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Special Online Issue on
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Associate Editors

Pennsylvania Communication Annual
Submission Guidelines

The Pennsylvania Communication Annual is dedicated to advancing our undertaking of human communication. Manuscripts should be original and should discuss instructional, theoretical, philosophical, and/or practical aspects of any area of communication. Reviews of recent books and/or videotapes in any area of communication are also considered at the editor's discretion. While articles authored by Pennsylvanians and articles covering Pennsylvania topics are especially welcome, manuscripts on all topics and from all regions, including international submissions, are invited and will receive full consideration for publication.

The Pennsylvania Communication Annual is a refereed journal of the Pennsylvania Communication Association. Manuscripts for the 2016 issue (v.72) are now being received. The acceptance rate for 2014 and 2015 journals were respectively fewer than 22 and 25 percent. Submission should follow the latest APA style sheet. Please format your papers for blind review and remove anything that may give away your identity. Manuscripts should not exceed 8000 words including references, notes, tables and other citations. Also book reviews should not exceed 2000 words. Please submit your articles to The Pennsylvania Communication Annual at my.ejmanager.com/pca website. The submission deadline is 4/1/2016. PCA Annual is indexed by the EBSCO Host's Communication Source database. Please visit www.pcasite.org for more information.

Some important details to follow when submitting your manuscripts, if you use footnotes or endnotes: Endnotes only and without formatting, no footnotes.; no superscript font to indicate an endnote, just regular numbers and we will superscript upon editing; insert tables and illustrations as images only or send separate PDF files of these portions of the documents; formatted hanging indents only on references or no formatting at all; no "return" and "tab" to create the look of a hanging indent.

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The Pennsylvania Communication Association (PCA) promotes teaching, scholarship, service, and an ongoing commitment to the discipline of human communication.
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- Responding to student and societal needs
- Attending to and caring for the student inside and outside of the communication classroom

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- Promoting communication scholarship within the Keystone State
- Providing a disciplinary commitment to Pennsylvania scholars, reaching out to the larger discipline
- Being a dwelling place of Pennsylvania communication scholarship history

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- Connecting the larger community to the communication discipline
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- Serving our students inside and outside of formal institutional structures

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- Nurturing the grassroots application of communication in the wider community
- Caring for the discipline on the local academic campus
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From the Editor of the *Annual*
Cem Zeytinoglu
East Stroudsburg University

As I announced previously this year, the *Annual* will feature a *Special Online Issue on Philosophy of Communication* (71.2), which follows the publication of the regular print issue. Dr. Brent Sleasman[1] of Gannon University has served as the guest editor for this special issue. I would like to thank him for his very valuable efforts.

I was both happy and quite impressed with the submissions. The review process was very rigorous and it took very long time due to the depth and the breadth of the content covered in these essays. I would like to praise and commend both our authors and the reviewers for their hard work, diligence, patience and prudence. At the end of this careful and competitive review process this issue will include three articles and a book review.

The first article is from Kristie Byrum, Ph.D, APR, of Bloomsburg University of PA. Byrum argues that Heideggerian concepts, when considered in the context of corporate communications, enlighten understanding for both professional communicators and business executives as they strive to communicate better. Heidegger's concepts provide lessons about the dangers of isolating organizations and thus suppressing growth by limiting authentic communications with internal and external stakeholders of the corporation. Byrum's Heideggerian analysis provides a discussion of Dasein, notions of idle talk, conscience and care with communication theory.
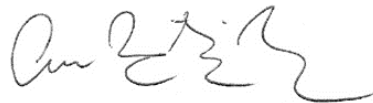
The second article is from Jenna M. Lo Castro, a doctoral candidate at Duquesne University. Lo Castro's essay is about the landmark Supreme Court case of Snyder v. Phelps. The case functioned as an exercise in defining First Amendment Constitutional rights and entailed a largely controversial assessment of hate speech. Lo Castro covers diverse philosophical and rhetorical foundations to tackle a very significant and sensitive issue. She argues that the accessibility of exercising hate speech in the United States poses citizens with a far deeper ethical pursuit and is grounds for embracing a moral courage that calls one to actively make a choice.

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The last article is from Nicholas Temple, Ph.D., of Central Washington University. Temple argues that Intelligent Design arguments rely on Giambattista Vico's notion of *Ingenium* to achieve persuasive power. However, Temple's further analysis presents the futility of such argumentation for success. In order to demonstrate this futility Temple uses and compares Vico's and Toulmin's rhetorical theories at the end.

The book review is done by Amitabh Vikram Dwivedi, Ph.D., of Shri Mata Vaishno Devi University, India. Dwivedi reviews the *Playing with Sound: A Theory of Interacting with Sound and Music in Video Games* by Karen Collins. Collins is the Canada Research Chair in Interactive Audio at the University of Waterloo. Dwivedi argues that Collins employs jargon from psychology to philosophy and from technology to cultural studies but she actively delivers their explanations with reference to the game sound as she demonstrates a close reading of cyber, music, and games' literature, including diagrams, figures, photographs, snapshots, posters, spectrograms, graphics, and images.

It is with my great pleasure that I present you the *Special Online Issue on Philosophy of Communication* (71.2). I will repeat my thanks and acknowledgements here as I did in the print issue. Dr. Kristen L. Majocha, as always, assisted me wondrously in the publishing process. I am greatly obliged to our careful and judicious reviewers, who provided high quality feedback both to the authors and me. I am grateful to all my colleagues at East Stroudsburg University for their unyielding support. I am thankful to all my mentors, friends and peers for their guidance, encouragement and assistance.

Sincerely,

Cem Zeytinoglu, PhD
Associate Professor of Communication Studies
East Stroudsburg University

1. Dr. Sleasman started his new assignment as the President of the Winebrenner Theological Seminary on December 1, 2015.

Examining the Relationship between Heideggerian Concepts in Contemporary Corporate Communications: Internal Communications, External Communications, and Corporate Social Responsibility

Kristie Byrum
Bloomsburg University of Pennsylvania

This paper presents a Heideggerian investigation of contemporary corporate communications that encompasses internal communications, external communications, and corporate social responsibility communication. The author provides a Heideggerian interpretation that intersects Dasein with public relations and communications theory.

This paper applies Heidegger's philosophical concepts, most notably Heidegger's notions of "idle talk," "Being with," the call of conscience, and "care" to answer the predicament of contemporary corporations that face challenges with internal communications, external communications, and corporate social responsibility. The intersection of these disparate concepts – Heidegger philosophical principles and communications theories – brings Heidegger thinking forward to the 21st century digital marketplace. The Heidegger texts, *Being in Time (Sein und Zeit),* Heidegger's seminal work, and *The Question Concerning Technology*, serve as primary resources. They are further explored with Heidegger's lectures on language and secondary literature of Heidegger critique. Scholars also point to *Being in Time* and *The Question Concerning Technology* as preferred sources when considering the intersection with communication studies (Powell, 2010; Sikka, 2011). Concepts contained in these works of Heidegger are united with contemporary communications theories, thus enlightening the intersection of Heideggerian thinking and communication theory.

While it may be asserted the application of Heidegger's principles to a commercial business may seem incongruous with existing interpretations, scholars have used concepts of the "world disclosive" power of language, disclosing of possibilities, and authentic engagement within the context of development communication for emerging economies and have used a Heideggerian critique for organization studies, the theory of media and digital

media, the philosophy of information, digital culture, and interaction studies. Thus, these create a rational plane of thought for how Heideggerian concepts may be applied to corporate communications, particularly as they are applied to the technology-driven communications environment (George, 2013; Holt & Mueller, 2011; Gunkel and Taylor, 2014; Borgmann, 2000; Miller, 2012; Dourish, 2001).

At the core of Heideggerian thinking is the notion of *Dasein*. *Dasein*, translated from German as "existence," has been articulated by Heidegger as, "this entity which each of us is himself and which includes inquiring as one of the possibilities of it Being" (Heidegger, 1962, p. 27). The term itself reveals that human beings are both there (Da) and present (sein). In a critical move, Heidegger states that *Dasein* is the same as "Being in the World," which ties together self and world in a single structure (Breivik, 2007). Scholars contend that Heidegger's assertions about communication characterize language and further assert that language is inseparable from "world" (Powell, 2010), and that discourse facilitates "intelligibility," as Heidegger asserts in Section 34 of *Being and Time* (Heidegger, 1962). This paper explores the implications for *Dasein* and accompanying Heideggerian concepts as they relate to internal communications, external communications, and corporate social responsibility.

The Heideggerian notions of "Being-with," idle talk, conscience, and care, are further explored and applied to corporate communication. A preliminary understanding of these terms establishes a platform for recognizing the relevancy of these concepts for communications theory. The concept of "Being-with," found in *Being in Time*, indicates that during a state of "being with," Dasein exists for others (Heidegger, 1962). Idle talk is translated from the German word, "gerede," commonly understood as "gossip" or rumour (Gunkel & Taylor, 2014). According to Heideggerian thought, it is conscience that calls one to potentiality of Being, (Elliott, 2011). For Heidegger, care translates into attention for world happenings and the well-being of others (Ciulla, 2009).

In the consideration of internal communications, it may be asserted that during this process a "self-revealing" occurs, leading to a reflection of "possibility," both for the corporation and the individual employees. For external communications, the *Dasein*, op-

erating in a constant state of questioning, strives for "Being-with" one another, but Heidegger's notion of idle talk can contribute to a "closing off" that precludes such activity. Yet, in a state of "Being-with" one another through discourse and consciousness, *Dasein* may encounter conscience and integrate "care" to effectuate change, as manifested through the development and communication of corporate social responsibility programs.

Through thoughtful connections between Heideggerian principles and communication theory, the ability for corporations to transmit knowledge to consumers, generate corporate pride, and foster a mutual understanding with key constituencies may be better understood. By juxtaposing the Heideggerian concepts of *Dasein*, "Being-with," idle talk, conscience, and care, with communication theory, it can be shown that Heideggerian concepts can be brought forward to the business landscape and applied particularly to corporate communications operating in the digital, global marketplace. Idle talk imperils corporate communication by precipitating a "closing off," thus forming a wall between the corporation and key internal and external publics. The wall diminishes the formation of a call to conscience and care, thus minimizing the potential for the being. In consideration of these notions, therefore, the continual threads of Heidegger's thinking in global, information-intensive capitalist environments may be understood in an ontological framework.

Internal Communications: Building Organizational Culture Amid Danger of Idle Talk

The first section explores the effectiveness of internal communication and the creation of "world," allowing a corporation and its employees to articulate "possibility" through self-showing, language, and action. Yet, despite this promise of vitality, corporate communicators remain imperiled by the prospect of idle talk. Corporations struggle to craft and implement internal communications programs to develop culture, convey core values, and create a "world" that allows the individual to "be," thus embracing their opportunities and contributing to a collective whole. Organizational culture is, "a sum total of shared values, symbols, meaning, beliefs, assumptions, and expectations that organize and integrate a group of people who work together" (Grunig, Grunig & Dozier, 2002).

Businesses encounter the challenge of creating a shared institutional experience and communicating a communal culture comprised of mutual ethics, shared purposes, and emotional ties. These attributes propel the corporation to implement language and promote communication amid changing market dynamics, new competitive atmospheres, ever-evolving customer bases, and emerging communications channels. Corporations destined to survive in this atmosphere show strength through strategic communication. Strategic communication has been defined as communication aligned with the company's overall strategy, to enhance its strategic positioning (Argenti, 2005).

By definition, this is reminiscent of the forms of "showing," or what Heidegger calls a semblance, appearance or mere appearance as part of the self-showing phenomenon (Powell, 2010). For the corporation, this self-revealing (showing) indicates a necessary internal process that must occur before the company can accurately and strategically communicate beyond its virtual and brick-and-mortar walls. This self-revealing manifests itself in corporate retreats, strategic planning sessions, and professional service fees paid to marketing, sales and leadership consultants. In this circumstance, the employee can move from a receiver of information, to an engaged active participant in creating "what is" for the corporation. To better understand this phenomenon, Heidegger informs us with the understanding of "projection," and the incorporation of possibilities as *Dasein* articulates a projective understanding of the possibility of existence (Heidegger, 1962, p. 68).

Just as the *Dasein* remains continually positioned toward death, so does the corporation. For *Dasein*, it is through this position that life comes to be known in a Heideggerian sense. Just as Heidegger emphasizes the piety of questioning for *Dasein*, the executives of the corporation continually question the role of the corporation in the marketplace, attempting to determine if it must adapt, create new products, or change for customer approval. Similarly, the ultimate death of a corporation promotes a genesis of internal and external communications approaches as the specter of peril remains ever-present. Employees may turn to higher-ranking corporate executives for information and meaningful discourse, yet the company is constantly endangered by false statements and gossip that may grow and contribute to what

Heidegger calls "idle talk." In the absence of a formalized communications program, corporations become fertile ground for rumors, particularly in the atmospheres of mergers and acquisitions. Heidegger calls this type of petty, ill-informed gossiping "idle talk" and points to it as a culprit of retarding "Being." Heidegger's Section 35 in *Being and Time* states that a "closing off" occurs when idle talk emerges. Idle talk, manifest as gossiping, leads to groundless and can pass to the written word with errant scribbling (Heidegger, 1962, p. 212).

This dangerous "closing off" phenomenon impairs the corporation's ability to convey internal attributes, shared values, and vital information to promote the internal culture and contribute to the survivability of the corporation in the face of death. When idle talk intervenes and allows for the groundlessness to emerge, the closing off occurs, and the possibilities remain undone, as found in Section 35 (Heidegger, 1962, p.213). For communications and public relations scholars, Heidegger's "closing off" is analogous to groundlessness and a closed communication system that has impermeable boundaries prohibiting exchanges of matter, energy, and information with external environments. This closure precludes the manifestation of new possibilities because the company cannot adapt to external change. Instead, a static state pervades the corporation that closes off adaptive change (Broom & Sha, 2013). In corporate communications, closed systems often accelerate to a more rapid "death" because they cannot act in a dynamic state to observe the changing modes of distribution, consumer trends, and product innovations. In contrast to a closed system, many businesses today strive to create open systems that allow for the free flow of information, both internally and with the public. In an open systems model, information flows from the corporation (the sender) to the marketplace (receiver), and back again in a loop of dialogic communications (Broom & Sha, 2013). Business executives practice this activity through new product launches, brand building, integrated marketing communications, public relations, corporate communications, social media strategies, direct marketing, event management, and other communications subdisciplines.

Through planned communications, *Dasein* experiences possibilities internally and can contemplate the creation of "world." In contrast, the eruption of idle talk can lead to a "closing off,"

which subsequently diminishes life and engagement. Professional communicators utilize a broad spectrum of strategic approaches and tactics to accomplish business goals with communications. Yet these approaches too are fraught with a danger of becoming imprecise and ineffective. Scholars have argued that *Dasein* may only be authentic if it is capable of using tools or language in radically new ways (Henschen, 2012). Heidegger warns about the potential perversion of dialogue that can occur and the impact on *Dasein*.

External Communications: "Being-With," Avoiding Closing-Off Resulting From Idle Talk, to "Hold Open World"

The second section addresses Heideggerian concepts related to external communications, when a corporation speaks beyond the walls of its current enterprise to relevant publics. Through an exploration of Heidegger's concept of "Being-with," a critique of external communications follows that addresses the role of the external communicator (the public relations professional), the external perils of the emergence of idle talk, efforts to hold the world "open" though possibilities, the potentiality for community formation, and the "call to conscience" that can occur through corporate social responsibility communication.

The situation of dissolving brands, fragmented global markets and numerous non-professional content creators authoring materials for publication on social media characterizes the contemporary atmosphere for business communications. Effective communicators must move from a state of internal communications to an external state communicating with outside stakeholder audiences that include customers, vendors, industry influencers, and prospective employees. The imperative to communicate externally remains constant, and it is through this condition that public relations professionals, and other individuals responsible for external communication, create an atmosphere of "Being-with," because they utilize dialogue to act on the inexorable link with external audiences. According to Heidegger, "The primary relationships of Being towards the entity talked about is not imparted by communications; but Being-with-one-another takes place in talking with one another and in concern with what is said in the talk" (Heidegger, 1962, p. 212).

The state of "Being with," while ever present, may be convoluted in the digital age because mediated online presences may allow for the weakening of moral and ethical responsibility (Miller, 2012). Yet, communication theory and communications scholarly literature delineate a value on external communication that yields to "unconcealedness" and the free flow of information with the public. The dialogic dimensions of this relationship propel the stakeholder to a position of "co-creator." Communication scholars have indicated the role of the audience in the creation of communities around corporations and products (Starck & Kruckeberg, 2001) and have affirmed the role of the audience as an actor in dialogic communication (Kent & Taylor, 2002).

The three subsections for external communications explore the role of the public relations professional, the danger of idle talk as a catalyst for closing off in the external communications framework, and the employment of discourse for the creation of community and "world."

The role of the public relations professional in creating "Being-with" atmosphere

Inside a corporation, the public relations function is a strategic process that contributes to the success and longevity of the company. Public relations may be defined as, "a strategic communication process that builds mutually beneficial relationships between organizations and their publics" (PRSA, 2015). Inside the corporate decision-making office, many corporations look to public relations professionals to catalyze positive change through strategic communications, defined as iterative loops, encompassing multiple connections with multiple constituencies on multiple strategic levels (Argenti, 2005). The corporate activity of external communications occurs today in the context of a media marketplace that is cluttered by content and often delinquent of meaning. A path forward may found for the public relations professional, who embodies the communication of the corporate strategy, articulating aspects of the company not only on an economic level, but also on social and political ones. In this sense, the public relations professional becomes a steward for "Being-with" the company, simultaneously allowing the company to gain intelligence about buying patterns, anticipate market trends, and engage in meaningful dialogue.

The "Being-with" described by Heidegger is frequently found in symmetrical communication. Communication scholars have called for the expansion of the ethical, symmetrical communications paradigms across the globe, increasing cross-culture communication (Kruckeberg, 1996; Newsom, 2001), while others have indicated principles for dialogic communication that can build relationships (Kent & Taylor, 2002). The impact of two-way, symmetrical communications is profound, as scholars point to the fact that two-way interactive communications provides a foundation for ethical practices and public advocacy in corporate decision-making through dynamic exchange and productive interactivity. Symmetrical communications can thus lead to market performance, organizational effectiveness, conflict resolution, crisis management, and a favorable reputation (Huang, 2004).

The danger of idle talk: closing off

Just as the emergence of "idle talk" can impair communications internally, it can also harm external communication and threaten burgeoning relationships in the "Being-with" circumstance. Heidegger states it is during this "closing off" that discourse loses its primary relation of "being-towards," and it falls to a route of gossiping and passing the word along, as found in Section 35 (Heidegger, 1962). Heidegger has asserted that discourse belongs to the essential state of *Dasein* in "Being," and that idle talk "closes off" Being-in the World. Heidegger indicates that groundless retelling is a perversion to the act of disclosing (Heidegger, 1962). With the resulting closing off that occurs as a result of idle talk, the corporation is left in an abyss, powerless to pursue further questioning that would lead to new product development, innovation, business process improvement, and other benefits. Heidegger describes this predicament as, "idle talk discourages any new inquiry and any disputation, and in a particular way, suppresses them and holds them back" (Heidegger, 1962, p. 213).

Scholars have pointed to Heidegger's attention to "awe" and "astonishment" in describing the *Dasein*'s authentic existence (Capobianco, 2010), yet these moods may be fatefully changed by the closing off. Public relations professionals, by virtue of establishing communication loops with multiple stakeholders, attempt to maintain a relationship free from misperceptions or idle

talk. For the corporation, gossip-laden, idle talk that is not dialogic may lead to hoaxes, myths about a corporation, misperceptions about the business, and a paralysis of the organization that prevents it from adapting to changing circumstances. The loss of a dialogic relationship allows the degradation of corporate communications to idle talk and thus loses the potency of discourse. Discourse remains in a perilous state of morphing into idle talk among executives articulating external communications programs. Therefore the ongoing advocacy of a public relations professional, bound by a code of ethics, is required.

It may be asserted the atmosphere of social media that creates an anonymous marketplace for communications imperils discourse, creating a fertile environment for the advent of idle talk. In Section 35 Heidegger points to the phenomenon that idle talk is encouraged to become public without the incorporation of making the talk one's own (Heidegger, 1962). This can be found in the anonymity of the Internet and the cacophony of comments on various social, political, and economic topics. Society today lives in an atmosphere of digital "convergence culture" (Jenkins, 2006), characterized by consumption of media across various media systems in an fluid, unfixed relationship.

Traditional communications theories that focus on the gatekeeping function found in the production process of media outlets (Shoemaker, 2008) and the agenda-setting function of the news media (McCombs & Shaw, 1972) are called into question, because the interactive audience, in addition to the corporation, now creates content for distribution via the Internet. In the atmosphere of consumer-created content online, information relevance may be confused. In fact, it has been asserted that relevance and significance have disappeared, with trivial matters appearing side by side with important ones on the World Wide Web (Dreyfus, 2005).

Consider a paid blogger who may chat about a consumer product without ever trying the product. Or, contemplate an anonymous poster who actively criticizes a corporation without revealing his or her identity, relying on a state of virtual concealedness. The Internet provides a veil of anonymity that fuels the proliferation of idle talk in the public sphere. In this alienation from the primary understanding, today mediated by multiple forms of technolo-

gy and social media channels, an atmosphere of ubiquitous idle talk can easily emerge. The danger of this phenomenon is that real, meaningful discourse remains imperiled. This predicament leaves Heidegger's *Dasein* struggling to transcend beyond the idle talk. Heidegger offered insights on the use of technology, which are applicable in the current dialogic media landscape.

Heidegger (1977) has characterized technology as "a means to an end," and issued a call for mastery over technology: "The will to mastery becomes all the more urgent the more technology threatens to slip from human control." For contemporary business communicators, this means utilizing all technology-driven communications channels. Heidegger stated, "Everything depends on our manipulating technology in the proper manner as means" (Heidegger, 1977, p. 5).

"Holding Open to World"

To avoid paralysis, the strategic communicator may enter the scene to maintain dialogues. The public relations professional functions as an active catalyst to attach meanings for internal and external audiences, thus minimizing the idle talk and the risk of closing off in a Heideggerian sense. In a further application of language for external communications, an examination of world and community may be emphasized. As a practice, communication therefore becomes a conduit for community and promotes a greater appreciation of the "other."

> *Through communication that the world is held open for the factical projective disclosure of the 'there.' As such a holding open, communication is a holding open of world, a holding open of the there for factical discourse of the other. That is, communication is a holding open for communication and community. (Powell, 2010, p. 69)*

An alternative view by Nancy (2000) states that Being is its own circulation and that we *are* this circulation, providing a special significance for language. Language states the world and the speaker speaks for the world in an effort to create the world (Nancy, 2000). This is reminiscent of Heidegger's statement that, "Language is – language, speech. Language speaks. If we let ourselves fall into the abyss denoted by this sentence, we do not go tumbling into emptiness. We fall upward, to a height," (Heidegger, 1971, p. 189). All of these approaches re-

main consistent with the defining role of the public relations professional. Public relations delivers essential elements of collectivism into the individualistic world view of most Western societies, and that collaboration, linked to the core of what political scientists call societal corporatism, is the key element of democratic societies (Grunig, 2000). Corporate chief executive officers set the corporate tone, public relations professionals establish two-way communication loops, and the launch of corporate social responsibility programs brings a new level of connectedness between the enterprise and society. Thus, *Dasein* begins to make "world" through the application of discourse.

The connections between Heideggerian thinking and corporate communications can be found in corporate social responsibility programs undertaken by companies. Consider in a Heiddegerian sense, an enlightened individual may awaken with a call of "conscience" to enact a corporate social responsibility program that influences other beings. A discussion of this "call of conscience" recollects Heidegger's Section 48 (1962) as *Dasein* unites with others to experience potential.

Communicating Corporate Social Responsibility: Conscience, Care, and "Being-With"

The final section addresses a contemporary corporate communication challenge: communicating corporate social responsibility to stakeholders. This situation that may be framed by the Heideggerian call to conscience and the notions of binding together of individuals. This business circumstance may be informed by Heideggerian concepts of conscience, care, and potentiality for guilt. The creation of a corporate social responsibility (CSR) program by a company indicates the outcome of a thoughtfully planned corporate initiative. The notion of corporate social responsibility has been defined as a company's legal, economic, philanthropic and ethical responsibilities (Carroll, 1979). Professional communicators encounter the responsibility of communicating the corporate social responsibility programs to the various stakeholders. A model for the creation of a CSR program has been developed that includes phases for identification, formative research, program creation, program communication, evaluation and feedback (Coombs & Holladay, 2012).

Scholars have indicated that Heidegger's notion of "dwelling" as a means of coming into "right relation," can provide a framework for ethical organizational decision-making (Ladkin, 2006), while others have asserted that *Dasein* can be reinterpreted as "community," allowing for further exploration of human identity through pre-existing community (Stroh, 2015). An alternative interpretation in the framework of corporate social responsibility focuses instead on the Heideggerian concepts of conscience and care. This paper elaborates on this alternative Heideggerian interpretation by exploring conscience, care, and "Being-with" one another.

With a discussion of Heideggerian concepts of conscience, the chief executive officer may be ascribed the attributes of a "conscious" individual, who has the power and capacity to lead a "conscious corporation." It has been argued that the through "conscious capitalism," corporations can create value for diverse stakeholders in society (Mackey & Sisodia, 2013). Scholars have pointed to the imperative to accurately convey corporate social responsibility programs through communication (Coombs & Holladay, 2012) and have contended the corporation can maximize shareholder returns through CSR through effective communication (Du, Bhattacharya, & Sen, 2010). By intersecting the Heideggerian notions of "Being with" in the context of conscience, insights may be gained about the portrayal of corporate social responsibility programs through communication.

The advent of a corporate social responsibility program typically commences with the chief executive officer who listens to the hearkening call for possibility or "care," thus revealing an analogy to *Dasein*'s response to the call for possibility. "Conscience is the call of care from the uncanniness of Being-in-the-World – the call which summons *Dasein* to its own most potentiality-for-Being-guilty" (Heidegger, 1962, p. 335). Scholars interpret Heidegger's notion of care as connected to the state of "being there," and that care is united with one's own presence in the world, including attention, solicitude, and active involvement with others (Ciulla, 2009). This has already been applied to corporate leadership, as indicated by the fact that the leader is present and paying attention (Ciulla, 2009).

It has been interpreted that Heidegger describes *Dasein*'s ability to hear and respond to the call of conscience as a responsible "wanting" to have a conscience (Hyde, 1994). Further, it is stated that conscience is the "will to be guilty," thus accepting the guilt that will surround us, based on our actions (Barrett,1962). The response to the call of conscience may be manifested as a multitude of corporate social responsibility programs found in the marketplace, including corporate cause promotions; cause-related marketing; corporate social marketing; corporate philanthropy; community volunteering; and socially responsible business practices (Kotler, 2005). These may include programs designed to build credibility, foster trust, and sell products for contemporary corporations. It has also been pointed out that stakeholder involvement may be enhanced through corporate social responsibility communication (Morsing & Schultz, 2006). Through corporate social responsibility, an advanced level of community interconnectedness emerges, transcending traditional social, economic, and political spheres. This connection thus resonates with Heidegger's notion of "Being-with" and a binding that establishes groundwork for community.

> Being with one another is based proximally and often exclusively upon what is a matter of common concern in such Being …when they devote themselves to the same affair in common, their doing so is determined by the manner in which their Dasein, each in its own was has been taken a hold of. They become authentically bound together, and this makes possible the right kind of objectivity which frees the Other in his freedom for himself. (Heidegger, 1962, p. 159)

This evolution not only permits individual corporate leaders and communicators to function within the context of *Dasein*, but it also allows them to express "possibilities." It has been studied that corporate officers undertake specific practices to fulfill their own individual aims and objectives within the context of authenticity (Lehman, 2007), yet through planned actions, contemporary corporations engaged in corporate social responsibility may enter an advanced stage of "Being-with" one another and articulating possibilities. Executives awaken to a state of "conscience," indicate "care," and facilitate the state of "Being-with" others through corporate social responsibility programs.

Conclusion

Business communicators encounter the challenges of creating an organizational culture through internal communications, fostering relationships with stakeholders through external communications, and devising corporate social responsibility programs that will simultaneously benefit the company and the larger community. Heidegger's notions may be applied to a discussion of internal communications, external communications, and corporate social responsibility communication. Through this application of principles, scholars derive understanding of the deleterious role of idle talk and may discern greater understanding of the role of communication in formulating a state of "being with" in the corporate sense that creates a productive atmosphere for the call to conscience and application of care.

For internal communications, the practice of idle talk degrades the corporation, precluding positive adaptive change. Idle talk reduces the opportunity for authenticity and reduces the corporate ability to thrive. The specific application of notions of self-showing, revealing of possibilities, and the dangers of idle talk inform the challenges of internal communications when used to create organizational culture. When considering external communications, the closing off resulting from idle talk imperils the notion of "Being-with" one another. This closing off therefore limits the ability to form relationships with stakeholders that would allow for advancement of the company. In a closed off state, the company cannot advance its business model, brand or form relationships with key publics. The strategic communicator may be employed as a vehicle to hold open world. Evidence of the call to conscience and notion of care may be found in the creation of corporate social responsibility programs that consider multiple stakeholders.

These Heideggerian concepts, when considered in the context of corporate communications, enlighten understanding for both professional communicators and business executives as they strive to communicate better. Heidegger's concepts provide lessons about the dangers of isolating organizations and thus suppressing growth by limiting authentic communications with internal and external stakeholders of the corporation. The intersection of these concepts contribute to the understanding of Heideggerian notions

related to communications for scholars of philosophy, communications, public relations, business management, and ethics.

References

Argenti, P., Howell, A. & Beck, K. (2005). *The Strategic Communication Imperative*. MIT Sloan Management Review. Spring, 83-89.

Barrett, W. (1962). *Irrational Man*. Garden City, NY: Doubleday Anchor Books.

Bivins, T. H. (1987). Applying Ethical Theory to Public Relations. *Journal of Business Ethics*, 6(3), 195-200.

Borgmann, A. (2000). *Holding On to Reality: The Nature of Information at the Turn of the Millennium.* Chicago: IL: University of Chicago Press.

Breivik, G. (2007). Skillful Coping in Everyday Life and in Sport: A Critical Examination of the Views of Heidegger and Dreyfus. *Journal of the Philosophy of Sport*, 2007, 34(2), 116-134.

Broom, G. & Sha, B. (2013). *Cutlip and Center's Effective Public Relations*. Upper Saddle River: Pearson Education.

Capobianco, R. (2010). *Engaging Heidegger*. Toronto: University of Toronto Press.

Capobianco, R. (2014). *Heidegger's Way of Being*. Toronto: University of Toronto Press.

Cassin, B. (2000). *Who's Afraid of the Sophists*. Against Ethical Correctness, 15(4), 97-120.

Carroll, A. (1979). A Three Dimensional Conceptual Model of Corporate Social Performance. *Academy of Management Review*, 4 (4), 497-505.

Ciulla, J. (2009). Leadership and the Ethics of Care. *Journal of Business Ethics,* 88(3-4).

Coombs, W. T. (2009). Corporate Social Responsibility: Missed Opportunity for Institutionalizing Communication Practice? *International Journal of Strategic Communication*, 3 (2), 93-101.

Coombs, W. & Holladay, S. (2012). *Managing Corporate Social Responsibility: A Communication Approach*. Malden, Massachusetts: Wiley-Blackwell.

Dourish, P. (2001). *Where the Action Is: The Foundations of Embodied Interaction*. Cambridge, MA: MIT Press.

Dozier, D. G. (1995). *Managers Guide To Excellence in Public Relations and Communication Management*. Mahwah: Lawrence Erlbaum Associates, Inc.

Dreyfus, H. (2001). *On the Internet*. New York: Routledge.

Dreyfus, H. (2005). Peripheral Vision: Expertise in Real World Contexts. *Organization Studies*, 779-792.

Du, S., Bhattacharya, C. & Sen, S. (2010). Maximizing Business Returns to Corporate Social Responsibility (CSR): The role of CSR Communications. *International Journal of Management Review*, 12(1), 8-19.

George, S. (2013). Imagining Postscience: Heidegger and Development Communication. *Environmental Communication*, 7(4), 548-564.

Grunig, J. & Grunig, L. (1992). Model of Public Relations and Communications. In J. Grunig (Ed), *Excellence in Public Relations Management and Communications Management* (285-324). Hillsdale, NJ: Lawrence Erlbaum Associates, Inc.

Grunig, J. E. (2000). Collectivism, Collaboration and Societal Corporatism as Core Professional Values in Public Relations. *Journal of Public Relations Research*, 23-48.

Grunig, L, Grunig, J. & Dozier, D. (2002) *Excellent Public Relations and Effective Organizations: A Study of Communication Management in Three Countries*. Mahwah: NJ: Erlbaum Associates.

Gunkel, D. & Taylor, P. (2014) *Heidegger and the Media.* Hoboken: Polity.

Habermas, J. (1989). *The Structural Transformation of the Public Sphere*. Cambridge: MIT Press.

Heidegger, M. (1962). *Being and Time*. (J. M. Robinson, Trans.) New York: Harper & Row, Publishers, Incorporated.

Heidegger, M. (1971). *Poetry, Language, Thought*. New York: Harper & Row.

Heidegger, M. (1977). The Question Concerning Technology. In W. T. Lovitt, *The Question Concerning Technology and Other Essays* (pp. 3-35). New York: Harper Perennial.

Henschen, T. (2012). Dreyfus and Haugeland on Heidegger and Authenticity. *Human Studies*, 35, 95-113.

Holt, R. & Mueller, R. (2011) Wittgenstein, Heidegger and Drawing Lines in Organization Studies. *Organization Studies*, 32 (1), 67-84.

Huang, Y. (2004). Is Symmetrical Communication Ethical and Effective? *Journal of Business Ethics*, 53 (4), 333-352.

Hyde, M. (1994). The Call of Conscience: Heidegger and the Question of Rhetoric. *Philosophy and Rhetoric*, 27(4), 374.

Kent, M. & Taylor, M. (1998). Building dialogic relationships through the World Wide Web. *Public Relations Review*, 24(3), 321.

Jenkins, H. (2006), *Convergence Culture Where Old and New Media Collide*. New York: New York University Press.

Kent, M. & Taylor, M. (2002). Toward a dialogic theory of public relations. *Public Relations Review*, 28, 21-37.

Kotler, P. (2005). *Corporate Social Responsibility: Doing the Most Good For Your Company and Your Cause*. Hoboken: John Wiley and Sons.

Kruckeberg, D. (1996) Transnational Corporate Ethical Responsibilities. In H.& Culbertson (Ed.), *International Public Relations: A Comparative Analysis* (pp. 81-92). Mahwah, New Jersey: Lawrence Erlbaum Associates, Publishers.

Ladkin, D. (2006). When Deontology and Utilitarianism Aren't Enough: How Heidegger's Notion of "Dwelling" Might Help Organizational Leaders Resolve Ethical Issues. *Journal of Business Ethics*, 65, 87-98.

Lehman, G. (2007). A Common Pitch and the Management of Corporate Relations: Interpretation, Ethics and Managerialism. *Journal of Business Ethics*, 161-178.

Mackey, J. & Sisodia, R. (2013). *Liberating the Heroic Spirit of Business Conscious Capitalism*. Boston: Harvard Business Review Press, 2013.

McCombs, M. &. Shaw, D. (1972). The Agenda Setting Function of the Mass Media. *Public Opinion Quarterly*, 176-187.

Miller, V. (2012). A Crisis of Presence: On-line Culture and being in the World. *Space and Polity*. 16 (3): 265-285.

Morsing, M. & Shultz, M. (2006). Corporate social responsibility communication: stakeholder information, response and involvement strategies. *Business Ethics: A European Review*, 15(4), 323-338.

Nancy, J. (2000) *Being Singular Plural*. Stanford, California: Stanford University Press.

Newsom, D. (2001). *International Public Relations*. Thousand Oaks, California: Sage Publications, Inc.

Powell, J. (2010). Heidegger and the Communicative World. *Research in Phenomenology*, 40, 55-71.

Public Relations Society of America. (2015, July 20). Retrieved July 2014, from PRSA: http://www.prsa.org/aboutprsa/publicrelationsdefined/

Shoemaker, P. J. (2008). *Gatekeeping Theory*. New York: Routledge, A Taylor and Francis Group.

Schramm, W. (1971). The Nature of Communication Between Humans. In Schramm, W. & Roberts, D. ed. *The Process and Effects of Mass Communication*. Urbana: University of Illinois Press.

Sikka, T. (2011). Technology, Communication, and Society: From Heidegger and Habermas to Feenberg. *The Review of Communication*, 11(2), 93-106.

Starck, K. & Kruckeberg, D. (2001). Public Relations and Community. In *Handbook of Public Relations* (pp. 51-60). Thousand Oaks, California: Sage Publications, Inc.

Stroh, K.M. (2015). Intersubjectivity of Dasein in Heidegger's Being and Time: How Authenticity is a Return to Community. *Human Studies*, 38, 243-259.

A Rhetoric of Hate Speech:
Informing *Snyder v. Phelps* via Narrative

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This project works to examine why hate speech as it relates to United States First Amendment rights is largely controversial and difficult to explicitly define. Using Snyder v. Phelps (2011) as a focal case study, it then moves to examine the ability to exercise and express narrative in appropriate contexts and the solution that narrative can offer within a postmodern society. Narrative in this sense, can be seen as a resource for understanding, asserting, and sustaining moral courage in the face of adversity. Working from a hermeneutic grounded in a philosophy of communication, this projects looks to the construct of narrative as an invitation to discourse.

In 1949, United States Supreme Court Justice William O. Douglas stated the majority opinion in the case of *Terminiello v. Chicago* (1949) which found, "A function of free speech under our system of government is to invite dispute [. . .] Speech is often provocative and challenging. It may strike at prejudices and preconceptions and have profound unsettling effects as it presses for the acceptance of ideas" (para. 7). This rhetoric can be viewed as an embodied act showcasing the prescriptive nature of American constitutional freedom, and likewise, highlights a conspicuous tension between United States citizens' struggle to interpret free speech coordinates and their potentially offensive nature.

By definition, freedom of speech is a civil liberty in the United States and works within a tradition grounded in what Supreme Court Justice Oliver Wendell Holmes cited as the "marketplace of ideas" (Smolla, 1992, p. 6). Exercising the right to express ideas, opinions, and identities within the public sphere is a common practice that embraces founding principles of American democracy and is likewise an issue richly intertwined with human self-introspection, principles defining community, and socio-ethical perplexities. The rise of an American postmodern society struggles to maintain a balance between preserving personal narrative and embracing preexisting ones. Postmodernity is a term

used to describe the rejection of stable, perpetuated ideas in favor of different or diverse ones. Attempting to develop and institute that totalitarian norms are seen as anachronistic and rejected (Burbules & Rice, 1991, p. 394). Jean-Francois Lyotard (1979) considered it a term which reflects an "incredulity toward meta-narratives" and a moment in which the narrative function was "losing its functors, its great hero, its great dangers, its great voyages, its great goal" (xxiv). A grand narrative or metanarratives as absolute sources of knowledge and understanding are now replaced by ahistorical and contingent smaller narratives that serve as the main source of symbolic meaning. Individuals find themselves creating and navigating positions in the social sphere in a search for truth and self-validation—attempting to establish both self as an individual and self as part of the community through narrative association. This endeavor is noted through Walter Fisher's (1987) construct of the narrative paradigm which likens individuals to "storytellers, as authors, and co-authors who creative read and evaluate the texts of life and literature" (p.18). Fisher reminded us that the narrative paradigm entails atten-tiveness to both historical and situational contexts and likewise recognizes narratives as "stories or accounts competing with other stories purportedly constituted by good reasons" (p. 58). Individuals are exposed to these stories and traditions which heed a steady flow of varying perspectives. Meaning associated with language or dialogue is more difficult than ever to portend, and as Calvin O. Schrag (1997) noted, this is partly because of the ever-growing "overlapping and entwinement" of various discourses (p. 32). Individuals are no longer able to discern the divisive properties of a diverse narrative paradigm. Rather, they are confronted with a plurality of unstable and contingent meanings in the public sphere.

The current historical moment is fragmented and generated partly by an atemporal cacophony of social dwellings. Fragmentation occurs both within the interiority of self and exteriorly in the pub-lic sphere; individuals are not necessarily powerless in expressing feelings but rather, feelings are now "free-floating and imperson-al and tend to be dominated by a peculiar kind of euphoria, a matter to which we will want to return later on" (Jameson, 1991, p. 15). This is illustrated by our subscription to multiple narra-tives within a particular culture. As Arnett, Fritz, and Bell (2009) have contended this can lend itself to an ethics of communication

in which narrative content "shapes communication ethics with a rhetorical turn that has evaluative and persuasive consequences" (p. 40). Individuals are invited to consider membership to multiple narratives and as such, this act seeks to largely influence the intersubjective endeavor of community. Conjointly, in a culture that celebrates the spectrum of human diversity and multicultural perspectives, occasions for progress have been brought into the foreground of free speech and hate speech inquiry in the United States. Undoubtedly, hate speech is a convoluted and complex branch of free speech that has always been present in American history; functioning even within the dissenting backgrounds of the earliest settlers of the New World. It was not until the mid -20th century that the United States government experienced interstices of potential change and sought to actively acknowledge, define, and mitigate the true underpinnings of hate speech. The Supreme Court of the United States (SCOTUS) rulings in landmark cases such as *Chaplinsky v. New Hampshire* (1942), *Terminiello v. Chicago* (1949), and *Brandenburg v. Ohio* (1969), among other cases, assisted in shaping the ethos of United States' First Amendment rights. Such historical events offer contemporary insights into the mechanics of hate speech and the refinement of jurisprudence regarding hate speech. Today, the interpretation of hate speech is one incredibly summoning slightly varying definitions in social and legal realms. First, this project works to examine why hate speech as it relates to United States First Amendment rights is largely controversial and difficult to explicitly define. Using *Snyder v. Phelps* (2011) as a focal case study, it then moves to examine the ability to exercise and express narrative in appropriate contexts and the solution that narrative can offer within a postmodern society. Narrative in this sense, can be seen as a resource for understanding, asserting, and sustaining moral courage in the face of adversity. Working from a hermeneutic grounded in a philosophy of communication, this projects looks to the construct of narrative as an invitation to discourse. The use of narrative not only beckons attentiveness to personal values, stories and resources, but also situates the historical moment as the backdrop for particular social discourse. This, in fact, helps to clarify universal social truths that have often been fragmented by highly emotive and complex civil issues.

Hate Speech as Rhetorical Crises

In more contemporary terms Terry A. Kinney (2008) argued that hate speech "encompasses verbalizations, written messages, symbols, or symbolic acts that demean and degrade, and, as such, can promote discrimination, prejudice and violence toward targeted groups" ("Hate Speech and Ethnophaulisms," para. 1). Within a similar vein, hate speech according to Jerome Neu (2008) is the "willful denigration of others based on their race, gender, sexual orientation, ethnic origin, religion or other group characteristics" (p. 154). Continuous changes in social and cultural norms have propelled SCOTUS to incite the true definition of hate speech as it appears under Constitutional law. Of most recent exercise in this pursuit is the *Snyder v. Phelps* (2011) Supreme Court case. The case dealt with the boundaries of hate speech as it exists in the public sphere, and highlighted the religious, ethical, and moral implications that essentially affect constitutional free speech inquiry. *Snyder v. Phelps* (2011) also challenged the ubiquitous nature of storytelling or narrative, and shed light on the historical forging and preservation of human principles as derived vis-à-vis narrative.

The multicultural richness of the American landscape has warranted a need for not only regulation on hate speech, but also a critical assessment of definition. Hate speech is a social phenomenon that presupposes conflicting ideologies of various free speech advocates. On one hand, an Aristotelian perspective of virtue and civility deems hate speech fruitless within the public sphere. Negative language and discriminative practices produced by man compromise the human ability to value others and partake in community. Here, we prostitute community by imposing personal opinions, stories, and values upon others in an attempt to preserve individualistic needs and narratives. Jeremy Waldron (2012) extended this perspective having noted that hate speech diminishes our sense of security in society and that in a good society, it [security] is something that we all contribute to and help sustain in an instinctive and almost unnoticeable way. Hate speech thus, undermines this societal good (p. 4). On the other hand, hate speech can be viewed through the same lens as free speech and advocates for the latter argue that government regulation of any type of speech goes against the founding philosophies

of American independence. Rodney Smolla (1992) noted that a libertarian view of free speech incites complete government severance ─ that the government must leave people alone unless it can demonstrate compelling justification of its intrusion (p. 9). In an amicus brief for *Snyder v. Phelps* (2011) filed on behalf of the American Civil Liberties Union (ACLU) in defense of the Court's ruling, it was noted that, "A citizen's right to speak on matters of public concern "'is more than self-expression; it is the essence of self-government.'" (as cited in *Dun & Bradstreet, Inc. v. Greenmoss Builders, Inc.* (1984/1985). The former viewpoints echo the critical nature of expression within the United States. Liberty, acting as a founding principle of the U.S., is not simply conjectured in acts of good faith, but is also seen as a baseline for all acts of expression regardless of how invidious they just may be. Nicholas Wolfson (1997) explained, "Once we begin to censure speech on major issues because of its perceived societal harm, we have rationalized pervasive censorship" (p. 69). Even the simple possibility of censorship in a country lauded so deeply in individual expression faces severe reprisal and cultural paranoia; the threat toward free expression opens up the possibility of civil retaliation, and in turn, may cause more harm than the distasteful initial expression. At the crux of the issue is the consideration of whether personal injury inflicted upon another individual should be weighed more heavily than the preservation of public dialogue.

Convoluted, subjective situations have thus produced a wavering discourse on hate speech and a legal system working to establish juridical parameters. In *Chaplinsky v. New Hampshire* (1942), the unanimous vote for sustaining Walter Chaplinsky's conviction of violating public law illustrated that a form of free speech that encompassed words, "likely to inflict injury upon the listener or incite an immediate breach of the peace" (Tedford & Herbeck, 2009, p. 164) were not protected by First Amendment sanctions. However, the case was fruitful in producing two meaningful categories in which to judge free speech in the public sphere: worthwhile and worthless speech — the latter being defined as any language that can not only be considered "fighting words" but that can also be seen as profane, lewd, obscene, libelous (Tedford & Herbeck, 2009, p. 164). The more pertinent Supreme Court case of *Terminiello v. Chicago* (1949) examined hate speech as a form of free speech and its implications to produce

deleterious effects on community. Arthur Terminiello, an Anti-Semitic and racist Catholic priest delivered a speech that involved explicitly racial and religious epithets directed at the Jewish community. While Terminiello was initially convicted of hate speech crime, his appeal was later overturned under the opinion of the Court which ruled "that the right to speak freely and to promote diversity of ideas and programs is therefore one of the chief distinctions that sets us apart from totalitarian regimes" (Tedford & Herbeck, 2009, p. 166). Within these specific historical contexts, speech was tolerated on the grounds that it reflected the exercise of expression within a government system that touts the power of choice and immunity toward persecution (within certain parameters). It is important to note though that in both cases the verdict was not hastily reached. Both cases were thoroughly examined thus illustrating the intense difficulty of classifying something as hate speech as it wavers between the lines of what Smolla (1992) coined "graphic dissent and the personalized attack of libel" (p. 152).

What is perhaps most illuminating about the outcome of these cases is the proliferation of a nationalistic rhetoric devoutly embedded in Constitutional nomos. The 21st century presents an interesting hate speech paradox. On one hand, cosmopolitan leanings work to efface intolerance of competing groups and cultures, however, the definitive nature of postmodernity rests upon the preservation of an open dialogue where competing narratives remain in flux. Schrag (1997) has contended that postmodernity is dynamic in that there is more an inmixing of the constative or descriptive, the normative or prescriptive, and the expressive or aesthetic across the domains of inquiry such as science, morality, and art [. . .] (p. 32). In other words, the current historical moment affords discursive cultural attitudes and a multiplicity of competing dialogues. A postmodern society propels individuals to explore a self-affirmation that not only constitutes personal identity, but also helps to situate oneself within the polis. Speech acts within the polis are informed by narrative. An American, patriotic narrative contends that the pursuit of the "good life" is one involving the freedom to speak freely and without fear of constraint, to express personal beliefs and to make choices based on how individuals create meaning every day. Because of this and by today's standards, hate speech has taken on a new convex of meanings. Societies rooted in varying economic, cultural, so-

cial, and religious traditions all encounter hate speech in the form of racial, sexist and religious prejudices. Now though, postmodernity is witnessing a paradigmatic shift toward hate speech as an act that also includes the intolerance of the LGBTQIA (Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, Asexual) community. The influx of crimes pertaining to this community had been the impetus for the 2009 federal legislation of The Matthew Shepard and James Byrd, Jr., Hate Crimes Prevention Act. The law criminalizes the physical act of causing bodily harm to someone when the crime was committed because of the actual perceived race, color, religion, national origin of that person. The law also criminalizes acts committed because of the actual or perceived religion, national origin, gender, sexual orientation, gender identity or disability of any person (Civil Rights Division section, para. 3). The act however, does not address hate speech and perpetuates the contention that the American Constitution is simply a document that punishes prejudice and intolerance in the form of physical, bodily harm, but which allots the freedom to invoke verbal, psychological and emotional harms. Hate speech has become an issue of topicality because of its growing prevalence and its deeply rooted connections with the ethos of American liberties. It is therefore fitting to consider the cultural conundrum of contemporary free speech, summed up by Smolla (1992) who asked, "Should an open culture tolerate speech designed to spread intolerance?" (p. 151). This is precisely the issue at hand as we approach perhaps one of the most recent and significant cases dealing with hate speech: *Snyder v. Phelps* (2011).

Snyder v. Phelps (2011) as Free Speech

Since *Cantwell v. Connecticut* (1940), the United States Supreme Court has continued to examine religious doctrine as it pertains to First Amendment jurisdiction. In postmodernity, the public sphere has become a religious menagerie of encouragement, persuasion, and preaching. The particular aforementioned case helped to create a precedent for how Americans can understand the ability to practice one's religion without issue or a breach of peace. Religion as it stands in the United States is protected under the Constitution, and more so, is only in jeopardy of violation if it is threatening or may cause physical injury to another person (Tedford, 2009, p. 163). Cases such as *Brandenburg v. Ohio* (1969) and *Cantwell v. Connecticut* (1940) function heuristically

to validate U.S. Constitutional law. Though cases like these have illuminated this discussion, unpacking the case study of *Snyder v. Phelps* (2011) requires an additional degree of rhetorical deliberation.

Snyder v. Phelps (2011) is an exercise in interpreting a multiplicity of legal, ethical and religio-moral discourses. Further, it is one richly devoid of meaning without the consideration of the historical background of the Westboro Baptist Church (WBC). Established in 1955 by Fred Phelps, the Topeka, Kansas-based church is a self-proclaimed, "old-school" or "primitive" Baptist church. The group strictly follows the five points of Calvinism and condemns premarital sex, adultery, divorce/remarriage, and perhaps most glaringly apparent, homosexuality. WBC's zealous picketing, particularly their robust anti-gay agenda, is fueled by its fervent ideology that according to its website www.godhatesfags.com, is in response to the "homosexual lifestyle of soul-damning, nation-destroying filth" ("About Us," 2015). The congregation favors peaceful protest at events, gay parades, and funerals and displays large signs displaying messages such as, "FAGS BURN IN HELL," "FAGS DOOM NATIONS," "THANK GOD FOR AIDS" and "GOD BLEW UP THE TROOPS." As the signs communicate, the WBC believes that God hates the United States for a number of reasons, inclusive of its tolerance of sexual orientation, the country's involvement in Operation Iraqi Freedom and the controversy surrounding the Catholic Church on claims of rampant pedophilia. The picketing at funerals functions as one of the group's sources of exposure and as its website explains, is a platform "to warn people who are still living that unless they repent, they will likewise perish (FAQ, 2015).

The case of *Snyder v. Phelps* (2011) was the byproduct of a WBC anti-gay protest that took placed during the funeral of Marine Lance Corporal Matthew Snyder. Snyder was killed in Iraq on March 3, 2006 during a non-combat related incident. During the course of the funeral procession in Westminster, Maryland, the WBC actively protested 1,000 feet from the church (ACLU, 2010, p. 3) holding both anti-gay and anti-war signs. As a result, Marine Lance Corporal Snyder's father, Albert Snyder sued the WBC on grounds of invasion of privacy and intentional infliction of emotional distress (*Snyder v. Phelps,* 2011). How one can

understand the SCOTUS ruling on this case involves inquiry of constitutional validity: the definition of public speech as it functions in society, the discerning of public versus private matters, the notion of a captivated audience, and the determination of religio-moral heresy. SCOTUS' jurisdiction on the violation of physical boundaries during the WBC's protest at Snyder's funeral, both verbal and physical expression was protected; Phelps and his group followed all city ordinances and laws, remaining on public property and inciting no provocation toward those attending the funeral. Threat and danger to those within close proximity were unfounded, and though fanatical speech was expressed the potentiality of physical harm lies vacant. To extend the nature of how one can perceive the external or environmental limitations of free speech and protest, the issue of a "captive audience" doctrine may also be taken into account. Used primarily within *Rowan v. United States Post Office Department* (1970), the doctrine holds that sometimes as citizens of the public sphere, individuals are constrained within the parameters of our environment (Rowan). While this typically applies to workplace situations, Eugene Volokh (1992) of UCLA Law School asserts that individuals are often captives outside the sanctuary of the home and workplace and can be subject to objectionable speech. Despite this, such speech cannot be restricted (captivated audience para.). As part of a community and even more generally a society, the possibility of censoring every act of free speech that one may find obscene or offensive is not viable. If it were, then the definition of community itself would be synonymous with a captivated audience. While the definition of a "captivated audience" is largely based on an individual's inability to escape the physical constraints of a certain message, the effect is largely psychological or emotional. The public sphere is now seen as interwoven with private spheres. The challenge that this aspect of free speech offers is the individual ability to find meaning in the inevitability of conflicting ideas.

While Snyder's father contested that the WBC made a mockery of his son in a direct attempt to personally insult and damage his son's reputation/image, the WBC's protest was defined as arousing attention toward "public" matters. As *Dun & Bradstreet v. Greenmoss Builders Inc.* proved in 1985, matters of public interest (e.g. gun control, abortion, civil rights, etc.) are protected under the Constitution. In relation to *Snyder v. Phelps* (2011),

SCOTUS noted in its syllabus, "Even if a few of the signs were viewed as containing messages related to a particular individual, that would not change the fact that the dominant theme of Westboro's demonstration spoke to broader public issues." (The same notion can likewise be used in considering whether the ruling in *Chaplinsky* is relevant.) Again, the messages being communicated at the protests were said to not reflect personal motives, but rather reflect larger more public issues that are consistently found within public domain. The *Beauharnais v. Illinois's* 1952 ruling illustrates this particular point; within some mediums ('print' in this case) First Amendment protection is not applicable. The ruling in this case made it illegal to publish derogatory statements that "portrays depravity, criminality, unchastity, or lack of virtue of a class of citizens of any race, color, creed, or religion," or which exposes them "to contempt, derision, or obloquy, or which is productive of breach of the peace or riots," violates the due process clause of the Fourteenth Amendment (*Beauharnais v. Illinois, 1951*/1952). In discerning the verdict of the *Chaplinsky* case factors of truth and fact champion far over issues of ethical and moral dilemma. This case demands objective analysis, but from an Aristotelian perspective, it is hard to dismiss specific principles of the human capacity for ethical engagement of community, the complexity of shared values, and the convoluted nature of personal expressivity. For this, we turn to the concept of narrative in Western culture. A hermeneutic inquiry of narrative offers us an entry point into the deep interstices of cultural and religious story telling. While narrative may only solidify the brash, heretical underpinnings of such fervent ideologies as the WBC, it likewise can offer us an alternative solution to compete with such ideas.

Narrative and Counter Narrative as Dialogue

Within a postmodern moment, individuals both create and adhere to stories which best define and foster feelings of belonging. The shift from a grand narrative to smaller narratives (*petit recits)* began after World War II when a boom in both technology and technique lent themselves to an emphasis from "the ends of action to its means" (Lyotard, 1979, p. 37). Individual achievement coupled with a desire to make one's own way in the world resulted in neglect of one's *telos* and as Lyotard alluded to, propelled people to create unique narratives reflective of a particular histor-

ical moment. A variety of *petit recits* emerged and as a consequence, pitted narratives against one another. Narratives in this case are now inclined to challenge and provoke alternative perspectives—propelling us as individuals to make choices based on both values and personal experiences. Alasdair MacIntyre (2010) engaged in a textured understanding of narrative, noting that achieving a morally prosperous life is heavily contingent upon the nature of stories that individuals inherit from their pasts. These are derived from their families, cities, tribes, nations, debts and inheritances, and rightful expectations and obligations. In sum, these variables constitute one's given life and moral starting point and are what gives one's life "its own moral particularity" (p. 175). As a remedy, postmodern thought affords us the *petit recits* that continuously challenge the stability of received knowledge (Mumby, 1993, p. 3). This in turn, creates a multiplicity of ethics that demands an attentiveness from the individual. Dennis Mumby (1993) maintained that narrative is also a socially symbolic act that takes on meaning only within a social context and likewise, plays a role in the construction of that context as a "site of meaning within which social actors are implicated" (p. 5). In other words, narrative is dependent on the *polis* in providing meaning and justifying that prescribed meaning. Those who embrace the membership of inclusion are held accountable for perpetuating the tradition of the narrative; the individual is historically, socially, and personally bonded to that particular tradition. Narrative is grounded in this historicity and can only provide context if it is understood vis-à-vis the historical moment and its past. For groups that embrace a narrative strongly embedded in religious dogma like the Westboro Baptist Church, the Bible becomes a chassis for all belief regardless of whether or not it complies with current and prevailing social or cultural narratives. The discourse derived from religious narrative arises out of a tradition of "delivered significations" (Schrag, 2013, p. 68) and is a tradition that constitutes and justifies all action. Though narrative as symbolic storytelling informs and textures human action, religious narrative more specifically, is ensconced in an "existential past in which past events continue as repeatable possibilities" (Schrag, 2013, p. 9).

In assessing the United States' grand narrative of life, liberty, and the pursuit of happiness, free speech is never too far away. Free speech here can be seen as what W. Barnett Pearce (1989) deems

a "resource"— a story, symbol, image, or institution that an individual uses to make meaning in his/her world (p. 23). Free speech or language permits the coordination of surrounding narratives in that, it imparts a vehicle for aiding such understanding and is a right that imbues the formulation of belief systems. Because discourse functions as a channel for narrative, narrative presupposes discursivity as a mode for communication and enlightenment. It assists in creating a synergistic duality with free speech and in turn, free speech is the vehicle in which principles derived from human narratives can be illustrated. Speech though, also imparts a way to serve the values of self-expression and self-fulfillment, which may have more to do with those communicating the message than those receiving it (Neu, 2008, p.162). It is within this arena of thought that freedom of speech, inclusive of hate speech, reflects the historical narrative of American culture. Founded upon the very principles of personal liberties free speech echoes the very same sentiments of individualism; the individual shall suffer no restrictions to the self. Though we may not have complete disregard for our fellow citizen we certainly are reluctant to place his/her needs before our very own if it means compromising our own personal values. Though narratives framing constitutional rights in the United States are largely divorced from religious totality, religious narrative challenges this separation as well as the demand of an ethical consciousness, since it is inextricably connected to transcendental absolutes and is embedded within an unshakable historicity.

The WBC's choice to preach their ideologies in public is constitutional. Narrative provides for its members grounds to stand upon and is the foundation for the actions and choices they make to use hate speech toward such topics as homosexuality and world damnation. We can see the perpetual enmeshment of both narrative and hate speech. The WBC preaches and engages in actions that reflect specific ideology and it is only through the duality of both that a narrative can take strong hold within the people that possess them. The challenge in the case of *Snyder v. Phelps* (2011) is understanding what may be considered hate speech in the public sphere may also reflect a religious ideology deeply embedded in an institution, and how to treat such situations.

A narrative of a people is learned though both study and praxis within a specific culture of subculture (Arnett & Arneson, 1999, p. 58). Schrag (1997) takes this notion one step further by stating that narrative supplies the horizon of possible meanings that stimulate "the economy of discourse" (p. 19). From this we can understand the need or the emergence of counter-narratives. With particular regard for the WBC's protest at Marine Lance Corporal Matthew Snyder's funeral we can likewise consider the position of the Patriot Guard Riders (PGR). The PGR is a volunteer-run, non-profit organization that operates nationally. According to the PGR's website, their essential function is to attend the funeral of fallen soldiers in an effort to act as a buffer between the funeral and other protests; their presence comes as unabated and peaceful. More specifically, the PGR (2015) "shields" the family/friends of the fallen solider from interruptions that would essentially compromise the sanctity of the event (homepage). What is of particular note is that the PGR's funeral counter-protests were founded within the shadows of the WBC's funeral protests. The onslaught of their work was in response to the WBC's protests— functioning as a "counter" or *petit* narrative to an opposing one. Here we see how narratives are causal to one another. The PGR's history cannot be understood without the consideration of the WBC, and likewise the PGR's choice to offer up its own story as an alternative to the WBC constitutes moral courage. Maurice Friedman (1974) noted that the self-embodiment of courage is initiated through the presence of another. Wisdom is fostered via courage when a situation so great and meaningful provokes a profound response from that individual (p. 283). The ability to identify an opportunity that presupposes conflict and pushback and consequently exercise action highlights the PGR's embodiment of courage and attentiveness to community. The PGR's narrative is worthy of praise because it both acknowledges and works to preserve the precariousness of narrative in society. In other words, the group recognizes what Arnett (1997) calls "the oxymoronic demands of realistic community" (p. 45) in that, their decision to be agents of change fosters "good" narratives and promotes discourses that are legitimized by "good reasons" (Fisher, 1987, p.108). While both parties' narratives are unable to reach communion on a shared horizon of experience, both stories initiate conversations that question self-introspection and group membership. But how does this clash help communities foster a degree of reflective understan-

ding toward both perspectives? While the United States promotes and legally protects an open forum of dissenting viewpoints and citizens are able to openly engage in conversations, the banter is meaningless unless it can foster an acknowledgement of the other. Arnett (1986) reinforces this position by asserting that a dissenting viewpoint is imperative to testing one's own viewpoint and both sides of an issue are vital in exchanges of human communication (p. 58). The WBC overlooks opposing narratives as fruitful and as such, avoids an ethical responsibility rooted within human communication.

When hate speech exists as part of the conversation the ability to recognize it as a vital part of progressive civic tolerance becomes cumbersome. Legally hate speech situates itself in a realm of acceptance, but from an ethico-moral standpoint an understanding or even embracing of hate speech seems difficult. How can we find valuable meaning in invidious language that is filled with prejudice and bigotry? Neu (2008) posited that the only means of utilizing hate speech as an avenue for productivity would be in countering it with more speech as a petition for open dialogue; this would the most appropriate remedy for objectionable speech and is a corollary to the traditional "marketplace of ideas" defense of free speech (p.163). While this aligns with Supreme Court Justice William O. Douglas' statement in *Terminiello v. Chicago* (1949) stated earlier in this analysis, the endeavor of soliciting more public speech in order to tolerate withstanding ideas or values lacks in deep analysis of not only the explicit meaning of language but also the breeding of intolerance in contemporary culture. This continues to be the impending challenge for SCOTUS. The scope of the law focuses largely on the act of hate speech and fails to acknowledge the motive behind acts of such speech. Here the essence of the law is apparent; the subjective nature of passing judgment is overruled by an obligation for objective decision-making. More speech cannot possibly offer a remedy to outstanding hate speech if the motive is still one largely fueled by enduring negative and monistic perspectives.

Excursus: Where are We Now?

The rhetorical implications of speech encompass varying degrees of interpretation that offer us the ability to discount the caustic

ideas used as a catalyst for such language. Hate speech is only the prerequisite to hate crime. Within a multi-cultural sphere, it fosters ethnocentrism, hegemony, and dominating master narratives that Michael Bamberg and Molly Andrews (2004) suggested as being a "way of identifying what is assumed to be a normative experience" (p. 1). However, in postmodernity accepted norms seem to be more aligned toward an incongruence of ideology and myth; it might even be more accurate to say that the norm is unidentifiable. Offering up an opposing perspective seems hardly a means in which to combat notions of pure hatred toward fellow man.

The WBC's project to condemn individuals through injurious speech continues to corrupt SCOTUS's endeavor of upholding a constitutional law that preserves free speech without encroaching upon individual rights. However, it is also up to other *petit* narratives to help defend public space by way of discourse that is attentive to historicity and difference. Narratives like that of the PGR offer us a model for emulation. MacIntyre (2010) illustrated in his expose on virtues within heroic societies that being morally virtuous is a derivation of particular traditions formed from the "socially local and particular" (*After Virtue*, p. 126) and that "[. . .] [T]here is no way to possess the virtues except as part of a tradition in which we inherit them and our understanding of them from a series of predecessors in which series heroic societies hold first place" (p. 127). This informs the Aristotelian understanding of tradition in that narrative by nature subsumes historicity and sociality. The *polis* influences identity. The individual cannot escape her past and to deny her personal narrative is counterproductive; it thwarts the human capacity to develop and sustain personal identity. What is of consolation in this struggle is the ability of the personal narrative to foster the generation of a new narrative, one that is no longer ignorant to the harsh realities of conflicting ideologies. The accessibility of exercising hate speech in the United States poses citizens with a far deeper ethical pursuit and is grounds for embracing a moral courage that calls one to actively make a choice. The grappling of both a personal ethic or narrative is ensconced in the grander narrative of American identity. This effort calls forth an attentiveness to both and propels individuals to pursue a meaningful balance between the two; in doing so, or at least in an attempt to do so, social progress inclusive of human tolerance within a

postmodern society can flourish. The eradication of hate speech in the United States has been and continues to be arduous work particularly because historical events involving the exercise of free speech have become embedded and subsequently analogous to United States narrative. As long as a multiplicity of narratives continues to interfere with homogenized, ethnocentric perspectives, we are afforded the hope that we may one day be emancipated from such social captivity.

References

Arnett, Ronald C. (1986). *Communication and Community Implications of Martin Buber's Dialogue.* Carbondale, IL: Southern Illinois University Press.

Arnett, Ronald C. & Pat Arneson. (1999). *Dialogic Civility in a Cynical Age.* Albany, NY: State University of New York Press.

Arnett, Ronald C., Janie M. Harden Fritz & Leeanne M. Bell. (2009). *Communication Ethics Literacy.* Los Angeles, CA: Sage.

Bamberg, Michael & Molly Andrews, (Eds.). (2004). *Considering Counter-Narratives: Narrating, Resisting, Making Sense.* Philadelphia, PA: John Benjamins Publishing.

Beauharnais v. Illinois. 343 U.S. 250, 72 S. Ct. 725; 96 L. Ed. 919. (1952). U.S. LEXIS 2799.

Brief for the American Civil Liberties Union and the American Civil Liberties Union of Maryland as Amici Curiae in Support of Respondents, *Snyder v. Phelps*, 559 U.S. 990 (2011) (no. 09-751), 2010.

Burbules, Nicholas & Suzanne Rice. (1991). "Dialogue Across Differences: Continuing the Conversation." *Harvard Educational Review. 61*(4), 393. Retrieved from http://search.proquest.com docview/212285967?accountid=10610

Cantwell v. State of Connecticut. 310 U.S. 296. S. Ct. (1940). The Oyez Project at IIT Chicago- Kent College of Law. Retrieved from http://www.oyez/org/cases/1901-1939/1939/1939_632

Dun & Bradstreet Inc. v. Greenmoss Builders. 472 U.S. 749. S. Ct. (1985). The Oyez Project at IIT Chicago-Kent College of Law. Retrieved from http://www.oyez.org/cases/1980-1989/1983/1983_83_18

Fisher, Walter. (1987). *Human Communication as Narration: Toward a Philosophy of Reason, Value, and Action.* Columbia, SC: University of South Carolina Press.

Fischer, Norman. (2004). First Amendment Morality versus Civility Morality. In Christine T. Sistare (Ed.), *Civility and its Discontents: Civic Virtue, Toleration and Cultural Fragmentation.* (pp. 155-168). Lawrence, KS: University Press of Kansas.

Friedman, Maurice. (1974). *The Hidden Human Image.* New York, NY: Delacorte Press.

Israel, Michael. (1999). Hate Speech and the First Amendment. *Journal of Contemporary Criminal Justice,* 15(97), 97-110. doi:10.1177/1043986299015001007

Kinney, Terry A. (2008). Hate Speech and Ethnophaulisms. In Wolfgang Donsbach (Ed.), *The International Encyclopedia of Communication.* Blackwell Publishing. doi: 10.1111/b.9781405131995.2008.x

Lyotard, Jean-Francois. (1979). *The Postmodern Condition: A Report on Knowledge.* Theory and History of Literature, Volume 10. Trans. Geoff Bennington and Brian Massumi. Minneapolis, MN: University of Minnesota Press.

MacIntyre, Alasdair. (1981). *After Virtue.* Notre Dame, IN: University of Notre Dame Press.

MacIntyre, Alasdair. (2010). Narratives of the Good Life Guided by Living Traditions. In Paul Schumaker (Ed.), *The Political Theory Reader.* (pp. 173-176). Malden, MA: Blackwell.

"Matthew Shepard and James Byrd, Jr., Hate Crimes Prevention Act of 2009." *The United States Department of Justice.* (2013). The United States Department of Justice. Retrieved from http://www.justice.gov/crt/about/crm/matthewshepard.php

Mumby, Dennis K. (Ed.). (1993). *Narrative and Social Control: Critical Perspectives.* Madison, WI: Sage.

Neu, Jerome. (2008). *Sticks and Stones: The Philosophy of Insults.* New York, NY: Oxford *University Press.*

Patriot Guard Riders. (2015). About Us. *PatriotGuard.org.* Retrieved from http:/www.patriotguard.org

Pearce, Barnett, W. (1989). *Communication and the Human Condition.* Carbondale, IL: Southern Illinois University Press.

Riessman, Catherine Kohler. (2004). Accidental cases: Extending the concept of positioning in narrative studies. In Michael Bamberg and Molly Andrews (Eds.), *Considering Counter- Narratives: Narrating, Resisting, Making Sense.* (pp. 33-38). Philadelphia, PA: John Benjamins Publishing.

Rowan v. U.S Post Office Department. 397 U.S. 728. S. Ct. (1970). Cornell University Law School Legal Information Institute. Retrieved from https://www.law.cornell.edu/supremecourt/text/397/728

Schrag, Calvin O. (1997). *The Self After Post-Modernity.* New Haven, CT: Yale University Press.

Schrag, Calvin O. (2013) *Reflections on the Religious, the Ethical and the Political.* Toronto: Lexington Books.

Smolla, Rodney. (1992). *Free Speech in an Open Society.* New York, NY: Alfred A. Knopf. *Snyder v. Phelps.* 131 S. Ct. 1207. (2011).The Oyez Project at IIT Chicago-Kent College of Law. Retrieved from http://www.oyez.org/cases/20102019/2010/2010_09_751

Jameson, Federic. (1991). *Postmodernism, Or the Cultural Logic of Late Capitalism. Durham, NC: Duke University Press.*

Tedford, Thomas L. and Dale Herbeck. (2009). *Freedom of Speech in the United States.* (6th ed.) State College: Strata Publishing.

Terminiello v. Texas. 337 U.S. 1. Supreme Court of the United States. 1949. *LexisNexis Academic.* Web. 10 October 2013.

Toulmin, Stephen. (2001). *Return to Reason.* Cambridge, MA: Harvard University Press.

Volokh, Eugene. (1992). "Freedom of Speech and Workplace Harassment." *UCLA Law Review.* 39, 1832-43. Retrieved from http://www2.law.ucla.edu/volokh/harass/substanc.htm

Waldron, Jeremy. (2012). *Oliver Wendell Holmes Lectures: Harm in Hate Speech.* Cumberland, RI: Harvard University Press.

Westboro Baptist Church. (2013). About Us. Retrived from http://www.godhatesfags.com/

Wolfson, Nicholas. (1997). *Hate Speech, Sex Speech, Free Speech.* Westport, CT: Greenwood Press.

Unintelligent *Ingenium*:
The Failure of *Ingenium* in Intelligent Design

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Intelligent Design provides scholars with a very recent case study of an attempt to once again utilize such a conceptual framework, but in this case the rhetoric of the framework seems to be failing. A rhetorical examination of how and why the rhetoric of ID is proving ineffective is thus in order and should prove of interest to rhetorical scholars examining other similar movements to rhetorically unite religion and science.

There are mini Mount Rushmores in the cell. Put another way, Mount Rushmore, by its very designed existence, is an analog for the intelligent design of life. If you look at the Rocky Mountains, you might think to yourself that its origin lies in the movements of the Earth – it was formed by plate tectonics and all of the processes associated with that. However, if you see Mount Rushmore, you know right off that this magnificent piece of nature was designed. The hand of a designer of intelligence is obvious. By a parallel case, when one is observing the construction of a cell under the microscope, elements of intelligent design are equally obvious, and thus must be taken into account. Humanity designed Mount Rushmore; something else designed us.

So goes the reasoning of Michael Behe, a biochemist and professor at Lehigh University in Pennsylvania and a prominent Intelligent Design (ID) advocate. Behe also serves as a senior fellow for the Discovery Institute's Center for Design and Culture, an organization at the forefront of the ID movement. Behe expressed this metaphor in an interview for the movie *Flock of Dodos* (Olsen, 2006), and it is such a prominent one that it appears elsewhere. In a later interview with The California Literary Review, he repeats his metaphor almost verbatim:

> *If you and a friend walked by Mount Rushmore, even if you had never heard of it before, you would immediately realize that the faces on the mountain were designed. Not for a moment would you think they were the result of random forces such as wind and erosion. Your conclusion of design would be certain, because you would see how well*

the pieces of the mountain fit the purpose of portraying an image. Whenever we perceive a "purposeful arrangement of parts" we suspect design. The more parts there are, and the more clearly they fit the purpose, the more confident our conclusion of design becomes. In the past fifty years science has discovered a very purposeful arrangement of parts in the cell's molecular machinery. That is the evidence for the involvement of a designer in life on earth. (Comstock, 200)

What exactly is going on here? At first glance, Mount Rushmore is repeatedly being used by Behe to metaphorically justify his belief in an intelligent designer. The metaphor is powerful, however, and even within Olsen's documentary mentioned above one can observe others repeating the metaphor. Behe's presentation is cited as the source, providing further evidence that he is the author of this theme. What is interesting about this metaphor is that although it clearly resonates in the minds of adherents to the ID movement, it is in no way scientific. Indeed, it seems to rely purely on intuition, a point that Olsen makes about the movement as a whole in his documentary. Yet ID is a movement that in large part tries to situate itself within the scientific arena, as will be seen in the discussion below. What then is the significance of a purportedly scientific movement employing such intuitive language?

The rhetorical concept of *ingenium* should hold some explanatory power in describing the persuasive nature of ID discourse. The ID movement is most definitely an argument, but whether or not it is scientific is hotly disputed. As the above example demonstrates, whether or not ID positions itself utilizing scientific language and research, at its core it is still inherently not scientific. At its core, as I will argue in this article, ID is a movement that relies upon the rhetorical notion of *ingenium* as defined and described by Giambattista Vico and other rhetorical scholars throughout history. Ultimately, however, ID fails to resonate with both creationists and scientists because in borrowing a religious claim from the former and scientific grounds from the latter, it loses any possibility of either camp being able to make the intuitive leap that *ingenium* requires. In order to make this argument, it will first be necessary to engage in a discussion of the concept of *ingenium*. Then, after a brief history of the ID movement, starting with its purported roots in Creationism, I will ap-

ply the concept of *ingenium* to ID and demonstrate how it undergirds the logic of the movement. Ultimately, the rhetorical strategies of those who would advocate ID will become clear and the persuasive power, and the ultimate failure, of those strategies will be evident. Understanding the persuasive power of the ID movement should be important to rhetorical scholars as they grapple with the rhetoric of science and religion, and *ingenium* provides an important middle ground by which the two may be distinguished as scholars throughout history have shown. Several proponents of science have, over time, made use of religious conceptual frameworks in establishing their points, as Lessl (2012) demonstrates in his work, *Rhetorical Darwinism*. Intelligent Design provides scholars with a very recent case study of an attempt to once again utilize such a conceptual framework, but in this case the rhetoric of the framework seems to be failing. A rhetorical examination of how and why the rhetoric of ID is proving ineffective is thus in order and should prove of interest to rhetorical scholars examining other similar movements to rhetorically unite religion and science.

The Rhetorical Concept of *Ingenium* – An Answer to Science?

The concept of *ingenium* is one that was more popular among Enlightenment rhetorical scholars than it has been in more contemporary times. Among Enlightenment scholars, it was an answer of sorts to the rampant scientism of the time, most evident in philosophies such as Descartes' concept of Cartesian dualism. *Ingenium* re-emphasized the role of the human in a world increasingly objectified by the science of great thinkers such as Bacon, Newton, and of course Descartes.

The rhetorical scholar perhaps best known for opposing the rationalism represented by Descartes was Giambattista Vico, a chair of rhetoric at the University of Naples. Vico is also the primary rhetorical scholar to which the concept of *ingenium* is attributed, although others have done work on it. One of Vico's major concerns was with how the education of his day was practiced (Brummett, 2000). According to Brummett (2000), Vico was worried that, "an early training in scientific methods would instill the habit of doubt and skepticism in young people" (p. 522). He advocated an early training in eloquence, or rhetoric, as

opposed to such training and claimed that scientific skepticism could be supplemented later.

Although the work referenced by Brummett in his reader, *On the Study Methods of Our Time*, doesn't yet cover *ingenium*, the concept is still very important to Vico's answer to the scientifically steeped educational practices of his day. In later work, he goes on to define it as, "the faculty of joining together into one things which are scattered, diverse" (Vico, 2010, p. 111). Vico quickly moves on to explicitly connect *ingenium* with nature itself, claiming that, "*ingenuity* and *nature* for the Latins are the same thing" (Vico, 2010, p. 111). Daniel interprets the passage that this is a part of to mean that,

> *nature itself is inventive; that is, it 'finds' its objects by carving out of indeterminate experience objects of its own making. Human ingenuity is thus 'acute,' 'sharp,', or 'penetrating' insofar as it is able to discern relationships 'ex genre', that is, by piercing through the ordinary structures by which things are rationally associated with one another. (Daniel, 1985, p. 238)*

The ability to connect disparate things is crucial to the concept of *ingenium*. For Vico, as Daniel reminds us, "ingenium does not cut things apart; rather it cuts through the artificial rational divisions which separate topics" (Daniel, 1985). Other scholars agreed. Serna describes Spanish Jesuit Baltasar Gracian as believing that, "*ingenium* comprehends the true essence of things by taking into account the relationships and differences between them" (Serna, 1980). Humanity is gifted with the innate ability to pierce through the veil of the artificial divisions Vico and Gracian perceive, which is ironic in a way considering that it is human ingenuity that creates such rational divisions. Thus it is apparent that while Descartes and others were interested in dividing perception through dualism, scholars such as Vico and Gracian were more interested in connecting it to other perceptions.

It is important to understand that *ingenium* as a concept is a quality that is absolutely inherent to humanity. As Serna elaborates, "the character of *ingenium* cannot and should not be analyzed abstractly, but rather must be understood as proceeding from the particular structure of man (sic) – from his knowledge, his work, his speech" (Serna, 1983). This puts it in direct opposition to a

knowledge that exists "out there", as espoused by Cartesian dualism, regardless of if it is discovered inductively or deductively. According to Serna, it involves "acting knowledge", the common denominator of which is *inventio*, or the age old Ciceronian rhetorical canon of invention (Serna, 1983).

Invention, a canon earlier divorced from rhetoric by scholars such as Peter Ramus, is imbued with renewed vigor by *ingenium*. After all, it is during the process of invention that a given rhetor must seek out information and invent new arguments by making novel connections between disparate facts. This is the very definition of Vico's *ingenium*. However, in describing Humanist Juan Luis Vives conceptions of *ingenium*, Serna demonstrates how *ingenium* goes one step further and divorces the very faculty of making inventions that satisfy human needs from reason, instead attributing it to *ingenium* (Serna, 1983). In this instance, invention goes beyond even the rhetorical device and into the material work of engineers. Vico himself makes a nod to the roll of engineers in his definition of *ingenium*. In all forms of *inventio*, then, *ingenium* is active and necessary.

Despite its broad impact upon what is arguably the most important canon of rhetoric, however, *ingenium* is not largely considered important by scholars of any type. Serna points out that, "the philosophical significance of *ingenium* is no more acknowledged today than in earlier times" (Serna, 1983). It is important to acknowledge this if any meaningful work is to be done utilizing it. In the field of rhetoric, very few have done any real work with it in contemporary times outside of those cited here. One notable exception can ironically be found in a book entitled *New Approaches to Rhetoric*. This piece by Olson and Goodnight utilizes *ingenium* to make sense of the rhetoric of community citizens both for and against a project by Disney entitled "Disney's America" being built in community both on and around historic land. It is a telling example of how the concept can be utilized to understand how grass roots activist rhetoric works and can be improved (Olson & Goodnight, 2004). Hopefully such work will inspire more work like it in that arena, but until it does it is a rare instance. In general, as Serna pointed out over two decades ago *ingenium* has been, "rejected in cognitive, scientific, and philosophical areas" (Serna, 1983).

Such rejection is to be expected from the scientific and philosophic arenas, however. This was common even during the Enlightenment period during which the concept flourished, so to speak. Yet to deny it outright is not productive, for it cuts off one of the primary canons of rhetoric. A lack of understanding can result, as can be seen in the Intelligent Design debate, as will be seen below. Scientists and rhetorical scholars alike do not seem to understand the tenacity of the ID argument, which has all but surpassed Creationism as vying for a spot in the public and educational arena. *Ingenium* offers an explanation, and with understanding should come a better ability to either work with it or argue against it. Below, I turn to a historical perspective on the movement and then work into an explanation of how *ingenium* can provide the necessary explanatory power.

From Creationism to Intelligent Design

Currently, the education system in the United States teaches evolution as the dominant theory of how life came to be on Earth and Creationism and ID are considered unconstitutional in the classroom, but it has not always been so. Indeed, there was a time in recent history when the situation was reversed; it was illegal to teach evolution in the classroom and those who dared to do so were prosecuted for it. What is interesting to note, however, is that Darwinism had little impact on education in the United States until many decades after its introduction. Darwin published *The Origin of Species* in 1859, but his work did not cause a stir in the West until after the first World War. According to Haarscher, who provides a detailed account of the progress from Creationism to ID, at this time, "scientific biology and the theory of evolution were not taught in school. Only a small elite had, as it was the case in Europe, access to secondary school" (Haarscher, 2009) (1). While the first aspect of this situation remained virtually the same, the latter aspect changed dramatically. Put simply, more U.S. teenagers attended secondary school. At the same time, Haarscher reports that American fundamentalism, a movement dedicated to promoting a literal interpretation of the Bible, gained momentum as a reaction to Protestant modernism, which had taken root in Germany during the latter part of the nineteenth century. The practice of taking the Bible literally was called the "theory of inerrancy", and was actually

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developed in large part as a response to Darwin and the German Protestant modernism. As Haarscher claims, the very fact that the movement was German discredited it after World War I and went a ways towards promoting the fundamentalist viewpoint in the U.S.

This is the beginning of what Haarscher claims was a frontal attack on Darwinism by the religious fundamentalists. At the time, they had the upper hand because they had the full legal backing of the U.S. legal system. Several states passed statutes outlawing the teaching of evolution in the classroom. One of the more famous of these was the Tennessee Butler Act, which stated:

> *That it shall be unlawful for any teacher in any of the Universities, Normals and all other public schools of the State which are supported in whole ore in part by the public school funds of the State, to teach any theory that denies the story of the Divine Creation of man as taught in the Bible, and to teach instead that man has descended from a lower order of animals. (Hill, 1925)*

At this point in time, such laws made clear the fact that the burden of proof laid with the advocates of evolution being taught in the classroom. The Butler Act prefaced the famous Scopes trial in which a teacher was brought to court and prosecuted for intentionally disobeying the law at the behest of the American Civil Liberties Union. It was the first time that the creationism – evolution debate was given national attention and publicized. Scopes was convicted, but the lawyer representing creationism lost face to the one advocating evolution for showing himself to be both scientifically and theologically incompetent.

The trial was an interesting moment illustrating the conflict between science and creationism, but was not exactly a turning point. As Haarscher points out, multiple states actually passed anti-evolution statutes. The real turning point, according to him, was when the Russia launched Sputnik, the first artificial satellite to go into space in 1957. Science and technology education suddenly became very important to the Americans, who did not want to let the Russians get too far ahead in the Cold War. Anti-evolution advocates fought back, but to no avail as the U.S. Supreme Court in 1968 struck down anti-evolution laws in a case against an Arkansas statute prohibiting the teaching of evolution

and held the promotion of religion in the classrooms to be uncon-stitutional (Epperson v. Arkansas, 393 U.S. 97, 1968).

From this point forward, the very nature of the debate changed. It was what Haarscher called a complete rhetorical turnaround. Where before the creationists had engaged in a "frontal attack", they now had to "argue within" the system to attempt to gain any ground (Haarscher, 2009). Emphasis shifted from denial of evo-lution to an emphasis on "equal time and emphasis". When that was struck down in federal courts, advocates of creationism changed their rhetoric to calling their position "creation science", attempting to put what they believed into scientific terms for the first time. This attempt was no more than a shift in wording, however, as advocates merely attempted to keep the literal inter-pretation of Genesis while finding scientific support for it. When that failed to achieve legal support, they tried a different tack and called both creationism and Darwinism "religions", thus arguing that *neither* could be taught in schools. Another tactic was to em-phasize that Darwinism was "just a theory". These strategies failed as well. When Louisiana passed a "Creationism Act" that forbade the teaching of evolution unless accompanied by instruc-tion in the theory of "creation science", the Supreme Court struck that down as well. Specifically, the Supreme Court case *Edwards vs. Aguillard* declared, "The Act is facially invalid as violative of the Establishment Clause of the First Amendment because it lacks a clear secular purpose" (*Edwards v. Aguillard, 482 U.S. 578*, 1987).

This case was a pivotal one and became the genesis of the Intelli-gent Design movement. Haarscher (2009) points out that alt-hough the decision, "rejected equal time and emphasis for Crea-tion science and evolutionism…it affirmed that if scientific alter-natives existed, they could legally be taught in class" (Haarscher, 2009). Now a certain sect of creationists saw a potential way into legitimacy in the classroom; if they removed all reference to the Bible, then perhaps they could move their agenda forward. In fact, advocates of this movement even present the Designer (as opposed to Creator – another rhetorical turn) as potentially being extraterrestrial in origin in some versions (Scott, 2004). Michael Behe, a leader of the ID movement as stated above, introduced one of the core tenets of the philosophy in his concept of irreduc-ible complexity. The concept essentially states that biological

systems are too complex to have evolved over time from far less advanced systems (Behe, 1998). Some of the language surrounding this claim will be more critically discussed later, but suffice it to say now that the concept is proposed within the framework of science and even allows for a certain amount of change over time, but only so much. Evolution is not fully endorsed because at a certain point, the hand of an intelligent designer must be evident – an organism such as a human becomes irreducibly complex.

Intelligent Design is arguably where the best hopes of the creationist movement now stand. Of course, not all creationists believe that ID is correct, and the ID movement even seeks to distance itself from its creationist forebears. This is evident in a FAQ on the intelligentdesign.org website, which answers the question "Is intelligent design theory the same as creationism?" with a very explicit "no" followed by a lengthy explanation (*FAQ*, 2009). The FAQ specifically cites two articles, "Design is not Creationism" (Meyer, 2006) and "Intelligent Design and Creationism Just Aren't the Same" (West, 2002). These articles make the position clear by their titles alone. Further differentiating the movement is the answer to the question directly above this one, "Is intelligent design based on the Bible?", to which the answer is again "no". Of note, intelligentdesign.org is a direct offshoot of The Discovery Institute's web page, and The Discovery Institute is one of the most well funded major proponents of ID.

There are avid critics of the ID movement, as there have been to creationism all along. These critics range from judges in the courts to the halls of academia, and it is to the criticisms that I now turn. It is important to understand how the movement is being criticized in order to explore the disconnect between the criticism and the tenacity of the ID movement.

Criticism of Intelligent Design

There has been much criticism of ID. To begin with, it has not enjoyed the support of the courts. As might be expected from anti-creationist trends detailed above, some US courts have already struck it down in various decisions regarding education (Haarscher, 2009). One of the more recent cases is that of

Kitzmiller v. Dover, and what is notable about it is the fact that the presiding judge, Judge John E. Jones III, heard ID advocates and said in his ruling that the purposes of those advocating it were a "sham", as Haarscher quotes him.

The movement persists, however, and has attracted the attention of more academic critics as well, who in large part roundly denounce the philosophy. There is even a website entitled "Talk Reason" that devotes itself publishing online the papers of those who would criticize ID. In the "About Us" section of the website, they have a call for papers posted that states, "TalkReason provides a forum for the publication of papers with well-thought out arguments against creationism, intelligent design, and religious apologetics" (*Call for papers*, 2009). The call goes on to clarify that papers promoting ID or creationism will not be accepted. Talk Reason may not enjoy as much credibility as academic sources for publication, but it is a good example of the virulent opposition to ID.

In the academic publishing sector, ID knows little if any support. By and large, academics in the humanities who address the issue are quick to point out the flaws in the reasoning of the movement. For example, Condit published a piece in 1998 in which she critiqued each of the main tenets of ID at the time through a broad rhetorical lens. In it, she pointed out the inherent tautology of humans as "design-perceiving and thus designer-inferring creatures" (Condit, 1998). Humans look for patterns and thus patterns must exist, which in turn leads to an intelligent entity that would create such patterns. She also critiques the ID notions of speciation and irreducible complexity at length, but what is most important to note is her emphasis on the ID attempts to use science to justify a non-scientific position. According to Condit, the proponents of ID are moving to co-opt the scientific approach through their use of quantitative measures of information. This just masks the fact that what they are really working with is human interpretation. Ultimately, she concludes that ID does not do much for religious purposes since, as she demonstrates, "space aliens" can at all points be substituted for "intelligent designer", and she points out that "throughout history, every time religion has tried to argue on the terrain of science it has failed" (Condit, 1998).

In a critique of both ID and current methods of teaching science in the classroom, Pierce seems to concur with Condit, at least insofar as the scientific façade of ID is concerned. It is impossible for the movement to be truly scientific because, "design inference as an epistemological notion has programmed within its expression an inherent opposition to evolutionary or any other open-ended exploration of the life processes in the universe" (Pierce, 2007). Essentially, his critique as he explains it later is that ID is focused not on finding any answers in democratic science, but rather focuses on looking for the evidence of a designer. Although Pierce does not explicitly state this, there seems to be a kind of terministic screen at work for ID advocates – to put the matter in Burkean terms.

Other scholars further drive home the lack of any kind of true rational structure to ID arguments. Haarscher (2009) is an excellent example of this. He accuses the movement of putting forth Perelmanian "pseudo-arguments", which are designed to "argue *from within* the system by saying that you accept some of its basic premises, while subtly distorting the process of reasoning in order to get to your conclusions" (Haarscher, 2009). In fact, so critical is he of the ID argument that he states his purpose early on when he says that, "I shall try to show that what is at stake is a bogus debate and not a real confrontation of reasonable theses" (Haarscher, 2009).

This is but a small yet representative sample of what one will find when searching for academic articles devoted to the subject of ID within the humanities. The hard sciences hardly bother to acknowledge it, and when they do it is only really to debunk it. Olsen makes this point explicitly clear in *Flock of Dodos* when he gathers several prominent scientists around a poker table and questions them about their thoughts on ID. They are quite vocal, accusing those who would put any stock in the theory "idiots". Later in the documentary, Olsen describes how when ID cases come up in court, ID advocates show up in force whereas the scientific establishment barely sends any representatives, if at all. To them, it is a non-debate and not worth their time (Olsen, 2006).

Each of these camps, the judicial system, the humanities, the hard sciences, and the advocacy groups on the internet, hits on several

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important points about the ID debate, but they fail to get into the heads of those who would advocate for it. This has been true since the controversy focused on creationism. The concept of *ingenium* offers insight into the rhetorical thought processes of ID advocates, and it is to a discussion of *ingenium* as it relates to the ID movement that I now turn.

The *Ingenium* of Intelligent Design – Drawing the Connections

At this point in our history, we have reached the perfection of a stage that Vico was very concerned about; our educational system focuses on science and skepticism from a young age instead of a grounding in a primarily rhetorical education. As noted above, this state has been heightened since the launch of Sputnik during the Cold War. The separation of church and state has been emphasized to such a degree that many parents and federal judges deny religious notions in school outright, but one does not have to go far to locate a building dedicated to one religious faith or another. Intelligent design arose during this particular environment in the late 1990s, and is certainly a product of its times. In schools, people learn to be scientific skeptics; in Judeo-Christian faiths they learn to reject scientific notions and infer the hand of a creator. ID attempts to reconcile these two disparate mindsets, but as indicated above by many critics it imperfectly does so.

The very notion of *ingenium* seems to lend itself well to notions of a creator, designer, or whatever one wishes to call it. *Ingenium* is closely related to the concept of *inventio*, and describes the faculty of humanity to invent knowledge and arguments from where none existed before. Condit points out that those in the ID movement see patterns in everything (Condit, 1998), and this is telling in that such patterns can and must be likened to the very connections that Vico indicated in his definition of *ingenium*. What the ID advocates are doing is literally connecting "disparate and diverse things" in an effort to seek out the origin of life. Rather than proceed from a logic of incremental steps from the present back through the beginnings of life on Earth, ID advocates seek to connect life to an unknown (and thus disparate) Designer. Whether this Designer is an all powerful deity or a space alien, it is still initially unconnected to humanity except through the connections that humans draw via *ingenium*.

It is perhaps instructive to turn to some of the metaphors common to the ID movement. One of these has been stated above in the Mount Rushmore example. Metaphor and *ingenium* are easily relatable concepts, for when one engages in a metaphor one is utilizing the very same intuition to draw connections between disparate objects as Vico describes. Metaphors are merely the process of expressing such jumps in reasoning to the audience – they are a way of knowing, or put another way, they are an *ingenious* way of knowing. According to Michael Osborne, who has discussed metaphors at length, "*successful metaphor should result in an intuitive flash of recognition that surprises and fascinates the hearer, and illuminates the prime member of comparison* (emphasis Osborne's)" (Osborn, 1976). So when Behe describes how noticing Mount Rushmore as a purely designed element in nature is directly relatable to seeing the hand of a designer in life, he is making an ingenious leap from one disparate concept to another. However, some argumentation scholars point out that analogy and metaphor are one of the weakest forms of argumentation (Rybacki & Rybacki, 2008). This is because if one does not make that intuitive leap with the rhetor, then the metaphor fails. Olsen in his documentary did not make this particular leap when discussing the analogy with a Pennsylvania man, who kept pointing out the inherent designer in Mount Rushmore while Olsen repeatedly emphasized "*human* designer" (Olsen, 2006). For Olsen, there were enough inherent differences between the design and construction of Mount Rushmore and the nature of life to discredit the metaphorical reasoning that because the former was clearly designed, the latter must be too. One of these critical differences between the two cases, as he points out in the documentary, is that there is absolute proof of design in Mount Rushmore in the form of historical documents, while there is no such proof of life having a designer. The metaphor, while meaningful to Olsen's interviewee from Pennsylvania, thus fails to be persuasive to Olsen himself.

Another example of metaphorical *ingenium* appears in Meyers article as cited on the Discovery Institute's web page. He goes on at length about a mechanical, engineered aspect to cells:

> *In recent years, biologists have discovered an exquisite world of nanotechnology within living cells - complex circuits, sliding clamps, energy-generating turbines and miniature machines. For example, bacterial cells are*

propelled by rotary engines called flagellar motors that rotate at 100,000rpm. These engines look like they were designed by engineers, with many distinct mechanical parts (made of proteins), including rotors, stators, O-rings, bushings, U-joints and drive shafts. (Meyer, 2006).

The metaphor at work here is interesting, but what is more fascinating still is the *ingenium* behind it. What this author is essentially claiming is that biological machinery mimics artificial machinery designed by humans, and therefore an intelligent designer must have designed it. While the warrant here is questionable, the statement as a whole is still instructive in that it very clearly allows the critical reader to follow the intuitive leaps necessary to understand the idea. Certainly human engineering and the cell are disparate concepts, but when described in this fashion we can draw the connections necessary to support ID.

This particular metaphor perhaps has its roots in a similar one made by Behe. Behe, in attempting to make irreducible complexity knowable to the layperson, likens it to a mousetrap. The mousetrap is composed of multiple pieces that must interact to make it work. Remove any one piece, and the whole becomes inoperative. A designer is clearly necessary for such a device, as none of the parts could have developed in isolation to produce the mousetrap. He posits that the same is true of life and its moving parts (Behe, 1998). Once again, one has to follow the warrant that if there are elements of engineering in biological organisms that mimic those of artificial machines, then there must be a designer of biological life because machines are clearly designed.

These are the types of intuitive leaps that proponents of ID attempt to make. They are incredibly persuasive because of the *ingenium* present in the metaphors. Proponents of ID are drawing connections between otherwise disparate concepts in an attempt to "scientifically" rationalize what is, as Condit (1998) pointed out, not subject to rationality. One cannot empirically verify the hand of a creator or designer in life. There is simply no evidence for it. Regardless of if one points to the Bible as evidence or scientific facts as evidence, the fact remains that that there is *nothing* explicitly pointing to how the universe and thus life originally appeared. Science generates evidence in support of evolution, but makes no claim to a solid knowledge of the

beginning. ID does, and this is where it breaks with science and begins with *ingenium*.

The arguments of ID, while persuasive from the perspective of *ingenium*, break down when subjected to Toulmin's model of argument. Toulmin broke argument down to the basic levels of a claim, a warrant, and grounds (Toulmin, 1958). As I have demonstrated, ID attempts to maintain the same claim, but shift the grounds. Meyer states that, "Unlike creationism, ID is an inference from biological data" (Meyer, 2006). This is true. Creationism is an inference from *Biblical* data. The claim, however, is still for an initial creator. ID advocates are following where people perceive the truth to be; whereas once that was in the Bible, now it is in science. In the process, however, as demonstrated above the warrant becomes untenable, having a basis in an irrational concept.

The irrationality is, in the end, what causes the use of *ingenium* to fail in the scientific arena. When the grounds are shifted, the *ingenium* of the ID movement relies for its intuition upon grounds that are not amenable to its claims. Science does not support ID, even if ID supports science. ID advocates broke from the Bible to attempt to get their beliefs about life's origin into schools, but this essay is in agreement with Condit in that such a break from religious roots is not productive. The Bible and spirituality serves the logic of ID and creationism better, even if these grounds do not allow for the teaching of creationism in U.S. schools.

Conclusion

Rhetorical scholars and those engaged in the ID controversy alike can learn something from the concept of *ingenium* as applied to a modern day controversy. Here *ingenium* has failed to allow ID proponents to garner any support from those outside of a religious mindset, and with good reason. Evolutionists did not draw connections to a creator before, and they are unlikely to start doing so simply because ID advocates start using their language. In order for *ingenium* to be properly applied, the connections drawn must rest on grounds tenable to it. In Toulmin's model, the *ingenium* lies in the warrant. If the warrant does not follow the grounds, then the argument fails. There are those who subscribe to religious faith and those who do not, but it is better by far to

present acceptable arguments in one arena and be rejected in another than to present untenable arguments in a foreign arena and be rejected across the board.

End Note
(1)Haarscher begins the sentence this quote is derived from "Until the beginning of the *nineteenth* century..." (emphasis mine), but context leads me to believe that he means the *twentieth* century.

References

Behe, Michael. J. (1998). *Darwin's Black Box: The Biochemical Challenge to Evolution*. New York: Touchstone.

Brummett, Barry. (2000). *Reading Rhetorical Theory*. Orlando, FL: Harcourt College Publishers. *Call for papers*. (2009). Retrieved October 21, 2013, from http://www.talkreason.org/AboutUs.cfm

Comstock, Paul. (2007). *Michael Behe on The Edge of Evolution*. Retrieved October 21, 2013, from http://calitreview.com/260

Condit, Celeste. M. (1998). "The rhetoric of intelligent design: Alternatives for science and religion." *Rhetoric & Public Affairs, 1*(4), 593-602.

Daniel, Stephen. H. (1985). "The philosophy of ingenuity: Vico on proto-philosophy." *Philosophy and Rhetoric, 18*(4), 236-243.

Edwards v. Aguillard, 482 U.S. 578. (1987). Retrieved October 21, 2013, from http://supreme.justia.com/us/482/578/case.html

Epperson v. Arkansas, 393 U.S. 97. (1968). Retrieved October 21, 2013 from https://supreme.justia.com/cases/federal/us/393/97/case.html

FAQ. (2009). Retrieved October 21, 2013, from http://www.intelligentdesign.org/faq.php

Haarscher, Guy. (2009). "Perelman's pseudo-argument as applied to the creationism controversy." *Argumentation, 23*, 361-373.

Hill, L. D. (1925). *House Bill No. 185*. Retrieved October 21, 2013, from http://www.law.umkc.edu/faculty/projects/ftrials/scopes/tennstat.htm

Lessl, Thomas. (2012). *Rhetorical Darwinism*. Waco, TX: Baylor
    University Press.

Meyer, Stephen. C. (2006). "*Intelligent design is not creation-
    ism.*"Retrieved October 21, 2013, from http://
    www.telegraph.co.uk/comment/personal-view/3622692/
    Intelligent-design-is-not-creationism.html

Olsen, Randy. (Writer) (2006). Flock of Dodos. In T. Carlisle
    (Producer), *Flock of Dodos*. USA: docuramafilms.

Olson, Kathryn. M., & Goodnight, Thomas. (2004). "*Ingenium* -
    Speaking in community: The case of the Prince William
    County zoning hearings on Disney's America." In P. A.
    Sullivan & S. R. Goldzwig (Eds.), *New Approaches to
    Rhetoric* (pp. 31-60). Thousand Oaks, CA: Sage Publica-
    tions.

Osborn, Michael. (1976). *Orientations to rhetorical style*. Chica-
    go: Science Research Associates.

Pierce, Clayton. (2007). "Designing intelligent knowledge: Epis-
    temological faith and the democratization of science."
    Educational Theory, 57(2), 123-140.

Rybacki, Karyn. C., & Rybacki, Donald. J. (2008). *Advocacy and
    Opposition: An Introduction to Argumentation* (Sixth
    ed.). Boston, MA: Pearson, Allyn, and Bacon.

Scott, Eugenie. C. (2004). *Evolution Versus Creationism: An
    Introduction*. Berkeley, CA: University of California
    Press.

Serna, Emilio. H. (1980). "The philosophy of *ingenium*: Concept
    and ingenious method in Baltasar Gracian." *Philosophy
    and Rhetoric, 13*(4), 245-263.

Serna, Emilio. H. (1983). "Ingenium and Rhetoric in the Work of
    Vives." *Philosophy and Rhetoric, 16*(4), 228-241.

Toulmin, Stephen. (1958). *The Uses of Argument*. Cambridge:
    Cambridge University Press.

Vico, Giambattista. (2010). *On the Most Ancient Wisdom of the
    Italians* (J. Taylor, Trans.). Yale University Press.

West, John. G. (2002). *Intelligent design and creationism just
    aren't the same*. Retrieved December 13, 2009, from
    http://www.discovery.org/a/1329

Sound Philosophy in Video Games:
A Review of *Playing with Sound*

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A Canada Research Chair from Waterloo, Collins' idea for the book originated at Music and the Moving Image Conference 2010 where Chris Salter's interrogation about "But what about the body?" made a shift in her theoretical perspective from the importance of video games and of game sound to the gestural involvement in a video game (p. x). The author actively acknowledges that a part of this book (chapter1, 2 & 5) has been adopted from the forthcoming books from the University of Oxford Publication and from a conference paper Audio Mostly 2011 respectively. Some ideas have been incorporated from her students' thesis paper for Game Studies. The bulk of the book was written while on a sabbatical provided by the University of Waterloo, and the author offers her gratitude to various funding agencies, including Canada Foundation for Innovation, Google Inc., the Research Institute of Electronics at Shizuoka University, and others.

In her carefully researched work, Karen Collins recounts how "video game players interact with, through, in and about sound" (p. 1). This book is a sequel of her previous book, *Game Sound: An Introduction to the History, Theory, and Practice of Video Game Music and Sound Design,* published in 2008, and is organized into five thematic chapters, supplemented by an introduction and a brief conclusion. The author demonstrates a close reading of cyber, music, and games' literature, including diagrams, figures, photographs, snapshots, posters, spectrograms, graphics, and images. Her theory and hypothesis are informed by the growing scholarship and references from 1927 to 2012.

The player's relationship with the sound is the focus of her work, and to do so, she develops a theory of the interactive sound experience where she hypothesizes that interacting with sounds is different from experiencing them. Our interaction with sounds, she further says, can be of listening, evoking, and creating sounds.

The video gaming experience has been changed and improved; they are now not considered as texts but as "sites of participation where players construct meanings" (p. ix). The author believes that these realistic indulgences have resulted due to certain factors, including improved internet speeds and social networking, free and cheap affordability and accessibility of apps, the success of Wii, Microsoft's Kinect, and Sony's Move.

Collins employs a combination of an embodied cognition approach with practice theory in her work to explore the interaction and perception of sound in games. In music games there is interplay between music and sound, music and noise, and sound effects as voice. She gives examples of *Quake* (1996), *Silent Hill* (1999), *Mushroom Men* (2006), *Mario and Luigi: Bowser's Inside Story* (2006), *etc.* She says that there is difference between listening to and interacting with sound where the former involves causal listening, semantic listening, and retentive listening; the later interacts with evoking, selecting, shaping, and creating a sound.

She justifies her selection for Leman's embodied cognition approach by giving a brief account of previous works in the development of physical and psychological aspects of experience, *e.g.* the dualism theory of Rene Descartes, the phenomenology of Edmund Husserl, Heidegger, and Merleau-Ponty, and Idhe's extended embodiment. She says that in embodied cognition theory "our cognitive processes use reactivations of sensory and motor states from our past experiences" (p. 17). She further says that players are not an amorphous mass but they are interactive audience of different types: gender, age, playing habits with various attitudes towards gaming. She says that interactivity has various dimensions; it involves decision-making, active reception and participation of the players.

In Chapter 1, the author says that interacting with sound is in fact a theory of action, image, and sound. She introspects and interrogates how interacting with sound is different from listening to it? Though there are different methods of mixing available: we can differentiate sound from the source (schizophonic), fuse sound with any visual (synchresis), and create haptic visuality, she says that this newly developed technology-mediated interactivity used in sound video games is different. She calls it kinesonic synchresis: "sounds are fused not to image but to action" (p. 31). She further adds that interactive sound is event-driven and controlled by an action that is initiated by a player. Though randomization of sounds increases the believability of scenes yet the more sounds are repeatable, the more changes to get a prompt feedback and acknowledgement of the player. Collins says how *Guitar Hero* (2005) and *Rock Band* (2007) have maintained and ushered kinesonic congruent sound events. She gives the term kinesonic fidelity, and raises an open question/challenge for sound designers: how can they make sample sound more technically realistic and matching to the player's action as interactive sounds are unpredictable and kinesonic synchresis remains in flux.

In the next chapter, Collins talks about the mirror neurons and how they are responsible for user's identification and experience in the game. She says that a game controller may become an extension of the self into the virtual world. In her progress to show how sound plays a significant role in the creation of space (Huizinga's magical circle), she discusses Rochat's tests on infants for kinesthetic and proprioceptive feedback, Jones's *mise-en-space* where a player controls a camera in the virtual three-dimensional space, on-screen and off-screen view in a first & second-person-perspectives of Stevens and Raybound and Grimshaw and Stockburger, and Järvinen's point of perceptions with reference to *The Lord of the Rings*: *The Two Towers* (2002), *Need for Speed: Shift 2 Unleashed* (2011), *Kinect Adventures* (2010), *Legend of Zelda : Ocarina of Time* (1998), *Deus Ex* (2000), *New Super Mario Bros Wii* (2009), and *The Legend of Zelda: Twilight Princess* (2006).

She says that an interactive sound places the player into the space of the game, and this peripersonal space acts as an intermediary space between the real worlds and the virtual and between the player and the character. It extends the body schema and deline-

ates the boundary between self/character and other. She concludes this chapter saying "sound reconciles the intermediary play space of the world and the game, helps players to identify with the character, and envelops them in the game space" (p. 58).

In Chapter 3 and 4, Collins recounts how a video game extends its boundaries. She describes three means- identification, performance, and cocreativity- by which role-playing in games enables users to experience sound and music in new ways with the help of gestural controllers and gestural input devices. The players explore potential and transreal identities by mimicking of posture and gesture. She employs Cage's term and states that "listeners have a <u>kinesthetic sympathy</u> with the creator of a sound source" and this results in kinesonic congruence (p. 61). She says, in games like *Guitar Hero,* the players can evoke and shape sounds and in *Zelda, Halo 2, Mysims 3* (2009), *Dragon Age: Origins* (2009), *Skyrim* (2011) and *Professor Layton* (2007) they can partially create sounds. Sounds acts as a mediator between technology and body, and between real and the virtual, and encourages bodily engagement with games. Interactivity of game sound enables many types of per formative activities which were not actually desired or designed by the developers. This type of interactivity represents a desire of players "to personalize games and make products their own" (p. 120). Though this cocreativity is not liked by the game designers, they lose control over their games.

The author quotes Gibson, emphasizing that present culture does not bother about appropriation and borrowing. Chapter 5 largely deals with the customization and personalization of product but the focus is on the game sound. Fans take these products from simply "the production of meaning" to "the production of their own meaning" (p. 122). Collins makes a distinction between and customization and personalization of product by the player. Personalization is an unplanned activity, unlike customization, and usually hacked by the users. These cocreative activities and practices are developed out-of-the game, and they are not only unsanctioned but also illegal. The author investigates the hacker aesthetic in the game world. She borrowed a term the *fourth wall* from the dramatic theory to describe modding activities and modders. She says that modders spend a considerable time in creating and adding of custom-created content, including changes

in sound of weapons or in graphics in *Quake* (1996), *Castle Wolf-enstein* (1981), *Doom* (1993), *Half-Life* 2 (2004) alike. But cultural theorists believe that despite some legal battles, the ability to alter media content is an essential component of interactive media, and it should be treated as a democratic and empowering step.

The author concludes that like other forms of narrative media, video games too have generated new icons, legends, and aesthetics that can be further studied by the researchers. And she further says that can we apply the ideas and theoretical approaches about sound in video games to other media?

The author employs jargon from psychology to philosophy and from technology to cultural studies but she actively delivers their explanations with reference to the game sound. Overall the book is worth reading and informative, and written in reader's friendly style.