The Conversational Dynamic in American Public Life

Hannah Goff Spicher

Follow this and additional works at: https://scholarcommons.sc.edu/etd

Part of the English Language and Literature Commons

Recommended Citation

This Open Access Dissertation is brought to you by Scholar Commons. It has been accepted for inclusion in Theses and Dissertations by an authorized administrator of Scholar Commons. For more information, please contact dillarda@mailbox.sc.edu.
THE CONVERSATIONAL DYNAMIC IN AMERICAN PUBLIC LIFE

by

Hannah Goff Spicher

Bachelor of Arts
University of Central Arkansas, 2003

Master of Arts
University of South Carolina, 2011

Submitted in Partial Fulfillment of the Requirements
For the Degree of Doctor of Philosophy in
English
College of Arts and Sciences
University of South Carolina
2019

Accepted by:

Chris Holcomb, Major Professor
Pat J. Gehrke, Committee Member
Gina Ercolini, Committee Member
Heike Sefrin-Weis, Committee Member
Cheryl L. Addy, Vice Provost and Dean of the Graduate School
ACKNOWLEDGEMENTS

I consider this project its own reward. An antidote, so to speak, rather than the problem. But that thought already bears the imprint of others. Who comes to mind? I am grateful to a tiny group of professionals who helped me get well (or is it just better?). You know who you are. My longtime friends were also stellar and made life more fun: They sustained me with lavish cakes, distracted me with jokes, and furnished my mind with the kind of astrophotography that I could never do. Thank you. I have no doubt that the unyielding belief in the project by Mary Goff, my sister, and Michael Spicher, my husband, energized me in ways that made giving up seem unimaginable. I especially appreciate Michael for enabling me to devote a solid year to writing once the end was clearly in sight. Now that is the stuff of dreams! Thank you, Michael. What a gift.

On a practical level, Boston Public Library Special Collections made it possible for me to carry out much of my research without a local university campus connection. The Margaret Fuller Papers in particular challenged my perspective. Most of all, I thank my committee members for their enduring, positive influence in my life. While writing, I thought of their imposing range of expertises (Renaissance! 20th Century! Enlightenment! Classics!) and was continually challenged and invigorated by it. Yet, whenever I would interact with any one of them—Chris Holcomb most of all—my overall impression had little to do with areas of specialization. Instead, a single, life-affirming thought would spring to mind: this is what it’s like to be tutored by a mensch.
ABSTRACT

A confluence of factors has sparked a sustained, public preoccupation with conversation. Brewing since the fifteenth century and overtly public since the middle of the nineteenth century, the explosion of public models of conversation that emerged in the European and American rhetorical traditions is significant—without precedent—in the history of rhetoric. This interest in conversation is so pronounced as to penetrate not just public speaking practices, but subtler interpretations of law, philosophy, commerce, and government. I identify this as the conversational turn. The extent to which this saturation was truly conversational is the subject of much debate. However, the contours of this debate are little understood. This is both a historical and theoretical problem. While the art of face-to-face conversation is said to be either irrevocably in decline or in desperate need of reclaiming, practically every modern communication invention has conspired to make the rhetorical metaphor and structure of conversation not just possible in public life, but desired and expected. In an effort to understand how and why the public conversational dynamic rose to prominence in the way that it did, this study brings together underlying social and political dynamics that animate the conversational turn, particularly as they developed in the United States. By doing so, this project recasts the dominant narrative about the public shift away from oratory and toward conversation in contemporary, democratic societies.
TABLE OF CONTENTS

ACKNOWLEDGEMENTS ........................................................................................................ iii

ABSTRACT ........................................................................................................................... iv

LIST OF FIGURES ................................................................................................................ vi

CHAPTER 1: THE CONVERSATIONAL TURN IN AMERICAN PUBLIC LIFE ........1

CHAPTER 2: THE RHETORICAL TRADITION AS A BASIS FOR A NEW THEORY
OF CONVERSATION ...........................................................................................................33

CHAPTER 3: GOVERNMENT: AN IMPETUS FOR CONVERSATION IN
AMERICAN PUBLIC LIFE .......................................................................................................69

CHAPTER 4: MASS CULTURE: THE GOLDEN AGE OF ORATORY AND THE
AGE OF CONVERSATION ..................................................................................................103

CHAPTER 5: STYLE: ON THE DIFFERENTIA BETWEEN PRIVATE AND PUBLIC
CONVERSATION ................................................................................................................142

EPILOGUE ...........................................................................................................................199

REFERENCES .....................................................................................................................203
LIST OF FIGURES

Figure 3.1 Sovereignty in a Mixed Government .........................................................80
Figure 3.2 Individual Sovereignty Replaces the Mixed Government Model ......82
Figure 3.3 Mixed Government as a Compound of Three Distinct Parts.........91
CHAPTER 1
THE CONVERSATIONAL TURN
IN AMERICAN PUBLIC LIFE

“In America during these same years conversation could never be contained in the salons of one class…it proliferated through many levels of society in a democratic diversity of forms…the public seemed especially keen to see the character of important personalities expressed ‘live’ in the give-and-take of supposedly spontaneous conversation.”

-Peter Gibian, *Oliver Wendell Holmes and the Culture of Conversation*, 2001

“Not all discussions—or conversations—lead to wisdom: but wisdom is more likely to come from people who engage in true conversation than those who do not.”

-Egbert S. Oliver, “Who’s For Conversation?” 1958

“Reading and Public Address are but modified forms of Conversation and are so closely allied to it that excellence in Conversation will secure excellence in Reading and Public Address.”

-Jacob Shoemaker, *Practical Elocution*, 1883

A confluence of factors has sparked a sustained, public preoccupation with conversation. Brewing since the fifteenth century and overtly public since the middle of the nineteenth century, the explosion of public models of conversation that emerged in the European and American rhetorical traditions is significant—without precedent—in the history of rhetoric. This interest in conversation is so pronounced as to penetrate not just public speaking practices, but subtler interpretations of law, philosophy, commerce, and government. I identify this as the *conversational turn*.

The extent to which this saturation was truly conversational is the subject of much debate. However, the contours of this debate are little understood. This is both a historical
and theoretical problem. As a matter of historical method, conversational models and
dialogues have variously been rejected, extolled, and overlooked as relevant to
contemporary public communication. While some sort of divergence is to be expected,
what has been lacking in contemporary views of rhetoric is a general theory for including
one interpretation of conversation alongside (or to exclusion of) another. Where for some
the traditionally private genre of conversation is antithetical to the more agonistic rhetoric
necessitated by a democratic public, for others, in particular proponents of deliberative
democracy and the humanistic metaphor of conversation, the selfsame “branch of
rhetoric” (i.e., conversation) is upheld as “the preferred model of political
communication,” and, indeed, for all of rhetoric.¹

Meanwhile, what Peter Burke and Peter Gibian theorize in their separate studies
as the “poles” of conversation have almost completely disappeared from contemporary
analyses of the genre.² In his expansive social history of language and conversation,
Burke explains that tensions in conversational dynamics and performance, though
necessary for developing a general theory, are continually ignored. He writes: “a truly
general theory of conversation should discuss the tension and the balance between the
competitive and cooperative principles, between equality and hierarchy, between
inclusion and exclusion, and between spontaneity and study, rather than placing all the

¹ Cicero refers to conversation as branch of rhetoric in Book I of De Officiis (On Duties) (1913). In
39-64, Peter Remer summarizes the literature on deliberative democracy as “the preferred model of
political communication” (39). For more on how the conversational style is antithetical to eloquence see
Lee Cerling, “The Fate of Eloquence in American Higher Education, 1892-1925” PhD diss., (University of
Iowa, 1995), 31.

² For more on the landscape of conversation in American literary and cultural history and the “poles” of
conversation see especially Peter Gibian, Oliver Wendell Holmes and the Culture of Conversation
weight on the first item in each of these pairs.”  However, despite featuring prominently in Classical dialogues and Renaissance courtesy manuals, and despite their promise to enrich our views of what contemporary conversational dynamics can “do,” the poles of conversation continue to receive scant attention.

This unevenness in historical approaches to conversation is compounded by the fact that the period that first codified conversation as an important rhetorical genre—the Renaissance—is rarely considered alongside contemporary, democratic iterations of conversation. In particular, feminist histories and theories of rhetoric, once sequestered by design, are still mostly studied, not just independently of rhetoric in general, but in opposition to it. The result is that conversational dynamics, while continually being adapted to the meet the problems of the day, have suffered from an even more polarized relationship to history than oratory. So many “multiple and separate rhetorics” have been developed and splintered within the fifteenth and twenty-first centuries that any continuity that does exist between them goes mostly undetected. Historians covering the more recent nineteenth, twentieth, and twenty-first centuries, meanwhile, often do observe but then quickly reject newer varieties of public conversational iterations, since they are so clearly a deviation from “true” conversation.

---


4 James Berlin, “Revisionary History: The Dialectical Method” in *Rethinking the History of Rhetoric*, ed. Takis Poulakos (Boulder: West View, 1993): 135-152. Also see Jane Donawerth’s “Introduction: Adding Women’s Rhetorical Theory to the Conversation” in Jane Donawerth, *Conversational Rhetoric: The Rise and Fall of a Women’s Tradition, 1600-1900* (Carbondale: Southern Illinois University Press, 2012), 1-16. One of the most promising and sustained efforts to bring together the intellectual history of conversation as it relates to rhetoric and oratory can be found in David Randall’s *The Concept of Conversation*.

This impasse—together with the lack of connections between periods that it encourages—tends to obscure a second and related theoretical problem: public adaptations of conversation, when they do receive sustained critical attention, are often theorized as if they could actually replicate the *ideal* promised in the art of conversation. This study does not dispute the view that conversation among friends is among the sweetest things in life. However, it rejects the notion that the ideal of conversation, which, at its best, carries with it a promise of something bordering on religious experience, is the appropriate place to base a theory for the variously makeshift and highly orchestrated models of “conversation” we see so much today. The goal of this project is nevertheless constructive. In contrast to the bulk of contemporary criticism of conversation, I use this assumption of difference not as an end for criticism on the current state of rhetoric, conversation, or contemporary political communication but rather as a starting point for understanding the practices and contexts leading up to and following the public conversational turn. The ultimate aim of this project is not to outline another decline thesis, but rather to explain the resourcefulness—and rhetorical significance—of the public conversational dynamic.

Building on existing histories and critical vignettes of conversation, and drawing upon the rhetorical tradition as a theoretical basis for understanding the range and poles of the genre (which I detail in the next chapter), I argue that the proper place on which to base a theory and history of public conversation is not in ideals of rationality, equality, or unadulterated sociability but rather in observable, public practices. Tracking the method

---

of Norbert Elias, who in the *The Civilizing Process* sets out to sketch a process by showing “the movement itself, or at least large segments of it, as a whole, as if speeded up,” in this study I seek to illustrate more durable iterations of public conversation in the context of law, government, culture, and style. Following key moments and debates in the rhetorical tradition (Chapter Two), a formalized eighteenth-century impetus for conversation (Chapter Three), together with nineteenth (Chapter Four), twentieth, and twenty-first century (Chapter Five) rehearsals of the genre, I set out to uncover motivations and functions of the public conversational dynamic that distinguish it from the conversational ideal. In the end, I conclude that, however close or far the public conversational model may come to the democratic and philosophical ideals that inspire it, it is an important *compensatory strategy* that helps to make possible common life.

**Competing Ends of Conversation: Candidate Trump and President Obama**

The scope of the conversational turn is vast and full of contradictions. By way of introduction, consider two sets of contemporary “conversations,” both of which were delivered in Iowa in the summer of 2015. The first, an interview of then presidential candidate Donald Trump conducted by Republican pollster Frank Luntz, took place on July 18, 2015 at the Family Leadership Summit in Ames. The second, which was recorded on September 14, 2015 at the State Library of Iowa in Des Moines and published the following month in *The New York Review of Books*, was entitled “President Obama & Marilynne Robinson: A Conversation in Iowa.” Both performances were oriented toward the 2016 presidential election and included thoughts on the current political climate and visions for the future. Highlighting the ubiquity of the genre, both of

---

the conversations also consisted of two people (typically an interviewer and an interviewee), sitting down, partially facing each other, with some sort of mug or cup next to them.

The first exchange, between Trump and Luntz, took place at a conservative summit on a stage in front of a live audience. It was also being recorded for a televised audience. (C-SPAN, the public service station dedicated to public affairs programming, aired a live performance of the talk. All of the texts I cite in the following section are pulled from transcripts or archived videos from C-SPAN.) Although the discussion would be most talked about because of Trump’s inflammatory comments about Senator John McCain (“He’s a war hero because he was captured. I like people that weren’t captured, OK? I hate to tell you.”), the most relevant feature here is its demonstration of conversation in the context of a populist style of politics.

Following two questions involving the audience, Luntz opened the conversational interview by introducing the subject of education and its relationship to jobs. In theory, the exchange might have provided an opportunity for some of the compensatory strategies for conversation that I detail in Chapter Four: compression, discovery, cultural mediation, and cultural reform. Historically, at least, the United States’ famous (and partial) quest for “education for all” was, I would argue, a direct expression of the search for these potentially corrective qualities of conversation in public life. However, in practice, these strategies can be used for all kinds of autocratic ends. Witness, for example, how Trump obfuscates the substance of the question (i.e., education on a national scale) and instead maneuvers away from complicated technicalities and toward frank (and only frank) speech.
**Luntz:**

So, I need to ask you. The most important attribute of a successful workforce is their education and training. There is a major issue out there, and I know how focused you are on getting the best employees. Common Core has been very controversial. The president has had to step back on it. What should the next president do with Common Core and with education, so that you can hire the employees you want to hire?

**Trump:**

A great question. Common Core has to be ended. It is a disaster. It’s a way of…

(Applause)

It’s a way of taking care of the people in Washington that frankly, I don’t even think they give a damn about education, half of them. And I am sure some of them maybe do.

**Luntz:**

Do you want to use that word in this forum?

**Trump:**

I will, I will. Because people want to hear the truth, Frank. I watch you all the time; they want to hear the truth.

(Applause)

I mean, exactly what Frank said is what is wrong with our country. We are so politically correct that we cannot move anymore.

You know? And Frank, and Frank…
Wait a minute, wait a minute, [Luntz interjects] because politically correct is political… [Trump] We have to be able to express ourselves.

**Luntz:**

But don’t we go too far?

**Trump:**

Too far?

**Luntz:**

Don’t you feel that you went too far in what you call [Trump interjects: Saying the word damn?]… [Luntz] Mexicans coming across the border?

**Trump:**

Oh no, not at all. No, I’m very happy.

(Applause)

Well, let me tell you not at all. No, not at all.

(Applause)

Two things. I am so proud of the fact that I got dialogue started on illegal immigration…

Remember how the original question put to Trump was about education? The crowd apparently did not. They instead seemed to be really excited about his use of the word “damn.” That Trump was clever enough to make a pun out of the commentators name (Frank) only heightened that original blow. As I discuss later in this study, the tactic of being “frank” goes back to at least Plato and has haunted democratic judgment from the beginning. It introduces important questions related to style and content, and
how the two are strained in democratic settings. Political theorist Elizabeth Markovits suggests in her study on frank speech, for example, that in the Gorgias Socrates is “playing” with the ideal of frank speech (parrhesia) by “drawing on Athenian oratorical traditions that seem to violate its dictates” and “calling attention to” frank speech as a trope. “While Socrates remains committed to the idea of truth in speech,” writes Markovits, “his practice highlights the difficulty and vulnerability of democratic speech.”

One of the vulnerabilities that Trump takes advantage of in his conversational exchange with Luntz is the populist appeal of saying “out loud what people…are thinking inside.” In contrast to career politicians who kowtow to the latest special interest group, the implicit argument goes, Trump, by calling out metonymous “Washington,” is claiming to represent the democratic sovereign writ large. His willingness to say out loud what other people are thinking, in other words, represents the “rightful” source of sovereignty (i.e., the people) rather than any “sectional interest.” This common maneuver comes straight out of the populist playbook. As political theorist Margaret Canovan outlines in one of her many works on the subject, “Populists love transparency and distrust mystification; they denounce backroom deals, shady compromises, complicated procedures, secret treaties, and technicalities that only experts can understand.” Given the conversational interview’s obvious goal of accommodating

---


10 Canovan, 1999, 4.

informal, impromptu speech, it is not surprising that populist appeals can flourish in this genre and perhaps why Trump’s simplistic answers to complicated questions are met with applause.

Beyond the particularities of Trump, however, is a structural issue that is embedded into the democratic experiment. The chasm between complex issues, the diffusion of knowledge, and the means to interpret and apply truths was a concern for American citizenry from the beginning. In his 1796 Farewell Address George Washington urged the promotion of “the general diffusion of knowledge” saying, “in proportion as the structure of a government gives force to public opinion, it is essential that public opinion should be enlightened.”12 For reasons that I will show in Chapters 3 and 4, conversation was publicly adapted in earnest in the United States (in the first half of the nineteenth century especially) in the service of uniting these ends. Populism is but one expression of it. That is why, when Trump says he is “so proud of the fact that I got dialogue started on illegal immigration” it sounds indistinguishable from any other contemporary speaker. The call for starting a “dialogue” or “conversation” on a topic is heard so often as to have become a trope. Indeed, it is only recently that the existence of a common language necessary for such a “conversation” has even come into question.13


13 The conversation between President Obama and Marilynne Robinson, which I will preview in the following section, identifies this lack of commonality as a stumbling block. For a non-academic analysis on the cultural significance of the loss of a shared language and its associated loss of speech’s power, see Vinson Cunningham’s article following the 2016 shooting of five police officers in Dallas, “Obama and the Collapse of Our Common American Language,” New Yorker, July 13, 2016.
What Trump’s answer on whether he went “too far” obscures, however, is that by calling Mexicans “rapists” (which is what Luntz is referring to) Trump did not start a metaphorical conversation so much as end one. And that, at least from a populist or demagogue’s perspective, is precisely the point. As Canovan describes the appeal, “populists claim that…complexity is a self-serving racket perpetuated by professional politicians, and that the solutions to the problems ordinary people care about are essentially simple.”\(^1\) Meanwhile, Jennifer Mercieca, a rhetorical scholar with a forthcoming book on the demagoguery of Trump, identifies how Trump’s “lack of specificity about how he would accomplish…goals is less relevant than his self-assured, convincing rhetoric.”\(^2\) In this reading, the essence of the question—how to keep American students globally competitive—was less important than the confidence with which he projected his criticism of a controversial, top-down policy (“Common Core has to be ended. It is a disaster.”) (“It’s a way of taking care of the people in Washington that frankly, I don’t even think they give a damn about education, half of them.”)

While by many accounts Trump’s refusal to concede ground would be considered antithetical to conversation (“Oh no, not at all. No, I’m very happy.”), in the Trump repertoire this maneuver is so consistent as to be considered further proof of his authenticity. “Trump’s self-congratulating rhetoric makes him appear to be the epitome of hubris, which, according to research, is often the least attractive quality of a potential leader,” writes Mercieca.\(^3\) “However, Trump is so consistent in his hubris that it appears

\(^1\) Canovan, 1999, 6.


\(^3\) Mercieca, 2015. The research she references is Jeffrey C. Alexander’s *The Performance of Politics: Obama’s Victory and the Democratic Struggle for Power* (Oxford: Oxford University Press, 2010).
authentic: his greatness is America’s greatness.” Mercieca’s insight regarding Trump’s perceived authenticity may begin to explain why, at a summit with the mission of “strengthening families, by inspiring Christ-like leadership in the home, the church, and the government,” it was not the “homespun values of hard work, and honesty, and humility”—something President Obama and Marilynn Robinson would soon discuss—that would get a hearing, but rather hubris, “frankness,” and bluster.

The second conversation, between Obama and Robinson, could be considered a response to the Iowa summit, since, on one level, it attempts to work as a corrective to the fear and divisiveness that Trump’s rhetoric encourages. However, this is not to suggest that the two conversations are opposites. I pair the two conversational interviews in Iowa because they are neither wholly similar nor wholly dissimilar from one another. Both, for instance, have what basically amounts to an interviewer and an interviewee (a scenario that proponents of pure conversation would describe as disqualifying). Both engage in a back and forth style of communication performed and recorded in front of a live or anticipated audience. Because in both instances the back and forth contributes to and changes the course of the conversation, they both might also be considered what Lindal Buchanan theorizes as “collaborative” in their delivery. And finally, both are what Carolyn Miller would describe as the same genre, or “recurring responses” to social situations. Highlighting the recurring pattern of the conversational dynamic, the genre is


not merely a form, but rather a response or action that “‘fuses’ substantive, stylistic, and situational characteristics.”

Thus, while operating within the same genre, the two conversational interviews can obviously highlight a range of motives, situations, and responses. In the case of Obama and Robinson the premise of the conversation was entirely different. In contrast to Luntz, who was at the summit to conduct a conversational interview with multiple presidential candidates and, in the process, uncover details about their policy positions and general attitudes surrounding their candidacies, Robinson was seated across the table from Obama because, as an author he admired, she was “first in the queue” of people with which he wanted to have an idea-based conversation. Much like nineteenth conversational theorists Ralph Waldo Emerson, Oliver Wendell Holmes, and Margaret Fuller, Obama described the conversation he proposed as “an experiment.” And, in the same vein as Madeleine DeScudery, he hoped the range of the themes discussed would be expansive, “easy and natural,” and “correct but not hypercorrect.” By way of introducing the type of conversation he had in mind Obama said, “I’d like…just to have a conversation with somebody who I enjoy and I’m interested in; to hear from them and have a conversation with them about some of the broader cultural forces that shape our

20 Miller, 1984, 152.


22 Obama and Robinson, 2015. For more on the idea of conversation as a “magnetic experiment” see Ralph Waldo Emerson’s, Society and Solitude.

23 De Scudéry, 2001, 761.
democracy and shape our ideas, and shape how we feel about citizenship and the direction the country should be going in.”

Although there is a general sense of equality, friendship, and turn-taking between Robinson and Obama that is mostly absent in the more journalistic setting of Luntz and Trump, there are still unambiguous roles outside of the conversation that come into play. As interviewer and sitting President of the United States, Obama’s role is clearly different than Robinson’s, particularly at the start of the conversation. His efforts at informality (“you got a fancy award at the White House”) (“you just kind of mash them all together?”) (Does that sound, like, too stuffy?) contrast with her tone, which rarely strays in its seriousness and earnestness (“I do, indeed.”) (“The word ‘cosmopolitan’ was never applied.”) (“Well, I believe that people are images of God. There’s no alternative that is theologically respectable to treating people in terms of that understanding. What can I say? It seems to me as if democracy is the logical, the inevitable consequence of this kind of religious humanism at its highest level. And it [applies] to everyone.”) With Obama, one gets the impression that he is seeking to reorient the listener, and perhaps himself and Robinson, away from his title as President and toward the idea-based dynamic that he is hoping to create with Robinson. Robinson, meanwhile, is probably a little more wooden than she might otherwise appear if the conversation were not also being recorded and oriented for an audience (namely, the expected feature in The New York Times Review of Books). There is a sense in which Robinson has something to prove (i.e., that her contributions live up to Obama’s vision for her as an interlocutor) that seem to hamstring the interplay between gravity and levity that true conversation ideally embodies.

---

24 Obama and Robinson, 2015.
None of this, however, prevents either interlocutor from revealing maxims over
the course of the conversation that probably took years to get to. When Robinson
suggests, for example, “that the basis of democracy is the willingness to assume well
about other people,” it comes on the heels of delivering lectures, writing essays, and
having the topic (i.e., “the role that fear may be playing in our politics and our democracy
and our culture,” as Obama put it) “very much” on her mind for a long time.25
Meanwhile, when Obama says, “America is famously ahistorical. That’s one of our
strengths—we forget things” or “part of what makes America wonderful is we always
have this nagging dissatisfaction that spurs us on,” what he is showing, paradoxically, is
the kind of intimate knowledge of American history that takes years to distill.26 This
capacity to compress layers of knowledge is a feature of rather than a departure from
conversation, particularly conversation of the philosophical and intellectual variety.
Indeed, one of the markers of “good intellectual conversation,” writes Lawrence Buell, is
that it “tends to become a series of aphorisms.”27

Although the conversation between Obama and Robinson is atypical of what we
see in contemporary iterations of the genre (here, Trump and Obama are at opposite ends
of the spectrum) this basic difference between the distillation of ideas and the pursuit of
sound bites is an important one to observe, since the conversational style is consistently


26 President Barack Obama and Marilynne Robinson, “President Obama & Marilynne Robinson: A

27 Lawrence Buell, Literary Transcendentalism: Style and Vision in the American Renaissance (Ithaca:
faulted for promoting the latter at the expense of the former. While not incorrect, this common critique can (ironically) signify an unnecessarily reductive view of public conversation. What the conversational model promotes is brevity. Whether or not a speaker or writer conveys something profound or something vacuous generally has more to do with substance than duration. Remember that one of America’s most important speeches, Lincoln’s Gettysburg Address, was shorter in length than most of its contemporaries, simpler in its purpose, and—while masterful in its mixing of high and low styles—more plainspoken in its form. It lasted two minutes. And yet, when Robinson evokes the Gettysburg Address in her conversation with Obama, she uses it to paint a picture of something expansive: “I think that in our earlier history—the Gettysburg Address or something—there was the conscious sense that democracy was an achievement. It was not simply the most efficient modern system or something. It was something that people collectively made and they understood that they held it together by valuing it.”

The President identifies one challenge in our democratic system (which, as I will show in a later chapter, was actively mitigated both formally and informally at various times throughout American history) as the capacity for having a common basis for conversation. “Part of the challenge is—and I see this in our politics—is a common conversation. It’s not so much, I think, that people don’t read at all; it’s that everybody is

---


29 Of course, how audiences alter received texts can complicate this scenario significantly. Comedy shows, for instance, thrive on splicing material to make politicians look even more absurd or contradictory than they often are.

reading [in] their niche, and so often, at least in the media, they’re reading stuff that reinforces their existing point of view. And so you don’t have the phenomenon of here’s a set of great books that everybody is familiar with and everybody is talking about.”

Obama’s assessment of our current rhetorical climate is reinforced by historians and borne out by numerous quantitative studies. I do not dispute it. However, it also threatens to return the conversational dynamic back into a static idea or a symbol rather than, as Miller conceived genre, a dynamic response that “fuses substantive, stylistic, and situational characteristics.”

After all of that particularity in regards to conversational maneuverers and set pieces, have we merely returned to the metaphor of conversation? And, if so, what to make of the difference between the metaphor of conversation and democratic debate? Near the conclusion of the two-part conversation published in The New York Times Review of Books, it does not seem to be additional conversation in politics that Obama and Robinson are after but rather democratic decision. Robison says, “I wish we could have a normal politics where I disagree with people, they present their case, we take a vote, and if I lose I say, yes, that’s democracy. I’m on the losing side of a meaningful vote.” To which the President adds, “And I’ll try to make a better argument the next time.” “Exactly,” says Robinson.


33 Miller, 1984, 152.

34 Obama and Robinson, II, 2015.
How Scholars Have Approached the Question

There is little debate among historians about the conversational turn. Scholars widely acknowledge its impact. Still, there is no comprehensive study that seeks to explain—across fields and epochs—the conversational dynamic as a contemporary, inventive, and consequential rhetorical adaptation. Nor are there sustained attempts to delineate the underlying assumptions that animate this modern, public phenomenon. Instead, the literature on rhetorical conversation typically falls into one of five categories: 1) the humanistic metaphor of conversation; 2) conversation as a stylistic frame; 3) the history of conversation; 4) analysis of how actual conversation “works” (including the ways in which it can fail); and 5) communicative models for deliberation in a liberal society. This last category, which is probably most common, can be further divided into direct (face-to-face) and mediated (circulatory) approaches to deliberation. “People talk to each other directly, or they read and watch the argument circulate through the modern print and media culture,” writes the speech historian William Keith.35

Within this larger spectrum, there are two primary ways rhetorical scholars have approached public models of conversation: historically and by genre. Of these, some of the most helpful works for understanding the “conversational turn” open with the express goal of rethinking our overemphasis—even fixation—on public models of conversation.36

---


36 In “The Cult of Conversation,” David Simpson (1997) takes up our “love affair” with conversation, noting, “the word is all over the place” (75). He wonders why we insist on transforming “writing into speech” and why we seek to convert “impossibly large and complex groups into medium-size dinner parties” (75). Like Sampson, Gary Remer (2008), critiques the view of the conversational model expounded by deliberative democrats, arguing that for classical rhetoricians, “political deliberation was based on oratory, not conversation” (1, emphasis added). Social-political critiques (Freeman, 1972;
Thomas Farrell, for instance, in an effort to offer “something more powerful than a metaphor for good reading,” valuably begins to fill in “the middle ground” between rhetoric and conversation.\(^{37}\) His concern follows a long line of thinkers—from Richard Rorty to Alasdair MacIntyre, Kenneth Burke, and H.G. Gadamer—who invoke conversation as a “paradigm for humanistic inquiry.”\(^{38}\) However, he differs from these authors in his willingness to imbed the “reflective capacity of rhetoric” in both the “metaphor” of conversation (what Farrell calls “conversation as argument-constituted communicative action”) and conversation “in general” (or, as he describes it, “the sloppy, playful, give-and-take of ordinary life”).\(^{39}\) Farrell, in other words, “lumps” conversation as metaphor and conversation as “the most generalized form of talk” in order to develop a mechanism for examining the to and fro between rhetorical argument and spontaneous conversation.\(^{40}\)

However, he also places conversation at the opposite end of intentionality, which is something Robert Branham and W. Barnett Pearce have identified, at least in most public address, as a false model. The “conversational frame” in Branham and Pearce’s view is not a reflection of actual spontaneity, but rather a studied, rhetorical choice. Mark

---


Twain’s lectures and after-dinner speeches, for example, though taken to be extempore, were in fact the product of carefully “rehearsed” and “calculated informalities.” In contrast to Farrell, who views unrehearsed, dialogic conversation as something we “fall into,” Branham and Pearce and Jamieson focus their analysis on the rhetorical power of monologic simulations of conversation. This is not to suggest, however, that hiding the amount of forethought that goes into a performance is the only thing at stake in this model or that the audience is somehow completely unaware of the dynamic in which they participate. Quite the contrary, a recent dissertation on the “Common Style” in American politics suggests that politicians’ unpretentious and seemingly unstudied way of speaking is what “makes U.S. politics possible.” Where for Colene Lind the underlying question is how to negotiate “the paradox of merit” (i.e., how political leaders can be exceptional while also appearing ordinary), for Branham and Pearce the question has to do with the broader alignment of power among speaker, audiences, and observers. Examining varying degrees of implied inclusivity, Branham and Pearce conclude that, “the broadly

---


42 Farrell, 1993, 235. There is a long rhetorical tradition of such “calculated informalities.” Castiglione (1967) refers to the “uncontrived simplicity” that we find more agreeable than “carefully calculated” displays of beautiful things (87). “Excessive diligence” in speech is similarly harmful, even in attempts to appear carefree. This he calls nonchalance to the point of affectation (68). On the subject of laughter, the rule is similar in Quintilian. “Again,” he says, “while I want my orator to speak ‘urbanely,’ I do not at all want him to seem to be striving for this” (6.3.31). Soon after, he adds: “also to be avoided…is any hint of premeditation or of the ready-made speech” (6.3.34). The same dynamic appears in additional contexts, including for instance classic literary theory. “The true poet, while straining every nerve, would yet give the appearance of being merely at play,” says Horace in his second epistle.

inclusive conversational frame, with all its intimations of intimacy and identification, generally conceals rather than reinforces power.”

Both the “conversational frame” that Branham and Pearce outline and the “common style” that Lind describes are important to this study for the way in which they link style with ideological, democratic, and ostensibly egalitarian ideals of public conversation. Also important to the backdrop of this study is Stephen Lucas’s brief but insightful article, “From Oratory to Public Speaking.” In it, Lucas recognizes the long-standing arc of public conversational styles and its relationship to broader cultural and political forces at work. He writes, “[E]ven before the end of the nineteenth century, both the nature of public speech and the perception of the speaker had departed from the neoclassical model of oratory. As the patrician world that undergirded the model succumbed to an increasingly democratic and industrialized society, the older traditions of civic rhetoric began to give way as well. Language became more colloquial and speech delivery became more conversational.” This attention to broad contributing factors is especially noteworthy because Lucas’s article is primarily devoted to a synopsis of changes to public speaking in the twentieth-century. As such, he discusses the technologies that revolutionized public speaking at the time, including the microphone, radio, and television. However, unlike other relevant studies, which are primarily organized around a single issue (for example, media influences: Kathleen Hall Jamieson, 1988; Neil Postman, 1985; Marshall McLuhan, 1964; or democratic education: Frederick Antczak, 1985; William Keith, 2007; Robert Connors, 1997), Lucas applies a bird’s-eye

44 Branham and Pearce, 1996, 426.

view that makes room for twentieth-century transformations turning on business, economics, and presidential power.

Building on the methods and insight provided by Lind, Branham and Pearce, and Lucas, this project takes an interest in social, cultural, and political foundations that impact what the conversational dynamic conceals, but also what it reveals. That is, while Lind and Branham and Pearce usefully explain why, considered within the context of politics and general power structures, a rhetor might deploy this model, we are still left to wonder about its role—and persistent appeal—not only as a monologic frame, but also as a mutually constructed social and political dynamic. And while Lucas makes a strong case for how audiences became “predisposed to the conversational mode” during the twentieth century, we are still left to wonder how this dynamic took shape and to what extent earlier contributing factors still impact American rhetorical culture today. This requires a closer look at history. Before looking back, however, I will briefly turn to the “crystallization” of the conversational mode.

**The Ubiquity of Conversation**

In contrast to the art of conversation, which was first codified in the Renaissance, the modern conversational dynamic—a cumulative rhetorical style and metaphor that, while borrowing from oratory and conversation, is really neither—rose to prominence as a hybrid that, though “not an act of true conversation,” is admittedly everywhere. Although not the only dynamic in use (see Robert Hariman’s *bureaucratic style* and

---


Aletha Staunton Hendrickson’s *rhetoric of intimidation* for relevant counterexamples), by the twentieth century conversation would become the prevailing paradigm for all of written and spoken discourse, serving as a model for academic writing, talk shows, business, journalism, science—even understanding itself.\(^{48}\) This would hold true not just in traditional rhetorical spheres (like deliberative politics), but also across a larger and more general category of public life. Indeed, by the time of this writing (when the public conversational dynamic appears to have perhaps exhausted its meaning), technologies and theories designed to promote its practice have elevated the public ideal of conversation into perhaps “the most overblown metaphor” of our time.\(^{49}\)

“The word is all over the place,” said David Simpson about our “love affair” with conversation: “What explains this desire to turn writing into speech, impossibly large and complex groups into medium-size dinner parties?”\(^{50}\) What explains this desire, this study suggests, is not the illusion that we are on equal footing but rather the “remarkable agitation” and “constant tension” that comes from knowing we are not.\(^{51}\) This volatility constrains what speakers and publics can do. Unlike a Roman or Athenian audience of the Classical period, one cannot suppose that citizens of modern democracies read the same books, share the same social class, or benefit from a single set of public values that have been inculcated and reinforced across time. Writing in the mid eighteenth century,

---


\(^{49}\) Hariman, 1995, 135.

\(^{50}\) Simpson, 1997, 75.

after the social splintering and concussive impact of division of labor was already felt, Montesquieu observes this modern disadvantage when compared to the ancients: “In our days we receive three different or contrary educations, namely, of our parents, of our masters, and of the world. What we learn in the latter effaces all the ideas of the former.”

In contrast, “most of the ancient peoples lived in governments that had virtue for their principle, and when that virtue was in full force, things were done in those governments that we no longer see and that astonish our small souls.”

In other words, our education (broadly defined) does not afford the full vigor a unified ideal inspires.

In practical terms, this limits what a rhetor can do. Because rhetoric is a “social invention” (as James Berlin puts it), arising of out a particular set of circumstances and making “a peculiar kind of communication possible,” it also impacts the parameters for action. If a person’s capacity to speak is already narrowed by cultural and intellectual fragmentation, then it stands to reason that the reverse—what audiences seek—would be as well. As Barnett Baskerville outlines in his inquiry of American attitudes toward orators and oratory, “Where a certain kind of oratory is valued, it will flourish; when it ceases to be valued, it will change or cease to exist. The value we assign to an activity is likely to determine the quantity and quality of the product.”

Baskerville’s suggestion that a rhetor would frame and follow ideals is important to this study because it suggests

---


53 Montesquieu, 1989, 35.


that conversational rhetoric (like any other prominent style) is borne out of a compound of dynamics that exceed the motivations or strategies of any one speaker. Indeed, Jamieson observes that rhetorical conversation has replaced deliberative oratory as “the norm.”

Although the conversational model is most often studied qualitatively, its prominence in American rhetorical culture is supported by quantitative studies as well. Using computer-assisted content analysis to track inaugural addresses and annual presidential messages from 1789 to 2000 (totaling 1.8 million words), Elvin Lim shows that the rhetorical patterns in presidential speeches have become more conversational as well as more assertive, more democratic, more anti-intellectual, and more abstract. He defines conversational rhetoric as being more intimate, increasingly focused on the trustworthiness of the speaker, and more anecdotal. Roderick Hart, using DICTION software to analyze a large corpus of presidential speeches and press conference, finds a similar proliferation of narrative and storytelling in a variety of modes of presidential speeches.

It is not just in presidential rhetoric that the conversational dynamic is evident; researchers observe the conversational mode in settings well beyond the rostrum. For

---

56 Jamieson, 1988, 54.


58 Lim, 2202, 343.

example, Laura Krugman Ray describes Supreme Court Justice Elena Kagan’s style as “remarkably conversational,” both at her confirmation hearing and in her continued work from the Bench. “Whether she is writing for the Court, concurring, or dissenting, Kagan’s style is remarkably conversational,” observes Ray. “She employs a range of rhetorical strategies to speak directly to the reader, suggesting that her enterprise is less indoctrination than a more congenial mode of persuasion. Leavening her legal prose with colloquial diction, she engages the reader in something approaching an informational, if one-sided, chat.” The author also appeals to Kagan’s humor, a central part of conversation that is too often overlooked in critiques of “ersatz” models. Ray opens with this story: “When, in a lead-in to a question about an attempted terrorist attack, South Carolina Republican Senator Lindsey Graham asked Kagan where she was on Christmas Day, she famously replied, ‘You know, like all Jews, I was probably at a Chinese Restaurant.’ Graham, presumably startled, was nonetheless appreciative, responding, ‘Great answer. Great answer,’ before returning to his serious theme.” The linguist Deborah Tannen argues that humor such as the kind Kagan deployed in the exchange with Graham “makes a person’s presence in a conversation more strongly felt than any other sorts of contributions.” The fact that Ray places this anecdote in such a prominent position suggests that was the case here.

---


Yet despite this seemingly insatiable demand for conversation and scholarship available to illuminate our understanding of its features, none of these isolated studies have led to sustained critical attention of the conversational turn. In fact, the proliferation of conversational modes and metaphors in contemporary practices has in some ways only added to an already problematic object of study for the field of rhetoric. Depending on how you define it, conversation initially appeared in ancient rhetoric and philosophical treatises as dialectic, Platonic dialogue, and *sermo*. Together these “sibling modes” were all considered both rivals and complementary species of rhetoric (which at the time chiefly meant oratory).\(^64\) However, while conversation was envisioned to be complementary to oratory, and while Cicero even envisioned conversation (*sermo*) as a branch of rhetoric, the two types of speech were theorized in profoundly different ways. As genres devoted to contrasting (public and private) spheres oratory and conversation were basically considered *opposites*—oratory to the realm of public affairs (*negotium*) and conversation to times of leisure (*otium*). To many historians of rhetoric this polarity meant oratory and conversation were not only different, but also incommensurable.

This opposition naturally influences how researchers study and theorize conversation as a cultural dynamic and, as Branham and Pearce have shown, rhetorical tactic.\(^65\) Scholars emphasizing argumentation and political deliberation tend to dismiss its social purpose, while those concerned with the purity of conversation foreclose the possibility that there might be something telling in a model that, though clearly drawing from the principles developed within the art of conversation, might also necessarily (and

\(^{64}\) Randall, 2018, 26.

\(^{65}\) The “conversational frame” in Branham and Pearce’s (1996) view is not a reflection of actual spontaneity, but rather a studied, rhetorical *choice*.  

27
unapologetically) pivot away from it. Within the speech tradition—political oratory in particular—patterns of critique focus on the ways conversational models fail to live up to the ideal of rational, impersonal debate. Common criticisms about conversational appeals in this view include: 1) that it emphasizes personality more than substance;\textsuperscript{66} 2) that it treats public problems with private models of intimacy and therapy rather than action or changes in policy;\textsuperscript{67} 3) that although it purports to be egalitarian, it is in reality more exclusive than formal rhetoric and argumentation since, unlike voting or formal debates, the rules for participating in “conversation” and the means by which decisions are reached are implicit rather openly stated;\textsuperscript{68} and 4) with its emphasis on personal experience and intention, that it is hostile to the commonplace tradition—by many accounts the bedrock of classical education and the rhetorical tradition.\textsuperscript{69} If we are to understand why, despite these shortcomings, practitioners, theorists, and teachers of writing and speech would so openly promote conversation, then a closer look at the circumstances preceding the “crystallization” of the conversational dynamic becomes

\textsuperscript{66} Antczak, 1985, 21; Richard Sennett, \textit{The Fall of Public Man}. (Cambridge: Cambridge University Press, 1977), 221; and Jamieson, 1988, 240.


essential. As social historian of conversation Peter Burke aptly puts it, “there is an enormous difference between the vague awareness of a problem and systematic research into it.”

The Making of a Hybrid Art

If we think back to President Obama’s comment in the opening set of Iowa conversations about contemporary political challenges stemming from a lack of basis for a “common conversation,” it become clearer why contextualizing the digital era within the broader sweep of American history is so important. It is true that American political parties are more polarized than previous periods, and that the explosion of 24 hour network channels in the mid 1990s and the media decadence beginning in the first decades of the twenty-first century appears to have directly contributed to it. It is also true that other differences of which Americans were always keenly aware—income inequality, for example—are greater now than they have been since the 1920s. However, we would also do well to remember that Americans have struggled with creating a basis for common ground from the beginning.

---

70 For an example of this at the turn of the twentieth century see Gertrude Buck, “Recent Tendencies in the Teaching of English Composition.” *Education Review* 22 (1901): 371-82.


73 For how income inequality negatively impacts societal relations see, for example, Jean M. Twenge, W. Keith Campbell, Nathan T Carter, “Declines in Trust in Others and Confidence in Institutions Among American Adults and Late Adolescents.” *Psychological Science* 25.10 (2014): 1914-1923.
Overview of the Study

However revolutionary the digital age may be—and there is little question that the changes have been dramatic and sweeping—these changes were not created out of an *entirely new* configuration. Nor did they produce one. As Richard Sennett points out in his writing on changes to the public domain, when critics speak of revolutions, they “often suggest to the imagination of their readers that beforehand there was one society, that during the revolution society stopped, and that afterward a new cycle began. This is a view of human history based on the lifecycle of a moth.” According to Sennett, the results of this are not simply a disconnect between periods, but also a failure to identify current dilemmas. “The error is more than that of failing to see how one condition of life blurs into another;” he writes; “it is a failure to understand both the reality of cultural survival and the problems this legacy, like any inheritance, creates in a new generation.” This study is thus meant to serve as a prehistory to a topic that, although motivated by present rhetorical challenges, is delineated primarily through a closer look at history.

In Chapter 2, I survey how conversation came to be viewed as simultaneously hostile to and indispensable for public life. Rather than dismissing public conversational rhetoric as altogether un-rhetorical and unprecedented, as contemporary studies with a classical orientation are apt to do, I argue that hybrid models of conversation are in important ways an extension of, rather than a departure from, the rhetorical tradition.

---

74 Rodgers, 2011; Keane, 2013.
75 Sennett, 1977, 23.
76 Sennett, 1977, 23.
oration in the Renaissance—I identify specific bases for judgment that the rhetorical tradition already provides for the genre of conversation. This includes an initial survey of style and a closer look at the “poles” of conversation.

Chapter 3 examines the open-endedness and fixedness of American political foundations and its influence on rhetorical culture. I detail how debates over the Constitution set the stage for an enduring controversy that the conversational dynamic was enlisted to mitigate. In particular, I consider how “We, the People”—with all its political, legal, and rhetorical import—was both deliberately and extemporaneously fashioned to bridge the contradictory nature of equality and non-equality in America.

Chapter 4 outlines some of the cultural topographies that animated public conversation in nineteenth century United States. It is divided into three parts. In the first, I focus on society and politics, highlighting the ways in which conversation was adapted with the help of government and in response to sweeping societal changes. In section two, I give special attention to the newspaper and its contributions to the reading public as explained, in part, by the transmission and ritual views of communication. Section three works to unite some of the conceptual and methodological problems that have kept women’s contributions in the nineteenth century isolated from rhetoric “in general.” I use Margaret Fuller as an example of how to bridge conversational practices and theories. Taken together, I argue that the disjointedness of styles that was visibly introduced in the nineteenth century (and still remains with us today) must be understood as an overall trend in the history of rhetoric rather than a series of wholly unrelated expressions.

In Chapter 5, I turn to the question of style. Although verbal style has in the past two decades enjoyed a modest revival of interest, I suggest it is especially important now,
because it provides a uniquely stable unit of measurement. By looking at the different materials of public conversation as indicative of something larger and broader than “just” a technological medium (e.g. television) or “just” the ability of the speaker, we can begin to articulate some of the deeper cultural implications that are bound up in the differences between public and private conversational styles. Using twentieth and twenty-first century examples as a way to ground my claims, I conclude this study by performing three rhetorical analyses that highlight and explain the centrality of the conversational dynamic in American public life.
CHAPTER 2

THE RHETORICAL TRADITION AS A BASIS FOR A NEW THEORY OF
CONVERSATION

“Speech also has great power, and that in two areas: in oratory and conversation. Oratory
[contentio] should be employed for speeches in law-courts, to public assemblies or in the senate,
while conversation [sermo] should be found in social groups, in philosophical discussions and
among gatherings of friends—and it may also attend dinners!”

-Cicero, On Duties

“Bring several rhetoricians together, let their speeches contribute to the maturing of one another
by the give and take of question and answer, and you have the dialectic of the Platonic dialogue.”

-Kenneth Burke, A Rhetoric of Motives

Even though rhetoric and artful conversation have always been connected and are
commonly theorized as collaborative arts that complement each other, their relationship
is not readily understood. Indeed, at times their correlation is denied. Many historians of
rhetoric suggest that privileging conversational models of public speaking over argument-
Based, enthymematic oratory is a complete reversal of the classical model of rhetorical
practice and education.77 Conversely, and just as significant, argument is commonly
theorized as the “enemy of conversation.”78

77 For example, Kathleen Hall Jamieson (1988) suggests that the systems of “education championed by
Cicero, Quintilian, and Rapin… facilitated the creation of enthymemes” by building a common language
through its emphasis on shared history, literature, philosophy, and common experience; whereas now, “the
increasing specialization of education in the United States limits the ability of a political speaker to
persuade the body politic” (18). Additional examples of this view can be found in Weaver, 1953; Connors,
1997; Ong, 1971; Antczak, 1985; Cmiel, 1990; Remer, 1999, Clark and Halloran, 1993. In more specific
contexts, the shift toward conversational models of rhetoric, together with the myriad factors that
contributed to it, is further dismissed as a transformation that upended the possibility for true eloquence.
This ambivalence creates a curious tension in the literature on conversation. On the one hand, the art of face-to-face conversation—epitomized as sociable talk without a specific agenda—is said to be either irrevocably in decline or in desperate need of reclaiming. On the other hand, practically every modern communication invention—whether the nineteenth-century penny press, or twentieth-century radio, or the twenty-first-century explosion of user-generated content—has conspired to make the rhetorical structure of conversation (what Peter Gibian calls the “alternation between many voices”) not just possible in public life, but desired and expected. Indeed, the urge to simulate conversation is so pronounced that even “single-voiced” prose consistently attempts to imitate conversational tone and style.

This change has not gone unnoticed by historians and communication scholars. To give one relatively recent example, as part of the dialogic rhetorical structure, William Keith lumps varieties of conversation into two sets: face-to-face and circulatory. “People talk to each other directly, or they read or watch the arguments and ideas that circulate

---


80 Gibian, 2001, 71. Regarding the explosion of user-generated content, Keane (2013) observes, “some 90 percent of the data that now exists has been created during the past two years” (3).
through the modern print and media culture.”  


82 Delayed conversations are a fixture in the rhetorical tradition, extending from rhetoric’s inception to the present. A dialogue, for instance, is as a “literary work in conversational form,” according to the Oxford English Dictionary. A letter is “conversation at a distance” (Miller, 2006, 167).

Randall, 2018, 2.

ideals and toward practices. Such a maneuver does not preclude us from envisioning public rhetoric as it could be, but it does require us to start with things “as they are.”\footnote{Tocqueville (2004) draws out the importance of reminding citizens in democratic societies that they have the power to shape their own destiny, saying, “the goal is to exalt men’s souls, not to complete the task of laying them low” (573). Specifically, he extends a caution to “historians who live in democratic times” that they not “deny certain citizens the power to act on the fate of the people” or to “deny peoples themselves the ability to shape their own destiny, thereby making them the subject to either inflexible providence or a sort of blind fatality” (572).}

Focusing on the transformation of rhetoric between the Renaissance and the beginning of the Enlightenment, he outlines a history of the emergence and increasing universalization and democratization of conversation. To do this, Randall “reorganizes the history of rhetoric along the broad lines of Jürgen Habermas’… historical analysis.”\footnote{Randall, 2018, 2.} However, he importantly substitutes conversation “for quasi-Kantian reason in Habermas’ public sphere.”\footnote{Randall, 2018, 2.} The difference between the conversation Randall is describing and the “quasi-Kantian reason” of Habermas’ deliberative model seems profound, touching not just later interpretations of the public sphere (including the eighteenth, nineteenth, and twentieth-century rhetorical dynamics, all of which I visit in subsequent chapters), but also how earlier depictions of conversation are understood. (Here, I am thinking in particular of Cicero’s treatment of sermo.) Philosophies and histories of the newspaper also play a part. For example, Randall locates the newspaper and its predecessor, the “news letter,” as a key mode “by which conversation acquired the means to subsume oratory.”\footnote{Randall, 2018, 173.}

This claim—that conversation superseded oratory in the Renaissance—is important, because it openly addresses a phenomenon (i.e., the conversational turn) that up until now has only been obliquely examined. Whereas Habermas “argued that the
printed newspaper provided the medium of rational discussion through which the public sphere was constituted,” Randall asserts “the newspaper was a transformed descendant of epistolary rhetoric rather than some coagulation in print of disembodied reason.” 89

Epistolary theories arose sometime around the first century B.C. E. and, even then, belonged to the genre of *sermo* (conversation). 90 Boethius and other Christian scholars cited and adapted Cicero’s theories of rhetoric throughout the Middle Ages, when letter writing become a formal discipline of rhetoric. 91 However, according to Randall, it was around 1500 that the Renaissance humanist letter was fully inverted from the classical conception of the private correspondence to an established genre with an expressed interest—or rather, imperative—to engage in public affairs. 92 By the 1620s and 1630s, at the peak of their commercial heyday, letters were not just being publicly distributed, but fetching a noteworthy sum. 93 The progression to a commercial use for letter writing was at once gradual and sudden. Citing Thomas Wilson’s *Arte of Rhetorique* (1553) and William Phiston’s *The Welspring of Wittie Conceites* (1584), Randall first submits that both Tudor and Italian humanist “considered letters to fall within rhetoric’s scope.” 94 From there, he details how the letter was first “standardised

89 Randall, 2018, 172.


92 Randall, 2018, 168.

93 Randall, 2018, 176.

94 Randall, 2018, 175.
and abstracted into a letter of pure news” while being passed on “from one person to another with increasing frequency, such that it became less and less like that the correspondent and the recipient of a news letter would know one another.”95 Eventually, the correspondents of news simply became anonymous, with one of the few remnants of this practice appearing in the designation foreign correspondent.96

The impact of the news letter was not just that it “embodied a familiar conversation” or expanded the scope to a “universal and anonymous audience” but that it so in, part, through style. “The newspaper, by way of the news letter, preserved aspects of the style of familiar conversation,” writes Randall, “but, as it shifted in medium toward print, transformed into a distinctly persuasive communication between anonymous correspondents and anonymous recipients.”97 Like Keith’s assessment of the twentieth century, the newspaper incorporated two modes of conversation. First, as a form of conversation, the newspaper expanded the available subject matter so that it included all public affairs. Second, the newspaper openly used the conversational style as a form of persuasion.98 The prominence of style and subject matter are topics this chapter will soon address.

Still left to account for is the question of how newer models of hybrid conversations fit within, and would benefit from, earlier histories of conversation. Rather than dismissing public conversational rhetoric as simultaneously un-rhetorical and unprecedented, as contemporary studies with a classical orientation are apt to do, I argue

95 Randall, 2018, 176.
96 Randall, 2018, 176 and 177.
97 Randall, 2018, 166.
98 Randall, 2018, 173.
that hybrid models of conversation are an extension of rather than a departure from the rhetorical tradition. Like other rhetorical dynamics, conversation is notoriously challenging to define since its nature is interconnected with use. However, in contrast to other systematizations of eloquence in the rhetorical tradition, conversation is more difficult to pin down, since, as Ronald Wardhaugh puts it, it is “the most generalized form of talk.” While this definition provides a useful starting point for thinking about the mundaneness that threatens the status of conversation—Mikhail Bakhtin points out in reference to the Renaissance that “candor of speech” can sometimes even teeter towards “cynicism”—it is necessarily incomplete when placed in a historical-rhetorical context.

This chapter aims to identify grounds for a theory of conversation that are not “revisionist” in intent but rather broader and further reaching. To use the language of Wayne Rebhorn, I aim to “lump” rather than “split” the multiple iterations and practices of conversation. Building on Randall’s claim—that conversation superseded oratory in the Renaissance—I identify specific bases for judgment that the rhetorical tradition already provides for the genre of conversation. This includes an initial survey of style and a closer looker at the poles of conversation.

---

99 Wardhaugh, 1985, 1. Conversational Analysis (CA), a subfield in Linguistics, has made considerable inroads into explaining the formal structure of conversation. While different in its goals, CA has helpfully informed this project’s concern with the broader rhetorical and cultural significance of conversation. In addition to Wardhaugh’s How Conversation Works, CA studies on which I have both directly and indirectly drawn include Neal Norrick, Conversational Narrative: Storytelling in Everyday Talk (Amsterdam: John Benjamins Publishing Company, 2000); Livia Polanyi, Telling the American Story: A Structural and Cultural Analysis of Conversational Storytelling (Cambridge: MIT Press, 1989); and Deborah Tannen, Conversational Style: Analyzing Talk Among Friends (Norwood: Ablex Publishing Corporation, 1984).


Understanding Style as a Conceptual Link Between Rhetoric and Conversation

Style plays a unique role in understanding the link between rhetoric and conversation since, unlike conversation—which was not codified until the Renaissance—style was conceived as an integral part of rhetoric and included in its theories and pedagogies from the beginning. Indeed, scholars point out that “in Western learning, style has been included in the study of rhetoric for nearly three millennia.”\(^{102}\) However, while historians of rhetoric have generally accepted that rhetoric’s long and winding history contributes to a diversity of concurrent (and sometimes contradictory) meanings and uses, the same privilege has not been granted to conversation. As a consequence, conversation has not received the historical and theoretical allowances that would enable a robust theory of rhetorical conversation to develop. A closer look at style bridges some of this distance.

Like rhetoric generally, style’s fortunes have risen and fallen based on external factors such as education, religion, and politics. However, beyond this general arc (with which anyone working in the history of rhetoric is familiar) there is the more acutely felt problem of style’s eternal relationship to appearances. Indeed, one cannot really advocate for style’s implication in the other canons of rhetoric without embroiling oneself in one of the most enduring debates in philosophy and rhetoric: whether or to what extent style (or form) and content (or meaning) are inseparable.\(^{103}\) The question goes back to at least


\(^{103}\) For twentieth century iterations of this debate within the field of composition and rhetoric see especially Paul Butler’s “Reclaiming an ‘Inventional Style’ in Composition” in *Out of Style: Reanimating Stylistic Study in Composition and Rhetoric* (Logan: Utah State University Press, 2008): 56-85.
Plato, who in his famous dialogue, Gorgias, likens rhetoric to “cookery.” Rhetoric insinuates herself into other branches, says Socrates in the Gorgias. She “pretends to be that into which she has crept.”

The challenge with this attack on appearances, however, is that one can escape it. Any alleged alternative—say, frankness of speech—is itself a style. Indeed, the *Rhetorica ad Herennium* includes frankness of speech in its list of figures of thought. As political theorist Elizabeth Markovits details in her study on the politics of sincerity, frank speech has been deployed as a rhetorical strategy since antiquity. Like Kenneth Cmiel, who outlines the rise of plain speech in nineteenth-century United States, Markovits expresses concern with how appeals to transparency are detrimental to public life for the way in which they obscure the two measures by which the public should come to judgment: the visible and the articulable. In her reading of Plato’s Gorgias, for instance, Markovits suggests that Socrates is not simply attacking rhetoric. Rather, he is “playing” with the ideal of frank speech (*parrhesia*) by “drawing on Athenian oratorical traditions that seem to violate its dictates” and “calling attention to” frank speech as a trope. “While Socrates remains committed to the idea of truth in speech,” writes Markovits, “his practice highlights the difficulty and vulnerability of democratic speech.”

---


Early Imperial Roman attitudes toward style were much different. As Erica Bexley details in her study on the performance of oratory in that period, *persona* theory, which suggests “public self-display is the main and perhaps only mean’s of realizing one’s identity,” figured heavily in this period (c. 31 B.C.E. - 100 C.E.).

This was a time when personhood was conceived by a performance-based model, elevating style (which had already been codified as a formal part of rhetoric during the Hellenistic period (c. 323 B.C.E. -31 C.E.)) to an even more prominent position.

Alongside rhetorical precepts, a concern for stylistics was also closely wedded to the mastery of Latin and Greek. For example, Cicero opens *On Duties* with the recommendation that his son Marcus acquire “equal command” of Latin and Greek, both for “the study of philosophy” and also “the practice of oratory.”

Classical training was central to humanistic learning, not merely as a representation of scholastic philosophy—although it was that—but also for the broader tradition that it embodied: “the weight of past habits of thought,” as Peter Burke details it. Indeed, with respect to rhetoric, style was vital. It was viewed (particularly in the Roman tradition) as the material through which the entire rhetorical training was accomplished.

Chris Holcomb and Jimmie Killingsworth advance this architectonic view of style, highlighting its importance, not just as a method for criticism or dramatization of

---


109 Cicero, *De Officiis*, 1.1.1.

110 Christian Thomasius as quoted in Burke (1993), 65. Tocqueville devotes an entire chapter of *Democracy in America* (Volume 2, Chapter 15) to explaining “Why The Study of Greek and Latin Is Particularly Useful in Democratic Societies.” After outlining key differences between what was called “the people” in antiquity and in contemporary (nineteenth century) times, he concludes that the classics, while not beyond reproach, impart “special qualities” that “can serve as a marvelous counterweight to our particular deficiencies. They prop us up where we are most likely to fail” (2004, 546).
the self, but for its role in the totality of composition and speech practices. In Performing Prose they point out, for example, that classical rhetoricians “invested considerable energy in cataloguing verbal devices they heard from both bema and rostrum, as well as from poet and rhapsode. Their primary aim was not to generate a vocabulary for literary analysis (although the terms they devised work well for such purposes). Rather, they were assembling a repertoire, a collection of verbal moves orators could weave into their choreographed productions.”111 Jeanne Fahnestock, who also draws from the classical tradition, makes a more general remark about style’s predominant role in Rhetorical Style: The Uses of Language in Persuasion, saying, “Of all the parts of rhetoric, style is arguably the most implicated in the others, since linguistic choice is the point of realization for the rhetorical precepts and theories belonging to other canons.”112

How did style move from such a prominent place in classical theories of rhetoric to one that is now habitually avoided? Historically, the conjunction of two events—first, the sixteenth century development of theories of rhetoric (chiefly Peter Ramus) that separated style from invention—and, second, the gradual relegation of philosophy, rhetoric, and the classics to single courses in the university as opposed to overarching methods—dramatically changed how rhetorical style was understood.113 In the sixteenth century, for example, despite the best efforts of Desiderius Erasmus’s On Copia (which sought, through amplification, to further link style and content), Peter Ramus effectively


destroyed style’s implication in the other canons by reducing rhetoric to style and delivery only. Soon after, Omer Talon, a friend of Ramus, published two books on rhetoric that advanced a weakened stylistic tradition of rhetoric that would dominate for centuries to come. In this new scenario invention and arrangement were stripped from rhetoric entirely, leaving only the so-called “flowers of rhetoric.”

According to Belgian philosopher and argumentation theorist Chaïm Perelman, “the extraordinary influence of Ramus hindered, and to a large extent actually destroyed, the tradition of ancient rhetoric that had been developed over the course of twenty centuries and with which one associated the names of such writers as Aristotle, Cicero, Quintilian, and St. Augustine.”114 Indeed, it was not until the 1960s, when, as Paul Butler put it, the “rediscovered trove of classical rhetorical theory…was coming to light in English departments,” that style would get a serious hearing.115

Commonly studied at the level of a sentence (and so distinguished from arrangement, whose smallest metric is the paragraph), it was arguably not until Robert Connors’s seminal essay “The Erasure of the Sentence,” that composition began serious discussions “about the role of style in the discipline.”116 However, even into the twenty-first century, the aesthetic capacities of rhetoric as a contemporary rationale or methodology only received “scant attention from modern rhetoricians.”117 As Bradford


Vivian put it, rhetoricians tend to “resign consideration of style largely to supposedly regrettable episodes in the history of the discipline.”

However, it is not simply disciplinary preferences that have hindered the development of what Vivian calls as a “contemporary rationale and methodology for the study of style.” The fourth canon is still suspect for reasons that harken back to Plato. In *Political Style: The Artistry of Power*, Robert Hariman usefully lays out the problematic of whether political style is “merely epiphenomenal” (and thus unimportant), or a threat to modern democratic states (and thus dangerous). According to Hariman, the suspicions against style as an analytical category for understanding social reality “are both methodological and political”: on the one hand, there is the charge that we should be paying attention to “more substantive determinants of political action;” on the other hand, there is the claim that “scholarly appreciation of style encourages an ‘aesthetic politics’ conducive to fascism.” Although Hariman is working within a broader notion of style (that is, as a way or manner of doing something), he still usefully lays out the problematic of why the formal study of style cannot be both unimportant and dangerous. According to Hariman, the formal study of style is not just important, but necessary for explaining and defending against threats in the contemporary world. “The greater problem,” says Hariman, “is not rewarding fascism but of recognizing how modern societies have become unduly defenseless against aesthetic manipulation.”

---

120 Hariman, 1995, 9.
that during the very period that twentieth-century Americans were most worried about outright political propaganda they were increasingly being influenced by the emerging and seemingly apolitical dynamic of conversation, a circumstance which I detail in Chapter 5 of this study.

Currently style is enjoying a “modest revival.”¹²² However, much of it attention is still coming from outside of rhetoric, composition or speech departments. “Despite the rich and enduring legacy of rhetorical approaches to style,” observes Fahenstock, “many if not most scholars who analyze language today do not in fact consciously draw on the rhetorical tradition.”¹²³ Paul Butler similarly outlines how it is that style simultaneously experienced a submergence and re-emergence in composition studies. “Just as composition has turned away from serious stylistic inquiry, other areas of society and culture have often embraced style theory and practice with almost unprecedented interest,” writes Butler.¹²⁴ Thus, what was once part of a classical curriculum resurfaced, not in rhetoric and composition classrooms, but in cultural studies, linguistics, performance studies, and, perhaps most commonly, outside of the university curriculum entirely.¹²⁵

¹²⁴ Paul Butler, Out of Style: Reanimating Stylistic Study in Composition and Rhetoric (Logan: Utah State University Press, 2008), 14.
Situation Style Within the Conversational Dynamic

While by now so commonplace as to be unnoticeable, the configuration of two people sitting on a stage talking to each other in front of a live audience is a relatively modern phenomenon. As an American practice, Peter Gibian identifies the mid-nineteenth century (America’s “Age of Conversation,” 1820-1850) as the period when “the public seemed especially keen to see the character of important personalities expressed ‘live’ in the give-and-take of supposedly spontaneous conversation.”126 Gibian’s remark on conversational performances is especially important because it is directed to a verbal mode that—while as a metaphor is admittedly everywhere in the literature on conversation—as an actual verbal practice in the nineteenth century has “almost completely disappeared from our maps of American literary and cultural history.”127

Gibian’s historical perspective is also noteworthy because it deepens our understanding, not only of nineteenth-century American rhetorical practices, but also contemporary ones. Rather than placing the majority of conversation’s diagnostic power on technologies, as twentieth-century studies are apt to do, Gibian locates the genesis of contemporary hybrid forms (e.g., talk show and talk radio) in nineteenth century social conditions that emerged long before television or radio were ever invented. “As the traditionally private mode of conversation begins in the mid-century to be developed for public uses, becoming a form of mass entertainment, we can often feel we are observing

126 Gibian, 2001, 35.

127 Gibian, 2001,1; For an incisive critique of rhetorical stylistics that lack or undervalue the verbal sense, see Chris Holcomb and Jimmie Killingsworth “Teaching Style As Cultural Performance” in The Centrality of Style ed. Mike Duncan and Star Medzerian Vanguiri (Fort Collins: The WAC Clearninghouse, 2013), 119-134.
the first steps of what will emerge a century later,” writes Gibian.\(^\text{128}\) By emphasizing social rather than technological imperatives for conversation, Gibian enables a broader, more durable, and less reactionary view of the genre to appear. He stresses, for example, that the “widespread fascination with talk as the site for the most crucial revelations of individual character” and “interpersonal dynamics,” was being explored not only in live performances of conversation, but also in mid nineteenth-century trends in journalist writing and popular literature.\(^\text{129}\)

If we go back even further—and the argument of this chapter is that we must—we find that the social arrangement on which public conversation is based is not only historically motivated (as a cumulative rhetorical practice), but also conspicuously rooted in intellectual thought. In the same way that the debates over the U.S. Constitution began as open-ended deliberations that only later would solidify and set the future terms of debate (see Chapter 3), ideas about conversation, friendship, equality, and inequality were openly reconsidered and debated between roughly the mid fourteenth to mid seventeenth centuries.

For example, in his history of the concept of conversation Randall claims that it was only after friendship was reoriented away from reason and virtue (as it had been in antiquity) and toward passion and intimacy (as it would be established by the Renaissance) that women were taken to be even capable of friendship—and by extension, conversation.\(^\text{130}\) This view, argues Randall, was first made possible by

\(^{128}\) Gibian, 2001, 35.

\(^{129}\) Gibian, 2001, 35.

\(^{130}\) David Randall *The Concept of Conversation: From Cicero’s Sermo to the Grand Siècle’s Conversation* (Edinburgh: Edinburgh University Press, 2018). Randall locates the Christian notion of *amicitia* as extending between unequals made is easier for men and women to conceive of one another as friends (95).
Christian medieval thought, which emphasized the “inherently unequal friendship between God and man.”

Although initially metaphorical, the removal of equality as a prerequisite for conversation opened up the physical scope of conversation, which was progressively expanded by Renaissance humanists and early modern courtiers. “The growing conception of conversation as possible between unequals— inherited from the innovative medieval Christian conversation between God and man—most radically altered conversation by making it a discourse which women could be conceived as capable of partaking,” writes Randall.

These claims, which Randall develops in what is perhaps the first history of early modern conversation in English, invite closer consideration. However, for my purposes here the main significance of Randall’s account is that the idea of mixed-sex conversation provided a model for actual mixed-sex social settings. Furthermore, once “opened up…to the whole world” and not just “members of the male elite” the conversational dynamic would take on a public (and also political) character from which it has yet to retreat. The implications of this expansion, in other words, were momentous. Indeed, while stressing that the rise of conversation need not come “at the expense of oratory,” he refers to the actual shift from oratory to conversation as “a

See especially Chapter 2 “The Medieval Reformulations of Conversation” and Chapter 4 “Intimate Friendship.”

---

131 Randall, 2018, 41.
132 Randall, 2018, 1.
133 Randall, 2018, 7, emphasis added.
134 Randall, 2018, 86.
revolutionary triumph.”¹³⁶ “Not reason’s dialectic, not rhetoric’s orations, but only the speech of conversation spoke to and with women—and so only in conversation did mankind learn to speak to one another in all their individuality and variety. The expansion of conversation to women made possible the first true universalisation of speech.”¹³⁷ The impact, according to Randall, was twofold: not only did conversation acquire persuasive goals, but rhetoric became “conversationalised.”¹³⁸

The era in which rhetoric became conversationalised—the Renaissance—was a time when rhetoric was celebrated for its plasticity.¹³⁹ No longer limited to forensic, deliberative, and epideictic oratory, rhetoric in this period was thought to be nearly everywhere and capable of doing almost anything: “Polymorphous and ubiquitous, rhetoric could serve practically all individuals and fit practically all situations as it blithely crossed long-established boundaries among disciplines, professions, and social classes,” writes Wayne Rebhorn.¹⁴⁰ Petrarca (1304-1374) had initially conceived of conversation as a metaphor for framing the scholarly, across-time relationship between proto-humanists and the ancients (Cicero, in particular). However, the concept of conversation soon evolved into something that, although still regarded today as perhaps the metaphor for knowledge, would stretch the bounds of communicative practice and lived experience.

¹³⁶ Randall, 2018, 4 and 54.
¹³⁷ Randall, 2018, 2, emphasis added.
¹³⁸ Randall, 2018, 81.
Indeed, although by the twenty and twenty-first centuries actual conversation would be the measure by which conversational rhetorics would be judged (and inevitably fail), what some consider the “great innovation of Renaissance humanists” was precisely their refusal to limit the applications of conversation to “actual and literary conversations.”141 Expanding to an ever-greater range of public places and political topics from which conversation was in the classical schema was largely excluded, by 1700 conversation was not only reimagined but essentially “replaced oratory as the default mode of rhetoric.”142

This was no mere language game, either, explains Rebhorn. In the Renaissance rhetoric (and thus conversation) was “a serious business” whose objective was “to affect people’s basic beliefs and produce real action in the world.”143 The development of the ideal courtier, for example, “took conversation from the leisurely retreat from the ancient political world to the courtly heart of the Renaissance political world.”144 Even the salons of polite society, which were hosted in drawing rooms and took place “under the banner of amusement rather than authority,” had enough political import to variously provoke exile and attract expertise.145 In her detailed history of the Paris salons, for example, Bendetta Craveri tells how in 1629 Cardinal de Richelieu banished Mme des

141 Randall, 2018, 83.
143 Rebhorn, 1995, 4.
144 Randall, 2018, 11.
145 Craveri, 2005, 7.
Logos for her salon’s open sympathy for Louis XIII’s rebellious brother.\textsuperscript{146} In the 1720s, Montesquieu, whose work \textit{Spirit of the Laws} was one of the central texts of eighteenth century thought—and which openly influenced the very foundation of American government (Chapter 3)—was active in the salons and clubs of Paris. He was a regular in Mme. Lambert’s salon and also attended the Club l’Entresol, where participants were invited based on particular expertise.\textsuperscript{147} Anne Cohler explains, “each session was formally divided into a time for general discussion of government and international events and a time when a paper was read and considered.”\textsuperscript{148} (This is a practice—an earlier version of the academic talk or lecture—or a reformulation of the classical symposium—that remains common across universities, governmental organizations, and policy-oriented institutions today.)

**Outlining a Method for Evaluating Conversation**

In order to understand how conversation came to be so volatile—simultaneously viewed as hostile to and indispensable for public life—a closer look at the poles of conversation is needed. Although the concept of “poles of conversation” comes from Peter Burke’s social history of conversation and Peter Gibian’s treatment of gravity and levity in conversation, the method I use to uncover this multivalent character of conversation appears in other histories.\textsuperscript{149} In his overview of rhetoric in the European

\textsuperscript{146} Craveri, 2005, 3.


\textsuperscript{148} Cohler, 1989, xvii.

\textsuperscript{149} Burke, 1993 and Gibian, 2001.
tradition, for example, Thomas Conley makes use of “highly compressed references” to perennial (and sometimes particular) rhetorical problems and responses.\textsuperscript{150} Equally valuable, Richard Hofstadter (1962) uses a specific concept (i.e., anti-intellectualism) as a way to shed light on broader aspects of society and culture.

In the next and final section of this chapter I will make use of both of these movements to explain how conversation has at various points been adopted to rouse and pacify each of the classical modes of persuasion. While the question of public and private spheres remains a source of contention in the rhetorical tradition, it is important to consider that neither the dialogic structure of conversation nor the semblance of conversation \textit{intrinsically inhibits or promotes particular modes of proof}. This is not to say that rhetorical periods might not valorize one mode of persuasion over the other. Clearly they do. Writing on the rhetoric of advocacy in Greece and Rome using fragmentary speeches, George Kennedy observes, for example, that in Rome “the moral and emotional factor is much fuller, and the logical element correspondingly less” than in speeches coming out of Athens.\textsuperscript{151} While no doubt there are subtleties beyond this framework, the overarching sensibilities are obvious enough for Kennedy to conclude that “a Roman audience would have found naked logic, i.e., sophistry, as offensive as the Greeks found it attractive.”\textsuperscript{152}

The shift from overwhelmingly “private” to overwhelmingly “public” styles of conversation provides another opportunity to explore this view. In its bluntest form the

\textsuperscript{150} Conley, 1990, ix.


\textsuperscript{152} Kennedy, 1968, 426.
rhetorical chasm between the public and private spheres offers an additional (and by some accounts primary) basis for explaining the conceptual and historical divide between rhetoric and conversation. The arguments for this division and its relevance to rhetorical culture are important, since they animate a central controversy to which this dissertation is addressed: why is conversation simultaneously viewed as hostile to and indispensable for public life? The problem with most readings of the public-private dichotomy is that they tend to conclusively link the conversational mode with an overemphasis on personal feelings and intentions—which can be damaging to public life—when in fact there is nothing about the genre that demands these elements. It is true, for instance, that conversation thrives on spontaneity (a dynamic that produces an impression of sincerity, and along with it, a sense of trust and the building of ethos.) Creating opportunities in which spontaneity can be deployed or at least appear to be deployed is a common use of the dynamic (see especially Chapter 4). However, this may not have anything to do with personal feelings or intentions. Spontaneity can just as well be used to reveal strengths or flaws in logic, as dialectic shows, or rhetorical deftness, as in Castiglione’s sprezzatura.

Writing during the Enlightenment, David Hume claimed that it was the separation of the learned and conversible worlds—not conversation as such—that caused the genre to become vacuous and detrimental to common life. “What possibility is there of finding Topics of Conversation fit for the Entertainment of rational Creatures,” he wondered,

---

153 Richard Sennett equates a tendency toward self-revelation in public with a loss of civility and “the tyranny of intimacy.” Civility, he writes, “is the activity which protects people from each other and yet allows them to enjoy each other’s company. Wearing a mask is the essence of civility. Masks permit pure sociability, detached from the circumstances of power, malaise, and private feeling of those who wear them. Civility has at its aim the shielding of others from being burdened with oneself.” The Fall of Public Man (Cambridge: Cambridge University Press, 1977), 264.

154 For more in this see especially Miller, 2010.
“without having Recourse sometimes to History, Poetry, Politics, and the more obvious Principles, at least, of Philosophy?” Although some political theorists, like Rousseau, thought that “the more polite a society is, the more corrupt it is,” Hume took the opposite position. Rather diminishing political life, he believed that sociability (and its chief originator, conversation) did not merely influence but positively *enhanced* political stability because it *moderates the passions*.

Robert Hariman’s depiction of public and private life in “Cicero’s Republican Style,” suggests that the poles were not viewed as “separate realms, but rather differences phases” of a cohesive, civic-oriented life. The space for meditation that private life affords regenerates and prepares the orator to move back into the exhausting and exhilarating realm of performance. Although decorum—accommodating to circumstance, as Gary Remer puts it, or finding “the available means,” to use Aristotle—would encompass consideration of others and the situations they inhabit, in Cicero’s letters the cardinal rule of decorum focused not on others, but on the self: “whatever else decorum is, it is essentially balance in one’s entire way of life as well as in individual actions.”

---

156 Miller, 2010, 163.
157 Hume, 1985; Miller, 2006, 305.
158 Hariman, 120.
159 Hariman, 120.
In contrast to Roman “phases” of public and private life, the category of bourgeois society that Jürgen Habermas theorizes about in *The Structural Transformation of the Public Sphere* didn’t work in direct service of politics, as Greek or Roman orators did, but rather regulated state authority. The public that Habermas describes, in other words, took place *between* the private realm and the state. This arrangement, according to Habermas, was unlike any other. He calls it “peculiar and without historical precedent.”¹⁶¹ Beyond the major differences between a classical rhetor and a new reading class, Habermas’s public sphere was predicated on an entirely different political and economic order than that of classical Greece.

Unlike the emerging political economy of the modern state, the Greek *polis* was constituted in public debate and discussion, not state authority (which was grounded in private law and carried out through bureaucracy and taxation).¹⁶² The Greek *polis*, moreover, was “strictly separated” from the *oikos* (house or private sphere), whereas in the modern state the public and private spheres were not altogether distinct.¹⁶³ In contrast to the Greeks, in the modern state the (private) household economy became publicly relevant.¹⁶⁴ Eventually the boundaries between public and private passed down by the Greeks and the Romans were not just blurred, but “changed almost beyond recognition,” as Hannah Arendt describes it.¹⁶⁵

---


¹⁶² Habermas, 1996, 3 and 17.

¹⁶³ Habermas, 1996, 3.

¹⁶⁴ Habermas, 1996, 19.

The impact of this change was considerable, and is perhaps most conspicuously detailed in *The Human Condition*. By the time of the Enlightenment, Arendt argues, the primary aim of politics was no longer to serve as a platform for human excellence ("arête as the Greeks, virtus as the Romans would have called it"), but rather to establish security, in effect transforming communities “into societies of laborers and jobholders.”\(^{166}\) Not surprisingly, the merging of public and private speaking practices—a tendency, as I argue in this chapter, that was there all along—became more pronounced during this period.

The salient point here, however, is that in Arendt’s view the public did not absorb the intimate and private spheres. Instead, a new realm, what she calls “the social realm,” developed and worked in the reverse order, absorbing and basically obliterating a truly public sphere. She writes that the two conditions that comprise human plurality—action and speech—were “banished into the sphere of the intimate and private,” and the connection between public performance and excellence was dramatically weakened.\(^{167}\) Contrasting the classical separation between the public realm (which Arendt argues is marked by freedom and permanence) and the private realm (which she says is concerned with necessity and transitoriness), she critiques the social, which eclipses the two classical spheres. Unlike the public (i.e., political) realm, the social emerges not as a matter of public significance but as a way of organizing “the life process itself;” activities

---


\(^{167}\) Arendt, 1958, 49; also see 175.
once connected with “sheer survival” were in the modern period “permitted to appear in public.”

Why is this important? Like Habermas, Arendt highlights the uniqueness of the modern age. However, she arrives at a harsher assessment of the possibilities the new period brought. She submits that the rise of the social not only obscures the public and private but—through the dissolving of the proper functions of these two classical categories—actually removes the appropriate platform for excellence. Excellence requires the presence of others, says Arendt, “and this presence needs the formality of the public, constituted by one’s peers, it cannot be the casual, familiar presence of one’s equals or inferiors” (49).

Writing about roughly the same period, the coffeehouses and salons Habermas describes undoubtedly operated on different terms than the public forum for excellence that Arendt extols. Nevertheless, in Habermas’s estimation the critical reasoning of private persons on public issues was able to accomplish something vitally important at the time: political confrontation of church and state authorities. In contrast to the individual distinction sought in the agonistic forum (which theorists such as Hannah Arendt, Robert Connors, and Walter Ong advocate), these “ongoing” conversations and discussions lacked both the formality and sanctity demanded by the classic portrayals of conquest, excellence, and even critique. Once the “monopoly of interpretation” was wrested away through public discussion, works of art, philosophy, and literature began to lose “their aura of extraordinariness,” as Habermas describes it. This understanding,

---

168 Arendt, 1958, 46.

which positions inclusiveness and distinction at opposite poles, will prove a recurring theme in the history of conversation and a source of contention in the case studies of this project.

The Poles of Conversation

When Peter Burke talks about the “poles of conversation” he is referring to a tension and balance between animating principles of conversation. These include equality and hierarchy, inclusion and exclusion, competition and cooperation, and spontaneity and study.\footnote{Burke, 1993, 92; Also see H.P. Grice, “Logic and Conversation” in Syntax and semantics 3: Speech arts ed. Peter Cole and Jerry L. Morgan. New York: Academic Press, 1975, 41-58.} From Stephen Miller’s history of conversation we can add real and ersatz and feminine and masculine dynamics (also see Rebhorn, 1995). Peter Gibian (2001) develops gravity and levity, while Benedetta Craveri’s (2005) history of the French salons emphasizes seduction and aversion. These are just a few examples of the kind of heuristics available to deepen our understanding of what the conversational dynamic encompasses. However, it is also useful to think about the question in a more systematic light. In the final pages of this chapter, I outline three of the key genres of conversation that developed in antiquity. I do this with a view toward enhancing the available method for spotting the poles of conversation.

Philosophical Dialogue

Plato’s dialogues are viewed as perhaps “the supreme example of the conversational style.”\footnote{Cape, 1997, 118.} Even though the Greeks did not theorize conversation and were
specifically oriented toward the public in their oratory, as a cultural, literary, and philosophical practice, conversation figured prominently. It is telling, for example, that the *Symposium* nonchalantly starts in the middle of things (“In fact, your question does not find me unprepared.”) and ends with the three remaining interlocutors of the dialogue drifting (or about to drift) off to sleep. What is more, the speeches are not too strident in their presentation (“All right…Well, the speeches went something like this—”) even though they contain serious philosophical discussion, including a description of a Platonic Form (Beauty). This is a dialogue where Aristophanes hiccups during a soaring oration, where Alcibiades is plastered, and where flute-girls are sent away. It is also one of Plato’s best-known and influential works. In the introduction to their translation Alexander Nehamas and Paul Woodruff submit that the *Symposium* is “less explicitly dialectic than his other works,” may partly be the point. “That serious philosophy can be done at the same time that entertaining, even comic events and conversations are depicted is not only true but may actually be the message with which the *Symposium* itself ends.” Practiced and reformulated in countless ways since the Greeks, dialogues would continue to be defined by their open-endedness, inquiry into truth, and alternation of voices.

---

172 Plato, 1989, 172 A.


174 Nehemas and Woodruff, 1989, xxv.
Dialectic

Dialectic, or the art of philosophical disputation, is a conversation among experts. Although more formal and issue-oriented than true conversation, it is similar enough in dialogic structure to be associated with it.\textsuperscript{175} Aristotle famously imagines rhetoric as an antistrophos (or counterpart) to dialectic. Because rhetoric is popularly oriented its modes of proof are different than dialectic’s: they include not only appeals to reason (logos), but also to character (ethos) and emotion (pathos). George Kennedy puts the distinction this way: “Dialectic proceeds by question and answer, not, as rhetoric does, by continuous exposition. A dialectical argument does not contain the parts of a public address; there is no introduction, narration, or epilogue, as in a speech—only proof. In dialectic only logical argument is acceptable, whereas in rhetoric the impressions of character conveyed by the speaker and the emotions awakened in the audience contribute to persuasion.”\textsuperscript{176} Cicero, meanwhile, distinguished dialectic from rhetoric by the subject matter to which it was addressed: rhetoric attends to definite (or concrete) questions while dialectic responds to indefinite (or abstract) ones.

Sermo

In classical Rome sermo was the genre of otium. Although some scholars theorized that it could be applied to public affairs (In De Officiis, for example, Cicero recounts that the conversational style of Caesar allowed him to defeat other advocates at the bar) its starting point was leisure: social gatherings, informal discussions, and dinner

\textsuperscript{175} See, for example, Randall, 2018, 26.

with friends. Subjects that Cicero outlines as appropriate for conversation include home, politics, practice of professions, and learning. The Romans were nothing if not practical. In fact, given these two features—first, that Cicero theorized conversation where others did not and, second, that he was writing in a culture that was less speculative than the Greeks—one would think that Roman rhetorical theory would be more appealing to modern rhetoricians. (Tocqueville, whose analysis of American politics and society I will explore in the following chapter, emphasizes again and again this utilitarian bent of Americans, saying “nothing is less suited to meditation than the circumstances of democratic society.”) Conversation and utility are not the only areas of commonality, either. Robert Cape, for example, points out that Roman women played a prominent role in developing \textit{sermo}, yet they continue to be underappreciated in feministic histories. “Whereas Greece had social and legal codes that make it extremely difficult to prove that women spoke in public, much less recover aspects of their public speech, in Rome during the late republic and early empire respectable women were ubiquitous in public and were legally allowed to deliver orations in court,” says Cape. He, like Thomas Conley before him, speculates that the “modern preoccupation with things Greek probably obscures the fact that Roman rhetoric has probably contributed more to the rhetorical tradition in the West.”

\begin{footnotes}
\footnote{178} Cicero, 1913, 1.37.
\footnote{179} Tocqueville, 2004, 523.
\footnote{180} Cape, 1997, 113.
\footnote{181} Cape, 1997, 112.
\end{footnotes}
One example of this influence can be found in their treatment of the more fluid boundaries between the public and private realm. Although the places for rhetoric were still distinguished in Rome through *otium* (leisure) and *negotium* (public affairs), eloquence was much more inclusive than the Greeks. Among other things, this meant that the boundaries between conversation and public speech were more intertwined. Agnostic contests, conversation (*sermo*), and speeches (*oratio*) were all considered under the banner of eloquence.¹⁸² What is more, in contrast to Athens, where “public-speaking was off-limits to respectable women,” Rome developed a conceptual place in which women rhetoric had a part.¹⁸³ But it was not only the presence of women that can account for this fluidity.

Michele Kennerly thinks that changing political climates played a part also. She speculates that the shift from a slipping republic (during which Cicero wrote his *rhetorica*) to a fallen state may account for the newfound relevance for *sermo*. During this transitional period between a republic and empire, Cicero linked private conversation (*sermo*) to political speech.¹⁸⁴ In other words, at a time when opportunities for senatorial speeches were in decline, Cicero conceived of a practical motivation for linking a conservational style and philosophy. “The challenge for Cicero in *De Officiis* becomes one of how to translate foundational Stoic philosophical tenets (such as the sovereign importance of maintaining human fellowship) and typical philosophical stylistics (such as conversing instead of competing) to rhetorical situations. Cicero not only parlays Stoic


¹⁸³ Cape, 1997, 113 and 125.

¹⁸⁴ Kennerly 2010, 120, footnote 2.
philosophical content into oratorical tone, he also tries to convince readers of the worth of adopting that tone to one’s rhetorical repertoire and adding it to fit oratorical occasions.”¹⁸⁵ By doing so, he “publicizes the persuasive power of a conversational manner, a communicative style consonant with Stoicism’s emphasis on human togetherness,” says Kennerly.¹⁸⁶

Cicero displays this same flexibility toward the poles of *otium* and *negotium* in his development of the doctrine of styles. Even as he rehearses Hellenistic rhetoric’s three varieties—plain, middle, and grand—he suggested that *individual words could be used appropriately in any context, including conversation:* “The words used in conversation are no different from those we use in more energetic speech, nor are they drawn from one category for daily use, and form another for use on the stage and in other forms of display. Rather, they lie within everyone’s reach, and when we have picked them up, we form and shape them at will, like the most malleable wax. Accordingly, the way we speak is sometimes grand, sometimes plain, and sometimes we hold to a middle course.”¹⁸⁷ Like Aristotle before him and Quintilian after him, Cicero stresses the importance of speaking naturally, saying that “in each of these three forms there should be a kind of charming complexion, not as the result of rouge that has been laid on, but of blood that flows through them.”¹⁸⁸

¹⁸⁵ Kennerly 2010, 123.
¹⁸⁶ Kennerly 2010, 119.
¹⁸⁷ Cicero, 2001, 3.177.
Conclusion

What are the consequences in the field of rhetoric for failing to account for the conversational turn? Viewed from a historical perspective, there is some reason to believe that the refusal to acknowledge the gradual overtaking of conversation as a synecdoche for rhetoric has jeopardized the very discipline its defenders aim to protect. Randall, who notably is not writing as an “insider” in the academic discipline of rhetoric, but rather as a historian seeking to explain the importance of the history of conversation to the history of rhetoric, argues that “to describe rhetoric as essentially oratory—to defend rhetoric as essentially oratory—is to recapitulate the old arguments of philosophy against rhetoric, and ultimately to endorse not only rhetoric’s historical declension narrative but also to endorse the justification for its replacement. To describe rhetoric as oratory, no matter with what fulsome intentions, is to anticipate its obsequies.” 189

What is particularly noteworthy about Randall’s claim is that, to arrive at his argument about conversation becoming the default mode of rhetoric by the end of the seventeenth century, he places women’s speech at the center of this shift. Jane Donawerth, who is writing as a historian of rhetoric, makes the same move in her history of conversational rhetoric. However, she stops short of saying that conversation became the model for all of rhetoric. Rather, she stresses that “for women, because of their relative restriction of domestic roles, conversation rather than oratory becomes the model for all public discourse.” 190 In other words, conversation did not become a universal rhetoric, but rather a domestic one. Similarly, when tackling the question of whether there

189 Randall, 2018, 3.
190 Donawerth, 2012, xii, emphasis added.
is any connection between contemporary composition studies (which regularly offer conversation as a model for discourse and a model for pedagogy) and the women’s tradition of conversational rhetoric (whose arc she locates between 1600-1900)

Donawerth again demurs. The final sentence of her book reads: “While there is not a direct link from the women’s tradition of rhetoric to these examples of contemporary composition pedagogy, nevertheless, we can yet learn something about our own teaching practices from a tradition that taught women how to enter the conversation.”

It is tempting to simply disagree with Donawerth and say her assessment is wrong. However, a closer review of her steps reveals something more telling, and thus much more important. The argument she is making is an institutional one. When Donawerth says there is “no direct link” between pedagogy and conversational rhetoric what she means is that there is no direct link in the way it is taught and talked about in rhetoric and composition departments. And she is correct about that. “The disappearance of conversational rhetoric was a loss that recent developments in composition studies make apparent. Rhetoric and composition theory would have benefited from a strand that concentrated on dialogism, collaboration, and consensus during communication. Twentieth-century rhetoricians missed an opportunity when they cast off elocution as sentimental instead of incorporating the bodily language of emotions into public speaking. And certainly, an art of listening might have developed into methods of training conflict negotiations much sooner.”

Here I would question the goal, even possibility, for consensus to be expressed in conversation (unless by consensus she means


192 Donawerth, 2012, 144.
identification and select areas of agreement) since, unlike pure dialectic (in which the truth or falsity of a claim is exposed) there is no final “getting to the bottom of things.” The end of public conversation, if we are to put it in those terms, is a moving target. Indeed, not unlike the philosophical dialogues, which comprise one of the three earliest models of conversation, there is reason to believe that “public conversations” are necessarily open-ended and are more likely to be “adjourned rather than resolved.”¹⁹³ (Even in the formal context of law and the courts, “consensus is not readily discoverable,” a point John Hart Ely brings out in his seminal work on judicial review, *Democracy and Distrust.*¹⁹⁴ I detail some of the controversies surrounding this view in Chapters 3 and 5 of this study.) Still, the core of what Donawerth is saying about the ways in which rhetoric, composition, and communication departments have missed out by failing to account for the conversational turn is key and should not go unnoticed.

Even as twentieth-century rhetoricians mostly failed to account for actual performances of conversation, rhetoric—as a social and cultural practice of persuasion—continued to proliferate, mix, and push the bounds of public conversation with little concern for the side of an academic argument on which it landed: conversational metaphors, conversational practices, or ersatz conversations. While formalists (of one variety) watched in horror as publics indefatigably sullied the art of conversation, people carried on altering the genre to suit their own ends. I do not disagree that there are reasons for skepticism and alarm in American rhetorical culture, and that various versions of conversational iterations have indeed contributed to it. However, as this study turns from overarching patterns in Western European practices and theories of conversation to

¹⁹³ Randall, 2018, 61.

¹⁹⁴ Ely, 1980, 64.
more contemporary hybrid ones, we will do well to remember that if our goal is to understand American culture and language *in use*, identifying the ways at which conversation fails to meet an allegedly universal standard is not only an inappropriate method but also a self-defeating one.
CHAPTER 3
GOVERNMENT: AN IMPETUS FOR CONVERSATION IN AMERICAN PUBLIC LIFE

“Each government, other than the despotisms, is a particular arrangement of equality and inequality.”

-Montesquieu, The Spirit of the Laws (1748)

“The United States Constitution can be regarded as a rhetorical text: one that establishes a set of speakers, roles, topics, and occasions for speech. So understood, many of its ambiguities and uncertainties become more comprehensible, for we can see the text as attempting to establish a conversation of a certain kind and its ambiguities as ways of at once defining and leaving open the topics of conversation.”


In Norms of Rhetorical Culture, which develops a theory on civic participation and practical reasoning, Thomas Farrell calls rhetoric a “practiced imperfection” motivated in part by the necessity to locate and explain a culture’s “identities, accomplishments, and needs.” He argues that “shared understandings of a people” are often expressed in foundational texts. Legal theorists, historians, political theorists, and communication scholars writing about the Constitutional period all underscore this rhetorical function of foundational texts: Although they approach the period in myriad


\[196\] Farrell, 1993, 239.
ways, as a set this scholarship consistently highlights the performative nature of the formation of the American government.

Rather than a set of rules, they maintain that the Constitution (and governance) is best understood as a rhetorical process. James Boyd White, for instance, famously argues that law (which he defines as “a set of resources for thought and argument”) comprises one set among Aristotle’s available “means of persuasion.”\(^{197}\) Not only that, but he also describes the Constitution as an attempt to start a conversation. He writes: “The United States Constitution can be regarded as a rhetorical text: one that establishes a set of speakers, roles, topics, and occasions for speech. So understood, many of its ambiguities and uncertainties become more comprehensible, for we can see the text as attempting to establish a conversation of a certain kind and its ambiguities as ways of at once defining and leaving open the topics of conversation.”\(^{198}\) Describing more than just a metaphor, White theorizes law as a branch of rhetoric concerned with “constituting culture and community.”\(^{199}\)

It is not just the rhetorical function of the completed Constitution, however, but also the process of its formation that will prove of central importance to the conversational turn. From the period between the Revolution and the ratification of the Constitution a compound of causes led to an increasing legal and philosophical emphasis on both equality and the individual. By the nineteenth century, rehearsals of these ideals (together with numerous other forms of cultural survival), hastened a sea change in


\(^{198}\) White, 1985, 697.

\(^{199}\) White, 1985, 692, emphasis added.
American discourse away from monologic oratory and toward egalitarian conversation where all citizens could, at least in theory, contribute. While central for explaining the underlying assumptions that animate the public conversational dynamic, this chapter is not dedicated to conversation or oratory. Rather, it aims to introduce some of the conceptual problems (and promises) that arose during this period for which “conversation” would later be called upon to address.

On the Social Implications of American Political Theory

Political theories are created (and repeated) in response to specific, cultural circumstances. In The Letters of the Republic, for example, Michael Warner argues that it is “the Constitution’s printedness that allows it to emanate from no one in particular, and thus from the people.” Recognizing the influence of surrounding circumstances, both Michael Schudson’s The Good Citizen: A History of Civic Life and Jennifer Mercieca’s Founding Fictions go beyond the parameters of the Constitutional debates themselves to exemplify how the larger social milieu can be advantageously probed for clues that extend, not just into formal questions of law (which I take up in Chapter 5), but into the necessarily evolving American rhetorical culture. In the same way, political theory—which links the exigencies of formal and informal structures of government—is itself a form of “practiced imperfection” (to use Farrell’s term). It responds to specific identities, accomplishments, and needs. What this means, among other things, is that it can be critiqued. As Mercieca phrases it, “political theory is not an elite form of discourse that corresponds to truth, but rather a form of persuasion and an act of human

---

imagination…as such it can be debated as easily as any other piece of art or other influential text.”

The impact of American political theory also does not begin and end with the Founders. Thoroughly egalitarian in its ability to change, it is always in the hands of those who wrestle with it and reinforce it for their own eras. This capacity for self-government was in fact a stated goal from the beginning. As Gordon Wood points out in his seminal book on the period, building a “permanent basis for freedom” was not just a secondary expectation for the Constitution but the primary “essence of the Revolution.”

This is not to suggest that political theories can be argued without restraints. In the same way that foundational configurations (like any other influential text) do not stay merely in the realm of ideas, so political theories shape (and limit) reality by making their way into discernible action. In the case of American politics, the Federalists left a clear and lasting mark on how campaigns would be waged and politics would be understood in the United States. Although the Federalist v. Antifederalist debates were suited to the constraints and circumstances of the time (several of which I outline in this chapter)—their legacy (e.g., a ratified Constitution and the first ten Amendments of the Constitution) noticeably fixed “the terms of future discussion.” In particular, says Wood, the triumph of the Federalists “helped to foreclose the development of an intellectual tradition in which differing ideas of politics would be intimately and

---


genuinely related to differing social interests.\textsuperscript{204} This, too, would have far-reaching consequences. By taking the political struggle “outside of the context of a contest between rulers and the people,” the Federalists in effect pitted one individual against another.\textsuperscript{205} As Wood writes, “individuals in America” became “the entire society:”

Americans had begun the Revolution assuming that the people were a homogenous entity in society set against the rulers. But such an assumption belied American experience, and it only took a few years of independence to convince the best American minds that the distinctions in society were “various and unavoidable,” so much so that they could not be embodied in government. Once the people were thought to be composed of various interests in opposition to one another, all sense of a graduated organic chain in the social hierarchy became irrelevant, symbolized by the increasing emphasis on the image of a social contract. The people were not an order organically tied together by their unity of interests but rather an agglomeration of hostile individuals coming together for their mutual benefit to construct a society.\textsuperscript{206}

Called in varying degrees to participate in their own governance, the selfsame individuals were thus cast as political peers and social rivals. The result of the rise of the individual under the banner of equality was not unity, but social antagonism. Americans struggled with this dynamic from the start. Indeed, although it is true that the Founding Fathers all shared the belief that they were creating a government based on the will of the people, to speak only of their disinterested republican virtue (a self-sacrificial capacity which was thought to place public good before—and outside of—private interests) belies

\textsuperscript{204}Wood, 1998, 562.
\textsuperscript{205}Wood, 1998, 607.
\textsuperscript{206}Wood, 1998, 607.
the fact that Americans struggled to reconcile distinctions between political and social equality from the beginning.

In her study on the move from republican to democratic “fictions” of American citizenship, Jennifer Mercieca argues that the “logic of the new constitution was different from the logic of the Revolution,” shifting from a romantic fiction to a tragic one. ⁴²⁰⁷ No longer calling people to actively fight corruption, defend liberty, critique the government, and work for the common good (as the call for action leading up to the Declaration had), the new Constitution codified a new type of government that, according to Mercieca, “had the semblance of republicanism but not the substance.” ⁴²⁰⁸ By this she means that a republican citizenry should be active and, indeed, powerful. Instead, the Constitution conceived of a citizenry that was inactive: according to Mercieca, the Constitution delineated a citizenry that “could not be trusted to defend liberty and prevent tyranny.” ⁴²⁰⁹ Schudson takes a less critical stance than Mercieca in his treatment of the observable shift following the Revolution. However, his emphases on practical and theoretical questions over representation corroborate the same schematic: both Mercieca and Schudson underscore a basic “reorganization” in the culture between the Revolution and the ratification of the Constitution. ⁴²¹⁰ The process of this reorganization is often described as

²⁰⁷ Mercieca, 93.

²⁰⁸ Mercieca, 2010, 102 and 80.


²¹⁰ As Schudson usefully describes this reorganization: “Each reorganization of political experience has had its own virtues and defects. I do not join the common practice of beating up our own era because it fails to live up to the standards of another day. It goes without saying that a democrat today, plunked down in colonial Virginia, would find slavery a savage practice and the exclusion of women and the propertyless from the franchise inexcusable. Likewise, a gentleman from colonial Virginia visiting our world during a campaign would be appalled at how candidates readily reshape principles to appease public opinion or how they quickly shed a sense of the public good to win the financial backing of special interest groups. He might well wonder: whatever became of civic virtue? Comparisons of this sort lack both a sense of history
“an extended conversation.”211 Meanwhile, the product of this protracted conversation (i.e., the ratified Constitution) is itself conceived of as its own discrete conversation. Even though evolving, the topics of conversation that are available to a public are constrained and goaded by terms laid down in the American legal framework.212

**On the Parameters of Law and Conversation**

This chapter outlines the parameters of conversation that the founding generation set. This would have lasting impact on American identity and rhetorical culture. Unlike other studies, which may highlight the dialogic or communicative construct of nationhood without even mentioning the somewhat constricting role of legal foundations, this chapter keeps law at the center.213 That is, by necessity, this chapter toggles back and forth between the open-endedness and fixedness of American political and legal foundations. However, because reform has primarily occurred through reinterpretation, it is also necessary to think in terms of layers—which stick—rather than erratic or wholesale transformations. Jeffrey Tulis explains the dynamic in these terms: “American political development may be usefully treated as a layered text. Basic structural features

and a sense of sociology, an understanding of the complex coherence of a society at a given time...The use of history should not be to condemn the present from some purportedly higher standard of the past, but to know where we stand in time,” (The Good Citizen, 9).

211 Mercieca, 2010, 81; Like many others (including Ely, 1980), Mercieca stresses that although the process was not “perfectly dialogic, debated, open, or ratified” it was more so than any other government in world history; in light of this, the process can be perhaps best described as an “extended conversation between the many and the political and economic elite” (81).


of the regime have not been substantially altered. Political reform has proceeded through reinterpretation of the Constitution rather than by replacement, or even significant amendment, of its structural principles.” 214 Building on the announced method of this project (i.e., “lumping” as opposed to “splitting”), this chapter specifically traces a legal and cultural “reorganization” over questions of sovereignty and equality. In particular, I consider how “We, the People”—with all its political, legal, and rhetorical import—was both deliberately and extemporaneously fashioned to bridge the contradictory nature of equality and non-equality in America.

In contrast to nineteenth century rhetorical histories, which highlight the “concussive” way in which democracy was finally felt by the masses, I argue that equality was something the colonies and then the new republic struggled with all along. 215 That is, the early American republic did not have a handle on equality and then lose it. Rather, despite, or rather because of, its relatively egalitarian starting point, the Revolution aggravated rather than lessened social chaos. Indeed, only out of this upheaval, and following a two-year period of uniquely public and sophisticated debates over views of government, would a Constitution be ratified that reverted, at least in part, to a less equal and more “monarchical notion of using private power to carry out public ends.” 216

This came as a shock to many. The republican Revolution, which had only been fought a few years before, sought to do away with this very system of politics that placed


private interests at the center of politics. “The Revolutionaries sought to destroy the patronage that had permeated ancien régime politics and to create citizens who were equal, independent, and free from dependencies on grandees and patrons,” writes Wood.  

What’s more, the goal of the revolution was not simply to destroy one system of government but also to replace it with a more republican—and more equal—form. The Founding generation openly sought to “assert the primacy of the public good over all private interests, indeed, to separate the public from the private and to prevent the intrusion of private interests into the public realm.”  

And yet, despite these initial aspirations to erect a truly republican government, the Constitution that was ultimately ratified rejected a number of foundationally republican ideals: The Constitution was not predicated on a unity of interests. It did not hinge on public service as a form of virtue. And it did not assume that the thirteen States could identify (let alone disinterestedly promote) a public, “common” good. In its place, these were some of the very qualities that although in theory central to classical republicanism, the Constitution notably—and, for reasons I outline in this chapter, explicably—rejected.

---


219 The common good or common advantage goes back to at least Aristotle, and is distinguished from personal advantage. Scholars still debate the extent to which the Constitution created a republic, a mixed-regime, or something else, such as a “quasi-mixed” government. For an overview of the criteria for determining government type, see John Patrick Coby, “The Long Road toward a More Perfect Union: Majority Rule and Minority Rights at the Convention,” *American Political Thought: A Journal of Ideas, Institutions, and Culture*, 5 (Winter 2016): 26-53.
Three Frames: Foundational Texts

Theorists commonly think of and refer to foundational texts as a set. Farrell refers to “the shared understandings of a people” that are “expressed in general concepts—in its historical ideals, its public rhetoric, its foundational texts, it ceremonies and rituals.”

Richard Hofstadter, author of the influential history on Anti-Intellectualism in American Life, lumps together the Founding Fathers as a group of thinkers. He describes them as “sages, scientists, men of broad cultivation, many of them apt in classical learning, who used their wide reading in history, politics, and law to solve the exigent problems of the day.”

Equally common is the tendency to view the Declaration of Independence (1776) and the U.S. Constitution (1787) as not just foundational, but a conceptual unit. For example, in his dissent in Obergefell v. Hodges (2015) (a landmark Supreme Court case which I will take up in a later chapter), Justice Thomas suggests the Framers “captured” a type of liberty in our Declaration of Independence that they then “sought to protect” in our Constitution.

Although there are good reasons for combining the Constitution and the Declaration of Independence (and, as a rehearsal of American ideals, people will no doubt continue to do so), it’s important to remember that the appeals to authority and treatments of equality in these two texts are profoundly different. One key difference between the Declaration and Constitution, for example, is that the Declaration explicitly relies on natural law, while the Constitution conspicuously does not. Neither the source for individual rights nor the basis for sovereignty emanate from the same place in the two.

---


documents. (This is the case whether viewed as an expression of political theory or a basis for law.)

In *Democracy and Distrust*, constitutional theorist John Hart Ely explains practical reasons for the Declaration to have relied on natural law and for the Constitution to have avoided it. He classifies the Declaration of Independence as an “indictment” and, above all, a “brief,” in which people are “likely, and often well advised, to throw in arguments of every hue.”223 People writing briefs for revolutions are obviously unlikely to have apparent positive law on their side, and are therefore well advised to rely on natural law.”224 The Constitution, in contrast, “was not a brief, but a frame of government,” creating positive law that, upon ratification, “virtually everyone in America accepted…as the document controlling his destiny.”225

Beyond these differences in available arguments, the Constitution was responding to a different set of exigencies. If the Declaration and Constitution appeared not only different in source but also in substance, then political distance between the Articles of Confederation and the ratified federal Constitution was perhaps even more so. This is because, as Wood points out, “the problem of sovereignty was not solved by the Declaration of Independence.”226 Immediately following independence the first imperative was not an “extensive exploration into the problem of politics”—least of all the complicated question of sovereignty—but rather a more tangible and localized

---


concern with “the formation of the state constitutions.”\textsuperscript{227} Indeed, it was not until a stronger, federal constitution was proposed to replace the Articles of Confederation that the question of sovereignty was revisited and, in a rare event, publicly brought to a head.\textsuperscript{228} For reasons that I outline in the following section, notions of sovereignty quickly changed, however, not just in the interim between the colonists’ subjection to a monarchy and the formation of the new republic, but over the course of the debates over the Constitution itself.

**The Rise of the Individual**

Much has been written about the transformation in political thinking from the period between the American Revolution and the drafting of the U.S. Constitution. There are good reasons for this. The period, roughly between 1776 and 1787, not only inaugurated the beginning of American democracy as we understand it today, but it also marked a dramatic pivot away from classical views of politics and toward a uniquely American and recognizably modern one. Unlike classical models of government (with which the Founding Fathers were famously well-acquainted), the emerging representative democracy openly incorporated private interests into the affairs of government. Equally significant—and so radical as to be misunderstood even by some of the Founding Fathers themselves—the new Constitution in effect destroyed classical notions of mixed government and, along with it, any social basis for the branches of government. By the

\textsuperscript{227} Wood, 1998, 354, emphasis added.

\textsuperscript{228} The Founders were aware of how exceptional this feat was as it was unfolding. James Madison commented on this in Federalist 38, saying, “It is not a little remarkable that in every case reported by ancient history, in which government has been established with deliberation and consent, the task of framing it has not been committed to an assembly of men, but has been performed by some individual citizen of preeminent wisdom and approved integrity.” January 15, 1788.
time the Constitution was written, the executive branch did not represent the benefits of *monarchy* (rule by the one); the upper house did not represent an *aristocracy* (rule by the wise few); and the lower house was not the singular expression for *democracy* (rule by the many).

![Sovereignty in a Mixed Government](image)

**Figure 3.1: Sovereignty in a Mixed Government**

In its place, a new notion of sovereignty emerged out of debates over the Constitution that drew its force from *individuals* independent of government. “In all governments,” argued James Wilson of the Pennsylvania Ratifying Convention, “there must be a power established from which there is no appeal, and which is therefore absolute, supreme, and uncontrollable. The only question,” said Wilson, “is where that
power is lodged?”⁴⁴⁴⁹ Sovereignty, he argued, is derived solely from the people, “as the fountain of government.” And whether “the people” distributed that power through the states or the federal government, “they have not parted with it; they have only dispensed such portions of power as were conceived necessary for the public welfare.”⁴⁴⁵⁰

As the Federalists of the 1780s would come to propose, neither the power of state or federal governments, nor the strengthening of branches within them (in particular judicial and executive at the expense of legislative) were at odds with the liberty of the people since the only source out of which any governmental branch derived its power was a singular, indistinguishable one: the sovereignty of the people. As James Madison wrote in Federalist 46, “The federal and State government are in fact but different agents and trustees of the people.”⁴⁴⁵¹ Although it was the Antifederalists who worried about the actual loss of democratic power by the people, it was the Federalists who most persuasively wielded the egalitarian phrase to suit their aristocratic ends. For example, in the same January 29, 1788 text, Madison went on to argue that “the adversaries of the Constitution [the Antifederalists] seem to have lost sight of the people altogether in their reasonings on this subject; and to have viewed these different establishments, not only as mutual rivals and enemies, but as uncontrolled by any common superior in their efforts to usurp the authorities of each other.”⁴⁴⁵² The problem, said Madison, was not that the proposal to strengthen a federal government would limit citizen action (an issue rhetorical critic Jennifer Mercieca takes up in *Founding Fictions*). Nor was it that bolstering one


⁴⁴⁵¹ James Madison, Federalist 46, 1788.

⁴⁴⁵² James Madison, Federalist 46, 1788.
imperative (e.g., minority rights) might run roughshod against another imperative (e.g.,
democratic legislation). (These issues I take up in Chapter 5.) Rather, the issue, as
Madison cast it, was the Antifederalists’ purported inability to see just how democratic—
how all encompassing—the authority of individual sovereignty actually was. “These
gentlemen,” wrote Madison, “must here be reminded of their error. They must be told
that the ultimate authority, wherever the derivative may be found, resides in the people
alone.”

Figure 3.2: Individual Sovereignty Replaces the Mixed Government Model

In contrast to the classic mixed regime model, which conceived of government as
interconnected with social qualities reflected in society, in this new model the social

---

233 James Madison, Federalist 46, 1788.
realm allegedly had little to do with it: if sovereignty was now made up of one thing only—individuals, each of whom were, at least politically and in principle, equal—then any additional social orders would be superfluous. In this new model, there was no social realm at all, or, rather, none that the branches of government could encompass or delimit. They were too numerous and diffuse.

As Madison famously held in Federalist 10, the possibilities for difference of opinion and interests were endless and impossible to contain. “As long as the reason of man continues to be fallible, and he is at liberty to exercise it, different opinions will be formed,” he wrote. “As long as the connection subsists between his reason and his self-love, his opinions and his passions will have a reciprocal influence on each other; and the former will be objects to which the latter will attach themselves.” Far from describing a homogeneous or disinterested public, Madison assumed self-interest and difference, not unity, as the necessary starting points for the fortification of a new government. Although in no way ideal, Madison would admit, experience following the Revolution had shown that factions (i.e., interested majorities) were unavoidable: “Complaints are everywhere heard from our most considerate and virtuous citizens…that our governments are too unstable, that the public good is disregarded in the conflicts of rival parties, and that measures are too often decided, not according to the rules of justice and the rights of the minor party, but by the superior force of an interested and overbearing majority.”

A stronger government was needed, in other words, to control the vices of men whose interests were no longer privately and publicly discrete, but rather openly

---

234 James Madison, Federalist 10, November 23, 1787.
No longer could one assume that a majority would act in the interest of the public good (i.e., in the interest of people’s welfare) or that they would relinquish power to the minority simply in the name of justice. In light of this, rather than controlling the existence of factions, which were inevitable, Madison sought to control their effects.

Initially, Madison cast the solution in republican terms. In Federalist 10, he outlined a way to control factions by enlarging a republic to such an extent that a single, cohesive majority would be difficult to achieve. Highlighting one of the notable ways in which the new government was “a prodigy,” Madison’s approach, although not initially well received at the Convention, was ultimately integrated into the new Constitution, turning the “oracle” Montesquieu’s well-known theory of the necessity of a small republic on its head. However, over the course of the debates leading up to the reification of the Constitution, this republican justification for the new configuration was gradually muted. Underscoring the interconnectedness between formal and informal political structure and calculated and spontaneous rhetorical culture, the Federalists ultimately abandoned public appeals to the “aristocratic-sounding” scheme, instead framing their proposals for a new government using their opponents’ decidedly democratic (i.e., Antifederalist) terms.

---

235 For more on the collapse of a distinctly public and private realm see especially Hannah Arendt’s, The Human Condition, “The Public and Private Realm.”

236 For more on the difference between republican and democratic theories of government, see especially Jennifer Mercieca’s “Republicanism Was an Indefinite Term” in Founding Fictions.

237 Tocqueville, 2004, 176; James Madison refers to Montesquieu by name saying, “the oracle who is always consulted on this subject is the celebrated Montesquieu.” Federalist Papers 47, February 1, 1788.

A Nation Founded on Ideas

Writing in the 1830s, Tocqueville emphasized the interplay between formal and informal systems of government through symbolism and abstraction. “The government of the Union rests almost entirely on legal fictions. The Union is an ideal nation that exists only in the mind, as it were, and whose extent and limits can only be discovered through an effort of intelligence.”239 This emphasis on fictions is particularly important with respect to the Constitution, because it explains why the rehearsal and public performance of foundational ideals is still so important to Americans’ sense of identity today. “The United States was founded on a set of beliefs,” says the historian Gordon Wood, “and not, as other nations, on a common ethnicity or common language, or religion.”240

Equally important, the ideals on which the nation was founded were not just assumed in the American landscape and settled once and for all; rather, they are still evolving and actively dramatized today (a dynamic which I discuss more fully in Chapters Four and Five). Consider, for instance, the opening paragraphs of Barack Obama’s 2013 Presidential Inaugural Address, which I quote at length since they so clearly exemplify the enduring relevance of what I am discussing in this chapter:

Each time we gather to inaugurate a President we bear witness to the enduring strength of our Constitution. We affirm the promise of our democracy. We recall that what binds this nation together is not the colors of our skin or the tenets of our faith or the origins of our names. What makes us exceptional—what makes us American—is our allegiance to an idea articulated in a declaration made more than two centuries ago:

239 Tocqueville, 2004, 186.

‘We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness.’

Today we continue a never-ending journey to bridge the meaning of those words with the realities of our time. For history tells us that while these truths may be self-evident, they’ve never been self-executing; that while freedom is a gift from God, it must be secured by His people here on Earth. The patriots of 1776 did not fight to replace the tyranny of a king with the privileges of a few or the rule of a mob. They gave to us a republic, a government of, and by, and for the people, entrusting each generation to keep safe our founding creed. And for more than two hundred years, we have.241

Even a quick unpacking of the language here exemplifies how Americans still struggle to make the adjustments necessary for the “complex coherence of a society” and the “reorganization” of history that Michael Schudson finds so essential.242 While the passage begins with a temporal “each time,” it advances to a less transient foundation of “more than two hundred years.” The passage does this using the stylistic form of antithesis in which contrasting ideas are placed next to each other. The scheme works


242 As Schudson usefully describes this reorganization: “Each reorganization of political experience has had its own virtues and defects. I do not join the common practice of beating up our own era because it fails to live up to the standards of another day. It goes without saying that a democrat today, plunked down in colonial Virginia, would find slavery a savage practice and the exclusion of women and the propertyless from the franchise inexcusable. Likewise, a gentleman from colonial Virginia visiting our world during a campaign would be appalled at how candidates readily reshape principles to appease public opinion or how they quickly shed a sense of the public good to win the financial backing of special interest groups. He might well wonder: whatever became of civic virtue? Comparisons of this sort lack both a sense of history and a sense of sociology, an understanding of the complex coherence of a society at a given time…The use of history should not be to condemn the present from some purportedly higher standard of the past, but to know where we stand in time.” Michael Schudson, The Good Citizen: A History of American Civic Life, (New York: The Free Press,1998), 9.
both as a line of reasoning and as a stylistic pattern delivering content the audience would know to expect.243 Thus, “while freedom is a gift,” it must be “secured;” While “all men are created equal” may be a “self-evident” truth, its impact in practice can hardly be assumed. “What binds this nation together” is “a never-ending journey” that denies any capacity for programmed or “self-executing” fulfillment. Indeed, even the solid underpinning that is suggested by the “enduring strength of our Constitution” and the passage of two centuries is qualified with what is yet to come (“And for more than two hundred years, we have.”). By ending this section of the speech in the past perfect tense (“we have”), the former President’s words call to mind a test. This test (“to keep a government of, and by, and for the people”) is by necessity both forward and backward looking, requiring a continual affirmation of the things that held and hold us together.

As a rehearsal of American ideals, this articulation is largely a performative one. Not only is it publicly spoken, but also, and more importantly, it dramatizes the essential (and, no doubt, rhetorical) connection between things as they are now and things as they might be. Indeed, we see this evidenced again in the same passage above: in order for the “meaning of those words” [in the Declaration of Independence] to match “the realities of our time,” certain actions are required. Actions the President lists include that we “affirm,” “bridge,” and “keep safe” the ideals that were first articulated in 1776.

Although the dynamic I am describing here explains, in part, why Americans still have a need to revisit this critical period of history, the rehearsal of American ideals is only one part of American public life and, most central to this study, an impetus for the conversational turn. Formal theories of government, which are rarely rehearsed in public

speeches, are also just as much at play. For example, if we return the opening preamble of the Constitution—“We, the People”—and consider not just its rhetorical power but the practical implications of its departure from the Article of Confederation (which opened “We, the States”) it becomes clearer why “We, the People” was so disputed.

Shifting Fictions

“The question turns, sir,” said Patrick Henry at the opening of the Virginia Convention, “on that poor little thing—the expression, We, the people, instead of the states of America.” 244 Although by now the preamble of the Constitution, ‘We, the People,’ is a source of democratic pride, when it was drafted, the pivot away from ‘We, the States’ (as it was in the Articles of Confederation) to ‘We, the People’ represented a loss of liberty. The problem was one of both omission and implication. In contrast to the Constitution (pre Bill of Rights), a majority of state constitutions enumerated protections of individual rights. A federal constitution, however, would supersede state laws. This omission of protected rights threatened to undermine the liberties for which Americans had just fought.

The problem of implication was that the consolidation of a federal power meant that, where necessary and in the cases of conflict, the federal power would supplant states laws. This was a major source of controversy during debates over the constitution and a recurring theme in the Federalist v. Anti-Federalists debates. “Brutus,” for example, raised this criticism of the constitution’s relationship to state laws in Anti-Federalist 84: “For it being a plan of government received and ratified by the whole people, all other

forms which are in existence at the time of its adoption must yield to it.”

Although as a party the Federalists were always in the minority, on the question of consolidating federal power in a constitution, they unmistakably dominated. The Federalists accomplished this not by changing the formal structure they proposed, but by shifting their justification for it. That is, they shifted the question of sovereignty from the States to a more singular, indivisible invention: the People.

“We, the People” (much like “We, the Sates”) is a fiction. “It might be the best fiction on which to rest government, a fiction that no one wished at this point to challenge,” writes the historian Edmund Morgan, but it still must be “recognized as a fiction.”

To suggest that explanations about who governs are “fictions,” however, is not to suggest that the narratives we tell about how the few are chosen to represent, govern, or rule over the many are altogether divorced from reality. In fact, David Hume would suggest in his theory of consent, all governments rest on fictions. As Morgan explains in his history of the rise of popular sovereignty, “the success of government requires the acceptance of fictions…this maxim extends to the most free and most popular governments, as well as to the most despotic and most military.”

Fictions are necessary, in other words, because they help both governors and the governed create,

---


246 Tocqueville (2004) refers to this fact as “one of the fortunate events attending the birth of the great American Union,” 201.

revise, amend, and critique stories about the foundations of sovereignty (i.e., how and why the few are chosen to represent, govern, or rule over the many).

In a representative democracy such as the one created by the Constitution, this fiction is particularly important, since, even as it is premised on the will of the people, it “excludes some” but not others “from the decision-making process.”²⁴⁹ In fact, not only does this configuration hinge on “an elected form of aristocracy,” it also necessitates an additional level of abstraction. “The people who submitted to a government of their own supposed creation had to remember that government is always something other than the actual people who are governed by it, that governors and governed cannot be in fact identical.”²⁵⁰ Even in seventeenth-century England, where the idea of “sovereignty of the People” was reintroduced from the Greeks, it was assumed that people would not speak for themselves, but rather through Parliamentary representation.²⁵¹ How, then, did the Federalists go about arguing that the Constitution was an action—not of the States—not of Representatives—but simply and directly of the People?

In the first stages of America’s founding theories of mixed-government were assumed. Although later he would be mocked for it, John Adams, for example, was not initially an outlier in his belief that mixed government was the ideal form of political rule. After the Revolution, when Americans set out to design their state constitutions, the question the Framers asked was not whether a mixed government was preferred (that was

²⁴⁶ Morgan, 1988, 13, emphasis added.


²⁵⁰ Morgan, 1988, 282.

²⁵¹ See especially Chapter 4 in Morgan (1988), 78-93.
assumed), but rather what proportion would be allotted to each of the government types. In this configuration, which is comprised of the three classical types of government—monarchy, aristocracy, and democracy—sovereignty is not only split, but only exists as “a compound built of three distinct parts.”

![Figure 3.3: Mixed Government as Compound of Three Distinct Parts](image)

One advantage of the mixed model of government is that it has a built-in system to protect minority groups. As John Patrick Coby puts it, “The reason for choosing the mixed-regime model of protecting minorities is the perception that society is not a natural whole, composed of one population, more or less all the same, but is a union of distinct

---


communities artificially brought together.”

The problem that surfaced by the mid-1780s, however, (and one reason why a stronger federal constitution was deemed necessary) is that initially states were too democratic. By selecting the aristocratic (senate) and democratic (house of representatives) legislatures in essentially the same manner, states lost any advantages the two different societal elements were envisioned to bring: “If the theory of mixed government were to be useful, the two houses could not embody the same interests, could not contain the same kinds of men with similar education and social standing,” observed Wood.

The propensity to fill the two houses from the same pool of people thus revealed a flaw in state constitutions and the Articles of Confederation.

As Jefferson sensed in his *Notes on Virginia*, “Being chosen by the same electors, at the same time, and out of the same subjects, the choice falls of course on men of the same description.” Jefferson wasn’t the only one to express this concern. Commonly contrasted as competing voices for the publicly waged Federalists and Antifederalist debate, James Madison and Thomas Jefferson fully agreed on this point: both were “baffled by the apparent inability of the people to perceive the truly talented.”

—

254 Coby, 2016, 32.


257 The campaign between the Federalists and Anti-Federalists was mostly waged in the newspapers. Unlike the Anti-Federalists, who were scattered and disorganized in their campaign, the Federalists had a clear objective, which ultimately mattered more than the fact they were always outnumbered. “Had it not been for the virtues of their leaders and the fortune of circumstance, they never would have” wielded political power at all, observes Tocqueville (*Democracy in America*, 200). Beyond the enormous impact of the outcome (i.e., the ratification of the Constitution) the two years between its drafting and ratification represented an exceptional instance of the day’s leading political theorists openly debating the merits of a particularly political theory, a practice that that had never been done and has never been repeated since.

Having rejected the hereditary imperialism of the Crown, Americans struggled to pin down qualities that could be reliably identified as distinctively senatorial or aristocratic. This is not to say they were not aware of distinctions. Quite the contrary, in some ways they were obsessed with them. “Social distinctions and symbols of status were highly respected and intensely coveted” by Americans at the time, writes Wood, perhaps “even more greedily than by the English themselves.”

Distinctions abounded, moreover, not just in habit, but in abstract political theories as well, since neither equality nor republicanism were understood to mean social leveling or lack of difference. “Even the most radical republicans” who professed a shared will of the people “admitted the inevitability of all natural distinctions: weak and strong, wise and foolish—and even of incidental distinctions: rich and poor, learned and unlearned.”

The issue for the leaders of the founding generation was thus not whether there were critical distinctions but rather on what grounds aristocratic and senatorial merits would be delineated. Indeed, what was so revolutionary about this early vision for republicanism was not that it took Jefferson’s “self-evident truth” that “all men are created equal” to its broadest and fullest conclusion, but rather that it placed its faith in what we might call a self-made aristocracy, an eighteenth-century version of the rugged individualism that would later come to define American culture. This faith in a self-made aristocracy mixed democratic egalitarianism with a strong commitment to social order. In the place of preeminence by birth, much of the revolutionary generation believed

---

aristocratic qualities were to be personally cultivated and evidenced in virtue, self-sacrifice, education, disinterestedness, and talent.

In this restricted context, mobility itself was not viewed as a social irritant. Insofar as it “represented equality of opportunity and careers open to talent” mobility in fact “lay at the heart of republicanism.”

However—and this was key—any movement or change in social position was predicated on the assumption that there were clearly established ranks together with clearly defined ways to move about them. Wood writes, “Most Revolutionary leaders clung tightly to the concept of a ruling elite, presumably based on merit, but an elite nonetheless…The rising self-made man could be accepted into this natural aristocracy only if he had assimilated through education or experience, its attitudes, refinements, and style.”

There was a “crucial difference,” in other words, between “orderly and disorderly mobility.”

**Equal Yet Unequal**

The early American republic did not have a handle on equality and then lose it. Both Federalists and Antifederalists worried about the dynamic between citizens of different social classes; they worried, too, about competing interests of small states and large states, majorities and minorities, and between those who would make laws versus those who would enforce them. At issue were not just the concepts of political liberty and governmental power, but the practical distinction between the “People” and their

---


representatives. As Colene Lind puts it, the question of equal representation—however defined—“has haunted the American republic since the founding.”  

While more people than ever before would participate in the world’s first, mass democracy, the effect following the Revolution was not unity but turmoil. Far from satisfying the craving for political liberty, equality of conditions instead invited challenges to “all distinctions, whether naturally based or not” and exacerbated social competition. Yet, in this same way, it was through this lack of total equality that participants saw just how unprecedented the degrees of liberty, equality, and political representation actually were. That something different was afoot was not just felt in the early Republic but observed. Even before the Revolution the Colonies were more egalitarian than their counterparts. “What was different in America was not only that ordinary people were less poor and less destitute than the poor of England,” observes Wood, “but also that American aristocracy and the wealthy gentry whom ordinary people railed against were considerably weaker and less established than the English aristocracy and gentry.” However, despite, or, rather because of this relatively egalitarian starting point, the Revolution aggravated rather than lessened social chaos.

“Although the Revolution had placed government almost wholly in the hands of the people, the people were still suspicious and jealous…In all of the states, from New


England to South Carolina, the egalitarian atmosphere spread by the Revolution made ‘superiority from incidental circumstances not annexed to merit…galling and insufferable,’” writes Wood.\(^{270}\) Or, as a Connecticut periodical from 1786 reported: “Every man wants to be a judge, a justice, a sheriff, a deputy, or something else which will bring him a little money, or what is better, a little authority.”\(^{271}\) Underscoring the important link between formal mechanisms and broader rhetorical culture, democratic foundations do something to the mind that other forms of government do not: they “awaken and flatter the passion for equality without ever being able to satisfy it to the full.”\(^{272}\)

In fact, says Tocqueville, the desire for equality becomes more “insatiable as the degree of equality increases.”\(^{273}\) As the social crisis of the 1780s (which set the stage and, as the Federalists argued, need for the new Constitution) had shown, equality of conditions was so significant in part because it was not simply an abstract ideal, but rather a visible element of society that was realized in degrees. Both the social upheaval of the 1780s and the 1830s are described in terms of visibility. Tocqueville, who wrote *Democracy in America* during the 1830s, describes the effect this way: “When conditions are almost alike, it is not easy for one man to persuade another. Since everyone can see everyone else at close range, and all have learned the same things together and lead the same life, they are not naturally inclined to accept one of their member and follow him blindly. It is unlikely that one man will take on faith what he hears from another man just


\(^{272}\) Tocqueville, 2004, 226.

\(^{273}\) Tocqueville, 2004, 627.
like himself or his equal." According to Wood, the decade following the Revolution produced a similar visible effect: “the most pronounced social effect of the Revolution was not harmony or stability but the sudden appearance of new men everywhere in politics and business.”

Meanwhile, the same individual confidence and relative access to equal circumstances that would spur Americans on to seek better conditions would also activate another, equally malleable, social trait to which Tocqueville would refer again and again: envy (together with a general resentment against superiority). “I found the democratic sentiment of envy expressed in a thousand different ways,” writes Tocqueville. It wasn’t just the low salary that the highest-ranking officials would receive; or the Constitutional ban on titles of nobility; or the lack of uniforms for public officials that ensured democratic officials blended in with the multitudes—although these all were important. Following what Montesquieu had observed almost a century before, Tocqueville observes: “Public officials themselves are well aware that they have been

---

276 Tocqueville, 2004, 11, 27, 60, 243, 253 and 539.
278 The Title of Nobility Clause is in Article 1, Section 9, Clause 8 of the U.S. Constitution.
279 Despite this discrepancy between low and high ranking officials, pay is actually quite important to the functioning of a democracy. As Tocqueville points out, payment for service underscores to office holders that their “privileges are temporary; they are inherent in the office, not the man. But to establish unpaid offices is to create a class of wealthy and independent officials, to form the core of an aristocracy...When a democratic republic stops paying salaries to its officials, I think it is fair to conclude that it is on the way to transforming itself into a monarchy,” 233.
granted the right to wield power over others only on the condition that in regard to
manners they descend to the same level as everyone else.”

“An Entirely New Theory”

While it was Montesquieu’s *The Spirit of the Laws* that made famous the idea that
laws impart certain habits in the people they govern, it was Tocqueville who, building on
his fellow Frenchman, applied it to the peculiar conditions of the United States.
According to Tocqueville, equality of conditions (a condition that, while never able to be
fully achieved, is marked by the equal access to rights, education, and fortune) is
professed to have a “prodigious influence” on everything: “It creates opinions, engenders
feelings, and modifies everything that it does not produce.” Following his famous trip
through the United States in the 1830s, Tocqueville more specifically reported: “I found
in the United States that restlessness of heart which is natural to men when, all conditions
being almost equal, each person sees the chance of rising.” This “chance of rising”
would gradually become so entrenched as to become, as Frederick Antczak words it, “a
permanent part of the national identity.”

But it was also out of this mixture that Tocqueville perceived something else: “I
observed that in the conduct of affairs people often displayed a great mixture of

---


281 Tocqueville, 2004, 3. Equality of conditions also creates a greater need for acceptable rationalizations
for social classes. See, for example, Robert Lane’s *Political Ideology: Why the Common Man Believes
Common Style in American Politics: A Rhetorical Analysis of Ordinary, Exceptional Leadership,” PhD
diss., University of Texas, Austin, 2013, 12.


presumption and ignorance, and from this I concluded that in America as in Europe, men were subject to the same imperfections and exposed to the same miseries.” 284 In one sense, in other words, the political configuration of the United States was hardly exceptional. While the distinctly American political agreement would eventually become the longest surviving national charter and (as Tocqueville called it) the “most perfect” of all constitutions, as a design for government its flaws were no different from any other: it espouses a political theory and creates a formal system of government that can never ensure equality, liberty, or unflawed representation. “Democracy does not do away with class distinctions,” writes Tocqueville. 285 Neither does the Constitution. If we think of the Constitution as an American political theory—as a product of human imagination and debate—then this “practiced imperfection” loses its impenetrability and simply becomes a way to better understand American identities, accomplishments, and needs.

And yet, the fact that the Constitution (still) confronts “individuals” rather than “peoples,” also means that its strength is “not borrowed,” as other forms of sovereignty had been, “but drawn from within.” 286 This fact alone—however “piecemeal,” “diffuse,” and “open-ended” in its creation—was “based on an entirely new theory” that “must be counted as one of the greatest discoveries of contemporary political science.” 287 By shifting the social organization of politics from rulers and ruled to one autonomous


286 Tocqueville, 2004, 177; In Chapter Five I use a 2015 Supreme Court case as a basis for explaining how two imperatives 1) individual rights and 2) democratic legislation are placed in tension with each other in the Constitution without ever having a conclusive resolution. This tension, I suggest, is one of countless scenarios that fuels the conversational dynamic in American public life.

individual against another, the new political theory would impact not only what citizens sought from their government, or how politicians campaigned and related to their constituents, but, more generally and more fundamentally, how individuals would publicly engage with one another. That is, beyond shaking the foundations of political science, this new political theory percolated into everyday attitudes, including how people thought. “Quick assessments of specific facts, daily study of the shifting passions of the multitude, momentary chances and the skill to grasp them—these are the things that decide how affairs are dealt with in democratic societies.”\textsuperscript{288}

If the simultaneous establishment of the world’s first mass democracy and the codification of downright monarchical understandings of public and private power sound conflicted, it’s because they are. However, the reasons for this paradoxical quality cannot be understood as the product of a purely theoretical or practical debate. Both people’s lived experiences in the years following the Declaration of Independence and the applied negotiations that emerged out of debates over the Constitution contributed to this paradoxical character. What makes the piecemeal political theory of the United States so exceptional is not that it was purely republican, or democratic, or that it actually achieved equality in either political or social form, \textit{but rather that it announced the ambition to do so and gave Americans the means to attempt it. “The great privilege of the Americans,” wrote Tocqueville, “is to make errors that can be corrected.”}\textsuperscript{289}

Part of the American effort to correct its errors is reflected in the conversational turn. I detail nineteenth, twentieth, and (to a lesser extent) twenty-first century American

\textsuperscript{288} Tocqueville, 2004, 524.

\textsuperscript{289} Tocqueville, 2004, 266.
expressions of this rhetorical endeavor in the subsequent chapters. In view of all this, it becomes clearer why scholars’ tendency to limit the conversational dynamic to, on the one hand, “metaphors for good reading or liberal democracy conversation” or, on the other, an “ersatz” performance, is too narrow for explaining some of the most important features of this publicly-oriented dynamic.

Both practical and theoretical influences are at work in the conversation turn and they do not involve the simple desire, as David Simpson puts it, “to turn the country into a giant dinner party.”

From the period between the Revolution and the ratification of the Constitution a compound of causes led to an increasing legal and philosophical emphasis on both equality and the individual. By the nineteenth century, this compound hastened a cultural sea change in American discourse away from oratory and toward conversation, a subject that I take up in the following chapter.

---


“We grudge, and cannot reconcile it to ourselves, that anyone should go about to cozen fortune without the stamp of learning! We think because we are scholars there shall be no more cakes and ale! We don’t know how to account for it, that barmaids should gossip, or ladies whisper, or bullies roar, or fools laugh, or knaves thrive, without having gone through the same course of select study that we have! This vanity is preposterous, and carries its own punishment with it. Books are in a world in themselves, it is true; but they are not the only world.”

-William Hazlitt, “On the Conversation of Authors,” 1820

“In America during these same years conversation could never be contained in the salons of one class…it proliferated through many levels of society in a democratic diversity of forms…the public seemed especially keen to see the character of important personalities expressed ‘live’ in the give-and-take of supposedly spontaneous conversation.”

-Peter Gibian, Oliver Wendell Holmes and the Culture of Conversation, 2001

On July 13, 1859, New York Tribune editor Horace Greeley sat down for what he describes as a “nearly two hours’ conversation” with Brigham Young, the President of the Mormon Church. The interview took place in Salt Lake City and included “many matters of public interest;” it was published verbatim in the Tribune on August 20, 1859. Daniel Boorstin dubbed it the “first full-fledged modern journalism interview with a public figure.”

---


At the time, the format was innovative enough that it drew national attention. It was memorialized in an illustration on the cover of another nineteenth-century innovation, *Harper’s Weekly*. (Other monthly magazines that would emerge during this same period (1850s-1860s) include *Putnam’s* and *The Atlantic*.)

Issues discussed in the interview included: the Mormon Church’s positions on church doctrine, Slavery, whether Utah, if admitted to the Union, would be a Slave State, and polygamy. In his introduction, the newspaperman Greeley explained the exchange as having begun with “unimportant conversation on general topics.”²⁹⁴ He then requested to “ask some question bearing directly” on “the doctrines and polity [organization] of the Mormon Church.”²⁹⁵

Already, one can see clear differences emerging between public and artful conversation in the scenario described by Greeley, including whether it could be called conversation at all. When conversation is defined as “talk without a purpose,” as Stephen Miller does in his history of the art of conversation, an interview is clearly excluded.²⁹⁶ “An interview is not a conversation,” Miller emphatically states, since conversationalists are enjoyed for “the pleasure they give, not the information they provide.”²⁹⁷ However, Miller does allow for conversation to be “purposeful in the sense that those present are trying to clarify an idea.”²⁹⁸ When, for example, on the topic of slavery Horace Greeley asks, “Am I to infer that Utah, if admitted as a member of the Federal Union, will be a

---

²⁹⁴ Greeley, 1859.
²⁹⁵ Greeley, 1859.
²⁹⁶ Miller, 2006, 195.
²⁹⁷ Greely, 1859.
²⁹⁸ Miller, 2006, 14.
Slave State?” Brigham Young clarifies, “No; she will be a Free State…Utah is not adapted to Slave Labor.” In this sense, the nineteenth-century invention of the newspaper interview offers something altogether distinctive from a mere delivery of information. Serving as an exemplary for much of the experiments in conversation that would be famously developed in nineteenth-century United States, the Greeley-Young interview captures the dynamic of compression, cultural mediation, cultural reform, and discovery that would be so typical of the period.

This chapter outlines some of the cultural topographies that animated public conversation in nineteenth-century United States. It is divided into three parts. In the first section, I focus on society and politics, highlighting the ways in which conversation was adapted with the help of government and in response to sweeping societal changes. In section two, I give special attention to the newspaper and its contributions to the reading public as explained, in part, by the transmission and ritual views of communication. Section three works to unite some of the conceptual and methodological problems that have kept women’s contributions in the nineteenth century isolated from rhetoric “in general.” Taken together, I aim to show how the public conversational dynamic became so entrenched in the nineteenth century as to become a permanent part of American rhetorical culture.

I. On the Expanding Arenas for Conversation

The idea of a national conversation was developed in the nineteenth-century and collectively embraced as a matter of common good made possible by technological expansion. Although the ambition to engage in a collective conversation was not limited

299 Greely, 1859.
to the United States, it was arguably best achieved here. If, as Lawrence Stone argues, “societies are profoundly affected by the way people think of themselves,” there could be no doubt that Americans were fixated on becoming more equal and that conversation was considered a means to get there. Following the promises laid down in the founding documents of the Republic, conversation was adapted to make the cornerstone of government more “sincere”—and further reaching. Daniel Walker Howe stresses how much these establishing ideals would reverberate across all levels of mid nineteenth-century society, saying: “The Declaration of Independence proclaimed that all men had an unalienable right to the pursuit of happiness. In practice, Americans defined this pursuit not only in economic and political terms but also in moral and spiritual ones, and in terms of manners and lifestyle.”

In 1824, John Quincy Adams became the first president to refer to the American government as a democracy in an inaugural address. Within the span of a few decades (roughly 1820s to 1850s) public schools were created; literacy rates swelled; the Lyceum and the public lecture movement emerged; refined and crude speaking styles mixed; access to cheap print materials multiplied; wide reading in the classics (which, despite its abundant and far-reaching benefits, was arguably inconvenient by design)

---


303 Angela Ray, 2005.


305 Cherches, 67.
plummeted;\textsuperscript{306} and virtually “all coherent efforts to exclude people of ‘middling culture’ from public debate” were undermined.\textsuperscript{307} Women, meanwhile, no longer barred from the public speaking platform, gradually stepped out of the drawing room and onto the rostrum.\textsuperscript{308}

New arenas for verbal exchanges—not just among, but between communities—also dotted the landscape. “In every sizable city, dozens of business establishments beckoned customers with the promise of conversation, a meal, a cup of coffee or pint of rum, lodging, books, magazines—and newspapers,” writes Charles Steffen.\textsuperscript{309} Boarding houses, reading rooms, medical offices, literary societies, steamboats, train cars, conversation clubs, and informal civic societies all invited spontaneous, unstructured talk.\textsuperscript{310} From elite salons to working-class saloons, Americans everywhere developed what Peter Gibian describes as “a fascination with new venues for conversational exchange that might test the boundaries of public and private life.”\textsuperscript{311} Echoing this invitation for new conversational arenas, the historian Katherine Greer refers to the mid-

\begin{footnotesize}
\textsuperscript{306} Connors, 1997, 307, 308. Latin was studied in part because it conferred and symbolized status. For more on the importance of Latin and its role in social dynamics, see especially “The Social History of Language” and “ ‘Hue Domine, Adsunt Turcae’: a Sketch for a Social History of Post-Medieval Latin” in Peter Burke (1995).

\textsuperscript{307} Cmiel, 1990, 15.

\textsuperscript{308} Lucas, 2001, 640.


\textsuperscript{310} See especially “The ‘Animating Spirit of the Age:’ American Forms of Talk” in Gibian, 2001, 22-34.

\textsuperscript{311} Gibian, 2001, 26.
\end{footnotesize}
nineteenth-century America as “a world full of parlors” in which new ways of showing oneself in both private and public forms could be developed.\textsuperscript{312}

Equally important, and intertwined with the rise of a reading and conversant public, organized opportunities for live speech multiplied during this same period. According to Tom Wright (and in contrast to Walter Ong’s account of print-based cultures), orality during the nineteenth century could best be described as “resurgent” rather than “residual.”\textsuperscript{313} New textual forms of the “talking mind” expressed in print were “called in to reinforce, not replace, the spoken word,” says Wright.\textsuperscript{314} For example, the same circuit riders that preached salvation laid the groundwork for the reform movements that would define the era. The period of religious revival known as the Second Great Awakening, which had its heyday from 1820 to 1840, subsisted on camp meetings and “circuit riders” skilled in generating emotional responses through live talk. Both literacy and church membership soared. The message preached was also more democratic than previous denominations: unlike the Puritans’ and Calvinists’ belief in predestination, the Methodists and Baptists sermonized that all races and people were eligible for salvation, regardless of circumstance at birth. Like the first Great Awakening, one of the side effects of the revivalist movement was an expansion of political consciousness within the lower reaches of society.\textsuperscript{315}


\textsuperscript{314} Wright, 2017, 7.

Although it was designed to benefit all and offend no one, the Lyceum movement of adult education (which lasted roughly as long as the revival period), generated a similar fervor. “It has been discovered,” marveled one Boston reporter “that the two objects of entertainment and improvement may be united in one pursuit.” Considered by many to be a ritual of citizenship, the public lecture circuit originated by the Lyceum emphasized useful knowledge. Expertise and experiences were compressed and dramatized by noted preachers, scholars, explorers, humorists, and scientists—a almost all white men—together with runaway slaves, Native Americans, and, on occasion, women.

After the Lyceum movement of adult education gradually morphed into a more overt form of popular entertainment in the mid nineteenth century, the performances of talk, although less frequent, became even more organized and more lucrative. Peter Cherches refers to the “star courses” of the mid-century as a form of early network broadcasting. The Chautauqua movement, meanwhile, integrated not just Lyceum-style popular lectures into its curriculum, but also question-and-answer sessions (now a staple of public talks) and attendant performances of “conversations.”

Not all of the dialogic exchanges of the period were this structured. Volatile modes of expression were far from uniform, both in character and in purpose. To give


one example, although commonly referred to as a national characteristic, the ethic of self-improvement—the driving force of the Lyceum movement—was not uniformly embraced. In fact, the aspiration for self-development was attacked from above and below. Where Providence lyceum-goers in 1842 earnestly debated the question, “Who are recognized in the Constitution of the United States by the expression, ‘the people,’” others openly mocked the “peripatetic gentry” who roamed the country “with superficial essays written out of encyclopedias.” Daniel Walker Howe’s description of the 1840s minstrel shows, which lampooned the “pretentious” free Negro, dramatized contempt for a range of stations, not just the newly free: “the learned professions and learning in general, the newly rich, European high culture, abolitionism, evangelical reform, and women’s rights” were all the objects of scorn.

Unlike the ideal model of conversation in a harmonious, static, and “polite society,” in this nineteenth-century dynamic “a host of singular speakers” were usually “very much aware of inequalities.” In fact, according to Gibian, “what the mid-century outpouring of dialogic speech suggests, most basically, is that in this period the cultural vision on any issue could not be summed up in a single voice.” Carolyn Porter highlights this view: “Women, Afro-Americans, and working people all participated in the national conversation,” she writes. Indeed, in the same way that the “age of

---


reading” was not limited to a single class, the “age of conversation” was not limited to a
singular aim or a class; it multiplied and expanded in unexpected directions.

“Not all mid-century talk took the form of parlor pretension, and not all mid-
century talk groups were simply insulated bastions for a threatened social elite or
conservative fortresses defending against the rise of new discourses or new ideas,”
reminds Gibian.³²⁵ In the place of unmitigated parlor pretension, there was a response to
the very fragile common ground of the period, perhaps, he suggests, best typified in the
fictive “breakfast-table essays” of Oliver Wendell Holmes. In contrast to the French
salons’ “art of turning things aside,” Holmes’ essays (which appeared as a running
column in the Atlantic Monthly beginning with its first issue in 1857) dramatized, rather
than eschewed interruptions, thereby highlighting each “changing of the voice.”³²⁶

Reflecting the anxiety of the times, Holmes’ fictional essays at once hail and question
whether conversational pleasure and its purported unifying bonds can withstand the
problems of the day.

Although these layers and networks all contributed to a so-called “national
conversation,” they are more often critiqued for what they did not do (i.e., replace the
benefits of a classical education and encourage true conversation or reasoned debate) than
for what they did do (i.e., expand the number of participants and create a basis for
common rituals).³²⁷ This signals a main difference between American contributions to
conversational theories and practices and everything that preceded it.

³²⁷ Miller, 2006, 221.
Conventionally, programmatic approaches to conversation are said to flourish when political oratory has failed. Frank Lovett highlights this adaptive quality of conversation in what he calls the “politics of the second best.”\textsuperscript{328} (When considering the Renaissance courtier, for example, Lovett notes, that, “given the choice between trying to make one’s master a better person” (through the indirect art of conversation) “and not having a master at all…surely one would not opt for the former unless the latter was unavailable. Castiglione’s program must always therefore represent something of a ‘politics of the second best,’ so to speak—a pragmatic response to tragically diminished opportunities for civic participation.”\textsuperscript{329})

However, in the case of the United States, conversation was not developed as a replacement for oratory but in conjunction with it. What Barnett Baskerville identifies as “the Golden Age of Oratory” (1820s-1850s) and what Peter Gibian crowns “the Age of Conversation” (1830s-1850s) existed side-by-side.\textsuperscript{330} “Just as oratory was peaking as a mass phenomenon,” writes Gibian, “the more private art of conversation—a speech form related to oratory but in some ways its complement—was enjoying a rebirth of its own, subtly expanding the range of the voluble native tongue as it too became a popular craze and national obsession.”\textsuperscript{331} However, in contrast to the twentieth century (which would solidify the merging of oratory and conversation into public conversational rhetoric as the dominant paradigm for all of rhetoric), styles in antebellum American rhetoric were not


\textsuperscript{329} Lovett, 2012, 590-591.

\textsuperscript{330} Gibian, 16 and 34.

\textsuperscript{331} Gibian, 34.
automatically subsumed under the banner of the “conversational style” or “frame.” In formal address, the conversational style was still an exception rather than the rule.

While someone like Frederick Douglass (who, among other things, was venerated as perhaps “the only African American to become a national lyceum celebrity”) was praised for his “wit,” “naturalness,” “conversational style,” and seemingly “impromptu” delivery, his speeches and lectures flourished in tandem with oratory that could only be described as its opposite (in which Douglass was also notably adept).\textsuperscript{332} The “orotund,” “majestic,” “grand style” of speakers such as Daniel Webster and Edward Everett was a kind that would last for hours and be arranged for days.\textsuperscript{333} These speeches were written with great care and treated as works of art. Brimming with references to literature, history, and a heroic past, they were chiefly written to “inspire veneration for American heroes and institutions, to celebrate American values and virtues…and to herald a glorious national future.”\textsuperscript{334}

On the face of it, the two styles of oratory and conversation that flourished during this period could not be more different. However, when viewed as a unit it is clear they oscillate back and forth between the aims of individual decision and shared understanding. If Wendy Sharer is right to suggest that historians of rhetoric have unduly privileged oratory as a site of individual action to the exclusion of more diffuse, collective ones, then it may help explain why the conversational turn, a slow-moving, cumulative influence, has been so overlooked by historians of rhetoric, despite its


\textsuperscript{333} Baskerville, 1979, 43.

\textsuperscript{334} Baskerville, 1979, 38.
reliance on the individual and its recognized use and popularity as a public dynamic. Margaret Fuller’s varied explorations of conversation (which I detail later in this chapter) illustrate how proliferation and varieties of conversational iterations can actually work to impede scholarship, which tends to isolate, rather than expand upon, topics. Recognizing this tendency, David Simpson calls for “a renewal of attention to the general...by showing the historicality of our compulsive attention to particularities.” This chapter addresses this methodological problem by casting a wide net of nineteenth century “conversational” experiments (both real and ersatz) in the United States.

On the Methods and Roles of Public Conversation

The early to mid nineteenth-century was a period when, for the first time in the United States, a diversity of ideas and goods were exchanged on a national scale. In some ways, this is precisely what the founding generation had anticipated. However, contradictory, discrete, or (as the Federalist argument for sovereignty would have it) individual in its practice, the maintenance of the ideals espoused in the Constitution and the Declaration were never solely a matter of personal preference or private concern. In democratic and republican politics, individual cultivation is always a public issue. George Washington’s Farewell Address of 1796 had already drawn a parallel between “the construction of individual character and the construction of the commonwealth.”

Washington emphasized a coherence of purpose among individual happiness, nation-


building, civic education, and a rising above regional and factional differences. He urged Congress to consider citizenship—both individual and collective—as a necessary ingredient for the republic, saying, “It is of infinite moment that you should properly estimate the immense value of your national union to your collective and individual happiness.”

In keeping with the entirely new theory of democratic republicanism that debates over the Constitution had generated, the idea that individual cultivation was just as much a public issue as a private one became apparent almost as soon as the implications of “We, the people” were introduced. When a nation is founded on a will of the people that exists prior to and independent of government, then a question that immediately follows is how “public will” will be formed, consolidated, and, finally, rendered visible. This is a question that came into view in the nineteenth century and still persists today.

Although it was not until the twentieth century that its implications were fully felt, the beginnings of what some have dubbed a “national conversation” began in earnest the century before. For reasons that I show in this chapter, this reliance on conversation would prove both a problem and a cure in the quest to inform and identify a unified “will of the people.” Moreover, while I am reluctant to use the term “national conversation” at all, its usage need not suggest a cohesive or resolved transformation. Rather, taking up what Dorothy C. Broaddus describes as a “schizophrenic model of America,” I aim to show how, through a series of conversational situations and strategies, conversation was

337 Washington, 1796.
338 Tocqueville, 2004, 177.
339 Benedict Anderson (1983); Daniel Walker Howe (2007); Peter Gibian (2001) all refer to a national conversation that emerged from about 1830 to 1860 in antebellum America.
adopted in the service of competing (and at times even contradictory) ends.\textsuperscript{340} As I showed earlier in this study (Chapter Two), these competing ends or “poles” of conversation would exist even if the subject of this study were not “public” conversation but rather something like artful conversation or philosophical dialogues.

However, its publicness does give it a unique character. In her tremendous history on the French salons, Benedetta Craveri suggests that while the ideal of conversation as a form of transcendence goes back to “the very origins of Western civilization,” its public prominence as an openly sought after ideal typically arises when political oratory and eloquence have failed.\textsuperscript{341} Although Randall (2018) takes the opposite tack in his recent study, arguing that conversation supplanted rather than reinforced oratory, the outcomes—changed \textit{characteristics} of conversation in light of changed \textit{roles}—are essentially the same. Although classically defined for its lack of utilitarian motives, conversation may be publically called upon in times when \textit{advantage is precisely the objective}. Even before considering particular iterations of conversation, the dynamic may thus already be altered. The difference here is primarily one of expectation. For example, as a dynamic adapted to make the founding documents more “sincere,” one can hardly expect that conversation, tailored in this scenario to educate, reform, and unite the citizenry, would live up to the highest ideals of human experience. In the same way, as a strategy for rhetorical advantage, one could expect to find as many uses (and misuses) in conversation than may have existed in oratory. The conversational dynamic, in other


\textsuperscript{341} Describing the crisis in political oratory and eloquence in the wake of Louis XVIII and Cardinal de Richelieu, Craveri writes: “Deprived of its essential purpose, rhetoric returned to its older and wider function of studying the words, signs, and gestures that regulated relations between individuals.” Craveri, 2005, 339.
words, is neither as unobjectionable nor as ineffective as contemporary commentaries have made it out to be.

And yet the dynamic continues to be studied as if it has no role other than artful conversation or deliberative reasoning and thus can simply be brought to scale. This is problematic, both for our understanding of the dynamic and for any public conversational practices that may yet flourish. As suggested in conversational handbooks and theories, expecting too much from conversation actually may destroy whatever promise there is for conversation. A too stubborn desire to say something clever, a fear of giving offense, holding on to one topic and not letting it go, dreary earnestness, defensiveness, over-preparedness, too much asperity, an excess preoccupation with commerce, telling people what to think, and making a toil of pleasure are just few of the many ways the “magnetic experiment” of conversation can fail: in its truest form, conversation (not unlike a joke) is a high-risk, high-reward endeavor.342 In his study on style and vision in nineteenth-century American literature, Lawrence Buell suggests conversation had a “special mystique” precisely because of its spontaneous nature: “As the least studied form of expression, it approached most closely the ideal of continuous inspiration.”343

Conversation’s reliance on “perpetual discovery” and “improvisation” suggests two reasons why, as an art, there are so many ways conversation can fail and why,

---

342 Emerson refers to conversation as a “magnetic experiment” in Emerson, Ralph Waldo. The Complete Works of Ralph Waldo Emerson: Society and Solitude. Volume 7. Boston: Houghton Mifflin and Company, 1904. William Hazlitt takes an even richer view, suggesting that “to excel in conversation, one must not be always striving to say good things: to say one good thing, one must say many bad, and more indifferent ones.” From “On the Conversation of Authors,” London Magazine, September 1820. For more on risk in conversation also see Miller, 2006, 124.

despite its “universal availability” and ubiquity, conversation is so hard to do well.\textsuperscript{344} Transcendentalist Amos Bronson Alcott (who publicly announced his aim to master the genre) was one of many devotees to observe, “there is nothing rarer than great conversation.”\textsuperscript{345} This emphasis on improvisation is further complicated when conversation is formalized in public programming and attempted on a large scale. Obviously, a “professional conversation,” which emerged somewhat rapaciously in the nineteenth-century United States, “is naturally apt to be more patterned than those in which there is no coordinator.”\textsuperscript{346} In other words, to the extent that a conversation is prepared, managed, and publicly administered, the versatile and unfettered nature of the medium (which theorists consistently identify as two of conversation’s signature qualities) are already compromised.

Too often scholars have taken this fact and attempted to catch conversation in the act of failing. That is, in their efforts to “place” conversation in a category once and for all, they fail to see to what situations publicly adapted models of conversation are responding. Kenneth Burke’s \textit{Philosophy of Literary Form} offers an apt example. If one were to catch someone reading a book on success and say, “Aha! But you’re not actually doing what the book says; you’re merely reading it,” that would be to miss the symbolism laden in that action:

\textit{The reading of a book on the attaining of success is in itself the symbolic attaining of the success. It is while they read that these readers are “succeeding.”} I’ll wager that,

\textsuperscript{344} Buell, 1973, 80.

\textsuperscript{345} Concord Days (Boston: Roberts, 1872), 74 as quoted in Buell, 1973, 80. “Garrison made the Convention, Greeley made the newspaper, Emerson made the lecture, and Alcott is making the Conversation.”

\textsuperscript{346} Buell, 1973, 90.
in by far the great majority of cases, such readers make no serious attempt to apply the
book’s recipes. The lure of the book resides in the fact that the reader, while reading it, is
then living in the aura of success. What he wants is easy success; and he gets it in
symbolic form by the mere reading itself. To attempt applying such stuff in real life
would be very difficult, full of many disillusioning difficulties.347

Nineteenth-century studies of American iterations of conversation (most of which
would be technically characterized as “ersatz,” to use Stephen Miller’s term) are often
prematurely “split” from artful models of conversation. While useful for bolstering the
definition of “true” conversation (which the nineteenth-century practices worked
tirelessly to blur), this approach fails to account for what people were really doing with
language, regardless of classification. “You can’t properly put Marie Corelli and
Shakespeare apart until you have first put them together,” writes Burke. “First genus,
then differentia. The strategy in common is the genus. The range or scale or spectrum of
particularlizations is the differentia.”348 Following Burke’s insight, this study (and this
chapter in particular) builds on, extends, and elaborates the conversational categories and
performances that nineteenth-century studies and histories have already identified.

Michael Sproule hints at this need to build upon histories in what he calls “the Big
Problem” in American rhetorical history.349 According to Sproule, there is still a need
among theoreticians, teachers, and historians alike to better understand “the still murky


linkages between the eighteenth and twentieth centuries.\textsuperscript{350} The Big Problem for our understanding of rhetorical history, in other words, stems from too much “splitting” and not enough “lumping.” In view of all this, the disjointedness of styles that was visibly introduced in the nineteenth century (and still remains with us today) must be understood as \textit{an overall trend} in the history of rhetoric rather than a series of wholly unrelated expressions.

Kenneth Cmiel usefully explains how Americans’ tendency to interchange different styles in a single rhetorical situation developed in the nineteenth century. As part of his superb contribution to the early movement in the 1980s and 1990s to fill in the “black hole” of this period of rhetorical history, Cmiel details how “middling styles encouraged people to shift back and forth across linguistic registers.”\textsuperscript{351} More specifically, in his chapter on “Democratic Idiom” he depicts the sometimes jarring mix of styles Americans used side-by-side: “Speakers might shift from the formal to the folksy as the situation demanded or they might merge refined and unrefined behavior in a single moment.”\textsuperscript{352}

Although Cmiel’s study does not focus on conversation directly, he is keenly aware of the interrelationship between style and the expectations for speaker and audience. “Increased education, combined with democratic sentiment, smashed neoclassical canons of speaker and audience,” he writes. “No longer could refined arbiters presume deference; no longer would the elite set the tone. In a democratic

\textsuperscript{350} Sproule, 2014, 155.


\textsuperscript{352} Cmiel, 1990, 58.
culture, all would contribute.”353 This principle of participation would complicate the thesis advanced by numerous historians, that “rhetoric in general” reflects a “prized way of life.”354 While Baskerville is correct to say oratory is “more than a study of influence,” this principle of participation (even if it were only to stay at the level of an ideal) enlarges the pool of potential orators to such an extent that it renders the speaker practically indistinguishable from citizen. In nineteenth century United States, what this meant is not that the orator—distinguished for reflecting (and advancing) a prized way of life—did not exist, but rather that he existed alongside another, equally forceful, ideal: that he was but one among many (i.e., that “all would contribute”).

For a myriad reasons, the contours of which I begin to outline in this chapter, various forms of conversation were taken up—formally and informally, in print and face-to-face, between friends and among strangers, in small neighborhood microcosms and at massive, public gatherings in antebellum United States. Although the practice of these staged conversational gatherings remains an American staple today (and, indeed, a central component of mass entertainment throughout much of the globe), scholars of rhetoric have given surprisingly little attention to exploring their nineteenth century democratic beginnings or to understanding its appeal beyond the blanket concepts of education, entertainment, and conversation’s commodification as a “salable package.”355

353 Cmiel, 1990, 61, emphasis added.

354 Baskerville, 1979, 3. I borrow the phrase “rhetoric in general,” which I refer to throughout this chapter, from Jane Donawerth (2012).

II. Two Theories: The Transmission and Ritual Views of Communication

Enduring appeals to conversation symbolize an effort to reconcile what James Carey has identified as two positions—the “transmission view of communication” and “the ritual view of communication”—that are continually goaded by the mass democratic experiment we call the United States. These views are especially prominent in relation to the newspaper, although they can be seen elsewhere. The transmission view of communication is “defined by terms such as ‘imparting,’ ‘sending,’ ‘transmitting,’ or ‘giving information to others.’ It is formed from the metaphor of geography or transportation,” writes Carey.356 Nineteenth century advances in transportation figured heavily in this view. Indeed, what historians call the “transportation revolution”—which “telescoped” centuries of gradual changes into a single generation—dramatically reduced shipping costs, opened up new markets, and, as David Walker Howe puts it, essentially overthrew “the tyranny of distance.”357 Although it was the Great Migration westward that created new markets to reach in the first place, it was new technologies that made it possible. According to Walker Howe, “during the thirty-three years that began in 1815, there would be greater strides in improving communication than had taken place in all previous centuries. This revolution, with its attendant political and economic consequences, would be a driving force in the history of the era.”358

The first commercially successful steamboat (1807) allowed vessels to travel upstream and against the current. The completion of the Erie Canal (1825) and


subsequent canals and waterways facilitated the shipment of goods from ports of entry inland. And the National Road (1811), the first federally funded road that was only ever partially completed, connected Maryland, Pennsylvania, West Virginia, Ohio, Indiana, and Illinois. However, it was above all the invention of the telegraph (1844) that eclipsed the tyranny of distance, in essence ending “the identity” but not destroying “the metaphor” of transportation and communication: “Although messages might be centrally produced and controlled, through monopolization of writing or the rapid production of print,” before the invention of the telegraph, “these messages, carried in the hands of a messenger or between the binding of a book, still had to be distributed.”

Nineteenth-century advances in transportation and manufacturing impacted the social realm too. In addition to improving daily living—purchasing basic household items like clothing and furniture suddenly became possible for most Americans—it also meant that people were no longer doing business only with people they knew. Not unlike the European Renaissance (and its attendant social disruptions) discussed in Chapter Two, the market, transportation, and communication revolutions of nineteenth-century America brought together strangers in ways previously unknown. As Adam Tuchinksy puts the slow reordering of social relationships leading up to the Civil War period: “Capital and


360 Howe, 2007, 220 and 221.

labor, once wedded to one another in an intimate and nearly familial condition, were now linked by the indifference and anonymity of cash, contract, and commodity.\(^{362}\)

It was not simply advances in distribution methods and the indifference of commodity that changed social dynamics, but also a reduction in the costs of materials themselves. As early as the 1820s the United States had more newspapers and newspaper readers than any other country. According to the most comprehensive book on the subject, Frank Luther Molt’s *American Journalism: A History of Newspapers Through 250 Years, 1690-1940*, there were three times as many newspapers in the United States in 1833 as England or France. By 1860 this proportion was even greater.\(^{363}\) It was not just newspapers, however, that defined the American cultural landscape of this period, but print material more generally. By the 1840s the United States boasted the largest literate public of any nation in world history.\(^{364}\)

The effects of a reading public were visible across the social spectrum. “Many farmers and mechanics found time to read; even some factory operatives did,” writes Walker Howe. “It helped that people spent more time indoors, where whale oil and gas lamps shed more light than candles had. The mass production of eyeglasses, beginning in the 1830s, certainly helped. Those riding the newly built trains loved to read. Families often read aloud to each other, sitting around the fireplaces, so even family members who could not read for themselves gained exposure to the printed word.”\(^{365}\) First-hand


\(^{364}\) Howe, 2007, 627.

\(^{365}\) Howe, 2007, 627.
accounts of the period also bear this out. In his 1826 Phi Beta Kappa Address at Harvard, for example, Supreme Court Justice Joseph Story characterized the age as one in which learning radiated “from all directions,” and particularly from the middle class of society. “One of the most striking characteristics of our age, which has worked deepest in all the changes of its fortunes and pursuits, is the general diffusion of knowledge. This is emphatically the age of reading.”

Impacting not just who had access to reading materials but also the expectations with which readers would approach them, the proliferation of newspapers and other prints materials did not simply expand audience reach but actually stimulated new attitudes and habits. Technological developments such as the steam-powered cylinder rotary press dramatically increased the output of print materials, transforming American publishing and making possible the mass production of disposable (i.e., daily) newspapers. The subscription delivery method, which posed a much higher barrier for popular use, was replaced with the daily newspaper, which became conspicuous—literally—as a physical presence in cities. Newspapers were everywhere in antebellum America. A Philadelphia Public Ledger column of March 25, 1836 reported: “These papers are to be found in every street, lane, and alley; in every hotel, tavern, counting-house, shop, etc. Almost every porter and drag-man, while not engaged in his occupation, may be seen with a paper in his hands.”

The abundance of actual, physical newspapers could not be overestimated in its influence. “This constituted a great societal change,” says the communication scholar and

---


media historian Michael Schudson. “The dragman with a newspaper in his hands was a far more important social and political unit than he had been in the days when his information came down to him from the mercantile and educated classes.” The consequences of this immediate access were at least two-fold. Not only did this correspond with a period of democratization and longer-term campaigns for reform (just as newspapers were also enlisted to oppose these reforms), it also impacted the immediate expectations of newspaper readers.

Where previously readers approached printed material as a “precious objects,” they soon began to regard them as “more ephemeral.” Reading became broader and more diffuse. The shift from scarcity to abundance, from sacred texts to penny papers reduced the intensity with which readers approached reading material and “encouraged reading as a diversion.” Spectacle as entertainment featured prominently in the nineteenth century. Whether in live performances or print, producers and audiences alike relied on what theater historian Amy Hughes identifies as the relational qualities of scale, intensity, and excess as way to gauge and influence viewing habits. “Sensational scenes appeared not only on stage but also in other media. Books, newspapers, and illustrations frequently harnessed the scale, intensity, and excess of spectacle. These assorted texts and objects promoted viewing habits—tactics of seeing—that influenced how Americans consumed and experienced the world,” writes Hughes. Certainly this theatrical quality

---

seeped into newspapers. Schudson argues, for example, that newspapers, like everything else, adjusted their content as a result of changing societal demands: “newspapers for the uneducated dragman and porters must necessarily be different from those prepared for the rich merchants. They had to be more direct and more sensational. They required the spice of wit, or (as in the case of the police reports) the cayenne of a rather brutal comedy.”

The changes in nineteenth-century audience expectations that Hughes and Schudson describe are more in keeping with Carey’s “ritual view of communication” than a blanket appeal to democratic education first might suggest. “Under a ritual view,” writes Carey, “news is not information but drama. It does not describe the world but portrays an arena of dramatic forces and action.” In contrast to the transmission view of communication, which “dominates” American culture, the ritual view is only “a minor thread in our national thought.” Both views are important to this study, however, because together they offer a range in which the conversational turn might be expressed. “If the archetypal case of communication under a transmission view is the extension of messages across geography for the purpose of control, the archetypal case under a ritual view is the sacred ceremony that draws persons together in fellowship and commonality.”

Put simply, any general search for markers of “public opinion” or “public will” will always exceed the transmission view of communication. Something beyond transmission is needed to account for the social backdrop in which public opinion is

---

373 Carey, 1989, 18.
375 Carey, 1989, 18.
shaped. Together the ritual view of communication and the transmission view of communication, although separately insufficient for explaining the conversational turn, highlight why the demands of mid-nineteenth century communication exceeded the boundaries of either deliberative rhetoric or artful conversation.

**Cultural Mediation and the Newspaper**

In his famous study, *Public Opinion*, Walter Lippmann points to some of the challenges presented by the American information system, and in particular the newspaper. Among of difficulties of democracy, he was astonished by how little progress (or even attention) political scientists gave to the question of how the will of a public would form before (and after) the proliferation of the newspaper. He writes: “The idea that men have to go forth to study the world in order to govern it, has played a very minor part in political thought. It could figure very little, because the machinery for reporting the world in any way useful to government made comparatively little progress from the time of Aristotle to the age in which the premises of democracy were established.”

After freedom of the press was introduced in the First Amendment as an instrument for democratic government, the question of public will was not solved, but rather obscured. On one hand, freedom of the press guaranteed civil liberties, which are of “fundamental importance” to a democracy since men are not likely to discover truth if they cannot speak it. On the other, freedom of the press did not—because it could not—provide a means to decipher or secure truth.

---


377 Lippman, 1922, 319.
An undue burden to secure this truth was thus placed on the newspapers, says Lippman, since the detection and transmission of public opinion rested on the assumption that “the press should do spontaneously for us what primitive democracy imagined each of us could do spontaneously for himself.”

In other words, having the civic freedom to print or speak openly was not, in itself, a guarantee that citizens could assemble a true picture of the world. The civil liberty of a free press, while fundamental, could not satisfy the question of how truth about distant or complex matters is discovered in the first place.

According to Lippmann, the unwarranted confidence in truth without effort mistakenly assumes “either that truth is spontaneous, or that the means of securing truth exist when there is no external interference.” This directness, however, is not possible for abstract concepts like “political fictions” and “imagined communities.”

“When you are dealing with an invisible environment,” he writes, “the assumption is false. The truth about distant or complex matters is not self-evident, and the machinery for assembling information is technical and expensive.”

Although to make his point Lippmann overstates how easily the ancients uncovered truth (for more on this, see, for example, Carolyn “Should We Name the Tools?”), his emphasis on Americans’ insistence that news be free (or the closest thing to it) still resonates today. “Nobody thinks for a moment he ought to pay for his newspaper. He expects the fountain of truth to bubble, but he enters into no contract, legal or moral, involving any risk, cost, or trouble to himself.”

---

378 Lippman, 1922, 320.
379 See Chapter Three; Also Anderson, 1983; Mercieca, 2010.
381 Lippman, 1992, 321.
Just as Lippmann is concerned with the search, discovery, and dissemination of intellectual capital necessary to depict a “true picture” of the world, Americans of the nineteenth century encountered both this and an analogous cultural dilemma: “How was this continental nation to be held together, to function effectively, to avoid declension into faction or tyranny or chaos? How were we, to use a phrase of that day, ‘to cement the union?’”  
This was a time, in other words, when the societal and political demands of the union pulled in opposite directions. On the one hand, there was the desire to educate voting citizens to be able to reason, discern, and construct a “true picture” of the outer world. At the same time, the cultural need for unity placed an emphasis on shared experience and commonality.

Anticipating the challenge of educating democratic audiences that scholars would endlessly explore, George Washington was already aware of the need called for formal and informal means of bolstering “public opinion.” In his 1796 Farewell Address, he urged the promotion of “the general diffusion of knowledge” saying, “in proportion as the structure of a government gives force to public opinion, it is essential that public opinion should be enlightened.” Americans certainly took this charge to promote the general diffusion of knowledge seriously, both as a matter of individual interest and collective will. In contrast to the public sphere Habermas conceived as independent from government, a key means for disseminating knowledge (i.e., mail) was integral to it.


384 Washington, 1796.
Article I Section 8 of the Constitution gave Congress the power to establish Post Offices and post roads, while the U.S. Postal Service Act of 1792, which was signed by George Washington, created the United States Postal Department and offered substantial subsidies for newspapers. At the time, newspapers comprised the bulk of mail deliveries.

However, the legislation also presented unanticipated consequences. “While the authors of the act wanted to encourage the development of the press,” writes the historian Charles Steffen, “they could not have foreseen how this exemption would transform newspaper offices from private businesses into public arenas.” In addition to reduced prices for newspapers deliveries, the Postal Service Act allowed editors to exchange their own newspapers at no cost.

The combination of these two subsidies had a profound effect on the influence and reach of the newspaper industry. People flocked to newspaper offices to have a peek at the flood of newspapers arriving daily from across the country. A central newspaper office from Washington, D.C., the Daily National Intelligencer, was receiving close to one hundred papers a day. “Our universal relish for newspaper reading” is so insatiable, remarked a Boston Daily Advertiser columnist in 1814, “that it has given rise to a general and habitual form of salutation on the meeting of friends and strangers: What’s the news?” The newspaper, with all its strengths and limitations, created the means for a national conversation hovering somewhere between a metaphor and a practice.

---

387 Nathan Hale, Boston Daily Advertiser, April 7, 1814, p. 2, cols. 3-4.
III. Bringing Women’s Rhetoric into the Realm of Rhetoric In General

Like the newspaper, rhetoric in general took on a greater and greater mixture of roles. However, most feminist histories have not taken this into account. This has added another murky layer to the conversational turn. As discussed in an earlier chapter (Chapter 2), in the classical period, to speak of “rhetoric” was primarily (though not exclusively) to speak of oratory and its three species: judicial, deliberative, and epideictic. However, over time, as conversation and print began to dominate, the meaning of rhetoric also changed. Recent histories of women’s rhetorical theories and practices (many of which are still being recovered) have contributed to our understanding of the transition to a more conversationally oriented rhetoric.\(^{388}\) However, in contrast to this study, which highlights the extent to which the dynamic of conversation became the preferred model in all of rhetoric, these histories tend to approach conversation as mode developed for women qua women, or, alternatively, as a resourceful (though not necessarily ideal) method of conciliatory resistance for the bold few who dared to engage promiscuous audiences.\(^{389}\) Of course, there are good reasons to emphasize the separation between men and women. Of all practices, rhetoric is notorious for having excluded

\(^{388}\) Jane Donawerth’s (2012) account is telling: “In the early 1980s, when I first designed and taught a graduate course in the history of rhetorical theory before 1900, there were no women theorists in anthologies, and there were no studies of women’s rhetorical theory before 1900, although there were a few studies of individual women’s rhetoric.” (xii).

women as a matter of theory, education, and practice. In the United States, women were barred from the public speaking platform until the 1830s; at the federal level they were also denied the most fundamental part of democracy—the vote—until nearly a century after that. Nevertheless, to speak of women’s contributions as belonging only to women overlooks the fact that they weren’t just creating their own tradition but actively shaping rhetoric in general.

More to the point, while useful for filling in the gaps, overly gendered treatments of the era have tended to obscure both the conversational dynamic and women’s contributions to it. Although feminist histories have made considerable inroads into rectifying the almost total negligence of women’s contributions to rhetorical theory in the canon, they have done so largely by relying on two separate lines of inquiry: women’s rhetoric (conversation) vs. rhetoric in general (oratory).\textsuperscript{390} Jane Donawerth, for example, importantly argues that women in the United States and England developed theories of rhetoric centered on conversation, rather than public speaking. She defines conversation as encompassing “small-group communication, from any private, informal verbal communication, to artful dialogue used in informal leisure and social activities.”\textsuperscript{391} According to Donawerth, only after the rise of conversation as a model for composition pedagogy did this women’s tradition disappear.\textsuperscript{392} However, in making this argument about “the rise and fall” of a women’s tradition and confining it neatly within one setting

\textsuperscript{390} The history I outlined in Chapter 2 suggests that to automatically associate conversation with women is to overlook the periods (especially Greek) when conversation, while still considered a complement of oratory, was conceived as exclusively belonging to men. Indeed, as Randall (2018) points out, in some instances women were not even considering capable of the friendship or equality required for conversation.

\textsuperscript{391} Donawerth, 2012, 11.

\textsuperscript{392} Donawerth, 2012, 9 and 126.
(i.e., apart from oratory and apart from men), she misses the important influence of conversation, not just on composition pedagogy, but on rhetoric in general. Indeed, in the final sentence of her book, Donawerth concludes: “While there is not a direct link from the women’s tradition of rhetoric to these examples of contemporary composition pedagogy, nevertheless, we can yet learn something about our own teaching practices from a tradition that taught women how to enter the conversation.”

The point I wish to make here does not turn on whether or not any one historian gets the forecast right, but rather how, taken together, these histories might influence our broad view of conversation’s role in public life. I submit that the consistent segregation of the two modes suggests the gap between oratory and conversation was widening (or at last remaining steady) when in fact the two genres were closing in on each other. “In a sense,” says Christina Zwarg, “American feminist critics no less than conventional critics have depended upon two traditions to make their case: one masculine and self-obsessed and one feminine, subversive, and polyphonic.” This effort “to keep certain intellectual and cultural projects worlds apart” has come at the expense of our understanding of hybrid genres, of which the public conversational dynamic is certainly one. I would also argue that this over-reliance on two traditions blinds us to the lasting impact of hybrid thinkers, such as Margaret Fuller, who gain their force not from choosing to be “either public or private” but from deliberating mixing perspectives in a manner that extends beyond the public/private divide and into a realm that is neither wholly individual nor wholly collective.


In her study on delivery in the nineteenth century, Lindal Buchanan theorizes this as an unrecognized category—collaboration—that pervades the rhetorical products of this era. She defines collaboration as “a cooperative endeavor involving two or more people that results in a rhetorical product, performance, or event.” Although what Buchanan is describing is specifically related to the collaborative efforts that make delivery possible in antebellum women rhetors, her definition applies to the broader conversational experiments of the period.

If we think back to the Greeley-Young interview, it becomes clearer how the format depends on mutual cooperation (which is not to say agreement). Greeley traveled to a far-flung Western territory—Utah was not even a state at the time—to shed light on questions of public concern. By doing so, he also provided Young with an opportunity to clarify, explain, and defend the doctrine of the Latter-Day Saints. What resulted from the exchange depended as much on Young as it did on Greeley. A colleague of Greeley’s at the New York Tribune, Margaret Fuller, spent her life’s work developing and theorizing these promises of conversation, which is where we now turn.

**The Conversational Ranges of Margaret Fuller**

Fuller’s explorations of conversation were so varied that, although pioneering independently and as a collective, they exceeded the boundaries of any single iteration—male or female—public or private—written or spoken—monologic or dialogic—literal or metaphorical. Straddling both sides of the debate over the fundamental goals of conversation (engaged chiefly between Fuller, Oliver Wendell Holmes, Ralph Waldo

---

Emerson, William Hazlitt, and Bronson Alcott), Fuller divided her explorations of conversation “between an anti-interruptive oral practice oriented to the development of a single voice” and her “ground-breaking work in written dialogue that was crucially founded upon multivocality and interruption.”

Robert Hudspeth describes her as “virtually at the head” of the urban frame of reference of conversation. Although she began her career as a “bookish young writer,” she “matured into a sophisticated analyst of her contemporary world,” using conversation as a frame of self in “involvement with and reaction to others.”

For five years, Fuller was a professional conversationalist. At the Boston Conversations for Women (1839-1844), local reform elites paid a significant amount (ten dollars) to participate in a thirteen-class format that was designed to help women “see their own conversation not as decorative but as critical and consequential.” About 30 persons usually attended each session. Although most of the conversations were exclusively for women, some of the meetings were mixed: altogether more than 100 people, most of them women, participated in the conversations. In a letter to Sophia Ripley, Fuller articulated why she thought conversation, both as an art and an impetus for action, was appropriate for her audience of elite, urban women: she wanted to “ascertain what pursuits are best suited” to women in “our time and state of society, and how we

---

396 Gibian, 2001, 64 and from email correspondence with the author.


may make best use of our means for building up the life of thought upon the life of action.” As a type of pedagogy akin to the Socratic method, the conversations were meant to be a “drawing out” of the pupil by a combination of induction and response. For Fuller, “reform came not through sudden conversions to absolute moral truths—the perfectionist method of both evangelical and abolitionists—but through introspection, self-criticism, and ‘conversation’ directed at interjecting a new rigor and creativity into women’s culture.” If Lawrence Buell is correct, Fuller succeeded in her pursuit. He identifies Fuller’s Conversations for Women as one of three instances of Transcendental conversation that had the most impact.

During this period Fuller was also an editor for America’s first avant-garde intellectual journal, The Dial, which was modeled on conversation as a philosophical ideal. The Boston-based journal, which served as an incubator for both Fuller and Ralph Waldo Emerson’s public careers, “eschewed academic affiliation, disregarded commercial demands, promoted experimental writing, offended middle-brow tastes, and critically engaged the major reform ideas of its time.” In an 1839 letter to Margaret Fuller, Amos Bronson Alcott conveyed his vision for putting American intellectual conversation on the map by equating it to making a private conversation public: “before long a journal will be circulating the thoughts which are now talked about in private


401 Buell, 1973, 78.


403 Buell, 1973, 78.

circles.”\footnote{Margaret Fuller Papers, Boston Public Library, Box 1, Folder 2.} However, not unlike the rhetoric of the French salons’ retreat from the “tyranny of popular tastes,” the exclusive sensibilities of the magazine were almost immediately criticized for championing an “older, antidemocratic ideal of aristocratic enlightenment.”\footnote{Tuchinsky, 2009, 70. Also see Craveri, 2005.} The journal, despite its reform agenda and historic and cultural significance, soon dimmed in a “cultural vacuum.”\footnote{Tuchinsky, 2009, 70. For more on the cultural and historic significance of the Dial see Capper, 2007, vol. 2, 17.} Charles Capper put it this way, “never before had an American periodical enveloped itself in a mist so inwardly turned yet democratically open-air.”\footnote{Capper, 2007, vol. 2, 6.}

Correspondence between Fuller and Emerson reveals during her editorship at the \textit{Dial} that she “wished to be more catholic, more open-minded and democratic than she was, not less.” As Ann Douglas reports the exchange, “she told Emerson at one point that when he had criticized her for welcoming ‘talent’ and not holding out for ‘genius,’ she had been flattered.”\footnote{Ann Douglas, \textit{The Feminization of American Culture} (New York: Farrar, Straus, and Giroux, 1977), 277.} Following the Boston Conversations for Women and her editorship at the \textit{Dial}, Fuller would continue to adapt her experiments with conversation, moving to New York to join what would become the most widely read and most widely circulated periodical in the country, the \textit{New-York Tribune}. From December 1844 to August 1846 Fuller served as the literary editor of the \textit{Tribune} and the paper’s only female staffer. Working at a much faster pace than she ever had in New England, she wrote more than 250 pieces for the \textit{Tribune}, most of which she signed with a star (*).
Unlike the *Dial*, the *Tribune* was not only historically and culturally important, but also a widely popular penny paper written for the middle-class. Scholars refer to the *Tribune* as a “unique institution” with a “mass audience” on its way to becoming “the preeminent site for robust middle-class public discourse.” The “high-toned penny press” was international in its reach and known for publishing the “leading minds of the age,” writes Adam Tuchinsky in his intellectual history of the periodical.\(^{410}\) (Karl Marx, to give one example, was retained as an international correspondent for the *Tribune* for ten years.)

Founded during the confluence of the manufacturing, transportation, and communication revolutions, the *Tribune* “was part of the surge of penny papers that made an extensive variety of printed material available to ordinary readers.” However, like later opinion magazines it also “distilled for a general public many of the progressive reform ideas of the time.”\(^{411}\) In this new opportunity, Fuller again advocated yet again for journalism as another type of conversation. “Journalism both satisfied and deflected Fuller’s need for personal communication,” says Douglas. “Its relative informality was congenial to her; she believed it to be in style and tone very close to ‘conversation.’”\(^{412}\) As Fuller described it, “newspaper writing is next door to conversation and should be conducted on the same principles.”\(^{413}\) Indeed, the only thing that stopped Fuller from further developing adaptations of conversation was her untimely death following an overseas assignment in Rome as America’s first female international war correspondent.


\(^{411}\) Tuchinsky, 2009, ix.

\(^{412}\) Douglas, 1977, 281.

“Fuller’s ‘conversational’ approach to journalism actually feeds her transnational imagination,” writes Leslie Eckel, “for it encourages the productive juxtaposition of ostensibly diverging viewpoints and generates a drive to seek common ground, whether linguistic or political.”^{414}

Conclusion

Much like the present, nineteenth-century United States contained a “rich variety of competing subcultures, no one of which was more representatively ‘American’ than the others,” suggests Richard Teichgraeber.^{415} Toggling between them was not easy; nor did it come naturally. Writing about Ralph Waldo Emerson’s optimistic reference to the “sublime thoughts” and “penny wisdom” that “all men” had, Teichgraeber notes that the quest to collate a shared culture in the United States has always been a tenuous one: “The concept of a shared national culture was...every bit as elusive during the antebellum period as it is now—and not just because of the political and economic differences that divided North and South.”^{416}

Historians concerned not only with language and literature, but also war and politics bear out Teichgraeber’s assessment. Rejecting the terms “Jacksonian” and the “Age of Jackson” as too limited for the era, in his sweeping history of the period between 1815-1848, the historian David Walker Howe stresses that this “was not a time of

---


^{415} Teichgraeber, 1995, xxi.

The period leading up to the mid nineteenth century was instead a time of “diverse, deep, and durable” changes whose “consequences certainly rivaled, and probably exceeded in importance, those of the revolutionary ‘information highway’ of our own time.” The response to these changes was an appeal to conversation as a model for rhetoric “in general.” By the middle half of the nineteenth century the question was not whether public American discourse was turning more conversational, but rather in what sense, and, most importantly, to what end. America’s “golden age” of conversation emerged at a time when the principles of democracy, equality, and individualism were all being examined. Whereas popular books on conversation describe conversation as “anti-rhetorical” and contrast the genre with winning an argument (i.e., “a weapon of war”), the antebellum American experience suggests public iterations of conversation were not so far removed from rivalry—or antagonism. Conversation was increasingly displayed as a response to recurring social conditions that necessitated compression, discovery, cultural mediation, and cultural reform.

---


418 Walker Howe, 2007, 2.
CHAPTER 5

STYLE: ON THE DIFFERENTIA BETWEEN PRIVATE AND PUBLIC CONVERSATION

The modern audience wants the speaker to talk just as directly as he would in a chat, and in the same general manner that he would employ in speaking to one of them in conversation.

-Dale Carnegie, Public Speaking, (1926)

In the interstices of sentences and the intersections between speech and behavior, voters find data they consider decisive.

-Kathleen Hall Jamieson, Eloquence in an Electronic Age, (1988)

The twentieth-century rhetorical history of the United States can be read, at bottom, as an unresolved controversy over the conversational dynamic. On the one hand, the integration of personal experience, the democratic arbitration of complex and technical material, and increased audience engagement were all purported benefits of the developing dynamic. On the other hand, these were also some of the underlying sources of it faults. Having been brought out of the realm of ideas, where it mostly stayed in the nineteenth century, the conversational dynamic was enlisted more and more in the service of influence. The conversational ideal was integrated into the realm of policy and, for better and worse, percolated through the very core of American attitudes—not only about how ideas were best expressed, but also in tangible practices ranging from the appropriate
size of governmental power to the public’s expectations about what they were entitled to know. 419 This was the era when the demand for public conversational styles cemented. 420 The president became the symbol of politics and—whether speaking on technical subjects in a “fireside chat” (Franklin Roosevelt), drawing close to citizens through “unprecedented” self-disclosure on television (Ronald Reagan), or maximizing a shoestring campaign budget with an unconventional appearance on the Arsenio Hall Show (Bill Clinton)—presidents and presidential candidates found new ways to reach voters, while helping to shape the conversational dynamic into what Robert Branham and W. Barnett Pearce call the “hallmark” of public address. 421 Although some researchers argue that it wasn’t until President Reagan that “scholars have had to explain the effectiveness of the public use of what is ordinarily regarded as private conversational style,” if we put the conversational turn in a broader historical context it becomes clear that inversion of public and private styles was the product of something deeper—and more subtle—than any single medium or individual style. 422

John Fiske explains this evolution of culture as something akin to modest redistributions compounded and disrupted over time: “Structural changes at the level of the system itself, in whatever domain—that of law, of politics, of industry, of the family—occur only after the system has been eroded and weakened by the tactics of


420 Lucas, 2001; Branham and Pearce, 1996.


422 Jamieson, 1988, 179.
As I began to show in the previous chapter, by the late nineteenth century a sustained curiosity in conversation had begun to infiltrate (and irritate) paradigmatic American models for *all of rhetoric*. Peter Gibian suggests, for example, that in Henry James’s novel *The Bostonians* (1885), “the divided nation’s struggle over shifting notions of public and private life” was defined, “most fundamentally, as a struggle between two modes of speech:” public oratory and private conversation.\(^{424}\)

As Gibian describes it, at the time of James’s writing, conversation in the private sphere was playing out the power dynamics of the public sphere. In the two primary characters of *The Bostonians*, “we see how every conversation about the redistribution of power in American social life also enacts a small-scale redistribution of power; here tea-table chats, lovers’ dialogues, drawing room discussions, and the communal talk of women’s societies are revealed as force-fields in which the grand battles of national politics are being waged.”\(^{425}\) Although it would take years to fully materialize, changes such as those unfolding in drawing room discussions evidence some of the discomfort felt when language use starts to shift from a more immediate, functional level to a broader, structural one.

One way to illustrate how these features of the public conversational dynamic are borne out in American public life is by looking at how audiences react when the style is roundly rejected. Special Counsel Robert Mueller’s first and only public remarks on the “Report on the Investigation Into Russian Interference In the 2016 Presidential Election” are an apt example of this. In his 10-minute prepared statement on May 29, 2019, which


\(^{424}\) Gibian, 2001, 36.

\(^{425}\) Gibian, 2001, 36, emphasis in original.
followed a widely talked about two-year special inquiry into the Russian interference and potential conspiracy with the Trump Campaign, Mueller engaged in none of the maneuvers that have come to define our “conversational” culture. He took no questions following the statement. He made no attempts to rephrase or simplify his findings. And, perhaps most importantly, he rejected the notion that a testimony before Congress would compel him to share or make public anything that he had not already said. In other words, there would be no new revelations through “conversations” about the investigation: “the report is my testimony,” said Mueller.426 “Any testimony from this office would not go beyond our report. It contains our findings and analysis and the reasons for the decisions we made. We chose those words carefully and the work speaks for itself.”427

Although Mueller’s report and statement are both largely written in “plain style,” which has dominated popular American speech since the end of the nineteenth century, they nevertheless bare a notable departure from the kind of nonchalant, freewheeling delivery audiences have come to expect. The public’s reactions to this absence were noteworthy and, given the context, rather surprising. One would think, for example, that given the polarized political climate, a measured if not uncomfortable delivery—Mueller’s voice actually quivers—would come as a welcome reprieve from the stream of histrionics that comes out of both political parties right now. Instead, the unconventional (i.e., non-conversational) statement was described by the New York Times’ Editorial Board as “considered and temperate, its delivery passionless, if not robotic.”428


What is more, despite the brevity of the public statement and the mostly short, declarative sentences in which it was delivered, the Editorial Board of a leading American newspaper felt the need to “decode” Mueller’s announcement. (Here, one wonders if the length (448 pages) and style of the report set the tone for this need to “decode.” Though generally clear, the report veered in key moment into deliberate obliqueness, such as when Mueller intimated that they believed the president committed a crime without accusing him of one ("If we had confidence that the president clearly did not commit a crime, we would have said so.") Whatever their reason, the Editorial Board made it clear that Mr. Mueller needed a translator to turn legalese into plain language, saying: “If you tuned out for a moment—and who could blame you—you might have missed the import of messages encoded in Mr. Mueller’s cautious language.” The article then spells out some of the key findings, translated in a conversational style, so that readers can finally let out a collective sigh of relief. Consider this excerpt from the editorial:

After briefly reviewing his mandate, as laid out by Deputy Attorney General Rod Rosenstein, Mr. Mueller announced that his team was “formally closing the special counsel’s office,” that he was leaving the Justice Department and that “beyond these few remarks, it is important that the office’s written work speak for itself.”

Translation: I’m done with this political circus. To understand my

---


findings, read my report. Please don’t ask me to testify.\textsuperscript{431}

Although verbal style is often overlooked in contemporary rhetoric, I suggest it is especially important now, in part because it provides a uniquely stable unit of measurement. Unlike corporal gestures (whose capacity is one element that differentiates speech from writing) or later advances in audio/visual machinery (which make observing a rhetorical performance in absentia possible), language remains a constant in which style is performed—regardless of medium. Highlighting this centrality of verbal style in composition, Chris Holcomb and Jimmie Killingsworth point out that “in written rather than spoken texts, style is the moment of performance, the moment when what we say is realized through language and communicated to our readers.”\textsuperscript{432}

Because the public conversational style that surfaced as a dominant form of public communication in the twentieth century is more emblematic of a larger cultural system than any singular trait, we stand to gain much from comparing examples across mediums. Rather than focusing on technology as the organizing factor, in other words, the particularity of style may actually help us broaden our understanding of the assortment of iterations that animate the conversational turn. By looking at the different materials of public conversation as indicative of something larger and broader than “just” a technological medium (e.g. television) or “just” the ability of the speaker, we can begin to articulate some of the deeper cultural implications that are bound up in the differences between public and private conversational styles.

\textsuperscript{431} New York Times Editorial Board, 2019.

The rhetorical tradition has paved the way for this approach (some of which I sketched in Chapter 2). Using twentieth and twenty-first century examples as a way to ground my claims, I conclude this study by performing three rhetorical analyses that highlight and explain the centrality of the conversational turn in American public life.

The first analysis, “Dinner with Cupid,” introduces two degrees of style—one narrow, the other broad—and serves as a microcosm of the broader conversational dynamic. It illustrates how, even within the context of impromptu conversation, participants and viewers instinctively know there is no such thing as raw (or blank) linguistic material and how, knowing this, they use that material to signal, read, and make judgments about each other (whether correctly or not). The second analysis features a space midway between formal (e.g., governmental) and informal (e.g., mass media) influences. Using early editorial debates over the direction of National Geographic Society and its magazine, I show how, as a matter of editorial policy, the integration of conversational style and metaphor served to help launch National Geographic Society into its influential role as “the most widely read source of general scientific information in America.”

In the third and final analysis, I turn to a landmark Supreme Court case, Obergefell v. Hodges, as a way to illustrate just how profoundly entrenched the controversial dynamic is in the United States. In particular, I argue that the Constitution animates some of the structural foundations and influences of the conversational dynamic by placing a sovereign individual with rights in tension with a public majority—without settling on an answer of how this tension should be resolved.

Taken together, these three analyses reveal patterns that help to explain key differences between the modern, public conversational dynamic and earlier forms of rhetoric. These include:

**The Use of Spectacle as Insight**

The conversational dynamic creates opportunities for spectacle, which are thought to reveal valuable sources of information. The spectacle may take the primary form of entertainment or consumer item, but it also is thought to disclose character, expertise, inner motivations, and things “as they really are.” The conversational dynamic choreographs opportunities for (apparent or actual) impromptu interactions, which provide the basis for this spectacle.

**Illustration:** “Dinner with Cupid”

**The Practical Development of Conversation as an Arbiter of Information**

In contrast to philosophical conversation (which is premised on a “clash of ideas” discovered or brought to light in the to and fro of conversation), the public conversational dynamic is used to frame complicated, technical information in a simpler, brighter, and more appealing manner. The extent to which the dynamic is employed as an arbiter of information as opposed to a generator of ideas makes it more or less conversational in the traditional sense.

**Illustration:** *National Geographic Magazine*
Anticipated Lack of Participation

The public conversational dynamic invites engagement from people who will never actually enter into the discussion. However, some engagement is usually expected, and the conversation can change course as a result. The extent to which audiences do or do not participate or change the course of the discussion makes the dynamic more or less “conversational.”

Illustration: *Obergefell v Hodges* (2015)

ANALYSIS 1:

“Dinner with Cupid”
Understanding Verbal and Cultural Styles

On July 26, 2019, the *Boston Globe’s Sunday Magazine* blind date column, “Dinner with Cupid,” ran an article entitled “Blind date: ‘I’m uncommonly ambitious for an academic.’” The premise of the popular column is simple, and the invitation for future readers to participate is included at the bottom of every column: “Go on a blind date. We’ll pick up the tab. Fill out in application at bostonglobe.com/cupid. Follow us on Twitter at @dinnerwithcupid.” Left unstated, but obvious to readers and participants, is the agreement to describe the details of the date, which are then published in the *Globe’s Sunday Magazine*. In the July 26 column, contributing editor Melissa Schorr compiled the details from a blind date between J.R. Scott, 23, a PhD student at MIT and Hannah McDonnell, 22, a rising law student at Northeastern. (Following the format of the column, in this analysis I refer to participants by their first name rather than last.)

---

Other than headings, which arrange and guide the flow of the column, the content consists entirely of J.R. and Hannah’s answers. Although written after the fact, these serve as direct quotes. Many of the answers only present the exchange in a loose form; some of categories are presented as unformatted bullet points (“Last thing he read: Churchill: Walking with Destiny”) (no italics in original) or consist of a smattering of ideas joined by an ellipsis (“He was dressed very professionally and he was tan…from California.”)435 In addition to a print version, the Globe Magazine column is published once a week in digital version of The Boston Globe. Like all Globe articles, the digital version accepts reader comments. At the time of this writing, “Blind date: ‘I’m uncommonly ambitious for an academic,” had 138 comments. I include all these features in my analysis that follows, which I use to ground my claim that the rhetorical tradition is the proper place to base a new theory of public conversation.

“Dinner with Cupid” describes itself a “one part social experiment, one part schadenfreude for the smug married crowd, and one part journalistic attempt to document that fundamental aspect of the human condition—the quest for love—often left unexamined in the news section.”436 Embedded into this social experiment is a cultural assumption that places conversation in general and style in particular at its center. Here is how it happens. Both participants and readers look for what Erving Goffman describes as the “dramatic realization” that makes an individual’s activity (or “performance”) perceptible before others. “While in the presence of others, the individual typically infuses his activity with signs which dramatically highlight and portray confirmatory


facts that might otherwise remain unapparent or obscure. For if the individual’s activity is to become significant to others, he must mobilize his activity so that it will express during the interaction what he wishes to convey.\textsuperscript{437} In the example of the Boston Magazine column, a conversation over dinner between two relatively “equally-matched” strangers is believed to disclose enough information during the interaction that participants and readers are able to draw broader conclusions about a person’s character, compatibility, and even long-term romantic potential.\textsuperscript{438} Based on their date, J.R. deduced that Hannah “had an optimistic outlook on life” (which he appreciated), but that they “would be better suited as friends than romantic partners.” Hannah found J.R. “very intelligent” and “really enjoyed getting to know him;” however, she, too, thought they would be “just friends.”

Although dinner participants have tone, expression, body language, and other non-verbal cues to go on, readers of the column are left to rely on strictly verbal cues (beyond a headshot) to judge the “performance of self” that Goffman famously theorizes. As Holcomb and Killingsworth, point out, one difference between performances in writing as opposed to in person is that they shift the burden of disclosure: “in written or printed text, where writers lack access to the communicative resources of oral delivery, style must shoulder much of the interactional load.”\textsuperscript{439} They seemed to have little trouble

\begin{footnotes}

\footnote{438} The age, sexual orientation, educational background, religious affiliation, professional trajectory, and interests of participants’ profiled in “Dinner with Cupid” all vary widely in the column, which has been running more than 10 years. Typically, there is some type of common denominator that explains why they were a “match.”

\footnote{439} Holcomb and Killingsworth, 2010, viii.
\end{footnotes}
with this limitation (or, more precisely, readers seemed to have little trouble crafting judgments based on verbal cues that were given to them.)

Here are some conclusions, drawn from readers’ comments, about J.R.’s “dramatic realization” as described in “Blind date: ‘I’m uncommonly ambitious for an academic.”

• “I wonder what his guy friends are like and if they razz him for his Brahmin 1700’s demeanor.” (yogason44)
• “It sounded more like a business meeting than a date.” (newsyoucanuse);
• “I don’t think I’d have lasted five minutes listening to this guy.” (theblackprince1)
• The poor kid. I feel bad for him. He thinks he has it all together.” (fordpm)
• “Someone swallowed a thesaurus......run, Hannah, run.....” (Not-My-Dogs-Name)
• “He must be a real hoot at cocktail parties.” (OrrScores)
• “If he used that kind of language through the whole dinner, she is being exceptionally kind.” (Goldsky)
• “I think he’s looking for an academic equal that he can have this banter with on the regular.” (babyinthecorner)
• “I have a Ph.D. and never spoke like that.” (michaelrb)

What struck readers so much about J.R.’s verbal style? More importantly, how, based on the few conversational snippets J.R. Scott and Hannah McDonnell volunteered about the date and each other, can Globe readers seem so sure about what this “data”
reveals? To answer these questions one must begin with a view of style that “lumps” rather than “splits” verbal forms with other cultural elements. Holcomb and Killingsworth explain one feature of this method in their chapter in *The Centrality of Style*. They identify verbal forms and cultural elements as two types of style “—one narrow, the other broad”—which, although arbitrarily divided in most of the current scholarship on style, were historically theorized together. The narrow version,” write Holcomb and Killingsworth, “identifies style with *verbal* style and considers a writer’s choices at the level of word, phrase, and clause, although more recently it has come increasingly to include features beyond the sentence, including point of view, discourse structure, and genre.” The second view of style “defines style more broadly as ‘ways of doing’ and takes within its purview virtually any artifact or practice that has communicative potential: fashion, music, electronic and digital media, deportment, food, and so on.”

Even though these two versions “rarely overlap” in contemporary scholarship, in cultural practices (such as “Dinner with Cupid”) they are instinctively applied. For example, if the application of the “narrow version” of style means, as Holcomb and Killingsworth suggest, paying attention to J.R. and Hannah’s language independently of other considerations, then *Globe* readers, whether consciously or unconsciously, were keen to do so. Among the specific words and phrases they singled out their comments include: “prattle;” “anachronistic;” “We sat in the ‘plein air’ area of the restaurant;” “I

---


441 Holcomb and Killingsworth, 2013, 119, emphasis in original.

now understand why statisticians use Poisson processes to model traffic flows;” “I mentioned the oft-quoted Joe Namath remark…” “We arranged for cars to pick us up;” “I have an anachronistic tendency toward formality;” and “I’m uncommonly ambitious for an academic, and looking for someone who will challenge me to achieve great things, yet support me unconditionally along the way.”

Although according to both respondents the date went well (Hannah rated it an “A,” and J.R. gave it an “A-“), and although each said gracious things about the other (Hannah said, “He is very intelligent. He is at MIT, and knows a lot about finance and economics,” while J.R noted: “I appreciated that she had an optimistic outlook on life”), neither Hannah, nor J.R., nor Globe readers seemed to think the couple had any hope for a future together. What went “wrong” at the restaurant? Perhaps it was not so much J.R.’s “verbosity” (as one Globe commentator referred it) but rather his verbal style that created the impression of J.R. being so culturally out-of-sync.

Sometimes what is signaled (or, to use Goffman’s phrase, “performed”) is deliberate. For example, when J.R. explains his initial interest in “Dinner with Cupid,” he gratuitously reveals some of his reading habits: “Cupid piqued my interest—to my knowledge, The Wall Street Journal and the Financial Times don’t have comparable blind-dating columns.” While it is unclear what the original connection among The Wall Street Journal, the Financial Times and “Dinner with Cupid” was thought to be, the answer works as a “sign-vehicle”—something Goffman describes as a carrier for conveying information that permits others to know “in advance what he will expect of them and what they may expect of him.”\textsuperscript{443} In this case, the two newspapers, who have

\textsuperscript{443} Goffman, 1959, 1.
been called by news reporters as “the manliest of all” the periodicals, signal his view of himself as an aspiring financier and align with the expectation of how he wished to be approached. The most recent book he read (Churchill: Walking with Destiny) is long (1,105 pages), but also newly released (2018), suggesting his habits are active. Hannah, meanwhile, included a quirky hobby (juggling) in a description of herself, perhaps as a way to interject lightheartedness into her list of interests, which were led by politics and business. (Although juggling was never mentioned, readers revealingly noticed this detail and wished to bring it back in the comments, responding: “Why didn’t juggling come up in conversation? Opportunity lost.”)

Other elements of stylistic material may be subtler, however, and may not be consciously selected at all. For instance, Jeanne Fahnestock outlines the numerous historical layers of the English language and their difference in word derivations—all of which, whether consciously selected or not, denote entirely different potentials for conveying social meanings. Contemporary English has a wealth of synonyms stemming from the combined contact and influence of Germanic, Greek, Latin, French, Celtic, Dutch, Spanish, African, Native American, and Scandinavian languages, among many others. As Fahnestock tells it, “English picked up words, as it picked up goods and knowledge, from virtually every culture on the globe.”

What is most relevant to the “Dinner with Cupid” column is not simply the number of variations and origins that are available to an English speaker (and writer), but

---

444 Laura Hazard Owen, “‘If the Financial Times were a person, it would be a man.’ Here’s how the paper is trying to change that.” Neiman Lab, April 3, 2018.


446 Fahnestock, 2011, 29.
rather their entrenched associations with levels of formality, sincerity, and modes of address. For instance, the three largest lexicons in the English language stem from Old English (OE), French, and Latin and Greek. These different groupings all signal distinctive levels of conceptual and relational distance. “The informal spoken language is filled with words derived from Germanic, Scandinavian, and sometimes French,” says Fahnestock; “the formal written language has proportionately more Latin and Greek words, a distribution that has marked consequences for the vocabulary of persuasion.”

OE, which is predominantly Germanic in its origin, comprises the majority of core words in the English language. As a result of being the simplest, the oldest, and the widest in use, passages that are dominated by words from the OE core are typically associated with familiarity and truthfulness. “This effect occurs because core words, the oldest in the language, are also the oldest in the experience of native speakers; they are the first heard, the first spoken, the first read, the first written. They are associated with simple messages, and often with immediate, familial, and physical contexts,” writes Fahnestock.

In contrast, Latin and Greek are associated with formal, written language. Although two-thirds of words in Modern English are borrowed “directly from Latin, of from other Latin-derived vernacular, especially French, Spanish, and Italian,” they are not the most frequently used. Instead, they can be found in the formal settings of

---

447 Fahnestock, 2011, 29, emphasis added.
448 Fahnestock (2011) cites a statistical analysis of current British English, which found that a whopping ninety-eight percent of the hundred most frequently used words fell within this category (32).
449 Fahnestock, 2011, 32.
450 Fahnestock, 2011, 32.
academic writing, medicine, and law. Similarly, whereas words derived from French (a vernacular offshoot of Latin) are sometimes used to elevate spoken language, they are above all associated with elegance and order (compare, for example, the French-derived privilege with the OE right). 452

The difference in word origin and their frequency of use noticeably impacted the “Dinner with Cupid” participants’ persuasive power, if not with each other (all readers know is that the participants both decided to be “just be friends”), then certainly with their readers. Consider, for example, the difference in how Hannah and J.R. describe each other:

- **Hannah:** “He is very intelligent. He is at MIT, and knows a lot about finance and economics.”
- **J.R.** “Hannah is an ebullient and amiable person.”

Hannah could have used the word “smart” (which has the more familiar, Old English/Germanic core) but instead chose the synonym “intelligent” (Latin in origin with more formal and learned connotations). Although the difference in formality is notable, her choice is also fitting. The Latin core “intelligent” is in keeping with J.R.’s signal of how he wishes to be approached, a dynamic Fahnestock (and others, including Kenneth Burke and Michel Foucault) theorize as “bids for alignment.” Highlighting the “fundamental interactive dimension of all language…attitudes and bids for alignment are encoded in every language choice, and the rhetor’s presence and relation with an audience are the unerasable ground of all discourse.” 453 J.R. makes it clear that he wishes

---

452 Fahnestock, 2011, 35 and 33.

453 Fahnestock, 2011, 279.
to be approached, to use his language, as an “uncommonly ambitious academic.” What is particularly illustrative about the “Dinner with Cupid” column, however, is that the speaker—regardless of who the speaker is or what the speaker says—stands in relation to multiple audiences at the same time. What is worth paying attention to here is that it reveals one of the core differences between artful conversation and the public conversational dynamic: in the case of the public dynamic, the audience never consists of just the participants in the conversation.\(^{454}\) If we return to Hannah’s verbal style, it becomes clearer that the depiction of her date is appropriate not only for J.R., but also (and perhaps primarily) Globe readers. The use of the word “intelligent,” for example, takes J.R. into account, but it also fits into the broader context of what she is describing to readers of the column (his academic competency generally followed by details that supports this specifically (“He is at MIT, and knows a lot about finance and economics.”)). Not only that but, by referring to J.R. with the pronoun “he,” she distances herself from her date and further aligns herself with the audience of readers.\(^{455}\) Taken together, her description (which is built around colloquial language (i.e., “knows a lot about”)) invites readers in by sounding conversational.

By contrast, J.R.’s combination of words, “ebullient” (Latin core) and “amiable” (French core) sound as if they belong on the written page (especially the word ebullient)

\(^{454}\) Samuel L. Becker discusses an example of such a scenario with President Eisenhower’s “key-hole technique” in this way: “Whereas Roosevelt achieved his intimate quality by speaking as though each listener were the sole audience, Eisenhower achieved it by what members of the broadcast industry call the key-hole technique. One of the best examples of this is the Eisenhower-Dulles telecast of May 17, 1955. The program was designed to give the appearance of an informal conversation. The President and the Secretary of State simply talked earnestly to each other, giving the television viewer the feeling of overhearing history in the making.” “Presidential Power: The Influence of Broadcasting.” Quarterly Journal of Speech 47.1 (1961): 17.

\(^{455}\) For a fuller treatment of the consequences of pronounce choice, see Fahnestock, 2011, 279-291.
and, despite their friendly denotation, seem somewhat detached from what he is describing. Indeed, referring to Hannah by her first name here (“Hannah is an ebullient and amiable person”), J.R. actually stresses his impressions of her rather than the impressions that she gives off. The focus, in other words, remains on him and his descriptions rather than on Hannah or Globe readers. This is not to suggest, however, that referring to Hannah by a pronoun (she) or describing her with other adjectives (say, “sunny” and “friendly,” both OE core words) would have been an outright improvement. Because “there is no such thing as ‘raw’ subject matter,” there is also no such thing as an “absolute” improvement by change in style. Citing the law of compensation, Holcomb and Killingsworth advise that “with every change something is lost and something is gained.” For example, the words “ebullient” and “amiable” are more precise in their descriptive power and, as such, have the potential to generate a more vivid picture in readers’ minds than the more common, perhaps bordering on generic, adjectives “sunny and friendly.” Indeed, the amount of responses J.R.’s verbal style provoked suggests his more erudite word choices are in fact what left the greatest impression. What is more, referring to Hannah by her first name could also be interpreted as a sign of respect, and a balance between an overly formal option (Ms. McDonnell) and a less formal, reader-oriented “she.”

This kind of stylistic analysis, though revealing, may seem disproportionately detailed for a dating column. We know, for example, that in 2018 Globe readers spent, on average, a total of two minutes visiting the site (this includes time engaged on all news

\footnote{For more on the difference in these two kinds of sign activity (gives vs. gives off) see Goffman, 1959, 2.}

\footnote{Holcomb and Killingsworth, 2010, ix.}

\footnote{Holcomb and Killingsworth, 2010, 59, italics in original.}
articles, not just the *Boston Magazine* feature). If for no other reason than practical constraints, we can safely assume from this that readers are not dissecting pronouns and word origins—at least not consciously. What happened, then, at the broader level of style? It may be impossible to pinpoint the moment in which *Globe* readers extended their analysis from the narrow or verbal style to the broad or cultural style, since the differences between the two versions are arbitrarily created. Verbal style is a type of cultural style and cultural style includes verbal style. However, beyond the theory advanced by sociolinguist Penelope Eckert and described by Holcomb and Killingsworth in the pedagogical frame, what we have in “Dinner with Cupid” is evidence that participants and readers instinctively paid attention to both.

Readers (who had no information other than the column to go on) pieced together a combination of word choice, word origin, deportment, facts, interpretations of expressed attitudes, and a single visual cue to make broader judgments about the participants’ upbringing, experiences, and views of the world. Without any specific encouragement or prompting to do so, readers judged J.R. as “a sesquipedalian,” “a snooozzzzz,” “insufferable,” “pretentious,” “insecure,” “obnoxious,” “competitive,” “impressive,” “a real Black and Decker,” “pompous,” “rather full of himself,” “insecure,” “a riot,” “probably nice,” “perfectly decent,” “a sweet guy,” and someone who “must have been…challenging” and “precocious” as child. Hannah occupied much less attention in the readers’ comments. In contrast to J.R.’s culturally “transgressive” style, her speech followed cultural norms of informality and conversational commentary (He’s

---


still a Patriots fan (thank God) although he’s from California); readers awarded it accordingly. They spoke of her as “wonderful,” “kind,” “gracious,” “wise,” “sensitive,” “a lovely person,” and someone who appeared to have “excellent manners.”

If there was one overarching critique of J.R., it was that he sounded unnatural, which also acted as a data point for readers. Indeed, the idea that the greatest art conceals its art goes all the way back to the Greeks. Following his observation that propriety is “a matter of contraction or expansion,” Aristotle writes that, “authors should compose without being noticed and should seem to speak not artificially, but naturally. (The latter is persuasive, the former the opposite; for if [artifice is obvious] people become resentful, as at someone plotting against them, just as they are at those adulterating wines.)”461 Comments from “Dinner with Cupid” (which cast J.R.’s verbal style as artificial) serve as an example of this resentful reaction to artifice, not least because J.R.’s verbal style was all readers had to go on:

• “OK, JR, we get it, you have a good vocabulary—now get over yourself!”
  (user_1572434)

• “Be wary of those who try to impress with faulty phrases like this: “We sat in the ‘plein air’ area of the restaurant.”” (thot)

• “I'm actually thinking of using this column with the interns I supervise, as a great example of verbosity vs. clean prose. J.R., you don't need two adjectives for something; settle on one. And you don't need to pile it on, i.e. your anachronistic tendency toward formality.” (BeeJayDee)

Feedback can turn into its own conversation and, as Susan Herbst describes contemporary public speech, “media now wreak havoc with the text.” In this way, the performance that Goffman describes as taking place “during the interaction” may not be contained as it once was. While the stakes are obviously much lower in a dating column than other modes of speech (presidential speech, for example, is now “endlessly” sliced into sound bites and reconstructed and recirculated in “ways that are beyond the control of the president”), the potential for disruptive, multi-vocal redirection is a constant feature of digital rhetoric, which—depending on how you view it—makes the medium more or less conversational.

In the July 2019 “Dinner with Cupid” column readers seemed just as willing to interact with others’ interpretations as they did with the original text, thereby starting their own “conversation” or perhaps merely changing the subject. Of course, the structure in digital forums is different from face-to-face conversations. In person conversations are conventionally organized around turn taking and what Stephen Levinson calls “adjacency pairs” (e.g. question/answer; greeting/greeting; joke/laughter). In digital contexts (which commonly function as a hybrid form of written and oral communication), this dynamic between timing and opportunity is more difficult to exploit, however. As Chris Holcomb points out in the context of humor, when everyone can talk at the same time but

---


463 Mercieca, 2017, 213.

no one knows when a message will be read, the evaluative information conveyed by something such as laughter may only arrive in a piecemeal fashion, if at all. To offset what is lost in face-to-face interactions, participants enlist written features, such as typography and space, to “to mimic features of oral discourse.”  

For example, in the “Dinner with Cupid” comments, SwishyTail728 wrote:

- “LOL! Some of the comments are HILARIOUS! Just because he writes this way doesn’t mean he actually speaks that way during conversations. I will admit, the first thought that popped into my head was a sarcastic, “Aren’t you a romantic devil?”

The use of all caps and exclamation points in “LOL!” and “HILARIOUS!” suggests vocal features of a rise in pitch and an increase in stress. However, it also indicates additional social and cultural information. Statistically, the person who wrote this is likely to be older, since, according to a 2015 Facebook data, only 1.9 percent of Facebook users still used the acronym LOL. The median age of people using LOL is also older than any of the three laughter types the social media platform identified (emoji, haha, and hehe).

Suggestive of style’s implication in the entirety of the rhetorical enterprise, readers anticipated cues of what snippets of J.R’s verbal style might mean for future, imagined scenarios:

---


• “I think JR should put pen to paper in the form of fiction with the main character being himself spouting on in his most entertaining fashion. I find him hilarious.” (work2live)

• “This young man is a riot. Anachronistic, no doubt. He must have been a challenging, precocious child. With a proper 21st century mentor, he’ll overcome his bow-tied infatuation with words, so as not to expose the cognitive deficiencies of his dinner guests, and embrace the more whimsical modalities of colloquial banter…and perhaps get laid.” (Spacevegan1)

Numerous Globe respondents used his conversational skills as a proxy for his amorous style and weighed in on subjects that are not typically made explicit in the column or its commentary. (“If he’s formal at dinner he’ll be formal in the bedroom” (Potлемeac).) Others reveled in the comic potential for his affected style to contrast with erotic abandon. As one reader admitted, “I wish they hit it off and enjoyed wild sex—so we could read JR’s academic account” (telex108). Having invested so much in their detailed critiques of J.R.’s verbal style, commenters interestingly seemed more, not less, concerned with his overall romantic fortunes.

Clearly, Globe readers had no trouble linking verbal style with broader social and cultural dynamics. As a cultural habit, that is what we do.467 In fact, the “Dinner with Cupid” example may be particularly illustrative precisely because it is not a polished piece of prose, but rather an abridged format that is structured around spontaneity (e.g., readers’ comments) and lack of foreknowledge (e.g., a blind date). Yet, despite the ubiquity of this practice the scholarship devoted to understanding the default mode of

467 For an example of how this tendency plays out in politics see, W. Lance Bennett, “The Personalization of Politics,” 2012.
rhetorical conversation is remarkably scattershot. The consequence of this arbitrariness is that it creates not so much a gap in rhetorical studies as a giant blind spot. Despite championing style as the organizing factor for the twenty-first century, and despite identifying conversation—not oratory—as the model for all of rhetoric, scholars in rhetoric, composition, and communication studies have demonstrated a noticeable reluctance, if not outright aversion, in formally associating rhetoric and conversation.468 This study joins a limited, but growing, number of scholars who have reintegrated the canon of style as a means for judging and understanding modern communication.

ANALYSIS 2:

National Geographic Magazine (Washington DC, 1888)

How a scientific journal took on the role of “conversationalist” and evolved into an unofficial arbiter of science, foreign policy, and popular imagination.

Founded in 1888 as a scholarly, scientific journal, National Geographic would eventually become a leading American source for popular knowledge about scientific research and the global exploration. Maps historian Susan Schulten deems it “one of the most ubiquitous sources of information and images about the world in American culture.”469 Phillip Pauly, a historian of science, refers to it as “the most widely read source of general scientific information in America.”470 And anthropologist Catherine

468 See especially Chapter 4 in Barry Brummett’s A Rhetoric of Style; David Randall’s The Concept of Conversation: From Cicero’s Sermo to the Grand Siècle’s Conversation and Jane Donawerth’s, Conversational Rhetoric: The Rise and Fall of a Women’s Tradition, 1600-1900).


Lutz and sociologist Jane Collins call the magazine “one of the most culturally valued and potent media vehicles shaping American understandings of...the world outside the United States.” Exemplifying its broad reach and central place in twentieth-century popular imagination, academic articles about National Geographic are more often found under the rubric of American Studies and history rather than the more obvious suspects of geography, physical science, or even photography (for which the publication would become perhaps most famous). By the 1980s, six U.S. Presidents had contributed to the magazine: Theodore Roosevelt, William Howard Taft, Calvin Coolidge, Herbert Hoover, Dwight Eisenhower, and Lyndon Johnson. One of the most famous moments of the Cold War, the “Kitchen Debate,” is also recounted in the pages of National Geographic by then Vice President Richard Nixon. Here is an excerpt from the boisterous exchange in Moscow:

**Khrushchev:** On politics, we will never agree with you. For instance, Mikoyan likes very peppery soup. I do not. But this does not mean that we do not get along.

**Nixon:** You can learn from us, and we can learn from you. There must be a free exchange. Let the people choose the kind of house, the kind of soup, the kind of ideas that they want.

Although at first glance this appears to be a relatively simple instance of cultural diplomacy (where the clash between Communism and Capitalism is somehow mediated through an analogous like or dislike of peppery soup), a closer look suggests it is heat and intensity that is actually driving the dialogue forward. While it is true that the impromptu

---


472 Lutz and Collins, 1993, 34.
interchange between Vice President Nixon and Soviet Premier Nikita Khrushchev took place in front of an American model kitchen at an American cultural exhibition at the U.S. Embassy in Moscow, it is also true that the interlocutors were leaders of the same two Super Powers at the center of what William Faulkner identified as the single question of the time: *When will I be blown up?*\(^\text{473}\)

*National Geographic* provides a window into the “masculine” elements—the heat, the competition, the intensity—that may course through conversation. Too often these dynamics have been excluded from discussions of twentieth century mass media, in part because of the dominance of the useful, if incomplete, framework of “cool” (i.e., feminine and intimate) and “hot” (i.e., masculine and concentrated) mediums. It is not necessary, however, to completely do away with a contrast in mediums in order to appreciate that conversation can flourish within both. Indeed, both Marshall McLuhan’s famously theorized “cool” medium of television and “hot” medium of radio were adapted to conversational style, despite being categorized as opposites. The “Kitchen Debate,” which appears in a 36-page story by Nixon published in the December 1959 issue of *National Geographic*, is one example of this crossover.

“Cool” media, according to McLuhan, involves a “total situation” that is marked by high participation (e.g., leaving much for the audience to fill in or complete).\(^\text{474}\) Television is the most obvious twentieth-century example. “Hot” media, in contrast, is noted for its intensity and thereby lower participation. It involves users with its high definition of a single human sense (for instance, radio/listening), yet it keeps them


“detached, as if at arms length.” In *Eloquence in an Electronic Age*, Kathleen Hall Jamieson incorporates this framework to explain the shift from the “flame of oratory” to “the fireside chat.” She writes, “where once we expected messages laced with impassioned appeals, now we respond positively to a cooler, more conversational art; where once audiences expected to be conquered by an art bent on battle, today’s television viewer expects instead an intimate rhetoric of conciliation.”

**Intensifying Contemporary Views of Conversation**

In its fullest form, conversation is equipped to unite the heat of one medium with the intimacy of another. Indeed, it is not incidental that conversation was historically associated with sex, seduction, and play. In the context of *National Geographic*, this backdrop works to show how some of the (“masculine”) qualities that made the magazine and membership organization so successful are, while perhaps not typical of the twentieth-century, hardly unique to the genre of conversation. “Mass culture,” write Lutz and Collins, “is associated with the feminine because—in stereotype—it is sentimentalized, it is merely consumed, and it requires less intellect…and high culture with the masculine for the opposite reasons.” By contrast, “the *Geographic’s* gender


476 Jamieson, 1988, 44.

477 For a gorgeous example of this duality at work during the dark days of the Civil War see Peter Gibian’s, “Conversations with Whitman” *Mickle Street Review* No. 16. (1993).

478 For more on the latent eroticism in conversation see, for examples, Stephen Miller, 2006, 11, 106-107, 188; David Simpson, 1995, 69.

associations are masculine, both because of its content (adventure, science) and its cultural power and position.” ⁴⁸⁰

In his study on the legendary race toward the North Pole (for which the National Geographic Society was a major sponsor), historian of science Michael Robinson suggests, for instance, that constructions of “manliness” were central to explorers’ fundraising and media successes. “Different forms of rhetoric—scientific, manly, and moral—functioned as explorers’ most powerful tools because stories, more than specimens of scientific observations, constituted the real currency of Arctic exploration.”⁴⁸¹ Frederick Cook (who claimed to have arrived at the North Pole in April 1908) and Robert Peary (who claimed to have arrived at the North Pole in April 1909) “built their personas on a model of manliness that had little to do with science,” writes Robinson.⁴⁸² How did this appeal to conversation and masculinity work within the broader context of the magazine? In the following section I will explain the role of both.

**Stylistic Value in National Geographic**

There are primarily two explanations for *National Geographic*’s launch to fame in the early twentieth century. One is geo-political. The other is rhetorical. Historians stress that the Spanish-American War (1898) vaulted America’s role in international politics, and, along with it, spurred Americans’ newfound interest in geography; however, as the magazine tells its own history, it is was also a hard-fought editorial decision *advocating a*

---


deliberate change in writing style that expanded the scope and reach of the magazine.\textsuperscript{483} Writing for National Geographic, Beth Foster suggests that the first and most important step in its transformation was “the use of first-person narrative and straightforward, simple writing.”\textsuperscript{484} The swapping of stories and use of narratives is something on which “everyday conversation thrives,” says Neal Norrick.\textsuperscript{485} In the case of the Geographic, it was also a method by which to spur public interest in expeditions.\textsuperscript{486} The changes in style were not merely a dressing, however. Making the journal more conversational also meant redefining (and expanding) what “scientific research,” “geography,” and experiences of the world entailed. As Pauly puts how the first term was framed in the Geographic, “scientific research…was not an esoteric activity that the public should appreciate but could never fully understand. It was romantic exploration of the unknown, and the adventure was at least as important as the information gathered.”\textsuperscript{487}

The editors sought to “diffuse” geographic research to a wider audience by focusing on geography as “description” and making the reading experience more “bright and interesting.”\textsuperscript{488} In the words of its long-time editor, Gilbert H. Grosvenor, the magazine and its accompanying membership society intended to “transform the Society’s


\textsuperscript{486} See especially Robinson, 2008.

\textsuperscript{487} Pauly, 1979, 518.

Magazine from one of cold geographic fact...into a vehicle for carrying the living, breathing, human-interest truth about this great world of ours.”

While this and other editorial choices diminished the society’s status among professionals, they also bolstered its reputation with the general public as “an arbiter of science.”

The National Geographic’s considered response to this role of arbiter was to embrace the role of a conversationalist under the theme “THE WORLD AND ALL THAT IS IN IT.” By this I mean not only that the magazine sought to present an informal, “bright” and “interesting” tone, although it did aim for that, but also that it deliberately widened its scope of available topics. Conversation, more than systematic argument, was suited to deliver a “direct” and “lively” equivalent to the cabinet of curiosities, a modern form of which the National Geographic aspired to embody.

“People wanted immediate experience of the world,” writes Philip Pauly in his early history of National Geographic, “not the systematic lessons professionals sought to provide.” As conversation manuals repeatedly stressed, the flexibility to flit from topic to topic (i.e., to follow where a conversation led rather than to drill down on a single topic) is central to conversation. This is in part because of its spontaneous nature. Since the need for “at least apparent” spontaneity in conversation is so fundamental to the genre, the need to avoid excessively focused, pedantic, or technical topics became a recurrent theme in polite conversation.

---


490 Pauly, 1979, 526.

491 Pauly, 1979, 527.

492 Pauly, 1979, 527.

embrace of THE WORLD AND ALL THAT IS IN IT meant consciously moving in “the opposite direction” from the narrow scope in which it was founded. Where the Society was originally “part of the effort to develop an independent subject matter for geography,” Grosvenor and his staff sought to enlarge it. As Pauly describes it, “by including mammoth skulls, wild animals, and primitive tribes in addition to geography, Grosvenor was extending the life of the old rubric of natural history into a time when it was rapidly being parceled up among various specialties.”

What is more, although the conflict over editorial and membership policy caused a rift between those who welcomed its expansion and those seeking to enhance its status as a professional journal of geography (when asked to join the editorial board in 1901, for example, William Morris Davis responded with a note saying: “Declined: couldn’t approve general policy of popularization at the expense of science.”), what was not controversial at the time was the magazine’s close ties to governmental policy. As early as 1900, National Geographic was already functioning as an unofficial “organ of science and politics” by enlisting a combination of illustrations, maps, and text “to inform, to entertain, and to defend the nation’s new interventionist posture.”

Susan Schulten is one of many who would note the magazine’s remarkable achievement at being able to use “geographic knowledge as a tool for nationalism,” while at the same time also managing to “marry the imperatives of science with popular

---

494 Pauly, 1979, 527.
495 Pauly, 1979, 527.
496 Pauly, 1979, 525.
497 Schulten, 2000, 18 and 7.
interest."498 Overt in its association to governmental interests, the 1900 editorial board included government officials from the Treasury Department, Department of State, Department of Agriculture, U.S. Army, U.S. Navy, U.S. Coast and Geodetic Survey, Bureau of American Ethnology, and U.S. Geological Survey. “During and after the war,” writes Schulten, “the community of scientists and government workers at the Society seamlessly joined their professional identities—whether as surveyors, hydrographers, statisticians, or diplomats—to the national interest,” writes Schulten. “There is no evidence that the conflicts at the Society in these years reflected dissent over the nation’s controversial mission abroad, and in fact the Geographic immediately became a place where the federal government’s goals could be safely articulated.”499 An excerpt from a January 1900 article entitled “The Philippine Islands and their Environment” by American diplomat John Barrett is illustrative of these early moves away from “cold geographic fact” and toward geography as “description” openly paired with American commercial and international interests:

“I contend that Manila occupies a position of immeasurable opportunity in comparison with the other great ports or cities of the Asian and Australian coast line. That you may obtain a concrete idea of what I mean, let me picture how Manila stands with reference to neighboring points. Let us draw a circle on a radius of two thousand miles, with Manila as the center. As we swing it around we find that this charmed circle takes in such distantly separated points as Yokohama, Vladivostok, and Tientsin on the north and Port Darwin, in Australia, and Batavia, in Java, on the south. It reaches east to


include Guam and the Carolines and west to include Bangkok, in Siam, and Rangoon, in Burma. A similar circle drawn around any other port does not include so many important points. I would not imply that Manila will ever take the place of Hong Kong, Shanghai, or Singapore, or even equal them in the race for commercial or political supremacy, because they already have a wonderful start: but there is abundant reason why Manila should become a great trade center to divide their business, and at least be the chief point through which American shall carry on her growing transactions with Asia’s millions.”

Unlike an example that will soon follow (Obergefell v. Hodges), here the purpose of this passage is not to reveal the inner thoughts and feelings of the diplomat’s acquaintance with Siam. However, it is meant to be personal in a different sense. The physical descriptions of distance (“a radius of two thousand miles with Manila as the center”) and place (“as we swing it around we find that this charmed circle…takes in…north…south…east…west”) are meant to give the audience an eyewitness account and an immediate sense of the world (“that you may obtain a concrete idea of what I mean”). By design, writes Pauly about the Geographic, “editorial stress was placed upon having ‘accurate eyewitness, firsthand accounts’ expressed in ‘writing that sought to make pictures in the reader’s mind.’” Subtle devices such as the use of the present tense (“let us draw”) and clear orientation of the landscape (“let me picture how Manila stands with reference to neighboring points…”) work to “set things ‘before the eyes’ with language (as Aristotle calls it) or to “make pictures in the reader’s mind” (as the editors put it).

---


501 Pauly, 1979, 527.
However, this was not the only form of involvement the text (or the magazine) was meant to suggest. As both a membership club and a magazine, the *Geographic*’s contributions to research were meant to give readers and members a sense of “participation in science.”\(^{502}\) “However remote members might be from determining the policy, they could feel that they contributed to the advancement of knowledge while being educated and entertained.”\(^{503}\) One can see how readers might feel included in something important when reading the diplomat’s current recommendation on the Philippines—a place that, before planes were invented, very few people had actually visited and—until National Geographic photographers started coming back with pictures, few had ever seen.

In contrast to philosophical conversation (which is premised on a “clash of ideas” discovered or brought to light in the to and fro of conversation), the public conversational dynamic may be used to frame complicated, technical information in a simpler, brighter, and more appealing manner. In some instances, however, the dynamism may not happen between interlocutors (real or staged) but rather between material and audience. Even though *National Geographic* never took on a dialogic structure, its editors decided that they would appeal, as a matter of principle, to the conversational dynamic as a way to create a more intimate experience of the world.

---

\(^{502}\) Pauly, 1979, 530.

\(^{503}\) Pauly, 1979, 530.
ANALYSIS 3:
Obergefell v Hodges (2015)

On the structural foundations and influences of the conversational dynamic

The public conversational dynamic is animated in part by an eighteenth-century Constitution that places a sovereign individual endowed with rights in tension with—and separate from—a public majority without settling on an answer of how this tension should be resolved. This dynamic, though part of the genius of the Constitution, still causes controversy today. What is more, although the spirit of laws designed to protect minorities from “the tyranny of the majority” (as Tocqueville famously put it in Democracy in America) is in principle understood, its implementation is notoriously complicated.

The Due Process Clause of the Fourteenth Amendment is a prime example of this; it is one of the most important and litigated sections of the Constitution. It states: “No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny any person with its jurisdiction the equal protection of laws.” Composed in 1868, soon after the Civil War, the Fourteenth Amendment was purposely designed to invite broad interpretation. “We know from its history that it was meant particularly to combat inequality toward blacks. We also know, however—and would rightly presume it even if we didn’t—that the decision to use
general language, not tied to race, was a conscious one,” writes John Hart Ely, one of the most-cited legal scholars in American history.\textsuperscript{504}

Ely argues that the Fourteenth Amendment “contains provisions that are difficult to read responsibly as anything other than quite broad invitations to import into the constitutional decision process considerations that will not be found in the language of the amendment of the debates that led up to it.”\textsuperscript{505} In other words, strict interpretivism is not only undesirable here, but impossible. To this complexity, an additional layer must be included here, since it sets up the problem of Ely’s seminal book on constitutional interpretation, as well as a key controversy in the conversational dynamic: Judicial review—which puts a “stop” to conversations about law—is inconsistent with democratic theory.\textsuperscript{506} Ely explains the dilemma in this way: “When a court invalidates an act of the political branches on constitutional grounds…it is overruling their judgment, and normally doing so in a way that is not subject to ‘correction’ by the ordinary lawmaking process. Thus, the central function, and at the same time the central problem, of judicial review: a body that is not elected or otherwise politically responsible in any significant way is telling the people’s elected representatives that they cannot govern as they like.”\textsuperscript{507}

This lack of democrat accountability, together with the Court’s final say on the Constitution, is why Justices habitually censure each other for “shutting down the conversation.” In \textit{Obergefell v. Hodges} (2015), the landmark 5-4 Supreme Court ruling


\textsuperscript{505} Ely, 1980, 14.

\textsuperscript{506} Ely, 1980; Also see 576 U.S.\textsuperscript{--}2015, Roberts dissenting, 26.

\textsuperscript{507} Hart Ely, 1980, 5.
that made same-sex marriage a constitutional right, Chief Justice Roberts writes in his
dissent, for example, that the majority decision “seizes for itself a question the
Constitution leaves to the people, at a time when people are engaged in a vibrant debate
on that question.”^508 By “closing debate,” argues Roberts, proponents of same-sex
marriage have “lost” and “lost forever” the “opportunity to win the true acceptance that
comes from persuading their fellow citizens of the justice of their cause. And they lose
this just when the winds of change were freshening at their backs.”^509

The problem, however, is that this same recourse to constitutional law (i.e., this
ability to end the conversation) is also how constitutional rights are protected—regardless
of legislation. In Democracy in America, for instance, Tocqueville calls “the power
granted to American courts to pronounce on the unconstitutionality of laws…one of the
most powerful barriers ever erected against the tyranny of political assemblies.”^510
Justices still maintain this view. Indeed, the Opinion of the Court in Obergefell v. Hodges
refers to this principle, saying, “An individual can invoke a right to constitutional
protection when he or she is harmed, even if the broader public disagrees and even if the
broader public refuses to act.”^511

Citing West Virginia Board of Education v. Barnette (1943), a case having to do
with the mandatory salute to the flag in public schools, the majority in Obergefell v
Hodges held that “the idea of the Constitution ‘was to withdraw certain subjects from the
vicissitudes of political controversy, to place them beyond the reach of majorities and

^509 576 U.S. ___ 2015, Roberts dissenting, 27.
officials and to establish them as legal principles to be applied by the courts.’ This is why ‘fundamental rights may not be submitted to a vote; they depend on the outcome of no elections.’”

The controversy does not end with this, however, since fundamental rights, whatever they may be, are not “raw” materials (or even “self-evident” as the Declaration of Independence famously held).

In effect, this means that fundamental rights may be just as likely to appear at the center of judicial clashes on “ending the conversation” as any other portion of judicial review. In cases where Justices are compelled to bridge the distance between eighteenth-century ideals animating the Constitution and emerging twenty and twenty-first century challenges, this is more likely still. Right to Privacy, to give one example, did not become a part of Constitutional law until a late-nineteenth century Harvard Law Review article (1890) by Samuel Warren and Louis Brandeis when they defined it as “the right to be left alone.” Soon after, it began to play an active part of numerous twentieth century Supreme Court rulings, including Roe v. Wade (1972). In an era of increasing surveillance and digital decadence, privacy is again receiving attention, even though the Constitution that underwrites the “right to privacy” remains basically unchanged.

This inevitable distance between old and new amplifies the rhetorical challenges for Justices, since it draws more attention to judicial review at a time when, certainly on paper, the nation was becoming more democratic. Justice Jackson pointed to this

---


513 The last Constitutional Amendment (27th) was adopted in 1992. Right to Privacy is most often derived from the Due Process Clause of the Fourteenth Amendment, which was passed in 1868.

514 Writing in 1980, Ely notes in Democracy and Distrust that, “excluding the Eighteenth and Twenty-First Amendments—the latter repealed the former—six of our last ten constitutional amendments have been concerned precisely with increasing popular control of our government. And five of those six—the exception being the aforementioned Seventeenth—have extended the franchise to persons who had previously been denied it” (7).
dilemma in 1943 when, writing for the 7-2 majority in *West Virginia Board of Education v. Barnette*, he held that “the task of translating majestic generalities of the Bill of Rights, conceived as part of the pattern of liberal government in the eighteenth-century, into concrete restraints on officials dealing with problems of the twentieth-century, is one to disturb confidence.”\(^{515}\) The cultural transformations between the eighteenth and twentieth centuries were profound, argued Jackson. Constitutional “principles grew in soil which also produced a philosophy that the individual was the center of society, that his liberty was attainable through mere absence of governmental restraints, and that the government should be entrusted with few controls and only the mildest supervision over men’s affairs.”\(^{516}\)

By the 1940s, following the transformative influence of the Great Depression and at the height of the Second World War, the judicial landscape had changed dramatically. The government’s role had exponentially increased, making judicial precedent that much more difficult to uphold. “We must transport these rights to a soil in which the laissez-faire concept or principle of non-interference has withered at least to economic affairs, and social advancements are increasingly sought through closer integration of society and through expanded and strengthened government controls. These changed conditions often deprive precedents of reliability and cast us more than we would choose upon our own judgment.”\(^{517}\) The decision, in other words, to overturn legislation as unconstitutional in

\(^{515}\) 319 U.S. 624____1943, 4.
\(^{516}\) 319 U.S. 624____1943, 4.
\(^{517}\) 319 U.S. 624____1943, 4.
order to protect individual rights has the potential to be every bit as contentious as the more democratic process of drafting legislation through Congress or States.\textsuperscript{518}

When the Constitution and Bill of Rights were drafted, democratic decision-making and individual rights were placed on parallel footing without a conclusive way to resolve the tension between them. This tension persists today and is vividly demonstrated in Obergefell v. Hodges, a landmark Supreme Court ruling for which conversation is neither an overt legal topic nor a deliberately chosen symbol. This is precisely why it is such a fitting illustration; highlighting just how varied and extensive the reach of the conversational dynamic has become, the conversational influences in Obergefell v. Hodges are multiple, contradictory, and, although central to the decision, almost always implicit.

**Audience: On the Choice to Amplify Interior Motivations**

In one variety of “conversation,” the emphasis on individual rights and personal experience drags the self—*as a private self*—into public spaces, thus encouraging a type of private, interior-focused style.\textsuperscript{519} Intentions, yearnings, personal experience, and individual expressions of identity are central to this dynamic. It is in this variation, for example, that we find language which steps outside of law and into the realm of inner

\textsuperscript{518} In Obergefell v. Hodges Chief Justice Roberts refers to one of the most odious Court interpretations of the (Fifth Amendment) Due Process Clause, *Dred Scott v. Sandford* (1857). Here the Court ruled that the 1820 Missouri Compromise violated *slaveholders’* rights to liberty and property and not Dred Scott’s (a former slave) right to liberty. 576 U.S. –– 2015, Roberts dissenting, 11.

\textsuperscript{519} The effect this has on public spaces, which I discuss in Chapter Two, is well researched and theorized. See, for examples, Richard Sennett’s *The Fall of Public Man*; Hannah Arendt’s *The Human Condition*; and Rochelle Gurstein’s *The Repeal of Reticence.*
motivation and “the human condition.”\textsuperscript{520} This is where the Court states, “Marriage responds to the universal fear that a lonely person might call out only to find no one there.”\textsuperscript{521} The language is striking here, not only because it seems so out of step with a traditional legal brief, but also for the nonmaterial way in which it sets up a contrast between a married person and a “lonely person.” As Justice Thomas notes in his dissent, the Opinion also “suggests that marriage confers ‘nobility’ on individuals. I am unsure what this means. People may choose to marry or not to marry. The decision to do so does not make one person more ‘noble’ than another. And the suggestion that Americans who choose not to marry are inferior to those who decide to enter such relationships is specious.”\textsuperscript{522}

Of course, what Justice Thomas fails to mention is that the plaintiffs in \textit{Obergefell} v. \textit{Hodges} were actually \textit{not} free to marry. That is precisely why their case was before the Court. Thus the controversy is two-fold: 1) on the one hand, the Opinion idealizes marriage, personal motives, and interior dynamics; 2) on the other hand, it does this even when it has stronger, more relevant legal arguments at its disposal. What the petitioners seek, and what the Court can (and indeed does) deliver, is legal standing: Petitioner James Obergefell wants to be shown as the surviving spouse on his husband’s death certificate. April DeBoer and Jayne Rowse want to share equal parental rights with all three of their adopted children. And Ijipe DeKoe and Thomas Kostura want to move to a different state without having their lawful marriage stripped from them.\textsuperscript{523} None of this

\textsuperscript{520} 576 U.S. \textsection 3, 2015, Opinion of the Court, 3.

\textsuperscript{521} 576 U.S. \textsection 14, 2015, Opinion of the Court, 14.

\textsuperscript{522} 576 U.S. \textsection 16, Thomas dissent, 2015, footnote 8.

\textsuperscript{523} 576 U.S. \textsection 6, 2015, Opinion of the Court, 6.
really has to do with “call[ing] out to find no one there.” Whether or not marriage confers “nobility” or responds (or does not respond) to existential loneliness is hardly the question.

What matters (at least in principle) in *Obergefell v Hodges* is that there are more than one thousand provisions of federal law for which a valid marriage is a significant status.\(^{524}\) In a case revolving around due process and equal protection under the law, one would think this is where the analysis would logically fall.\(^{525}\) However, instead of concentrating on the clearest legal argument—that “*States have contributed to the fundamental character of the marriage right* by placing that institution at center of so many facets of the legal and social order”—the Opinion buries this argument in appeals to personal longings.\(^{526}\)

Because the Constitution itself “says nothing about marriage,” each of the Justices, regardless of where one fell on the issue, was confronted with the task of “translating majestic generalities” into “concrete restraints” and rights.\(^{527}\) The majority responded to this by ratcheting up the emotional intensity of the case in order to illustrate the “urgency of the petitioners’ cause from their perspectives.”\(^{528}\) More tellingly, they identified the central purpose of marriage not as a social issue, or even legal one made more important by new provisions in state and federal law, but rather as a personal—even existential—one. Rather than focus on the denial of tangible benefits, the majority

\(^{524}\) 576 U.S. ___ 2015, Opinion of the Court, 17.

\(^{525}\) See, for example, 576 U.S. ___ 2015, Opinion of the Court, 2, 3; and Roberts dissenting, 24.

\(^{526}\) 576 U.S. ___ 2015, Opinion of the Court, 17, emphasis added.

\(^{527}\) 576 U.S. ___ 2015, Roberts dissenting, 6 and 319 U.S. 624 ___ 1943, 4.

\(^{528}\) 576 U.S. ___ 2015, Opinion of the Court, 4.
opinion chose to situate the Court alongside expressions of personal identity and interior yearnings. Although an apt example of an intense preoccupation with the individual and dramatization through rhetorical style, the Opinion of the Court in *Obergefell v. Hodges* is perhaps best understood as a *signal* of this interest in a private self rather than a superior example of its performance.

**Conversational Writing Style as Legal Strategy**

A second variety of the conversation dynamic in *Obergefell v. Hodges* is expressed not in the idea of intimacy, but rather in the informal, unfiltered style we have come to associate with modern speech. This is especially noteworthy in the dissents of *Obergefell v. Hodges* given the style’s contrast to their formal, judicial positions. The legal theme of “judicial restraint” pervades the dissents in this ruling. Justice Roberts writes, for example, that “allowing unelected federal judges to select which unenumerated fundamental rights rank as ‘fundamental’—and to strike down state laws on the basis of that determination—raises obvious concerns about the judicial role.”529 He notes that in order to avoid the Court’s previous “error of converting personal preferences into constitutional mandates, our modern substantive due process cases have stressed the need for ‘judicial self-restraint.’”530 Justice Scalia goes even further in his dissent. He effectively questions whether this “error of converting personal preference into constitutional mandates” is so egregious as to undercut the very system of American government, writing that a system that “makes the People subordinate to a committee of

---

529 576 U.S. ___ 2015, Roberts dissenting, 11.
nine elected lawyers does not deserve to be called a democracy.” 531 However, the style in which Scalia writes his disagreement not only gratuitously draws attention to himself, but more often than not eschews restraint.

Indeed, in the same way that presidential rhetoric has become more conversational over time, the language of the Court has also shifted, becoming, as Erwin Chemerinsky perceives it, less refined than before: “My impression—and I present it as just that, a subjective sense—is that language is less eloquent and more sarcastic than before.” 532 In particular, Chemerinsky cites “a great change in that Justices are far more willing to use a ‘poison pen’ and be very sarcastic.” 533 This is evidenced throughout the Obergefell v Hodges decision. For example, just after Justice Scalia complains about the “pretentious” style in which the Opinion of the Court is couched, he let loose on his own style for contrasting effect: “Rights, we are told, can rise…from a better understanding of how constitutional imperatives define a liberty that remains urgent in our own era.’ (Huh? How can a better informed understanding of how constitutional imperatives [whatever that means] define [whatever that means] and urgent liberty [never mind], give birth to a right?” 534

Although Scalia claims that he wants the Justices to refrain from inserting themselves into the ruling, he does this very thing—and to considerable rhetorical

---


534 576 U.S. __2015, Scalia dissenting, 8.
effect—with his irreverent, parenthetical style. His repeated use of mocking interjections ("Huh?,” “whatever that means,” “never mind”) amplifies his position as an “unelected lawyer” and deliberately draws attention to his personal prejudices. Scalia breaks down the Court to illustrate how they are “hardly a cross-section of America.”

The Court, says Scalia, “consists of only nine men and women, all of them successful lawyers who studied at Harvard or Yale. Four of the nine are natives of New York City. Eight of them grew up in east- and west-coast States.” Scalia’s use of energeia reduces the distance from an august Supreme Court in the abstract to a handful of knowable, if successful, judges. Mirroring the language of conversation, which frequently includes fragments and incomplete sentences, Scalia observes: “Not a single Southwesterner or even, to tell the truth, a genuine Westerner (California does not count.)” By playing with America’s quintessential regional disputes in the service of his own argument (that “the strikingly unrepresentative character of the body voting on today’s social upheaval would be irrelevant if they were functioning as judges”), Scalia bolsters his own position while simultaneously concealing this effort.

Although portions of his dissent read as though they were written off-the-cuff, they are in fact a stylistic choice deliberately developed over time. Certainly, Scalia’s characteristic use of informal idioms (“I would hide my head in a bag.” “Ask the nearest hippie.” “What say?”) should not be confused with sloppiness or carelessness. Rather, they perform a central role in Scalia’s attitude toward legal writing, which he explains in

---

538 576 U.S. ___2015, Scalia dissenting, 8.
the collection of speeches and writings that were published after his death in 2016: “there is a writing genius…which consists primarily, I think, of the ability to place oneself in the shoe’s of one’s audience; to assume only what they assume; to anticipate what they anticipate; to explain what they need explained; to think what they must be thinking; to feel what they must be feeling.”\footnote{Anton Scalia, \textit{Scalia Speaks: Reflections on Law, Faith, and Life Well Lived}, ed. Christopher J. Scalia and Edward Whelan (New York: Crown Forum, 2017), 60.} The audience-centered principle that Scalia espouses here can of course be traced across the rhetorical tradition. What is noteworthy is not the idea that one should feel what audiences are feeling or thinking what audiences are thinking. Rather, it is that modern audiences—even the brightest legal minds, to whom the ruling is primarily addressed—increasingly expect the same thing: to be addressed, as Dale Carnegie would say, “just as directly as he would in a chat, and in the same general manner that he would employ in speaking to one of them in conversation.”\footnote{Carnegie, Dale. \textit{Public Speaking}. New York: Pocket Books, 1926, 94.}

Legal scholar Laura Krugman Ray readily admits that “attorneys may enjoy, but do not need” the conversational style and vivid “imagery to understand judicial analyses.”\footnote{Laura Krugman Ray, “Doctrinal Conversation: Justice Kagan’s Supreme Court Opinions,” \textit{Indiana Law Journal}, 89.5 (2014): 7.} However, she suspects (as, it seems to me, we all should) that there is the “hope” of engaging “interested amateurs as well as legal professionals among readers of the Court.”\footnote{Krugman Ray, 2014, 7.} This may be why you find Justice Roberts referring to scenarios such as this one: “If you had asked a person on the street how marriage was defined, no one
would have ever said, ‘Marriage is the union of a man and a women, where the woman is subject to coverture.’” 543

Although the tone throughout Roberts and Scalia’s dissents are noticeably different (with Roberts’s being more respectful and Scalia’s more biting), the appeal to an audience’s individual reactions and thoughts is present throughout. For example, Roberts concludes his dissent by changing his orientation (or “footing”) to be even more closely aligned with the audience, saying, “If you are among the many Americans—of whatever sexual orientation—who favor expanding same-sex marriage, by all means celebrate today’s decision. Celebrate the achievement of a desired goal. Celebrate the opportunity for a new expression of commitment to a partner. Celebrate the availability of new benefits. But do not celebrate the Constitution. It had nothing to do with it. I respectfully dissent.” 544 This use of “you” is a classic marker of the conversational style. As Jeanne Fahnestock notes, “the second person pronoun produces direct address when the rhetor deliberately acknowledges the presence of listeners or readers by calling on them or even making some demand on them. In conversation, such direct address can be immediately compelling; in writing, it is a less-pressing invitation, but it is still one of the markers of a more oral and often informal style.” 545 In addition, the marked repetition of “celebrate,” straddles the uses of anaphora. As a standard feature of oratory the use of anaphora elevates the passage. However, the scheme of repetition also works in a second sense that

543 576 U.S. ___ 2015, Roberts dissenting, 8.
545 Fahnestock, 2011, 281.
Holcomb and Killingsworth identify as being “at home in more colloquial or conversational writing,” as a way to “ratchet the emotional intensity up a notch.”

Roberts’s use of the second pronoun in *if you are among* follows this pattern of calling on readers and making some demand of them. However, it does so in a way that not only bolsters his own argument but also simultaneously attempts to build common ground with an audience who disagrees with him. (This style in Supreme Court briefs is distinctive enough to have caught the attention of legal scholars. For example, writing about Supreme Court Justice Elena Kagan, Krugman Ray describes her writing as “remarkably conversational. She employs a range of rhetorical strategies to speak directly to the reader, suggesting that her enterprise is less indoctrination than a more congenial mode of persuasion. Leavening her legal prose with colloquial diction, she engages the reader in something approaching an informational, if one-sided, chat.”

For Roberts, the effect is not only to engage the reader (although it does that) but also to reinforce his judicial analyses. In the same move, the Chief Justice differentiates his capacity to feel what his audience is feeling without confusing it with or collapsing it into his legal position. Thus he ends with: *But do not celebrate the Constitution. It had nothing to do with it.*

Scalia, by contrast, underscores his personal disinterestedness in the topic not by seeking to build common ground, as Roberts attempts to do, but by insulating himself and further entrenching his own thoughts and feeling about the case. Rather than call on the audience, in other words, Scalia doubly interjects himself as first a judge (which informs

---

546 Holcomb and Killingsworth, 2010, 120 and 121.

his ruling) and secondly as a disinterested citizen (which informs both his personal feelings about the topic and his indictment of the Court). Directly after providing a justification for writing his own dissent (he wants to “call attention to the Court’s threat to American democracy”), Scalia opens with an overview of himself in relation to the topic: “The substance of today’s decrees is not of immense personal importance to me. The law can recognize as marriage whatever sexual attachment and living arrangements it wishes, and can afford them favorable civil consequences, from tax treatment to rights of inheritance…So it is not of special importance to me what the law says about marriage. It is of overwhelming importance, however, who it is that rules me. Today’s decree says that my Ruler, and the Ruler of 320 million Americans coast-to-coast, is a majority of nine lawyers on the Supreme Court.”

From here, Scalia goes on to idealize democratic discussion and debate much in the same way that the Opinion of the Court idealizes marriage. I will discuss this elevation of debate and the third controversy of the conversational dynamic next. However, before doing so it is important to remember that the conversational style—even when viewed explicitly as a style—signifies more than just a way of talking or a way of writing. As Holcomb and Killingsworth point out, “every style of speaking has effects on matters other than language.” For example, style, as part of a larger social dynamic, becomes a vehicle of performance in which quintessential political questions of “power

---

548 576 U.S. ___ 2015, Scalia dissenting, 1 and 2, emphasis added.

and advantage are negotiated, distributed, and struggled over in society,” says Brummett.  

Style is not limited to particular effects either, since “the purpose to which each style is put can vary;” in the same manner, audiences do not passively receive but actually “co-create” its meaning. Accordingly, and despite their appeal, “rigid conventions” of stylistic performance are often only that: conventions “masquerade[ing] as rules.” As we have seen in the variety of conversational styles demonstrated by Scalia, Roberts, and Kagan, even though they all make use of the conversational style in their judicial analyses, and even though all of their opinions are informed by a Constitution that famously draws out the individual, their reasons for doing so are not identical and the “footing” they seek to establish with their audience is not the same.

**Conversation as the Connective Tissue of Liberal Decision**

In a third variety of the conversational dynamic, public discussion and rational debate are idealized. What makes this component of *Obergefell v. Hodges* controversial is not the objective of democratic debate as such—both the majority and the minority appeal to it—but rather a question that the Constitution introduces without settling on an answer: at what point individual rights are deemed fundamental, and thus removed from democratic decision. In *Obergefell v Hodges*, the Opinion of the Court contends that

---


553 See for examples, 576 U.S. ___ 2015, Opinion of the Court, 24; Thomas dissenting, 3; Scalia dissenting, 2; Alito dissenting 1 and 2; and Roberts dissenting, 3.
the right to marry, regardless of sexual orientation, is indeed fundamental. As such, “it is of no moment whether advocates of same-sex marriage now enjoy or lack momentum in the democratic process.” 554 The minority argues the opposite. They contend that where the public was in the process of democratic decision-making mattered very much, not just in regards to the ruling itself but for future implications about the public’s reception of same-sex marriage. Justice Roberts, for example, believed “there will be consequences to shutting down the political process on an issue of such profound public importance. Closing debate tends to close minds. People denied a voice are less likely to accept the ruling of a court on an issue that does not seem to be the sort of thing courts usually decide.” 555

What is more, the minority argued that it was not just that the decision closed debate, but that it did so at an inopportune time. “Until the federal courts intervened,” writes Justice Alito, “the American people were engaged in a debate about whether their State should recognize same-sex marriage.” 556 Justice Scalia concurred, saying, “Until the courts put a stop to it,” the “public debate over same-sex marriage” was in the process of displaying “American democracy at its best.” 557 Unlike other forms of democracy, which can be rude, uncivil, petty, and shortsighted, here individuals “on both sides” of the argument were said to have “passionately but respectfully” persuaded their “fellow

555 576 U.S. ___ 2015, Roberts dissenting, 27.
citizens” through reasoned and respectful debate.558 Justice Roberts, meanwhile, held that “supporters of same-sex marriage” in particular had achieved “considerable success persuading their fellow citizens—through the democratic process—to adopt their view.”559 This process, according to Roberts, ended with the Court’s landmark decision, “stealing the issue from the people” at a time when “the winds of change were freshening at their backs.”560 In support of this claim, he cites “a carefully reasoned decision” from the Court of Appeals, which recognized the “democratic ‘momentum’ in favor of ‘expand[ing] the definition of marriage to include gay couples.”561

Regardless of how one views the Justices various interpretations on the relevance (or lack of relevance) of the “democratic momentum,” the Court’s general agreement on its presence is especially useful to our understanding of the conversational dynamic. This is because the question of how this momentum was accomplished ultimately sheds light on the relationship between the dynamic and the public sphere. In their introduction to Mediated Politics, W. Lance Bennett and Robert Entman argue for a broad definition of the public sphere. They argue that it “is comprised of any and all locations, physical or virtual, where ideas and feelings relevant to politics are transmitted and exchanged openly.”562 The ruling of Obergefell v Hodges helps to flesh out this view, particularly

559 576 U.S. ___ 2015, Roberts dissenting, 3.
560 576 U.S. ___ 2015, Roberts dissenting, 2 and 27.
given the Justices shared expectation that American democracy engages in open debates about the “content of law.”

How much of a role did “conversation” play in the “deep transformations” and “fundamental societal changes” that led shifts in thought about something as religiously and politically entrenched as same-sex marriage? Political theorists have pointed to the ideal of discussion and debate in public life for as long as democracy has been a political system. What makes the Obergefell v. Hodges case so useful and distinctive to this study is that it unofficially (and unwittingly) captures a “dynamic” that is fundamental and diffuse. In contrast to formal campaigns for conversation (e.g., President Bill Clinton’s late 1990s initiative to have a “national conversation about race”), Obergefell makes no mention of conversation as an end in itself. Instead of envisioning conversation as an unmoving metaphor for understanding, the 2015 Supreme Court ruling accentuates the role conversation plays as a connective tissue among “any and all locations, physical or virtual, where ideas and feelings relevant to politics are transmitted and exchanged openly.”

Between 1996, when Congress passed the Defense of Marriage Act (DOMA) (which “defined marriage for all federal-law purposes as ‘only a legal union between one man and one woman as husband and wife’”) and 2003, when Massachusetts became the first state to legalize same-sex marriage, a combination of “private and public dialogue” contributed to shifting attitudes about same-sex marriage. Justice Kennedy, who wrote the majority opinion, cites “case law,” “District Court decisions,” “history and tradition,”

---

564 576 U.S. __ 2015, Opinion of the Court, 6 and 7.
565 576 U.S. __ 2015, Opinion of the Court, 9 and 2.
“new and widespread discussion,” “grassroots campaigns,” “studies and other writings,”
“extensive discussion of the issue in both governmental and private sectors,” “years of
litigation, legislation, referenda, and the discussion that attended these public acts,”
changes in “societal understandings,” “substantial cultural and political developments,”
“deep transformations,” “perspectives that began in please and protests,” and “ongoing
dialogue” as some of the dynamics that contributed to this shift.\footnote{566} Justice Thomas adds
“newspaper editorials,” “journals,” “public speeches,” “sermons,” and “letters,” to the
discussion, while Justice Roberts cites the “battlefields of the Civil War,” “Constitutional
Amendments,” and a “dictionary” as materials in his argument.\footnote{567} As a collective, the
Court cites copious amounts of foundational theorists and documents, including Cicero,
John Locke, John Stuart Mill, Herbert Spencer, Alexis de Tocqueville, the Magna Carta,
and the Declaration of Independence, to name a few.

The materials of the “discussion” in other words, come from all sides. Although
on their own these elements might not appear to offer much in the way of disclosure,
together they underscore how and why “the bullheaded belief that democracy is nothing
more than the periodic election of government by majority rule is crumbling.”\footnote{568} Indeed,
as Montesquieu long suspected, the very work of the Court emphasizes how much the
Constitution (as a founding idea) and law (as a force that has direct bearing on
individuals) not only follow citizen attitudes but also drive them. A recent report of
approximately one million respondents published in \textit{Psychological and Cognitive
Sciences} highlights this point. The 2019 study suggests that, while antigay bias has been

\footnote{566} 576 U.S. __ 2015, Opinion of the Court, 2, 4, 9, 10, and 23.

\footnote{567} 576 U.S. __ 2015, Thomas dissenting, 8 and Roberts dissenting, 12 and 7.

waning for some time, “following local same-sex marriage legalization antigay bias decreased at roughly double the rate.”569 Because of the staggered manner in which same-sex marriage legislation in the United States was passed, the authors held they were better able to delineate how “government legislation can inform attitudes even on religiously and politically entrenched positions.”570 Justice Roberts, who was adamant in his belief that changes to the definition of marriage belonged in the hands of democratically elected legislators—not federally appointed judges—still recognized the deliberative processes taking place outside (and perhaps inside) the Court. The “democratic momentum” was truly shifting people’s perspectives “here and abroad” said Roberts: “This deliberative process is making people take seriously questions that they may not have ever regarded as questions before.”571

If Obergefell v Hodges can be read as an implicit controversy over the role of conversation in official governmental settings, then we may be left to wonder about how this dynamic might play out in unstructured ones. Although as far as I am aware there are no sustained studies (outside of this one) on the long-term logic animating the conversational turn, there are nevertheless numerous analyses and histories that document the unofficial relationship between the media, public life, and “conversation” in twentieth century United States. Rather than seeking to duplicate these scholars’ efforts or argue against them, this chapter has sought to build on them.


570 Ofosu et. al., 2019, 2.

Conclusion

The public conversational dynamic responds to different exigencies than earlier forms of rhetoric or artful conversation. Patterns that distinguish the modern, public conversational dynamic from earlier forms of rhetoric or artful conversation include its orientation (spectacle); its style (appealing to conversational markers, even when written or spoken in monologic form); and its expectations (in most scenarios, some will contribute, but not all). In the case of spectacle, what is important is that interaction is expected to go beyond itself by disclosing things like character, expertise, inner motivations, or things “as they really are.” In the case of style, the dynamism may not happen between interlocutors (real or staged) but rather between material and audience. (Even when delivered in a monologic structure, writers and speakers may appeal to the conversational dynamic as a way to frame complicated, controversial, or technical information in an easier or more palatable manner.) Perhaps most important (and misunderstood) about the conversational dynamic is its expectation of lack. The public conversational dynamic invites engagement from people who will never actually enter into the discussion. However, some engagement is usually expected and achieved, and the conversation can change courses as a result. The extent to which audiences do or do not participate or change the course of the discussion makes the dynamic more or less “conversational.”
EPILOGUE

Rhetoric “in general” will continue to adapt to the cultural, social, and political realities that organize people’s lives, whether it is achieved in ways that we recognize or not. Although this study was very much inspired by present conditions in the United States and does include modest contributions to rhetorical theory and criticism, I consider it above all to be a claim about the history of rhetoric and cultural survival.

The conversational turn has been under-theorized. This has led not only to blind spots in our understanding of the past, but miscalculations of what the dynamic means to the present. The sociologist and historian Richard Sennett has aptly framed the problem this way: when critics speak of revolutions, they “often suggest to the imagination of their readers that beforehand there was one society, that during the revolution society stopped, and that afterward a new cycle began. This is a view of human history based on the lifecycle of a moth.”572 The result, according to Sennett, is not simply a disconnect between periods, but also a failure to identify current dilemmas. “The error,” he writes, “is more than that of failing to see how one condition of life blurs into another; it is a failure to understand both the reality of cultural survival and the problems this legacy, like any inheritance, creates in a new generation.”573

572 Sennett, 1977, 23.

573 Sennett, 1977, 23, emphasis added.
If the conversational style and metaphor are as revolutionary and pervasive as modern assessments of American rhetoric would have us believe, then our pedagogies and critiques of rhetoric should treat it as such. We can no longer be satisfied with catching someone in a performance that is not “pure” conversation or “pure” argumentation and calling it a day. Indeed, if my brief assessment of nineteenth-century American culture offers anything inventive, I hope it the suggestion that hybrid forms of public conversation were actively sought and encouraged for their perceived corrective qualities that “pure” conversation and “pure” argumentation were, for any number of reasons, unable to provide. In Chapter Four, I identified these attributes as compression, cultural mediation, cultural reform, and attempts at discovery that were so typical of the period.

Although some of the dilemmas that animated these nineteenth-century goals have surely morphed or been replaced, one practical application from which university classrooms would surely benefit is a reintegration of the view that an ability to “speak as others” is considered important for rhetorical training. Much attention has been given to the uncomfortable emphasis on the self and interiority that contemporary discourse encourages—and in which conversationalism is indubitably associated. However, even this part of the dynamic has not been fully exhausted in its inventiveness or its persuasive power. (Just today, I encountered a piece of cultural criticism that referred to an author’s “conversational-voice” not as breezy, funny, or erudite, but as altogether “dam-

---

574 Fahnestock, 2011, 319, emphasis added.
Equally important, although the multivocality of public conversation will never reach full participation, the chaos it invites brings us into much closer alignment with typical rhetorical conditions than any unhindered oration or sequential argument (including this one) might suggest. There are still so many ways contemporary rhetoric could go. Whether or not conversation will soon be replaced as the ideal rhetorical frame remains an open question (and not one in which I have a particular investment). However, the plasticity of the conversational dynamic cannot be overstated.

For instance, in this study, I have suggested that the Constitution animates some of the structural foundations and influences of the conversational dynamic by placing a sovereign individual with rights in tension with a public majority—without settling on an answer of how this tension should be resolved. This lack of resolution places a strain on American rhetorical culture, even today. However, it is just as much a site for opportunity and invention as it is for constrictions. Colene Lind, whose work on the Common Style served as part of the backdrop for this inquiry, is perceptive in her ability to bring this dilemma in American politics back to the individual, saying: “the ultimate sin of citizenship is cynicism, which closes its adherents to the possibilities of persuasive change.” The same can be said for conversation. Although the dynamic I outlined in the previous chapters is a cumulative rhetorical style and metaphor that, while borrowing oratory and conversation, is really neither, it still has much to draw from earlier arts—not least with respect to their trust in an open future. Both rhetoric and democracy require it.


576 Lind, 2013, 177.
Given his insight into the ways in which equality of conditions engenders and modifies everything that it does not produce, it should come as little surprise that it was Tocqueville who identified this belief in an open future as one of the fundamental challenges of democracy (and for the historians living in it). “[H]istorians living in democratic times not only deny certain citizens the power to act on the fate of the people but also deny peoples themselves the ability to shape their own destiny, thereby making them subject to either inflexible providence of blind fatality.” In their view, he writes, “the destiny of every nation is irrevocably fixed by its position, origin, antecedents, and nature, and nothing it does can change that.” The conversational dynamic rejects this doctrine of fatality. As rhetoricians, it is our duty to reject this ossification, too. “One should be careful not to obscure this idea,” Tocqueville writes, “because the goal is to exalt men’s souls, not to complete the task of laying them low.”

579 Tocqueville, 2004, 573.
REFERENCES


Fuller, Margaret. “Margaret Fuller Papers,” Boston Public Library, Box 1, Folder 2.


______. “Teaching Style As Cultural Performance” in *The Centrality of Style* ed. Mike Duncan and Star Medzerian Vanguiri (Fort Collins: The WAC Clearninghouse, 2013), 119-134.


Madison, James. *Federalist No. 10*, November 23, 1787, from Project Gutenberg

https://www.congress.gov/resources/display/content/The+Federalist+Papers#TheFederalistPapers-10

______. *Federalist No. 38*, January 15, 1788, from Project Gutenberg

https://www.congress.gov/resources/display/content/The+Federalist+Papers#TheFederalistPapers-38

______. *Federalist No.46*, January 29, 1788, from Project Gutenberg

https://www.congress.gov/resources/display/content/The+Federalist+Papers#TheFederalistPapers-46

______. *Federalist No.47*, February 1, 1788, from Project Gutenberg

https://www.congress.gov/resources/display/content/The+Federalist+Papers#TheFederalistPapers-47


213


________. “What Made the Founders Different?” (lecture, Mercer University, Macon, Georgia, November 17, 2011), https://www.youtube.com/watch?v=_rNpe1XFqbQ


