

“Aristotle Meets Apple: Rhetoric in the Podcast”

By

Anna Butrico

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Thesis Advisor: John Clayton

Second Reader: Haerin Shin

Program Director: Teresa Goddu

Instructions for Reading and Listening:

This thesis is a multimedia project that has both written and audio components. The introduction and conclusion to the thesis are podcasts themselves, and there are sound bites within the thesis that showcase the podcasts discussed. Refer to the “Butrico Introduction Podcast” MP3 file to hear the introductory podcast, work through the “Sound Bites for Chapter 1 – 3” folders to listen to the bites embedded within the piece, and refer to the “Butrico Conclusion Podcast” file to hear the conclusion.

Introduction: Listen to “Butrico Intro Podcast”

Chapter I

Engaging Listeners in Problem Solving: Deliberative Rhetoric in the Podcast

Mrs. Thompson stands on stage at a University of Michigan conference in 2004, holding a letter in her hands. Her shaky voice belies her strength and focused intentions, as she leans her sixty-year old body over the microphone to speak. “Dear Miss Buchanan,” her voice rings out, slowly reading a letter that fired an African American teacher from the local school system. Mrs. Thompson’s words unroll a profound social paradox: the integration of *White students* into Black schools after the *Brown v. Topeka Board of Education* verdict illogically caused an increased segregation of *Black teachers*. This policy (that had large and lasting unintended consequences) is one of the many examples of deliberative rhetoric that the podcast *Revisionist History* addresses.

Podcasts such as Malcolm Gladwell’s *Revisionist History* and Manoush Zomorodi’s *Note to Self*, engage with, and extend, the deliberative rhetorical form. Aristotle defined deliberative rhetoric as a persuasive genre that identified problems (typically within the Greek polis) to then recommended policies for change. While the content of these podcasts adhere to this classical deliberative form – detecting issues and proposing solutions within their episodes – the podcast’s form allows for a modern update and extension of this process. Through sound edits, colloquial narration, and music, the podcast encourages new and extended listener participation, where audience members are prompted to solve presented problems themselves. My analysis of *Revisionist History* and *Note to Self* will begin with the classical courtroom setting of deliberative rhetoric and then extend into more nonconformist spaces like the Internet,

illustrating the new shapes and settings deliberative rhetoric takes on in the podcast, as well as the reach this medium extends to listeners to solve problems on their own.

Gladwell's podcast, *Revisionist History*, aims, as he explains in the introduction of each episode, to illuminate "things overlooked and misunderstood." As its title suggests, the podcast reconsiders and then revises the dominating narratives that compose history, often turning to court cases that made substantial changes within United States legislature. The "Miss Buchanan's Period of Adjustment" ("BPA") episode, aired on the podcast's second season, directly re-enters the deliberative space of the courtroom, examining the *Brown v. Topeka Board of Education* Supreme Court case that had declared classroom segregation illegal. The "BPA" episode first recounts the formal *Brown* deliberative process, then engages the verdict of the case, and ultimately restarts another round of deliberative rhetoric that encourages listener participation.

The "BPA" episode, after summarizing how the Brown family sued the Topeka School board when their daughter was banned from the local White school, reveals that the Supreme Court Justices voted on school integration for a fundamentally racist reason: to prevent the persisting "psychological inferiority" of Black students. This national decision to eradicate institutional racism was fundamentally prejudiced, failing to put White and Black students on equal educational planes. This persisting racist sentiment manifested itself in integrating teachers, as schools failed to incorporate Black teachers into now integrated classrooms. The podcast, after challenging the *Brown* verdict, reveals that leaving teachers out of school integration has prolonged racial biases within the educational system today, and that Black students are often left without consistent

mentorship in many of their classrooms. *Revisionist History* then identifies this as a new issue, starting a second wave of problem solving for listeners to define race (and modern classroom relations) themselves in the future lying beyond the podcast.

The podcast's formal elements – which include sound edits, heteroglossic “examples,” narration, and music – kick-start this second round of problem solving, transforming the podcast's content into an interactive deliberative process. The sound edits summarize the *Brown* court proceedings and challenge the verdict of the case, while the heteroglossic “examples,” narration, and music prompt listeners to begin the second round of problem solving of teacher desegregation. First and foremost, the podcast's sound editing technology revisits and summarizes court proceedings, using audio footage from interviews and from the trial itself to explain the case. Gladwell transforms old interview tape into MP3 form, editing it into a publishable track for modern listeners to consume. By featuring raw audio footage from interviews with the Brown family as well as statements from the Supreme Court Justices when delivering their verdict, Gladwell transports listeners into the trial's historical space, an old decision beating aloud and alive in one's headphones to increase current investment with this issue.

The podcast's sound editing technology also creates heteroglossic conversations that prompt listeners to confront and reconsider the intent, and implications of, the *Brown* verdict. By placing two voices side-by-side in a singular audio track, Gladwell's sound edits situate historical voices into new conversations, inciting listeners to newly hear (and challenge their understanding of) the players within this historic case. Listeners hear Mrs. Brown's weary female voice explain that she was suing the Topeka Board of Education “as a matter of principle,” refusing that Jim Crow laws dictate where her child would be

educated. Though she loved the all-black Monroe school, she did not want race to be the reason her daughter had to travel an unnecessarily far distance for racial reasons alone.

Sound Bite 1. Gladwell features a sound bite from a Supreme Court Justice, whose loud dominant voice provides a different rationale for the historic verdict. Gladwell then quotes the Supreme Court's decision, which declared segregation unconstitutional for its "tendency to retard the education and mental development" of Black students, who are naturally "psychologically inferior." As Gladwell summarizes, "Leola Brown said, 'We're fine! We just want some control over our lives.' The Court said, 'You're not fine at all. You're educational and mental development has been retarded, by your inferior schooling.'" The sound editing technology, by directly juxtaposing these audio testimonies, demonstrates the cacophonous misunderstandings behind this verdict, revealing the *Brown* case had fundamentally racist roots.

These heteroglossic sound edits that unite the voices and words of Mrs. Brown and the Supreme Court Justice also disrupt historical power dynamics. Though Mrs. Leola Brown's less powerful voice would have traditionally been left out of the deliberative process (and even if it *had* been included, would not have been granted equal weight in determining the final verdict), the podcast gives her full power to speak and reveal *why* she had championed for integration in the first place for listeners to hear and personally process. That Mrs. Brown and the Justice's different voices – one female and black, one male and white – provide different reasons for the case and its verdict, gives shape to a larger issue about interracial communication during that era. Blacks and Whites, as the podcast subtly demonstrates, were unable to participate in an effective conversation. Their voices join in an unproductive dialogue, aggravating and silencing

each other in a massively fruitless exchange. In this respect, the form of the podcast, the divergent sound of dissonant voices, speaks to the content of racial disharmony the podcast addresses.

Furthermore, the sound editing technology creates heteroglossic “examples” that propel the podcast from summary to advocacy for change. The “example” is a rhetorical tool commonly used in the deliberative genre, prompting listeners to survey relevant information and then inductively arrive at a proposed solution (Aristotle 81). Gladwell uses sound edits to provide listeners with a plethora of relevant information that necessitates a reconsideration of modern race relations in the classroom. He features sound bites from the historic *Brown* case, then discusses the Lincoln High School in Missouri that *also* saw dozens of Black teachers fired post-integration, and even features recent academic scholarship from Vanderbilt University about race and mentorship in the classroom. These “examples,” when combined and edited into a singular audio track, engage in an internal conversation that communicates the ongoing need to critically examine the racial and power dynamics within the classroom. After hearing these “examples,” listeners are encouraged to inductively arrive at, and propose, their own solutions to this persisting problem in the United States today. Just as the sound edits unite voices that vary in power, the sound edits also connect voices that span across time, making the issue a pressing one for listeners today to solve.

Though the podcast’s sound edits whet listeners’ interest in, and knowledge of, this ongoing issue of teacher segregation, it is Gladwell’s narration that places the onus on the listeners to actively pursue solving these issues themselves. Gladwell’s narration typifies the podcast as deliberative in two ways: it successfully communicates the

magnitude of an issue, and then guides the listener's ear to solve the presented problem. Though Gladwell had created heteroglossic "examples" that showed the on-going prominence of racial classroom tensions, his *narration* signifies their importance. This is made evident when he says, She's uppity! An uppity Negro! Of course they don't want to keep her, because they understand the same thing Leola Brown understands, and all the many academics who study what actually happens to black kids in the classrooms understand, which is that educational equality is a function of who holds the power in the classroom." Sound Bite 2.

Gladwell repeats the word "understand" three times in this sound bite, organizing the "examples" of Leola Brown and academic study to convince his listeners of their importance. In referring to Ms. Timeny as an "uppity Negro," he dons the colloquial language of the time, becoming a more accessible rhetorician. He augments his ethos, his credibility and trustworthiness as an orator, becoming increasingly persuasive for his listeners to pursue solving this continual problem of teacher desegregation. As Aristotle explains, an "orator must be a competent judge of virtue and character," and must also have a "thorough knowledge of emotions (or passions)" (xxxii). By relating himself to his listeners, Gladwell communicates the pressing nature of "psychological inferiority" in the current moment of modern racial education.

But Gladwell doesn't just want listeners to reconsider, and be critical of, the past flawed verdict, but also encourages them through tone, inflection, and deliberate silence, to engage with this issue in present time. Gladwell's narration takes an active role in this piece, his breath and words a functional part of the narrative propelling it forward. His quiet rushed tone and instructions for listeners to pay close attention to certain sound-

bites and parts of the narrative illustrates an investment in connecting with the audience, with hope they'll take responsibility to solve the issue themselves. Gladwell inserts opinionated comments such as, "Yeah, right" (specifically when old voices predict "all will work out for the best" when instituting a fundamentally racist policy) to illustrate the need to solve an ongoing controversy. He tells his listeners to go back and *re-listen* to certain parts of the podcast, saying things such as "I think you can see what's coming..." to have listeners take an active role in constructing their own understanding and conception of history. Sound Bite 3.

Though Gladwell's narration nods to the deliberative rhetorical technique in considering issues with an equal thoughtful hand, ending his syllables crisply and cleanly in a markedly judicial and academic manner, his oration is intentionally entertaining. Gladwell removes the mantle of "expert" from his shoulders in the way he employs his voice to narrate the podcast. In particular, Gladwell's changes in volume and pitch transform the concern of the past into a stimulated action plan for the future. He often functions as a judicial levelheaded academic (as was characteristic of traditional deliberative rhetoricians), recounting, "The *Brown* decision was all about children. The signature memories of the *Brown* era are all about Black children being escorted into previously all-white schools." Sound Bite 4. By dropping his voice in volume to then immediately say, "We should have been talking about teachers," Gladwell transforms from an academic into an engaging radio host. This sets his opinionated narration apart as unique to podcasting, the sound edits *and* the orator's narration working together to redefine the listener's relationship to the topic at hand. In mixing a lawyer's critical eye with a radio host's intrigue, Gladwell creates a new space of entertaining audio that

directly engages listeners, encouraging them to take the problem of segregation seriously, one that needs rectification in the present day.

Not only does the varying tone of Gladwell's voice affect the verdict, but the music also transforms the deliberative process in the way it encourages listener engagement. This is yet again another aspect of a podcast's form that inhabits and extends the deliberative genre. When Gladwell is recounting the flawed nature of the *Brown* case, there is the sound of hurried violin to create suspense. Sound Bite 5. There are the low tones of a deep cello when Gladwell introduces the concept of the case. Sound Bite 6. This instrument alerts listeners of the seriousness of the topic; its smooth and somber tones prime them to consider the issue with the utmost sincerity and respect. A xylophone plays after Gladwell first discusses modern race differences in the classroom, and somber guitar music again plays when Gladwell talks about how few Black teachers there are, to say that this fact is a "tragedy." The xylophone is still pensive, albeit more upbeat, again priming listeners to associate the urgency of the beat with the urgency of the problem, lively in pace and speed, encourages listeners to lean in and more energetically consider the issue at hand (as well as brainstorm their own solutions.) This music transports listeners to a problem-solving state of mind in a way that classical deliberative rhetoric cannot, an exciting multi-sensory experience that brilliantly communicates the magnitude of these new problems to solve.

The podcast is particularly successful, as a storytelling tool, in the way its form speaks to its function, the way the sound bites can engage to take the shape and give the sound of the topic it addresses. The internal structure of the podcast episode speaks to the actual adoption and transformation of the deliberative process. The play is bookended

with the same sound bites, featuring audio of Mrs. Buchanan, the sixty-year old woman speaking at a conference at the University of Michigan discussed in the beginning of this chapter. Sound Bite 7. She reads a letter the Superintendent sent to fire an African American teacher “due to uncertainty about enrolment next year.” Listeners, when they hear this sound bite again at the end of the piece, understand the Superintendent and the “period of adjustment” his letter describes entirely differently. They understand that the “adjustment” the teachers are experiencing is that of school integration, now understanding that it wasn’t White students, but rather Black teachers who, as Gladwell says, “bore the cost of integration.” Listeners also consider the letter’s final words, that “whatever happens will ultimately turn out for the best for everyone concerned,” with a more critical eye. If the past integration efforts had further segregated Blacks and Whites in the classroom, where does society now stand with regards to race and education? The podcast invites listeners to answer that final question themselves in the way they define their own relationship with those in their race.

Gladwell does *not* provide a solution through this adapted form of deliberative rhetoric. He does not provide suggestions on how to change the climate of racial tensions in schools, failing to deliver any form of verdict. He leaves this issue open-ended as an invitation to his audience members, so they may pick up where he left off, writing their own ending to the podcast and creating a new racial future beyond it. Will everything “turn out for the best for everyone concerned” in a modern day and age? That is for listeners to decide. The open-ended nature of Gladwell’s piece, combined with sound bites, colloquial narration, and music, inadvertently goads listeners to enter the podcast to make these decisions for themselves in the future that lie ahead.

Revisionist History's "Miss Buchanan's Period of Adjustment" episode is a model for how audio platforms enter and transform the deliberative rhetorical process, placing the onus on the listeners to solve the problem to define a new model of interactive storytelling. Because it addresses an actual courtroom trial, it inhabits a space closely related to that of classical deliberative rhetoric. However, podcasts are not limited to courtrooms, in settings where they can directly confront the classical deliberative style; the audio medium transforms many locations into settings for productive change.

Note to Self, a weekly podcast hosted by Manoush Zomorodi from WNYC, is such a podcast. Rather than enter the classical courtroom deliberative space directly like *Revisionist History*, *Note to Self* solves problems in the wake that technology leaves in its interactions with mankind. The podcast's "Privacy Paradox" project, through a series of five mini-episodes aired in February 2017, addresses the problematic relationship human beings have with Internet privacy. In classical deliberative fashion, the "Privacy Paradox" project identifies the *problem* of humanity's inconsistent (and often contradictory) behavior online. It examines the paradoxical relationship humans have with Internet privacy: though many are hesitant to give their information away online, they rapidly sign "Terms and Conditions" to waive protection rights, and then uses the audio platform to prompt listeners to again solve this issue themselves.

Although the "Privacy Paradox" project does not take place in the typical courtroom space like *Revisionist History*'s "BPA" episode, its structure is more classically deliberative. It relies heavily on rhetorical "examples" so that listeners can inductively arrive at their *own* solution to their personal relationship to Internet privacy.

Each of the project's five mini-episodes functions as a rhetorical "example" within the greater "Privacy Paradox" problem. The "What Your Phone Knows" mini-episode explores the issue of highly aware metadata, the "The Search for Your Identity" episode focuses on one's online advertising profile, the "Something to Hide" piece discusses on how the computer guesses your personality, the "Fifteen Minutes of Anonymity" episode reviews how we shape our behavior based on the Internet, etc.

Each mini-episode informs listeners of one facet of the Privacy Paradox and then presents listeners with a short "challenge" to address it. In Mini-Episode One, Zomorodi first teaches her listeners about metadata, or the information iPhone apps extract from cellular devices. Zomorodi then challenges her audience members to explore their *personal* meta-data settings, explaining the ways users can dig through their settings to discover which apps have access to what kinds of information. Zomorodi, in this episode and the four to follow, simply gives her listeners resources to learn more about Privacy Settings, never once telling them that having (or even not having) certain privacy boundaries is a good or bad thing. Zomorodi reminds listeners, "Remember, this week is about where *you* draw the line with what you are okay with. And all of our lines are going to be in different places," illustrating how the listener is invited to uniquely *define* the problem they wish to solve themselves. The structure of the podcast encourages listeners to use each of these mini-episodes as examples to solve their paradoxical relationship to the Internet.

To explain humanity's problematic relationship to Internet privacy, and to make the project a listener-centered, interactive process, *Note to Self* employs the podcast's formal elements such as sound editing, narration, and music. Like *Revisionist History*,

Note to Self's "Privacy Paradox's" sound edits create heteroglossic conversations that shape (and give a human quality to) the problem presented at hand. These heteroglossic conversations sound markedly different from those created in *Revisionist History*. *Note to Self* places sound bites (quite literally) side-by-side in these conversations; the juxtaposed voices appear to be joining in an immediate exchange, often speaking on the same topic, in the same sentence (and occasionally, in the same breath.) *Note to Self's* "The Case for Privacy" introductory episode (that kicked off the "Privacy Paradox" project) begins with a heteroglossic conversation. Listeners first hear a father concerned about his sons' Internet safety, then witness the voice of a woman who cannot escape her abuser on the Internet, and finally hear a younger female voice speak about struggling to successfully delete Facebook from her personal devices. Sound Bite 8. These voices edited together create a community of voices to solidify the problem of Internet security and privacy, showing listeners they are not alone in these contradictory privacy relationships; this grants legitimacy to the podcast's mission of addressing it.

The heteroglossic conversations scattered throughout "The Privacy Paradox's" entirety are successful in two main ways: on the one hand, they help the Privacy Paradox *feel* like a universal problem (shared by all); on the other, they mimic the topic of the podcast (the private self within the Internet's larger public sphere). In hearing all of these recorded voices and testimonies sent through the Internet, clearly and intimately within our own headphones, listeners experience the same privacy breaching, the same receipt of coveted information that so many others fear. In this sense, the technological form of *Note to Self's* "Privacy Paradox" project gives shape to the content of this podcast, the social Internet world the podcast scrutinizes. The heteroglossic existence of voices

illustrates a community of Internet users that are all experiencing the same frustrations and vulnerabilities online. In uniting these voices in a conversation, Zomorodi gathers humanity in an awareness of the extent of the “Privacy Paradox,” bringing all together in a single unified front as we define the Internet and electronic usage in the future.

Zomorodi’s narration in *Note to Self* extends the deliberative rhetorical genre in gently enforcing listeners to make their own decisions on the presented problem of Internet privacy. Just as Gladwell’s narration stirred up the necessary encouragement for listeners to identify the rhetorical examples and arrive at their own inductive conclusions, Zomorodi’s narration goads listeners to both identify and then solve identified issues. Zomorodi uses colloquial language as Gladwell does, but rather than being a theatrical, adapted historian, Zomorodi is a clear and focused storyteller. She explicitly declares her role as a storyteller in the podcast: after introducing the “Privacy Paradox,” silencing *all* audio so listeners sit in silent suspense, she then says, “Once upon a time, privacy meant, ‘Leave me alone!’” Sound Bite 9. Zomorodi addresses her listeners as if they are gathered in one shared space to hear the story or the “tale” of the Internet, as she frequently changes her volume, whispering to show emphasis or to make a point. Zomorodi whispers twice in the Introduction episode to *Note to Self*. She first says, “well, everybody, we have a plan (*whispers deviously*). A plan to take back your online life, and some control over some of your digital information.” Sound Bite 10. She then whispers, when concluding a short segment in her “Case for Privacy” introductory episode, “Don’t go away.”) Sound Bite 11. By whispering, Zomorodi gives shape to the privacy aspect of the Privacy Paradox Project. Her voice reflects the topic she discusses, a nonconformist (yet effective) storytelling technique enabled by the audio medium.

Just as in Malcolm Gladwell's *Revisionist History*, there is earnestness in Zomorodi's reports, particularly through her series of rhetorical questions when she first introduces the podcast. She asks listeners, "And what if we decide we're not okay with algorithms affecting every aspect of our existence? We don't want to opt out or go off the grid, but is there a better way? A way to put us, the people, back at the center of the web?" In posing these questions to her listeners (without expecting, or even wanting them to answer them) she invites them to ponder *for themselves* their own relationship with Internet privacy, prompting them to be personally responsible towards identifying problems and proposing solutions. The form of her narration, her insistence on telling this story *through* the podcast medium, speaks to the content: as listeners hear a human voice pierce through a digital medium, they are reminded to preserve humanity in the digital age.

Rather than simply showcase sound bites from old audio as Gladwell had, Zomorodi directly engages her guests in an interview on tape. Zomorodi's podcast allows listeners to then hear the construction of her conversations with guests, lending itself to a more accessible listening experience. She speaks with Professor Alessandro Acquisti and the behavioral economics of privacy to give shape to the Privacy Paradox, speaks with another Harvard Professor about "surveillance capitalism" and how the Internet is fundamentally changing the economy, interviews philosophers from Oxford University, Elan Gale, the executive producer of the Bachelor, and even Sir Tim Berners-Lee, the creator of the worldwide web. Again, the form of these interviews speaks to the content of the podcast: Zomorodi makes the interviews and conversations transparent just like the

Internet Zomorodi wishes to create, an open and honest dialogue between advertisers, the government, and citizens logging in online.

The music in *Note to Self* adds another layer of reality and urgency to this problem solving podcast. *Note to Self* is self-consciously technological, using features such as digital sound effects and highly skilled sound edits to mimic the technological environments that its listeners live and work in. The podcast medium extends the deliberative form by incorporating technological sound bites to give listeners a better understanding of the problem they are both defining and solving. The music becomes part of the heteroglossic conversations, sound edited *next* to testimony to become an effective facet of her storytelling method. Underneath the human voices explaining their relationship to Internet privacy are faint (yet distinct) technological noises. Unlike *Revisionist History*, these noises are not from familiar instruments such as the cello, xylophone, or guitar, but are instead produced on the computer. These technological noises consistently underpin Zomorodi's entire "The Privacy Paradox" project, even as she changes topics within the five mini-episodes. This sound does not attract overt attention, but rather subconsciously reminds listeners of the ever-pervasive nature of the Internet. Just as the sound consistently runs throughout the entire podcast, human beings are consistently interacting with the Internet and risking their own privacy.

Beyond these subtle undertones, the loud, more traditional music Zomorodi incorporates into the podcast's heteroglossic conversations give the story more shape and depth, allowing the medium to be far more transformative and persuasive than the former classical form. Zomorodi uses the tune of high-pitched violin noises to talk about the "creepy feeling" people get when they sign "Terms and Conditions" and waive their

protection rights online, associating her words with the suspense and anxiety high-pitched violins typically induce. Sound Bite 12. She does this twice throughout her episodes when talking about the often uncanny or ominous feelings Internet users often get, consistently pairing sound with her narrative to extend the rhetorical genre. Similarly, when interviewing Elan Gale, the executive producer of ABC's *The Bachelor* television show, she includes a sound bite famous on the show, the "Will you accept this rose?" question at the final Rose ceremony. She allows the television show's famous line to make Internet privacy a relevant issue for private and public citizens alike. Because listeners do not have any visual stimuli in listening to his podcast, Zomorodi makes the audio itself very colorful and interactive to grasp, and hold onto, the listeners' attention. The sound bites and music become parts of heteroglossic conversations, causing her podcasts to culminate in a far more persuasive rhetorical act. Because listeners can hear actual human instances and proof of the problems she addresses, they are more inclined to address and confront the problem presented.

Zomorodi takes the podcast's form one step further to redefine deliberative rhetoric than Gladwell had in *Revisionist History*, directly engaging with her listeners and soliciting their participation. Her efforts to engage with listeners began even before the "Privacy Paradox" series was produced. A month before these episodes aired, Zomorodi sent out a "Privacy Survey" to listeners. Zomorodi refers to this data in her podcast, addressing her listeners and how they felt about Privacy security online. This seeking and employing of data makes the conversation of Internet Privacy very accessible to her listeners, encouraging their engagement in a way that typical deliberative forms could not. Beyond this, Zomorodi encourages listeners to be an active part throughout the entire

podcast: as listeners are experiencing the episodes, she invites them to record their reactions to the content (as well as to the challenges) on their Voice Memos app, to then send them in to the *Note to Self* e-mail address. These results are in the final “Privacy Paradox” results show, a heteroglossic explosion where listeners report their own experiences with the challenges. *Note to Self* also made a “fill-in-the-blank” “Terms of Service” sheet, where listeners could follow their guide on how to best set the conditions for one’s own personal form of legislation on how to comport oneself online. The “Privacy Paradox” project culminated into a multimedia production: not only did listeners receive these episodes every day in a week, but they were also invited to sign up for a newsletter with information about the information and challenges presented. The “Privacy Paradox” episode is still an active series on WNYC and Spotify, as listeners can *still* engage with their privacy, can refer to these challenges, still sign up for these newsletters as they continue to grapple with their ever-changing relationships to their Internet privacy.

Just as audio emanates strong and powerfully from a speaker, travelling from the site in concentric circles like waves in a pond, policy solutions *too* have a far, expanding reach. Rather than stand on high ground in the acropolis so that *all* may hear this policy debate, the podcast localizes this discussion in one’s headphones, targeting the problem directly in the listener’s ear for them to directly solve. Rather than passively hear Gladwell and Zomorodi’s words and sound edits pacing through their headphones, listeners are spurred to engage with the podcast’s content and advocate for change. Whether they address the ongoing issue of teacher desegregation, or create their own

Internet privacy “Terms and Conditions,” listeners transform audio sound waves into *tangible* solutions for their lives lying beyond the audio track. By inciting a form of active, participatory listening, the podcast makes their listeners members of a *new* audio polis, as listeners become active participants in the solutions they create.

The podcast’s adoption of deliberative rhetoric then changes how humans understand the classical rhetorical process. *Revisionist History* and *Note to Self* show deliberative rhetoric to be an accessible and interactive: this problem-solving experience is not limited to white, Greek, male landowners (as it was in the classical system), nor is it solely open to those currently operating in legal or political lobbying environments. Rather, deliberative rhetoric is available to anyone with a podcast humming softly in their headphones, blasting through their car radios, on the background in the kitchen. Deliberative rhetoric has neither died in the polis, nor is it limited to places where one must have a law degree, but is rather alive and well for listeners as an increasingly accessible form of public discussion and problem solving.

Chapter Two

The Construction of Truth in *Serial*: Forensic Rhetoric in the Podcast:

A body found in Leakin Park, a failed alibi, and inconsistent first-hand testimony and cell phone tower records were all it took to convict a young Muslim teenager guilty of first-degree murder. In his senior year in Woodlawn High School in Baltimore, Maryland, Adnan Syed was sentenced to life in prison for murdering his ex-girlfriend, Hae Min Lee. His hands, that allegedly left deep fingerprints in Hae's neck in an act of strangling vengeance, are now in cuffs at the Maryland Correctional Facility. Adnan has now spent as much time in prison as out of it: convicted of first-degree murder at age seventeen, he is now, in 2018, thirty-five years old. Much local protest has surrounded the verdict, regarding *how* the case was run, the facts jurors relied on to make their decisions, as well as the inadequacy of the Defense Attorney, Ms. Christina Gutierrez. Former journalist and current podcaster Sarah Koenig explores Adnan Syed's 1999 case in the *Serial* podcast. This production is one of many audio productions revitalizing the forensic rhetorical genre in the 21st century.

By challenging the forensic process condemning Adnan Syed guilty of first-degree murder, the *Serial* podcast critiques truth as a rhetorical construction. Though the forensic legal process is depicted as a logical path – relying on enthymemes where one major premise, and one minor unstated minor premise lead to the ultimate conclusion – *Serial* highlights how this process relies on the unconscious bias of the listeners. Koenig leverages the podcast medium to put Adnan Syed's trial *back* on trial, to examine the syllogistic reasoning process and courtroom narrative that left Syed behind bars. Koenig destabilizes the author function and adopts roles of storyteller, prosecutor, investigator, and witness to challenge the dominating narrative that left Adnan Syed behind bars and

challenge our societal insistence on forensic courtroom truth. Unlike the podcasts in other chapters that engage and extend the rhetorical form, *Serial* is markedly critical about the forensic genre.

Koenig, a former reporter for *The Baltimore Sun*, sees the traditional courtroom forensic process as nothing more than a competition between narratives. The cases of both the Defense and the Prosecution, she contests, are just components of “the public story” constructed for “the theater going on in court” (*The Guardian*). Koenig adopts the role of storyteller in *Serial* to challenge the courtroom narrative that declared Adnan Syed guilty, as she crafts her twelve-episode narrative investigating other suspects and facets of the case. Koenig acknowledges that it is a “natural thing as humans” to “just want to know what happens next” in a story about young people, romance, sex, drugs, and death, so she intentionally “suppl[ies] that tension and narrative thread” to maintain and even augment listener engagement with the verdict in *Serial* (*The Guardian*).

Koenig repeatedly refers to her podcast as a “story,” and employs audio narration techniques that harken back to oral storytelling traditions. Just as cultures would sit in a circle of intimacy to hear a story of old, *Serial* invites listeners to lean in and hear human voices reconsider Adnan Syed’s case. Koenig introduces the 1999 case with a dramatic description fit for the prologue of a romantic novel. She claims that the case, “on paper, the case was like a Shakespearean mash-up – young lovers from different worlds thwarting their families, secret assignations, jealousy, suspicion, and honor besmirched, the villain not a Moor exactly, but a Muslim all the same, and a final act of murderous revenge.” She continues to say that “the main stage” for her “crime story” is “a regular

old high school across the street from a 7-Eleven,” again employing theatrical rhetoric to paint the scene for the case’s story to soon follow. Adnan Syed himself begrudgingly refers to Koenig’s podcast as a “story” during one of his interviews at the Maryland Correctional Facility. In a moment of frustration towards Koenig in Episode 11, he dejectedly says, “it doesn’t matter to me how your story portrays me, guilty or innocent. I just want it to be over,” the story of her podcast not unlike the story of the crime (and in the courtroom) that has been weighing on Adnan Syed in prison the last seventeen years.

Koenig further exercises her role of storyteller by creating portraits of the suspects and witnesses in her podcast. As Koenig puts Adnan’s trial *back* on trial to scrutinize its narrative and verdict, she invites listeners to then judge each of her character’s guilt or innocence. Koenig spends most of her narrative attention on Adnan Syed, the protagonist of her podcast’s murder story. She begins her characterization by saying that Adnan “was prince of his junior prom, and this at a high school that was majority black. They picked the Pakistani Muslim kid. So you get the picture. He was an incredibly likable and well-liked kid.” She is engaging with the listeners’ *endoxa*, or their psychological opinions that often inform forensic reasoning, depicting Adnan as the likeable “kid around the block” that audience members have developed personal affections for in their own lives (Belle 27). Koenig continues to engage with listeners’ *endoxa* by explaining that when she first “met Adnan in person, [she] was struck by two things. He was way bigger than [she] expected-- barrel chested and tall,” and that he had “brown eyes like a dairy cow.” The former of these descriptions paints a physical picture of Adnan (and subtly hint that he is more physically capable of a murder than Koenig had first realized from reading the court records). The latter of these descriptions, according to Koenig, “prompt... my most

idiotic lines of inquiry. Could someone who looks like that really strangle his girlfriend?” Koenig provokes her listeners to answer these rhetorical questions, encouraging them to investigate the crime story for themselves and decide *if* a person like Adnan could be capable of murder in this accessible examination of forensic rhetoric.

Unlike forensic rhetoricians that simply state addresses (or relevant details about the physical landscape) of where crimes occurred, Koenig provides poetic, romanticized detail about the landscape to provide alternative interpretations of the case specifics. She describes the Best Buy (where the crime had allegedly occurred), and the area that surrounds with pointed description, saying, “It’s in this little strip mall. Across the parking lot, there’s a new Pakistani restaurant, an African evangelical church, an Indian clothing shop, a convenience store. On the sidewalk outside, I found a teeny weeny bag of marijuana.” These carefully narrated descriptions provide racial and socioeconomic context for the place in which the crime was committed, details that could have been largely omitted in a State Court (either overlooked or taken for granted.) Koenig’s most vivid descriptions are of the Maryland Correctional Facility, the place where Adnan physically speaks to her in their weekly conversations on the prison phone. She describes that Adnan seated near a “bank of eight pay phones in the rec hall, a pretty large room where other guys are sitting at tables with metal seats attached to them or playing chess or cards or using the microwave or watching TV.” The detail of the metal chairs *attached* to the seats is a subtle, descriptive reminder of their incarceration that Koenig’s narration masterfully accomplishes. The strong and vivid descriptions of settings, the intense action she pays to physical detail, are similar to those given, and examined, in a case. Koenig’s

descriptions become valuable testimony for listeners as they plunge into the case and critique the verdict.

Koenig employs music to escort and intensify her podcast's narrative. Light, pensive piano notes undergird the first minutes of every episode, piquing listener's curiosity and priming them to start their own auditory investigation of the trial. Koenig overlaps a recording from the Maryland Correctional facility *over* this beginning sound bite, which says, "This is a Global-Tel link prepaid call from Adnan Syed an inmate at a Maryland Correctional facility," reminding podcast listeners of Adnan's ongoing imprisonment. Sound Bite 13. This light, pensive piano also concludes every *Serial* episode, serving as a narrative thread linking one episode to the next. It is consistent and tragic-sounding, much like Adnan's conviction and incarceration, undergirding Koenig's entire prison story. Beyond this, Koenig inserts sound bites *of* the actual prison, hearing the operator warn that Adnan's allotted phone time is running out. Sound Bite 14. Koenig explains that this sound, which happens "every half an hour... surprise me every time because I often sort of forget where he is." Listeners are reminded, like Koenig, that Adnan's hopeful human voice is contained behind bars for a crime he may have not committed. The music and ambient prison sounds enter listeners into the narrative space of the jail that the podcast explores.

In conclusion, Koenig's repeated use of the word "story" illustrates the unique intersection of her roles as journalist, narrator, and criminal investigator enabled by the podcast medium. The word "story" is used within the journalism community to talk about a published piece; journalists write and publish "stories" about newsworthy topics. Similarly, the law *itself* is literature; Koenig provides her own "story" in this piece to

counteract (and improve) the law of the courtroom. The podcast is *neither* a news brief, nor is it a formal legal appeal, nor is it a formal story in a novel or a movie, but is rather an entirely separate detached realm where Koenig and her listeners can engage with the decision of this now-famous case, challenging the dominating narrative that had incarcerated Adnan Syed in the first place.

Rather than use forensic rhetoric as a formal process to accuse or defend someone, *Serial* uses the podcast medium to accuse the *trial* of being insufficient. Koenig then assumes the prosecutor role to scrutinize the enthymematic process so many rely on to arrive at a verdict. Within this role, Koenig breaks down the hierarchy of truth. In particular, Koenig prosecutes the enthymeme, or the syllogistic reasoning process that relies on one stated major premise (an explicit, well-known fact) and an *unstated* minor premise (that listeners take for granted) to arrive at the final conclusion. She is particularly wary of how rhetoricians destabilize listeners with the unstated premise, encouraging them to fill the intentional void and be persuaded on an unconscious level.

The podcast inhabits and rejects the small conclusions the jury made throughout the forensic process en route to the final verdict. The verdict of Adnan's guilt relied on several smaller conclusions: that his rebellious history as an Islamic teenager made him the perfect candidate for murder, that he had no alibi, that the cell phone records placed him near Leakin Park around the time he was allegedly burying the body. Koenig examines the unstated minor premises jurors relied on to arrive at these conclusions, functioning as prosecutor to successfully do so. Through the podcast medium, Koenig directly interrogates the proceedings of the case, inviting her listeners to similarly ask

questions and reconsider the court proceedings. The content of the podcast becomes very much like the content of the case, a large file of evidence where listeners are invited to reconsider the verdict.

The first conclusion *Serial* scrutinizes within the 1999 case is that Adnan was an untrustworthy teenager that killed his girlfriend in violent, religiously motivated rage. *Serial* examines the *endoxa*, or the psychological opinions, of judges and jurors who have arrived at this decision. Adnan was a devout Muslim that attended and assisted services at the local mosque. His parents largely forbid him from having any romantic relationship, to abstain from sex, drugs, and alcohol. Koenig explains that the “State had used this against him in two ways.” The Court first argues that *because* Adnan had high emotional investment in his relationship with Hae Lee Min, he killed her out of rage when they broke up. The podcast functions as an explanation for that logical jump, identifying the unstated minor premises that led jurors to that conclusion. The minor unstated premise escorting to make this decision was motivated by religious bias and Islamophobia: because Adnan “put everything on the line – his family, his relationship at the mosque – to run around this girl,” he would strangle her after she ended such a high-stakes relationship. Because his religion so staunchly prohibited pre-marital sex, Adnan would have an equally radical, violent reaction when the relationship ended. This unstated major premise relies on prejudiced misconceptions about the Islamic religion and domestic violence, aligning Adnan with stereotypical violent caricatures of Islamic men as portrayed in the media. Though Adnan was no different from other rebellious teenagers wanting to experiment with drugs, alcohol, and sex, suspicion about his religion

prompted jurors to arrive at a racially biased decision that such rebellion was a precursor and indicator of murder.

The State also used Adnan's Muslim background to conclude that he was "duplicitous" or untrustworthy, the character of a man who *would* murder his ex-girlfriend and then proceed to lie about it on the stand. If Adnan was dishonest in his home life (lying to his parents and his faith that prohibited such behavior), the court concluded that he'd be likely dishonest about murdering Hae Lee Min. This conclusion relied on the unstated premise that Adnan "play[ed] the good Muslim son at home and at the mosque" but in reality lived a morally repugnant life of sex and drugs. The stress on Adnan's *faith*, in this instance, illustrates the *endoxa* and psychological prejudices motivating the jurors' decision. This unstated minor premise inherently "others" Muslims, assuming that Islamic teenagers do not have the normal impulses that White ones do. Koenig speaks to other Muslim teenagers when exploring this enthymeme, discovering that they *too* had kept their romantic relationships secret from their parents (as well as their extracurricular substance use.) Koenig considers that the only difference between Adnan and other non-Muslim teenagers was that Adnan had stricter parents, something that *does not* warrant such drastic conclusions on his character and fitness or ability to murder.

Koenig also examines how the Court deemed many of Adnan's classroom and after-school activities as suspicious and indicative of a violent, untrustworthy personality. The State argued that Adnan, an Emergency Medical Technician (EMT), leveraged his anatomical knowledge to successfully strangle Hae. Koenig prosecutes the enthymematic reasoning that prompted this conclusion, targeting the unstated premise within this

conclusion that *if* someone knew how to strangle someone, *and* had a motive to do so, *then* they (reasonably) committed the murder in question. Koenig combats that unstated premise on two levels: not only does she deny Adnan's motive for committing the murder, but she also rejects the premise that Adnan joined the EMT services to gain strangling skills. Her interviews with Adnan's family and friends show Adnan joined the EMT because it boosted his resume, gave him some extra money before college, and primarily because "he liked old people and his job was mostly to ride in the back of the ambulance with old people, make sure they were okay." The Court also addresses Adnan's poetry, arguing that his poems showed a menacing "dark side" belonging to an angry murderer. Koenig turns to the unstated premise that teenage angst poetry was related to violent inhibitions; she interviews Adnan's poetry teacher, Ms. Jane Efron, who claims Adnan's poetry was nothing unusual (and actually quite common amongst teenagers of his age.) Koenig's role as a prosecutor allows a more exhaustive character analysis that is often unsuccessful in the formal forensic process, as her podcast platform invites other voices to chime in and challenge the unstated premises first released by the court.

The largest conclusion Koenig addresses as prosecutor within the *Serial* podcasts was that Adnan Syed left school (sometime between 2:15 and 2:36 p.m.) to strangle Hae Lee Min in the Best Buy parking lot. This conclusion relied on the unstated premise that if Adnan was *not* at the library (when he should have been), he was then off-campus, strangling his ex-girlfriend. *Serial* challenges this conclusion by calling attention to an affidavit that Defense Attorney, Christina Gutierrez, did not bring to trial. This affidavit claimed Asia McClain, one of Adnan's classmates, *did* see Adnan in the library during

that window of time. Koenig explains that she “had become fixated on finding Asia... like a bloodhound on this thing,” particularly in the first few episodes of *Serial* because “the whole case seemed to me to be teetering on her memories of that afternoon.” Koenig, as we will later discuss, personally investigates Asia and her testimony to prosecute this particular enthymeme of the case, which (along with other unexamined evidence) have granted Adnan a “new trial on all charges” (Stack.)

Finally, Koenig addresses the conclusion that Jay’s testimony, placing Adnan in Leakin Park between 7:09 and 7:16 p.m., was accurate. Jay allegedly helped Adnan bury Hae’s body in Leakin Park, and was one of the first to communicate the murder to the police. Adnan’s cell records show that he had received two phone calls between 7:09 and 7:16 p.m., in an area *near* the burial grounds. The Court relies on the unstated premise that cell phone records (which show *which* towers are “pinged” when one makes an outgoing call) are trustworthy pieces of evidence that can locate where a person was when they made a call. Koenig’s team peruses old AT&T contracts and discovers the fine print (that Defense Attorney, Christina Gutierrez, neither read nor brought to trial): that one *cannot* trust cell phone tower data to locate where a person was when receiving calls. They do not provide trustworthy location data that can serve as sufficient evidence. Koenig attaches the AT&T contract which states this fact on *Serial’s* website, providing multimedia proof of the falseness of this testimony. Koenig’s podcast (and its associated website) add and consider overlooked and misinterpreted evidence from the 1999 trial. Not only is the podcast then a critique of the forensic process taking place in Baltimore County seventeen years ago, but it is also an extension of its powers and reach into the audio medium.

Koenig, in putting the trial on trial and interrogating the enthymematic reasoning one relies on to make a verdict, *personally* challenges the prosecutor role. She does nothing more than function as an audience member compiling information, and does not have the ability to construct master narratives or personally arrive at any conclusions. The audio medium permits her to break down, explore, and scrutinize facets of the case, but does not endow her with any legal power to actually make final solutions. Her podcast did, however, stir up legal interest. The evidence her podcast discussed (and the new interpretations of the case it revealed) prompted two hearings in 2016 that re-evaluate Adnan's sentence, and as of April 2018, granted Adnan Syed a re-trial. The affidavit and phone cell records Koenig discusses in the podcast become key parts of reconsidering the 1999 verdict.

Koenig then uses the power of the audio medium to investigate the case, to again challenge the court's narrative and critique the perceived "truth" of Adnan's guilt. She explains she'd begun *Serial* simply to investigate Asia McClane's affidavit that had largely ignored in the first trial, believing that the whole case "seemed to me to be teetering on her memories of that afternoon." Koenig ultimately finds (and then interviews) Asia McClain, using her personal investigative skills to contribute new details and insight to the 1999 case. Sound Bite 15. Though the sound quality is poor, it illustrates just *how* the podcast (and the associated calling and recording technologies) can allow Koenig to run her own trial through her studio, reexamining all the evidence at hand, making the forensic rhetorical form a more accessible process. Upon interviewing Asia, and running through the entire evidence portfolio for the trial, Koenig discovers the

case was *far* more complicated than this simple affidavit, turning her investigative sound editing attention to examine the suspects of the case, the inconsistent testimonies, and the jury that made the decision.

Koenig employs heteroglossic sound edits to explore Jay's role within Hae's murder. Jay is an enigmatic town drug dealer and "rabble-rouser" on whom the State's case depends. Koenig, largely unclear "whether [Jay] was a good guy or not a good guy," interviews his classmates, peers, and teachers, juxtaposing their testimonies into a singular audio track. The conversation within this sound bite shows Jay to *not only* be unpredictable and enigmatic, but also largely untrustworthy. Koenig explains (and soon demonstrates) that Jay "defied categorization. He was different." Sound Bite 16. A male voice (speaking from a telephone) says Jay was the "one black kid who had a lip ring, and listened to, like Rage Against the Machine," a Hispanic female voice explains how he was constantly changing his hair from red to blonde, another male voice describes his BMX belt buckle. A female voice says that the "best way I can describe him is Dennis Rodman," and other male voices describe him as a "weirdo," or someone their mothers would disapprove of being at their homes. These different descriptions woven into one singular audio testimony illustrate the difficulty both Jay's classmates (and arguably, his jurors) had to understand and characterize him in the dominant narrative that became his case. Though the Court had presented one clear narrative of Jay – a man with a troubled childhood and upbringing that wanted to bring justice to Hae's death – the podcast's heteroglossic sound edits prompt listeners to reconsider his role in the case, calling to question the conclusions of his innocence so heavily relied upon in court. Koenig's investigation begs the question: could *Jay* be the culprit of Hae Lee Min's murder?

The podcast's heteroglossic sound edits also become testimony for, and evidence of, a poorly run (and arguably inaccurate) forensic case. *Serial's* sound edits elucidate discrepancies in the trial, particularly those in Jay's testimony. Sound Bite 17. Koenig juxtaposes two of Jay's interviews with the police, discussing how Jay had changed the location where Adnan had requested he pick him up the day he allegedly murdered Hae. In the first sound bite, Jay says Adnan requested he pick him up at "The Strip," a small, designated block where people gather to sell drugs, near Edmonson Street. In the second sound bite, Jay testifies that Adnan requested he pick him up at the local Best Buy. These heteroglossic sound edits uniting two pieces of testimony in a one track communicate the dissonance of Jay's two different testimonies. Koenig chastises the defense (specifically censuring Defense Attorney Gutierrez) for failing to pay needed attention to these discrepancies. Her podcast then enacts the role Gutierrez failed to fill, re-engaging and interacting with the evidence to create a new narrative and understanding of the case. If they can't fully trust Jay, how can they sentence Adnan to a life in prison? Why is Jay lying? Is he hiding his own involvement in the murder?

Additionally, Koenig employs heteroglossic sound edits to illustrate how difficult it was for both the witnesses, and the jurors, to recall testimony and arrive at a verdict. Koenig stresses that it is nearly impossible for all those involved with the murder to accurately remember every detail, especially since the police were began interrogations three weeks after the fact. To demonstrate this, she features interviews of teenagers (one of which is her nephew) as she acts them to recall what *they* had done three weeks prior. Sound Bite 18. The hesitation and vacillation in her nephew's voice (just to explain details of what happened a few weeks before) vocally communicates just the struggles

many of the case's key players had in remembering facts in testimony. The way Koenig combines this testimony with that of other teenagers, in one audio track, provides listeners with a more tangible understanding of how difficult this recall is (and also imbues the forensic process with a more human, forgiving touch.) Additionally, these heteroglossic edits humorously criticize the forensic process, illustrating how problematic it is for a case so large and complex to hinge on such difficult recall requirements.

Koenig also presents heteroglossic sound edits to both describe and investigate the jurors in the 1999 case, to highlight their backgrounds that could have potentially biased their decision. Before the case begins, the case's judge asks the jurors to approach the bench if they have had any personal encounters with victims, or perpetrators of, a violent crime. Sound Bite 19. One after one, the jurors (whose voices are juxtaposed and edited into one track) speak of having family members murdered, their homes broken into, their kin *themselves* convicted of murdering someone. The sheer magnitude of these experiences, condensed into one track, illustrate the disillusionment these jurors could potentially have with cases of this type. That the judge simply says, "okay" after these testimonies, his acceptance of these facts a steady beating drum behind the testimony, illustrate the violent environment the jurors and judges have become accustomed to. Koenig then invites listeners to make their *own* judgments of the case, irrespective of what these men and women had concluded.

On a more abstract level, sound – the way people appear to be feeling, based on the cadence and tone of their voices – is used as testimony in *Serial's* attempt to reexamine the verdict of the case. This is yet another manner Koenig amasses and investigates evidence outside of typical cases. Koenig inspects how suspect Jay came

across to jurors when he testified on the stand, interviewing a juror who heard him testify and found him to “believable.” Sound Bite 20. The juror explained that Jay seemed to struggle in re-telling this story, but that he bravely stood up and did so anyway, for the sake of justice. Koenig opposes this testimony with that of Patrick, one of Jay’s friends who audibly struggles to say whether he thinks his friend was guilty or innocent. Sound Bite 21. Koenig leaves her listeners responsible to making sense of these conflicting reactions.

Koenig spends much of her investigative attention on how Adnan “sounds” in their weekly conversations, alert for remorse or anger that could inform her understanding of the case. While she does believe Adnan could be innocent “for big reasons, like the utter lack of evidence,” she also believes he could be blameless for “small reasons, things he said to me just off the cuff or moments when he’s cried on the phone and tried to stifle it so I wouldn’t hear.” In “Episode One: The Alibi” she says, that Adnan “is adamant” about not killing Hae, saying to listeners, “You can hear it, right? He’s staunch.” This is how the podcast *as a medium* can specifically challenge the forensic genre, as it takes the sound quality and earnestness within a voice into account, making it a part of the testimony as listeners reconsider the evidence within the case.

Finally, Koenig becomes a witness to the case, adding firsthand testimony to her and her listeners’ understanding of the trial. She travels to two places - Hae’s burial site in Leakin Park, and the route Adnan travelled the day he allegedly murdered Hae – to create her own *testimony* that both questions, and adds information to, the 1999 trial. Koenig first travels to Leakin Park to see exactly where the man she calls “Mr. S.”

discovered Hae's body when urinating in the woods. Koenig and her team, positing that the 127 feet Mr. S. traveled was suspiciously far to urinate alone, travel there (with a tape measure and recorder in tow). Sound Bite 22. Koenig concludes that 127 feet was *not* unreasonably far, her tangible and believable audio testimony absolving that man of suspicion. By recording what her footsteps sounded like as she retraced the route of the murderer, the urinating man, and ultimately the police as they discover Hae's body, she is allowing listeners to become eyewitnesses to the case.

Koenig also replicates the route that Adnan allegedly took to kill Hae Lee Min from Woodlawn High School, addressing the unstated premise that *if* Adnan could complete this route (And return to track practice on time) then he *could* have successfully completed the murder according to Jay's testified timeline. Koenig, along with producer Dana Chivvis, run from the bustling school hallways, to their car, to Best Buy, and back, to see if they can travel the route in the allotted time described in Adnan's testimony. Sound Bite 23. Koenig, in this recorded scene, becomes a witness in her process to put the 1999 trial back of trial, re-living Jay's testimony that described where Adnan had been on the day of the murder. And listeners, tuning into this journey, also experience a second-hand investigation of the case. Koenig does discover that this route is indeed possible to travel in the contested time frame (though it is tight). In doing so, Koenig personally inhabits and demonstrates the possibility of his guilt. The process to discover this truth is specific to the podcast medium, establishing deep networks of trust between Koenig and her listening audience. The route was *never* replicated in the forensic trial (and with the jurors on the bench, they could never experience it), allowing those plugged into the podcast to be more tangibly involved with the case.

On a more abstract level, Koenig frames her narration as if she was a witness to the case. She employs courtroom language while narrating, “confess[ing] to having reasonable doubt Koenig also becomes a witness to the case, passively understanding the trial while actively replicating court proceedings. Koenig intentionally employs courtroom language when narrating: like witnesses in a courtroom, Koenig “confess[es] to having reasonable doubt about whether Adnan killed Hae.” To “confess” in the courtroom is to admit the truth; to “confess” in *Serial* is to express vulnerability, to connect with the audience members, to establish trust. She similarly states that, “as a juror, I vote to acquit Adnan Syed... But I’m not a juror, so just as a human being walking down the street, what do I think?” Again, she is normalizing her role to one as witness to be on an equal level to her listeners, one that is experiencing the trial alongside them as they challenge the verdict.

Koenig never delivers a final verdict of the case, leaving the listeners to decide for themselves what they think after she has placed the trial on trial. Koenig explains, in the podcast’s final moments, that he wanted “to take the narrative back from the prosecution, just as an exercise, so people could see his case without makeup on, look at it in the eye up close and make their own judgments.” Sound Bite 24. Koenig doesn’t fully honor Adnan’s request, but is rather markedly skeptical, encouraging the listeners of the podcast to then intervene, to pick up the pieces and make sense of the information themselves. She admits in the podcast’s final moments of being as frustrated as ever, hoping that the world will some day know if Adnan’s hands are rightfully in cuffs at the Maryland Correctional Facility. But delivering a verdict of Adnan’s guilt or innocence is *not* the

point of this podcast. This audio medium empowers Koenig to lay out all available information for her listeners, encouraging listeners to foster “reasonable doubt” if case was run properly, to question if the verdict was false seventeen years ago. Though the deluge of information is admittedly chaotic, the eight and a half hours of storytelling a dizzying collection of unanswered questions, it prompts an interest and excitement in the 1999 case.

Serial changes the way that listeners understand the genre of forensic rhetoric. The forensic rhetorical process, as *Serial* demonstrates, is a highly imperfect one, built on the unstable structure of enthymemes that require listeners to deductively piece together information. Adnan Syed could be guilty (as was declared in the verdict), but the decision could have easily swung in the other direction, declaring him innocent of the murder. Though forensic rhetoric intends to rightfully incarcerate offenders, this genre relies on colored, biased unstated premises that can sway the intentions of the jurors and those making decisions on the case.

While Koenig is specifically critiquing Adnan Syed’s 1999 case, she also hints are greater questions of the entire American legal justice system. *Serial* then begs the question: if this instance of forensic rhetoric is flawed (depending on the fickle memory and biased *endoxa* and feeble enthymematic reasoning), couldn’t all court cases be? If truth is a rhetorical construction, can we put so much weight on it in our legal process? Just as deliberative rhetoric in the podcast placed its listeners into the polis to make decisions, forensic rhetoric in *Serial* situates listeners in the jury to navigate this uncertain space. This podcast rewrites the potential of forensic forms, inviting the listeners to inhabit these juror seats as they themselves interrogate the construction of truth within the

courtroom and beyond.

Chapter 3 Epidictic Rhetoric in the Podcast: An Interpellation into Cultural Spaces

For five whole minutes, the hosts of *The Nod* podcast eat spoonfuls of peanut butter and talk about unheralded figures within African American history.

Acknowledging that George Washington Carver, the inventor of peanut butter, receives the most recognition of all influential African Americans, the hosts consume his creation while celebrating contributions of other underrepresented Black figures. The hosts are audibly overwhelmed as they chew this peanut paste, their lips audibly smacking together in their struggle to introduce these notable African Americans. The hilarious audio account used to speak this history pays homage to the political and social difficulty of representing Black History in the United States. *The Nod* is one of many podcasts that adapts the epidictic rhetorical form, creating a new ceremonial space for Black people to express their identity.

The Nod and *Still Processing* are two podcasts that empower Black voices to claim their own epidictic ceremonial spaces. Epidictic rhetoric, through “praise or censure,” taps into shared understandings of the “noble and disgraceful, virtue and vice,” to establish a common culture with listeners (Aristotle 38). The podcast medium endows Black speakers with a microphone, a recording set, and a platform to claim their own ceremonial spaces, a channel through which they can *praise* American “Blackness” or *blame* White racism and establish their own cultural identification. Through sensory sound edits, audible displays of emotion, and live studio recordings, *The Nod* and *Still Processing* interpolate listeners into Black cultural spaces.

The Nod, a Gimlet Media podcast created in June 2017, celebrates and praises the present African American experience. The podcast features the doo rag, the grape-flavored “purple drink” that is popular amongst Black citizens, and lauds Drake, Oprah, Kanye West, and other African American icons in the modern day. Though the epideictic rhetorical form celebrates and/or blames the present, it is “not uncommon... for epideictic speakers to avail themselves of other times, of the past by way of recalling it, or of the future by way of anticipating it” (Aristotle 87). By engaging African American history, *The Nod* podcast roots its celebrations of modern American “Blackness” in the present moment. Through content, form, and technology, *The Nod* celebrates Black culture, Black technological creativity, and Black rhetoric, thereby extending an invitation to *all* listeners to join and celebrate American “Blackness.”

First and foremost, the content of *The Nod* establishes the podcast as a ceremonial address, a hallowed setting where listeners are invited to laud and revere the African American experience. The hosts, Brittany Luse and Eric Eddings (who met when studying Howard University), first establish this by calling themselves “Blackness’s biggest fans.” Sound Bite 25. They explain that they have been “obsessed with the stories and the people who define what it means to be Black,” and explain, “on this show, we will tell the stories of ‘Blackness’ that you don’t often hear.” Even the title of the show establishes the podcast as a ceremonial address: practice of “nodding,” as culture writer Musa Okwonga explains, is “an almost imperceptible lowering of the head towards any other Black person” one might meet in a predominately White place, “a swift yet intimate statement of ethnic solidarity” (Medium). This podcast is indeed just that, a statement of ethnic solidarity with other Black Americans to share a common cultural bond.

To establish itself as a ceremonial ground, the podcast endows direct praise on objects common in African American communities. Eddings, in the “All Heroes Wear Capes” episode of *The Nod*, extols the importance and power of the “doo rag” within African American culture. Eddings claims the “doo rag” to be a “hallowed garment” worn primarily by Black men to hold down one’s hair or to produce the popular “waves” hairstyle where the hair is raised in a 360 degree circle on the crown of one’s head. The podcast, by speaking of the doo rag’s “rise, its devastating fall, and its eventual redemption” situates the doo rag as an object of praise within a ceremonial ground. That the podcast calls the doo rag a “cape,” referring to the Black Americans who wear them as “heroes,” establishes *The Nod* as a ceremonial ground, “Blackness” the object of praise.

The Nod also celebrates the “purple drink” in the “I Want That Purple Stuff” podcast. Luse and Eddings discuss how “purple drink,” or grape-flavored beverages popular among Black Americans, had been an integral part of their childhood, how the “candy lady” in their neighborhood (or at their church) used to give out purple drink to the local children. Sound Bite 26. Just as epideictic rhetoric relies on the past to establish and celebrate culture of the present, the hosts’ discussion of “purple drink” in their childhoods celebrates its importance within the African American community in the present day. Luse and Eddings find it “comforting” that their love of “purple drink” – with its roots in the South near its production factories – had moved north after the Great Migration, that they still adore the flavor in modern foods such as purple Skittles and Gatorade. The hosts even record themselves, in the first few minutes of the episode, visiting a neighborhood bodega in search of their favorite “purple drink.”

After creating this common ground through objects of shared experience, *The Nod* establishes a celebratory space safe from criticism. *The Nod* is self-reflexive about the culture it presents to its listeners, aware of how they represent Black cultural spaces. The playfulness in *The Nod* – whether it be through the “Peanut Butter History” or the “Good for the Blacks?” segments – are deliberate rhetorical techniques that provide an apologetic explanation of (and celebration for) the Black American existence. Luse and Eddings’ hyperbolic celebrations of the doo rag and “purple drink” intentionally play up the stereotypes of Black preferences. In owning these stereotypes in a light-hearted discussion, they defend themselves from white ridicule or judgment, creating a safe ceremonial setting to celebrate American “Blackness,”

The Nod, after protecting itself from harsh judgment and listener criticism, then invites its audience members to enter into the presented cultural ground. The podcast, by collaborating with sound bites evoking taste and smell, gives listeners a more comprehensive understanding of objects common within African American communities. This embodied, visceral experience creates a singular shared, bodily, auditory experience that interpolates listeners into Black cultural spaces. The “I Want that Purple Stuff” episode exposes listeners to the grape flavor that is beloved by many African American citizens. The hosts perform “taste” and “smelling tests” of the *neroli* compound that gives the grape drink its distinctive flavor. Listeners bear witness to these tasting and smelling experiences, hearing the “crunch” as Luse bites into the purple Skittle, the sound of her inhaling the diluted *neroli*. Sound Bite 27. These sound bites of consumption, made possible by the audio medium, interpolate listeners into olfactory and taste experiences of Black citizens that enjoy this flavor.

Similarly, the “I Want that Purple Stuff” episode presents a “Peanut Butter History” segment that invites listeners to *hear* the hosts consume food invented by the famous African American figure, George Washington Carver. Sound Bite 28. While Luse eats spoonfuls of peanut butter, she honors Florence Kennedy, another influential Black citizen that supported the Black Panther party, and advocated for female equality in the 1960’s and 70’s. The contents *within* Luse’s mouth, during this segment, bear witness to Black creation, and the words coming *from* her mouth deliver a story of Black success. Listeners are again exposed into these bodily, visceral sound bites that *not only* enter them into Black spaces, but also help them laud the figures that have created the Black American history.

Within this transportation into Black sensory spaces lies “amplification,” an epideictic rhetorical strategy that highlights the praise being given. As Aristotle explains in *Art of Rhetoric*, “amplification is employed, as a rule, to prove that things are honorable or useful; for the facts are taken on trust, since proofs of these are rarely given” (Aristotle 505). Luse uses the Peanut Butter History Challenge to *amplify* the success of Florence Kennedy, to deliver a more direct and explicit praise of Blacks within American history. Not only does the nature of the Peanut Butter Challenge (with its hilarious audio delivery) amplify Florence Kennedy as a memorable, remarkable figure, but the actual details Luse provides about Kennedy also highlight her bravery and courage. Luse discusses how Kennedy spearheaded a “pee in” at Harvard University, where women poured “symbolic jars of fake pee” all over the yard to have more accessible bathrooms for female students. Out of Kennedy’s long career of service, Luse picked this one shocking example of her activism to amplify and showcase her courage in securing rights

for women and for all African American citizens. Just as Florence Kennedy performs a ridiculous yet effective protest, the “Peanut Butter History” segment itself is a simultaneously a ridiculous yet memorable depiction of Black History, the content of the podcast amplified by the form and loud noises of peanut butter consumption.

Secondly, *The Nod*'s technological formal elements are both a manifestation of, and celebration for, “Black vernacular technological creativity.” The podcast is part of a long tradition of technological forms counteracting the White oppressive technology. African Americans have historically created their own technological creative media to counteract White oppressive technologies, which have ranged from “ships that transported African slaves to the ‘New World,’ [to] “Jim Crow” rail cars... [to] inner-city public housing” (Fouché 640). To claim agency over their own artistic forms, Black Americans pioneered their own dialogues, music, and dance as they claimed ownership over their unique backgrounds and history within the United States.

To establish and celebrate its own “Black vernacular technological creativity,” *The Nod* employs Black Vernacular English (BVE), creating a soundtrack over which to praise the Black experience. Rather than incorporate highly technological sound edits (as is typical of other white podcasts), *The Nod* places its focus on a directly recorded conversation between the hosts and their guests that showcase and normalize BVE. The “On That Lo Life \$hit” episode, which discusses Polo Ralph Lauren, particularly employs Black vernacular to celebrate the Black American experience. In Sound Bite 29, Eddings explains that the Polo Ralph Lauren brand, when worn by Black models, “look[ed] hood,” that he had wanted to wear these clothes to “look fresh” himself. “Fresh” and “hood” are two words popular within colloquial Black vernacular typically

excluded from the polished language of podcasts, but yet are celebrated here as an active part of the African American life. Similarly, in the Sound Bite 29a, where Eddings is talking to the head of the “Lo Life” crews who stole Polo clothes from department stores (or, as he explains in the sound bite, where they “were boosting,”) he explains they’d steal to “make bread,” while living in the “PJs,” or slang for “housing projects.” “Boosting,” is a slang verb that means, “to steal.” The leader then talks to say that his “crib was fucked up,” using the slang word “crib” that is common in BVE.

The Nod podcast also bears witness to the most notable subset of “Black vernacular technological creativity:” music. Genres such as jazz, blues, rap, and hip-hop have bloomed from the African American community and are featured within *The Nod* podcast. The podcast incorporates hip-hop music into every episode’s introduction, hip hop music to in the “Peanut Butter History” segment (refer to **Sound Bite 30**) and jazz music in its “Good for the Blacks?” live broadcasting segment (as will be later discussed). While *The Nod* does overtly incorporate this music through the podcast, its influence can subtly be found within the flow and cadence of Luse and Edding’s conversations. As Ted Gioia in *History of Jazz* explains, Black jazz music (primarily in New Orleans) developed a “river-like style of polyphony [that] rises from a group in which all singers can improvise together, each one contributing something personal to an ongoing collective effect – a practice common in African and African-American tradition” (8). This is exactly how *The Nod’s* conversations within this text operate, as the hosts improvise and speak off the cuff about their topic for the day. Additionally, many of their conversations have the character of jazz improvisation. Just as “jazz bands consist of diverse specialists living in turbulent environments” that succeeds by “inventing

responses without well-thought-out plans and without a guarantee of outcomes,” so *The Nod* too creates an audio product within that form (Linstead 229). Just as jazz musical forms were a way for Black Americans to establish their own creative space, these improvised conversations also carve out *The Nod’s* own personal niche for self-expression. The culture is created through this non-descriptive, participatory approach, where Black speakers are joining together to create their own artistic piece within a shared community. Unlike the scripted podcasts typical of white-publications like *National Public Radio*, *The Nod* aims to be brilliant in its unpredictability, in the unison born from dissonant musical and verbal forms.

Finally, *The Nod’s* employment of live recording sessions encourages listeners to celebrate the communal creation of “Black vernacular technological creativity.” Every few weeks, Luse and Eddings forgo their private recording booths to tape the podcast with a live studio audience, inviting esteemed African American guests for a public debate about whether something is good (or bad) for the Black community. Through this live taping (that incorporates audience opinion), the podcasters become critical about *if* and *how* they bestow praise upon the Black community. The title of the segment illustrates how the podcast adapts the epideictic genre: written *without* its final question mark, the “Good for the Blacks” title is a declarative sentence that seemingly praises a facet of African American culture. Yet *with* that final question mark at the end, the segment is revealed to be a powerful question where the live studio audience gets to decide whether something is praiseworthy or blameworthy to Black culture. Eddings explains to his audience that “we’ve all been in the position, at some point, where we’re faced with some awkward thing that is somehow related to Black people,” using Snoop

Dogg's new show with Martha Stewart, or the realization "that the guy who carries the nuclear football for Donald Trump was a Black man" as examples. Acknowledging that Black people often have to ponder whether certain cultural progressions are indeed good or bad for Black Americans, the "Good for the Blacks" segments aims to solve that debate, once and for all, with a public vote taken by the guest hosts, and then with the audience's applause within the recording studio. This again illustrates the self-reflexive aspect of this podcast and its continual analysis of how it is representing "Blackness" within the United States.

The technology of the "Good for the Blacks?" segment incorporates audience input to determine whether objects are good or bad for the African American community. The guests on the show discuss, and vote, on these topics, using politically motivated signs as well as "church fans" when making their decision. If they believe the topic is *good* for Black Americans, they hold up a sign with a "brown thumbs-up emoji" with a picture of Barack Obama's face on it; if they think it is *bad*, they hold up the side with the "brown thumbs-down emoji" with Ben Carson's face on it. The props used on the show are a subset of Black vernacular technological creativity, a depiction of which political figures they feel appropriately advocate for American Blackness. The guests ultimately turn to the audience (particularly when the guests can't come to a conclusive vote) however, to arrive at the final verdict whether these discussed elements are good or poor reflections on American Blackness. After debating whether Jay Z's album, *4:44*, where Jay Z admitted had been cheating on his wife for over a decade, the hosts turn the decision to their listeners. Sound Bite 31. After the audience has arrived at their decision, the jazz music comes in to escort the episode to its ultimate close, which illustrates the

segment's intent to arrive at *some* solid conclusion on how the debated topic reflects American Blackness.

While *The Nod* typically praises “Blackness,” it also provides listeners with a forum to critique this cultural construction, to take a scrutinizing, active look on how “Blackness” has been fashioned within the United States. The audience participation, made possible by the audio medium, allows audience members to feel that their opinion is valued. Their ability to engage in this two-way communication aligns with the ideals of the Black church, as hosts, guests, and listening audience members are all invited *together* to define for themselves their own blackness. In defining what is good or bad on this platform, the podcast allows Black listeners to build a community, yet another facet of creating a common culture of listeners that is enabled by the audio platform.

* * *

The Nod is not the only podcast that features one male and one female Black host discussing “Blackness” in the United States. *Still Processing*, a podcast produced by the *New York Times*, presents African American hosts Jenna Wortham and Wesley Morris who use the audio platform as a “ceremonial ground” to address what it means to be Black in the modern day. Though not all of their episodes are specifically about “Blackness” – the hosts also “process” gender politics, movies and music in pop culture, etc. – there is a dominant focus on racial issues within the United States. The content of these racially conscious episodes differ from that of *The Nod*, however: rather than *praise* “Blackness,” *Still Processing* episodes *blames* White racists, lamenting the dominating effects the White oppressive regime has had on Black citizens today. Through formal elements such as open, processing conversations, the union of BVE and academic

critique, and exhibition of raw emotion, *Still Processing* leverages its content of blame to create a solemn, ceremonial space of healing for listeners.

The *Still Processing* podcast, as evidenced by its title, processes and digests events within the current American moment, and often turns to topics that have left their listeners looking for solace or an explanation. Wortham and Morris broadcasted their “We Grieve Charlottesville” episode the Tuesday after the White Supremacist rallies in August 2017, *blaming* the march and the Trump administration that are either executing (or condoning) this behavior. Wortham blames President Trump’s seeming approval of these protests, chastising the greater United States for fostering an environment of racial terror. Sound Bite 32. Morris explains that it feels that if “you are a person of color walking around these United States, at any moment, you could be a target of racial violence or racial terrorism that is essentially state and government sponsored.” Morris argues that White Americans need to challenge the systems that are benefitting them (and leaving Black citizens at a disadvantage), standing upon the audio platform’s ceremonial ground to advocate for change.

The “We Take a Knee” episode, aired on September 28, 2017, similarly blames White racism, addressing the reason for, and the response to, peaceful kneeling protests at the beginning of recent athletic events. The hosts *mourn* police brutality and general American racism that prompted these protests in the first place, and (once again) blame President Trump’s vehement reaction to these peaceful objections. The episode also blames the racism deeply entrenched into sports – the way Black players are under the jurisdiction of white powerful “owners” to entertain white audiences. Wortham and Morris then make their blame *increasingly* abstract, as demonstrated in Sound Bite 33.

They acknowledge that the American public's resistance to these peaceful kneeling protests is "not about if people have the right (or not) to protest, it's again about Black entitlement, Black respectability, White expectations of Blackness, and really just not taking Black pain or Black trauma or the Black experience in America seriously." The hosts conclude by saying that Trump's resistance to this kneeling "is about way more than a football game," blaming the overpowering racism entrenched in American life. These rhetoricians again create a culture with listeners as all are invited to mourn in mutual grief.

Just as the football field *itself* is a ceremonial ground – one where players can blame racial conditions and police brutality – the podcast itself becomes an epideictic space for the hosts to speak more broadly about racism within the United States. By titling their podcast "We Take a Knee," the hosts join their fellow African American citizens in an expression of solidarity as they protest racial conditions over the audio medium. Like *The Nod*, this episode establishes *both* praise and blame (as the two commonly co-exist in epideictic addresses.) Wortham begins this episode praising Raianna Brown, a Black Georgia Tech cheerleader that had knelt alone before a collegiate game to protest police brutality, and called her a "modern-day hero" for this act of courage. *Still Processing* leverages this praise to properly blame the environment Brown is so bravely protesting.

While it may seem that blame alienates listeners, failing to interpolate audience members into the podcast's audio space, the formal elements *Still Processing* podcast employs bring listeners in closely to the represented cultural experience. Wortham and Morris first accomplish this with their open, "processing" conversations, where they

make themselves vulnerable to their listeners so they may join in solidarity to the discussed topics. The hosts intentionally include their listeners into their topics by titling their episodes with the word, “we.” “We Take a Knee” discusses the National Football League’s kneeling protest during the National Anthem, “We Care for Ourselves and Others in Trump’s Era” provides self-care advice in a time of stress for people of color, and “We Grieve Charlottesville” mourns the White Supremacist rallies in August 2017. *Still Processing* has evolved to incorporate more conversation into its episodes, trading heavy-handed heteroglossic edits (as evident in their introductory episode, **Sound Bite 34**) for its signature conversational style. By foregoing these edits and instead disseminating a private, intellectual conversation of marginalized voices to a wider audience, the podcast allows Black voices to claim a ceremonial space of their own. The listeners, by simply tuning into these undistracted, candid conversations, are invited to join as part of the “We” the title declares.

Wortham and Morris are self-reflexive of their role as epideictic rhetoricians, communicating a passion and urgency that both excites and engages listeners into the shared ceremonial space. In the “We Grieve Charlottesville” episode, the hosts process their *own* need to discuss this topic. Sound Bite 35. They claim that the “reason that ... the two of us are having the conversation right now, is that nobody seems to know what to do” after the Charlottesville rallies, that “we are all left scratching our heads going, ‘What’s going on in America? What’s going on in our country?’” As they elevate themselves to openly answer these rhetorical questions and process this historical moment, Wortham and Morris incite their listeners to participate in change. As is demonstrated in the Sound Bite 36, Wortham says that within these “dark times,” citizens

need to “do something,” to raise money, organize dinners, write journalism stories, etc. to make a difference within this racial status quo. The passion and urgency in Wortham’s voice, her implores piercing the headphones, match those who protested the White Supremacist rallies in Charlottesville. In defining blame and then advocating for change, Wortham and Morris assure their listeners that these White Supremacist rallies do not get the last word, that their voices elevated through the audio platform have the final say. Wortham and Morris thereby use the audio medium to establish a cultural space for listeners of shared pain, patience and tolerance in eventual healing.

Still Processing achieves a unique form of “Black vernacular technological creativity” by uniting Black Vernacular English (BVE) with highly academic language. In doing so, the podcast simultaneously informs listeners of the necessity of change, and defends against White critique. Often, BVE is featured in the “exordium,” or the introduction to these epideictic addresses that aims to whet listeners’ interest in the following rhetorical act. As Sound Bite 37 demonstrates, the episode begins with upbeat jazz music – a choice that pays homage to “Black vernacular technological creativity” – to then feature Afro-Latina artist Cardi B’s latest rap single, again another musical form largely influenced by African American musical streams. Cardi B’s lyrics themselves feature Black Vernacular English, with the lines “You know where I’m at / You know where I be.” After celebrating Cardi B’s single as the “song of the summer,” praising her BVE as well as her contributions to Black culture, the hosts then transition (rather abruptly) into academic language, as they *blame* the racial conditions surrounding kneeling at NFL games. Once listeners have been excited with an upbeat, casual cultural

discussion, they are then escorted into a more serious academic analysis as Wortham and Morris blame the American racist climate.

In the “America, What You Doin’ Gurl?” and in the “We’re Getting Black(ER) AKA Dear Woke People,” episodes, Wortham and Morris audibly “code switch” from Black Vernacular English to highly academic language as they analyze the topic.

Wortham begins the former of these episodes by asking, “America, WYD? What You Doin’ Gurl?” truncating her words and using the slang for “girl.” She then changes gears to use academic language about the effervescence of time in Snapchat, starting a debate, with *New York Times Magazine* writer Susan Dominus about Hilary Clinton’s candidacy for President. Similarly in the “We’re Getting Black(ER) AKA Dear Woke People,” the hosts discuss being the only Black people at a barbecue restaurant. “Woke,” according to the Merriam Webster Dictionary, means “awake” but is also taken as a “byword for social awareness.” After describing how they, as the only Black folks in the restaurant, were “grinding” to the music, they enter into a large discussion of how they “became this proxy for people to perform their Blackness.” As Sound Bite 38 demonstrates, they combine their own informal descriptions of dancing with an academic analysis of their significance.

These hosts’ code switching from Black Vernacular English to academic jargon is again a self-reflexive choice, as Wortham and Morris are aware of how their podcast will be received by White audience members. Though the hosts are interpolating listeners into their personal experience as African American citizens by using BVE, they pair it with academic language to protect themselves from White critique. That White listeners *need* such academic justification to rightfully criticize their behavior is an implicit critique of

Whiteness. Though White racist ideology assumes BVE is ignorant and uneducated, *Still Processing*, by combining it with academic language, challenges that dichotomy. The podcast, by uniting BVE and academic critique, provides listeners with a careful, well-thought-out defense of the topic of racism.

Finally, the podcast medium, by featuring voices of great emotional despair, communicates to listeners the necessity of blame so that all listeners can join together in a united process of healing. The platform gives listeners a tangible understanding of the breadth and depth of this necessary ceremonial space, as well as the hurt that warrants such blame; the medium gives the voiceless a platform to speak and amplifies the struggles of silence. The most poignant example of this is in the “We Grieve Charlottesville” episode, where host Wesley Morris’s voice cracks and breaks considering the ongoing painful history of Black citizens in the United States. He says to Wortham, his fellow African American host, that it is “kind of a miracle that you and I are sitting here, given all the other people who have died over the course of the last two hundred years,” calling into attention their freedom and ability to even *make* this podcast together and discuss such issues. Sound Bite 39. Listeners can hear him fighting back tears as he says that “it’s a miracle they didn’t just round us up in 1865 when there was just no more slavery, basically, just kill us all,” reflecting that it would have *too* difficult to incorporate freed slaves into American society. Just as Black vernacular technological forms allowed African Americans to claim their own voices and agency within an oppressive landscape, the podcast enables these Black hosts to declare their own emotions and feelings. In expressing such vulnerability, in allowing listeners to *hear* this

pain of what is truly considered bad in the United States, they join in a culture of united, hopeful healing.

Black Americans, though legally considered citizens, are largely barred from obtaining social and cultural citizenship in the United States. Their identifications are largely assaulted and often appropriated, denigrated consistently through the course of American history. The podcast, by endowing an audio platform and forum to Black persons (and *all* Americans), incites a participatory form of listening where users can claim their own identity as *citizen*. Through the aid of a microphone, a recorder, and sound editing software, users can create and reflect their cultural identity, can (quite literally) amplify their voices to claim their own ceremonial cultural ground. They are invited to praise their cultural identifications in podcasts like *The Nod*, blaming and mourning the effects of white racism in *Still Processing*. In doing so, these podcasters can also disseminate their recorded, proud expression of cultural identity to listeners, thereby entering them into their own cultural spaces.

Epidictic rhetoric in the podcast, then, challenges the Greek notion of one singular culture produced through a ceremonial address. Unlike the ancient Greeks in the 4th century BCE, uniting in a singular cultural bond through shared understandings of the praiseworthy and the blameworthy, the podcast *interrogates* this practice in the United States. Using the same tools of praise and blame – chastising white racism and lauding blackness – the podcast counteracts the “oneness” of American culture and advocates instead for its plurality. The podcast provides a diverse audio landscape that matches the world that lies beyond the podcast, a platform that *not* only endows voices to all, but also

interpolates and exposes people of different cultures into these spaces to expand epideictic rhetoric's reach.

Conclusion: Listen to "Butrico Conclusion Podcast"

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