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## Transcendent leader centered analysis: A reconstructive approach to social movement analysis

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TRANSCENDENT LEADER CENTERED ANALYSIS: A RECONSTRUCTIVE  
APPROACH TO SOCIAL MOVEMENT ANALYSIS

by

Kurt Ulrich Coleman

Bachelor of Arts  
University of New Mexico  
1997

A thesis submitted in partial fulfillment  
of the requirements for the

**Master of Arts Degree**  
**Hank Greenspun Department of Communication Studies**  
**Greenspun College of Urban Affairs**

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## **ABSTRACT**

### **Transcendent Leader Centered Analysis: A Reconstructive Approach to Social Movement Analysis**

by

**Kurt Ulrich Coleman**

**Dr. Richard J. Jensen, Examination Committee Chair  
Professor of Communication and Graduate Coordinator  
University of Nevada, Las Vegas**

**This essay proposed a framework for social movement analysis that extends postmodern deconstructive techniques to a form of reconstruction which transcends the exploration of how language can say many different things simultaneously. By assessing the rhetoric of a movement, the leaders' view of conflict, pattern of expressing conflict, and the dynamic of identity in the escalation of conflict are revealed. James R. Andrews' (1980) method was utilized which concentrates on the leaders' manipulation of language, the "move" of a movement, in determining a conflict's directionality. Case studies analyzed the movements which led to the 1980 Miami Riot and the 1992 Los Angeles Riot, and a recent movement which transpired in New York City surrounding the police shooting of Amadou Diallo. Conclusions indicate that in the postmodern era a social movement leader's utmost priority should not be to defeat the opposition's arguments but to coordinate the management of meanings construed so that constructive ends may result.**



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## CHAPTER 1

### INTRODUCTION

Communication theory transforms corollary to society's conception of knowledge and the nature of human social interaction. The modernist search for a center to fill the void left after the epistemological and ontological departure from the traditionalist centers of Christian religion, or the ideals of science and progress, necessitated that theory come about with a new center. Thus, the self-absorbed and self-possessed modernist era created rhetorical theory which adhered to objectivist or "common sense" (Belsey, 1984, p. 2) approaches such as accurate interpretation, formal, and neoclassical forms of analysis which "center" on the source of messages. Contrary to the self-centeredness of modernism, postmodern decentering prompted deconstructive approaches such as value, narrative, fantasy theme, feminist, psychoanalytic, and ideological analyses which explore how language can say different things simultaneously depending on the receiver(s).

The primary reason for this evolution of theory and approaches stems from the changing nature of the fundamental assumptions of the researcher or critic. Sillars (1991) contends that rhetorical critics who use the predominant common sense approaches ascribe to an objectivist epistemology which assumes that there is objective truth, and that this truth can be known. Words such as "truth," "fact," "know," "accurate," and "objective" are the hallmarks of such criticism. According to Catherine Belsey (1984), objectivist rhetorical

critics perform a type of "judicial criticism" in which critics assume explicit features of messages that can be assessed against reality-based standards. Common sense standards of accuracy, beauty, or effectiveness are used to analyze and evaluate the manifest features of messages. The interpretation and evaluation presented by the objectivist rhetorical critic is based on established standards which, according to Sillars (1991), closely resemble those of the Society of Professional Journalist's Code of Ethics which states "truth is its guiding principle" (p. 42).

Sillars (1991) posits that deconstructive critics assume that the world as humans know it "is defined by the language they use to explain it" (p. 10). As a result of this postmodern epistemological assumption, a critic deconstructs a message to discover what the message says about the human condition. Although there are social conventions that tell people what statements mean, there are no inherent meanings in language, which leaves any message open to different interpretations depending upon the perspective of the receiver of the message. Deconstructive rhetorical criticism is legislative, or interpretive, probing such matters as the values or ideologies that lie latent beneath political talk, sexist conceptions present in television commercials, or how people use history or narratives to promote ethical systems. In summary, objectivist rhetorical criticism is judicial in that it places judgement upon a message, whereas deconstructive rhetorical criticism is legislative, attempting to interpret the underlying values or ideologies of messages.

Sillars (1991) states, "it is not what message a critic looks at that distinguishes objectivist criticism from deconstructive, but how the critic looks at it" (p. 11). Like communication study in general, the focus in rhetorical criticism changed from the source of the message, or

the words that comprise the message transmitted, to the meanings that are assigned to the message by the receiver(s) of the message. This shift in focus can arguably be attributed to the "linguistic turn," a change in thinking reflected in the term postmodernism (Wittgenstein, 1953; Rorty, 1979).

Rorty (1979) explains that postmodernism is an epistemological reaction resulting from the desire to have done with the pretensions of high-modernist culture such as absolute forms of morality and rationality and the preference for conformity over difference. To the postmodernist, narrative discourse is regarded as the furthest point one can reach in the quest for knowledge and truth. The postmodern conception of truth is not as something out there to be found or a standard for which one strives to emulate. Whether something is valid or meaningful to the postmodernist is relative to the meaning(s) attached by the receiver. Thus, the popular paradigm shift from the words presented by the source—the modernist focus of rhetoric, to the meanings created by the receiver of a message—the postmodernist focus of rhetoric came about.

Concurrent with the linguistic turn, first written about by Wittgenstein in the early 1950s, was a dramatic increase in the numbers of social movements. Although many social movements had occurred prior to this change in thinking, social movements erupted in the 1960s and 1970s at a rate unprecedented in American history. It is no coincidence that the rise of postmodernism, which rejects previous notions of morality and rationality, occurred simultaneously with the rise of the organized collective dissent movements brought together to voice their unified rejection of the status quo. From this prevalent collective form of unified dissent emerged a new challenge for rhetoricians, social movement analysis.

According to Wilkinson (1976), "the first trace of rhetorical curiosity regarding movements is found in a list of suggestions of 'possible subjects for graduate study' compiled in 1923 by members of the Department of Public Speaking at Cornell University" (p. 88). Herbert Wicheln's paper, "The Study of Public Address, " presented at the 1946 conference of the Speech Association of America, was the next known mention of movements as possible areas of study for rhetoricians. In 1947, S. Judson Crandell proposed a methodology for "social control studies in public address" based on theories by sociologists Jerome Davis and Richard T. LaPiere. But, the study of social movements from a rhetorical perspective was pioneered by Leland Griffin (1952) in his article, "The Rhetoric of Historical Movements."

Griffin's seminal work was the touchstone from which other researchers such as Edwin Black, Robert S. Cathcart, Herbert W. Simons, Dan F. Hahn, Ruth Gonchar, James R. Andrews, David Zarefsky, Karlyn Kohrs Campbell, and others began their inquiry. Several theoretical articles (Griffin, 1952; Simons, 1970; Cathcart, 1972; Hahn & Gonchar, 1971) attempted to answer the question of what constitutes a social movement and how to analyze such a phenomenon. Hahn and Gonchar's (1971) essay attempted to answer these questions with a Neo-Aristotelian approach which focused on "ethos, pathos, logos, and style" (p. 47). Griffin (1952) attempted to answer these questions by demarcating distinct periods within a social movement to analyze the inception, the rhetorical crisis, and the consummation (p. 368). Griffin's (1969) definition and analysis incorporated the work of Kenneth Burke. Burke's interactionist theories are significant representations of postmodern thinking, perhaps indicating a conceivable postmodern turn in Griffin's epistemology.

The different ways in which scholars attempted to answer these fundamental questions prompted a pluralism in methods which became the standard in the rhetorical analysis of social movements. An interesting example of the diversity of theories was Simon's (1970) essay, "Requirements, Problems, and Strategies: A Theory of Persuasion for Social Movements." This essay refocused how rhetoricians should study a social movement, a topic of considerable controversy in the field. Simon's (1970) focus was not the message, or the audience, or even the rhetor exclusively, but the encapsulation of the ingredients necessary for a leader to be successful in attempting to lead a dissent movement.

Although previous approaches to the analysis of social movements have been numerous, most originated in the 1970s. As Kuhn (1970) explained, the tentative truth of theory is bound by the paradigm of the society and the time from which it comes. As a new millenium commences, so must critics move forward with new ways of thinking. The violent and brutal demise of the Black Panthers' headquarters in Chicago on December 4, 1969, and the MOVE organization in Philadelphia on May 13, 1985, and the horrible destruction and deaths caused by rioting in Miami on May 17-19, 1980, and Los Angeles on April 30-May 3, 1992, exemplify the urgent need for more effective and ethical ways for leaders to manage the conflict of social movements. Due to the potential for violence inherent in the traditional agitation of social movements and the traditional control strategies used by establishments, new or additional strategies need to be considered.

Persuasive effect has long been the critical standard of choice for neoclassical rhetorical critics. But, does the persuasive effect of the use of guns, bombs, or rioting take into account ethical considerations? Campbell (1972) made an ethical argument against persuasive effect

as a critical standard for neoclassical criticism when she stated, "what we are to applaud as critics is highly skilled deception and concealment. As a critic, that is a bitter pill I cannot swallow" (p. 452). Campbell (1972) equates using effects as a critical standard to agreement with Machiavelli's (1513/1976) argument that the ends justify the means. As long as persuasive effect is achieved, the means to acquire such effects become superfluous. Similarly, when one looks at a social movement in terms of ethics, one must not focus on the ends, the focus should be on the means of persuasion. If the cases mentioned in the previous paragraph are examined from Machiavelli's perspective, the establishment's annihilation of these dissent movements is just or ethically acceptable.

### Purpose

The purpose of this study is to propose an alternative framework from which to analyze the rhetoric of social movements. Borrowing from interpersonal communication, conflict management, philosophy, and previous social movement theorists, the current study proposes Transcendent Leader Centered Analysis (TLCA) as a postmodern conflict management oriented approach to social movement analysis based on indications of violence present in the rhetoric of the movement with special focus on the extended interpersonal relationship between dissent and establishment leaders. By use of requirements which will illuminate latent violent tendencies, this framework will lay out strategies to deal with traditional and moral forms of social movement conflicts. The morally based conflicts will be approached using transcendent strategies based on reconstructive postmodernism (Kegan, 1994). As epistemologies have traversed from the objective truth of modernity which focused on the



source or the message transmitted to postmodernist thought which deconstructs a message into the meaning created by the receiver, the focus now turns to reconstructive postmodernism which focuses not on the source, the message, or the receiver, but on what Buber (1958) called the "in-between."

The relationship between the disputants in coordinating their management of meaning becomes the focus of attention for the reconstructive postmodernist. At this level of thinking, a person is able to step outside a system of thought to take a metalevel view of a situation. The approach proposed by this essay is not an ultimate truth or super theory, but it is based on a format already successful for alternative dispute resolution in interpersonal and intercultural contexts synthesized with existing models of social movement rhetorical analysis.

There is an ethical component to TLCA, but it is not based on an objective standard. The approach follows confirming interpersonal communication principles, attempts to balance power relationships, and does not create a "zero-sum game" of pure competition (Rapoport, 1960). This method takes into account the world view and moral order of different cultures represented in social movements. Frake (1980) describes the world view of a culture as "a set of principles for creating dramas, for writing scripts, ... [and] for recruiting players and audiences" (pp. 6-7). According to Pearce and Littlejohn (1997), moral order "denotes the pattern of one's compulsions and permissions to act in certain ways and one's prohibitions against acting in other ways" (p. 54). Culture and moral order are crucial components in social movements. At the crux of the dialectical tensions present in the rhetoric of a social movement are the incommensurability of the disputant's cultures and moral orders.

TLCA derives from transcendent discourse (Freeman et al., 1992), a magnanimous type of communication traditionally used only by religious pundits and sages, but due to the demands of the current diversity and multiplicity of world views is becoming essential to manage conflict. Transcendent discourse promotes the development of more sophisticated and subtle abilities to relate to one's own position as well as those of others. The roots of transcendent discourse stem from Rorty's (1979) "abnormal discourse," which the philosopher describes as "what happens when someone joins in the discourse who is ignorant of these [cultural or moral] conventions or who sets them aside" (p. 320).

Rorty (1979) posits that normal discourse produces "the sort of statements which can be agreed to be true by all participants whom the other participants count as 'rational' [by their own cultural and moral frameworks]"(p. 320). When either side of a dispute puts forth arguments for its position, the arguments make good sense when judged by that side's cultural and moral framework. But, when judged by the opposing side's cultural and moral framework, often the arguments presented seem ludicrous and absurd, which only serves to exacerbate the situation and further polarized the disputants. Through abnormal discourse, disputants are able to step away from their own cultural and moral paradigm to an outside position. From this outside position, both frameworks can be viewed as simply different ways of thinking, neither being better or more natural than the other.

According to Pearce and Littlejohn (1997), "incommensurate and incompatible ways of thinking are not normally comparable because from within either system, there is no conceptual or logical frame sufficient to account for their differences. Therefore, such frames must be created outside the conflicting positions" (p. 158). This step out of the

disputants' own frame of reference is the beginning of the creative act of transcendence. In this way, disputants enable themselves to surpass the customary limits of conflict rhetoric. The requirements of a social movement, or any form of intractable conflict, necessitate this form of communication.

### Justification

Social movements tend to make normal communication tactics seem impotent. Pearce and Littlejohn (1997) contend, "even using the best rhetoric available in one's own repertoire, no matter how polite it might be, does not ensure understanding and respect across rhetorical traditions" (p. 7). For these reasons, there is a need for a way to analyze social movements using an approach which transcends rhetorical disparity.

This transcendent approach goes beyond traditional social movement analyses by taking the context from a competitive, change-oriented, rhetorical tradition to a collaborative, creative rhetorical environment. If looked at from the perspective of the ancient Greek traditions of rhetoric, transcendent rhetorical analysis makes the move from forensic rhetoric to deliberative rhetoric. In this way, the analysis of a social movement shifts focus from how each side tries to agitate or control the other to the creative steps made in an effort to achieve the best solution for the contention.

From the previously mentioned examples of the Black Panthers, MOVE, and the Miami and Los Angeles riots, it is apparent that the "normal discourse" of social movement rhetoric frequently results in violence and tragedy. Because of this tendency toward violence, a social movement needs to be analyzed by a new criterion, by how effective the leaders of the

opposing sides engage in transcendent discourse and achieve a "coordinated management of meaning" (Pearce & Cronen, 1980). With the world becoming an increasingly heterogeneous social order, the incidence of moral conflicts will inevitably become greater. This country's liberal democracy is based on the independent and autonomous individual with basic rights and responsibilities. Because individuals have different interests, conflict is to be expected. The majority rules and the minority has the right to persuasion. This is the essence of what Barber (1984) calls "thin democracy."

If disputants in a social movement only act in ways prefigured by their own social worlds, their ability to make progress and transform the apparent stalemate of their diametrically opposed positions is stifled. According to Rorty (1979), normal discourse can only add fuel to the fire by reinforcing preestablished limits on thinking and doing "more of the same" (p. 320). If rhetoricians choose to analyze the rhetoric of social movements through TLCA, the reasons for the tragic outcomes that frequently result will become more apparent due to the increased focus on the management of conflict rather than on the messages, the sources, or the receivers' construed meanings. Ultimately, TLCA of the rhetoric of social movements may fulfill the predictive function sought by Griffin, Simons, and Cathcart, in formulating a theory of social movement analysis.

### Literature Review

For the purposes of this study, four areas of literature were reviewed: 1) Theoretical rhetorical studies of social movements; 2) Postmodern theoretical and historical studies on the expression of conflict and conflict management; 3) Philosophical essays relevant to the

epistemological conception reflected in this study; and 4) Literature specific to the case studies presented. This study looks at previous social movement theory, the nature of conflict, the social movement as a moral conflict, successful theories and strategies for conflict resolution from interpersonal and intercultural contexts, and the change in thinking present in the evolution of the study of rhetoric and communication in general.

### Theoretical Movement Studies

Leland M. Griffin's (1952) essay, "The Rhetoric of Historical Movements," was the seminal work that became the touchstone from which many other rhetoricians began their inquiry into the rhetoric of social movements. Although predominantly historical in perspective, this article suggests five possible approaches: the period study; the regional; the regional-period study; the case study confined to a specific theme and time; and the movement study, which was the article's primary focus. Griffin (1952) establishes basic criteria for identifying and evaluating "the pattern of public discussion, the configuration of discourse, [and] the physiognomy of persuasion, particular to a movement" (p. 185). The author demarcates three periods typical to a social movement derived from his study of the Anti-Masonic movement: 1) a period of inception in which, due to "pre-existing sentiment," the movement comes into public notice, or some prominent event occurs; 2) a period of rhetorical crisis when one side achieves a perceived or actual advantage in the balance between the opposing groups; and 3) a period of consummation when either the dissenting group's cause prevails or the group abandons its collective effort. Griffin (1952) urges rhetoricians to isolate and analyze the rhetoric of movements by utilizing these periods.

In another significant article, Griffin (1969) proposed "A Dramatistic Theory of the Rhetoric of Movements." Drawing words, phrases, and concepts from the terminology of Kenneth Burke, Griffin (1969) ventured into postmodern territory. This essay has several features relevant to the current study. Foremost is Griffin's (1969) assumption that "all movements are essentially moral--strivings for salvation, perfection, the 'good'" (p. 456). Secondly, Griffin's (1969) use of Burke's method of "perspective of incongruity," specifically the notions of identification and consubstantiality achieved through understanding, will be recognizable by different names with slight modifications throughout this essay.

TLCA will go beyond Burke's perspective, however, by proposing a usable theory to achieve a dialogic relationship between the opposing rhetors of a movement through the creation of new contexts. Burke's interactionist theories are significant to postmodernism and communication, so much that "anyone writing today on communication, however 'original' he may be, is echoing something said by Burke" (Duncan, 1964, p. 105).

Herbert W. Simon's (1970) article, "Requirements, Problems, and Strategies: A Theory of Persuasion for Social Movements," posits that like more formal entities, social movements must fulfill functional requirements. The needs inherent to a social movement create "rhetorical requirements" for movement leaders. Conflicts in requirements cause "rhetorical problems" that necessitate strategies to resolve such problems. Simons (1970) advocates a theory that establishes standards to be utilized in evaluating the discourse of movement leaders. Simons' (1970) approach is noteworthy for its attention to the importance of the leader in social movement analysis. This approach will be further expanded in this study as part of transcendent leader centered analysis.

Dan F. Hahn and Ruth M. Gonchar's (1971) essay, "Studying Social Movements: A Rhetorical Methodology," goes back to basics by analyzing a social movement by identifying its "ethos, pathos, logos, and style" (p. 47). This neoclassical approach reflects an objectivist way of thinking, however, the logos identified by this theory is important to this study in that acknowledgement of the disputant's world view which functions to unite group members is accomplished. When investigating the logos of a social movement, Hahn and Gonchar (1971) advocate inquiry into "socially shared activities and beliefs" (p. 44), and "the premises, arguments, and evidence employed by the movement" (p. 49). This information provides insights into what constitutes a valid or rational statement according to the social reality paradigm of the dissent group. This type of understanding is crucial to productive social movement discourse, and the creation of space for common ground which is essential to transcendent discourse.

Robert S. Cathcart's (1972) article, "New Approaches to the Study of Social Movements: Defining Movements Rhetorically," is significant for the definition that Cathcart provides. According to Cathcart (1972), it is the "dialectical enjoinder in the moral arena" (p. 87) that defines a movement. This definition will be the basis from which this study will approach social movement analysis. The reasons that Cathcart's (1972) definition was chosen are: 1) because of the parsimony of the definition; 2) the postmodern influence of Burke on the theorist; and 3) his inclusion of *both* dialectic enjoinder and moral conflict as elements that distinguish social movements from other dramatic forms. A systematic assessment of Cathcart's (1972) definition will provide insight into the nature of the moral conflict pervasive in social movements.

Charles A. Wilkinson's (1976) essay, "A Rhetorical Definition of Movements," criticizes Cathcart's (1972) definition of a social movement claiming that it "ends where it should begin" (p. 91). Wilkinson (1976) extends Cathcart's definition to read:

Languaging strategies by which a significantly vocal part of the established society, experiencing together a sustained dialectical tension growing out of moral (ethical) conflict, agitate to induce cooperation in others, either directly or indirectly, thereby affecting the status quo. (p. 91)

Wilkinson's (1976) additions limit the scope of what is considered a social movement, and emphasize the aspect of confronting the establishment. Most important to the current study is Wilkinson's (1976) adherence to the conception of social movements as fundamentally moral conflicts.

Malcolm O. Sillars' (1980) study, "Defining Movements Rhetorically: Casting the Widest Net," refutes previous definitions of social movements by asserting that "these theories assume that movements are linear phenomena, they over-emphasize cause and effect analysis, [and] they stress intentional analysis unnecessarily" (p. 19). Sillars (1980) advocates that critics "cast the widest net" (p. 27), so that the theories used for analysis become more consistent with the practice. Most significant to this study is Sillars' (1980) attention to "the environment in which the message is given, including other conflicting and supporting messages" (p. 29). This attention to the environment is a step toward understanding the abnormal discourse needed to manage moral conflicts. Sillars' (1980) theory opens the door to new ways of approaching the rhetoric of social movements and refutes the "arbitrary stages and rules [that] can only limit the usefulness of analyses" (p. 29).



In The Rhetoric of Agitation and Control, John W. Bowers, Donovan J. Ochs, and Richard J. Jensen (1993), redefine agitation and discuss agitation based on vertical and lateral deviance. According to the authors:

Agitation exists when (1) people outside the normal decision-making establishment (2) advocate significant social change and (3) encounter a degree of resistance within the establishment such as to require more than the normal discursive means of persuasion. (p. 4)

This definition is interesting in that, like Rorty's (1979) abnormal discourse, the requirement of "more than the normal discursive means of persuasion" recognizes that social movements command special forms of communication, unique to the demands of a moral conflict, found outside the normal discourse sufficient to manage traditional conflicts. Bowers, Ochs, and Jensen's (1993) illuminating study demarcates strategies traditionally observed throughout the course of a social movement. These strategies exemplify the futility of normal discourse, which is insufficient to address the rhetorical demands of a social movement and in many cases results in violent consequences. This is especially true for the strategies of "polarization," "confrontation," and "guerilla" (p. 19). Building on the strength of the authors' redefinition of agitation, this essay will incorporate its meaning into the proposed theoretical framework.

Charles J. Stewart, Craig A. Smith, and Robert E. Denton, Jr. (1994), in Persuasion and Social Movements, define a social movement as "an organized, uninstitutionalized, and large collectivity that emerges to bring about or to resist a program of change in societal norms and values, operates primarily through persuasive strategies, and encounters opposition in a

moral struggle" (p. 17). This definition repeats Cathcart's (1972) idea of a moral contention. The moral nature of the conflict of social movements is significant to this essay in that transcendent leader centered analysis recognizes social movements as moral conflicts. Additionally, the authors state that "social movements always seem to play a zero-sum game" (p. 12), which is only one perspective regarding conflict. The current essay will expound on other approaches to conflict, which will illuminate other productive methods from which a movement leader can approach the opposition of a social movement.

Numerous additional studies on the rhetoric of social movements were reviewed. Significant rhetoricians such as Edwin Black (1965), David Zarefsky (1977), James R. Andrews (1980), Celeste Condit Railsback (1984), Elizabeth J. Nelson (1991), James Darsey (1991), and Charles W. Stewart (1997), made contributions to the study of social movements as rhetorical form. However, theoretical changes in the fundamental make up of rhetorical strategies used by rhetors remained primarily unchanged throughout the 1970s, 1980s, and 1990s. Strategies focused without exception within the paradigm of the persuasive form of rhetoric conceived by Aristotle.

### Postmodern Conflict Studies

In his early work on conflict, Fights, Games, and Debates, Rapaport (1960) became convinced that the primary difference between distinct forms of conflict lay in the relationships among the participants. This work was ahead of its time reflecting a change in thinking from his earlier work, Science and the Goals of Man (1950), in which Rapaport viewed conflicts simply as "continuations of debates by other means" (1960, p.vii).

In Communication, Action, and Meaning: The Creation of Social Realities, W. Barnett Pearce, and Vernon E. Cronen (1980) built Coordinated Management of Meaning Theory (CMM) which integrates symbolic interactionism, ethogeny, system theory, speech acts, and interpersonal relational communication. In CMM, constitutive rules are essential to meaning and are used by communicators to interpret and understand an event. Regulative rules are essentially rules of action used to determine how to respond or behave. These rules of meaning and action are always chosen within a context. The context is the frame of reference for interpreting an action, resulting in different responses from one context to another (pp. 141-148). In summary, rules provide a logical force for acting in certain ways as defined by context. In a social movement, the rules of the leader of a dissent ideology tend to differ greatly from those of the establishment leader. Due to the difference in the rules of meaning and action between the disputants, coordination cannot be achieved by normal discursive means. This theory will emphasize the need for a social movement leader to transcend positional monologues and reframe the context through dialogue in order to achieve progress.

In Strong Democracy, Barber (1984) outlines three ways in which conflict has been viewed within the American system. His categories include anarchist, realist, and minimalist. According to Barber (1984), "the first approach tries to wish conflict away, the second to extirpate it, and the third to live with it" (p. 6). Barber (1984) argues that the view of conflict within the American system lacks an understanding of conflict. The persuasive rhetoric which typifies the external discourse of most social movement conflicts fits Barber's (1984) realist notion of conflict. The current study will: 1) Demonstrate how the realist

notion of conflict has maintained the use of Aristotle's form of rhetoric to meet the demands of conflict, 2) Show the futility of the realist notion of conflict to achieve constructive ends to social movement contentions, and 3) Show how viewing conflict as necessary and constructive enables the management of conflict rather than wishing it away, extirpating it, or living with it.

Nicholas C. Burbules and Suzanne Rice (1991) focus on postmodern conceptions of difference in their article, "Dialogue across Differences: Continuing the Conversation." The authors question whether dialogue across differences, especially social power variables, is possible and worthwhile. Burbules and Rice (1991) distinguish two trends in postmodern thought: one which deconstructs and rejects modernist principles all together; and another which deconstructs assumed truths, but additionally reconstructs principles in order to create new more complete perspectives. The authors conclude that it is the reconstruction of meaning and principles, not the wholesale rejection of them in a relativist fashion that offers individuals and groups engaged in conflict a means to conduct dialogue across difference.

A significant article by S. A. Freeman, Stephen W. Littlejohn, and W. Barnett Pearce (1992), called "Communication and Moral Conflict," elaborates the technique called "transcendent discourse." The authors extend Rorty's (1979) ideas on "abnormal discourse" to formulate a workable method of communication that may produce remarkable results if applied by social movement leaders as an alternative strategy to persuasive rhetoric in confronting morally based social movement conflict. Rhetors using this type of discourse create synthetic contexts from perceptions encompassed within their general positions regarding a conflict.

In the book, In Over Our Heads: The Mental Demands of Modern Life, Robert Kegan (1994) discusses levels of consciousness that reflect various orientations toward moral conflict. Kegan posits that once moral difference becomes prominent, those who care must make some fundamental decisions, and their choices become moves in the management of the dialectic of suppression and expression. How an individual copes with this tension, and the choices made, depend on how he/she thinks about human differences.

In Sonja K. Foss and Cindy L. Griffin's (1995) article, "Beyond Persuasion: A Proposal for an Invitational Rhetoric," the authors present a theory that "expands the scope of rhetorical theory and enhances the discipline's ability to explain diverse communication phenomena successfully" (p. 2). This article challenges the definition of rhetoric as persuasion. Through the use of feminist principles, Foss and Griffin (1995) present a workable theory which mirrors a framework already successful in mediation. This work is significant to this essay in that it moves away from traditional forensic rhetorical practices to more of a deliberative rhetorical strategy for the management of conflict.

Nicotera, Rodriguez, Hall, and Jackson (1995) reflect on past orientations to conflict in, "A history of the study of communication and conflict." This article explores game theory, cognitive approaches to conflict style, and societal structures and processes in the generation and expression of conflict. Most relevant to this essay are traditional orientations to conflict from an institutional perspective. The social movement has arguably become an institutional process with distinguishable patterns of behavior. The present study intends to challenge the traditional way in which a leader of a social movement engages the establishment in order to bring about desired change to perceived exigencies.

In Moral Conflict: When Social Worlds Collide, W. Barnett Pearce and Stephen W. Littlejohn (1997) present a thorough and convincing argument for a change in the quality of public discourse in the postmodern world. Concentrating predominantly on the political realm, the authors illustrate the poor quality of current political discourse. Pearce and Littlejohn (1997) ask the question, "Is there a better way?" (p. 76), and proceed to answer the question by presenting their theory as a better way.

### Philosophical Studies

Ludwig Wittgenstein (1953) was the originator of ordinary language philosophy. His early works were based strongly in the objectivist tradition. But, in Philosophical Investigations, he repudiated this approach by teaching that the meaning of language depends on the context used. Wittgenstein is often credited for the impetus of the "linguistic turn." From the groundwork laid by Wittgenstein, John Searle (1969) developed the well known theory of speech acts in his essay, "Speech Acts: An Essay in the Philosophy of Language." Ordinary language philosophy and speech acts theory form the basis from which the conflict management and dispute resolution studies cited in this essay developed.

In I and Thou, Martin Buber (1958) distinguished between the basic human attitudes of I-Thou, an attitude that invites and allows dialogue, and the I-It, which treats the other as if he or she were an object capable of being precisely described, measured, or accounted for. Buber (1965) posits that genuine dialogue occurs when "each of the participants really has in mind the other ... and turns to them with the intention of establishing a living mutual relation" (p. 19). Buber's ideas are particularly relevant to the conflict of social movements.

In his historical studies of science, Thomas Kuhn (1970) showed that scientific paradigms are incommensurate. Borrowing from Kuhn's (1970), The Structure of Scientific Revolutions, an alternative use of incommensurability is applied to moral frameworks in this essay. The incommensurability of moral orders between a dissent movement and the establishment are the foremost issue to be overcome in order to achieve any sort of forward movement.

In Philosophy and the Mirror of Nature, Richard Rorty (1979) discusses a discourse that is uncommon in society that the author calls "abnormal." This type of discourse takes conversing disputants to a context outside their paradigm for thinking. The context constitutes the moral imperatives that galvanize their actions. By stepping outside their own accepted ways of thinking, disputants are able to more clearly view their own moral order as one of many ways of thinking. From Rorty's (1979) "abnormal discourse," Freeman et al. (1992) formulated "transcendent discourse," which incorporates this idea into a useful communication perspective particularly relevant to this study.

### Case Study Literature

Bruce Porter and Marvin Dunn (1984) wrote The Miami Riot of 1980: Crossing the Bounds about the police murder of Arthur McDuffie and the verdicts of the trial that prompted a riot in the city. This comprehensive study of the black movement in Miami provided extensive information regarding the indications of violent outcomes. By assessing the disputants' views, patterns of expression, and the dynamic of identity in the escalation of the conflict utilizing this study the viability of the requirements of TLCA will be shown.

In Official Negligence: How Rodney King and the Riots Changed Los Angeles and the LAPD, Lou Cannon (1997) discussed the police beating of Rodney King and the trial which prompted the 1992 Los Angeles Riot. The King incident and the damning videotape which influenced public perceptions worldwide, prompted the resurgence of the dormant movement against the police which began in the mid-1960s. Using Cannon's (1997) information, the disputant's view of the conflict, pattern of expressing the conflict, and the dynamic of identity in the expression of the conflict, will be assessed similarly to show the usefulness of the requirements of the proposed theoretical framework in determining the directionality of the conflict.

Numerous articles concerning the Amadou Diallo police murder and the accompanying social movement were reviewed. Significant articles include: "The War on the War on Crime," by Arch Puddington in Commentary; "Protest Too Much: At Al Sharpton's anti-cop show," by Richard Lowry in National Review; and, "Giuliani fights his enemies--and himself," by Fred Siegel in The New Republic. The police shooting of Diallo has spurred protests led by the Reverend Al Sharpton against the police, Mayor Giuliani, and the "broken windows" police tactics the mayor endorses. Diallo, an African immigrant, had no police record, and was unarmed when he was shot 19 times by four white police officers in a hail of 41 shots fired. The trial of the officers began February 3, 2000, and the acquittal of the officers presented the realistic possibility of a riot, similar to those in Miami and Los Angeles, to occur in New York City. The movement will be concurrently analyzed using the proposed theoretical framework to determine its directionality toward violent or peaceful outcomes based on the rhetoric of the movement.



Additional literature reviewed regarding the Diallo incident encompassed numerous articles from The New York Times, The New York Post, The Washington Post, and other newspaper sources. Information and quotations from these sources are incorporated throughout the analysis of the movement accompanying the police murder.

### Methodology

The method employed in this study reflects the technique of James R. Andrews (1980) essay, "History and Theory in the Study of the Rhetoric of Social Movements." The purpose of Andrews (1980) article is to make a contribution to the ongoing effort to "systematize what we know and to focus future research" (p. 274). Andrews identifies the main characteristic that enables a movement to move as "the way language is manipulated to control or interpret events" (p. 274), and proceeds to define movements based primarily on this characteristic. The author subsequently discusses the strategies he feels are most effective in the analysis of the rhetoric of social movements and in the construction of theory. Andrews (1980) then examines a specific movement in order to illustrate his assertion that "[t]he examination of historical cases [i.e. social movements] and the construction of theory ... are inextricably bound together" (p. 275).

Using Cathcart's (1972) definition of a social movement as a "dialectical enjoinder in the moral arena" (p. 87), this study will first look at the predominant patterns of discourse utilized in social movements focusing primarily on the characteristics of dialectical enjoinder and moral conflict. Next, using Simon's (1970) leader centered approach to rhetorical analysis of social movements, a proposal of TLCA as a framework to analyze a

social movement based on requirements, problems, and strategies necessary for a social movement leader will be presented. Lastly, an analysis of two previous social movements which resulted in riots in Miami in 1980 and Los Angeles in 1992 will be analyzed to show the utility of the requirements of transcendent leader centered analysis. Additionally, the ongoing current social movement waged against the police establishment of New York City will be analyzed in order to show the usefulness of this framework when used concurrently to change the direction of a movement away from violent consequences or at least provide a timely prediction of imminent violence so that adequate preparation may occur. Each of these areas will function as a chapter in this thesis.

Chapter two will focus on the nature of rhetoric present in social movements. When viewed as a moral conflict, patterns of communication unique to this form of communication become apparent. As a result of these patterns of communication unique to moral conflict, normal forms of discussion, negotiation, and persuasion become ineffective. Utilizing Cathcart's (1972) rhetorical definition of social movements, this chapter will begin with a discussion regarding Aristotelian rhetoric and its fitness to meet the demands of "dialectical enjoinment" in the postmodern society. Next, a discussion of traditional understandings about conflict will illuminate reasons for the historical predominance of Aristotelian rhetoric as a means to engage conflict. Finally, social movements as moral conflicts will be examined in order to analyze the "moral arena" portion of Cathcart's (1972) definition.

Chapter three will be a presentation of transcendent rhetorical analysis as a framework from which to analyze the rhetoric of social movements built from Simon's (1970), "Requirements, Problems, and Strategies: A Theory of Persuasion for Social Movements."

TLCA is a theory to analyze the conflict management skills necessary for a social movement leader at the turn of the century. This chapter will discuss requirements including a discussion of Kegan's (1994) levels of consciousness, Pearce and Littlejohn's (1997) patterns of expressing conflict, and Northrup's (1989) dynamics of identity in personal and social conflict. Problems will be examined, and persuasive and transcendent strategies will be discussed. Transcendent strategies to be discussed will include: Frenzt's (1985) rhetorical conversation, Foss and Griffin's (1995) invitational rhetoric, and Freeman, Littlejohn, and Pearce's (1992) transcendent discourse.

In chapter four, the usefulness of TLCA will be shown through the analysis of three social movements utilizing this theory. The chapter will begin with retrospective analyses of the anti-establishment movements against the criminal justice systems which preceded the 1980 Miami Riot and the 1992 Los Angeles Riot. These hindsight will show the utility of the requirements of TLCA in predicting violence as a result of the disputant's view of conflict, ways of expressing conflict, and the dynamic of identity in the escalation of conflict.

The current anti-establishment movement waged against New York Mayor Rudolph Giuliani and the New York Police Department exhibits shocking similarities to the two previous anti-establishment movements waged against the police departments of Miami and Los Angeles. Unfortunately, both of these previous movements resulted in brutality and destruction in the form of rioting. By analyzing the discourse of the current movement utilizing the proposed framework, the propensity for the movement to take the destructive route of violence or the constructive route of dialogue will be assessed. This analysis will

make use of all aspects of TLCA in an effort to show the usefulness and viability of this framework to analyze social movements based on the resolution of differences via synthetic context creation and amicable relationship development among the disputants.

Chapter five will be a presentation of the results from this study, and its contributions to the ongoing conversation within the discipline concerning the analysis of social movements. Additionally, the viability of TLCA as a theory to analyze the rhetoric of social movements to determine the directionality of the conflict and prevent violent consequences will be ascertained.

## CHAPTER 2

### RHETORIC, CONFLICT, AND MOVEMENTS

Frentz (1985) posits that "rhetoric, as Aristotle envisioned it, is often inadequate for confronting the moral dilemmas of modern societies" (p. 4). As evidence for this claim Frentz (1985) adds, "Aristotelian rhetoric presupposed moral agents who possessed a sense of their own individual moral histories as well as an awareness of how particular choices extended the impersonal teleology of the Greek moral tradition" (p. 4). Frentz's (1985) point is that the Greek moral tradition was, at the time, the only moral tradition in Greek society. As a result, Aristotle's presupposition was pertinent, however, in the current postmodern era which lacks an absolute standard of morality, this presupposition does not pertain to the autonomous moral agents of today's heterogeneous society.

Burbules and Rice (1991) contend that there are three ideas that most represent the postmodern epistemology. The first is the rejection of absolutes. The authors explain that "postmodernists usually insist that there can be no single rationality, ... morality, ...[or] theoretical framework, ... there are no 'metanarratives' that are not themselves the partial expansions of a particular point of view" (p. 395). The second is the saturation of all social and political discourses with power or dominance, which creates the need to "deconstruct" such discourse to uncover the partiality of a hegemonous social or political order. Finally, the third idea that recurs is the celebration of difference.

Bauman (1989) agrees by stating, "postmodernity means a resolute emancipation from the characteristically modern urge to overcome difference and promote sameness" (pp. 39-40). The attributes that distinguish postmodern thinking illustrate clearly what Frenztz (1985) meant by his assertion that rhetoric, as conceived by Aristotle, is inadequate to fit the needs of a postmodern world. Aristotle's world had one dominant "metanarrative," so that possessing a sense of one's own moral history and an awareness of the teleologically grounded moral tradition to be extended was inconsequential. However, according to Frenztz (1985), "modern rhetorical advocates and audiences have lost their sense of individual moral coherence and a teleologically grounded moral tradition" (p. 4). Put plainly, society today is the antithesis of Aristotle's Greece. So, how should people go about the practical art of "cultivating and enacting reason in audiences with the potential for moral action" (Farrell, 1983, p. 152), which is known as rhetoric?

According to Frenztz (1993), the rhetoric practiced by the sophists, attacked by Plato, and "later corrected, expanded, and canonized by Aristotle ... is not 'the' rhetoric, but rather only one general type of rhetoric"(p. 83). Other forms of rhetoric exist but seem to attract less inquiry from rhetorical scholars. Anderson and Ross (1994) describe three ancient Greek traditions of rhetoric: 1) Forensic rhetoric, which occurred in legal court settings, was primarily concerned with facts and interpretations from events in the past; 2) Epideictic rhetoric was ceremonial speaking that praised or blamed individuals for vices or virtues; and 3) Deliberative rhetoric which functioned for discussions of public policy to be implemented for the future (p. 210).

Aristotle's form of rhetoric seems most appropriate to be effective in forensic situations. The arguing of facts and interpretations of past events can be accomplished by this method quite proficiently. But to use of this type of rhetoric with the intent of bringing relief to the perceived exigencies of a dissent ideology seems inappropriate. Not only do the presuppositions of Aristotelian rhetoric not meet the needs of a heterogeneous social order, this rhetoric is best suited to argue facts and interpretations from the past. The needs of a social movement call for a rhetoric that is suited for the discussion of policies to enact change in the future, a task best accomplished by use of deliberative rhetoric.

This need for a deliberative rhetoric to achieve the goals of a social movement is apparent in Cathcart's (1972) statement that the distinguishing feature of a social movement is a "dialectical enjoinder in the moral arena" (p. 87). This rhetorical definition of what constitutes a social movement deserves further examination. The current study contends that it is no coincidence that Cathcart (1972) used the exact term to define a social movement that describes the form of rhetoric used by Plato. According to Taylor (1995),

Plato is concerned to stress that in Socrates's hands it [dialectic] was intended not to produce victory in a debating contest, but to lead to genuine understanding by purging the person subjected to it of false beliefs. Philosophical inquiry conducted by this method is supposed to be not a contest between opponents, but a co-operative search for truth and understanding. (p. 837)

According to Frentz (1993), Plato advocated that "dialectic is the only form of discourse that can reveal the truth as transcendent forms of reality" (p. 83). This dialogic rhetoric looks into the self and opens the self to the other. This inquiry into the self and the opening of

oneself to the other is contrary to Aristotle's rhetoric of the external self. According to Frenztz (1993),

Aristotle's reality is bounded by the "phenomena," the world of appearances, and his 'truth'... is revealed through the sensory and rational entailments of what most and/or the most authoritative already know, believe, and say. And because of this, anything that transcends the phenomena must either be dismissed or, if possible, somehow incorporated into the phenomenal realm. (p. 84)

Thus, looking into the self in a search for truth or understanding is futile. If the truth cannot be seen through an external movement toward the social world, the search is to be abandoned or redefined to fit into the established framework of what is already known, believed, or said, by the majority or the most powerful.

When viewed from a postmodern perspective, the rhetoric and truth espoused by Aristotle is problematic. Frenztz (1985) states, "Aristotle began the Rhetoric with the claim that rhetoric was the counterpart of dialectic; both were general methods for dealing with probabilities in the political realm of praxis" (p. 13). By the same line of reasoning, postmodernism is the counterpart of modernism. The Aristotelian rhetoric which seemed sufficient for the "metanarratives" of modernism, appears impotent for the "autonomous moral agents" of postmodernism.

Frenztz (1985) states that in Aristotle's time, "the possibility of an autonomous moral agent who exercised choice on the basis of personal preferences and desire would have been a moral aberration of the first order" (p. 4). In the postmodern world, one who espouses truth as that which is already known, believed, or said by the majority or the most powerful



may be considered a fool, a racist, or an idiot, in extreme situations. In moderate situations, by this definition of truth, individuals may be committing the fallacy of stereotyping or oversimplification of complex actualities. Further, because of the liberal individualistic morality of the postmodern world, Aristotle's rhetoric has become somewhat less than it was originally intended to be.

Frentz (1985) argues this lessening is because the "autonomous moral agent" of today "is free to choose his or her own moral actions" due to the disbelief in a metanarrative or teleological historical moral tradition from which to base such actions. Aristotle's art of cultivating and enacting rationality toward moral action has digressed because of today's rhetor who "views people as means to be manipulated as opposed to [Aristotle's intended] ends to be valued" (p. 2). This is a problem with the heterogeneous moral orders associated with postmodernism frequently pointed out by critics. Bauman (1989) calls this the "ineradicable plurality" of languages and worldviews (p. 39).

### **Traditional Views Regarding Conflict**

In the postmodern world, Aristotle's rhetoric seems inadequate to confront the moral dilemmas of society. Yet, for so long it has been revered as the predominant rhetoric used to engage in conflict. Perhaps this is because of traditional orientations toward conflict. Nicotera et al. (1995) outline three traditional approaches to conflict: 1) game theory, which looks at conflict as arising from rational decision making in competitive and cooperative systems; 2) cognitive approaches, which focus on the individual's conflict style; and 3) conflict as institutional, which focuses on societal structure and processes in the generation

and expression of conflict. Through further inquiry into each of these traditional orientations toward conflict, the current study will demonstrate why Aristotle's rhetoric has remained the predominant form used by disputants to engage in conflict.

### Game Theory

Rapaport (1960) examined the logic of conflict in isolation, deliberately excluding the ethics of conflict. Three types of games were identified. Zero-sum games of pure competition are games in which whatever one person/group wins is matched by whatever another person/group loses. According to Stewart, Smith, and Denton, Jr. (1994), "social movements always seem to play a zero-sum game" (p. 12). This observation provides insight into the rationale for the conscious choice to utilize Aristotelian forensic rhetoric by the overwhelming majority of dissent movement leaders. When people see the conflict as something to be won or lost, the argumentation of facts and interpretations in an effort to persuade your opponent that your way is right and his/hers is wrong, the obvious choice is Aristotle's forensic rhetoric. There are non-zero-sum games, in which players can win or lose together. Finally, there are mixed-motive games, in which each participant is confronted with the choice to cooperate or compete.

Probably the best known example of the mixed-motive game is the prisoner's dilemma. In this game both players can win a little if they take certain cooperative moves, but can win big or lose big if they take a competitive stance. In this game a person can rationalize good reasons to choose either cooperation or competition. In a philosophical sense, such a scenario postulates a lack of enforced co-operation, such as would be the case if there

existed a "metanarrative" or a teleological historical moral tradition to guide peoples' actions. In order to avoid the chance of undesirable outcomes such as bombings, shootings, and riots, the actors in the drama need to create their own "rules" to enforce co-operation. Evans (1995) states, "it has been argued that we can find in this dilemma a basis for the generation of the institutions of morality—or, at least, of prudent co-operation" (p. 719).

This study argues the mixed-motive game is a more accurate depiction of the conflict of a social movement than the zero-sum game. The expectation of complete capitulation is a long shot and the chance of a violent establishment response is not entirely remote. When a social movement is viewed through the lens of a mixed motive game, the results of competition are win big or lose big. A social movement leader would be far more prudent to choose cooperation so that a "little win" (i.e. an agreement or consensus) could be achieved. This would enable groups with incommensurate moral orders to create "rules" through the extended interpersonal relationship of their leaders. The redefinition of what winning means is crucial to a person's orientation to conflict. Winning in the context of a social movement, if defined as achieving complete capitulation from the establishment, this "big win" is very unlikely. But, if winning is defined by managing conflict to achieve certain agreements or a consensus while avoiding violent consequences, this "little win" is much more likely.

### Conflict Style

Fisher and Ury (1981) differentiate three cognitive approaches to conflict. The apparent choice for most people is a decision between "hard" or "soft" styles. The soft style treats the other as a friend, seeks agreement, makes concessions, avoids contests of wills, yields to

pressure, and views the other with trust. The hard style treats the other as an adversary, seeks to win, is demanding of the other, makes threats rather than offers, distrusts the other, misleads the other, seeks to win a contest of wills, and applies constant pressure on the other to make concessions or give in. These styles are what Fisher and Ury (1981) call variations of positional bargaining. Rather than taking either of these positions, the authors advocate negotiation on the merits of the issue. The underlying interests of both parties are the focus of what they call "principled negotiation." Fisher and Ury (1981) state,

Rather than trusting or distrusting, we should proceed independently of trust and focus on people's interests, not the positions they adopt. Rather than making offers or threats, we should explore our own and the other's interests, avoid having a bottom line, invest energy by inventing options for mutual gain, develop multiple options to choose from rather than focusing on a single outcome, strive to achieve a result based on standards independent of the wills of the participants, use reason and be open to reasons, and yield to principle, not to pressure. (p. 13)

The application of principled negotiation instead of the traditional hard or soft game played by social movement leaders and establishments, presents another way in which people can seek to "win" based on reason and principle rather than their constructed position.

### Conflict As Institutional

Barber (1984) outlines three ways in which conflict is understood within the American societal structure--the anarchist, the realist, and the minimalist. Barber (1984) states, "put very briefly, anarchism is conflict-denying, realism is conflict-repressing, and minimalism is

conflict-tolerating" (p. 6). Barber (1984) explains that Americans are anarchists in their values of privacy, liberty, and property; realists in their means of power, law, and adjudication; and minimalists in their temper of tolerance, wariness, and pluralism. Because of these complex attitudes, these three different modes of handling conflict co-exist within American society. Most significant to the social movement is the realist attitude and its repressive notion of conflict.

Barber (1984) explains that in the world viewed through the eyes of a realist, obstacles prevent the achievement of individual interests so that power is valued. Conflict to the realist is something to be won or lost. In this way of thinking, everyone is either on their side or the other side. A person is either a friend or an enemy. The absence of conflict is characteristic of friends, and the presence of conflict requires a person to treat the other as an enemy. This is similar to the polarization that usually occurs in the life cycle of a social movement (Bowers, Ochs, & Jensen, 1993; Stewart, Smith, & Denton, Jr., 1994).

The most interesting point in Barber's (1984) analysis is the role that communication plays in conflict for the realist. Communication is the means by which a person keeps his/her enemies under surveillance, transmits information and disinformation, recruits and retains the support of friends, and coordinates movements. This same line of realist thought is reflected in Alinsky's (1971) Rules For Radicals. This problematic realist notion of the role of communication in conflict, adhered to by Alinsky and most movement leaders, fails to recognize the constructive nature of language. Communication through dialogue can unleash the power to completely transform a conflict. A leader can transform a conflict simply by using language to create a more cooperative relationship with the other.

Although already established as inadequate to confront the demands of conflict in the current postmodern era, traditional orientations toward conflict such as the zero-sum game perspective, use of positional negotiation styles, and the realist institutional conception of conflict have maintained the perceived need for Aristotle's forensic rhetoric in conflict situations such as social movements.

The term dialectical enjoinder implies a deliberative rhetoric. Rhetorical scholars, philosophers, mediators, and educators have each theorized forms of deliberative rhetoric. *The I and Thou* (Buber, 1958), *Rhetorical Conversation* (Frentz, 1985), *Dialogue across Differences* (Burbules & Rice, 1991), *Transcendent Discourse* (Freeman et al., 1992), and *Invitational Rhetoric* (Foss & Griffin, 1995) are all derivations of Plato's cooperative search for truth and understanding. But these deliberative forms of rhetoric do not only share the ideal of cooperative inquiry, these rhetorics are adequate for confronting the moral dilemmas in the current postmodern era. This does not suggest discarding Aristotelian rhetorical all together, but suggests alternative strategies to enable a leader to be effective in the current postmodern era wielding moral diversity that Aristotle did not foresee.

### Social Movements as Moral Conflicts

Cathcart's (1972) rhetorical definition also contains the stipulation that the dialectical enjoinder take place in the moral arena. But, does this mean that social movements are moral conflicts? To answer this question, Pearce and Littlejohn (1997) assessed the factors that distinguish a moral conflict from other dramatic forms. The factors common to moral forms of conflict include:

1. The participants use the same vocabulary but mean different things by it.
2. The participants use different vocabularies for comparable functions.
3. The participants describe themselves as locked into opposition with each other.
4. Actions that one side thinks will diffuse the situation or even resolve the conflicts are perceived by those on the other side as demonstrating the perfidy of the first and obligating them to respond by continuing or intensifying the conflict.
5. Participants are unable to articulate the logic of the other side's social world in ways that the other side will accept.
6. The discourse between the conflicted groups contains a larger number of statements about what is wrong with the other group.
7. If asked to imagine a resolution to the conflict, the participants can think only of capitulation and elimination of the other group. (p. 68)

By analyzing these factors, a determination of whether or not a social movement is a moral conflict will be ascertained.

In regard to the first factor, an example of the word honor, when used in a social movement for the dissent group it may mean martial excellence, but for the establishment, honor may be comprehended as a function of economic success. For the second factor, a dissent movement may use a vocabulary of rights and the establishment a vocabulary of virtues to discuss morality. According to DeVito (1995), in both of these instances the receiver is not decoding the meaning from the message that was intended by the sender, a situation the researcher defines as "semantic noise." DeVito (1995) states, "noise is anything that distorts or interferes with message reception .... an extreme form of semantic noise

occurs between people speaking different languages .... or when a listener assigns meanings different than those you intend" (p. 17). The ambiguous and highly emotional terms regularly employed by agitators for a dissent movement often result in confounded meanings that are the product of semantic noise.

Regarding factor three, leaders of a dissent movement may deny that they have any choice and claim that, "in a situation such as this, when they do what they did, we have no alternative, we must ..." This form of logic is also true for the establishment in response to actions by a dissent movement. Pearce and Cronen (1980) call this imperative behavioral response "deontic logic." Deontic logic finds its roots in the constitutive rules which are essentially rules of meaning used by communicators to interpret or understand an event. According to Pearce and Cronen (1980), communicators enmeshed in deontic logic may "feel lost in something 'bigger than the both of us' or forced to act in ways against their will" (p. 154). More specifically, deontic logic is the answer to the question, "What shall we do?," which is embedded within a matrix of obligations, duties, rights, and prohibitions. In its strongest form, a person feels compelled to act in a certain way and in its more subtle form, observe a range of actions or choices. The moral traditions of a group make up the "oughts" of that group's deontic logic. In most cases, especially when a dissent movement is agitating based on lateral deviance, the disputants feel locked into the strong version of their own deontic logic.

Regarding factors four and five, an understanding of the actions and the logic of the other side is often mysterious to those involved in social movements. A logger who has to keep cutting down trees in order to feed his kids does not easily understand a member of an



environmental movement chaining himself to a tree in order to "save" the tree. By the same token, the activist cannot comprehend the brutishness and the destruction of nature that the logger sees as a way to put food on the table for his family. Based on their different conceptions of what counts as rational and just, the activist seeks to resolve the situation by chaining himself to the tree as a way to end the destruction of mother earth and make a symbolic gesture. The logger who sees this act as impeding on his only available means to support his family, takes this act as treacherous and feels compelled by the deontic logic of his worldview to escalate the situation by whatever means necessary to return things to the status quo. What counts as courageous and ethical to the activist counts as ludicrous and treacherous to the logger—as well as a direct threat to the well-being of his family.

This inability to articulate the logic of the other as well as the confounding of meanings derived from actions taken by the opposing group in a conflict situation is the result of incommensurate moral orders. According to Kuhn (1970), incommensurate differences occur when,

The proponents of competing paradigms practice their trades in different worlds....

One is embedded in a flat, the other in a curved, matrix of space. Practicing in different worlds, the two groups ... see different things when they look from the same point in the same direction. Again, that is not to say that they can see anything they please. Both are looking at the world, and what they look at has not changed. But in some areas they see different things, and they see them in different relations one to the other .... [This] is why, before they can hope to communicate fully, one group or the other must experience a conversion ... a paradigm shift. (p. 150)

People or groups from incommensurate traditions may have trouble talking to one another because what counts as rational or logical from one perspective, seems ludicrous and appears as proof of its absurd nature from the other. Burbules and Rice (1991) state,

In such encounters people are not internally related ... and do not understand one another from within their own perspective. They are externally related, they experience each other as other, different, from different groups, histories, professions, cultures, which they do not understand. (p. 402)

Because their social worlds are at odds, what they want, believe, and need differs, and the actions of those wants, beliefs, and needs do not fit the world of the opponent. Further, because ways of dealing with such conflict are dictated by one's social reality, when these conflicts occur, they lack a common procedure for dealing with them. Fuel is added to the fire when the actions of one side made with good intentions are construed by the opponent as malicious or stupid.

Moral order is a term that can be understood by many definitions. Johnson (1990), rearticulates Wittgenstein's idea of a moral order as a belief system of subjective certainty that consists of things we do not doubt, simply in the phrase, "things upon which we can regularly depend" (p. 20). Sennett (1970) looks at a moral order as a sort of life plan, used "to build an image or identity that coheres, is unified, and filters out threats in social experience" (p. 9). Put simply, a moral order is the framework from which individuals construct the basis for what most people think of as common sense. It is group's theory used to judge what constitutes a proper or improper action. Thus, the incommensurate moral orders that make up the opposing views of most social movements differ greatly from simple

disputes that can be solved by normal means of persuasion. The use of normal means of persuasion to manage the moral conflict of a social movement prove ineffective because any attempt at persuasion by one side from within its moral order will only serve to exacerbate the situation due to barriers resulting from the incommensurability of the disputant's moral orders.

Regarding factor six, it is not difficult to recall the Anti-Vietnam movement's labelling of GI's as "baby killers," and the GI's labelling the members of the movement as "draft dodgers." For a social movement leader, demonization of the opponent is a seductive strategy. Once demonized, any tactic from subversion to outright annihilation becomes appropriate. Although many avenues for communication are available, the rhetoric of social movements typically includes ad hominem attacks, denunciations, and profanities. According to Pearce and Littlejohn (1997), "slogans and chants replace arguments intended to persuade and inform; various forms of denunciations and diatribes squeeze out scarcely noticed opportunities for dialogue" (p. 75).

This degradation of communication exemplifies the attenuated nature of the rhetoric of a social movement, attenuated in the context that the external discourse which occurs between groups is much less eloquent, logical, or effective than the internal discourse that occurs within the groups. Opposing groups invidiously categorize and descriptively denounce each other very well, but in doing so render ineffective and counterproductive discourse. This attenuated nature of discourse is especially representative of the agitative rhetor whose specific goal in many cases to say the "very worst thing that can be said" to the opposition (Edwards, 1968, p. 10). This is not to say that agitative rhetoric is wrong, bad, or

unnecessary. Agitative rhetoric serves many important functions in bringing about much needed changes in society. But, agitation is of limited worth if it is not followed by effective forms of discourse to bring about the changes to the perceived exigencies that the agitation illuminates. Many movement leaders are simply incessant agitators, to the point that the agitation they espouse becomes as ineffectual as the ramblings of the boy who cried wolf.

Lastly, regarding factor seven, as was shown from the realist notion of conflict, and Stewart, Smith, and Denton Jr.'s (1994) statement, social movements play a zero-sum game by taking the risk on the "big win" which is capitulation by, or elimination of, the existing establishment status quo. Coser (1964) noted conflicts such as social movements are not just a matter of clashing ideas but "a struggle over values or claims to status, power, and scarce resources, in which the aims of the conflicting parties are not only to gain the desired values but also to neutralize, injure, or eliminate their rivals" (p. 232). Written back in 1964, Coser's (1964) statement reflects a modernist "all or nothing" view of conflict.

Burbules and Rice (1991) offer a postmodern view of the options available to those agents or groups enmeshed in conflict. These can be seen along a continuum of compromising:

- a) agreement and consensus, identifying beliefs or values all parties can agree to;
- b) not agreement, but a common understanding in which the parties do not agree, but establish common meanings in which to discuss their differences.
- c) not a common understanding, but an understanding of differences in which the parties do not entirely bridge these differences, but through analogies of experience or other indirect translations can understand, at least in part, each other's positions;

d) little understanding, but a respect across differences, in which the parties do not fully understand one another, but by each seeing that the other has a thoughtful, conscientious position, they can come to appreciate and respect even positions they disagree with;

e) irreconcilable and incommensurable difference. (p. 409)

Modernists such as Coser (1964), frequently argued that once the possibility of "a" is denied, this leaves one only with "e" as an alternative. This big win, or "all or nothing," attitude affects numerous social movements and the rhetorical strategies of many dissent leaders.

The applicability to social movements of these phenomenon, that Pearce and Littlejohn (1997) attribute to moral conflicts, becomes apparent from this analysis. Social movement rhetoric: 1) exhibits misunderstandings that result from semantic noise, 2) succumbs to the imperatives of a group's own deontic logic, 3) lacks an understanding of the actions of the opposition due to the incommensurability of each group's moral order, 4) employs attenuated discourse when addressing the opposition, and 5) exhibits a realist "all or nothing" attitude toward conflict.

### Chapter Summary

In this chapter, a systematic analysis of Cathcart's (1972) rhetorical definition of a social movement was accomplished. Although the definition is relatively short, the concept of "dialectical enjoinder" within the context of "the moral arena" warranted in-depth examination. The analysis began with an assessment of Aristotelian rhetoric. It was argued that Aristotle's conception of rhetoric is inadequate to confront the dilemmas of our current

postmodern era. This prompted an examination of postmodernism which lacks absolutes, deconstructs alleged metanarratives, and celebrates difference. This ideology of the current era is antithetical to the unified metanarrative of Aristotle's ancient world for which his form of rhetoric was intended.

Subsequently, three types of rhetoric were discussed including forensic, epideictic, and deliberative. The need for a deliberative rhetoric, which is implied by Cathcart's (1972) definition, was determined. Aristotle's rhetoric was found to be inadequate due to the demands of the autonomous moral agents of our postmodern era, its forensic nature, and because of the lessening from the intended quality of Aristotle's rhetoric used by autonomous moral agents to manipulate others as means to an intended end, not as ends in themselves.

The analysis continued by looking at traditional orientations toward conflict, which have maintained the predominant use of Aristotle's conception of rhetoric. Game theory looked at zero-sum, non-zero-sum, and mixed-motive games. Traditionally, social movements have been viewed as zero-sum games. An examination of principled negotiation revealed that the rhetoric of most social movements is of a hard positional style. Lastly, an inquiry into conflict from an institutional perspective revealed that, by tradition, social movement rhetoric is utilized from a realist point of view. This realist attitude uses communication as a means to recruit and coordinate internally and to disinform and keep enemies under surveillance externally.

The final section of the chapter was devoted to the determination of social movements as moral conflicts. From the factors provided by Pearce and Littlejohn (1997), it was found that social movements are a form of moral conflict. Social movement rhetoric was found to

exhibit misunderstandings due to semantic noise, devisive deontic logics, incommensurate moral orders, attenuated external discourse, and an "all or nothing" or zero-sum game attitude toward conflict. The implications of this analysis entail that the current state of social movement rhetoric does not suit the demands of postmodernism, current conflict styles, institutional attitudes, and the unique communication situation prescribed by moral conflicts.

In the following chapter, a framework for a theory will be proposed for analyzing social movement leadership which will address the requirements, problems, and strategies facing a social movement leader in the current postmodern era. From a theory devised by Simons (1970), this new framework will update these criteria to: 1) meet the demands of postmodernism, 2) engage in dialectical enjoinder in the form of a deliberative rhetoric, and 3) utilize the constructive power of communication to overcome the challenges of moral conflict.

## CHAPTER 3

### THEORETICAL FRAMEWORK

Simons (1970) articulated "the requirements that rhetoric must fulfill in social movements, the means available to accomplish these requirements, and the kinds of problems that impede accomplishment" (p. 2). The purpose of Simons' (1970) article was to focus on the intentional symbolic acts of those who lead social movements. Borrowing from Simons' (1970) model, a framework will be constructed based on his classifications of requirements, problems, and strategies. However, beyond the classifications, this new framework will not resemble Simons' (1970) model.

Building on the analysis of Cathcart's (1972) rhetorical definition of movements as "dialectical enjoinder in the moral arena" (p. 87), this new framework will provide a method which meets the demands of postmodernism, engages dialectical enjoinder in the form of a deliberative rhetoric, and constructively manages the challenges of social movements as moral conflicts. In the following section of this study a theoretical framework will be elucidated which will: 1) Examine the rhetorical requirements that are needed to be a successful social movement leader in the postmodern era; 2) Discuss the problems that arise in the management of moral conflicts such as social movements; and, 3) Present effective strategies that can be used in the management of traditional (tractable, vertically deviant) forms of conflict and moral (intractable, laterally deviant) forms of conflict.



## Requirements

The internal rhetorical requirements such as attracting, maintaining, and indoctrinating followers, coordinating internal operations, and conducting fundraising campaigns will not be the focus of this analysis. Instead, the external rhetorical requirements will be examined. External rhetoric historically has proven most problematic due to its attenuated nature, which was discussed previously in this essay. Leaders of social movements, deeply enmeshed as participants in a moral conflict, may see their roles as difficult, and justifiably so. But the difficulty they confront is having their interests and views expressed without suppression, fighting on, persisting in many cases without any genuine hope of winning, and frequently incurring great personal costs. The question for this leader is often whether he/she has the sufficient willpower to persevere.

With respect to those who have demonstrated this kind of commitment and courage, this study suggests that another type of courage is necessary in managing the moral conflict of a social movement: the courage to confront his/her own assumptions, questioning whether the issue deserves the sacrifice that has been offered to it, and opening oneself up to the possibility of engaging in a different pattern of relationships with "enemies." This requirement is the only effective way to respond to the characteristics of today's postmodern heterogeneous society.

This response to the requirements of the contemporary world, displays what Kegan (1994) calls trans-system thinking. Without this ability, individuals are incapable of seeing the limits of their own worldviews and of creating new forms of discourse that incorporate or synthesize otherwise incommensurate realities. In today's postmodern era there is no

universally shared sense of truth. Yet, leaders' responses to moral difference are limited because in most instances they are unable to escape their own way of seeing things. To view this paradigm as one among many ways of seeing things, disputants must increase their level of personal consciousness.

### Levels of Consciousness

Kegan (1994) outlines five levels of consciousness which describe how people feel about differences in a conflict situation, how people cope with difference, and the choices that are prescribed by those feelings and coping strategies. Kegan (1994) takes a developmental perspective, viewing consciousness as increasing with cognitive maturity and education. Reconstructive postmodernism, the highest level in the taxonomy, explains the cognitive complexity needed to manage moral conflict as follows:

In essence, the postmodern view bids disputants to do several things: (1) consider that your protracted conflict is a signal that you and your opponent have probably become identified with the poles of the conflict; (2) consider that the relationship in which you find yourself is not the inconvenient result of the existence of an opposing view but the expression of your own incompleteness taken as completeness; (3) value the relationship, miserable though it might feel, as an opportunity to live out your own multiplicity; and thus, (4) focus on ways to let the conflictual relationship transform the parties rather than on the parties resolving the conflict. Postmodernism suggests a kind of "conflict resolution" in which Palestinian discovers her own Israeliness, the rich man discovers his poverty, the woman discovers the man inside her. (pp. 320-321)

In ordinary situations, this type of thinking is more a challenge than a reality. But, for the social movement leader, society increasingly requires this more complex way of thinking about the world. Kegan (1994) adds that most people are able to recognize different forms of thought, realize that these create difficulty between people, and even adapt messages to be understood by those who think differently than they do. The problem is that most people are not able to step out of their system of thinking to see it as a social construction.

Kegan (1994) states, "what we call postmodernism is not just a different way of thinking, it is identifiable on the continuum of the evolution of consciousness ... that what postmodernism is 'post' to is the fourth level of consciousness" (p. 317). To fully understand what Kegan implies in this statement, his conception of the levels of consciousness in the management of dialectic needs to be elaborated. Kegan's (1994) first level of thought is infantile, impulsive perception. At this level of consciousness children see objects as independent entities without connection. As a child goes through maturation and socialization he/she enters the second level of consciousness, which involves relating objects to one another in durable categories. At this level, concepts are formed and connections are made. The consciousness levels of children around the age of ten years most typify the immutable and universal categories representative of level two.

What distinguishes most adult thinking from childish thinking is consciousness of a higher order of things. At the third level of consciousness, people acquire an awareness of different ways of understanding and conceptualizing experience which crumbles the walls of the previously durable categories. Most important to the present study is that at this level people realize that they all have different points of view, so that self is distinguished from

other. People learn adaptability to different audiences and expresses a unique point of view. At this stage individuals decide in a situation of conflict whether to remain silent or confront others publicly.

Due to a person's consciousness of the difference between self and other, she/he assumes ownership of her/his point of view, and attempts to sell it to others. Each opposing side makes use of its most eloquent forms of rhetoric in an initially civil exchange. In the case of moral conflict, a person soon discovers that this normal form of rhetorical eloquence is not impressive nor persuasive to the other side. As a result, the rhetoric of moral clash begins which degrades into a frustrated situation of mutual diatribe. Any resemblance to rhetorical eloquence disappears and the potential for violence becomes apparent. The third level of consciousness is the minimum consciousness level a person can operate at in order to live independently in traditional societies which emphasize the importance of social roles.

The fourth level of consciousness represents a modernist epistemology. At this level a person realizes that her/his categories are not just personal, but social as well. The person sees that realities are given meaning from within the confines of a system. Roles become subordinate to institutions, and individuals are no longer understood merely as having categories, but as living within the constraints of a larger set of institutions. Difference is easily recognized at this level of consciousness, but this level does not allow people to step outside their own system of thought to take a metalevel view of conflict. One system of thought inevitably takes privilege over another, locking people into the "truth" only seen from within the system that represents the paradigm of thinking that prevails. In a moral conflict, at this level a person struggles between having her/his moral position expressed and

the negative consequences of an all out battle. A paradox is encountered because a person wants to promote her/his cause but do so in a way that is open to other views, in a sort of tolerance of intolerance. Level four thinking invites options other than polarized clash, but each side is limited in that each still promotes its own view of truth.

Kegan (1994) explains the fifth level of consciousness as:

[A] collection of mental demands that are different from those calling for personal authority.... By considering the ... meaning of conflict or difference, good leadership, and knowledge creation.... [T]hey all require an order of consciousness that is able to subordinate or relativize *systemic knowing* (the fourth order); they all require that we move systemic knowing from *subject* to *object*. In other words, they are 'beyond' the fourth order. (pp. 316-317)

This fifth level of consciousness which goes "beyond" modernist thinking will enable a social movement leader to be more objective in regard to the meaning of conflict, what good leadership means, and how to create knowledge rather than win a debate with an opponent. This "trans-system" thinking is required of a social movement leader so that the unique demands of the postmodern moral conflict can best be managed.

### Patterns of Expressing Conflict

How a person thinks about conflict is crucial to successful management, but how a person expresses conflict is equally as important and deserves similar examination. Pearce and Littlejohn (1997) examined different patterns of expressing conflict. The first pattern they label "celebrating similarity" (p. 110), but may be more appropriately called "naivety to

difference." This pattern of communication recognizes, enjoys, and promotes similarities among individuals. A person lives with others in a shared and unchallenged social reality, essentially unaware of differences. Mostly children live within this pattern, but adults seek and find it in social circles such as clubs. This state is inviting because it lacks the expression of conflict, however, this lack of conflict is often just an appearance. Pearce and Littlejohn (1997) contend, "The problem of this first pattern is that if we stay in it long, we will not change, grow, encounter new things, or expand our awareness. Important moral differences will be ignored and suppressed" (p. 111).

In pattern two, a person puts her/his stories at risk through interaction with people who are different. This pattern acknowledges that people are culturally different and that this difference is not problematic. From this acknowledged difference, an individual stands to learn and respect those who are different by seeking out difference and change. Pearce and Littlejohn (1997) state, "In this mode of communication, conflict and change are prospects, not problems" (p. 112). Unfortunately, a prolonged timeframe spent in this pattern of communication can result in great uncertainty and loss of a grounded identity. Pearce and Littlejohn (1997) claim that, "this pattern is a happy state, but when it gets old, it becomes a disillusioned one" (p. 113).

The third pattern for expressing difference views conflict as problematic. Within this pattern a person recognizes difference and moves to protect or defend her/his ways. An individual assumes the superiority of her/his own stories and methods of argument, and tries to convince others of this knowledge. People who express difference according to this pattern assume that their visions and rhetorical standards are compatible. According to

Pearce and Littlejohn (1997), " They believe, often correctly, that both sides will appeal to the same values and standards of judgement. In this situation, persuasion is normal discourse. Appeals are made, and decisions are rendered by whatever criteria are in force" (p. 114). This pattern of expressing difference is effective in the traditional conflict situation involving a simple difference of opinion or decision to be made. But each form of rhetoric is like a game with a set of rules to be followed. When both sides are playing by the same set of rules, persuasive rhetoric can be effective for compliance gaining, but if the players are judging the rhetorical eloquence by different rules, the rhetoric becomes impotent.

Wittgenstein (1953) called these different standards of rhetoric "language games;" Toulmin (1958) called them "fields of argument." Pearce and Littlejohn (1997) state, "Aristotelian rhetoric is in our society a paradigm case of rhetorical eloquence" (p. 114). Based on logic and evidence and presented in artistic forms both ethically and effectively, Aristotle's form of rhetoric has been revered as the best tool for achieving compliance.

Unfortunately, Aristotle's rhetoric assumes that both sides are playing by the same set of rules. Frentz (1985) states, "Where once agents could be presumed to share common social knowledge from which moral action might emanate, that presumption has become all but untenable in an age of increased specialization and the concomitant proliferation of technical knowledge" (p. 4). Civility falls victim to the multiplicity of language games involved in moral conflicts. Eloquent rhetoric succumbs to frustration and hostility because no matter how persuasive the arguments presented, the opposition simply does not recognize the legitimacy of such attempts. Thus, "they enter the frustration phase, and uglier forms of expression result" (Pearce & Littlejohn, 1997, p. 117).

Bowers, Ochs, and Jensen (1993) contend that this is the point when agitation plays an important role. Once the normal means of persuasion are deemed ineffective, a leader is required to use "more than the normal discursive means of persuasion" (p. 4). Pearce and Littlejohn (1997) label this pattern of expression, "moving to repress" (p. 118). Participants protect their precious beliefs by vehemently expressing the perceived faults of the other. Agitation in the form of vilification aims to discredit adversaries by attacking them as malicious and immoral.

According to Windt (1972) , this diatribe in its most extreme form is a "moral dramaturgy intended to assault sensibilities, to turn thought upside-down, to turn social mores inside-out, to commit in language the very same barbarisms one condemns in society" (pp. 7-8). Diatribe is a type of dehumanization of the opposition which can make violence seem like a natural and appropriate response. Many times, the impossibility of rational discourse between opponents makes forceful tactics designed to secure capitulation very attractive. Pearce and Littlejohn (1997) state, "Repression and violence signify the ultimate failure of traditional ... forms of decision making" (p. 119).

The fifth pattern of expressing difference aims to work within and between multiple language games or sets of rules. Pearce and Littlejohn (1997) contend this transcendent level of expression "brings a metastory to light, an overarching notion of human beings as social, linguistic, story-defined agents" (pp. 122-123). Transcendent communicators may not agree about their positions regarding the issue of contention, but agree to change their approach to the conflict and their relationship with the opposition. This transcendent form of communication attends to the difference as well as the individuality of the opposition.



Thus far, the requirements that a social movement leader needs to be successful in the postmodern era of conflict include an understanding of how disputants view conflict according to Kegan's (1994) levels of consciousness regarding conflict, and how disputants express conflict according to Pearce and Littlejohn's (1997) patterns of expressing difference in conflict.

### The Dynamic of Identity

At the heart of each of these requirements is the role of identity in the escalation of conflicts such as social movements. Northrup (1989) examined the dynamics of identity in personal and social forms of conflict. Although it may be argued that identity is no more than a psychological sense of self, Northrup (1989) contends that identity "is extended to encompass a sense of self-in-relation-to-the-world, which may be experienced socially as well as psychologically ... [and] that 'identity' plays a major role in the conduct of any conflictual relationship" (p. 55). Northrup (1989) describes identity as follows:

Identity is defined as an abiding sense of the self and of the relationship of the self to the world. It is a system of beliefs or a way of construing the world that makes life predictable rather than random. In order to function, human beings must have a reasonable level of ability to predict how their behavior will affect what happens to them. (p. 55)

Northrup (1989) argues that "when a conflict between or among parties involves a core sense of identity..., the conflict tends to be intractable" (p. 55). Intractability is described by Pearce and Littlejohn (1997) as a general characteristic of moral conflicts. The authors state,

"Moral conflicts are intractable.... [B]ecause they are self sustaining.... [And] because, ironically, perpetuating the conflict is seen as virtuous by those involved" (pp. 68-69). Moral conflicts such as social movements are self-sustaining because new causes for conflict are generated by the actions within the conflict itself. The perpetuation of the conflict is seen as virtuous because rather than seeking solutions, the participants derive important aspects of their identity from being warriors in a battle to protect the predictability of their world. Social movements often display the characteristics of intractability, which warrants further inquiry into the dynamics of identity in the escalation of social conflicts in order to determine the requirements of a social movement leader.

Hunter (1991) notes that conflicts such as social movements and culture wars emerge over "fundamentally different conceptions of moral authority, over different ideas and beliefs about truth, the good, obligation to one another, the nature of community, and so on" (p. 49). These fundamental differences in morals, ideas, beliefs, and definitions of truth and community are what Kelly (1955) called "core constructs." Northrup (1989) summarizes Kelly's (1955) conception of core constructs and the power that these constructs play in individual and group identity as follows:

Core constructs are of particular importance for organizing a person's approach to life and the roles he or she plays (the sense of self). They govern our basic maintenance processes enabling us to maintain a sense of identity and of continuing existence without which the unpredictability of the world would be terrifying. Most importantly, core constructs cannot be changed without disturbing the very roots of our being. (p. 64-65)

When core constructs are invalidated by incoming information from others, the individual's identity experiences threat. Threat is a state that is unfavorable to the formation of new constructs. So, if a person's core sense of self, the identity, is threatened by the demands, behavior, or identity of another person, Northrup (1989) contends, "then psychic or even physical annihilation will seem to be imminent. Severe conflict will ensue" (p. 65).

It is interesting to note that Northrup (1989) uses *annihilate* in the physical sense "to cause to cease to exist," and as "to reduce to nothing," "to destroy the substance or force of," and as "to regard as of no consequence" (p. 65). In the last sense of its meaning, a person's fear of continued but meaningless or powerless existence may be just as threatening as a physical threat. In either case, the response is immediate and extreme for the purpose of maintaining the identity.

The dynamics that have been discussed can also happen as a group phenomenon. Northrup (1989) summarizes Lewin's (1948) contention that in understanding the formation of groups, factors such as interpersonal attraction are less important than other unit-forming variables such as a common fate or shared threat. Northrup (1989) posits that "an interdependence of fate is closely related to the identity of the group" (p. 66). Escalation of a conflict frequently results due to the threat of losing a construct which an individual or group holds central to its identity. The role of identity in the escalation of intractable conflicts occurs in a series of stages: threat, distortion, rigidification, and collusion.

Threat occurs in the course of a relationship between parties when "an event occurs that is perceived as invalidating to the core sense of identity" (Northrup, 1989, p. 68). Northrup (1989) argues that the party perceiving invalidation infers that the loss of this aspect of the

self inevitably will result in "the loss of self, psychic annihilation in a sense" (p. 69). Most important to the current study is the point made by Davidson and Montville (1982), that when experiencing threat, "unless each side is assured that its own existence is secure, neither can be expected to make a move to accept the other" (pp. 153-154).

According to Northrup (1989), "distortion is a psychological response to threat" (p. 69). Kelly (1955) terms this process "aggression" in that a person aggressively forces meanings on the construct system in order to deal with the threat of invalidation. Incoming information is distorted by the perceiver in order to maintain the core sense of identity. This stage can be summed up as the forcing of meaning on events that is inconsistent with reality.

Rigidification is a process of crystallization and hardening what is construed as self and not self. In other words, an individual or group experiencing events that are perceived as invalidating to core constructs of identity tries to put distance between the self and the threat. Northrup (1989) points out, "It is significant that not only the behaviors or demands of the other party are construed as threatening, but also the beliefs, or even characteristics of the other which are not related to the original threat ... become interpreted as threatening" (p. 70).

In this stage of escalation self and other become mutually exclusive categories. Rhetoricians call this stage of escalation "polarization" (Bowers, Ochs, & Jensen, 1993; Stewart, Smith, & Denton Jr., 1994). Self, whether an individual or group, is construed as good and other as bad. Turner (1982) suggests that this group process accounts for stereotyping, which leads to the homogenization and depersonalization of others. This was discussed previously as "demonization" or "dehumanization" of the other.

Hostile acts, rejections, and criticism of the other, become the dominant forms of external communication between the parties at the collusion stage. Northrup (1989) states, "both parties begin to behave in ways that are consistent with maintaining the conflict. In a sense, they collude in prolonging the conflictual relationship" (p. 75). At this stage, the prospect of ending the conflict threatens to invalidate the self, the conflict itself has become a part of their identity.

An understanding of the role of identity in the escalation of intractable conflicts such as social movements is a necessary requirement for the postmodern social movement leader. This understanding, in conjunction with an understanding of how the disputants view the conflict and an understanding of the pattern in which the disputants express difference in conflict will enable a researcher, critic, policy maker, dissent group leader, or establishment leader to more effectively assess the directionality of a social movement and make the appropriate choices based on the rhetoric of the conflict so that it can be managed toward constructive ends.

### Problems

Pearce and Littlejohn (1997) approach moral conflicts such as social movements as "a precarious pattern of interaction" (p. 77). This pattern is guided by three principles of communication: communication is a process of making and doing; communication is contextual; and communication is a process of coordination. What follows is an analysis of these principles as they apply to the problems that face a social movement leader in managing conflict situations.

### A Process of Making and Doing

In order to understand the communication that occurs in a social movement, a person must inquire into what is made and what is done when it occurs. When a social movement leader uses agitation to attract attention to a perceived exigency, a reality is created in which the exigency is a defining quality to the relationship that develops between the dissent group and the establishment. What is done can be a variety of destructive actions such as: arguing, threatening, showing weapons, name-calling, beating, shooting, burning, and bombing. Or what is done can be productive actions such as: discussion, evaluation, self reflection, and collaborative discourse.

### Contextual

A person can never comprehend exactly what is being made or what is being done in the abstract because the meanings of communication are dependent on context. Often, a social movement leader has the intent of protecting human rights, resisting oppression, or fighting hate, but what is made in the context is construed by the establishment as something malicious and diabolic. As a result of what is made, what is done becomes destructive.

A formidable challenge confronting the social movement leader is how to create a context in which what is made results in constructive acts that are done, or how to express dissent without creating a reality in which violence seems a logical response. It seems that in the course of social movement rhetoric, a time comes when the decision to use methods beyond normal discursive means changes the context of the conflict. This fork in the road can lead to militance, or utilize the constructive power of language to transform the conflict.

### A Process of Coordination

To Sillars (1980), inquiry into the coordination of messages in a social movement is attending to "the environment in which the message is given, including other conflicting and supporting messages" (p. 29). Pearce and Cronen (1980) agree with Sillars and posit that due to the process of coordination that occurs in creating meaning, the meaning of an act-- what is made and done--depends in large part on the response it elicits. The relationship can be understood as a sequence of acts, meanings, and contexts. Action within context "A" affects meaning "A," action #2 results from meaning "A" which establishes context "B," which affects meaning "B," action #3 results from and meaning "B" which establishes context "C," which affects meaning "C," action #4 results from meaning "C," and the sequence continues ad infinitum. Each act one performs is the result of, and the entrance to, a context. What the dissent group and the establishment are doing and making are determined in part by what they did and made before, which establishes a basis for understanding what they will do and make next.

The evolution of conflict is often illusive, and distinguishing between a tractable form of conflict and an intractable, moral conflict is crucial. The failure to recognize the intractability or moral basis of a social movement can result in disastrous consequences. Like trying to speak a foreign language without training, the social movement leader and establishment will construe meanings very different from those intended by the opposition which will inevitably exacerbate the conflict by beginning the sequence described above within a context built from faulty meaning. This determination is vital to the use of effective strategies to manage social movement conflict.

The leader must be able to recognize the phases, or the life-cycle, of a movement.

Griffin (1952) demarcated three distinct periods of a social movement: 1) an inception period, 2) a period of rhetorical crisis, and, 3) a period of consummation. Similarly, Stewart, Smith, and Denton Jr. (1994) described the life-cycle of a movement as a progression through the stages of genesis, social unrest, enthusiastic mobilization, and maintenance.

The ultimate goal of transcendent rhetorical strategies is to avoid violence and death as the result of a social movement. In order to achieve this goal, transcendent strategies must be utilized at the most opportune time to maximize the likelihood of effectiveness. This time is Griffin's period of inception or Stewart, Smith, and Denton Jr.'s genesis stage. Griffin (1969) described the dialectical opposition which constitutes the period of inception as, "the axe raised to its full height, and permitted to fall; or less militantly, the vernal bud from which the movement will unfold into flower" (p. 463). The current essay aspires to be a way to analyze an action plan for the latter and a means to avoid the former.

Most importantly, a leader must understand the limitations of transcendent rhetorical strategies. The opposition may be led or comprised of true believers. According to Hoffer (1951), the true believer is a fanatic that is "mentally cocky, and hence barren of new beginnings. At the root of his cockiness is the conviction that life and the universe conform to a simple formula—his formula" (p. 156). Hoffer (1951) states that "[t]he fanatical state of mind by itself can stifle all forms of creative work" (p. 155). Dialogue with the opposition, a necessity of transcendent strategies, becomes impossible because "[i]n the eyes of the true believer, people who have no holy cause are without backbone and character—a pushover for men of faith .... [who only] recognize and respect each other's strength" (pp. 162-163).



The true believer uses every device "to cut off the faithful from intercourse with unbelievers" (Hoffer, 1951, p. 104), thus paralyzing any efforts to achieve the creative act of transcendence. Due to the fanatic's stifled creativity, obstruction of communication with the opposition, and selective recognition and respect only for those who display strength, transcendent strategies become futile. This futility results because the true believer is stuck in immutable persuasive and coercive rhetorical strategies based on a certainty that her/his worldview is complete, possessing all the facts and in need of no additional information, rather than provisional.

The fanatic can take the form of a frustrated dissent group leader, an inordinately selfish establishment leader, or the combination of these traits on either side of a conflict with political ambitions. In such case, TLCA can be utilized to predict impending violence but may be unable to aid in its avoidance. Although, this predictive function should be used only as a secondary path after exhausting all possibilities to create avenues for transcendence. Unfortunately, TLCA is not a panacea to fanaticism.

### Strategies

Based on the problems presented in the foregoing discussion, it becomes clear that the demands on a social movement leader often present paradoxical circumstances. How one adapts strategies to these demands constitutes the impetus from which the constructive or destructive directionality of a social movement is determined. Different forms of conflict, or the evolution of a conflict, call for distinct strategies for effective management. In the postmodern era, the most fitting delineation of strategies is persuasive and transcendent.

### Persuasive Strategies

Persuasive strategies are most effective in confronting the demands of normal or tractable forms of conflict. Rorty (1979) discussed normal discourse, a form of discourse which is appropriate and effective when disputants are using the agreed upon rules of one language game. This unitary arrangement of conventions and values is what Aristotle had in mind when he conceived his form of rhetoric. This form of discourse is fitting in circumstances of social movement conflict in which one agitates based on "vertical deviance." Bowers, Ochs, and Jensen (1993) state, "The issues in vertical deviance are easy to understand because they are based on a single value system. The goal of the agitator is to win by making his case as clear as possible" (p. 7). Dissent group persuasive rhetorical strategies for agitation include: petition of the establishment, promulgation, solidification, polarization, nonviolent resistance, escalation/confrontation, and Gandhi and guerilla (Bowers, Ochs, & Jensen, 1993, p. 19). Also of great importance to the current study, establishment persuasive rhetorical strategies for control include: avoidance, suppression, adjustment, and capitulation (Bowers, Ochs, & Jensen, 1993, p. 49).

These persuasive rhetorical strategies, when used by either side of a conflict, are sufficient when the conflict's circumstance is similar to the conflicts experienced in Aristotle's ancient world which had only one accepted arrangement of moral conventions. Such conflicts Northrup (1989) calls tractable conflicts. Northrup (1989) describes the features of tractable conflicts as follows:

A tractable conflict may have several conflict-mitigating features. Communication is generally open between parties. Parties are usually flexible to some degree in their

ability to reformulate issues and to formulate possible solutions. They are likely to accept the legitimacy of the other party, even though they may disagree on specific solutions. The process of resolution is likely to be characterized by some degree of goodwill between parties, a perception of the conflict as a common problem to be worked out, a willingness to generate several possible options for settlement, and a desire to find a solution that meets the needs and interests of both parties. (p. 62)

This conflict orientation shows a provisional relationship between the disputants reflective of Buber's (1958) I-Thou connection. In the I-Thou relationship, disputants treat each other as ends rather than as means to be manipulated. This association invites and allows dialogue, and opens the disputants up to one another with the intention of creating a living mutual relationship.

In summary, persuasive strategies are effective to confront the demands of normal, tractable social movement conflicts in which agitation is based on vertical deviance and the goal of winning can be accomplished by making clear and logical appeals. Unfortunately, the preponderance of social movements occur between disputants with incommensurate normal discourses and the agitation of these movements is based on lateral deviance. Bowers, Ochs, and Jensen (1993) state that, "Agitation based on lateral deviance occurs when the agitators dispute the value system itself" (p. 7). This values orientation based on conflicting moral orders is reflected in Cathcart's (1972) distinction, Wilkinson's (1976) redefinition, Hahn and Gonchar's (1971) ethos dimension, and Stewart, Smith, and Denton Jr.'s (1994) definition, evidencing the need for transcendent strategies to manage social movement conflicts.

### Transcendent Strategies

Rorty (1979) posits the need for abnormal discourse when the participant's normal discourses are incommensurate with one another. In this case, disputants do not agree about what counts as data or whether a particular piece of data supports, denies, or is irrelevant to a hypothesis. Only those who are firmly situated in a shared paradigm can completely agree on truth claims or ways of making truth. Those with open minds who understand that there are other paradigms and that those other paradigms are incommensurate are faced with a sort of crisis of confidence in their own conventions, a problem in communication, and often, a shift to a new paradigm. Rorty (1979) claims that the results of this type of discourse from outside a person's own paradigm can produce results akin to "intellectual revolution" (p. 320). Abnormal discourse is a transcendent strategy that is necessary but not sufficient to meet the needs of moral conflicts.

Rhetorical eloquence has long been revered as the exemplar use of discourse, however, this form of eloquence is limited to the confines of a shared moral community. Within a moral community, rhetorical eloquence invokes attention, respect, and the compliance of those who attend. Unfortunately, between moral communities, rhetorical eloquence can create misunderstandings, frustration, anger, and ultimately violence. Because of this potential for violence, the choice to use transcendent discourse is imperative to the management of moral conflicts.

According to philosopher Richard Bernstein (1985), incommensurate and incompatible ways of thinking are not normally comparable because from within either system there is no conceptual or logical frame sufficient to account for their differences. Therefore, such

frames must be created outside the conflicting positions. This is the creative act of transcendence. This move from experiencing conflict from within a person's own moral order to an outside objective position, is what Cooper (1981) calls taking an "antidote" to an individual's own morality to understand how it compares with other, diverse forms (p. 31). In this manner, a leader can transcend the incommensurate discourses of a social movement. However, this is just the beginning of the many unique characteristics of transcendent discourse.

Transcendent discourse is dialogic. Traditional Aristotelian rhetorical discourse represents the quintessential monologue. Pearce (1993) summarizes the distinctive features of dialogue by comparing it with monologue:

In monologue, questions are asked to gain a speaking turn or to make a point; in dialogue, questions are asked to invite an answer. In monologue, one speaks in order to impress or impact on others; in dialogue, one speaks in order to take a turn to an interpersonal process that affects all participants. (p. 61)

Hence, when an individual enters into dialogue with another, she/he risks being changed. This is described by Buber (1965) as a willingness to yield or a "turning toward" the other. Bernstein (1992) says this discourse "presupposes moral virtues—a certain 'good will'—at least in the willingness to really listen, to seek to understand what is genuinely other, different, alien, and the courage to risk one's more cherished prejudgments' (p. 51). This type of open-minded conversation in the form of dialogue represents a deliberative form of rhetoric. Confronting the demands of conflict from a deliberative rhetorical perspective has been documented in various forms.

Frentz (1985) proposes a dialogic form of discourse that he labelled "rhetorical conversation." Frentz (1985) claims that Aristotelian rhetorical arguments appear in the guise of rationality, but are derived by today's autonomous moral agents from premises divorced from the moral traditions that originally gave them meaning. Consequently, there appears to be no rational way to decide between competing moral positions, causing moral arguments to become frustrated and interminable. Frentz (1985) states that from a postmodern perspective, Aristotelian moral arguments can no longer be generated from "impersonal premises concerning the optimal good for humankind" (p. 2), and that their authoritative force can no longer be validated rationally. The authoritative force for moral arguments in the postmodern era must be found inside the disputants themselves. The author claims the rhetorical conversation accomplishes this feat. Frentz (1985) describes his form of deliberative dialogue as a rhetorical conversation, which is "a narrative episode in which a conflict over opposing moral viewpoints re-unites the agents with their own moral histories, with the moral traditions of which they are a part" (p. 4).

Rhetorical conversations cultivate the internal authority for moral arguments by focusing on a change of context, and a change in the relationship between the disputants. According to Frentz and Farrell's (1981) language-action paradigm, moral arguments function in three contexts: encounter contexts, episodic contexts, and form of life contexts. The encounter context is simply the mutual awareness of the other's presence. The episodic context is determined by the conversation, defined as a rule conforming sequence of symbolic acts. Finally, form of life contexts are ranges of shared experiences among agents including cultural, institutional, and interpersonal dimensions. Frentz (1985) posits that meanings

change according to the context within which the conversation takes place. By shifting episodic contexts into form of life contexts, meanings tend to become more coordinated, thus facilitating greater cooperation and mutual respect.

Another noteworthy transcendent strategy in the form of a deliberative rhetoric is "invitational rhetoric." According to Foss and Griffin (1995), normal rhetorical strategies disallow "the possibility that audience members are content with the belief systems they have developed, function happily with them, and do not perceive a need to change" (p. 3). This dialogic rhetoric assumes that audience members are the authorities of their own lives and respects other people's capacities to constitute their worlds in the way they choose. Foss and Griffin (1995) state, "Invitational rhetoric is an invitation to understanding as a means to create a relationship rooted in equality, immanent value, and self-determination" (p. 5). The invitation is for the audience to enter the rhetor's world and see it as the rhetor does. Acknowledgement and validation of difference lead to the goal of understanding and appreciation of another's perspective. Ideas are exchanged that may lead to transformation of one or both of the parties. Invitational rhetors display a willingness to call into question the beliefs they consider most inviolate and to qualify those beliefs. Transcendence occurs through the creation of external conditions (i.e. contexts) that allow the offering of perspectives in an atmosphere of respect, and through the fostering of reciprocal relations between disputants.

Fine (1991) discusses a similar form of transcendent discourse from intercultural communication as a two-part discourse of resistance and harmony. Resistance is a postmodern move in which texts are deconstructed and privileged meanings resisted.

Harmony is a process of constructing a meta-language with which diverse and conflicting voices can communicate. Harmony is not possible until resistance is successfully accomplished. Consequently, "one cannot be comparative and dialogic until the forces of truth and privilege are set aside" (Freeman et al., 1992, p. 323).

Freeman, Littlejohn, and Pearce (1992) propose a theory of discourse called "transcendent eloquence." According to the authors, "transcendent eloquence involves discourse designed to find the basic assumptions about knowledge, being, and values that lie behind the statements made by disputants on various sides of the issues on which the outward struggle occurs" (p. 320). This form of dialogic discourse enables people to talk with one another about their assumptive differences and uncovers the relative powers and limits of each side. The discourse consists of statements designed to explore rather than to convince, within an attitude of inclusivity and interaction. Transcendent eloquence deconstructs the truth value of conflicting claims in order to allay assumed truths.

Any of the aforementioned strategies may be used to reduce harmful or destructive patterns of interaction. Violence becomes more likely in situations in which the opposing sides dehumanize or demonize one another. This objectification is what Buber (1958) describes as an I-It relationship in which people take up weapons of words that lead to acts of atrocity. Relief from the risks that come along with objectification of the other can be provided by a change of context, and the development of a constructive relationship with the other. Of all the properties of transcendent discourse, these emerge as the fundamental aims or conditions to be sought in formulating strategies to confront the demands of a social movement based on lateral deviance.



The tactic that should be used to bring about a change of context has been described in numerous ways. Foss and Griffin (1995) call this tactic "re-sourcement," which the authors describe as "a response made by a rhetor according to a framework, assumptions, or principles other than those suggested in the precipitating message" (p. 9). The context is removed from the individual or system that provided the initial context for the issue. By using re-sourcement, a means of communicating from a perspective that is different from that of the individual who produced the message can be achieved. Foss and Griffin (1995) state that, "Re-sourcement involves the two processes of disengagement from the framework, system, or principles embedded in the precipitating message and the creative development of a response so that the issue is framed differently" (p. 9). In sum, re-sourcement opens up new possibilities for creation of meaning which give rhetors more options than were previously available within the restrictions of their own frameworks.

Rorty (1979) describes a similar two-part process as the generation of new vocabularies: "The idea is to get a vocabulary which is (at the moment) incommensurable with the old in order to draw attention away from the issues stated in the old" (p. 114). Rorty implies that by using a language from a synthetic context created by the rhetor, the other individual or party is aided in seeing beyond mere positional issues, thus creating a new context which extends opportunities for deliberation to occur.

Forget (1989) describes this creation of a synthetic context that Foss and Griffin (1995) call re-sourcement, or Rorty (1979) calls the generation of new vocabularies, as "a swerve, a leap to the other side [of our own paradigm], which lets us ... deploy another logic or system" (p. 136). Burbules and Rice (1991) describe a similar process they call a "fresh standpoint."

The authors state:

Both as individuals and groups, we can broaden and enrich our self-understanding by considering our beliefs, values, and actions from a fresh standpoint. This endeavor can yield... 'reflective moments,' opportunities for deeper self-understanding and a release from the commonsense assumptions that typically frame our daily existence. This does not require embracing the other standpoint or letting it supersede our own, but it does stress the value of incorporating that perspective into a more complex and multifaceted framework of understanding. (p. 405)

Burbules and Rice (1991) continue this discussion by positing that this type of communication "requires us to re-examine our own presuppositions and to compare them against quite different ones; to make us less dogmatic about the belief that the way the world appears to us is not necessarily the way the world is" (p. 405).

The sequence that Fine (1991) describes as "resistance" and "harmony," depicts the conditional of context and relationship development. If new synthetic contexts are successfully created outside the frameworks of the disputants, then the development of a reciprocal relationship may occur. Only by affirming the antecedent condition may the consequent relationship occur. Through re-sourcement, generation of new vocabularies, or a fresh standpoint, an individual can affirm the antecedent condition of synthetic context creation.

The change that occurs as the result of discourse may be considered in levels. The levels signify the proximity of the change to the core identity of the individuals or groups enmeshed in the conflict. According to Northrup (1989), "Level one involves changes that are

peripheral to the identities of the parties, such as changes in a specific condition external to the parties or a specific behavior of one or both (or all) of the parties" (p. 77). The second level Northrup describes "is less peripheral, although not core to the identities of the parties, and it involves change in the dynamics of the relationship between the parties" (p. 77).

Persuasive strategies result in level one change in the individuals or groups involved in a conflict. According to Bowers, Ochs, and Jensen (1993) these customary strategies include agitation in the form of petition of the establishment, promulgation, solidification, polarization, nonviolent resistance, escalation/confrontation, and Gandhi and guerrilla.

Transcendent strategies result in level two changes in the individuals or groups involved in a conflict. These creative methods deconstruct assumed truths and create new contexts and meanings, which can result in a change in the relationship between the parties. Transcendent strategies suggest a form of discourse that can overcome the pattern of rhetoric, diatribe, and violence that often occurs in social movements. Additionally, the winning that is associated with persuasive rhetorical strategies to defeat the opposition's arguments and positions is redefined by the use of transcendent strategies. Often, winning by this redefinition means simply to circumvent violence and death.

### Chapter Summary

This chapter used Simons' (1970) framework to present a theory for leaders to transcend moral differences in a social movement. Requirements including an awareness of levels of consciousness, patterns of expressing conflict, and the dynamics of identity in personal and social conflict, were illuminated. Problems that a social movement leader may encounter

include: creation of a synthetic context, distinguishing between intractable and tractable conflicts, recognition of the distinct periods, or the life-cycle, of a movement, and the limits of transcendent strategies to confront the immutable persuasive and coercive strategies of the "true believer." Finally, persuasive and transcendent strategies were presented so that a leader could adapt to the demands of different forms of social movement conflict. How an individual adapts strategies to these demands constitutes the impetus from which the constructive or destructive directionality of a social movement will be determined.

In the following chapter of this essay, subsequent to two retrospective analyses of anti-establishment movements to illustrate the utility of the requirements of TLCA, a current social movement in New York City engineered by minority communities in response to the New York Police Department and Mayor Rudolph Giuliani's policing policies in minority neighborhoods will be analyzed. Still in its inception phase, this social movement is ideal to illustrate the utility of TLCA to change the direction of a social movement from imminent violence to constructive ends, or at least to predict violence which seems unavoidable due to immutable rhetorical patterns and strategies.

## CHAPTER 4

### CASE STUDIES

In the United States, on three significant occasions since 1980, an African-American man has been the perceived victim of extreme and unjustified brutality inflicted by police officers. Two of those incidents resulted in violence, destruction, and death, in the form of riots. In neither case did the rioting occur immediately after the alleged incident. Instead, the rioting occurred during the consummation, or enthusiastic mobilization, period of the respective social movements that accompanied the alleged incidents. The third incident, and its accompanying social movement, recently transpired in New York City.

#### Previous Incidents

What follows is a retrospective look at two previous social movements against the police establishment which concluded with violent and deadly riots. The former concluded with the Miami riot of 1980, spurred by the killing of Arthur McDuffie by four Dade County Public Safety Department (PSD) officers; the latter concluded with the Los Angeles riot of 1992, evoked by the televised beating of Rodney King by four Los Angeles Police Department (LAPD) officers. The reason for this hindsight is to provide support for the need to analyze social movements using transcendent leader centered analysis. This study argues that had the rhetoric of these previous social movements been concurrently analyzed using

this framework, the violence and death which resulted from the enthusiastic mobilization of these social movements may have been avoided or at least predicted and adequately prepared for. To illustrate this point, the requirements of TLCA will be applied to both incidents.

### The McDuffie Incident

According to Porter and Dunn (1984), at 1:15 a.m. on December 17, 1979, Arthur McDuffie, a divorced, thirty-three year old African-American insurance agent, and the father of two small children, was seen by PSD Sergeant Ira Diggs heading north on North Miami Avenue. McDuffie had spent the evening with a female friend, and was riding his cousin's Kawasaki 900 motorcycle toward his home. After observing the rider of the Kawasaki 900 fail to completely stop at a red light, Sergeant Diggs pursued the rider to make what appeared to be a routine traffic stop. But, for unknown reasons, McDuffie tried to flee. Later reports imply his attempt to flee was because his license had been revoked. Whatever his motivation, McDuffie was soon being pursued by more than a dozen police cars in a chase that lasted eight minutes and at times exceeded 100 miles per hour (pp. 26-33).

McDuffie finally stopped at the corner of North Miami Avenue and 38th Street as police units swarmed in. Units from PSD, and later from the Miami Police Department, surrounded McDuffie. All twelve officers present at the scene were white. According to Assistant State Attorney George Voss--the prosecutor of the case--after a three minute scuffle, during which it was alleged that McDuffie put up a fight, McDuffie lay immobile. His head was split open and his brain was swelling uncontrollably. McDuffie died four days later in a Miami hospital from complications attributed to the beating (Porter & Dunn, 1984, pp. 33-34).

On December 24, the first article about the inconsistencies in the police officers' reports of McDuffie's death appeared in the Miami Herald. Apparently, there was some kind of conspiracy involving the circumstances of McDuffie's death. Officer Charles Veverka, one of the dozen officers present at the scene of McDuffie's death, came forward on December 26 and confessed to a police coverup. After hearing Veverka's account, Dade County Public Safety Department Director Bobby Jones announced to the press that four police officers had been suspended in connection with the death of Arthur McDuffie (Porter & Dunn, 1984, pp. 35-36).

On December 28, State Attorney Janet Reno announced that the four officers--Alex Marrero, Ira Diggs, Michael Watts, and William Hanlon--were charged with manslaughter and tampering with evidence. The next day, Arthur McDuffie was buried wearing his full-dress U.S. Marine Corps uniform. The event was covered by local television stations. The next day, a gripping picture of Eula McDuffie, Arthur's mother, appeared on the front page of the Miami Herald (Porter & Dunn, 1984, pp. 36-37). Eula McDuffie said to the newspaper, "They beat my son like a dog.... They beat him just because he was riding a motorcycle and because he was black" ("Cyclist's death," 1979, p. 1B).

According to Porter and Dunn (1984), the announcement that the police officers were only being charged with manslaughter caused the local black newspapers and radio stations to run angry commentaries that accused Janet Reno of racism and called for her resignation. Officer Veverka, and Officer Mark Mier, implicated Alex Marrero as the police officer who beat McDuffie to death with a 14-inch Kelite flashlight. Reno raised the charge against Marrero on January 1, 1980, to second-degree murder due to the implication (p. 37).

On January 3, around 40 people, mostly black, marched in protest of the McDuffie killing in front of the county's Criminal Justice building. They carried signs reading "Justice for McDuffie," and "Right the Unrightable Wrong" (Porter & Dunn, 1984, p. 37). The National Association for the Advancement of Colored People (NAACP) brought national attention to the incident and the demonstrations. Newsweek carried a story on the incident and the demonstrations in that week's edition of the nationally circulated magazine.

Due to the thirty-four peremptory challenges allowed the defense team in such a case, an all-white jury was chosen to deliberate the case. The demonstrations continued. According to Porter and Dunn (1984), parts of the trial testimony were carried on the evening news. Veverka's testimony, including his graphic demonstration of the beating and how Sergeant Evans tried to cover up the murder made a conviction seem certain to the television audience. Despite damning testimony by multiple witnesses, Marrero's defense attorney attempted to convince the all-white jury that there was enough doubt present not to convict Marrero of murder (pp. 38-42).

After almost four weeks of testimony, the case went to the jury. After such a long, complicated trial, it seemed doubtful that the jury would return a verdict very quickly. But, after only two hours and forty-five minutes of deliberation, the jury returned to the courtroom. All of the defendants, including Marrero, were found not-guilty on all charges against them.

At 2:42 p.m. on May 17, 1980, the news was disseminated over the Associated Press wire and most local Miami radio stations interrupted their regular programming to report the verdicts. Over the next three days and nights a riot ensued that resulted in 18 dead, eighty



million dollars in property damage, and 1,100 arrests (Porter & Dunn, 1984, p. xiii). Most importantly, what set this riot apart from similar disturbances of the late 1960s in Watts, Newark, and Detroit, widely regarded as "property riots," was that in Miami, "attacking and killing white people was the main objective of the riot" (Porter & Dunn, 1984, p. xiii).

The Miami riot exemplifies the need for alternative means to analyze the rhetoric of a social movement. The enthusiastic mobilization of this anti-establishment movement, in the form of a riot, may have been prevented had scholars or policy makers used TLCA to concurrently analyze the rhetoric and strategies of the movement. In the following pages this study will analyze the anti-establishment movement against the police in Miami in the late 1970s which culminated with the 1980 riot in order to show that had this been done during the inception or genesis period of the movement the riot could have been prevented or adequately prepared for.

### Analysis

The initial consideration in analyzing the rhetoric of the Miami anti-establishment movement is at which level of consciousness the dissent group viewed the conflict. Throughout this movement the modernist (Level 4) view, in which realities are given meaning within the confines of a system, is apparent. This is illustrated by the frustration experienced by the black community and "the belief widely held among blacks that they could never expect to get fair treatment from the criminal justice system of Dade County" (Porter & Dunn, 1984, p. 27). This view was further confirmed to the black community when the jury chosen was comprised of entirely white members. A letter sent to the Miami

Times, published weeks prior to the verdict of the McDuffie trial, expressed the black community's view. It stated, "I cannot recall that in Dade County there has ever been a white person on trial with an all-black jury.... The system of justice is ... a paradox. The color issue still comes out" ("Community reacts," 1980, p. 4).

The disputants' pattern of expressing conflict initially exhibited the use of persuasion (Pattern 3) to express the conflict. This was shown in newspaper letters to the editor, voiced on local black radio stations, and by the signs displayed at numerous demonstrations. Messages such as "Justice for McDuffie," and "Right the Unrightable Wrong," eventually became repressive due to the establishment's inaction to the black community's persuasive expressions of the conflict. Commentaries labelling State Attorney Janet Reno a racist illustrate the vilification representative of repression (Pattern 4). According to Vanderford (1989), the rhetorical strategy of vilification attempts to "discredit adversaries by characterizing them as ungenuine and malevolent advocates" (p. 166). In this pattern of expression, a rhetorical schism between the disputants makes the likelihood of a peaceful resolution to the conflict minimal.

The dynamic of identity for the black community is paramount to analyzing this movement. The black community's interdependence of fate was based on many perceived injustices brought forth by the criminal justice system. Porter and Dunn (1984) state,

On every street corner the litany of perceived wrongs was repeated: the Johnny Jones case, the Nathaniel LaFleur case, the case of the black youth in Hialeah who was 'killed for taking a piss,' [and] the constant mistreatment and harassment of black men by the police. (p. 49)

In February 1980, Dade School Superintendent Johnny Jones was found guilty of second-degree grand theft and sentenced to three years in prison by an all-white jury for allegedly embezzling plumbing fixtures from the school district to use in a house that he was building (Porter & Dunn, 1984, pp. 31-32). Six months prior to Jones, and less than a year before the McDuffie beating, Nathaniel Lafleur and his twenty-two-year-old son were arrested and beaten by PSD officers in a raid of Lafleur's house for drugs. No drugs were found, and as it turned out, the police had raided the wrong house on the block where Lafleur lived. However, no charges of wrongdoing were assessed against the white officers involved in the botched arrest and brutal beatings (Porter & Dunn, 1984, pp. 27-28).

In September 1979, Randy Heath a twenty-two-year-old black man was driving with his sister Theresa through a warehouse district in Hialeah when he stopped to urinate. There were no restrooms within miles, so Heath chose a spot at the back wall of a warehouse. An officer who claimed that Heath appeared to be a burglar, killed the black man execution-style with a point-blank gunshot to the back of Heath's head. Theresa Heath witnessed the incident, and promptly sped away from the scene. According to Porter and Dunn (1984), at trial, the judge cited the officer "for negligence in mishandling his weapon but found no criminal wrongdoing" (p. 29).

As is evidenced by these alleged accounts, the black interdependence of fate in perceiving the criminal justice system in Dade County as a "paradox" was not unfounded. This collective perception is core among the concepts that constitute the group identity of the black community. Each of these events invalidated the black community's core sense of identity. Together, these events threatened to annihilate the group's identity. Due to this

extreme threat to the group's collective identity, collusion occurred. When collusion occurs, hostile acts, rejections, and criticism of the other become the dominant forms of communication between the parties of a conflict. Once the escalation of the conflict based on the dynamic of identity has reached collusion, the prospect of ending the conflict threatens to invalidate the group's sense of self in that the conflict itself has become part of their identity.

The problem of creating a context conducive to constructive acts rather than destructive acts is severe in light of the McDuffie verdict and the history of perceived injustices that preceded it. Unfortunately, the perceived exigence of the black community was not viewed as legitimate or significant by the establishment. Due to incommensurability regarding what counted as meaningful or important, this conflict showed the characteristics of an intractable, moral conflict. The creation of a constructive context, and the use of strategies effective in managing the conflict of an intractable, or moral, conflict would only prevent violence in the case that they were enacted in the inception phase of the movement.

In retrospect, had TLCA been employed concurrent to the Miami anti-establishment movement during the inception period, leaders from the Criminal Justice System could have scheduled meetings with the black community representatives so that dialogue could be exchanged. Constructive contexts could have been created through transcendent strategies, and the violent riot may have been avoided. However, even with this method of analysis available, the leaders may have remained steadfast in their positions and immutable in their persuasive rhetorical patterns, which was the case. The dissent movement progressed cumulatively through persuasive rhetorical strategies and ultimately resorted to aggression.

This tragic result was caused by the establishment's steadfast strategy of avoidance, shown by its unwillingness to acknowledge the legitimacy of the dissent movement's perceived exigency, and the lack of clear leadership to organize and focus the dissent movement.

Even in this case, TLCA could have served a useful function. Although the violence of this riot may not have been avoided, it could have been better prepared for by the establishment. Based on the dissent group's modernist (Level 4) view of conflict, their repressive (Pattern 4) pattern of expressing the conflict, and dynamics of the dissent group's collective identity which led the group to collusion in the escalation of the conflict, a prudent conclusion for the establishment would have been to prepare for the worst possible scenario, a riot. Adequate preparation for the seemingly inevitable violence may have prevented the loss of lives that occurred because of the uncontrolled violence that ensued.

In such a case, when transcendent strategies are not utilized—for whatever reason—this method of analysis can be useful to achieve a greater understanding of the conflict situation. This understanding can be achieved by assessing how the conflict is understood, how the conflict is expressed, and the role of identity in the escalation of the conflict. Based on these criteria, an accurate prediction of the direction of the conflict can be surmised.

### The Rodney King Incident

According to Cannon (1997), a white Hyundai was clocked on a radar gun at speeds that exceeded 100 miles per hour at 12:30 a.m. on March 3, 1991, by the California Highway Patrol (CHP). The car was headed west on Interstate 210. After a pursuit of nearly ten miles, the car was stopped at a dead-end road in the Foothill subdivision of Los Angeles.

Officers from the Los Angeles Unified School District (LAUSD), and the Los Angeles Police Department (LAPD) responded to the CHP request for backup at the scene. In the Hyundai sat "three black male occupants" (p. 25). The passenger in the back seat and the passenger in the right front seat exited the car and were promptly handcuffed so that police could control the scene. The driver, Rodney Glen King, refused to comply.

According to Cannon (1997), King was "glistening with sweat on a cold night...and waving at the helicopter above" (p. 26). CHP Officer Melanie Singer, who had pursued the Hyundai, now had her gun drawn on the driver. The LAUSD officers followed suit with Singer's action. Cannon (1997) states that at this point, LAPD Sergeant Stacey Koon ordered Singer to back off by commanding, "Stand back. Stand back. We'll handle this" (p. 27). Koon wanted to remove the guns from the situation. At six-foot-five-inches, and 250-pounds, King was a formidable suspect. According to Cannon (1997), Koon said, "had she proceeded, either she was going to shoot Rodney King, or he was going to take her gun away and shoot her" (p. 28).

Koon was a fourteen year veteran on the police force, and in his judgement King had a "glazed ... spaced out look" that he had seen only once in his career. Koon suspected King was on PCP, a substance that makes a person "impervious to pain and inhumanly strong" (Cannon, 1997, p. 29). According to Cannon (1997), Koon made seventeen verbal commands to King to "get down... get your face down" (p. 29). Koon felt that escalation of force was necessary after King's repeated resistance and noncompliance to lawful orders. According to Koon (1992), the levels of force available to LAPD officers were, in progressive order: "presence, verbal commands, the swarm, a TASER, a PR-24 baton, and

finally deadly force-- a gun (p. 64). Koon ordered a swarm, a police tactic involving multiple officers who surround the suspect and force him down by taking hold of his limbs individually. The four officers who swarmed King managed to get him to the ground. Immediately after he was down, King threw off the four officers on his limbs from the prone position with incredible strength.

Koon then decided to use the TASER on King, the next level in the procedure of escalating force with a resistant suspect, but it had little effect on King. According to Koon (1992), the TASER sends 50,000 volts of electricity through a suspect, "enough voltage to take down a 1,200-pound adult bison" (p. 33). Koon again tried the TASER on King, and again King seemed impervious to the 50,000 volts. According to Cannon (1997), King then charged Officer Laurence Powell. Armed only with a PR-24 baton as defense, Powell repeatedly struck King with the PR-24 baton to get King off of him and down to the ground (p. 31).

This the point at which the George Holliday videotaping of the incident began. All the information prior to this moment was not captured by the videotape that the world used to evaluate the Rodney King incident. Koon (1992) summarizes the situation prior to the damning video footage in his account of the events:

All that had taken place--the challenge to Officer Melanie Singer, the refusal to obey lawful commands, the bizarre behavior, the incredible act of strength in throwing off four officers, and the resistance to two 50,000 volt shots of nonlethal electricity--none was captured on the Holliday videotape (p. 39).

### The Videotape

At 12:55 a.m. on March 3, 1991, George Holliday was awakened from his sleep by the sounds of nearby police sirens and the chopping of the propeller from a low flying police helicopter. The man looked out his second floor window and saw a large group of police officers and a large man with his hands on the top of his car. Having recently purchased a video camera, Holliday retrieved the unit from inside his apartment, and videotaped the incident as it progressed. The tape began with a few seconds of fuzzy out-of-focus images, but went on to show a group of LAPD officers inflict 56 baton blows to Rodney King. According to Koon (1992), this 81 second videotape became the third most watched video clip in the history of television, behind the space shuttle Challenger explosion, and the funeral of President John F. Kennedy (p. 40).

Holliday sold the videotape showing the apparent police beating to local television station KTLA, after offering to submit it to the Foothill Division of the Los Angeles Police Department. The reporter that received the tape was Stan Chambers, a veteran local television news reporter. Chambers (1995) recalls, "I had never viewed anything like this before.... I saw an incredible scene of police officers hitting a man with batons, over and over again. The beating didn't stop. It continued at a frenzy. The person was on the ground reeling around, he seemed submissive, but the blows continued" (pp. 6-7).

By the following day, the tape was broadcast locally on KTLA Channel 5 and subsequently on its affiliate, CNN. The reactions were immediate and powerful. The Rodney King video tape forged images into the public's collective consciousness that portrayed LAPD officers as villains who beat a defenseless black motorist. According to



Cannon (1997), the media's portrayal of the incident told ominous "stories about the case ... [which] routinely described the incident as the beating of 'a black motorist' by four white officers, as if King had been out for a quiet Sunday drive" (p. 82).

### Analysis

Anti-police sentiment and an anti-establishment movement against inequalities in the Criminal Justice System have a long history in Los Angeles. The Watts Riot of 1965 functioned as the "triggering event" (Stewart et al., 1994, p. 73) to the long-lived movement. Although less publicly noticed than during the 1965 riot, the movement continued into the 1970s and 1980s in a latent form. Litigation through established means proved the only effective way to keep the movement alive during this time. In 1983, litigation was filed by the American Civil Liberties Union (ACLU) which resulted in a ban on chokeholds by the Los Angeles Police Department after police killed 16 people over a three year period using this method of restraint (Garcia, 1995, p. 20). In 1990, the National Association for the Advancement of Colored People's Legal Defense and Educational Fund filed litigation against the Los Angeles County Sheriff's Department. According to Garcia (1995), the suit alleged that deputies "systematically engaged in the use of excessive force, racial harassment, and illegal searches and seizures" (p. 21).

The videotape of the Rodney King incident transformed the latent movement into its manifest form. This damning video was proof in the collective minds of the black community of the injustices they perceived had been going on for a long time. According to Wallace and Farrell (1992), the black community's perception was expressed verbally by

demonstration participants saying "Black women and men are fair game for ... beating at the hands of Gates' gang, known as the LAPD" (p. 1). Such references to Police Chief Daryl F. Gates implied that he was more of a gang leader than a peace maker to the black community.

Another individual from the black community said of the videotaped King incident that it, "only confirmed my view of policing in L.A. I'm sure it happens all the time ... cops kick the shit out of people and cover it up with phony reports" (Wallace & Farrell, 1992, p. 1). These comments, which symbolize the collective view of the black community, represent a traditionalist view of the conflict between the black community and the police establishment. Disputants with this view (Level 3 Consciousness) of conflict assume ownership of this point-of-view and attempt to sell it to others. This level of conflict consciousness often degrades into frustrated attacks and diatribe. Polarization most typifies this view of conflict.

The black community expressed the conflict by assuming the superiority of their own stories based on what they had witnessed, or seen through the media, and tried to convince others of this knowledge. The black community attempted to persuade by normal means (Pattern 3) with the assumption that what makes sense to them makes sense to out-groups with different perspectives. The establishment either: 1) did not understand the message the black community attempted to convey due to moral incommensurability, or 2) purposefully denied its legitimacy by using the persuasive rhetorical strategy of avoidance. In either case, the stories and arguments used in this pattern of expressing difference were not effective.

The group identity of the black community experienced threat from the perceived police brutality and violence toward black people in Los Angeles made public by the videotape of the King incident. The invalidation of the group's identity escalated the conflict to the

rigidification phase. Through rigidification the black community distanced itself from the establishment so that the group-self and the establishment-other became mutually exclusive of each other. A clear distinction was drawn of self as good and other as bad.

In the period immediately after the videotape became public, while the movement was still in its inception period, the establishment could have taken the initiative to utilize transcendent rhetorical strategies to thwart further escalation of the volatile movement. Instead, the establishment tried for the "big win" representative of a zero-sum game orientation to conflict. From the available persuasive rhetorical control strategies of avoidance, suppression, adjustment, or capitulation, the establishment immediately chose adjustment as its strategy in an attempt to maintain the status quo.

Cannon (1997) states that Los Angeles Police Chief Daryl Gates' initial reaction released to the press read, "To see my officers engaged in what appeared to be excessive use of force, possibly criminally excessive, to see them beat a man with their batons fifty-six times, ... was something I never dreamed I would witness" (p. 24). According to Koon (1992), sensing the media-fed public outrage, Mayor Tom Bradley said, "the people of this city have been slapped in the face by the attitude and bigotry of these officers" (p. 93). Both of these police establishment leaders' comments reflect the persuasive rhetorical control strategy of adjustment in that both leaders attempted to "sacrifice personnel" (Bowers, Ochs, & Jensen, 1993, p. 61).

Both of these politically motivated leaders pointed the finger directly at the officers themselves rather than accepting any fault for the incident. According to Koon (1992), LAPD leadership's attitude became a mentality of "heads will roll" (p. 93). This attitude was

a further attempt to distance themselves as far as rhetorically possible from the officers implicated by the videotape. Gates vowed that, "Los Angeles will not tolerate rogue cops" (Owens, 1994, p. 18). Gates went on to refer to the incident as an "aberration," in an attempt to even further distance himself from the officers who became known as the epitome of the exigencies perceived by the dissent movement. The establishment's leadership kept feeding the media rhetoric that blamed the officers exclusively throughout the trial in an attempt to appear ideologically compatible with the movement.

However, both leaders knew of systemic problems which contributed to this incident. Chief Gates authored the LAPD policy regarding escalation and de-escalation of force to which Sergeant Koon and the other officers adhered. Additionally, Mayor Bradley had been apprised of this policy long before the King incident. The policies and tools available to LAPD officers at the time of the King incident made this scenario virtually inevitable. The jurors shared this knowledge, knowledge that Gates and Bradley failed to address, and the public never was told. This was evidenced by the jury's not-guilty verdicts. A jury spokesman said, "Based upon the testimony, the evidence, and the information provided to us, the officers' actions were well within the scope of Los Angeles Police academy training. They used everything they had at their availability" (Stolberg, 1992, p. 1).

The effect of the announcement of the not-guilty verdicts was immediate. The establishment leaders were assured of a guilty verdict and had utilized strategies solely toward that end. With a guilty verdict, Gates and Bradley would have looked like enforcers of justice for the cause of the movement and the movement would find itself without a cause due to the officers forthcoming imprisonment. According to Cannon (1997), Bradley had not

prepared Los Angeles for a worst case scenario such as a riot, which would have been prudent considering the situation, due to his surety that, "the videotape of the Rodney King beating would produce convictions" (p. 266).

The black community's (Level 3) view of the conflict changed to a modernist view (Level 4) immediately after the announcement of the verdicts. At this level of conflict consciousness, the group saw how one system of thought takes privilege over another, locking the truth into the paradigm of thinking that prevails. In this case, the black community perceived the prevailing truth as the paradigm predicated from an unjust judicial system.

The announcement of the verdicts affected the way that the black community expressed the conflict as well. As Pearce and Littlejohn (1997) state, when the persuasive efforts of rhetorical eloquence fail, the dissent movement's members "enter the frustration phase, and uglier forms of expression result" (p. 117). The black community's way of expressing the conflict changed from the previous (Pattern 3) persuasive expression to the diatribe of repression. Diatribe is a type of dehumanization of the opposition which can make violence seem like a natural and appropriate response.

Comments at this social unrest stage of the movement reflected the changes brought about by the verdicts. Anthony Ellis, a black man who talked bitterly about the message the verdicts sent, said, "This shows you can't trust the justice system.... They just got a new license—any niggers you see you can beat" (Wallace & Farrell, 1992, p. 1). More ominous comments from black community members such as, "There was no justice for Rodney King. Without justice, there will be no peace," and ultimatums such as, "No one in this community

will abide by anything LAPD says anymore," foreshadowed the directionality of the movement toward the more violent forms of expression that would eventuate in the city (Wallace & Farrell, 1992, p. 1).

The further invalidation to the group's identity inflicted by the not-guilty verdicts after the media's inundation of televisions worldwide with the brutal images of the Holliday videotape escalated the group's conflict orientation to the collusion stage. Hostile acts, rejections, and criticisms of the other became the dominant forms of external communication at this stage. The reactions of activists from the National Association for the Advancement of Colored People (NAACP), the American Civil Liberties Union (ACLU), and the Los Angeles Alliance Against Defamation can be summed up by NAACP Executive Director Benjamin L. Hook's comment, "The acquittals ... are outrageous, a mockery of justice" (Wallace & Farrell, 1992, p. 1). Many among the black community of Los Angeles expressed rejection of the verdicts by asking, "How could the videotape lie?," or stating, "If a picture is worth a thousand words, then justice is blind.... I can't believe it" (Wallace & Farrell, 1992, p. 1).

Mayor Tom Bradley further compounded the invalidation of the black community, which led to the collusion stage of conflict escalation, with his immediate reactions to the verdicts. Mayor Bradley said of the verdicts:

I was stunned. I was shocked. I was outraged. I was speechless when I heard the verdict. Today this jury told the world that what we all saw with our own eyes was not a crime. The jury's verdict will never blind the world to what we saw on the videotape. Nobody could have anticipated this verdict. (Koon, 1992, p. 205)

The announcement of the verdicts prompted a degradation in how the black community viewed the conflict, expressed the conflict, and inflicted tremendous invalidation to the group's identity that escalated the conflict to the collusion stage. The videotape, the perceived injustice of the verdicts, and the compounding of both of these incidents by the mayor's instigating comments provided the impetus for the movement to enter its enthusiastic mobilization stage. According to Stewart, Smith, and Denton Jr. (1994), at this stage, "gone is the old naivete that establishment institutions will act if they are made aware of the problem through 'rational petitions'" (p. 77). Thus, the riot ensued.

The 1992 Los Angeles riot claimed 42 lives, destroyed 700 structures, injured over 1,000 people, and the city suffered over \$1 billion in damages (García, 1995, p. 24). Opportunities for constructive dialogue abounded during the 13 months between the incident and the jury's not-guilty verdicts. Transcendent strategies could have been initiated by the establishment's leadership immediately after the videotape was released world-wide. Dialogue with the black community conducted under the context of improving the system of law enforcement, rather than monologues by Gates and Bradley aimed at vilifying the officers involved, quite possibly may have prevented the 1992 riot. Most importantly, this type of dialogue may have improved the police department's relationship with the black community so that future incidents do not provoke similar violent reactions.

Unfortunately for Gates and Bradley, in seeking to maintain the status quo by ignoring the systemic problems which caused the King incident to occur, these politically motivated establishment leaders enabled a riot to erupt and lost their jobs in the process. Had transcendent strategies been utilized, the riot may have been avoided, the black community

and the police may have achieved an amicable relationship, and Gates and Bradley would have emerged politically victorious. Additionally, by concurrently analyzing the movement as it progressed using TLCA, a prediction of the violence of April 30-May 3, 1992, could have been ascertained.

Assessment of the black community's view toward the conflict, its pattern of expression, and the dynamic of identity in the escalation of the conflict would have provided ample indications to police and city establishment leaders that it would be prudent to prepare for the worst. Even late in the escalation of the movement, despite immutable persuasive rhetorical strategies of control employed by the establishment, this predictive function of TLCA could have proved vital to the establishment.

### Implications

The Arthur McDuffie incident which led to the Miami Riot of 1980 and the Rodney King incident which led to the Los Angeles Riot of 1992 have common characteristics. Both consist of four white police officers arrested for their involvement in acts of brutality and violence against a black man set in a city with a racially charged past. However, the opportunities available to the establishment to initiate transcendent strategies differed greatly between the two incidents.

Regarding the movement concurrent with the McDuffie incident and trial, the establishment's immutable persuasive rhetorical control strategy of avoidance by definition necessitated the establishment's denial, counterpersuasion against, and physical evasion of the dissent group (Bowers, Ochs, & Jensen, 1993, p. 49). Persistence in this strategy and the



lack of an identifiable leader of the dissent made opportunities for dialogue and the creation of constructive contexts remote. Also, the attempted cover up of the information pertaining to the actual events that occurred on the night of Arthur McDuffie's death implied to the black community that a conspiracy was transpiring. This perception even further decreased the chances that the opposing leaders of the movement could meet for dialogue in good faith.

As a result, transcendent strategies may have made no difference in regard to context creation or improving the hostile relationship between the disputants involved in this movement. However, the TLCA framework still could have been valuable to establishment leaders and/or government and city officials if concurrently utilized to assess the likelihood of violence. Based on the dissent group's view of the conflict, their pattern of expression, and the dynamic of the group's identity in the escalation of the conflict, a prudent choice would have been to prepare for a violent reaction from the black community after the jury's verdicts.

Regarding the movement concurrent with the Rodney King incident and trial, the establishment had many more opportunities to initiate dialogue with the black community. The establishment's immediate and sustained use of the persuasive control strategy of adjustment made dialogue between the disputing parties a workable option. By definition, adjustment entails that the establishment adapt, modify, or alter itself in response to an external ideological challenge (Bowers, Ochs, & Jensen, 1993, p. 60). In this case, adjustment meant admission that a grave injustice had been done to Rodney King. However, along with this admission of wrongdoing by the police establishment came the sacrifice of the officers as the sole cause for this wrongdoing.

Had the establishment leaders initiated transcendent rhetorical strategies with the black community, the systemic problems—which were the genuine underlying causes for the injustices inflicted upon Rodney King—may have been revealed. In this situation, actual collaborative moves involving LAPD and a recognized movement leader may have improved the relationship between the disputants and made public the reasons why the brutality depicted on the Holliday videotape were within LAPD procedure. Such a revelation may have calmed the racial discord pervasive among the black community and focused this energy on immediate reforms in police practices and leadership in Los Angeles, a re-sourcement of the energy from anger and violence to constructive ends. In such a case, the anger and frustration that spurred the 1992 riot may have been curtailed, policing in Los Angeles may have been improved sooner, and Gates and Bradley may have politically prospered from the incident.

The 1992 Los Angeles Riot could have been avoided by concurrent TLCA of the ongoing anti-establishment movement, and the use of transcendent rhetorical control strategies to create a constructive context, an amicable relationship between the disputants, and re-source the anger and frustration to productive ends. Had the establishment missed opportunities for dialogue or chose to remain in its persuasive adjustment strategy, TLCA may have served the secondary purpose of prediction so that the city could have adequately prepared for the riot.

### **The Amadou Diallo Incident**

It was the post-midnight hours of February 4, 1999. A young immigrant named Amadou Diallo from the African country of Guinea was about to enter his Bronx apartment building

when he was approached by four plainclothed New York City police officers. The police were looking for a serial rapist who had assaulted 40 women in minority neighborhoods in the Bronx and northern Manhattan. Puddington (1999) states, "According to press accounts, the officers believed that Diallo bore a resemblance to the sketch drawings of the rapist" (p. 25) circulated by headquarters the previous few days. What transpired next—whether the police identified themselves, whether Diallo understood them, whether Diallo's movements led the officers to conclude that he was reaching for a weapon—still remains unclear. The reaction of the police, however, is tragically obvious. All four police officers drew their guns and fired a total of 41 shots. Nineteen bullets struck Diallo, killing him instantly.

This shooting has had a profound effect on New York over the last year. It has raised additional questions about how the New York City Police Department (NYPD) carries out its work in minority communities, even more so than the 1997 alleged sodomizing of African-American Abner Louima with a wooden plunger by NYPD officers inside a police station. Additionally, it has called into doubt the various innovative policing strategies that over the past decade have contributed greatly to an astonishing decline in crime in New York. Most importantly, the shooting has brought a huge amount of opprobrium to Mayor Rudolph Giuliani, provoking the most serious race-relations crisis since the Crown Heights Riot of 1991.

The Crown Heights Riot was a four day long anti-Semitic riot in Brooklyn in which "a man was lynched, more than 80 other Jews suffered physical injuries at the hands of racist rioters ... and some 100 police officers were hurt" (Breindel, 1993, p. A14). This incident began serious political turmoil for previous New York Mayor David Dinkins's administration

which was viewed as having "essentially averted its eyes" to a very serious racial incident which resulted in injury and death to Jewish New Yorkers (Breindel, 1993, p. A14). The current shooting threatens a reversion to this political turmoil if the Giuliani administration does not react appropriately to its seriousness.

The questions concerning policing of minority neighborhoods are mostly focused on NYPD's street-crime unit. The street-crime unit is an elite group of undercover officers deployed in high crime neighborhoods. Under the broad mandate to take measures to stop crime before it occurs, officers in this unit scour the streets seeking criminals who prey on cab drivers, prostitutes, and small businesses. Giuliani's critics cite stop-and-search techniques employed by the unit primarily in minority neighborhoods as abusive. According to Puddington (1999), "A statistic that they cite again and again is that while, in 1997 and 1998, the unit stopped and searched some 45,000 people ... arrests were made only in some 9,500 cases" (p. 27). According to critics, these figures suggest that large numbers of innocent people are being singled out for random and arbitrary abuse. Puddington (1999) states that the name given to this tactic "is 'racial profiling,' i.e., deliberately targeting nonwhites for stop-and-search encounters without reasonable grounds for suspicion" (p. 27).

All four white police officers involved in the Diallo shooting incident--Edward McMellon, Sean Carroll, Kenneth Boss, and Richard Murphy--were members of the NYPD street-crime unit. The 438 member squad which boasts the motto, "We own the night," has a reputation for aggressive tactics (Saltonstall, 1999, p. 2). Critics assert that it is these aggressive tactics that led to the death of Amadou Diallo who was unarmed and had no police record.

The NYPD street-crime unit, the criticized stop-and-frisk techniques, and the "We own the night" mentality, are all products of Mayor Giuliani, his past Police Commissioner William Bratton, and his present Police Commissioner Howard Safir. Giuliani has been a highly successful two-term mayor of New York City mainly due to his effective reductions in crime in the city. During Giuliani's first term, under Police Commissioner William Bratton, the police adopted George Kelling's "broken windows" theory of policing. This theory, which had already been highly successful at reducing crime in the subway system, was chosen as the method to police the city as a whole. Broken windows policing has been the key to Giuliani's past successes and his current difficulties.

Siegel (1999) describes that community policing, which preceded Giuliani's administration as the method of policing in New York City, takes cops out of patrol cars and places them on foot patrols in neighborhoods. Community policing reduces public hostility toward the police, but is ineffective at reducing crime in New York City. Broken windows policing refers to the idea that permitting one broken window to remain unmended creates an atmosphere in which larger crimes will fester; thus, the policy concentrates on preventing small problems from turning into big ones (p. 14). Siegel (1999) states, "Broken windows policing is the single most important urban public policy success of the last 30 years, but its forcefulness carries the danger of increasing police-community tensions" (p. 14).

According to Siegel (1999), crime in New York City is at a 30 year low. In 1998, New York actually had fewer murders than Chicago, a city that has approximately one-third New York's population. The sharpest drops have been in minority areas such as Harlem where overall crime has dropped 61 percent over the last five years, and East New York which went

from 110 murders in 1993 (the year before Giuliani was elected mayor) to 37 in 1998 (pp. 12-13). In sum, murders committed with a firearm in New York City dropped from an all-time high of 1,605 in 1991 to 375 in 1998—a drop of 77 percent (Puddington, 1999, p. 32). The crime reduction has rejuvenated New York City's small business community and has begun a "second renaissance" in Harlem with new developments including a \$65 million, 275,000 square-foot retail and entertainment complex on 125th street. These successes have given Giuliani an enviable track record as mayor and have positioned him for higher political opportunities.

Mayor Giuliani's critics are numerous, and for a variety of reasons: his political success, his continued advocacy of aggressive policing of New York City, and minority leaders' perception of Giuliani as insensitive to the needs of the large minority communities residing in the city. The minority leaders' perception is based mainly on Giuliani's slogan of "one city, one standard" (Puddington, 1999, p. 26) which he claims rebukes the previous racial spoils system honored by previous administrations.

According to Puddington (1999), under "one city, one standard" Giuliani has "cut back a number of city programs that operated according to a system of racial preferences, and shut down the office that had served as a liaison between the previous administration and the city's ethnic constituency groups" (p. 26). During Giuliani's first mayoral administration, critics denounced these steps as a sign of Giuliani's insensitivity to racial matters. Giuliani contends his predecessor's "habit of catering to or appeasing extremist elements had itself contributed to the deterioration of intergroup relations in New York" (Puddington, 1999, p. 26). To the chagrin of his critics, Giuliani's new strategy paid off. Despite the relentless

verbal attacks of a highly vocal group of minority political leaders and a few racially charged incidents, until the Diallo incident New York City under Giuliani has been spared the kind of racial antagonism that traumatized the city under Mayor David Dinkin's previous tenure in office.

Giuliani's relationship with New York's minority political leadership has been uneasy ever since his election in 1993. In an election many feared had become polarized along racial lines, Giuliani defeated David Dinkins--the city's first black mayor. Chief among the mayor's critics is the Reverend Al Sharpton. Though not an elected politician, Sharpton has proved that he has considerable influence in the minority communities of New York. According to Siegel (1999), "In 1989, Sharpton helped convert a genuine grievance, the killing of young black teen Yusef Hawkins by a group of white thugs, into a mayoral victory for Dinkins. Sharpton now hopes that a similar campaign of polarization can define the city's post-Giuliani future" (p. 17).

In the three months following the February shooting of Diallo, Sharpton organized protests which resulted in "the arrests of nearly 1,200 protesters" (Jacoby, 1999,p. B1). According to Siegel (1999), among those arrested were "an honor roll of ... urban politicians. They include former mayor David Dinkins, Harlem Congressman Charles Rangel, and [NAACP President] Kweisi Mfume" (p. 12). Additionally, National Rainbow Coalition President Jesse L. Jackson, ACLU Director Ira Glasser, and celebrities Susan Sarandon, Ruby Dee, and Ossie Davis were part of the protest elite that were arrested. As many as 3,000 people daily attended the protests, often in bitter cold and snowy weather, perhaps the reason Sharpton called the protests the "Winter of Discontent" (Noel, 1999, p. 53).

As the protest leader, Sharpton has been successful in attracting a large following and making a clear statement to the police establishment. Sharpton staged protests at the Bronx courthouse where a grand jury was investigating the conduct of the police officers, acts of civil disobedience at a Wall Street brokerage firm, and demonstrations at City Hall, featuring speeches by representatives of youth gangs. The campaign reached its climax with a series of sit-ins at New York City's Central Police Headquarters where the majority of the arrests took place.

Due to Sharpton's protests, and extensive local and national media coverage of the movement, demands have been voiced for state and federal intervention. President Clinton devoted a nationwide radio address to the issue, declaring himself "deeply disturbed by recent allegations of serious police misconduct and continued reports of racial profiling" (Puddington, 1999, p. 27). Three separate investigations are under way. On the state level, newly elected New York Attorney General Elliot Spitzer is conducting an inquiry into NYPD's stop-and-frisk policies. On the federal level, the United States Civil Rights Commission plans to hold hearings on numerous policing issues in New York City, and the United States Justice Department has expanded its investigation prompted by the Louima incident to determine if the NYPD systematically violates the rights of minority citizens.

United States Attorney General Janet Reno delivered a speech on April 15, 1999, at the National Press Club in Washington, D.C. In her speech, Reno condemned the use of racial profiling and alluded to the Diallo shooting and a review of police shootings in the District of Columbia. According to Suro (1999), Reno said in her speech that "defusing tensions between minority communities and police departments around the country must become a



civil rights priority" (p. A6). Distinct from previous speeches as U. S. Attorney General, Reno's speech emphasized a shift from fighting crime to combatting police misconduct and the perception of bias in law enforcement.

The four accused NYPD officers were indictment and "each face two counts of [second degree] murder—one for exhibiting depraved indifference to human life, the other for intentionally killing Mr. Diallo ... and [additionally] one count for reckless endangerment of human life" ("Diallo prosecutors," 1999, p. 8). This indictment was appealed by defense lawyers, but sustained by Justice Patricia Anne Williams on September 29, 1999. Justice Williams set the trial date for February 3, 2000, and expected the trial to last approximately one month. For the subsequent jury trial, Justice Williams said "the jury would have to be sequestered for the duration" (Waldman, 1999, p. 11). Simultaneously, outside the courtroom, approximately 400 off-duty police officers carried signs and wore pins reading "Free the Bronx 4" to show solidarity with the defendants. Although few people protested against the officers on this day, Reverend Al Sharpton said he planned "to bring demonstrators by the thousands when the trial gets underway" (Waldman, 1999, p. 11).

Reverend Sharpton has done a commendable job of acquiring the attention of the media and the concern of Mayor Giuliani and the police establishment. However, Sharpton deserves concern from more than Giuliani and the police establishment. Sharpton's agenda for the current campaign is suspect. According to Puddington (1999), "From the outset ... he has attempted to create an environment in which failure to convict the officers will be interpreted as a miscarriage of justice that will surely lead to dire consequences for the city-- i.e., race riots" (p. 31). Sharpton's track record indicates that consciousness raising and

police reform may not be his only motives for the current proselytizing of dissenters. On more than one occasion Sharpton has been either directly or indirectly involved in situations that have made him appear infamous to many New Yorkers.

The Reverend Al Sharpton has been a part of the New York City political scene for the past 15 years. Although Sharpton has considerable influence among the minority communities of New York, he is notorious to New Yorkers for his role in the 1987 hoax in which a young black girl named Tawana Brawley falsely accused a group of white men, including an upstate New York assistant district attorney, of raping her. According to Puddington (1999), "only a year ago ... Sharpton lost the civil suit brought against him in the Tawana Brawley hoax. Even before the facts were definitively established in court, his reputation had suffered grievously" (p. 31). In addition to the Tawana Brawley defamation lawsuit, Sharpton played a part in an extremely volatile and deadly encounter encouraged by a protest he organized.

In December 1995, Reverend Sharpton and a group of protesters from his National Action Network promoted a confrontation that involved serious racist and anti-semitic overtones and turned a landlord-tenant dispute into a deadly incident. Sharpton had been extremely vocal years prior in expressing his pride at conducting "shakedowns of 'bloodsucking' Korean businessmen" and ridding Harlem of white interlopers (Siegel, 1999, p. 14). According to Noel (1999), after days of protests outside a Jewish-owned store led by Sharpton, "a black man barged into Freddy's Fashion Mart in Harlem, shot and wounded four people, then set a fire that killed him and seven others" (p. 53). The assailant, named Abugunde Mulocko, was one of the protesters led by Sharpton.

The demonstration was organized to protest the eviction of a black-owned record store by Fred Harrari, the Jewish owner of Freddy's, from whom the black businessman had subleased space. In his weekly radio broadcast, Sharpton said of the incident, "We will not stand by and allow them to move this brother so that some white interloper can expand his business" (Noel, 1999, p. 53). Sharpton has since apologized for his remarks concerning the incident.

As is evidenced by the Tawana Brawley scandal and Sharpton's incendiary role in the Freddy's Fashion Mart tragedy, this dissent movement leader has the potential to create exaggerated racial tensions and incite violence. Unfortunately, in this volatile situation, such a leader may provide the impetus for destruction to an already tenuous situation.

### Analysis of the NYC Movement

In the following section of this essay an analysis of the social movement spurred by the police shooting of Amadou Diallo will be rendered. Using transcendent leader centered analysis as a framework, this analysis will: 1) assess the requirements necessary in order to accurately surmise the movement's proclivity toward violent consequences; 2) discuss the problems that may become integral to the outcomes the movement begets; and, 3) evaluate the strategies utilized by the dissent movement and establishment leaders.

### Requirements

The rhetoric of this movement centers around Mayor Rudolph Giuliani on the part of the establishment. The dissent rhetoric is primarily espoused by Reverend Al Sharpton. The

rhetoric of these leaders, additional leaders that play less significant roles, and the movement as a whole, will be assessed as to how the disputants view the conflict, how the disputants express the conflict, and how the dynamic of identity affects the escalation of the conflict.

### Levels of Consciousness

Mayor Rudolph Giuliani can best be described as a traditionalist. As a traditionalist, the central tenet of the mayor's political vision is "the insistence that safety and order are the pillars of a civil society" (Sargent & Benson, 1999, p. 1). Giuliani's traditional ideals reflect those of his idol, legendary New York Mayor Fiorello H. La Guardia. Like La Guardia, the values and beliefs Giuliani espouses are delivered without question. According to Goodnough (1999), La Guardia "was like Giuliani in that he had no doubt about the fact that he was right" (p. 1).

The "quality-of-life" offenses that are targetted by Giuliani's "zero-tolerance" additions to his broken-windows approach to policing illustrate the traditionalism fundamental to Mayor Giuliani's conception of leadership. Petty crimes such as "jaywalkers, and other 'miscreants,' including street vendors, zigzagging cab drivers, and unleashed dogs" (Siegel, 1999, p. 15) constitute "quality-of-life" offenses by Giuliani's standards. Although punishment for these seemingly harmless infractions seems frivolous, some of these initiatives have merit. For example, pedestrian deaths in New York City have gone down sharply since the implementation of quality-of-life initiatives. According to Kegan (1994), Giuliani's penchant for conformity to rules and his assuredness in espousing what is right for New Yorkers denotes a level three consciousness toward conflict.

Giuliani is conscious of the difference between himself and others and assumes ownership for his point-of-view. But what most concurs with the third level of consciousness is the manner in which Giuliani attempts to sell his point-of-view to others. Giuliani's manner is best illustrated by excerpts from his weekly radio program.

According to Goodnough (1999), "Mr. Giuliani uses his free air time on WABC-AM to lecture New Yorkers about their bad habits, inveigh against their collective dysfunction, and exhort them to be more exemplary human beings" (p. 1). Although "Live from City Hall with Rudy Giuliani" does solve many callers' problems concerning city bureaucracy, corrupt landlords, and job searching, Giuliani mostly uses the show as a means of "telling people who disagree with him that they are not only wrong, but psychologically flawed" (Goodnough, 1999, p. 1). When recently asked by a caller about his handling of the Amadou Diallo shooting, Giuliani said, "Either you don't read the newspaper carefully enough, or you're so prejudiced and biased that you block out the truth" (Goodnough, 1999, p. 1).

Another example of Mayor Giuliani's level three consciousness of conflict is his approach to dealing with violators of quality-of-life initiatives. Giuliani's quality-of-life initiatives come from political scientist James Q. Wilson's arguments "about society's vanished sense of outrage over increasingly deviant social behavior" (Fettman, 1999, p. 28). Giuliani understands that squeegee men weren't the city's most dangerous lawbreakers, but he also understands that removing them from the street corners would send a powerful signal about his intent to restore order. The mayor boasts that when he sees people on the street that violate the city's "pooper scooper" law, he yells "You're a slob, pick up after your dog!" Additionally, Giuliani advocates that citizens of New York City follow his example and

refuse to deal with any deviations from civic responsibilities. When asked if the hint should be less confrontational, Giuliani responded, "No, not so polite. You don't have to be too polite about somebody who's taking advantage and trampling on the rights of other people" (Fettmann, 1999, p. 29).

Clearly, Mayor Giuliani feels his version of reality is complete and that it is the only acceptable truth. If you do not agree with his version of reality, obviously you have psychological problems. Giuliani acknowledges that societal roles are subordinate to institutions and that individuals must live within the confines of a system of morality. His conception of the privileged system of thought and morality constitutes the immutable truth he espouses in the form of civic imperatives. To question or try to persuade him that these "truths" are incomplete and partial reflections of reality would degrade into a frustrated situation of mutual diatribe. Unfortunately, the police shooting of Amadou Diallo, and the rhetoric of Al Sharpton and other minority leaders has done just that.

Reverend Al Sharpton views the conflict from Kegan's (1994) third level of consciousness. Sharpton, the self-titled "mayor of black New York" (Lowry, 1999, p. 33), equates the movement to "a street fight.... There's no referee, there's no bell, there's no gloves." He further states, "Rudy Giuliani fights with a broken glass in one hand, the cover of a trashcan in the other and a knife in his back pocket. So you've got to come in with street fighters to fight this ultimate bully" (Noel, 1999, p. 39). Al Sharpton has in common with Mayor Giuliani an assuredness that what he advocates is the truth, and efforts toward compromise or attempts to convince him otherwise by normal persuasive means would be a lesson in futility.

As early as April, 1999, Mayor Giuliani agreed to meet with certain black leaders to discuss the issues surrounding the police shooting of Amadou Diallo; however, Giuliani has not made any attempts to meet with Sharpton. Mayor Giuliani says that he refuses to meet with those who are playing a "political positioning game. I'll meet with the people I believe are in good faith, where we can have a kind of mutual exchange" (Lynch, 1999, p. 1). When Reverend Sharpton was asked about a possible meeting with Mayor Giuliani to discuss the issues of the police murder of Amadou Diallo, Sharpton replied that he "doesn't care about meeting with the mayor, who is sitting down with other critics but not with him. 'I don't need company, I need justice!' he shouts" (Lowry, 1999, p. 33). Sharpton sees the conflict as a choice between remaining silent or confronting the establishment publicly and the latter is the route that he is pursuing to sell his point-of-view.

In sum, the central leader on both sides of this conflict views the movement from Kegan's (1994) third level of consciousness. Kegan (1994) predicts that normal forms of rhetorical eloquence soon give way to a frustrated situation of mutual diatribe when disputants view conflict at this level. To assess the correctness of this prediction, in the following section of this study an analysis of the attenuated external rhetorical exchanges between the opposing sides of this conflict will be rendered to disclose the pattern of expression in which each side is engrossed.

### Patterns of Expressing Conflict

Mayor Giuliani summarizes Reverend Al Sharpton as "little more than a loud-mouthed media creation who lives to incite. From the Tawana Brawley case to the Freddy's fire in

Harlem to a rally that organizers called the Million Youth March" (Barry, 1999, p. 2).

Giuliani added in reference to the Million Youth March that it was a "hate march" organized by the "city's leading racial demagogue" (Siegel, 1999, p. 16). According to Duke (1999), the 1998 march organized by Al Sharpton and Khallid Muhammed ended with 28 people injured or hospitalized when "Muhammed urged his listeners to defend themselves by seizing police guns, batons, and barricades and using them as weapons" (p. A2).

Mayor Giuliani said in reference to Sharpton, "[you] try to make your life and career on dividing people.... with false explanations and appeals to anger, you take advantage of the situation" (Casimir & O'Shaughnessy, 1999, p. 2). Giuliani generally describes Sharpton's dissent movement as "race baiting" (Barry & Connelly, 1999, p. 2) and denounces the protests as "publicity stunts" that over time became "silly" (Cooper, 1999, p. 2). All of these external rhetorical comments regarding Sharpton and his movement vehemently express Giuliani's perceived faults of the other, illustrating Pearce and Littlejohn's (1997) "moving to repress" pattern of expressing difference.

Mayor Giuliani repeatedly attempts to discredit Sharpton by attacking him as an opportunist and as an exploiter of precarious situations. Giuliani said in reference to Sharpton's protests that "the less exploitation of this and the more decency imposed on what's going on the better.... [T]he family is entitled to as much privacy as possible" (Casimir & O'Shaughnessy, 1999, p. 2). The mayor implies that Sharpton's protests exploit the shooting, are indecent, and invade the privacy of the Diallo family, further moving to repress Sharpton as a legitimate leader and attack his credibility and the legitimacy of the dissent movement in general.



Reverend Al Sharpton's rhetoric caricatures "Giuliani as a latter-day Bull Connor who has unleashed the NYPD to hunt young black men like deer in the woods" (Murdock, 1999, p. 30). Sharpton's comments refer to Birmingham, Alabama, Police Commissioner Eugene "Bull" Connor. During a seven-day period in 1963, the nation watched as two strong and opposing forces confronted each other. Connor represented the force of segregation, despite Supreme Court decisions to the contrary, maintaining the status quo even if it meant strong-arm tactics such as water hoses and police dogs. The other force was represented by Martin Luther King Jr. and a movement that struggled to bring light to the plight of blacks. According to Nunnally (1991), there was no more vivid a picture of the injustice of segregation as "the confrontation between grim-faced, helmeted policemen and their dogs, and black children chanting freedom songs and hymns" (p. 163). Nunnally (1991) concludes that it is ironic that a man so determined to maintain the status quo, was instrumental in attracting the the attention of the nations' political leaders through blatant racially motivated aggression which proved more persuasive than peaceful demonstrations in enacting the Civil Rights Act and the Voting Rights Act.

The implications of Sharpton's comparison of Giuliani to Connor are obvious. Sharpton generally summarizes Mayor Giuliani and the NYPD as racist and savage in their dealings with minorities in New York City. In regard to Giuliani personally, Sharpton sees the mayor as "xenophobic and rude" (Noel, 1999, p. 42). Repeatedly Sharpton has promoted the image of the NYPD as analagous to the Ku Klux Klan with statements such as "KKK rules NYPD" (Danis, 1999, p. 1). It seems that whenever the opportunity arises, Sharpton uses rhetoric in an attempt to dehumanize the NYPD and demonize Mayor Giuliani.

Immediately following the police shooting of Amadou Diallo, Sharpton attempted to draw a picture of the incident as invidious on the part of the police. On February 6, only 24 hours after the fatal incident, Sharpton said, "This was not a police murder, it was a police slaughter. If a man was put in front of a firing squad, he would not expect to be shot at 41 times" (De La Cruz, 1999, p. 1). Two days later, implying malicious intent, Sharpton said, "There's no justification for the slaughter of this young man. We want the world to know that we are going to fight for justice. No justice, no peace" (Danis, 1999, p. 1).

The demonization of Giuliani and dehumanization of the NYPD by Sharpton exhibits Pearce and Littlejohn's (1997) "moving to repress" pattern of expressing conflict. Where Mayor Giuliani protects his precious political accomplishments by vehemently expressing the perceived faults of Al Sharpton, Sharpton uses agitation in the form of vilification to demonize and dehumanize the opposition. The probability of achieving rational discourse through traditional persuasive means between disputants who exhibit this pattern of expression becomes slight. Forceful tactics designed to secure capitulation may become very attractive; thus, violence may become a natural and appropriate response.

### Identity in the Escalation of Conflict

The establishment's group identity is not as much shown by its words as by its actions. The "racial profiling" in predominantly minority neighborhoods of the city, and the general "wagons-in-a-circle mentality" of the police force has led to a widespread perception of homogenization and depersonalization of minorities (Haberman, 1999, p. 2). The police force is seen as discriminating against minority citizens as part of a wholesale shakedown of

thousands of people lumped together simply as suspects. This general stereotyping of all minorities as criminal-other, which is evidenced by the "racial profiling," and the distancing of self and other manifested by the fact that most NYPD officers do not reside in the boroughs they work in, indicate that the establishment's group identity is at Northrup's (1989) rigidification stage of conflict escalation.

Giuliani's police force "appears as an occupying army" (Bratton, 1999, p. 2) which comes in to raid the city and then return to their suburban homes or to police headquarters. The police headquarters at One Police Plaza also gives the impression that NYPD is an army. In 1998, under Giuliani's orders, concrete barriers were erected surrounding City Hall and Police Plaza which give it the appearance of a fortress. In addition to the social distancing between the police and minority citizens created by "racial profiling" and the "wagons-in-a-circle" mentality, there is an actual physical barrier between the community and its police headquarters. The mutually exclusive nature of the self and other, which seems fundamental to NYPD's broken-windows policing practices, is not only perceived by the out-group but physically manifested in the mayor's additions to City Hall and Police Plaza.

Northrup's (1989) rigidification stage of conflict escalation is similar to the persuasive rhetorical strategy of polarization (Bowers, Ochs, & Jensen, 1993). In this stage, a clear distinction is made of self--which is considered good, and other--which is considered evil or bad. Wholesale stereotyping of the other leads to dehumanization and may ultimately lead a person or group to violent actions against the perceived other. The dissent group's identity stage in the escalation of the conflict is derived from its experiences dealing with the police establishment and numerous perceptions of the police, NYPD Commissioner Howard Safir,

and Mayor Giuliani. Although Giuliani has met with certain black community leaders, for the most part Mayor Giuliani and Commissioner Safir have been perceived as giving "mechanistic responses" to inquiries regarding the Diallo police shooting (Haberman, 1999, p. 2).

Spouting statistics that defend his aggressive policing policies and not taking a definitive stance regarding the officers involved in the police shooting of Diallo has been perceived as inactivity on the part of the mayor. This inactivity indicates racism and an insensitivity to the humiliation felt by minority citizens of New York City everyday. Haberman (1999) states,

Odd as it may seem, it is hard not to think back a few years to the intifada, the Palestinians' anti-Israel uprising. When Palestinians raged against military occupation, Israeli officials responded with sheaves of figures showing how life was better under their rule. Education levels were up, infant mortality was down.... The statistics were accurate. But they took no account of the humiliations, large and small, that Palestinians felt every day at the hands of the Israeli Army. Mr. Giuliani offers statistics in much the same way, to show that his police do not generally have an itchy trigger finger and that a plunging murder rate has kept thousands of black and Hispanic New Yorkers alive. But his numbers, however accurate, cannot reflect the anger felt by people stopped and frisked by the police everyday only because they are ... walking while black. (p. 2)

This type of humiliation invalidates minority citizens' core sense of identity. The police shooting of Amadou Diallo may be the proverbial straw that broke the camel's back. This

shooting represents the ultimate humiliation to the black community and the worst possible violation of a minority citizen by the police establishment. The humiliation and anger, central to the black community's group identity, is expressed in various rhetorical forms.

Although the majority of the rhetoric is in the form of monologues and chants, various artistic rhetorical expressions convey the message perhaps greater than any speech could. Pulitzer Prize winning artist Art Spiegelman illustrated the March 8, 1999, cover of The New Yorker magazine with a scene depicting a smiling, white NYPD officer at a shooting gallery aiming his pistol at black caricatures of people with targets on them. The bottom third of the illustration reads "41 shots 10 cents." Spiegelman said that "the cover is a commentary on how people are now afraid of our protectors" ("Magazine cover," 1999, p. 1). A song by rap group "Screwball" graphically depicts the assassination of Mayor Giuliani. On the Time-Warner label, the song talks of Giuliani's murder and "blacks smiling ear to ear." The lyrics add, "The devil died and nobody cried," and the song called "Who Shot Rudy?" finishes with "niggas" celebrating by "filling their glasses with booze and smokin' blunts on the corner" (Murdock, 1999, p. 30). A daily fixture at the protests led by Al Sharpton has been Robert Lederman, a street artist whose specialty is drawings of Mayor Giuliani as Adolf Hitler, which protesters held aloft. Even former New York Mayor Ed Koch, a prominent figure among the arrested protesters, has written a book titled Giuliani: Nasty Man.

All of these artistic rhetoric forms express aspects of the dissent group's identity which is fundamentally comprised of fear, anger, humiliation, and resentment toward Mayor Giuliani and the NYPD. Vilifying the police as joyously taking target practice at black citizens, demonizing Mayor Giuliani as a "devil" and as Adolf Hitler, and singing about assassinating

the mayor while blacks take joy, send powerful messages which are consistent with maintaining or further escalating the conflict. Additionally, the spoken rhetoric of the dissent movement is dominated by criticisms and invectives of the police and the mayor.

Expanding on numerous statements by Reverend Sharpton, the dissent group's identity is expressed by various protesters' and black leaders' rhetoric. James Taylor, 59, a black protester from Brooklyn criticized the police and the mayor's control over policing by saying, "Giuliani may not be responsible for this kind of behavior on the part of the police, but he could certainly do something about it" (Barry & Connelly, 1999, p. 3). This comment expresses the frustration felt by the dissent group at the police shooting of Amadou Diallo and the mayor's apparent lack of action regarding the matter. Norm Siegel, director of the New York Civil Liberties Union, criticized policing under Giuliani by saying, "The darker your skin, the more chance you'll have your civil rights violated" (Kaplan, 1999, p. A3). An interfaith group of religious leaders called Mayor Giuliani's broken-windows style of police enforcement a "catalyst to police brutality" (Zielbauer, 1999, p. 2). Benjamin Muhammad, a representative of Louis Farrakhan, minister of the Nation of Islam, said, "The mayor has called for zero tolerance.... Well, we must have zero tolerance for racist, killer police officers that come into our community and victimize our people" (Zielbauer, 1999, p. 2).

The Reverend Jesse Jackson joined the protests and was arrested outside City Hall for acts of civil disobedience. Reverend Jackson compared the Diallo police shooting to the lynching of Emmitt Till, a young black man lynched by whites in Money, Mississippi, in 1955 at age 14 for the crime of talking to a white woman (Murdock, 1999, p. 31). This lynching became a symbol of Southern racial injustice in much the same way that the

protesters want the Diallo police shooting to become the emblem of current racial injustices in New York City. Jackson summed up the current situation between the NYPD and the black community by saying, "It's open season on blacks" (Jacoby, 1999, p. B1). This comment expresses the humiliation and underlying anger, fundamental aspects of the group's identity, very effectively.

In sum, the rhetoric of the protests expresses important aspects of the dissent group's identity. Sharpton's trademark slogan, "No Justice, No Peace," and signs held high by protesters saying, "Stop Killer Police," "Cops Have Blood on their Hands," and "KKK Rules NYPD," (Danis, 1999, p. 1) show the hostile nature of the external rhetoric of the movement. The dissent group is acting in ways consistent with maintaining the conflict. Criticisms, accusations, invectives, demonization of the opposition, and general hostility pervade the rhetoric of the dissent movement. According to Northrup's (1989) dynamics of identity in the escalation of conflict, the dissent group is in the collusion stage of conflict escalation. This is problematic in that, at this stage of conflict escalation, ending the conflict threatens to invalidate the dissent group's identity--because the conflict itself has become a part of their identity. However, if the leaders on either side of the conflict decide not to participate in this collusion to maintain the conflict, further escalation may be avoided.

### Problems

The problems that face the leaders engaged in social movement conflicts result from a precarious pattern of interaction guided by the principles that communication is a process of making and doing, is contextual, and is a process of coordination. Among the obstacles that

must be overcome are: 1) creating a context within which what is made results in constructive acts that are done; 2) distinguishing between a tractable form of conflict and an intractable, moral conflict; 3) recognizing the phases, or life-cycle, of a movement; and, 4) understanding the limitations of transcendent rhetorical strategies.

### What is Made and Done

Al Sharpton uses agitation of the establishment to attract attention to the perceived exigencies in the criminal justice system that led to the police shooting of Amadou Diallo. A reality is created by this agitation in which the exigency is the defining quality of the relationship between the dissent group and the establishment. This environment made from the arguing, threatening, vilification, and dehumanization of Mayor Giuliani and the NYPD serves as the foundation from which the directionality of what will be done as a result of the conflict emanates. Sharpton may have the intent of protecting minorities' human rights, resisting an oppressive police force, or fighting racism, but what he has made in the context of the Diallo situation in New York City may be construed by the establishment as malicious or diabolic. Also, the dissent movement may be so provoked by the dehumanizing rhetoric that violence may seem like a viable expression of the conflict. Without a change in Sharpton's expression of the threat this incident poses to the dissent group's collective identity, the result of what has been made may be something destructive done. Sharpton's leadership will be key to the outcome of this movement and the possibility of real, substantive changes in New York City. He can either add to the collusion, or rise above the polarization and engage in constructive acts based on the best interests of all involved.



### **Tractable and Intractable Conflict**

The illusive nature of conflict can make distinguishing a tractable form of conflict from an intractable, moral conflict challenging. However, failure to correctly recognize the intractability or moral basis of a social movement such as the ongoing situation in New York City can result in disastrous consequences. That Sharpton is aware of the intractable, moral basis of this social movement is not apparent in the way that he is rhetorically expressing the conflict. However, Giuliani indicates that he is aware of the conflict's intractable moral nature. Giuliani's attempts at dialogue with black community and political leaders, initiated as early as April of 1999, signify his awareness that traditional persuasive strategies may be insufficient to manage and resolve this conflict.

Sharpton's failure to acknowledge the intractable, moral basis of this social movement will result in confounded meanings construed by the establishment, and the dissent movement group which will inevitably exacerbate the situation by creating a context built from faulty meaning. In the process of coordinating meanings between the dissent movement and the establishment, Sharpton's oversight of the intractability of this conflict will impede the use of effective strategies which could be instrumental to manage the social movement toward constructive ends.

### **Life-Cycle of a Movement**

The timeliness of the use of transcendent strategies is imperative to avoiding violence and death as a result of an intractable, moral conflict. In order to maximize the likelihood of effectiveness, transcendent strategies must be utilized at the most opportune time, the

inception phase of the social movement in this case. Due to Sharpton's apparent conviction that persuasive strategies will be sufficient, based on his oversight of the intractability of this conflict, the most opportune time to enact transcendent strategies may have elapsed.

### Limitations of Transcendent Strategies

Reverend Sharpton may oppose the collaboration required for dialogue, the fundamental requisite to transcendent strategies, because he is a true believer. Hoffer's (1951) description of a fanatic whose compliance gaining strategies are based on power, and a certainty that his view is the complete view of the reality of things, in many ways characterizes Sharpton. Sharpton confronts the opposition with monologues of perceived certainties, impassioned double-talk, and sonorous refrains, rather than with precise words joined together by faultless logic. His campaigns are based more on lofty hope than practical goals and his political career lacks a single victory. Sharpton's frustration at not being seen as a legitimate leader by Giuliani is apparent, and he seems determined to change this by any means necessary.

According to Hoffer (1951), "The fiercest fanatics are often selfish people who were forced, by innate shortcomings or external circumstances, to lose faith in their own selves" (p. 48). As a result, this ineffectual individual attaches himself to a holy cause. Hoffer (1951) further states, "He embraces a cause not primarily because of its justness and holiness but because of his desperate need for something to hold on to" (p. 85). Sharpton has crusaded on behalf of many causes, some even counterfeit—as in the Tawana Brawley case. If there is a racially oriented or civil rights related situation anywhere east of Chicago, you can count on Al Sharpton to attach himself to the situation in a direct or indirect way.

The most egregious example in recent months is Sharpton's taking the side of the Ku Klux Klan against Mayor Giuliani in late October, 1999, in demanding the hate group be allowed to hold a rally in New York City (Weiser, 1999, p. 1). Giuliani initially denied a permit for the rally, and Sharpton immediately took this opportunity to attached himself to the issue. In his perpetual incompleteness and insecurity, Sharpton resorted to allying himself with the closest alternative to the devil on earth for a black man, the Ku Klux Klan.

Sharpton seems to indiscriminantly attach himself to any cause. Hoffer (1951) describes this fanatical behavior displayed by Sharpton in the statement, "Like an unstable chemical radical he hungers to combine with whatever comes within his reach. He cannot stand apart, poised and self-sufficient, but has to attach wholeheartedly to one side or another" (p. 84). According to Jacoby (1999), the tragic costs of Sharpton's frustrated leadership on the black community include:

a growing sense of alienation and exclusion that risks becoming a self-fulfilling prophecy.... Spurred by the rhetoric of [Sharpton's] demonstrations, many blacks have come to believe that not just the cops, but also ordinary New Yorkers and the "power structure" are irredeemably racist. (p. B1)

Sharpton's impassioned rhetoric voices the preconceived notions of the frustrated minorities of New York. Hoffer (1951) states, "It is easier for the frustrated to detect their own imaginings and hear the echo of their own musings in impassioned double-talk" (p. 106). A black protester at a Sharpton led rally said, "This isn't our country. Diallo just proves what all of us have known in our hearts for a long time" (Jacoby, 1999, p. B1). This rhetoric could ultimately proselytize a following of true believers convinced of what they already "knew."

Hoffer (1951) states, "It is probably as true that violence breeds fanaticism as that fanaticism begets violence" (p. 107). The violence that was exhibited by the police shooting of Amadou Diallo drew the attention of Al Sharpton in the guise of the holy cause to eliminate racism in the NYPD. However, this cause, among the multitude of causes to which Sharpton adheres, may have serious consequences for the city if Sharpton's fanaticism goes unchecked. The deaths at Freddy's Market may appear measly by comparison to the deaths and destruction that may result if Sharpton's fanaticism begets violence in the form of riots.

Unfortunately, the collaboration which enables the dialogue essential to transcendent rhetorical strategies is only possible with a willing participant. If either leader proves to be a true believer, persuasive rhetorical strategies must be utilized in an attempt to manage the conflict of the social movement. The limits of transcendent strategies become apparent when collaboration is not conceivable. The dialogue, creativity, and possible resolution to moral conflicts is made impossible without the cooperation of the opposition in some way. In such a case, TLCA functions to predict violence rather than prevent it.

### Strategies

With the possible exception of Mayor Giuliani's meetings with black community and political leaders, the rhetorical strategies of the dissent movement and the rhetoric of control by the establishment have been exclusively persuasive. In the following section, the persuasive strategies employed by the opposing sides and the transcendent strategies that may be utilized to manage the conflict of this social movement will be explored.

### Persuasive Strategies

The anti-establishment movement against the NYPD, Mayor Rudolph Giuliani, and the aggressive policing policies that Giuliani defends, has exhibited many of the persuasive rhetorical strategies elaborated by social movement researchers. The immediate organization of protests by Al Sharpton, which began February 6, 1999, only 36 hours after the police shooting, essentially omitted the petition stage of the movement. Petition is a necessary and crucial stage of the persuasive rhetoric of dissent during a social movement. Without the proposition of a change to the establishment through presentation of evidence and arguments in support of the dissent position, the establishment can show the petition stage was not attempted. According to Bowers, Ochs, and Jensen (1993), disregarding the petition strategy "can discredit the agitators as irresponsible firebrands who reject normal decision-making processes in favor of disturbances and disruption" (p. 20). Giuliani did just that, regarding the Sharpton-led protests as "publicity stunts" and "silly" (Cooper, 1999, p. 1). Despite rightful outrage to the police shooting of the unarmed Amadou Diallo 41 times, the omission of the petition strategy damaged the movement's legitimacy to the establishment.

Sharpton has done a fine job of exploiting the media with newsworthy events which exhibit the strategy of promulgation. Protests involving numbers in excess of 2,000 participants each day over a period of two months appeared daily on local television stations and newspapers, and frequently on national television and newspaper sources. According to Siegel (1999), the shooting and the Sharpton's protests have prompted media sources to run "more than 600 stories" on the events (p. 16). In an effort to win public acceptance of the dissent ideology, Sharpton has been successful at enlisting prominent politicians, religious

leaders, and movie stars to join the protests and even get arrested for civil disobedience. The Reverend Jesse Jackson, former New York City Mayors David Dinkins and Ed Koch, and Susan Sarandon are among the celebrities that participated. Sharpton's list of legitimizers includes current New York Governor George Pataki who did not participate in the protests but scorned Giuliani's handling of minority groups' disapproval of the Diallo police shooting. According to Cooper (1999), Pataki suggested that the Giuliani administration was not "responding appropriately to criticism" (Cooper, 1999, p. 1).

Solidification has been shown in a number of symbolic gestures. The civil rights anthem "We Shall Overcome" sung by protesters, the song "Who Shot Rudy" nationally distributed by Time Warner, paintings depicting Giuliani as Hitler by protesters, Art Spiegelman's magazine cover depicting the smiling NYPD officer at a shooting gallery, and Sharpton's slogan "No justice, no peace," have served to organize the dissent group, express its ideology, and elicit emotional reactions. Perhaps the most affecting symbolic gesture is the protesters' collectively counting out-loud to 41, the number of shots fired at Diallo (Lawry, 1999, p. 33).

The persuasive rhetorical strategy of polarization is shown in Sharpton's invective of Giuliani and criticism of "broken windows" policing. This flag individual and flag issue comprise the exigency that the dissent movement aims to rectify. The environment in New York can best be expressed as pro-Giuliani or anti-Giuliani. This black and white, for or against, dichotomy reflects effective polarization by the dissent movement. Additionally, derogatory jargon referring to the movement as "fighting the pigs" (Lowry, 1999, p. 33), although simply a return to the old smear, attacks the establishment while simultaneously

building internal cohesiveness. Similarly, Sharpton supporter Khallid Muhammad, the leader of the New Black Panther Party and organizer of the Million Youth March, refers to black leaders such as Representative Charles Rangel and City Council member Bill Perkins who show pro-establishment sentiments as "Uncle Toms" (Noel, 1999, p. 51). These forms of derogatory jargon may not be original, but are potent for the strategy of polarization.

Over the course of Sharpton's "Winter of Discontent" protest rallies, over 800 protesters were arrested for civil disobedience. Civil disobedience is a very effective instrumental act in that the establishment must either succumb to or remove the resisters. This strategy focuses exclusively on flag issues and not on the flag individuals identified. According to Bowers, Ochs, and Jensen (1993), "the attack is directed against the forces of evil rather than against the persons who happen to do the evil" (p. 38).

The nonviolent resistance that Sharpton organized aimed to win the compassion and understanding of sympathizers and opponents alike. In Fall of 1999, Sharpton's dissent movement was relatively dormant. However, Sharpton promised further escalation once the trial of the four officers indicted for the murder of Amadou Diallo began in February, 2000. At the indictment hearing, Sharpton assured that the rallies would resume during the trial and that the numbers would be greater. The subsequent change-of-venue greatly decreased the actual numbers of protesters, however. Prior to the trial it could be assumed that what Sharpton viewed as justice was the non-negotiable demand that the four officers be found guilty of all charges against them. It seemed certain that anything short of this would be met with violence recourse by the dissenting minority citizens of New York City due to the extreme invalidation of its group identity expressed in the pre-trial rhetoric of Al Sharpton.

Mayor Giuliani followed a series of persuasive rhetorical control strategies during the initial months following the police shooting of Diallo. According to Herszenhorn (1999), "The Mayor immediately began to distance himself from the police action, reflecting the early assessment by officials that something had gone horribly wrong" (p. 6). Giuliani's comments were called "politically tone-deaf" and "inappropriate equanimity" in saying that he would not prejudge the case (Siegel, 1999, pp. 13-15).

Although Giuliani was praised for his swift and straightforward scorn expressed toward the officers involved in the Abner Louima sodomy incident, Giuliani has remained detached from the Diallo incident. Reflecting a control strategy of avoidance, Giuliani has postponed any binding decision regarding the police shooting, which has further fueled the intensity of the dissent movement. Giuliani approved an investigation by a commission led by New York State's Attorney General Eliot Spitzer. This commission's task is to investigate allegations that the police frisk many blacks and other minorities without justification. Giuliani commended this investigation, saying that it "is focused narrowly enough to analyze police data quickly and make useful recommendations" ("Mr. Spitzer's Inquiry," 1999, p. 1). This commission and other fact-finding committees further illustrate Giuliani's use of the persuasive control strategy of avoidance. By urging further discussion, these committees may serve as an effective impediment to the external challenge presented by Sharpton's dissent movement.

Mayor Giuliani has not shown a great effort at suppression, mostly because he has consistently used the tactic of evasion which essentially denies that there is a need for suppression or any reaction at all from the establishment. However, Giuliani's persistent



reluctance to recognize Sharpton as a bona fide leader in the New York City community arguably exhibits a form of mental banishment. By denying Sharpton his leadership position in the community, Giuliani excludes him as a legitimate antagonist. Yet, Barry (1999) says of Sharpton, "everyone but the Mayor recognizes him as a leader" (p. 2).

In April of 1999 Giuliani finally acknowledged that a problem existed and made an effort to incorporate some of the personnel from the dissent movement. He met with certain black political and community leaders to discuss the incident and the perceptions of the minority neighborhoods regarding the shooting. But, Giuliani has yet to meet with Sharpton. This shows progress on the part of Giuliani, but still exhibits his reluctance to concede that Sharpton truly is a recognized leader.

A change the establishment's persuasive control strategies arose in June of 1999. On June 11, 1999, Louis Anemone, the top uniformed officer in the NYPD, resigned after repeated clashes with Commissioner Howard Safir and Mayor Giuliani. According to Weiss and Celona (1999), Chief of Department Louis "Anemone has been increasingly cut out of the loop by Safir ... as they try to soften the NYPD image" (p. 1). Giuliani praised Anemone for vigorously pursuing criminals and enforcing the law. Weiss and Celona (1999) state, "More than any other top cop, Anemone has symbolized and carried out Giuliani's war on serious crime and quality-of-life offenses" (p. 1). But, after the Abner Louima sodomy case and the current police shooting of Amadou Diallo, the rigor and zeal of NYPD is being toned down. Integral to giving the public the impression that substantive changes have occurred is the sacrifice of a key NYPD leader. By incorporating black leaders in meetings with the mayor and the sacrifice of Chief Anemone, the establishment demonstrated adjustment.

According to Bowers, Ochs, and Jensen (1993), "in much the same way that the tactics of suppression can be either nonviolent or violent, the tactics of adjustment can be either apparent or real" (p. 60). Giuliani is known for his dislike of criticism, both of himself and his police force. The making of any real concessions, or any form of surrender to the demands of Sharpton and his dissent movement, would essentially be to concede that he is wrong. As an alternative to this course of action, Giuliani has acquiesced to meeting with black leaders and to the timely retirement of one of his top police officers.

This adjustment of the establishment, in response to the external ideological challenge posed by Sharpton and the protests, gives the appearance that the mayor and the police establishment are actually yielding. However, this apparent compromise is not a real adjustment by the establishment. This is evidenced by the actuality that the street crime unit remains active, "broken windows" policing is still abided by NYPD officers, and no real efforts at community policing have been institutionalized by the mayor or police leadership. The tactics, the policies, and the now deconsolidated unit in which all the officers involved in the Diallo murder were assigned, remain chiefly intact.

### Assumptions.

The persuasive rhetorical strategies employed by Sharpton and Giuliani arise from the zero-sum game orientation that both leaders have assumed regarding the conflict. According to Brookhiser (1999), Sharpton's "obvious assumption is that police excesses rise along with the general activity level of police departments" (p. 5), so that a police force as active and everpresent as NYPD must be engaged in huge amounts of excessive behavior such as the

"assertive" tactics that led to the Diallo murder. Additionally, the protests are based on the idea espoused by Sharpton and embraced by the minority communities that there is an "inherent conflict between effective police work and respect for the freedom and dignity of citizens" (Patterson & Winship, 1999, p. 3).

Mayor Giuliani conversely seems certain that without the order brought about by "aggressive" policing of New York City, the chaos of the late 1980s and early 1990s in New York would return. Many New Yorkers agree with Giuliani in that they are willing to sacrifice certain personal freedoms for the greater benefits brought about by aggressive policing. According to Brookhiser (1999), many New Yorkers are "willing to accept such a tradeoff" but few are "bold enough to say so" (p. 5).

Perhaps the real question is whether such a tradeoff is necessary. This tradeoff is known within the field of interpersonal communication as a dialectical tension. According to Baxter and Montgomery (1996), dialectical tensions are conflicts that arise when two opposing or incompatible forces exist simultaneously. The dialectical tension between effective policing and personal freedoms is at the core of this conflict.

In the period prior to the trial, it seemed that the persuasive strategies employed by Sharpton and Giuliani proved impotent at the task of resolving this apparent dialectical tension. Due to the disputants' zero-sum game orientation and the intractable moral nature of this conflict, persuasive strategies do not seem sufficient to manage this social movement. The disputants must engage in strategies outside the normal discursive patterns of the social movement contentions, which predominantly have been persuasive on the part of the dissent and establishment leaders thus far.

### Transcendent Strategies

The dogmatic rhetoric which dominated the period before the trial practically ensured a repetition of the cyclic pattern of rhetoric, diatribe, and violence that occurred in Miami and Los Angeles. If the officers were found guilty and sentenced to 25 year prison sentences, would Sharpton have won? Does the officer's exoneration along with Giuliani's "broken windows" tactics, the trial's actual result, prove Giuliani the winner? In a case such as this, the meaning of winning must be redefined into terms that reflect a satisfaction of the needs of both parties, not just a defeat of the opposition's arguments and positions. What may seem like a victory, in the case that the officers are exonerated, may prove a grievous defeat if violence such as riots resulted from the anger and frustration further aggravated by such a verdict. In either of the previous cases nobody really wins anything, and worst of all, the exigencies which caused the tragic incident and the trial remain virtually unchanged.

Transcendent strategies suggest a form of discourse in which a change in the cyclic pattern of escalation of the social movement may result. In the requirements section of this chapter the disputants' view of the conflict, the pattern in which the disputants express difference in the conflict, and the dynamic of identity in the escalation of this conflict was assessed. From that assessment, it is apparent that "winning" in this case may simply mean the circumvention of violent and deadly consequences in the aftermath of the incident and trial. In order to achieve this form of a win, the disputants must use transcendent strategies to: 1) create synthetic contexts outside the frameworks of the disputants, and 2) develop a reciprocal relationship between the parties involved. Any other form of winning may result in disastrous outcomes.

Whether through "rhetorical conversation," "invitational rhetoric," "resistance and harmony," or "transcendent eloquence," the destructive directionality of this social movement will not change unless some form of transcendent strategy is utilized. Genuine dialogue is essential to the management of this conflict, and is the means to transcending the immutable patterns of discourse and unwielding positions of the disputants. Both synthetic contexts and a reciprocal relationship between the parties may be achieved through genuine dialogue. Although the unfortunate shooting of Amadou Diallo cannot be eradicated, the incident can function as a catalyst to initiate positive change for the minority communities of New York City if—and only if—genuine dialogue is achieved.

Shortly after the police shooting of Diallo, and the protests led by Sharpton, Cardinal John O'Connor urged "an end to the hostile rhetoric between city officials and leaders of the daily protests against the police" (Thompson, 1999, p. 1). The Cardinal met with many community leaders and advised them that the only way to rebuild an amicable environment between the police and the community is through dialogue. According to Thompson (1999) the cardinal said, "If there has been discrimination against blacks and Latinos and Asians, then we do no good by denying those injustices. As long as those perceptions are there, then they must be dealt with" (p. 2). The Cardinal added, "[I]t is rare that perceptions have no basis in reality" (Thompson, 1999, p. 2).

The Cardinal points out two important aspects of this conflict. The importance of dialogue in managing the conflict, and the relevance of perceptions to its outcome. The dialogue necessary to manage this conflict must address the perceptions of both the establishment and the dissent movement in order to be sufficient in preventing violent

outcomes. Generally, Giuliani's perception is that more police is better and that heavy presence, aggressive tactics, and rigorous enforcement of even minor legal infractions is essential to order in New York City. Mayor Giuliani and Police Commissioner Safir scoff at community policing and repeatedly cite statistics that "prove" the superiority of "broken windows" policing over their predecessors' efforts at community policing. The dissent movement's general perception is that the police force, and by extension the criminal justice system, in New York City is biased and that a minority cannot achieve fair and equal treatment under the law. Based on these general perceptions, dialogue encompassing issues within these general perceptions needs to be initiated.

Weisberg (1999) addresses the apparent zero-sum game created by Giuliani's "broken windows" policing in which more safety for some New Yorkers means more oppression to others. The author states, "If the only way to reduce murder is to harass a large number of minority men who aren't guilty of anything, then our sense of freedom is being purchased at the expense of someone else's" (p. 6). Weisberg points out that the past success of the NYPD at reducing the murder rate in the city may be a contributing cause to the current conflict. When the murder rate was a disconcerting 2,000 per year, it was reasonable to assume that the public would be willing to sacrifice some civil liberties for more safety. However, "With fewer than 700, the trade-off becomes less compelling," the city may have reached a "homicidal equilibrium--the point where fighting even the most brutal of crimes comes into conflict with the values of otherwise comfortable people" (Weisberg, 1999, p. 6).

William Bratton, New York City's Police Commissioner from 1994 to 1996, addressed this issue in an editorial to The New York Times. The editorial began by looking back at the

fear that created the present police tactics. Bratton (1999) states,

There was a crisis of fear in New York City in the early 1990s, and for good reason.

Annual totals of 2,000 homicides, 6,000 shootings, and 100,000 robberies are enough to frighten anyone. Residents had little confidence in the ability of the police to control and reduce violence, especially in minority neighborhoods. (p. 1)

Now, the crisis of fear about crime is over and in its place is a different crisis of fear. People are worried that they are at risk, not from criminals but from the police. Bratton (1999) states, "They are not feeling the benefit of safer streets" (p. 1). Although statistics indicate more safety, they are irrelevant to the current crisis of fear. According to Bratton (1999), "People are often afraid of crime out of proportion to its reality, so it should not be surprising that they fear police abuse out of proportion to its reality" (p. 1).

Bratton suggests that this inaccurate perception can be remedied by openness by the police establishment, both to external scrutiny and by engaging in dialogue with the public which it serves. Bratton (1999) concludes, "The role of police power in a democracy should be the expression of social consensus" (p. 2). If this is achieved, a win-win situation in which New Yorkers get what they want and Giuliani and his police get what they want will result through continued success in reducing crime and a police force that is better woven into the fabric of city life.

The openness that Bratton suggests would also apply to the hyper-centralization of power that Giuliani has created in city hall. The mayor's outsized political personality seems to overpower the real situation on the streets of New York City. The consummate prosecutor, Mayor Giuliani presses on with his agenda with or without allies. The mayor seems

determined to press ahead with successful tactics initiated during his first term while New York seems to want to relax a bit and enjoy the good times. The Diallo incident has in many ways exposed the Achilles' heel of the Giuliani mayoralty. Conflict became inevitable due to the separation between the situation on the streets of the city and Giuliani's isolated agenda. The apparent homicidal-equilibrium created by the success of Giuliani's past tactics, and the necessity of openness by Giuliani and the police establishment, create a situation in which it would seem a natural progression for NYPD to make the shift toward some form of community involved policing.

Community policing, which makes citizens allies with the police, is thriving in many cities such as San Diego, California, and Fort Wayne, Indiana. Based on statistics alone these cities have surpassed New York City in reducing crime. According to Butterfield (1999),

Where homicides in New York City have dropped by two-thirds from a record high in 1990, in San Diego they have dropped by three-fourths from their peak in 1991. Where New York City has seen a 41 percent decline in overall crime in the past decade, Fort Wayne has recorded a 56 percent drop, according to a new study by the [United States] Justice Department. (pp. 1-2)

San Diego Police Chief Jerry Sanders measures progress as much by an annual survey of public satisfaction as by the actual percentage reduction in the crime rate. Sanders is a strong advocate of community policing and a related approach called problem-solving policing. Sanders states, "Our basic premise is, we don't have enough officers to do it all, so we need community participation" (Butterfield, 1999, p. 2). San Diego has only 1.7 officers



per 1,000 residents, compared with 5 per 1,000 residents in New York City. According to Sanders, San Diego's success at community and problem-solving policing begins with the basic consideration of "listening to the community, and letting them tell us what their priorities [based on their perceptions] are" (Butterfield, 1999, p. 2).

Problem-solving is also emphasized instead of simply making arrests. This style of policing analyzes why certain locations attract more crime or why particular people are repeatedly victimized. In one case, Agnes Brookes, a 69-year-old civilian volunteer, was assigned to figure out why a self-storage warehouse had been burglarized 150 times in six months. After benchmarking the warehouse against similar businesses, the problem was determined to be a careless manager who was removed. Additionally, the study results recommended better lighting, fencing, and an electronic entry system. The burglaries stopped, and the owner thanked the police for their assistance in remedying the situation (Butterfield, 1999, p. 3).

In Fort Wayne, Indiana, neighborhood leaders help evaluate prospective police candidates and sit in on computer generated crime statistics sessions in which local police commanders are held accountable for crime reduction in their districts. According to Nancy Belcher, Fort Wayne's deputy police chief, "When you isolate yourself and don't let people know what you are doing, they become suspicious" (Butterfield, 1999, p. 2). Belcher was referring indirectly to the situation in New York City, a situation that she feels would never result in Fort Wayne due to its community involvement in policing of the city. Belcher concluded by adding that, "We learned long ago that we can't do it all ourselves" (Butterfield, 1999, p. 2).

The recommendation from Bratton to be more open to the community, and the examples from San Diego and Fort Wayne refute Mayor Giuliani's perception that more officers and rigorous enforcement of trivial legal infractions is necessary to maintain order in New York City. The observation that New York City may have reached a homicidal-equilibrium further refutes Giuliani's insistence on "broken windows" policing of the city. To avoid further aggravation of the potentially volatile relationship between the police establishment and the minority communities of New York City, Mayor Giuliani must initiate genuine dialogue with the opposition leadership and address issues within the context of a collaborative resolution involving some form of community involvement in the policing of New York City.

The general perception, expressed by the rhetoric of the dissent movement, that the police force and the criminal justice system in New York City is biased and that a minority cannot achieve fair and equal treatment under the law is by no means an innovation. This general perception played a significant role in both the Arthur McDuffie and Rodney King incidents. This perception of inequality in the criminal justice system was fundamental to the anger and frustration which sparked the previous riots. Further, if this perception persists throughout the officer's trial, similar violence may occur. For this reason it is imperative that this perception be addressed and tempered by the leaders engaged in this conflict.

### Chapter Summary

This chapter presented two previous social movements surrounding racially charged police incidents which ended in destructive ends. In addition, a similar recent situation

which may have resulted in a destructive outcome was analyzed to determine its propensity toward a similar violent conclusion. The Arthur McDuffie incident and trial, which led to the Miami Riot of 1980, was assessed using the requirements of TLCA to determine the directionality of the accompanying movement based on the rhetoric of the disputants. Similarly, the Rodney King incident and trial, which led to the Los Angeles Riot of 1992, was assessed by the same criteria in order to determine the directionality of its accompanying dissent movement. Both of these previous incidents were assessed to illustrate the usefulness of the requirements of TLCA in determining the constructive or destructive directionality of a social movement.

Subsequently, the Amadou Diallo incident and the rhetoric of the dissent movement accompanying the incident and its trial, were systematically analyzed using the entire transcendent framework in order to: 1) Determine the disputants' view of the conflict, their patterns of expressing difference in the conflict, and the dynamic of identity in the escalation of the conflict; 2) Inquire into problems that may confront the dissent or establishment leaders; and 3) Determine whether persuasive or transcendent strategies will be effective in managing the conflict of this social movement.

## CHAPTER 5

### DISCUSSION

This thesis presented a framework to analyze the rhetoric of a social movement so that the directionality of the movement can be determined by assessing the rhetors' views of the conflict, their patterns of expressing difference in the conflict, and the dynamic of identity in the escalation of the conflict so that constructive rather than destructive outcomes will result. Using theories and concepts from postmodern sources within philosophy, interpersonal communication, and conflict management, this study: 1) Utilized Carthcart's (1972) distinction "dialectical enjoiment in the moral arena" to describe the deliberative rhetoric required to manage the moral, intractable conflict inherent to social movements in the postmodern era; 2) Made use of Simons' (1970) leader centered approach comprised of requirements, problems, and stategies to develop a framework for transcendent analysis of the rhetoric of social movements; and, 3) Presented two previous social movements which occurred in Miami in 1979-1980 and Los Angeles in 1991-1992 surrounding racially charged police incidents which ended in destructive and deadly riots, and a similar recent situation in New York City which may have resulted in destructive outcomes unless the directionality of the movement was altered. The following discussion will present the findings from each of these sections of this study.

The systematic analysis of Cathcart's (1972) rhetorical definition of a social movement demonstrated that Aristotle's conception of rhetoric is inadequate to confront the dilemmas of the current postmodern era. A discussion of forensic, epideictic, and deliberative forms of rhetoric revealed the need for a deliberative rhetoric to meet the demands of today's autonomous moral agents engaged in conflict. Additionally, inquiry into traditional orientations toward conflict including game theory, positional negotiation, and the realist institutional perspective toward conflict demonstrated that these orientations have maintained the predominant use of Aristotle's conception of rhetoric to confront the demands of conflicts.

Using the factors provided by Pearce and Littlejohn (1997), it was found that social movements are a form of moral conflict. Social movement conflict was found to exhibit misunderstandings from semantic noise, devious deontic logics, incommensurate moral orders, attenuated external discourse, and a zero-sum game orientation to conflict. Overall findings indicated that persuasive rhetorical strategies do not suit the demands of postmodernism, current conflict styles, institutional attitudes, and the unique communication situation prescribed by moral conflicts.

By using Simons' (1970) leader-centered requirements, problems, and strategies model, a framework for analyzing the rhetoric of a social movement was presented. Requirements including an awareness of levels of consciousness, patterns of expressing difference in conflict, and the dynamic of identity in conflict were illuminated. Problems that a dissent or establishment leader may encounter include the creation of a synthetic context, distinguishing intractable and tractable conflicts, recognition of the distinct periods,

and the limits of transcendent strategies to confront the immutable persuasive and coercive strategies of the "true believer." Additionally, persuasive and transcendent strategies were presented so that a leader can adapt to the demands of different forms of social movement conflict. Research findings indicated that how a leader adapts strategies to the demands of a social movement conflict determines the directionality of the movement toward constructive or destructive ends.

Inquiry regarding two previous social movements surrounding racially charged police incidents which ended in destructive ends, and a similar recent situation which may have resulted in a destructive outcome unless the directionality of the movement was altered, demonstrated the need for transcendent strategies to manage the conflict inherent to such contentions. Assessment of the rhetoric of the dissent movement that accompanied the Arthur McDuffie incident and trial that spurred the Miami Riot of 1980, indicated that the directionality of the conflict was toward destructive ends. Similarly, assessment of the Rodney King incident and trial which led to the Los Angeles Riot of 1992, determined that the directionality of this dissent movement was also toward destructive ends. Both incidents illustrate the futility of persuasive control strategies in moral conflicts, the need for leaders to manipulate conflict directionality, and the usefulness of the requirements of TLCA.

Subsequently, the analysis of the rhetoric of the social movement that accompanies the Amadou Diallo incident prior to the trial demonstrated that: 1) The central leaders on both sides of this contention view the conflict from the traditionalist or third level of consciousness which Kegan (1994) predicts will soon give way to a frustrated situation of mutual diatribe when the conflict is managed by persuasive strategies; 2) The disputants'

pattern of expressing difference reflects Pearce and Littlejohn's (1997) pattern four, labelled "moving to repress," in which the authors contend the probability of achieving rational discourse through persuasive means becomes slight; and 3) The establishment exhibited the rigidification stage of Northrup's (1989) dynamic of identity in the escalation of the conflict, whereas the dissent group exhibited the collusion stage in which the conflict has become a part of the group's identity and to end the conflict would threaten the identity of the group.

Inquire into problems that may confront the establishment leaders in managing the conflict demonstrated that: 1) Sharpton's dehumanizing rhetoric aimed at Giuliani and the establishment may provoke the dissent group to believe that violence is a viable expression of the conflict; 2) Confounded meanings may be construed which can exacerbate the situation due to Sharpton's failure to acknowledge the intractable, moral basis of the social movement; 3) The most opportune time to enact transcendent strategies may have already passed; and, 4) Transcendent strategies cannot be effective if either leader proves to be the type of fanatic Hoffer (1951) described as a "true believer."

Findings from TLCA demonstrated that persuasive strategies have been the predominant style used by the disputants engaged in this conflict. The anti-establishment movement against the NYPD, Mayor Giuliani, and the aggressive policing policies that Giuliani defends, has exhibited the persuasive rhetorical strategies of promulgation, solidification, and polarization. Petition was not evident, and may prove problematic to the dissent movement in gaining legitimacy for its demands and instrumental actions. The establishment has exhibited the persuasive control strategies of: 1) avoidance by postponing any binding decision regarding the Diallo police shooting, 2) suppression through Giuliani's

mental banishment of Sharpton by excluding him as a legitimate leader in New York City, and 3) adjustment shown by Giuliani's apparent incorporation of black political leaders into the situation and his sacrifice of Chief Anemone. Both sides of this contention cling to assumptions that maintain their zero-sum game orientation to the conflict.

Findings from inquiry into transcendent strategies demonstrated that at the core of this conflict is the dialectical tension between effective policing and personal freedoms, and that in order to transcend this apparent dialectical tension the disputants must use transcendent strategies to: 1) create a synthetic context outside their own frameworks, and 2) develop a reciprocal relationship between the parties involved. This research suggested that dialogue encompassing issues within the disputants' general perceptions is necessary in order to create the sufficient context to prevent violent outcomes from this conflict. This research further suggested that some form of community involvement in the policing of New York City would initiate the formation of a more positive relationship between New York City's minority communities and the NYPD.

Foremost, this research demonstrated the importance of dispelling dangerous perceptions among a dissent group, regardless of whether the perception is real or presumed. The protests surrounding the Diallo incident are based on the perception that the criminal justice system is biased, and that a minority cannot achieve fair and equal treatment under the law. This perception was perpetuated by the all-white jury verdicts that followed both trials.

Attorney Johnnie Cochran, who is best known for gaining the acquittal of O. J. Simpson for the murder of Nicole Brown-Simpson and Ronald Goldman in 1995, served as legal counsel to the Diallo family until September of 1999. Cochran (2000) states, "the courts



serve as our civic temples. They are where the most vexing questions are resolved, and where the state's power is held in check" (p. 173). Unfortunately, Cochran contends that the perception of black Americans that they cannot receive justice in those civic temples is not unfounded. According to Cochran (2000), "It is not surprising that African Americans believe that they cannot receive justice. How would you feel if you had the pervasive sense that you, your family, and your neighbors could not use the courts to redress wrongs" (p. 173)?

This pervasive sense is the result of extensive media coverage of cases such as McDuffie's and King's in which a group within the general public is left with the perception that a miscarriage of justice has occurred when the verdict is contrary to the information disseminated. In the McDuffie and King cases, the black community ascertained this perception, and whether this perception was reality or a presumption became irrelevant. The anger and frustration caused by this perception was expressed as violence in the form of deadly and destructive riots in both situations. This perception had to be addressed and tempered in some way to prevent violence in this case.

Persuasive rhetoric strategies proved insufficient to quell this pervasive perception. Persuasive rhetoric and diatribe circumvent volatile issues which must be addressed through dialogue, with self-serving monologues aimed at proving the opposition wrong, incompetent, weak, or ignorant. According to Cochran (2000), the way to achieve constructive ends from the Diallo situation is to "reason together ... to engage. Let there be a frank exchange of views" (p. 173). Cochran (2000) concludes, "A simple call for community may seem mundane.... [b]ut without an exchange of ideas, there is only fear and ignorance" (p. 173).

When the Amadou Diallo trial began February 3, 2000, neither Mayor Giuliani, or anybody else in an official capacity, had posited an alternate theory of the case to debunk the presumptions that have incited protests. According to Walton (1992), a presumption is "a defeasible and tentative supposition that carries weight in the absence of specific counterindications" (p. 44). Essentially, a presumption shifts the burden of proof to the opposition in a conflict situation. In the event of a unanimous acquittal, specific counterindications had to be made public. Any important discovery, new evidence, or testimony from the trial that provided some sort of proof that the officers killed Diallo for justifiable reasons needed to be shared with the public immediately and repeatedly. In the absence of such information, New York City may have suffered the same fate as Miami and Los Angeles due to the apparent miscarriage of justice that would have been perceived by the minority communities.

In the period before the trial it seemed certain that if the verdict was a unanimous acquittal and no substantial counterindications arose during the trial, a riot was a realistic possibility. According to Von Hoffman (1999), "New York runs the risk of repeating the mistakes committed by Los Angeles officialdom in the Rodney King business" (p. 4). The public perceived King as a defenseless man who was a victim of police brutality despite the jury's decision because "no alternate explanation [was] ever offered, so that to this day anyone who suggests that the Rodney King case was not straight, simple police brutality motivated by race hatred will be suspected of harboring the same opinions" (p. 4). Although the few seconds that precede the portion of the Holliday videotape that was shown to the public, which was made privy to the jury, that showed King attacking Officer Powell would

have changed public perceptions markedly, this information was not presented to the public by the media. Had this critical information been given a mere fraction of the media attention the edited copy of the videotape received, it may have changed the directionality of the movement and spared Los Angeles from the riot.

Something similar was happening in New York City. As the days went by and no other theory of the case was offered, the idea became set in people's minds that the four officers who shot Diallo were murderers. Mayor Giuliani has higher political aspirations and will take considerable criticism if he is seen as a leader who failed to act in the face of such a serious atrocity committed by his police department on his watch. In March of 1999, Von Hoffman's article appeared in The New York Observer. The article concluded that the Diallo police shooting could mean disaster "for Rudolph Giuliani politically. He has to step in, shape perceptions, [and] take hold of it before it takes hold of him" (Von Hoffman, 1999, p. 4). Sadly, Giuliani did not accomplished this task, neither by use of transcendent strategies in dealing with Sharpton and the dissent movement or by offering the public specific counterindications before the trial.

Significant issues immediately prior to the Amadou Diallo murder trial deserve to be noted. The most relevant concerns included: 1) the trial's change of venue, 2) the jury selection process, and 3) cameras in the courtroom.

The State of New York Appeals Court heard the defense attorney's arguments and ruled in late December that the trial should be held outside New York City. According to Duke (2000), "The trial was moved from the heavily diverse Bronx, where 38 percent of residents are African-American, to the very white upstate city of Albany where only 9 percent are

[African-American]" (p. A03). Though the judicial system guarantees the right to a jury of a defendant's peers, in this case, the appeals court panel felt that the peers constituted a problem for a fair trial. Quoting the court's ruling, Duke (2000) states,

This is not a simple matter of asking the jurors if they could put aside any opinions that they have formed. Instead, it would also be necessary to ascertain whether they could face their friends and neighbors in the event of an acquittal. (p. A03)

This development is reminiscent of the McDuffie and King trials in that both previous trials were moved from high percentage minority districts to more "white" locations.

The second significant issue was the jury selection process. Jury selection began January 31, 2000, for the trial of the four New York City police officers charged with killing Amadou Diallo in the Bronx on February 4, 1999. The Albany County Commissioner's office ordered about 2,000 people to appear from which 300 comprised the jury pool. State Supreme Court Justice Joseph C. Teresi took authoritative control of the process so that the selection, which could have taken two to three weeks, was completed in two days.

According to Fritsch (2000a), the final jury was made up of "four black women, two white women, and six white men. All four alternates are white men" (p. 1). The ever-present Al Sharpton was quoted by Fritsch (2000a) as saying, "We have a diverse jury not because of them [the defense attorneys] but in spite of them" (p. 1). The diversity of the jury will ease some tensions caused by the presumption that the criminal justice system is biased. This fundamental perception among the black community largely contributed to the provocation of the riots after the McDuffie and King acquittals delivered by all white juries.

The third significant recent issue surrounding the trial is cameras in the courtroom. This

issue is arguably the most important concern in that openness and accessibility to the developments of the trial can dispell certain misconceptions which may lead to violence. According to Finkelstein (2000), on January 25, the week before the trial began, Justice Teresi ordered "to allow cameras in the courtroom" (p. 29). Televising the trial means no one can convincingly complain about inaccessibility. In the event of an acquittal, which was the case, the world would have access to the same information the jury had so that the shock and disbelief which contributed to the Los Angeles Riot would not likely result.

The interpretation of specific counterindications depended on the audiences' knowledge of the judicial system, its knowledge of police procedure, and the media's focus during the testimony. What may seem a clear and specific counterindication to an informed, present, and instructed jury, may appear as trivial or inconsequential to a distant, mediated, uninformed public. Addressing this concern was the final opportunity for leaders to provide needed clarification and focus. Otherwise, due to the threat posed to the minority communities' group identity by the perception of inequality in the criminal justice system, public opinion may have minimized or refuted any counterindications to a unanimous verdict of guilty, which may ultimately have had deleterious effects.

The trial of NYPD officers Sean Carroll, Edward McMellon, Richard Murphy, and Kenneth Boss, for the murder of Amadou Diallo began on February 3, 2000. Bronx Assistant District Attorney Eric Warner presented the case for the prosecution. According to The New York Times, in an effort to prove that the officers showed "depraved indifference" to human life, necessary for a conviction of second-degree murder, the prosecution called 12 witnesses and presented 28 exhibits over a period of four days. Two prosecution witnesses, who were

on Wheeler Avenue the night Mr. Diallo was shot, testified that they heard nothing said by the officers prior to the shooting. Three prosecution witnesses testified that they heard a pause in the shooting. The testimony of Dr. Joseph Cohen, a former New York medical examiner, implied that the police officers continued to shoot Mr. Diallo after he was on the ground. Four prosecution witnesses, including two police officials, testified that the vestibule at 1157 Wheeler Avenue was reasonably well lit, which undermined the defense's claim that the officers could not see Mr. Diallo's actions or his wallet clearly. Finally, the defendants testified uniformly that Mr. Diallo did not respond to questions or lawful commands. That in the split-second when he turned away, reached for, and removed his wallet it appeared that he was drawing a gun on the officers, and that the officers feared for their lives and began shooting as a matter of self-defense (Fritsch, 2000b, p. 1).

The defense team was comprised of John D. Patten-lawyer for Officer Sean Carroll, Stephen Worth-lawyer for Officer Edward McMellon, James Culleton-lawyer for Officer Richard Murphy, and Steven Brounstein-lawyer for Officer Kenneth Boss. According to The New York Times, in an effort to show that the shooting of Amadou Diallo was a tragedy, not a crime, the defense called 19 witnesses and presented 26 exhibits over a period of five days. The person closest in proximity to the incident, Schirrie Elliot, appeared as a hostile defense witness and testified that she heard an officer yell "gun" before the shooting started which bolstered the defense's claim that the officers truly feared for their lives. A wound ballistics expert appeared as a defense witness and countered previous testimony by testifying that one or none of the bullets struck Mr. Diallo while he was on the ground. A former NYPD officer and criminologist testified for the defense that the officers followed their training in the

handling of this matter. The officers gave consistent, often emotional accounts of the events that led up to the shooting. In summary, the officers said that Mr. Diallo acted suspiciously, that they identified themselves, that Mr. Diallo refused requests to show them his hands, that he appeared to be digging in his waistband with his unseen right hand, that in the dimly lit vestibule they mistook his black wallet for a gun, that they had incorrectly thought an officer who had fallen had been shot, and that Mr. Diallo remained standing until the final shot had been fired (Fritsch, 2000b, p. 1).

New York Supreme Court Justice Joseph C. Teresi played an important part in the proceedings. In addition to insuring a diverse jury by denying defense motions for challenges to potential black jurors during the voir dir process, Justice Teresi ruled on February 17 that the jury could consider lesser charges against the officers. The original indictment included two charges of second-degree murder and reckless endangerment against each officer. Teresi accepted requests by both prosecution and defense lawyers to add first and second-degree manslaughter and criminally negligent homicide to the charges for the jury to consider. Teresi also instructed the jury for almost four hours before their deliberations, including information on statutes justifying deadly force by police officers and private citizens. According to Kaplan (2000a), "Chief among those instructions was the order that the jurors 'must acquit' - not 'may acquit' - if they conclude the officers 'reasonably but mistakenly' thought they were in danger when they fired their weapons" (p. A1).

The trial lasted less than four weeks from the beginning of jury selection on January 31, 2000, to the closing arguments on February 22, 2000. The diverse jury deliberated for almost three days, a total of 21 hours, and reached a verdict on February 25, 2000. In the

Albany courtroom, the head of the jury, Arlene Taylor, a black woman who used to live in the the Bronx herself, called out "not guilty" 24 times in response to the charges against the four officers. The officers had been acquitted of all criminal charges related to the shooting death of Amadou Diallo.

The top story on all major television network evening news programs on February 25, 2000, was the acquittal of the four officers accused of murdering Amadou Diallo. On that night, Francisco Peguero, a protester participating in a march which began on Wheeler Avenue said, "You can expect a riot, like what happened with the guy out in California, Rodney King " (Forero, 2000, p. A13). According to Forero (2000), other "demonstrators said they expected people to express their anger through violence, if not immediately, then in the coming days" (p. A13). Fortunately, a riot did not occur in the days immediately following the verdict. Instead, angry protests and organized marches have been the means of expressing the anger and frustration of the New York City minority communities.

There were 15 arrests from various protests on Friday night February 25, 2000 (Ferero, 2000, p. A13). There were more than 2,500 protesters on Fifth Avenue and hundreds at City Hall on Saturday. According to Rashbaum (2000), the police reported "that 95 people had been arrested on charges of disorderly conduct. Two were also charged with inciting a riot" (p. 1). On Sunday, 2,000 protesters headed across the United Nations plaza led by Al Sharpton. According to Lauria and Latour (2000), "the scene turned into a tense standoff with police" (p. A12). But, just as the confrontation threatened to spill over into chaos, the protesters departed in an outraged but orderly manner. Only one person involved with the protest was arrested.



Considering the volatility of this case and the large amount of public sentiment regarding its outcome, the response can best be described as controlled indignation. Although over 100 arrests were made, in comparison to the reaction to the Simi Valley verdicts this was an orderly and lawful expression of the minority communities' anger and frustration. The reasons for this controlled indignation can be explained in two ways: 1) counterindications which emerged during the trial, and 2) Reverend Al Sharpton.

Specific counterindications to the presumption by the minority communities of New York City that the criminal justice system which conducted the Amadou Diallo murder trial is biased are numerous. The most obvious is the four black jurors that agreed to acquit the four officers charged in the case. Arlene Taylor, the jury's forewoman who delivered the 24 "not guilty" verdicts, is a black, female, former resident of the Bronx. Additionally, the key witness in the trial, Schirrie Elliott, who provided the most substantial evidence provided in the trial that the officers acted in self-defense is also a black woman. Finally, the judge's decision to allow cameras in the courtroom permitted anybody with an interest in the trial to witness the events immediately and completely; thus, quelling arguments concerning inaccessibility to pertinent evidence and details of the case.

The combination of these counterindications makes it hard for anybody to realistically perceive this verdict as racially biased against minorities. Any violent reactions to this verdict would be simply opportunistic acts of destruction rather than reactions to a threat to group identity imposed by perceived inequalities in the criminal justice system. Isolated incidents have occurred, but large scale violence has not resulted from the acquittal.

Instead, nonviolent protests and marches involving hundreds and even thousands of New Yorkers of all races have been daily occurrences since the announcement of the verdicts. The organizer, leader, and voice of the protests is Reverend Al Sharpton. Recently, Sharpton has undergone a transformation from the angry prognosticator of the perceived injustices which threaten the identity of the minority citizens of New York City to the voice of reason among many who are left seeking answers to a situation in which a man was killed and nobody has been held responsible. Sharpton is now apparently aware of the intractable nature of this conflict, and is proving despite previous indications to the contrary that he is not the fanatic described by Hoffer (1951) as a "true believer."

The night the verdicts were announced the atmosphere indicated impending violence, but Sharpton tempered the anger by saying, "We do not want to tarnish his name with any violence. Let not one brick be thrown, not one bottle be thrown, not one epithet of violence come from us. We are fighting violence, violent men who would shoot an unarmed man 41 times" (Kaplan, 2000a, p. A1). Instead of espousing racially polarizing invectives, Sharpton has been working with Kadiatou Diallo, Amadou's mother, to initiate federal civil rights charges against the officers. Citing the Rodney King incident in which federal prosecutors won convictions of two officers acquitted by a Simi Valley jury, Sharpton has argued that federal charges are warranted in this case. According to Kaplan (2000b), many agree that "While he may not deserve all the credit for the peaceful nature of the protests so far, few would deny him a large share of it" (p. A1).

Sharpton's emergent moral leadership in the face of this verdict, is a departure from "the bombastic gadfly" (Chua-Eoan, 2000, p. 24) image of the past. Kaplan (2000b) states,

"Many white New Yorkers, and many black ones, still hold Sharpton in contempt for his past actions and for the streak of opportunism that they still see in his current campaigns" (p. A1). But, in this situation, Sharpton has emerged as the most important black leader in the city.

The full sign of his arrival as a legitimate leader in New York came in mid-February during the debate between Democratic Presidential Candidates Al Gore and Bill Bradley at the Apollo Theater in Harlem. Sharpton set up the event which was the first presidential debate to take place in the black community. CNN's Bernard Shaw moderated the event and gave the first question to Mr. Sharpton who asked the candidates what they would do to stop racial profiling without an increase in crime.

Al Sharpton has demonstrated a move from persuasive arguments concerning positional issues to transcendent strategies aimed at discussing reforms to dispell widespread perceptions among minority New Yorkers. Sharpton has shown the importance of a social movement leader to address and temper perceptions that threaten a dissent group's collective identity. His attention to these perceptions has been instrumental in preventing the sort of violence that followed the McDuffie and King acquittals. Unfortunately, in neither of the previous cases did a leader emerge to temper the anger and frustration of the dissent group, and violence resulted due to this void.

Although the rhetoric of this movement as voiced by the group's collective identity in its inception phase indicated a directionality toward destructive ends, Al Sharpton's leadership has controlled this propensity toward violence and resourced it toward more constructive means of expression. How Sharpton manages the fallout from the Diallo case will determine his political future as well as the political future of New York. The U. S. Senate race is

underway and Sharpton's new found legitimacy due to the peaceful protests he has engineered, and his adeptness at tempering anger and violence after the acquittal, make his endorsement valuable to the candidates involved. Although seen as an outsider by many New Yorkers, Sharpton's endorsement of Hillary Clinton may make a crucial difference in this election.

Although Mayor Giuliani has been sympathetic toward the Diallo family since the tragedy, his dismissing Sharpton's protests as "silly," and his ardent defense of the tactics which led to Mr. Diallo's death have become obstacles to his political ascendance to the U.S. Senate. The deconsolidation of the Street Crime Unit and apologies to the family are congenial but will not prevent this type of tragedy from happening again. In a time when New Yorkers should be rejoicing due to dramatically fallen crime rates, minority New Yorkers are scared and mistrust the tactics and strategies used to achieve this end. The end simply does not justify the means when it comes to police work, and reforms are warranted.

Before February 4, 1999, Giuliani's victory in the upcoming U. S. Senate race was virtually assured. Primarily due to huge reductions in crime in New York City, he has become a very popular mayor. But the police shooting of Amadou Diallo has exposed the civil rights violations to citizens that have made much of this success possible. Ironically, Mayor Giuliani should thank Al Sharpton. Without Sharpton's leadership, which since the verdict has tempered the anger of minority New Yorkers, Giuliani's city may have suffered the same fate that Miami and Los Angeles suffered after similar controversial police actions and subsequent establishment inaction.

### Conclusion and Recommendations for Further Study

The findings of this study provide a more sound understanding of the social movement as a conflict which requires unique forms of communication due to the moral, intractable nature of such contentions. While this study primarily focused on the social movement concurrent to the Amadou Diallo police shooting in New York City, the framework presented pertains to managing the conflict inherent to social movement agitation in a general sense. Numerous scholars have discussed the importance of the agitator in pointing out significant problems apparent in the status quo; however, this thesis extends past research to reveal the inadequacy of agitators to follow up the demarcation of exigencies with steps toward workable solutions due to immutable persuasive rhetorical strategies. This research has shown that leaders must go beyond persuasion to initiate genuine dialogue, dialogue which enables participants to dispel dangerous presumptions and create synthetic contexts based on issues encompassed within their general perceptions, so that a reciprocal relationship may be formed.

Ultimately, this research demonstrates that in the postmodern era the utmost priority of a leader engaged in a social movement conflict should not be to defeat the opposition's arguments through persuasive strategies. The violent consequences of the movements surrounding the Arthur McDuffie and Rodney King incidents attest to this conviction. Transcendence through synthetic context creation and a better understanding of the directionality of the movement based on its rhetoric can prevent escalation toward violence. The leaders on both sides of social movement conflicts, through the extended interpersonal relationship created by their positions, must coordinate the management of the meanings that

are construed by the parties involved so that even disputants from incommensurate moral orders can produce constructive ends. The social movement is crucial to bring about needed changes to the status quo, but this study has shown that violence can be avoided while still striving for reformative modifications to society.

These research findings can be applied to future research inquiries into social movements as conflicts. For the purposes of ongoing research, several areas of examination both specific to the content of this study, and generalized from this study are recommended. It is suggested that future research be conducted regarding the actual outcomes of the social movement that accompanies the Amadou Diallo incident and trial. The events of the federal trial and civil trials, and the aftermath of the entire movement can be studied to evaluate the accuracy of this study's predictions, and the viability of the transcendent leader centered analysis framework.

Studies focused individually on the rhetoric of New York City Mayor Rudolph Giuliani, former Police Commissioner William Bratton, Police Commissioner Howard Safir, or the Reverend Al Sharpton, could be undertaken in order to focus on specific communication patterns and strategies to determine the rhetor's effectiveness or ineffectiveness in managing the conflict of this social movement. Additionally, research inquiring into other social movements that resulted in violence by the dissent movement are recommended as well as research on movements such as the anti-establishment movements by the Black Panthers and MOVE which ended in violence instigated by the establishment in efforts at purgation of these groups. Such reactions on the part of establishments toward dissent movements are perhaps the most formidable obstacle to achieving progress in the postmodern era.

The issue of race plays a significant part in all three movements studied. Future researchers could examine whether the rhetoric and actions of the establishment are harsher toward movements organized by groups when there is a disparity of race between the movement members and the establishment. Conversely, an examination of whether the rhetoric and actions of the dissent movement are harsher toward an establishment when there is a disparity of race is recommended.

The heuristic function of the theoretical framework proposed by this thesis will prove viable only if it generates further research. The speculation forwarded by this framework provides a guide to a future direction social movement research may take and thus aids in furthering investigation into the field of inquiry. By applying this framework to future ongoing social movements: 1) The framework may prove useful in its explanatory and predictive functions in its present configuration; 2) The framework may grow by extension due to the addition of new concepts; 3) The framework may grow by intension through the process of developing an increasingly precise understanding of individual concepts; or, 4) The framework may prove deficient in its explanatory and predictive functions, expunging its theoretical usefulness.

The application of this theoretical framework to future social movement conflicts will challenge the existing persuasive strategies, predominantly used to confront the demands of such contentions, and generate new ways of managing social movement conflicts toward constructive nonviolent ends. In addition to applying this framework to future ongoing social movements, a study of the effects that the empirical validity of the disputant's perceptions has on the applicability of this framework is recommended. By examining the

external truth or falsity of the group's perception, the usefulness of this framework can be determined. Social movement conflicts spurred by perceptions based on false or exaggerated presumptions are the best fit for this theoretical framework. Social movement conflicts induced by true exigencies such as pogrom, or other actual acts or ideologies which produce atrocities, are not suitable for its application. It should be noted that this limitation does not apply to the vast majority of social movements in today's society.



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