice before exams is another important point. The first aspect to consider is the previous period known as revision time, which is the time when students look at what they want to learn. The problem is that the ability to recognise something differs from the ability to recall it. Revision implies simply recognition of information, there is something familiar and the feeling is of complete knowledge. But what learners actually need at exams is to recall relevant information and to use it to answer questions.

Another interesting point regarding previous study for tests is the time required to practise. Carey (2015) points out that through spaced study, the students need to search for information, bring it back to mind and restore it, as it is a technique which results efficient because it allows students who apply it to remember up to two times more in a test in a week compared to learning the material in one night only.

In the *Production* phase, information starts to move to the long-term memory. Activities at this point, following Bloom's pyramid, are those which correspond to the categories of *Applying*, *Analysing*, *Evaluating* and *Creating*. These collaborate to make *transference* occur

as well (Sheese and Lipina, 2011). Therefore, sense and meaning are acquired and effective learning takes place.


**The Study**

This study was conducted in order to determine the extent to which ESL secondary school teachers in the city of Buenos Aires and Greater Buenos Aires immerse students in lessons which lead them to use their memory effectively to learn.  It also seeks to unveil how these school teachers plan their lessons, some of the reasons behind their choices and the activities they most frequently use.

Therefore, this paper will analyse, firstly, the results obtained in a survey conducted among ESL secondary schools teachers from private schools, and secondly, the observations of some classes in those schools offering both a quantitative as well as qualitative approach to the data collection process.

The self-administered questionnaire consisted of a varied range of questions that provide relevant information about ESL teachers' age, the year in secondary school in which they currently teach ESL, information about lesson plan designs according to *PPP*, timing considerations and memory-friendly methodologies considered in this paper.

Nevertheless, this instrument pretended to be a starting point of research concerning the role of memory in the ESL secondary school class.  The aim of the survey was to provide information concerning how ESL teachers design, plan and conduct their classes in secondary school, and according to the results obtained through the questions, to determine whether they apply memory-friendly theories and consequently, if they make effective use of the role of memory in the ESL secondary school class. The aim of the observations was to obtain information about real ESL teachers' practice considering the activities they choose, how they manage time during a lesson and about classroom atmosphere.

Thus, the self-administered questionnaire consisted of two parts. Part one of the questionnaire contained 2 questions designed to obtain information about the characteristics of ESL secondary school teachers concerning their age and practice. These questions were designed to elicit personal information such as age and the classes they taught as well as to frame respondents' subsequent answers.

From then on, part two was divided in two groups to ease analysis:  The first set, questions 3 to 10, focused on lesson plan design (*PPP*), and the second set, questions 11 to 16,  were

questions related to activities to detect through them the memory-friendly approaches frequently used by these teachers.

The design and purpose of the first part of the class and activities selected coincided with what is expected according to a *PPP* lesson plan design that supports the starting steps through which memory operates. The short-term memory receives information, the topic is either introduced or revised (inducing recalling and determining if it is necessary to restart the process), attention is kept high through an interesting choice of activities and consequently, positive emotions should be fostered in the classroom. Besides, this step occurs during Prime-time-1 and will be mostly remembered (Sousa, 2011).

Questions 6, 7 and 8 corresponded specifically to the *Teaching* phase and its organization. According to the responses in question 6, the first tendency was to organise the class revising (12 out of 18) and practising (7 out of 18) a previously taught topic. The second tendency showed that 8 out of 18 teachers organize the class revising and practising a previously taught topic but also introducing (2 out of 18) and practising a new one (1 out of 18). Then, teachers indicated that they were inclined to present a new topic (12 out of 18), to provide activities to practise this topic (6 out of 18), and to devote time to practise a previous topic (2 out of 18). The last option corresponded to the practice of a new topic (16 out of 18), followed by revision (1 out of 18) and practice of a previous topic (2 out of 18). It may be inferred through the results obtained according to the first group of answers that teachers use more than a class to teach a certain topic, which is highly positive since practice reinforces links and the more practice learners have, the more connections are established in their minds (Willis, 2008; Sousa, 2011).

All in all, results seem to indicate that though ESL secondary school teachers do choose a wide range of activities in order to provide their a students with a wider framework of opportunities through windows of intelligences during the *PPP* stages, they do not seem to offer the same variety when assessing them. Probably quite unfair, since students learn in a context different from the one they deal with when being assessed.

Last but not least, tests are designed in a friendly way for a reduced group of intelligences. There seems to be a mismatch between daily activities and assessing, though in fact both should lead to meaningful learning. Daily practice activities lead learners to use their memory effectively by using a wide range of intelligences and abilities implied. However, according to the findings, this does not occur when testing them.

Results suggested that ESL secondary school teachers follow a lesson plan according to the steps in the *PPP* design, which means that they accompany, in this sense, the way in which memory operates. However, as regards the Primacy-Recency effect (Sousa, 2011) the *Teaching phase* occurs during Down-time and *Practice* occurs until the end of the class. Therefore, the new topic tends to be presented in the period when information is less remembered and students work on activities that help them remember but which do not contribute to find meaning.

Researchers in Second Language Acquisition (Juffs, 2006) explain that the short-term memory is an on-line capacity for processing and analysing new information (words, grammatical structures, etc). Thus, the fact that most teachers start their classes through a *Warm-Up* section, while information is received through the short-term memory, reinforces its capacity.

When revising a previously taught topic, as most teachers explained they do, students are not only recalling previous knowledge (while simultaneously bringing it back form the long-term memory and therefore, checking they have learnt the topic well), but also having the opportunity of starting the cycle all over again if they have not.  If the former is the case, teachers may go on with the *Teaching* phase and start a new topic.  If the latter occurs, they might explain the same topic again. Nickelsen (2004) explains that reviewing information within 24 hours helps to increase retention.  He indicates that the degree of recollection increases after each review session, as reviewing helps neural connections become stronger, so more information can be retrieved and less forgotten.  Teachers will want students to revisit language forms they have already taught in many stages, as part of an overt correction stage or a straightforward revision process to recycle language forms from time to time to help them remember in a better way (Harmer, 2001). As according to results teachers do not assess students on the same day or even the same week, more time is devoted to revise the topic and more connections can be established.

As regards Bloom's taxonomies, the findings suggested that teachers tend to follow the categories in the pyramid towards critical thinking and meaningful learning mainly in daily practice activities.  Results showed that ESL secondary school teachers provide a wide range of activities for daily practice, that is to say, from *Remembering* to *Creating*, and consequently students move towards critical thinking and they may probably find meaning in what they are learning.  According to Caine and Caine (1991), if programming and memorization is all that is required, there is surface knowledge only. Yet, meaningful

learning is creative, and it occurs by fostering patterns and connections students matter. This sense of interconnectedness becomes clear when emotions and cognition come together. However, it seems that ESL teachers tend to select activities that mainly focus on the *Remembering*, *Understanding* and *Applying* stages, which would be advisable at the beginning of the class. Thus, it would be necessary to see how they keep moving towards meaningful learning through activities that match higher categories in the pyramid.

The same case seems to be that of multiple intelligences, as according to results teachers tend to foster the use of different intelligences in the classroom. However, they do so mainly in daily practice. Therefore, it could be inferred that the results reveal a mismatch between the way in which students deal with the topic in everyday lessons and the way they do so in tests. According to the findings, activities such as dramatizing or role plays, singing activities and listening exercises and group assignments are chosen for daily practice. Arnold and Fonseca (2009) affirm that providing a variety of language activities that stimulate intelligences makes it possible to engage multiple memory pathways necessary to produce sustained deep learning. Thus, tests might not be instances to foster meaningful learning as teachers do not include activities which represent a variety of intelligences. The answers also showed that ESL teachers tend to be quite traditional in their choices as they choose activities which involve mainly the *Linguistic* intelligence. Even those which are less frequently chosen correlate with the *Linguistic* intelligence, with the exception of role plays or dramatizing.

What is more, results indicated that this variety of activities is not considered when assessing students. Thus, emotions originated in assessment periods might be quite different from those which characterize everyday lessons. Bloom's taxonomies from *Analysing* upwards are not taken into account to assess students. The same occurs in the case of Multiple Intelligences, as the *Linguistic* Intelligence prevails in tests, as well as the *Interpersonal* Intelligence through group assignments. Neither of the approaches seems to be considered as a valuable tool to assess students. Although daily practice activities accompany memory paths to make learning effective, this does not occur when testing students. Lord and Baviskar (2007) explain that this occurs because teachers stress the factual content of what is being taught to students. Consequently, most of the questions on the tests belong to the knowledge and comprehension levels of the taxonomy.

However, multiple-choice questions can be written for the *Analysis* and *Evaluation* categories. At the *Analysis* level, students could be asked to select the least important incidence from a list of occurrences. However, along with creating more challenging test

items, teachers should challenge the way students think during class to help students discover information through inquiry. If students are used to being challenged during the lessons, they will have less problems in upper-level questions in Bloom's hierarchy. Therefore, teachers need to teach the way they test and the finding indicate that this is not the case.

This last point becomes an interesting one to analyse and it raises many questions. Why are teachers reluctant to select these activities as part of tests? Is it a clear indicator that they assess in traditional ways and considering only selected groups which fit those ways? Does the choice have to do with correction benefits? Does the institution demand tests of this kind? Clearly, further research focused only on evaluation and assessment should be required to find answers to these questions. According to Ozden and Gultekin (2008), the context, the emotions, the physical environment, the process and the organization are the five components of a reliable evaluation in brain-based learning. They explain that these areas involve mental, physical and emotional processes and do not involve the traditional evaluation activities at the end of each unit, as evaluation should be ongoing and cumulative, through activities which intend to figure out the interests and the weak and strong learning styles of the students.

Another point to consider in connection with tests is the period when teachers choose to test students. According to results, they do so after a week, which is positive for the storage of information because a longer period of practice is provided. Therefore, there is more repetition and the search for meaning goes on. Given a longer period of time, taxon memories interact with locale memories better, to make the interaction between them provide meaning (Caine and Caine, 1991).

Going back to the concepts related to recall, though results show that teachers try to make students recall information form the long-term memory through *Warm-Up* activities or revision of previously taught topics, they do not tend to do it in longer periods of times, that is, by asking students to work on projects that imply revising previous topics. Nickelsen (2004) explains that in order to ensure that information is received and encoded accurately and meaningfully, information should be presented in different manners according to different learning styles to provide opportunities for students to make the information meaningful for themselves. This suggests that activating students' prior knowledge by connecting the new information with something they already know is important.

All in all, results from both surveys and observations may set the starting point for future research. Further research could help to inform teachers and their practices to aid students in

the achievement of meaningful learning in the context of ESL lessons. Moreover, results could be the basis for future research concerning assessment criteria and consideration of memory operations in this aspect. It could be focused on the extent to which activities in the lesson plan, which are daily applied and follow memory-friendly methods, match those in tests. Specially when the findings correlate with what was observed, that is, classes in which ESL teachers search for meaningful learning fostering the right use of memory, in order to see if this objective remains in longer periods of time (reinforcing practice), and matches the aim of tests.

**Conclusion**

Caine and Caine (1991) explain that the word memory is usually associated with the recall of specific dates, facts or sets of instructions, while the ability to recall bits of information acquired daily is forgotten. In this sense, it seems that in the recent years, memory has been frequently disregarded as a tool to learn. Nowadays, it is believed to be a vehicle that leads students to acquire information temporarily, and deprived of all meaning. Ironically, memory operates exactly in the opposite way as it is the tool that makes learning effective, meaningful and consequently permanent (Sousa, 2011). This tendency could have been originated in the misuse of memorization and memory as synonyms.

The memory system is the one in charge of dealing with new information, and teachers are in charge of designing how students receive that information at school. Therefore, activities selected should support memory paths. The information moves through each step in memory processes, as information moves through activities provided in the classroom and in each lesson plan. This information, that is, the content of ESL lessons, should be meaningful in order to help information reach its final stop, the long-term memory, and consequently, to be recalled when needed to use it in the future and to apply it in different situations.

Concerning the results obtained in the survey and the observations conducted which this paper has considered, it can be said that ESL secondary school teachers follow a lesson plan based on the *PPP* design. Consequently, it might be added that they accompany memory operations. Nevertheless, they do not seem to handle time considering the stages the Primacy-Recency effect (Sousa, 2011) suggests.

Teachers declared in the surveys to revise previous topics in each class. As a consequence, students recall previous knowledge bringing it back form the long-term memory and teachers

have the opportunity to start the cycle all over again if students are not able to recall what they need.

As regards Bloom's taxonomies, the findings showed that teachers follow the categories in the pyramid towards critical thinking and meaningful learning mainly in daily practice activities. In the same way, they do include a variety of intelligences in daily practice. However, ESL teachers do not appear to consider neither taxonomies nor intelligences when designing tests, which might be a starting point for further research on the subject. Through the responses, it may be inferred that teachers foster positive emotions in their lessons, generating a relaxed atmosphere to focus attention and to enjoy the learning process.

Sharing knowledge on this subject may result in effective changes in traditional ESL secondary school lessons, not only in the way educators teach but also on the way in which students learn, and the results obtained. It would be of extreme interest to conduct further research on this matter and to analyse registers of obtained results after each lesson or after determined periods of time, to observe how learning processes extend in time. Connell (2009), suggests including Brain Based Learning in graduate and undergraduate programs that train teachers, in order to combine neuroscience research with teaching strategies.

ESL secondary school teachers' wish is to make every lesson count, which is not an easy task. Teenagers need to be engaged in their learning process, and to be highly motivated to have a reason to learn. If meaning is discovered in each part of the English lesson, and activities are seen as a whole that will provide them with a sense for learning, teenagers should be eager to learn or at least to consider learning the English language with a purpose which is not only passing exams. The meaningful learning context should be created through activities that take into account tasks which lead students to think critically, which help students to make use of their skills by firing the use of a variety of intelligences, and which make positive emotions match the learning process. This, together with steps of a lesson plan that will simultaneously accompany the path that memory follows to deal with information from the very beginning, stands the best chances to become effective and memorable learning.

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**APPENDIX 1**

**Surveys in Spanish**

<u>**Actividades y estrategias ESL**</u>

Estimado profesor:

Me dirijo a Uds. para pedirles su colaboración en la elaboración de la siguiente encuesta sobre actividades y estrategias.

Por favor una vez completada la encuesta simplemente oprima enviar.

MUCHAS GRACIAS

Saludos

\*Obligatorio

Dirección de correo electrónico \*

Tu dirección de correo electrónico

1. ¿Qué edad tiene? \*

☐ 20 a 30 años

☐ 31 a 40 años

☐ 41 a 50 años

☐ Más de 50 años

2. ¿En qué año del nivel secundario enseña? Por favor referirse a ese año al contestar las preguntas que siguen. \*

☐ Primero

☐ Segundo

☐ Tercero

☐ Cuarto

☐ Quinto

3. ¿Usted comienza su clase por medio de una sección de Warm-up? Si la respuesta es afirmativa, por favor siga con las preguntas siguientes. De lo contrario, siga con la pregunta número 6. \*

☐ Sí

☐ No

4. ¿Qué incluye en esta sección? \*

☐ Tema explicado la clase anterior

☐ Introducción a tema nuevo

☐ Otro:



5. A- ¿Qué actividades utiliza en la sección de Warm-up? (Indique todas las que considere de uso más frecuente) *

☐ Brainstorming

☐ Canciones

☐ Videos

☐ Juegos

☐ Otro:



5. B- ¿Cuánto tiempo dedica usted a esta parte de la clase? *

☐ 10 a 15 min

☐ 15 a 25 min

☐ Más de 25 min

6. ¿Cómo organiza usted su clase considerando las siguientes opciones? *

| | Práctica del tema anterior | Revisión del tema anterior | Práctica específica del tema nuevo | Presentación de un tema nuevo |
|---|---|---|---|---|
| primera | ☐ | ☐ | ☐ | ☐ |
| segunda | ☐ | ☐ | ☐ | ☐ |
| tercera | ☐ | ☐ | ☐ | ☐ |
| última | ☐ | ☐ | ☐ | ☐ |

7. ¿En qué momento de la clase enseña usted un tema nuevo? *

☐ Principio

☐ Medio

☐ Final

8. A ¿Cómo realiza usted la presentación de un nuevo tema? *

☐ Exposición oral

- ☐ Exposición oral y uso del pizarrón
- ☐ Otro:

  

  8. B ¿Cuánto tiempo dedica usted a esta parte de la clase? *

- ☐ 5 a 10 min
- ☐ 10 a 15
- ☐ Más de 15 min

  Otro:

  

  9. ¿En qué momento brinda a los alumnos práctica específica del tema nuevo presentado en la clase? *

- ☐ Principio
- ☐ Medio
- ☐ Final
- ☐ Otro:

  

  ¿Cuánto tiempo dedica usted a la práctica del tema nuevo presentado? *

- ☐ 10 a 15 min
- ☐ 15 a 25 min
- ☐ Más de 25 min

  Otro:

  

  10. ¿Cuándo evalúa a los alumnos luego de explicar un tema nuevo? *

- ☐ Mismo día
- ☐ Misma semana
- ☐ La semana posterior o en adelante

  Otro:

  

  11. ¿Qué palabras considera usted que utiliza con más frecuencia cuando explica las consignas a sus alumnos en actividades diarias y en evaluaciones? Marque con una X.

| | Actividades diarias | Evaluaciones |
|---|---|---|
| Fila 1 | ☐ | ☐ |
| ¿Cómo definirían...? | ☐ | ☐ |
| ¿Qué les parece que quiere decir...? | ☐ | ☐ |
| Den ejemplos de... | ☐ | ☐ |
| Ordenen los siguientes... | ☐ | ☐ |
| Resuman lo que hemos visto... | ☐ | ☐ |
| Comparen lo que han visto con.../ Cuáles son las similitudes entre... | ☐ | ☐ |
| Escribe o cuenta en tus propias palabras... | ☐ | ☐ |
| Si no conoces la palabra, dila con otras palabras... | ☐ | ☐ |
| Haz de cuenta que eres... | ☐ | ☐ |

| | | |
|---|---|---|
| Encuentra la respuesta de... | ☐ | ☐ |
| Dibuja... | ☐ | ☐ |
| ¿Cuáles son las diferencias entre...? | ☐ | ☐ |
| Qué opinas sobre X y en qué basas tus opiniones... | ☐ | ☐ |
| ¿Cuáles de los siguientes consideras es el correcto? | ☐ | ☐ |
| ¿Qué le preguntarías...? | ☐ | ☐ |
| ¿Cómo harías para hacer ....? | ☐ | ☐ |
| Ordena los siguientes ítems... | ☐ | ☐ |

12. ¿Qué tipo de actividades elige con mayor frecuencia entre las siguientes para actividades de práctica diaria de un tema y para las evaluaciones?

| | Práctica diaria | Evaluación |
|---|---|---|
| Fila 1 | ☐ | ☐ |
| Presentaciones orales/Retelling | ☐ | ☐ |
| Debates | ☐ | ☐ |
| Lectura en voz alta | ☐ | ☐ |
| Dramatizar | ☐ | ☐ |
| Elaborar un libro de cuento | ☐ | ☐ |
| Búsqueda de información | ☐ | ☐ |
| Listening | ☐ | ☐ |
| Secuencias de imágenes | ☐ | ☐ |

| | | |
|---|---|---|
| Interpretación de gráficos | ☐ | ☐ |
| Juegos de lógica | ☐ | ☐ |
| Elaboración de cuadros conceptuales | ☐ | ☐ |
| Mind maps | ☐ | ☐ |
| Trabajos grupales | ☐ | ☐ |
| Cantar-bailar-música | ☐ | ☐ |
| Peer reviewing | ☐ | ☐ |
| Peer teaching | ☐ | ☐ |
| Proyecto grupal | ☐ | ☐ |
| Proyecto individual | ☐ | ☐ |

13. ¿Cuál considera es la actividad que con más frecuencia utiliza para presentar-practicar-aprender vocabulario? *

☐ Spelling contest

☐ Lista de palabras para que los alumnos busquen el significado

☐ Escribir una oración con cada una de las palabras nuevas

☐ Clasificar/asociar palabras según significados

☐ Elaborar familias de palabras

☐ Proveer sinónimos

☐ Proveer antónimos

☐ Cuadros conceptuales

☐ Dictados

☐ Incluir las palabras en un relato

☐ Otro:

14. ¿Cuál de las siguientes actividades considera es la más eficiente para aprender tiempos verbales? *

☐ Completar los espacios con la forma correcta

☐ Escribir acerca de algo utilizando X tiempo verbal

☐ Ejercicios orales de intercambio en grupo

☐ Quiz

☐ Role plays/ Dramatizaciones

☐ Otro:



15. ¿Qué tipo de tarea asigna usted como tarea para el hogar? *

☐ Ejercitación escrita

☐ Trabajos en equipo

☐ Proyectos con entregas parciales y final a largo plazo

☐ Otro:



16. ¿Asigna usted tareas o proyectos para repasar temas vistos en otras unidades? *

☐ Nunca

☐ A veces

☐ En algunos casos

☐ Con mucha frecuencia

☐ Siempre

# El problema semántico de los emoticones. Una perspectiva legal

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*Artículo breve*

**Resumen**

La teoría general del derecho ha analizado históricamente la relación entre lengua y derecho e intentado brindar soluciones a los problemas que esto genera en la interpretación de la ley. Los nuevos medios de comunicación presentan desafíos para estos esquemas; nos encontramos no ya frente a los problemas que presentan las palabras (que pueden ser vagas o ambiguas) sino a símbolos virtuales. La pregunta es entonces ¿cómo interpretarlos? ¿Pueden tener los emoticones trascendencia jurídica o son simplemente símbolos inocuos? En esta breve reflexión, se intentará poner de resalto que el derecho encara un nuevo problema de interpretación.

**Palabras clave:** teoría general del derecho; interpretación de la ley; problemas del lenguaje; emoticones

**Abstract**

The general theory of law has historically analyzed the relationship between language and law and tried to provide solutions to the problems that this causes when interpreting the law. The new media presents challenges for these schemes; we now face problems posed not by words (which may be vague or ambiguous) but rather by virtual symbols. The question, then, is how to interpret them; can the emojis have legal transcendence or they are simple symbols? This paper is to emphasize that the law faces a new problem of interpretation.

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**Keywords**: General theory of the Law. Interpretation of the Law. Language problems. Emojis.

## El problema semántico de los emoticones. Una perspectiva legal

### 1. Introducción. Lengua y derecho

El derecho, entendido como construcción ideal que trabaja con palabras, depende del lenguaje sobre el que se estructura toda la comunicación normativa. Lengua y derecho son, en definitiva, sistemas interconectados dentro de un contexto histórico social del que se nutren y sobre esta base, construyen una coherencia interna que se proyecta al exterior.

El lenguaje jurídico, en lo particular, es un lenguaje técnico que otorga a muchas de las palabras de uso común un valor propio dentro del sistema y, además, crea sus propios términos. Pero como el derecho está hecho de lenguaje, sufre los problemas propios de este, tales como la vaguedad y la ambigüedad dentro de las cuales se engloban, por ejemplo, la falacia de anfibología y las vaguedades cuantitativas y cualitativas.

Es que alrededor del derecho se tejen innumerables problemas generados por la misma esencia imprecisa de la palabra, por lo que cabe hacer especial hincapié en distintos ejes conceptuales con el objeto de intentar dilucidar estos inconvenientes, tanto en el plano dogmático como en el práctico.

La discusión alrededor de este inconveniente es abundante, ya que desde antaño, autores como Soler o Carrió han intentado elaborar teorías al respecto que han enriquecido la práctica jurídica pero, a la vez, han abierto innumerables interrogantes al respecto (Nino, 2003, p.31).

Los avances tecnológicos nos ponen como siempre frente a nuevos desafíos. Hemos estudiado los grandes problemas que generó en su momento el concepto de *cosa* del ya derogado artículo 2311 del Código Civil con respecto a la luz.

Más cercano en el tiempo, los mismos problemas se presentaron respecto de los archivos informáticos y la posibilidad de ser *dañados* en los términos del artículo 183 del Código Penal.

Por ejemplo, la Sala I de la Cámara Nacional en lo Criminal y Correccional de la Ciudad de Buenos Aires, consideró que:

> *…es aceptable pensar que al destruir o inutilizar –a través de un virus—- o al hacer desaparecer –mediante el borrado—- un archivo de computadora –como campo magnético conformado tecnológicamente— se estaría dañando una cosa en el sentido del tipo previsto en el art. 183 del Cód. Penal, en tanto es objeto del delito un elemento detectable materialmente". Esta discusión se encuentra hoy zanjada puesto que se legisló específicamente el delito de "daño informático".*[4]
> (Causa- 38.137- N., C. A. s/ procesamiento resuelta el 5/5/10)

Esta discusión se encuentra hoy zanjada puesto que se legisló específicamente el delito de "daño informático".

En tal sentido, la jurisprudencia o la doctrina han resuelto conflictos generados a partir de la falta de claridad de determinadas palabras obrantes en los cuerpos normativos, ya que las diversas interpretaciones o significados contenidos en un mismo término resultan tan amplios que merecían aclaraciones específicas al respecto.

A ello se ha dedicado en gran parte el derecho en su relación con la lengua, por ello fue siempre tan importante la materia "interpretación de la ley", donde se exponían todos los inconvenientes que se generaban por la denominada "textura abierta del lenguaje".

Habré de tomar para esta exposición, sin embargo, un rumbo nuevo entre la lengua y del derecho, no ya en la formación de normas, sino en su aplicación; y, en tal dirección, analizaré la entidad que los emoticones tienen para el derecho actual como medio de comunicación ya que, si tenemos problemas ya con palabras, ¿cómo solucionamos el inconveniente con símbolos?

## 2. Planteamiento del problema

Según Hart (1998), Dworkin expone que todos, o casi todos los problemas del derecho, se fundan en cuestiones semánticas y pone en crisis la idea de que la ley como regla nos permitirá escoger ejemplos fácilmente reconocibles para determinar cuál es la acción correcta.

De ese modo, los esfuerzos de los dogmáticos por elaborar teorías científicas respecto del derecho, si bien resultan útiles para justificar criterios subjetivos delineados *ex-ante* por el órgano juzgador, no permiten de ningún modo generar una percepción científica de la cuestión.

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[4] https://www.thomsonreuters.com.ar/content/dam/openweb/documents/pdf/arg/white-paper/pdf_descargable_dossier_prueba_informatica.pdf consulta: diciembre de 2018

Esto sería así toda vez que según estos autores, los problemas interpretativos al momento de decidir impondrán la cuestión de poder o conveniencia por sobre la dogmática; dada la esencia social del derecho como regulador de conductas humanas.

No obstante, aun en los casos en que Nino (2003) considera "áreas de luz" o "áreas de oscuridad", existe el problema de la semántica como obstáculo para arribar a uno u otro análisis y las relaciones de poder o la conveniencia del caso.

Trataré de organizar la cuestión a partir de un análisis concreto para poder determinar el alcance de la vaguedad de una serie de símbolos y su repercusión jurídica.

Al respecto, resulta útil citar a Hart (1998), quien expone su criterio y deja en claro la falsa dicotomía (a la que también considera ingenua) entre la certeza de la legislación como lenguaje comunicador dotado de autoridad y el precedente como aquel carente de certeza.

Así pues, el problema será analizar cómo se inserta la interpretación de los emoticones en el marco de la textura abierta del lenguaje y su repercusión en la ley.

## 3. El nuevo desafío de la interpretación. Los emoticones

Los emoticones (esas *caritas* que aparecen en las comunicaciones por celular) han representado un campo de batalla extraordinario para muchos actores de la sociedad. Se los tildó de machistas (exhortando a la incorporación de mujeres en las distintas profesiones que buscaban representar), racistas (se habilitó una amplia gama de tez en las caras humanas) e incluso se lanzaron campañas para que se incorporaran, desde la "empanada china" o el "arrollado primavera", hasta el mate (Himitian, 2018).

Por ejemplo, por pedido concreto de un organismo anti armamentista, la Asociación de Newyorquinos contra la Violencia por Armas (NYAGV) se quitó el emoticón que representaba un revolver para convertirlo en una pistola de agua.

Esta asociación consideró que, si bien esta conducta no supondrá el fin de la violencia con armas pidió su retirada "como gesto simbólico para limitar el acceso a las armas" (Mundo Deportivo, 2016).

No me adentraré en un análisis semiológico del emoticón, por cuanto considero que hay gente más capacitada para hacerlo y de modo más extenso; pero sí volveré al plano jurídico, donde todos los problemas que he señalado, breve y arbitrariamente, en el punto anterior respecto de las palabras, entiendo que también se verifican en el caso de los emoticones.

Sí puedo afirmar que quienes usamos celulares sabemos qué es un emoticón y que pocos nos hemos detenido, por ejemplo, a investigar que la *Real Academia Española* define el

*emoticono* como "representación de una expresión facial que se utiliza en mensajes electrónicos para aludir al estado de ánimo del remitente".[5]

La definición es, por demás, interesante puesto que identifica una expresión virtual con un estado de ánimo concreto. Esto claramente no interesa al derecho, ya que se encuentra amparado por el artículo 19 de la Constitución Nacional, pero veamos qué ocurre cuando ello trasciende a terceros y amerita un análisis más profundo de la cuestión.

Aclaro desde ya que analizaré la cuestión en abstracto, es decir, sin hacer referencia a una norma en particular, ya que la trascendencia a la que me refiero puede ocurrir en cualquier esfera del derecho, pero sí vincularé los emoticones con un concepto jurídico de importancia como es el de "intimidación".

La pregunta sería entonces ¿puede un emoticón tener la trascendencia jurídica de la intimidación? La respuesta afirmativa me parece obvia, pero lo que no me parece tan obvio es el cómo, desde lo jurídico, podríamos ubicar un emoticón dentro del alcance del vago concepto de "intimidatorio" entendido estrictamente en términos semánticos de inclusión normativa.

Me adentraré, entonces, en una fase netamente práctica, de aplicación de la norma. No es un problema de formación sino de interpretación que nos presentan las nuevas tecnologías, y ahí es donde cobra especial relevancia un concepto al que se recurre generalmente con desesperación: el contexto.

Utilizaré como disparador un reciente fallo de la casación italiana. Allí, el máximo tribunal penal de la península dio trascendencia jurídica a un emoticón. En efecto, consideraron que un mensaje difundido en una red social es, muchas veces, objetivamente críptico y dirigido a quien lo puede comprender dado que es el receptor siendo así quien puede percibir el mensaje reservado y conocido solo por un círculo reservado de personas.

El tribunal entendió que es claramente intimidatorio utilizar un tono sugestivo reforzado por "emoticones coloridos" que lo tornan más explícitamente intimidatorio (Cámara de Casación italiana, Roma, Sala II penal sentencia del 8 de noviembre 2016, n. 46874).

Lamentablemente el tribunal no aclaró a qué emoticones, en concreto, estaba haciendo referencia, lo cual nos priva de poder realizar una interpretación más acabada del caso.

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[5] https://dle.rae.es/emoticono?m=30_2 (consulta: diciembre de 2018)

Sin embargo, vemos aquí varias cuestiones de interés. Por un lado, el fallo considera que el emoticón "refuerza" el mensaje intimidatorio críptico y lo torna explícito. Es decir que para el tribunal fue un vehículo de comunicación mucho más claro y eficaz que las palabras.

Por otro lado, en el análisis del contexto, se refiere al contenido críptico de los mensajes emanados de redes sociales y la carga subjetiva que llevan. No se analiza de modo objetivo la cuestión, sino cómo pudo esta repercutir en el receptor (que tampoco está determinado, sino que simplemente es "quien recoge el guante").

Otro caso similar ocurrió en los Estados Unidos, más precisamente en Nueva York, donde una persona fue detenida luego de una actualización de estado en su muro de Facebook. Concretamente había colocado un policía acompañado por dos pistolas en versión *emoticón*, lo que fue tomado como amenaza a la policía e inducción al terrorismo, aun cuando las palabras que acompañaban a estos dibujos no incluían amenaza alguna hacia el cuerpo de policía de Nueva York (Sala, 2015).



Ahora bien, si volvemos sobre la definición de la *Real Academia Española* el emoticón remite a un estado de ánimo, entonces un "emoticón colorido" nos lleva al enojo, lo cual debe ser puesto en un contexto muy estricto para dirigirlo hacia la intención de causar un daño a una persona concreta. Respecto de la combinación de policías y armas, las interpretaciones pueden ser variadas. Incluso podría colegirse de dicho mensaje que "los policías llevan armas".

Ergo, esta ambigüedad presenta problemas que el derecho debe considerar muy seriamente. En efecto, las amenazas pueden representar en determinadas circunstancias cierta gravedad a futuro y, por tanto, se exige saber con certeza la forma de actuar frente al hecho al momento de su juzgamiento.

Por ello parece extraño considerar que una circunstancia puesta de manifiesto de forma *abierta* es decir, en una red social sin destinatario alguno, signifique una intimidación directa a una o más personas.

Esta cuestión presenta para el juzgador un primer problema. ¿Quién es el destinatario? ¿Podemos acreditar seriamente que tal o cual persona es a quien el emisor busca contactar y amedrentar?

Resuelto ese inconveniente, debemos entonces sí desentrañar el mensaje y valorar no ya el poder de las palabras, sino el de estas *caritas* de existencia virtual. Entiendo que para buscar una tentativa de solución, más allá aún de entender el "contexto" en el que se emiten los mensajes, debemos recurrir a las herramientas que la lengua nos otorga para solucionar los problemas de ambigüedad y vaguedad y que pueden ser realmente útiles a esos fines. Me refiero, en concreto, a los aportes realizados por la terminología, las definiciones, y la interpretación contextual.

## 4. Conclusión

Los problemas de la semántica en el derecho han sido analizados por la teoría general desde sus inicios, pero apuntando mayormente a la formación de la ley y un poco menos a su aplicación en concreto.

Sin embargo, en la praxis se advierte que la textura abierta del lenguaje trae al derecho problemas propios de la lengua como la ambigüedad y la vaguedad. Para avanzar en una correcta interpretación, debe solucionarse en primer lugar la ambigüedad del concepto y luego su vaguedad.

En el caso concreto, la utilización de emoticones presenta un problema interpretativo para el derecho, es decir, ¿pueden tener trascendencia jurídica? Sobre el punto, he intentado explayarme y dejar en claro mi postura por la afirmativa.

En efecto, la combinación de símbolos en un contexto determinado puede dar lugar a hechos jurídicos con afectación a terceros, por caso, como hemos visto aquí, a una amenaza. Debe tenerse en cuenta que los emoticones son, en la actualidad, parte de la comunicación humana y, como tal, transmite estados de ánimo individuales. Esto, indudablemente, genera repercusiones.

Es en ese sentido que su trascendencia a terceros debe ser estrictamente valorada por los jueces ya que, al tratarse de símbolos que evidencian emociones netamente subjetivas, no constituyen para el tercero un caso de fácil objetivación de los sucesos, elemento clave este, que deberá evaluar el magistrado.

Así, la consideración del contexto resulta fundamental para determinar el verdadero "significado" del mensaje que se quiere enviar con los emoticones y luego sí, poder conocer

su trascendencia para el derecho. Pero, a no dudarlo, el mismo efecto que puede tener para el sujeto debe ser considerado por el juez.

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# Revivir el interés en las aulas

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**Abstract:** Nowadays, it is increasingly common to hear teachers remark the students' lack of interest in their classrooms. Without searching a diagnosis to such phenomenon but acknowledging that all of us teachers are faced with the task of motivating students in our classes at some point in our careers, this paper purports to present some tools provided by various foreign language teaching methods which may be useful for this porpuse. Since the surge of audiolingualism in the 50s up to the latest methods, such as the communicative method, different authors have claimed they had found the "magic" solution to achieve outstanding teaching results. A more realistic procedure in our classrooms is using different strategies depending on the context and the teachers' needs, which is consistent with a "post method" theory.

**Keywords:** English as a foreign language, teaching methods, students' motivation, teaching practice, engaging students.

**Resumen:** En la actualidad, es cada vez más frecuente oír a los docentes lamentarse por la falta de interés de sus alumnos en el aula. Sin ánimo de buscar un diagnóstico a dicho fenómeno sino reconociendo que todos los docentes en algún momento de nuestras carreras nos enfrentamos a la tarea de motivar a nuestros alumnos, este trabajo intenta brindar algunas herramientas proporcionadas por diferentes métodos de enseñanza de lenguas extranjeras que pueden utilizarse con tal fin. Desde el surgimiento del audiolingualismo en la década de los 50 y hasta los métodos más recientes, como el comunicativo, diferentes autores anunciaron haber descubierto la solución "mágica" para lograr resultados excepcionales en la enseñanza.

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Un procedimiento más realista dentro de las aulas es utilizar diferentes estrategias según el contexto y la necesidad del docente, lo que concuerda con una teoría "posmétodo".

**Palabras claves:** inglés como lengua extranjera, métodos de enseñanza, motivación en las aulas, práctica docente, atrapar a los alumnos

## Introducción

Cómo abrir la aplicación de juegos en el celular de papá, cómo prender la maravillosa caja boba donde aparecen divertidas imágenes, cómo lograr en dos minutos que el personaje del videojuego salte un interminable precipicio, cómo buscar en Wikipedia la respuesta a la tarea de ciencias naturales sin tener que leer más de dos oraciones seguidas son todas actividades que los niños, desde pequeños y a medida que crecen, parecen desempeñar maravillosamente. Los padres aseguran que sus hijos son muy capaces en lo que respecta al aprendizaje de actividades extracurriculares, pero ¿qué sucede en el ámbito escolar? Muchos docentes opinan que los niños muestran poco o ningún interés en la clase, no prestan atención y no dedican el tiempo suficiente a las tareas. Ante tal afirmación, se cuestiona su veracidad. Por más que sea o no un problema generalizado, como docentes nos enfrentamos diariamente a la tarea de lograr que nuestros alumnos se sientan cómodos y se muestren interesados por el contenido de la clase. Podríamos considerar que la felicidad de los alumnos en el aula afecta el interés que demuestran en ella, aunque existen otros factores. No se realizan muchos estudios que aborden el aspecto psicológico de nuestros alumnos en el aula. Según la prueba PISA (*Programa para la Evaluación Internacional de los Alumnos*) (2012) que lleva a cabo la OCDE (Organización para la Cooperación y el Desarrollo Económicos), en función del indicador "Porcentaje de estudiantes que declaran estar felices en el centro escolar", el porcentaje para la Argentina es menor del 80%, es decir menor de la media de la OCDE. El informe de PISA (2012) establece que "los resultados de PISA indican que el afán, la motivación y confianza en sí mismo son necesarios para que los estudiantes desarrollen su potencial" (p. 21). Cabe la pregunta de si se podría considerar que la falta de felicidad contribuye a otros factores como la asistencia, la repitencia, la deserción y el rendimiento escolar. Con respecto al rendimiento de los alumnos, en las áreas de Matemática, Ciencias y Lectura, la Argentina se encuentra por debajo del promedio. Se sugiere la lectura de los informes del Centro de Estudios de la Educación Argentina (CEA) de la Universidad de

Belgrano dirigido por Alieto Guadagni para leer más sobre las problemáticas de la educación.[7] En relación al Inglés, que es la materia que nos atañe, según el Índice del Dominio del Inglés de Education First (EF), la Argentina tiene el nivel más alto de Latinoamérica y mejoró con respecto al 2017.

**Objetivo**

Sin ánimo de imponer una solución definitiva a los problemas didácticos, el objetivo de este estudio es generar una reflexión sobre nuestras prácticas docentes. La decisión final y más importante dentro de un aula es la del docente. Este decidirá qué método es más adecuado para sus alumnos dependiendo de un sinfín de factores como la identidad del grupo y de los individuos, el objetivo de la clase, el contexto (institucional, social, económico etc.), el momento del año, entre muchísimos otros. Se apunta a proporcionar evidencia en la literatura que le sirva al docente para no desanimarse ante la posible apatía de la clase y para que siga probando diferentes procedimientos, con un conocimiento teórico de la variedad de métodos disponibles. Algunos de los métodos mencionados a lo largo del análisis, leyendo literatura de los propios proponentes del método y de otros autores que reseñan y resumen los postulados, son:

- Enfoque terapéutico y ejecutivo
- Audiolingualismo
- Constructivismo
- Método comunicativo
- Teoría Uno
- Humanismo
- CLIL
- Posmétodo

**Metodología de trabajo**

Este trabajo es un análisis crítico de la situación actual de la enseñanza, específicamente del inglés como lengua extranjera. Ante la problemática de la posible falta de interés y una vez estudiados diferentes métodos de enseñanza, se observaron diferentes libros de texto y prácticas llevadas a cabo en aulas reales. Al mismo tiempo, se leyeron libros sobre diferentes

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[7] Se incluye en la bibliografía la página donde se pueden acceder a estos estudios

estudiosos que apoyan métodos o enfoques que en sí parecen completamente opuestos. Frente a esto surge la pregunta: ¿quién tiene razón? ¿cuál es el método que debemos implementar? No se alcanza una respuesta tajante. Debemos animarnos a incursionar en diferentes enfoques. Sin dejar a un lado la realidad de la mayoría de las aulas y las situaciones de enseñanza, se tuvieron en cuenta qué enunciados teóricos pueden ser útiles para mejorar en nuestra práctica docente.

**¿Elegir el contenido por sí mismos?**

**Enfoque terapéutico y ejecutivo**

Camilloni, Basabe y Cols (2007) señalan que los casos de aprendizaje informal mencionados anteriormente no suponen una enseñanza, ya que uno de los requisitos para que esta esté presente es que sea una "acción intencional". Esto es, justamente, lo que nos atañe a los docentes: la enseñanza educativa formal, donde los alumnos presentan más dificultades. Por lo tanto, quizás sería válido preguntarse: ¿cuál es la diferencia entre los conocimientos que los niños asimilan con placer y los que transmite el docente en el aula? Por supuesto, unos tienen que ver con actividades que ellos toman como pasatiempos, que suponen un entretenimiento o una recreación. Fenstermacher y Soltis (1998) explican cómo los adherentes a un enfoque llamado "terapéutico" critican el sistema educativo "tradicional", también denominado "ejecutivo":

Llenar la cabeza del alumno con un conocimiento específico seleccionado, empaquetado y transmitido por otros solo lo induce a que se abstenga de comprenderse como ser humano. Todo esto lo separa de sí al obligarlo a prestar atención, no a sus propios sentimientos, sus propios pensamientos y sus propias ideas, sino a estériles pensamientos, imágenes y actitudes de otros (p 60).

Poniendo el acento en el alumno y sus particularidades, el enfoque terapéutico concibe la enseñanza como una guía o facilitación por parte del docente para que el alumno elija los contenidos que desea aprender. Esto lo ayuda a convertirse en una persona auténtica, responsable de su propia educación, lo cual parecería ser una solución ante el posible desinterés. Sin embargo, Fenstermacher y Soltis (1998) luego se preguntan: "Pero, ¿qué ocurre con el futuro de los demás? ¿Qué ocurre con el futuro de la comunidad? ¿Del Estado? ¿De la Nación?" (p. 76).

Hablando particularmente de lo que nos atañe: la enseñanza de una lengua extranjera como el inglés, sabemos que no todos nuestros alumnos decidirían estudiarla por sí mismos. Si uno de

los objetivos de la enseñanza es transmitir el conocimiento adquirido por el hombre a lo largo de la historia para que perdure a través de las generaciones, ¿qué sucede si las nuevas generaciones deciden que un determinado tema ya no les interesa ni es de utilidad? ¿Se olvidarán todos de él por completo? Camilloni *et. al.* (2007) explican que los adultos tienen la responsabilidad colectiva de incorporar al niño a la cultura y que el Estado es el principal administrador del sistema educativo, ya que dicho sistema responde a un modelo de ciudadano que se desea formar, según la necesidad social, industrial, económica y política del momento. De esta manera, las autoras expresan el problema:

El niño no puede elegir ni la lengua, ni las costumbres, ni los conocimientos que va a adquirir, justamente porque aún no está educado. Esto genera una paradoja: no se ayuda al otro a construirse negando su deseo, pero tampoco privándolo de las herramientas necesarias para darle forma (p. 127).

**La obligatoriedad del inglés**

Las políticas públicas más importantes respecto del inglés en la Argentina, de forma muy resumida, fueron las siguientes:

- En 1941, mediante un decreto presidencial de reforma de los planes de estudio de las escuelas oficiales, el inglés reemplazó al francés como el idioma más enseñado. Según el decreto, esto "obedece a razones de solidaridad continental, cada día más imperiosas con motivo del acrecentamiento de nuestro intercambio intelectual y comercial con los Estados Unidos de Norteamérica", como cita Bein (2013).[8]

- La Resolución Ministerial nº 1813/88 (publicada en 1990) estableció que se enseñara una única lengua extranjera durante los cinco años de la escuela secundaria. Se podía optar entre francés, inglés o italiano, aunque en la práctica el inglés tuvo más preponderancia.

- A partir de los años 90, debido a la globalización y la hegemonía tecnológica, económica y cultural de los Estados Unidos, el inglés tuvo una innegable supremacía. Como explica Bein (2013), el plan curricular del Consejo Federal de Cultura y Educación aprobado en 1998 fijó la obligatoriedad de tres ciclos trianuales de lengua extranjera. El inglés era obligatorio para uno de estos ciclos. Sin embargo, esto no se estableció en una ley y las provincias comenzaron a legislar en la materia.

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[8] El autor Bein en la publicación "La legislación sobre lenguas y su cumplimiento" (2013) citada más abajo da un interesante recuento de por qué en la Argentina se enseña inglés como lengua extranjera.

- La Ley de Educación Nacional, de 2006, fija "la enseñanza obligatoria de al menos un idioma extranjero".

Entonces, si bien no todos nuestros alumnos hayan elegido estar allí, ¿existe algún método para lograr que sea personalmente atrayente, para que los alumnos apliquen la gran capacidad cognitiva que poseen en el trabajo escolar?

**Algunas teorías del pasado, hoy**

**Audiolingualismo**

Uno de los exponentes del conductismo, Skinner (1974), afirmaba al desarrollar su teoría del condicionamiento operante que el aprendizaje es voluntario, y el método que tienen los docentes para lograr la conducta deseada en los alumnos es vincular una respuesta adecuada de los jóvenes (ante un estímulo) con una retroalimentación positiva, es decir, una recompensa. Una respuesta (conducta) no deseada por el docente recibe una retroalimentación negativa. "Los docentes pueden producir en los estudiantes el aprendizaje que procuran conociendo con precisión cuándo y cómo recompensarlos por las conductas que los aproximan gradualmente a los objetivos que se les han fijado" (Fenstermacher y Soltis, 1998, p. 45).

Basado en el conductismo, surgió el método de audiolingualismo para la enseñanza del inglés como lengua extranjera. Mediante actividades mecánicas, el docente guiaba a los alumnos para que repitieran, memorizaran y así crearan nuevos hábitos. Si bien hoy en día este método es muy cuestionado, ciertas estrategias se siguen utilizando: no hay duda de que las recompensas son muy atrayentes para los alumnos y la repetición, si es significativa y consciente, puede dar resultado.

**Construir el conocimiento**

**Constructivismo y método comunicativo**

Sin embargo, los constructivistas critican que el contenido transmitido por los conductistas sea fraccionado, mecanizado y descontextualizado. Se basan en la teoría piagetiana de la epistemología genética que estipula que el aprendizaje se da en dos etapas. Primero, sucede la "asimilación", a través de la cual el alumno asimila el conocimiento, siempre a partir de esquemas existentes, construcciones que ya había realizado. Luego, sucede la "acomodación", que permite la transformación de los esquemas existentes para "dejar entrar" esos nuevos conocimientos. Así, las estructuras existentes cambian.

Sin embargo, un posible obstáculo es que no todos los alumnos de una clase tienen los mismos conocimientos previos. Para el constructivismo, esto puede utilizarse como una herramienta. Vygotsky (1978) introdujo el concepto de la Zona de Desarrollo Próximo:

No es otra cosa que la distancia entre el nivel real de desarrollo, determinado por la capacidad de resolver independientemente un problema, y el nivel de desarrollo potencial, determinado a través de la resolución de un problema bajo la guía de un adulto o en colaboración con un compañero más capaz (Vygotsky, 1978, p. 133-134).

A partir de este concepto, Carretero (1997) explica como Vygotsky defiende el aprendizaje como actividad social. "Todos los procesos psicológicos superiores (comunicación, lenguaje, razonamiento, etc.) se adquieren primero en un contexto social y luego se internalizan" (Carretero, 1997, p. 43).

Según Carretero (1997), otro constructivista, Ausubel (1983), reafirma la necesidad de utilizar "puentes cognitivos" que unan los conocimientos ya asimilados, más simples, con los nuevos, más complejos. Según él, el aprendizaje debe ser significativo para los alumnos, se debe comprender, no solo repetir mecánicamente.

Muchas de estas ideas constructivistas se pueden aplicar en la enseñanza de una segunda lengua mediante el método comunicativo. Se fomenta que los alumnos participen en actividades significativas que supongan desafíos, que tengan como objetivo algo tangible: la comunicación real. Es decir, se busca que estén expuestos a situaciones similares a las de ámbitos fuera del aula. Se promueve la interacción social y el aprendizaje cooperativo entre alumnos con diferentes desempeños. El docente busca correr el foco de sí mismo, brindando oportunidades para que el alumno decida sobre su propia educación.

Algunos tipos de actividades comunicativas, en las que los alumnos tengan un motivo y un deseo de comunicarse son las siguientes: resolución de enigmas, dramatizaciones, entrevistas, adivinanzas, debates, resolución de problemas, creación de historias o personajes, etc.

**Motivación, ¿de qué tipo?**

**Teoría Uno, humanismo y CLIL**

David Perkins (1997), en su Teoría Uno, establece que, sin importar los métodos pedagógicos que se utilizan, se debe tener en cuenta el siguiente concepto nuclear: "La gente aprende más cuando tiene una oportunidad razonable y una motivación para hacerlo" (p.53). A partir de esto enumera las condiciones que cree que debe tener la enseñanza: "información clara", es decir explicaciones claras del contenido, cómo abordar la tarea y de los resultados esperados;

"práctica reflexiva", es decir, la estimulación de la reflexión y la relación de los contenidos con otros ya adquiridos, "realimentación informativa", en la razón de consejos de parte del docente para que trabaje eficientemente y mejore su rendimiento y, finalmente, una "fuerte motivación intrínseca y extrínseca", que resume de esta manera: "Actividades ampliamente recompensadas, sea porque son muy interesantes y atractivas en sí mismas o porque permiten obtener otros logros que importan al alumno" (p. 53).

Ahora bien, la motivación extrínseca (notas, dulces, recreos) no tiene una relación directa con el conocimiento. Es más, la motivación extrínseca disminuye la intrínseca; reduce el disfrute de realizar la actividad por la simple recompensa del saber, la diversión o la satisfacción de la curiosidad. Es esto, la motivación intrínseca, lo que se tiene que fomentar en el ámbito escolar; el disfrute del aprendizaje por el mero hecho de aprender algo nuevo, ser personas cada vez un poco más capaces, con mayor libertad de elegir, porque lo hacemos con discernimiento. Los docentes tienen el poder de comunicar estos beneficios, estableciendo el desempeño del alumno en razón de evaluaciones y notas numéricas como algo necesario en última instancia, pero no como el objetivo fundamental.

Otro autor que hace énfasis en los procesos internos del alumno es Stephen Krashen (1982), quien presenta la teoría del filtro afectivo que "bloquea" la adquisición del lenguaje por parte del alumno. Para evitar esto, se debe trabajar en tres conceptos: la motivación, la confianza en sí mismos y la ansiedad.[9]

Otros expertos que tratan cómo lograr este bienestar afectivo son los humanistas, que llevan al aula conceptos que se tratan en terapia como la autorrealización, la imagen de uno mismo y el valor de cada individuo. Podemos imaginar cómo esto contribuiría a la motivación intrínseca. Si los alumnos sienten que están alcanzando su máximo potencial, si se sienten cómodos en la clase, si reciben realimentación positiva, es probable que estén más motivados a aprender.

Si bien un cambio radical en el funcionamiento de nuestras clases parece irrealizable, hay ciertos pequeños pasos que podemos tomar para lograr un aula más humanista, y que seguramente ya realizamos en parte. Por ejemplo, dejar que los alumnos descubran y se sorprendan antes de proporcionarles las respuestas, alimentar la curiosidad natural de cada uno, ser personas genuinas ante nuestros alumnos, proporcionar desafíos alcanzables que

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[9] Un artículo que explica el filtro afectivo de manera más resumida y moderna es el de Chacón Pizarro, G. y Josephy, D. (2010), "El efecto del filtro afectivo en el aprendizaje de una segunda lengua", que se cita en las referencias.

aumenten la confianza en sí mismos, desarrollar un clima que no permita la humillación o el castigo, dejarles tomar decisiones respecto de su educación cuando sea posible.

Otra manera de lograr que el contenido sea más motivador es volverlo atractivo para alumnos con gustos e intereses variados, tratando diferentes temas a través del inglés. Esto se puede ver en aulas que utilizan el método CLIL (Aprendizaje Integrado de Contenido y Lengua Extranjera), donde los alumnos aprenden una materia no relacionada con los idiomas a través del inglés[10]. Incluso aunque no enseñemos otra materia completa, es una buena estrategia para motivar a aquellos alumnos que no disfrutan las clases de idiomas específicamente, incluyendo ciencias, música, historia, entre otros temas, en nuestra clase.

**Entonces, ¿qué método utilizar?**

**Posmétodo**

Estas son algunas de las herramientas que la literatura propone para lograr ese tan anhelado interés en los alumnos que parece perdido. Sin embargo, si prestamos atención, algunas de estas teorías se contradicen entre sí. Durante décadas, con el surgimiento de nuevos métodos, adeptos de dicha "novedad" se ocupan de tildar a los anteriores de inútiles, y la lucha parece perpetua. Entonces, ¿cuál debemos elegir? Si elegimos hoy un método para implementar quizás en algunos años se considere desactualizado. Al respecto, Brown (2002) parece llegar a una respuesta a través de su análisis de la era "posmétodo"[11]:

Antes se consideraba que los métodos se podían evaluar empíricamente mediante una cuantificación científica para determinar cuál es "el mejor". En el presente, hemos descubierto que algo tan ingenioso e intuitivo como la pedagogía del idioma nunca podría verificarse claramente mediante la validación empírica (p. 10).

En lugar de adoptar un método único e infalible, Brown explica que la docencia es una ciencia dinámica y variable. No todos los alumnos tienen las mismas necesidades y los docentes debemos ser perspicaces, o aprender de errores, e implementar diferentes herramientas. Harmer (2007) también señala que es útil tener en cuenta las ventajas de cada

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[10] Un artículo interesante es el de Muszyńska, A.., Urpí, C. y Gałązka, A. (2017) relacionado con la enseñanza de teatro junto con la lengua extranjera (citado en las referencias).

[11] Además de en el libro de Brown, en el artículo de Martínez Rodríguez citado en las referencias, "*The postmethod condition, an opportunity for going into a "New pedagogical era*", se puede leer más sobre el posmétodo y su objetivo de diversidad en la práctica docente.

método para luego decidir.[12] Tener a nuestra disposición diferentes teorías y soluciones puede ayudarnos a ser más creativos frente a un problema de falta de motivación en el aula.

## Conclusión

Hoy en día, podemos recurrir a décadas de investigación y adoptar lo más adecuado para nosotros sin dejar a un lado, por supuesto, cualquier novedad que surja. Lo más lógico parece ser estar abiertos a los métodos que nos proponen diferentes teorías y decidir qué parece lo más adecuado para nuestra aula, aceptando que cierto método puede funcionar más o menos dependiendo de un sinfín de factores. La variedad es una gran generadora de motivación. El factor sorpresa es una herramienta casi infalible para motivar a alumnos de cualquier edad. Incluso el cambio de rumbo implica que estamos haciendo lo posible para obtener mejores resultados en el aula y, por lo tanto, valorando a cada alumno que forma parte de esta.

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[12] En el capítulo 4, *Popular Methodology*, Harmer (2007, si bien existe una quinta edición, según se encuentra citado en las referencias bibliográficas) resume los principales métodos hasta el momento de una manera muy objetiva. Es una lectura recomendada porque incluso de los métodos considerados menos modernos destaca puntos a favor, de una manera muy pragmática.

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**The Discourse of Law:**

**An Analysis of the TV Series *How to Get Away with Murder***

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**Abstract**

This paper aims to carry out a thorough discursive analysis of the community depicted in the famous TV series *How to Get Away with Murder*. Drawing on the theoretical framework provided by scholars John Swales, Dell Hymes, Teun van Dijk and Jean-Michel Adam, the discourse community at issue is described in depth and three relevant discourse samples are analyzed: the cross-examination of a defendant (SPEAKING model), a sign setting out the court dress code to be enforced, and part of an emergency custody order (macrostructures and superstructures, and textual sequences).

**Key words:** discourse analysis, law, discourse community, SPEAKING model, macrostructures and superstructures, textual sequences.

**Resumen**

El presente trabajo tiene como objetivo realizar un análisis discursivo detallado de la comunidad presentada en la famosa serie televisiva *How to Get Away With Murder*. A partir de los fundamentos teóricos de los académicos John Swales, Dell Hymes, Teun van Dijk y Jean-Michel Adam, se describe en profundidad la comunidad en cuestión y se analizan tres muestras discursivas pertinentes: el contraexamen de un acusado (modelo *SPEAKING*), un letrero que contiene el código de vestimenta que debe cumplirse dentro de un tribunal, y un fragmento de una sentencia judicial relativa al cuidado personal de un menor (macroestructuras y superestructuras, y secuencias textuales).

**Palabras clave:** análisis del discurso, derecho, comunidad discursiva, modelo *SPEAKING*, macroestructuras y superestructuras, secuencias textuales.

**Introduction**

Applied linguist Guy Cook (1989) defined discourse as "language in use for communication," and further claimed that it must be thought of as a "stretch of language perceived to be meaningful, unified and purposive" (p. 15). This paper aims at analyzing how language is used within a legal discourse community. In doing so, our starting point will be the discourse community shown in the American drama TV series *How to Get Away with Murder* (HTGAWM). Nevertheless, this analysis may be applied to other legal discourse community, since the focus will not be placed on the characters, but mainly on the roles they play as members of said community. As to the theoretical framework of this paper, we will chiefly draw on the works and theories developed by scholars John Swales (Discourse Community), Dell Hymes (SPEAKING Model of Analysis), Teun van Dijk (macrostructure and superstructure) and Jean-Michel Adam (textual sequences). Let us delve into the fascinating world that arises when law and language intersect.

**Description of the discourse community under study**

The legal discourse community depicted in HTGAWM is made up of members that fulfill different roles: an attorney and Law professor (Annalise Keating), her clients (in the samples chosen, defendants Dani Alvodar and Laurel Castillo), the opposing party (in the samples chosen, Mr. Stone, who is the injured party[13] to a criminal proceeding, and Jorge Castillo, who is the plaintiff in a civil proceeding), the judge (in the samples chosen, Judge Kendrick), an opposing counsel or prosecutor (in the samples chosen, Assistant District Attorney (ADA) Atwood), a trial jury (consisting of common citizens), witnesses, a court reporter and a court clerk.

Below, we present a detailed analysis of the six characteristics that, according to Swales (1990), define a discourse community (pp. 24-27).

1. There is a "broadly agreed set of common public goals": the individual members that are part of this legal discourse community share a common goal, which is to ensure that justice is done. This goal is generally explicit, e.g. in writing when filing a pleading that contains a prayer for relief, or overtly stated during opening/closing statements in court.

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[13] Strictly speaking, the opposing party in a criminal proceeding is the prosecutor, who represents the people ("The People of the State of Pennsylvania v. Alvodar").

2. There are "mechanisms of intercommunication among its members": both oral (meetings, face-to-face conversations, phone calls, depositions, etc.), and written (pleadings, text messages, e-mails, court orders, etc.). These mechanisms will be studied in depth when addressing genres.

3. Participatory mechanisms are primarily used "to provide information and feedback": communication effectively occurs, and feedback is shown, for example, if we have a look at the initial legal steps that take place in civil proceedings, i.e. claim – answer – counterclaim – reply.

4. Existence of genres "in the communicative furtherance of its aims":

ORAL GENRES:

✓ Face-to-face conversations (between attorney and client, between attorney for the plaintiff and attorney for the defense, between attorney and prosecutor, between attorney and judge, between jurors when deliberating, etc.)

✓ Meetings

✓ Phone calls

✓ Depositions

✓ Preliminary hearings

✓ Arraignments

✓ Opening statements

✓ Closing statements

✓ Direct examination

✓ Cross examination (as the one in Sample A)

✓ Instructions to the jury

WRITTEN GENRES:

✓ WhatsApp exchanges

✓ E-mails

✓ Summons

✓ Notices

✓ Indictments/information

✓ Complaints, answers, counterclaims, replies

✓ Court signs (as the one in Sample B.1)

✓ Writings (as the one in Sample B.2)

- ✓ Jury verdict forms
- ✓ Court orders and judgments
- ✓ Appeals
- ✓ Court reporter's notes
- ✓ Affidavits
- ✓ Statutes
- ✓ Contracts
- ✓ Powers of attorney
- ✓ Record of the case

According to Bakhtin (1986), there are four factors underlying genre: theme, relative stability, internal structure and register (p. 64). The last two factors are of utmost importance in the field of law. Nobody would expect a complaint to include slang or even informal language. Moreover, documents have a set structure. This holds especially true for Anglo-American Law, where most written genres consist in already printed forms.

Take the example below, which was retrieved from an educational blog. The text illustrates a letters rogatory, but as the reader will notice, although the theme has been respected, register and internal structure have been flouted.

*Dear Unknown Judge in Country XYZ:*

*I'm a judge, too, y'see, and I've got this case in my court that can't proceed unless I get some help. Here's what's going on… (details)*

*Now that I've spelled out the gist of the case, I'd really appreciate it if you could see your way clear to sending out one of your guys to (serve process/compel this witness to submit to examination/compel production of evidence…). Pretty please. You're a good fellow and, if you ever have occasion to send me one of these requests, you can bet I'll make it happen for you. And if you're ever in Cleveland, I'll buy you a beer.*

*Oh yeah, the party that's asking me to ask you for the favor? Yeah, he's gonna cover all of your expenses, so go nuts, Scooter. Much obliged.*

*Your new best pal,*

*U.S. judge*

5. Specific lexis: such is the importance of this element in the legal discourse community that the term *legalese* has been coined to refer to the legal jargon, i.e. the technical language used by lawyers and other members of the legal community. Examples of this include legal

adverbs, such as "hereby", "hereto" and "herein", terms such as "witnesseth" or "whereas", expressions such as "provided, however, that", to name just a few. Furthermore, there are many community-specific abbreviations and acronyms. Take the acronym "LLP", which stands for "limited liability partnership". In computing, "LLP" stands for "lower layer protocol". Likewise, the acronym "MPC" stands for "Model Penal Code", whereas in the field of economics, it stands for "marginal propensity to consume".

6. <u>There is a threshold level of members with a suitable degree of relevant content and discoursal expertise:</u> many of the members of the community change depending on the case at issue (for example, the judge, the opposing counsel/prosecutor, and the jurors), so membership is quite dynamic. Nevertheless, their roles, which are already known to new members, remain fairly the same, thus discoursal expertise is not lost.


**Analysis of SAMPLE A**

Discourse Sample A will be analyzed by applying Hymes' SPEAKING model (1974, pp. 53-62):

1. **S**etting:

− Setting: a courtroom in the state of Philadelphia, Pennsylvania, United States, probably in the morning or afternoon, as a dim sunlight filters through the window.

− Scene: it gives a strong sense of formality and seriousness, which is noticed in both the lexis employed and courtroom etiquette. For instance, ADA Atwood, when wanting to have a more intimate conversation with Judge Kendrick, utters the words "permission to approach" before actually walking towards the bench. Similarly, since Ms. Keating has repeatedly asked the witness (injured party) questions which do not conform to the rules of a cross-examination, Judge Kendrick gives her a warning (reporting her conduct to the Bar). Sample B.1 further shows a typical court notice regarding dress code.


2. **P**articipants:

− Addressor: Ms. Keating, the attorney for the defendant, who is conducting the cross-examination.

− Addressee: the injured party, who is being cross-examined. One may argue that, in this specific case, the jurors (who, traditionally, are part of the audience) are also addressees,

since Ms. Keating's questions for the injured party seem to be statements addressed to the jury.

− Audience: Judge Kendrick, ADA Atwood, witnesses, and other people who are present in the courtroom.

Sociocultural characteristics: as regards gender, the defendant is a <u>woman</u> accused of assaulting a <u>man</u>. Ms. Keating, ADA Atwood, Judge Kendrick, Ms. Alvodar and Mr. Stone are highly educated, whereas this may or may not be the case for the members of the jury.

Philosopher and lawyer Aníbal D'Auria (2018) asserts that human relationships may be classified into three categories: parishioner (*feligrés*), citizen (*ciudadano*), and companion (*compañero*). Parishioner relationships occur when there is a figure of authority who is worshipped, feared and loved by other people. Citizen relationships involve an abstract legal bond and they are based on laws. Lastly, companion relationships are those which entail solidarity and a group of people working together in order to attain a common goal (pp. 221-224).

Following the classification included above, Judge Kendrick maintains a citizen relationship with the rest of the participants, since her authority is granted by law. Ms. Keating, on the other hand, maintains a parishioner relationship with the rest of the participants, especially with Mr. Stone (as he is the one being cross-examined, bound to answer her questions). She is a strong and powerful woman who may cause the jurors to change their opinion and thus, Ms. Alvodar's fate. Finally, the jurors maintain a companion relationship, since they have to work together in order to decide (in most states, unanimously) whether or not the defendant is guilty.

3. **E**nds:

− Purposes (illocutionary force): Ms. Keating wants to depict Mr. Stone as a drunk, sexist and violent man who has taken advantage of a woman.

− Outcomes (perlocutionary force): the effect sought by Ms. Keating is achieved by means of questions phrased as assertions which are almost never answered by Mr. Stone, since all objections are sustained. Ms. Keating knows that the questions she asks are inevitably going to be objected, but that is exactly the way she achieves the outcome, as the words she utters will remain in the minds of the jurors, even though they will be instructed not to take them into consideration when deliberating.

4. <u>A</u>ct sequence:

<u>Organization of interaction:</u>

– The interaction begins when ADA Atwood gives Ms. Keating the word by saying "Your witness" (line 1) and the cross-examination starts. Then, Ms. Keating asks Mr. Stone the first question, and he answers (lines 2-5). After that, there is a set of questions (except for the assertion in line 6), objections and Judge Kendrick's decisions to sustain the objections (lines 6-14). Next, there is a more intimate exchange between Ms. Keating, ADA Atwood and Judge Kendrick (lines 15-21)[14]. The pattern "question – objection – judge's decision" is resumed (lines 23-43). After that, there is a warning on the part of Judge Kendrick (lines 44-47). The interaction ends when Ms. Keating utters the words "No further questions" (line 48).

– Ms. Keating is hetero-selected by ADA Atwood at the beginning of the interaction (line 1). During the development, Ms. Atwood selects herself to speak when raising objections, whereas Mr. Stone is hetero-selected by Ms. Keating.

– The most striking feature as regards turn-taking is that, even though in any ordinary cross-examination the witness' turn would generally be longer than the attorney's one, in this case, Ms. Keating's turns are longer, as Mr. Stone speaks only once.

<u>Organization of topics:</u>

The topic is maintained during most of the interaction, as it revolves around Mr. Stone's culpability, violent behavior, alcohol consumption and recollections of the night of the incident. Nevertheless, it changes when Ms. Keating accuses ADA Atwood of having coached the witness (lines 39-43), and it changes once again when Judge Kendrick gives Ms. Keating a warning as regards her conduct (lines 44-48).

<u>Adjacency pairs:</u>

– There is an adjacency pair (question-answer) in lines 2-5, when Ms. Keating asks, "Mr. Stone, how many drinks had you had before you approached my client" and Mr. Stone answers, "Three or four beers."

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[14] The SPEAKING model could, in turn, be applied to this exchange. This analysis has not been carried out due to space restrictions.

− There is an adjacency pair (assertion-partial agreement) in lines 17-19, when mentioning Mr. Stone's priors.

− There is an adjacency pair (petition-granting of the petition) each time an objection is raised by ADA Atwood and sustained by Judge Kendrick.

Although these exchanges, which are functionally dependent on each other, are similar to those generally expected in a discourse sample such as the one under analysis, a typical cross-examination would include more "question-answer" adjacency pairs. Conversely, "petition-granting of the petition" adjacency pairs prevail since Ms. Keating violates procedural rules and, consequently, the opposing party decides to raise objections.

5. <u>K</u>ey: formal. This is shown, for instance, in the way participants are addressed (by their surnames, and in the case of the Judge, by the honorific "Your Honor") and in the vocabulary employed (e.g. "inebriated" instead of "drunk").

6. <u>I</u>nstrumentalities:

− Channel: oral.

− Varieties: use of contemporary expressions (diachronic variety), American English (diatopic variety), legalese and adult language (diastratic variety) and formal oral language (diaphasic variety). As regards diaphasic variation, "slang" is included when Ms. Keating introduces the offensive word "scissors" (See *Polyphony* below).

<u>Non-verbal communication:</u>

− <u>Paralanguage:</u> most of Ms. Keating's utterances are said at a high speed and in a loud confident voice, as her intention is to intimidate the witness and exercise her power over him. Interestingly, many of the yes-no questions she asks are said with a falling intonation, although the customary intonation for a question of this kind would be a rising one. Ms. Keating uses falling intonation so as to turn them into assertions and "testify for the witness." ADA Atwood's utterances are also said at a high speed and in an angry, annoyed tone, since, as already mentioned, Ms. Keating is not complying with the procedural rules that apply to cross-examinations.

− <u>Kinesics:</u>

Kinesics is the study of bodily movement and its meaning. According to Ekman and Friesen (1969) there are five types of body movements: emblems, adaptors, illustrators, affect displays and regulators. Adaptors are movements made to satisfy personal needs and to "adapt" to the environment, usually at a low level of awareness. Affect displays, on the other hand, reveal affective and emotional states (pp. 49-98).

In the communicative situation being studied, Ms. Keating taps her fingers on the counsel's table in order to conceal her nervousness (adaptor). Similarly, Mr. Stone fidgets with his hands to release pressure (adaptor). ADA Atwood leans forward three times to raise the objections (affect display). This shows how annoyed and angry she is. Ms. Keating lowers her head and her eyes (affect display) when Judge Kendrick prohibits mentioning priors. This shows defeat. Finally, when cross-examining Mr. Stone, Ms. Keating raises her eyebrows (affect display) when pronouncing the word "scissors". This shows disapproval and contempt.

– Proxemics: Judge Kendrick maintains public distance with the rest of the participants, and she is separated by the bench, since she is a figure of authority. Furthermore, at one point, Ms. Keating walks towards Mr. Stone and establishes personal distance (once again, in order to intimidate him).

– Physical traits and artifacts: as regards clothing, Ms. Alvodar is wearing a military uniform, which provides further information about her personal background. Clothes are sober, as they must comply with the dress code enforced (See Sample B.1). This helps create a courtroom atmosphere.

– Context factors: most of the furniture is made of mahogany wood. This gives a sense of long-standing traditions and solemnity.

7. **N**orms:

The prototypical structure for a cross-examination (norms of interaction) would consist in the attorney asking questions and the witness answering them, with very few interruptions by the opposing counsel. Nevertheless, in this case there are several interruptions (objections) and the witness speaks only once. As regards norms of interpretation, participants understand that when the judge sustains an objection it means that the witness will not be able to answer the question and that the attorney conducting the cross-examination must rephrase.

8. **G**enre: a cross-examination taking place during a criminal trial.

Further elements worth of analysis:

➢ There are some instances of polyphony (Bakhtin, 1984, pp. 5-22) during the cross-examination, since Ms. Keating introduces Mr. Stone and Ms. Alvodar's voices. For instance, when she asks, "Can you tell me what you meant when you yelled "scissors" to Ms. Alvodar?" (direct speech), or when she asks, "Was the music so loud that you couldn't hear my client repeatedly tell you to leave her alone?" (a form of indirect speech).

➢ Austin (1962) developed the concept of performative sentences or "performatives". He explains that, in performatives, "the issuing of the utterance is the performing of an action" and he adds that these sentences are "not normally thought of as *just* saying something" (pp. 6-7). Thus, regarding performativity, when Judge Kendrick sustains an objection or when she says, "I'm prohibiting the mention of all priors against the victim," something changes in reality. In the first case, the witness will not be able to answer Ms. Keating's question, whereas in the second case, Ms. Keating will not be able to refer to the witness' previous criminal convictions.

Similarly, linguist philosopher John Searle (1979), later proposed that there are five types of speech acts (things people *do* through language): assertives, directives, commissives, expressives and declarations. The sentence uttered by Judge Kendrick included above is an example of a declaration. The successful performance of a declaration "brings about the correspondence between the propositional content and reality" and "guarantees that the propositional content corresponds to the world" (p. 13). However, this declaration is only effective in context, i.e. if pronounced by a judge, as "there must exist an extra-linguistic institution and the speaker and hearer must occupy special places within this institution" (p. 14).

**Analysis of SAMPLES B.1 and B.2**

Discourse Samples B.1 and B.2 will be analyzed by applying Van Dijk's concepts of macrostructure and superstructure (1980) as well as Adam's textual sequences (2011).

Sample B.1 is a sign that sets out the court dress code. Members of the legal discourse community will have to comply with these rules while at trial or at a hearing since, otherwise, they will not be allowed to enter the courtroom. This differs greatly from what happens in

other types of communities. Take, for example, a group of friends or a family: there are no rules regarding the clothes they should or should not wear. As already stated, a courtroom is a formal environment, which is why proper decorum should be maintained. Furthermore, as these types of signs usually appear on the walls of the courtroom, the information they convey is presumed to be known by all members of the community.

Van Dijk (1980) makes a distinction between macrostructures, which are "higher-level semantic or conceptual structures that organize the 'local' microstructures of discourse, interaction, and their cognitive processing" (p. V), and superstructures, which refer to the "schematic form that organizes the global meaning of a text" (p. 108).

The **macrostructure** (or global meaning/content) of the text is the prohibition of certain items of clothing when in court, and this is shown in the text by means of the title "DRESS CODE ENFORCED".

The **superstructure** (or global form) of the text is comprised of a heading ("DRESS CODE ENFORCED") and four lines containing prohibitions. All these prohibitions are structured as follows: a negative determiner ("no") + a noun. The figure of speech employed is parallelism. Furthermore, space restrictions require succinctness, which is why there are no verbs in these constructions. Any reader would understand that the word "allowed" is implied and it would not make any sense to include a very long text, as the perlocutionary effect (complying or not with the dress code) would be lost, for many of the members of the community may feel inclined not to read the sign.

Said superstructure is characteristic of the text type "sign" and includes its expected features.

It should be noted that the word "no", a word with negative connotation, is very similar (if not identical) in many languages, at least as regards the initial consonant: *no* in Spanish, *no* in Italian, *não* in Portuguese, *niet* in Russian, *nein* in German, *non* in French, etc. Therefore, if we considered a legal discourse community from a country in which one of these languages is spoken, members of that community would still manage to understand that the sign contains a prohibition, in spite of the language barrier, since the layout, color and physical objects surrounding the court sign would activate schematic knowledge related to a prohibition.

Adam (2011) states that texts are heterogeneous structures which contain sequences. Said sequences or "pre-formatted structures of typed and ordered groupings of bundles of clauses" are generally intermingled, even in short texts. According to the French author, there are six

types of textual sequences (i.e. combinations of utterances): narrative, descriptive, argumentative, explicative, dialogical and prescriptive sequences (pp. 7-8).

The text in Sample B.1 is formed by four prescriptive/instructional coordinated **sequences**, Adam (1987) explains these sequences have the illocutionary force of an order and are typical of rules and laws. He adds that they usually consist of a list and the description of actions (pp. 65-66).

Sample B.2, on the other hand, is the first part of an application for an emergency custody order filed by the plaintiff (in this case, Jorge Castillo[15]) against defendant Laurel Castillo[16], in a civil lawsuit. This is one of the most formal means of communication between the members of the discourse community at issue, and unlike Sample B.1, the information it conveys only affects certain members.

The **macrostructure** of the text is the plaintiff's request to the judge that an emergency custody order be issued, and this is shown in the text by means of the title "EMERGENCY CUSTODY ORDER".

The **superstructure** is made up by the following elements: 1) the name of the court hearing the case; 2) the identification of the parties; 3) the docket number; 4) the title of the document; 5) the introduction of the application; 6) part of the body.

As in the previous sample, the superstructure coincides with the expected one for this text type, since the genres belonging to the legal discourse are the most stable ones. As shown with the example of the letters rogatory, the superstructure of this request could not have varied greatly from the prototypical one, as we would be going against the expectations of the members of the legal discourse community, and the document itself would have no legal effects.

Moreover, members of the discourse community (probably with the exception of witnesses and jurors, since they are lay people) would expect the name of the court to be at the top of the document, the names of the parties to be on the left, the docket number to be on the right, the title of the document to be centered, and finally, the body.

Lastly, two coordinated narrative sequences can be found in this text. Adam (2011) states that narrative sequences include an initial situation, a conflict, a (re)action, an end, and a final situation (p. 9). The plaintiff recounts which steps he has taken up to now within the proceedings; he's "telling his story" to the judge. Nevertheless, the implicit dominant

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[15] Jorge Castillo enters the community when he files the emergency petition.
[16] Laurel Castillo enters the community when the petition is filed against her.

sequence underlying these narrative sequences (and almost all pleadings and other writings) is argumentative. According to Adam (1987), argumentative sequences aim at persuading the addressee (pp. 68-69). In this case, the plaintiff's aim is to convince the judge that relief should be granted in his favor.

**Conclusion**

As the reader may have noticed from the characterization of the chosen discourse community, as well as from the samples provided, legal discourse is highly specialized, and governed by many discursive rules that are almost invariably complied with. The members of said community are used to the presence of specific terms and genres, which, as already stated, are fairly stable. Furthermore, the roles played by the different members of this community are of utmost importance, which is not always the case with other types of communities, in which functions are not necessarily strictly defined. Lastly, the power of language should not be left unaddressed. In a legal discourse community like the one under analysis, language serves a unique purpose: it may determine a person's fate.

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**Appendix**

**Appendix A: Discourse Sample A – Transcription (Du Bois et al., 1993, pp. 45-87)**

*How to Get Away with Murder – Court Scene (Cross-Examination)*

https://www.youtube.com/watch?v=50l4IzkHte0 (S3, E6) (min 0:22 – 1:45)

ADA (A): Assistant District Attorney (Ms. Atwood)

DA (K): Defense Attorney (Ms. Keating)

IPW (S): Injured Party, Witness (Mr. Stone)

J (K): Judge (Ms. Kendrick)

DF: doubtful voice

CF: confident voice

| 1 | ADA (A) | (Walks towards counsel table) {(P) Your Witness_} |
|---|---|---|
| 2 | DA (K) | {(DC) Mr. Stone \ } |
| 3 | | … {(DC) how many drinks had you had / } |
| 4 | | .. {(DC) before you approached my client? \ } |
| 5 | IPW (S) | (Fidgets with hands) {(DF) Three or four beers / } |
| 6 | DA (K) | {(CF) So, you lost count / } |
| 7 | ADA (A) | {(0) Argumentative \ } |
| 8 | J (K) | {(0) Sustained_ } |
| 9 | DA (K) | {(0) Let me rephrase / } |
| 10 | | {(CF) This isn't the first violent altercation you've had in a bar \ } |
| 11 | | {(CF) is it? / } |
| 12 | ADA (A) | (leans forward) {(0) (F) Objection \} |
| 13 | | {(F) Leading \ } |
| 14 | DA (K) | {(AC) Goes to establishing Mr. Stone pattern of violent behavior while inebriated \ } |
| 15 | ADA (A) | {(0) Permission to approach / } (both ADA (A) and DA (K) stand up and approach the bench) |
| 16 | - | (footsteps) xX(4)Xx |
| 17 | ADA (A) | {(P) Mr. Stone's priors are inadmissible per Rule 609 \ } |
| 18 | DA (K) | {(0) (P) Domestic abuse, yes. \ } |
| 19 | | {(P) But there was another violent incident that he had during his time in college\ } |

| 20 | J (K) | {(P) Which could also be prejudicial \ } |
|---|---|---|
| 21 | | …{(P) I'm prohibiting the mention of all priors against the victim \ } |
| 22 | - | (footsteps) xX(5)Xx (ADA (A) goes back to counsel table;   DA (K) approaches the witness stand) |
| 23 | DA (K) | Mr. Stone \ |
| 24 | | .. {(AC) did you think buying my client a free drink was a down payment on a later sexual advance? / } |
| 25 | ADA (A) | {(0) Objection} |
| 26 | | (moves arms and head in an annoyed manner) {(F) (AC) Counsel is badgering the witness \ } |
| 27 | J (K) | {(0) Sustained \ } |
| 28 | DA (K) | {(0) (AC) Can you tell me what you meant when you yelled "scissor" (raises eyebrows) to Ms. Alvodar? \} |
| 29 | ADA (A) | {(0) (F) Objection \ } |
| 30 | | (leans forward) Offensive question \ |
| 31 | J (K) | {(0) Sustained \ } |
| 32 | DA (K) | {(0) (AC) Can you describe the man that you allegedly claim made you bump into Dani? \ } |
| 33 | ADA (A) | {(0) (F) Objection \ } |
| 34 | | {(AC) Outside the scope of direct examination \ } |
| 35 | J (K) | {(0) Sustained \ } |
| 36 | DA (K) | {(0) (AC) Was the music so loud that you couldn't hear my client repeatedly (raises eyebrows) tell you to leave her alone? \ } |
| 37 | ADA (A) | {(0) (F) Objection} |
| 38 | | (leans forward and stands up from chair) {(0) (F) Calls for speculation} |
| 39 | DA (K) | {(0) (AC) (F) How long did A.D.A. Atwood spend coaching you on your testimony today? \ } |
| 40 | ADA (A) | {(0) (F) Objection} |
| 41 | | {(AC) Counsel is clearly trying to impugn the witness_} |
| 42 | | .. {(AC) Your Honor \ } |
| 43 | J (K) | {(0) Sustained \ } |
| 44 | | …{(DC) Please/} |

| 45 | | …{(DC) Ms. Keating/} |
|----|----|----|
| 46 | | …{(DC) Move on_} |
| 47 | | ..{(DC) or I'll be inclined to report this conduct to the Bar \} |
| 48* | DA (K) | xX(10 )Xx (swallows) {(P) No further questions\} |

*Not available in the clip provided.

## Appendix B: Discourse Sample B.1 (Season 1, Episode 4)

**DRESS CODE ENFORCED**
NO SHORTS
NO T-SHIRTS – TANK TOPS
NO THONGS – SLIPPERS
NO SUN SHADES

## Appendix C: Discourse Sample B.2 (Season 4, Episode 9)

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
JORGE CASTILLO
      Plaintiff                      No. 2015 CV 345391
vs.
LAUREL CASTILLO
      Defendant

**EMERGENCY CUSTODY ORDER**

AND NOW COMES, Jorge Castillo who has filed an Emergency Petition for Special Relief in Custody and allege(s) as follows:

1) A Custody Complaint was filed simultaneously with this Emergency Petition for Special Relief in custody on April 22, 2016.

(…)

## The Analysis of a Choir as a Discourse Community

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**Abstract**

This paper aims at delving into the topic of discourse analysis and discourse communities by examining two discourse samples from a choir. In the first place, a music score is analyzed in terms of written discourse, and the similarities between language and music are examined. Secondly, the paper explores the topic of non-verbal communication. The gestures with which the director of the choir communicates are analyzed with the objective of appreciating how important non-verbal communication is for a choir. Finally, an assessment is made as to whether this discourse community is able to communicate in a meaningful and effective way.

**Key words:** discourse analysis, discourse community, choir, music score, written discourse, non-verbal communication.

**Resumen**

Este artículo tiene como objetivo profundizar en el tema de análisis del discurso y de comunidades discursivas mediante el examen de dos muestras discursivas de un coro. En primer lugar, se analiza una partitura musical como muestra de discurso escrito y se examinan las similitudes entre el lenguaje y la música. En segundo lugar, el ensayo explora la comunicación no verbal. Se analizan los gestos con los que el director del coro se comunica con el objetivo de apreciar cuán importante es la comunicación no verbal para un coro. Finalmente, se evalúa si esta comunidad discursiva es capaz de comunicarse de forma significativa y efectiva.

**Palabras clave:** análisis del discurso, comunidad discursiva, coro, partitura musical, discurso escrito, comunicación no verbal.

## Introduction

This paper analyzes a non-fictional discourse community located in Buenos Aires, Argentina. More specifically, the discourse community that is approached is the choir in which I participate since 2017. The methodology used to examine this group of people is scientific observation. The general aim of this paper is to describe the discourse community and to examine two discourse samples. Also, the paper intends to demonstrate whether this discourse community is able to communicate in a meaningful and effective way. To achieve these purposes, first, the discourse community is described. Secondly, a written piece of discourse, a music score, is taken as a starting point in order to identify which characteristics are shared by language and music. Thirdly, the paralinguistic behavior of the teacher/director when directing the choir is examined.

## The choir as a discourse community

The discourse community that is analyzed in this paper is the choir in which I participate since 2017. In terms of number, the choir is relatively small since it is comprised of 17 members. In general, not all the participants attend classes every week. Thus, the number of participants per class varies and, in general, there are around 12 members per class. Classes take place only on Tuesdays from 7 p.m. to 8:10 p.m. at the music school "Evaristo Carriego", which is located in Villa Soldati. Taking gender into consideration, female voices prevail, since only three young boys attend the class. The teacher is also the director of the choir: he first teaches the songs to the group, and later on he directs us.

One significant characteristic of this choir is the fact that it is made up by adults; however, teenagers are also part of the group. "Adult" is a word that comprises a wide variety of ages in this discourse community. This is the reason why the youngest member is 15 years old and the oldest is around 60. Also, it is significant to remark that, since meetings take place for only one hour per week and participants belong to different generations, there is not much communication among some members.

This group of people will be described in depth taking into account linguist John Swales' work *Genre analysis: English in academic and research settings* (1999), in which he proposes six defining characteristics of a discourse community.

Firstly, Swales (1999) states that "a discourse community has a broadly agreed set of common public goals" (p. 24). In the case of the choir I am part of the goal of the group is mainly to sing and express ourselves musically with other people in a context in which socialization and congeniality prevails. Basically, all members should a) like to sing b) like to sing with other people, the assumption being that, since it is an adults' choir, nobody would attend it out of obligation, as it might happen in a children's choir.

What is more, also in relation to the common goals, the main objectives established by the official program of the choir are: a) to foster participation and production in the school of music, where objectives are aimed at adults; b) to generate a space of socialization through choral singing rooted in the values of the neighborhood; c) to promote choral singing as a genuine individual and social form of expression; d) to develop habits of respect towards the maturation processes of all the members of the community; e) to generate dynamics of common understanding in the instances of collaborative learning; and f) to become aware of the importance of collective construction as the fundamental dynamics of a choir. These official goals are a contribution obtained from the teacher/director of the choir as part of the research carried out in the community.

However, data was also collected as regards the general reason why individuals join the choir. In order to obtain this information, 10 members of the group were asked the following question: "Why do you attend this choir?" Appendix 1 provides the answers obtained. After analyzing the responses, in general terms, the set of motivations for most of them is that they enjoy expressing themselves with their voices and find it meaningful to do this with other people.

Taking power relations into consideration, the teacher/director of the choir is the authority in the class. On the basis of observation, it can be stated that his personality is an important factor since it creates a proper learning atmosphere. He is an accessible, kind and very funny man. There is always a joyful atmosphere when he shows an exercise related to vocal

technique because he can be so spontaneous with his comments and actions that the group cannot help laughing. Also, he is not afraid of laughing at the things he says or does. Thus, his personality makes everybody feel comfortable. Furthermore, when member A was asked why she attended the class, she mentioned that she liked being a participant due to the teacher's personality. She also expressed that he makes her feel comfortable, that he is spontaneous, that he knows a lot and that he likes to teach what he knows.

It was mentioned previously that one of the official objectives of the group is "to develop habits of respect towards the maturation processes of all the members of the community". The teacher is the first person in the choir who applies this in class. He always tries not to expose individual singers in the middle of the class, since they may feel uncomfortable or nervous if they sing alone, for example. Instead, he sometimes asks two or three people to sing together. This is an important idea to bear in mind, since a positive interaction between the members of the community can only be achieved if all of them feel truly comfortable.

What is more, since there are only three male voices in the choir, sometimes the teacher/director moves and places himself next to the boys to sing together with them. This point can be observed in the second discourse sample that is analyzed. Poggi (2011) indicates that singing together with the group is one way to induce motivation to the singers, since the leader is an example for them and, thus, makes them feel he is just like them (p. 345). Also, as Poggi (2011) remarks, the teacher can help, guide and encourage the group by playing the role of the singers but without losing his authority (p. 345).

Secondly, Swales (1999) claims that a discourse community has "mechanisms of intercommunication among its members" (p. 25). In this discourse community, as it was mentioned before, people meet once a week. Thus, the first mechanism of intercommunication is face-to-face interaction. However, there are other mechanisms, such as communication through gestures and looks (as it will be analyzed in the second discourse sample) when the teacher/director gives orders to the members of the group, and a WhatsApp group. These are the only mechanisms of intercommunication among the participants.

Swales (1999) additionally mentions that the mechanisms used by the community provide information and feedback (p. 26). In the choir, the main mechanism of communication is face-to-face interaction. This allows both teacher and singers to be fluent in terms of

information and feedback. When singers have a question, they simply raise their hand and they are answered immediately. The same occurs when singers need musical scores or other things. In the WhatsApp group, communication is not so fluent since this is a type of asynchronous communication. All the members of the group receive the messages, but some of them respond only when there is an audio from the teacher or when somebody says they are feeling sick and will not be able to attend.

Lastly, Swales (1999) mentions that a discourse community possesses one or more genres in the communicative furtherance of its aims (p. 27). Particularly in this discourse community, face-to-face interaction predominates, since it is only by getting together that a choir can truly function. In the case of the WhatsApp group, members mostly type, send audios, and send videos or links related to singing. This last point occurs rarely, however. The general topics of conversation are: members saying they will arrive late, members sharing pictures in a special day such as for example Mother's Day or Teacher's Day, members sending videos after performances, and the teacher sending the audios corresponding to each voice part so that members can practise.

In relation to gestural communication taking place among singers, members sometimes greet each other by waving and smiling. This occurs when someone arrives late, and therefore they cannot approach members or say "hello", so they resort to other ways of communication without producing sounds.

Swales (1999) also takes lexis into account. He claims that "a discourse community has acquired some specific lexis" (p. 26). This is an important idea since particular words are used in this discourse community in order to refer to a great variety of musical concepts. Probably, the most distinctive words that are used in the class and that an outsider would not be acquainted with are *soprano*, *contralto* and *baritone*. Formento (2017) claims that voices are divided according to men and women (p. 32). *Soprano* is a concept that refers to women's highest pitch voice; whereas *baritone* is the masculine voice which is lower than the tenor pitch and higher than the bass pitch. *Contralto* is defined by Formento (2017) as the lowest pitch voice among women (p. 32). However, this is not the only terminology used among singers. Green (2015) provides a list of common words in a singing context. The director of

the choir refers to *falsetto* on many occasions. This is defined by Green (2015) as "a term used when male singers go extremely high into their head voice" (para. 9).

Another term used in the community is *blending*. According to Green (2015, para. 13), the term refers to making singers sound like one voice. Sometimes the director perceives that the choir does not sound as a unit: the sopranos/baritones/contraltos' voices sound fragmented or some voices in particular stand out. Thus, the director encourages singers to listen to one another and try to blend in order to sound as one voice. Also, *register* is a word used in this discourse community. Green (2015) mentions that this term can be classified as "chest" or "head" depending on the part of the body that produces the vibrations when singing (para. 7). *A capella* is another well-known term that refers to creating music only with the human voice and, therefore, "without instrumental accompaniment" (Oxford Online Dictionaries, 2019). Finally, *staccato* refers to "a series of short, sharp sounds or words" (Oxford Online Dictionaries, 2019).

Lastly, Swales (1999) states that a discourse community has a limited level of members with "a suitable degree of relevant content and discoursal expertise" (p. 27). As it was mentioned before, the choir is made up by only 17 members. This number is suitable since, for example, the classroom is relatively small. If there were 50 people, they would not be able to gather in that specific place. Nevertheless, it would be good to increase the number of male singers since there are only three. There should be a balance between male and female voices.

Considering how members can be part of the group, anyone who is 14 years old or older can become a member. Classes are free of charge. Whenever there is a presentation, the teacher/director invites people to join the choir and claims that it does not matter if they have never taken singing classes before. The spectators at presentations are usually kids who attend other classes in the school of music, kids' parents, and other persons invited by performers. The teacher encourages people to come and simply have a good time while learning, since singing should not be stressful.

Finally, it can also be pointed out that some members of the group enrolled, attended some classes and then dropped out. Most of them claimed they were leaving since they had other responsibilities or could not attend due to family reasons.

**Analysis of a musical score as a written discourse sample**

In this section of the paper, a musical score is taken as a sample of written discourse and, therefore, it is analyzed by considering the properties of written discourse. Also, this section intends to explore the similarities between language and music.

Musical scores are important elements for people who are involved in the musical field. According to Oxford Online Dictionaries (2019), a musical score is a "written representation of a musical composition showing all the vocal and instrumental parts arranged one below the other". Thus, this tool is crucial for musicians to have a guide either when they play an instrument or when they sing. The musical score that is analyzed in this paper can be found in Appendix 2.

If we consider the non-verbal elements of writing, musical scores contain prominent elements that serve as *paratext*. Alvarado (2010) mentions that the term paratext makes reference to everything that surrounds and goes along with the text (p. 20). She additionally mentions different types of paratext, such as material, format, typography and graphic design.

If we analyze the music score in terms of material and format, music sheets are easy to recognize by any person even if they do not know how to read music. In general terms, these are simple A4 or legal-size paper sheets. In most schools of music or places where people sing and are given scores, teachers simply hand in copies. That is the reason why the paper type is a very common one. However, original scores may be printed in a thicker type of paper which, in any case, does not prevent the score from being identified as such. Taking colors into account, scores are characterized by their smooth white background —in the case of copies— or yellowish background —in the case of original scores— and the contrast of these colors with typical black musical staves. Once people perceive that a white/yellowish sheet of paper has a black musical staff on it, they are able to recognize it and classify it within the musical field. Also, most of the scores have a vertical orientation, as in this case.

Secondly, taking typography and graphic design into consideration, the staves printed on the paper are around one centimeter high. A staff is "a set of five parallel lines on any one or

Illustration 2: segmentation of lyrics. words next to each staff.

between any adjacent two of which a note is written to indicate its pitch" (Oxford Online Dictionaries, 2019). Further, staves are placed one under the other so that, once a line finishes, the interpreter continues reading on the line below. However, in this score, it is significant to bear in mind that staves are set by groups of three since there are three voices —soprano, alto and baritone— that interact at the same time. Thus, interpreters should only read the line corresponding to the voice that has been assigned to them.

As regards the linguistic-textual characteristics of written discourse, the lexical level is important, since, there are virtually no words accompanying the song apart from *SOPRANO*, *ALTO* and *BARITONO*. These are written in capital letters and are relevant not only because they signal the different voices of the musical piece, but also because they allow the singers to identify what line they should follow. These words are very specific and known by anybody who has musical knowledge (they were explained in the lexis of the discourse community). Thus, lexical choice is crucial (Illustration 1).

According to Calsamiglia & Tusón (2001) segmentation is an important element in written texts since it facilitates the comprehension of the material (p. 96). In the score that is being analyzed, this segmentation can be seen in the lyrics placed under each musical note. What is significant is the fact that lyrics are not written in a continuous form under the staff; instead, words are divided in syllables (Illustration 2). Thus, only a syllable corresponds to a sound, and not a whole word. That is to say, there is one note per syllable in most cases. This occurs because, in the staff, musical notes are separated, and, therefore, one note corresponds to a certain part of a word.

Every staff of the music score is also segmented by means of one division bar (Illustration 3). This is a vertical line that crosses the staves to create intervals of the same length of time ("What are Musical Bar Lines", n.d.). These are very useful lines whose objective is to organize the musical piece and orient the reader.
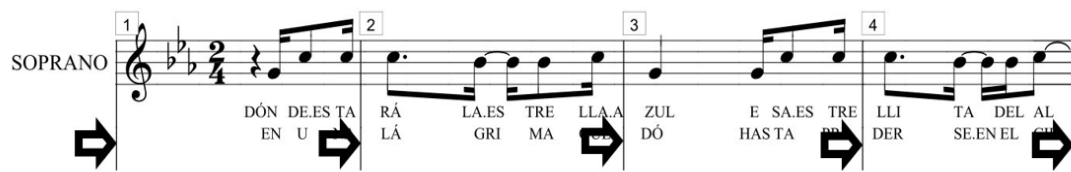
*Illustration 3: division lines.*

What is also significant to mention is that there are numbers placed at the top of every staff and immediately after every division bar. These numbers, which segment every staff, serve to identify the different beats (Illustration 4). Thus, these numbers can be compared to, for
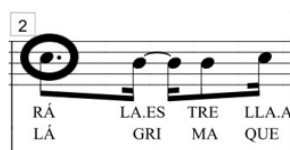


*Illustration 5: dotted quarter note.*

example, the chapters of a book. In a literature class, when discussing a novel, students can identify chapters thanks to their numbers. In a singing class, singers identify the different parts of a song by referring to the numbers above the staves. The teacher might want to start working on the song from a certain place onwards and these numbers are very helpful to establish sense and organization, since readers do not need to start counting beat by beat but just check the numbers next to every staff.

According to Calsamiglia and Tusón (2001), punctuation in written texts is used to organize them grammatically and to give them a certain logic (p. 96). Some of the punctuation marks that are used in traditional writing are also used by musical language. For instance, in the staff, next to some notes, there is a dot (Illustration 5). In regular written discourse sample this signals the end of a sentence, therefore, readers know that they should make a pause. However, in musical writing, this symbol, placed after a quarter note, transforms it into a dotted quarter note. According to Kraemer (2019, para. 1), what this punctuation signals is that the duration of the note should be increased by a half (1 + ½). Thus, whereas in traditional writing this punctuation signals that the reader should make a pause, in musical language it indicates an increase in the duration of a note, which, curiously, is the opposite of making a pause.
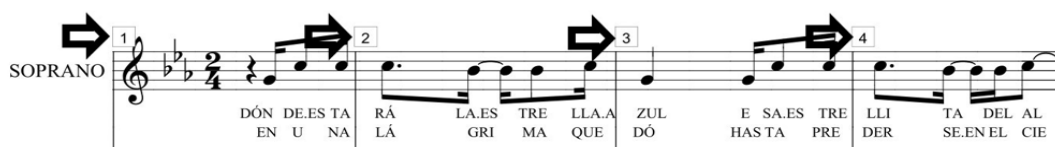


*Illustration 4: Identification numbers for each beat.*

Finally, Calsamiglia and Tusón (2001) take titles into consideration. They claim that they have cataphoric reference since they anticipate the content of the text. The musical score is identified by a specific title, which is *La Estrella Azul* (Illustration 6). In this case, the song is expected to deal with a blue star and not, for example, cars. The name of the song is also part of the lyrics: *¿Donde estará la estrella azul, esa estrellita del alma?* What is more, under the song title, we see the word *Huayno*. The presence of this subtitle is significant since it allows the reader to classify the song within a musical genre and, thus, they can be aware of what style it should follow (provided they have previous knowledge about the general characteristics of a Huayno).



Illustration 7: altos and baritones wait for their entrance in the following beat.

The previously analyzed concepts correspond to the characteristics of written discourse. However, I also find it significant to consider *turn-taking* and *overlapping,* which are characteristics of oral discourse.

As in oral discourse, when interpreting music, singers find themselves taking turns. This concept refers to the distributed opportunities speakers have in order to speak (Heldner & Edlund, 2010). In the case of musical language, this occurs when there are two or more voices that interact. Unlike oral discourse, where turn-taking is perceived as it takes place, there is no need for singers to produce sound in order to appreciate this feature. By reading



La Estrella Azul

Huayno

Illustration 6: title and subtitle of the song.

the score, singers already know they will have to take turns. To exemplify this point, it is possible to observe that, in the first beat of the second and third staves identified as *ALTO* and *BARITONO*, there is a small black symbol, which signals a silence.

Nevertheless, when directing the attention to the staff above, it can be seen that sopranos sing while altos wait for their entrance. In other words, there is turn-taking because altos and baritones wait for their turn while sopranos sing (Illustration 7).

Apart from turn-taking, another significant feature of oral discourse that can be applied to the score is that of *overlapping*. Heldner & Edlund (2010) define the term overlap as "portions of speech delivered simultaneously with speech from another speaker in a speaker change" (p. 556). Thus, in most cases, an overlapping in any regular conversation would be an

impediment to communicate properly with the other person. However, without overlapping, music would not be as rich and beautiful as it is. Even though many people can sing exactly the same piece of music in unison, it is the overlapping of voices that defines a choir. In this sample of written discourse, as it was mentioned before, staves are organized in groups of three. The fact that there are musical notes on the three staves means that voices overlap since the three different voices will produce sound at the same time. This is the reason why this is a polyphonic song. According to Oxford Online Dictionaries (2019), polyphony is "the style of simultaneously combining a number of parts, each forming an individual melody and harmonizing with each other". Literary scholar Mikhail Bakhtin (as cited in Malcuzynski, 1984, p. 78) applied the term to literary studies and stated that some novels did not provide a single point of view, that a text may show a variety of voices and opinions, and thus be defined as "polyphonic". For him, a book shows a unification of several consciousness, which is similar to what occurs in a choir.

Finally, in relation to how language and music resemble cognitively, Jackendoff (2008) mentions that both the acquisition and processing of music and language involve having a number of skills that are shared with other cognitive domains and explains that both language and music require having the ability to store representations (p. 196). These representations are words (in the case of language) or recognizable melodies (in the case of music). Receptive skills precede productive skills in the development of both language and music (Jackendoff, 2008, p. 196). Thus, it can be said that in the discourse community that is being analyzed, all its members have the ability to store not only the different melodies of each song but also the corresponding lyrics applied to those melodies. However, remembering lyrics may be complicated sometimes, especially when there are new songs to learn. Thus, once again, resorting to musical scores is important.

Jackendoff (2008) additionally states that the processing of both language and music is connected to "creating expectations for what is to come" (p. 196). What is more, Jackendoff (2008) comments that learning in order to produce both language and music is connected with our ability to imitate other people's vocal production (p. 197). In the case of language, this is not only clearly related to the acquisition of our mother tongue, but also to the acquisition of a foreign language, in which we need to imitate sounds. Nevertheless, in the case of music, imitation is necessary as well. One song performed by the choir is called *Rock*

*my soul*. The majority of the members of the choir do not speak English and, therefore, need to resort mainly to the imitation of sounds produced by the teacher. However, when songs are in Spanish, the group also resorts to imitation: we copy the melody and repeat the phrases that the teacher sings.

According to Wen (2011), both language and music are characteristics of the human species that seem to be universal and specific to all humans. She adds that all humans are able to acquire both linguistic and musical competence (slide 8). Taking the choir under analysis as an example, it is formed by persons between 15 and 60 who are able to produce musical sounds. Thus, singing is not an activity connected only to young generations. However, what will vary is each person´s ability to sing and tune.

Moreover, it is important to consider that when singing, both hemispheres of the brain are exercised at the same time (Wen, 2011, slide 33). Whereas the right hemisphere is concerned with music and art, the right hemisphere is concerned with language (Wen, 2011, slide 33). This exercise is taken to another level at the time of singing songs which are not in the singers' native language. A more complex mental exercise is required in order to learn new sounds and words that belong to a foreign language.

Language and music are both comprised of three elements: A) phonology, which refers to the characterization of the basic sound units; B) syntax, which refers to the rules governing the way in which sound units are combined; and C) semantics, which refers to the way in which meaning is assigned to sound sequences (Wen, 2011, slide 18).

Regarding phonology, in the human language there are phonemes, whereas in the musical language there are notes. Wen (2011) claims that these are characterized by frequency and duration parameters (slide 19). Notes tend to be longer than phonemes since, for example, whenever there is a dot next to a musical note, it increases its duration. While phonemes can only be produced with the vocal chords, musical notes can also be produced with the vocal chords, body or a great variety of instruments.

Regarding syntax and grammar, the structural unit in the musical language is the musical phrase (Wen, 2011, slide 20). In the human language, the prominence contour includes stress,

timing and intonation of a sentence. In the musical language, the prominence contour includes harmony, tonality, rhythm, meter, melody and repetition (Wen, 2011, slide 20). This last concept of repetition can be appreciated in the discursive example under analysis, where the discourse community sings a song that is based on repetition.

Lastly, as regards semantics in language, there is a distinction between lexical semantics — which is related to the meaning of words in isolation— and compositional semantics —which is connected to the meaning of words in combination— (Wen, 2011, slide 21). In the case of music, Wen (2011) claims that meaning emerges from mimicry. This occurs because choirs usually sing songs written by famous artists who have already provided meaning to the song by their performance. Also, meaning can be related to the song itself and the connotation that the song has. Taking an anthem as an example, it is not performed with the same feeling as any regular song. Finally, each person can interpret a song differently: that is precisely the magic of music. Two different people can interpret a song in a variety of ways and, therefore, will perform it differently even when they are singing exactly the same lyrics.

Considering the discourse sample under analysis, this choir's version does not sound like the original version by Peteco Carabajal, first, because it is an adaptation by Julián Sisterna, and, second, because originally the song is a solo and not a polyphonic song. Also, "La estrellita azul" can simply refer to a blue star for many people; however, the teacher commented that the author of the song used this metaphor to refer to his son, with which he could not have a close relation. For this reason, the choir does not sing "La Estrellita Azul" exactly with the same passion as Peteco Carabajal, since his feelings towards the song are stronger than the choir's feelings.

**Analysis of non-verbal communication: the director's body language**

The second discourse sample to be analyzed in this research paper is a multimedia recording from a presentation that took place in October 2018. The song performed by the discourse community is called *Ipharadisi*. In the video, we can observe what was mentioned previously: the teacher/director moves from the center and places himself next to the baritones in order to sing together with them. In most cases, the director places himself in the

front of the choir, giving his back to the audience. However, in this presentation the director leaves the typical location for a specific reason: being another singer of the choir.

According to Lemann (2015), the figure of the director is very important, since his function is to organize the voices of a group that is willing to sing together (p. 97).  In order to help the choir perform at its best, Rodríguez Palacios (2013) states that gestures are a key element when directing. What is more, he claims that introducing audible elements to give instructions would cause an overlapping of sounds between the instructions and the music that uses sound itself to be produced (p. 65). Since the director's function is to communicate various types of information to the singers, Poggi (2011) asserts that the director's movements are by definition "communicative" since his gestures and his whole body allow him "to communicate various types of information to players" (p. 342).

Further, Poggi (2011) states that the end goal for singers is to sing at their best and that this can be achieved by means of three sub-goals. The first one is that singers should know what and how to sing, that is to say, they should feel confident about what they are singing (p. 343). In the video, the singers seem to be confident about what they are singing since they do not even have the musical score or the song lyrics in their hands. The song is easy to remember. Also, from the expressions of the members of the group, they all seem to be focused and are paying attention to the teacher/director. Some of them even smile, showing they are enjoying what they are doing. Smiling can be classified as an affect display according to Ekman and Friesen (as cited in Hartman, n.d., pp. 1-2), because it carries emotional meaning and reveals how they are feeling at the moment of singing.

The second sub-goal with which the director can encourage singers to sing at their best is motivating them, claims Poggi (2011, p. 343). This can be observed in the video when the teacher/director marks when each voice should make its entrance. Not only does he mark the entrance, but he also mimics the lyrics together with the group without actually producing sound. This can be observed particularly during the first minute of the song. Thus, he is constructing a sense of motivation so that the choir can feel confident about the lyrics and know that "we are in this together" and that he is helping; he is one of us.

In connection with what was mentioned in the description of the discourse community, the teacher/director is an accessible, kind and funny man. Thus, each time he directs the choir, he smiles at every single member, making us feel that we are performing well. This idea of the director looking at each member can be observed in the video: he makes eye contact with all of us, and at second 00:49 he is even laughing with that joyful charisma he always has. Rodríguez Palacios (2013) additionally mentions that, when directing a choir, the director's head should be high, aligned vertically with the body, neither with lateral inclination nor protruding (p. 72). The previously mentioned aspect can be appreciated in the video since the director is standing properly.

The director gives directions to the singers by moving his hands and arms, and through looks. Rodríguez Palacios (2013) claims that arms and hands are the principal means of the gestural language of musical direction because they are the most easily movable and observed parts of the body (p.74). The distance from where the video is recorded does not allow a very precise analysis of his facial expressions, but it can be pointed out that he laughs, smiles and sometimes raises his eyebrows. Raising eyebrows could be classified as an illustrator according to and cited in N., 2), the of the Ekman Friesen (as Hartman, n.d., pp. 1- because movement eyebrows

Illustration 1: his right hand marks tempo; his left hand provides feedback.

Illustration 2: the director provides feedback with both hands.

Illustration 3: the director claps at the end of the presentation.

accompanies and reinforces his singing.

Finally, Poggi (2011) claims that the third sub-goal for directors to make singers sing at their best is the feedback they provide. In this particular case, from second 00:19 to second 00:22, the director does two things at the same time: he directs by marking the tempo with his right hand ─which Lemann (2015) says is the hand that directors use to do this─ and he makes a gesture with his left hand to signal that the group is performing well (Illustration 1). His raising of the thumb can be categorized as an emblem according to Ekman and Friesen (as

Illustration 4: length is signaled by using his arms.

cited in Hartman, n.d., pp. 1-2), since it can be translated into the words "great". Thus, this shows how the teacher/director is very expressive and so supportive that he even tells the singers they are doing well while he directs them at the same time. The same emblem can be appreciated at seconds 00:56-00:57 when he congratulates the singers for having made a correct movement of their bodies towards the right side. He makes these gestures with both of his hands and smiles as well (Illustration 2). Finally, another instance in which he provides positive feedback is when, at the end of the song, he claps together with the general public (Illustration 3). An applause is a positive emblem that is generally accompanied with the word "bravo". The gesture represents enjoyment and approval. Nevertheless, according to Ekman's and Friesen's classification, an applause can also be an affect display since it carries emotional meaning and sends a message about people's feelings.

Throughout the presentation, his most repeated gesture is the one with which the director marks the tempo. Even though he does not mark it so firmly, it is a guidance for singers to consider. The teacher/director does this by slightly moving his right hand to the left and to the right and by putting together his forefinger and thumb.

In seconds 00:03 and 00:18, while signaling the entrances to the different voices, the director makes a gesture by opening both arms, which is a signal for singers to make a note last longer. (Illustration 4). Thus, length is signaled by using his arms. However, apart from this movement he resorts to the opening of his mouth and the raising of his eyebrows once again. Moving his lips without actually singing is a facial movement that reinforces what he conveys with the movement of his arms (an emblem).

Illustration 8: he anticipates the side to which the group should go first.

In second 00:16, the director makes clear eye contact with the sopranos, since they are the ones who should sing after the contraltos (Illustration 5). Thus, oculesics —the study of eye-related non-verbal communication— is an important factor in a choir: without eye contact, communication is difficult. Moreover, the director points at the sopranos with this left hand. These two actions —pointing and making eye contact— help the group pay attention to what is about to come. The same procedure is repeated at second 00:35, when baritones are signaled to make their entrance (Illustration 6).



Illustration 5: the director points out and makes eye contact with sopranos.



Illustration 6: the director points out and makes eye contact with baritones.



Illustration 7: the director turns around to mark the bongo entrance.

At second 00:36, the director turns his head and part of his body to his right. He does this in order to mark the entrance to a man who is standing next to him and about to play the bongo. (Illustration 7). Once more, the director resorts to movement, eye contact and a slight nodding to do this.

Together with the teacher/director we decided to include an element to make the song more interesting. This element is a very simple "choreography" which consists in moving one step to the left and one step to the right while following the beat of the song. Throughout the year, we had trouble doing this because some members would often move in the wrong direction. Lemann (2015) mentions that intuition is a very important factor in a director, since he should be able to avoid defects or accidents. Thus, it can be observed how —starting from second 00:46, with movement beginning at second 00:55— the director makes a gesture to anticipate the side to which the group should go first (another emblem). The shared knowledge is that we should go to the right first, but he signals this as a reminder. At second 00:54, he does this again with his two hands by pointing at his right leg (Illustration 8). Without eye contact it is impossible for the singers to follow the instructions properly.

Proxemics is also an important aspect to analyze. Agnus (2012) claims that it was anthropologist Edward Hall who coined the term. Proxemics makes reference to the use and perception of one's social and personal space, such as seating (Agnus, 2012, p. 1). Further, Hans & Hans (2015) mention that the term refers to how space and distance influence communication. Rodríguez Palacios (2013) states that all the members of the group and the director should consider distance for two main reasons: the director be seen properly by all the singers, and he should also place himself where he can assess how the choir sounds. Plus, it is beneficial for the members of the group to form a semicircle so that all of them can see the directors' gestures and vice versa (p. 73).

Following the concept of proxemics, Hans & Hans (2015) state that "space influences how people communicate and behave" (p. 49). In the example that is being analyzed, three different types of distance, which serve different purposes, can be observed.



The first one is intimate distance, which is 0 to 1.5 feet from the other person, as explained by Agnus (2012). It is crucial that singers are close to each other so that they can listen properly and sing in unison. Moreover, this closeness is organized according to the singers' voice type (sopranos, contraltos and baritones).

Woods (2010) claims that choirs are often organized by taking into consideration voice type —soprano, alto, baritone. Thus, since there is more than one voice singing at the same time, this is an example of polyphony. The three voice types sing exactly the same notes and lyrics but the element that varies is the tonality in which each group sings. Once again, this can be interpreted by looking at the score, without the necessity of singing the song. Woods (2010) additionally mentions that this type of organization into sections "usually helps singers hear their voice part, thus lending a measure of security to any music making" (p. 2).

Nevertheless, even when the members of the choir are divided into different voices, this should not be perceived visually by the public who is watching them perform. That is the reason why, in this discourse community, sopranos and contraltos should stand close to each other and no gap should be seen between the two groups. Also, there is a second gap that divides the five contraltos into three and two. This should not occur either.

The second type of distance that can be observed is the one between the director and some of the singers. This distance can be classified as personal distance, which is 1.5 to 4 feet from the other person (Hans & Hans, 2015). It is important to point out that the type of direction found here is informal, and that directors usually give instructions from the front. In this case, because the director sings with the baritones, there is an intimate distance among them, whereas sopranos and contraltos are more separated from the director. Were the director at the front, all singers would be sharing personal distance.

The third type of distance is public distance, which Hans & Hans (2015) describe as space that is "four or more feet away from our body" (p.49). This type of distance is often taken in public speaking situations or, as in this case, in presentations. We can easily observe how the person recording the video and the rest of the audience are part of this category. In fact, the recorder is far away from the group and many other people's heads can be seen in the image.

Finally, to complete our analysis of non-verbal communication, it is important to mention physical traits and artifacts. The place where this presentation is taking place is the hall of the school. We simply arrange some chairs for the audience and organize a simple presentation. Hanging on the wall, there is a blackboard with the following phrase: "Day of respect of cultural diversity". The reason for this is that this school functions as a school of music during the afternoon but it is a regular primary school during the morning. This does not affect the performance because the members of the choir are used to sharing the space with the primary school, and also because both the choir and the audience focus on the performance rather than on what is hanging on the wall.

As regards temperature, it was moderate. The fan that can be seen on the right is off, and (since the author is a member of the choir) we know the heating was not on. Performances always take place in the hall of the school because the temperature remains comfortable

throughout the year. This is an important matter, since the choir needs to feel relaxed to provide a good performance. What is more, the hall is relatively small, which helps the members of the choir and the director have a closer connection with the audience.

Finally, in terms of colors, it is significant to mention that most of the members of the choir are dressed in black. This has been agreed beforehand with the teacher in order to look more or less all the same. If not, some people might wear more striking colors than others and this may be distracting for the audience. A choir should show unity, even in its members' clothing.

**Conclusion**

This paper analyzed a choir as an example of a discourse community. It was explained that this is an adults' choir whose members cover a wide age range, but who share the same passion, which is expressing themselves through singing. As regards the first discursive example, an analysis was made on how musical scores are helpful for singers, and how music and language share a great variety of similarities. In relation to the second example, we analyzed the director's non-verbal communication and how it helps singers perform well.

Reflecting on this discourse community, we consider that, even though communication is fluent and effective in presentations, this community still fails at communicating out of the class. In the classroom, there is not so much communication. This may be simply because the group is very heterogenous in terms of age and because classes take place only once a week for an hour. Also, 85% of the class is devoted to singing, therefore, members cannot exchange much information among themselves. Being divided by voices and always taking the same seats does not allow us to socialize with people we never sit next to either.

Lastly, we believe this group simply enjoys communicating by singing. This does not mean there is no conversation, or that classes are boring. In fact, the atmosphere is comfortable, since the teacher is a great provider of fun and knowledge. However, for the reasons mentioned previously, it was difficult to obtain significant pieces of discourse such as conversations to analyze in this research paper. Thus, it can be said that the communicative

expectations of this group of people are met through music and therefore, rational and linguistic communication seems to be unnecessary.

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**Appendix 1**

The following answers were obtained when members of the choir were asked why they attend the choir:

- Members A and B (females, 57 and 35 years old) attend because they both like singing. Since they are soloists in the music ministry at their churches, their objective is to improve their singing and gain experience in a different way. Also, the younger woman expressed that she wants to exercise her auditive skills.

- Member C (female, 37 years old) claimed that she attends the choir due to the fact that singing with other people and learning and practicing vocal technique motivates her.

- Member D (male, 15 years old) attends the class because he likes singing and is interested in creating music with his voice instead of with an instrument. Also, he mentioned that, even though he likes singing on his own, he prefers to do this activity with other pitch tonalities in order to create a harmony that cannot be created with just one voice.

- Member J (female, 29 years old) expressed that, even though she likes singing, the main reason why she is part of the group is due to the fact that her son attends another class in the same establishment at the same hour, so she has the chance to wait for him while enjoying this activity.

- Members E and F (females, 16 and 32 years old). The former expressed that she attends the choir in order to spend her free time doing an activity she enjoys. Further, she claimed that her initial intention was to enroll in an individual class, but since the music school does not offer that option, she enrolled in the choir and found the experience enjoyable as well. Similarly, the 32-year-old woman simply expressed that she likes singing and finds the class to be "a moment for herself" since the activity makes her feel well.

- Member G (male, 20 years old) enjoys expressing different emotions through music together with other people. He describes singing with others as "different" and "more gratifying" than doing it on his own.

- Members H and I (females, 45 and 53 years old) have liked singing since they were children and like social activities as well.

**Appendix 2**

# La Estrella Azul

Huayno

Peteco Carabajal
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