BUREAUCRATIC ETHOS IN URBAN LEGENDS

Brett Lunceford

"I have a friend who swears that he knows the guy this happened to…" How many stories have we heard that begin in this fashion? In high school, such stories were often salacious, involving braces getting hooked on delicate areas, Coke bottles used in unconventional ways, and untimely interruptions. These "friend of a friend" stories pass through our collective consciousness and ultimately become lodged in our culture. I have no doubt that readers far removed from my own time and place can also remember these same urban legends, although with slightly different circumstances (mine happened in the vicinity of Portland, Oregon, whereas your tale may have taken place in New Jersey) and slight variations on the theme.

Many scholars, most notably folklorist Jan Brunvand, have examined the urban legend. In this essay, I will examine the urban legend from a rhetorical perspective. To that end, I propose a notion of "bureaucratic ethos," in which the origin of the story is occluded strategically. By ascribing authorship to an individual at least one space removed—these tales are almost never told by participants or eyewitnesses—the speaker can induce a suspension of disbelief in the hearer. I will also examine how these stories induce emotion by drawing on issues particularly salient to the listener. The veracity of these tales is not the issue. Rather, I am concerned with how they are constructed so as to draw us in. As Ben Hauck explains, "According to general semantics, language and speech work like maps. They depict a territory called reality, and they swirl around us, influencing how we perceive reality and influencing our paths as we navigate it. And, of course, maps can be wrong."[1] This article delves into some of these counterfeit maps, so let the reader beware: Here be dragons.

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Urban Legends and Society

Urban legends seem to be an integral part of our culture. Some of these can be humorously benign, such as the myth that spinach is high in iron or that listening to classical music can make you smarter.[2] Others can be more problematic, such as the viral fake news that led to such incidents as "pizzagate," where a pizzeria was accused of operating a child sex ring (complete with Satanic rituals) with Hillary Clinton.[3] People seem to believe conspiracy theories and urban legends that sometimes boggle the imagination, and these narratives often spread like wildfire despite their implausibility. But perhaps their lurid sensationalism is a feature rather than a bug; Lucas Bietti and colleagues suggest that "Stories featuring an optimal level of counterintuitive items are more memorable, better transmitted, and ultimately enjoy more cultural success."[4]

One can easily trace humanity's common narrative impulse back to the oral traditions described by scholars such as Walter Ong and Jack Goody.[5] These tales were handed down orally and comprised the culture of the society. However, this did not mean that the culture remained static. Ong suggests that the oral cultures slough off aspects that are no longer necessary and add new ones.[6] Moreover, Goody notes that as a story is told and retold, certain elements are rearranged, omitted, or added.[7] Yet we must place these dynamics within the constraints of a primarily oral society. When one cannot write down information, Ong states that in order to remember, one must "think memorable thoughts."[8] Certainly, the kinds of urban legends that are told and retold are memorable, yet they also impart societal imperatives prescribing morals, values, and desirable actions. These oral traditions are not merely remnants of the past; orality is alive and well even today.[9] These urban legends are still transmitted orally as well as through print and electronic media, which Ong describes as "secondary orality."[10]

Although their roots in the oral tradition are an important facet of their power, there seems to be more to urban legends than their mode of transmission. Brunvand suggests that the power in urban legends lies in their ability to impart moral imperatives.[11] But moral imperatives can be found all around us. For example, in the case of cinema, Pamela Donovan writes, "When placed in a narrative context, such as a screenplay, the snuff film, and the good fight against it, enables the characters to be redeemed. Bad girls are dispatched for their deviance, while their avengers, are often alienated but kindly men looking for a redemptive mission amidst a corrupt world."[12] Urban legends are rhetorical devices, and, as Parke Burgess explains, "The strategies and motives of

any rhetoric…represent an invitation to a life-style, an invitation to adopt a pattern of strategies and motives, verbal and nonverbal, that determine how men and women will function together in culture."[13] Thus, we must consider these stories to be rhetorical discourses rather than simply oral folklore or amusing (or dangerous) anecdotes.

The Experience of Urban Legends

In the case of urban legends, the author is often referred second- or thirdhand. Because the listener does not know who the author is, he or she is forced to rely on the authority of the invisible "friend of a friend." Yet from the perspective of the listener, perhaps this is less important than the story itself. Walter Fisher suggests that the listener processes narratives not according to the traditional rules of logic, but rather based on whether the story conforms to one's sense of narrative fidelity.[14] Thus, the listener may be more concerned with the plausibility of the story than on the individual telling it. This plausibility may be flexible in the case of urban legends. For example, in the case of pizzagate, if one already believes that Hillary Clinton had had political rivals murdered (as one conspiracy theory posits), then it is much less of a stretch to believe that she is involved in other nefarious activities.[15]

If this is the case, then perhaps the author is not so important in the case of urban legends. Such attempts to downplay the role of the speaker in the interest of logos have long been posited in public sphere studies. For example, Jürgen Habermas argues that in the idealized public sphere, "the authority of the better argument could assert itself against that of social hierarchy and in the end can carry the day," with individuals bracketing out differences in an attempt to reach the best possible solution to public concerns.[16] Although Habermas notes that such a state was never actually achieved, others have held up similar ideals; Richard Sennett argues that citizenship is connected with the idea of civility, defining civility as "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."[17] Rhetorical scholars have likewise questioned the role of the author. Michael McGee suggests that as a result of the postmodern condition, in which culture has become fragmented, "the only way to 'say it all' in our fractured culture is to provide readers/audiences with dense, truncated fragments which cue *them* to produce a finished discourse in their minds. In short, *text construction is now something done more by the consumers than by the producers of discourse*."[18] Of course such arguments draw on Roland Barthes' proclamation of the death of the author.[19]

But the author still matters in the case of urban legends, despite his or her absence within the narrative. Kenneth Burke suggests that we should

reconsider the role of rhetoric to be the work of fostering identification, and such a turn provides us with the way to understand how urban legends function rhetorically.[20] With whom, or with what, are we being invited to identify? This brings to the forefront the normative nature of urban legends. These tales would not be told if they substantially went against the norms of the group, so we are invited to identify with the speaker who reaffirms these norms through cautionary tales of those who violated these norms or triumphal tales of those who emerged triumphant by holding to the norms. Whether or not we believe the tale or not is irrelevant; we internalize these stories and then act on them. As Roche, Neaigus, and Miller explain, "Although people may dismiss popular stories that circulate in a community, they may also find themselves responding to the underlying message and adapting their behavior to conform to the moral of the story."[21] We are led to believe the story of the unknown protagonist, partly because they are within our general sphere (friend of a friend), and thus similar to ourselves.[22] It could happen to any one of us.

In Aristotle's description of ethos, he writes, "Persuasion is achieved by the speaker's personal character when the speech is so spoken as to make us think him credible… This kind of persuasion, like the others, should be achieved by what the speaker says, not by what people think of his character before he begins to speak."[23] In other words, the construction of ethos happens in the moment, despite what we know about another's credibility. Although the retelling of the urban legend is often prefaced with assertions about one's truthfulness—"I swear, I know the guy who this happened to"—whether or not we believe the teller depends on how credible they seem in the moment. Once again, this credibility is constructed not only in the way the teller relates the tale but also on how plausible the story seems. We are convinced because the person relating the tale speaks with the authority of one who knows the truth of the matter.

Yet more is happening here from the side of ethos than simply a judgment on whether one seems credible. To get at this point, we must consider what makes the person telling the story seem credible, which is the borrowing of ethos from the unknown source. There are two facets of this phenomenon. First, whether the teller seems credible depends on such elements as how the story is told, whether the story makes sense, and, perhaps, whether or not the teller believes the story. Cognitive science has much to teach rhetoricians about how speakers construct ethos. For example, Susan Brennan and Maurice Williams found that listeners are attuned to verbal cues that reveal whether or not a person truly knows what he or she is talking about.[24] Likewise, Veronique Aubergé and Marie Cathiard found that people cognitively recognize when

emotions such as amusement are acted, rather than actually felt not only through facial expression but also prosody: "Acted stimuli are not processed in the same way by the subjects."[25] Thus, the act of telling the story is an important facet of constructing ethos. Yet there remains a caveat—it seems that the teller simply has to actually believe the story to bypass these cognitive elements. If the person truly believes the story (based on the source), he or she will seem credible.

This means that the story must be told in such a way as to be convincing. Alison Fragale and Chip Heath note that "rumors often supply their own informational credentials, or details of the rumor that lead listeners to believe that the rumor is accurate."[26] In some of these cases, Fragale and Heath suggest this means attributing the information to a highly credible source. In the game of telephone that is an urban legend, some small, obscure research center suddenly transforms into the Centers for Disease Control and Prevention in the course of retelling the story. Of course anyone who attempts to find the origin of the story at these manufactured sources will leave empty-handed. This leads to the second, more important point—that the listener *can never hear the tale from the original source*. As such, the source remains above scrutiny. Hannah Arendt called bureaucracy "the rule by nobody."[27] Because these tales seem to be drawn from the experiences of a particular "nobody" that will always remain unknown to the listener, I suggest the notion of "bureaucratic ethos" as a means to understand how urban legends function rhetorically.

Arendt argues that "bureaucratic rule, the anonymous rule of the bureaucrat, is no less despotic because 'nobody' exercises it. On the contrary, it is more fearsome still, because no one can speak with or petition this 'nobody'"[28]. I recognize that there is much more to bureaucracy than the lack of individual accountability, but this is a defining characteristic. There is some limited potential for agency within a bureaucracy, but these strategies of reclaiming agency are always constrained within the logic of bureaucracy.[29] Bureaucracy can be seen as an extension of Jacques Ellul's notion of *la technique*, in which "technique transforms everything it touches into a machine."[30] This sublimation of human agency is explicitly noted in Frederick Taylor's book, *The Principles of Scientific Management*, in which he argues, "In the past the man has been first; in the future the system must be first."[31] It is difficult to conceive of a stronger argument for either technique or bureaucracy. The problem with putting the system before the individual is that power is no longer vested in any particular individual or group of people, but in the system itself. Arendt argues that "in a fully developed bureaucracy there is nobody left with whom one could argue, to whom one could present grievances, on whom the pressures of

power could be exerted."[32] Bureaucracy has no face, no body, or no identity. It is, quite literally, nobody.

In the case of the urban legend, the nobody, who is the true author of the story, is always unknown but implied. This seems similar to the complaint that Plato made against writing: "Writing…has this strange quality, and is very like painting; for the creatures of painting stand like living beings, but if one asks them a question, they preserve a solemn silence," arguing that the written word (or other fixed communications) serves mainly to "remind him who knows the matter about which they are written."[33] When the author is unavailable, the urban legend mutely stands on its own. Sometimes, this works in concert with the urban legend itself. It is easy to attribute the lack of information at the source to the machinations of a shadowy government cabal intent on covering up the truth. In this way, the absence of information can, paradoxically, serve as confirmation of the narrative. In other types of narratives, such as those involving embarrassing sexual peccadillos, the lack of a firsthand story can easily be attributed to the embarrassment of those involved. The story is told by someone who heard it in confidence, but never by those who were actually there. Without a source, we are left with the choice of whether the story (or the storyteller) is believable.

This conception of bureaucratic ethos has other, more insidious implications. One can see such a strategy at work in the case of the beleaguered line worker who responds to a customer complaint by blaming his inability to do anything about the situation on those higher up; "I don't like it either," he may claim, "but there's nothing I can do." Another example can be found in the case of the manager who simply states that "this is the way we have always done things." In short, employing bureaucratic ethos allows one to distribute the blame for imperfections and even agency into nothingness.[34] Perhaps, this desire to distribute blame is not surprising, but by doing so, one also allows the normative function of the urban legend to remain transparent, shaping identity and performance of self even as these norms are reified. In other words, one can propose a particular way of being even as one denies that he or she is proposing it. The argument is implicit, yet still present. As Brunvand suggests, "the legends we tell, as with any folklore, reflect many of the hopes, fears, and anxieties of our time."[35]

By occluding the identity of the original author, the listener is forced to focus on the story itself and is now at the mercy of the storyteller. If the storyteller is skilled, its persuasive effect may be that much more powerful. Brunvand notes that "Tellers of these legends, of course, are seldom aware of their roles as 'performers of folklore.' The conscious purpose of this kind of

storytelling is to convey a true event, and only incidentally to entertain an audience. Nevertheless, the speaker's demeanor is carefully orchestrated, and his or her delivery is low-key and soft-sell. With subtle gestures, eye movements, and vocal inflections, the stories are made more dramatic, pointed, and suspenseful. But just as with jokes, some can tell them and some can't."[36] Thus, these stories are not merely related to an audience, but rather performed.

That these stories become a performance encourages the listener to receive them differently. John Poulakos observes that the Sophists were quite aware of the power of combining aesthetic pleasure with persuasion: "The Sophists conceived of rhetoric primarily as a *technē* (art) whose medium is *logos* and whose double aim is *terpsis* (aesthetic pleasure) and *pistis* (belief)."[37] Poulakos had drawn heavily on work by Charles Segal that suggests that for the Sophists—specifically Gorgias, in this case—aesthetic pleasure amplifies the persuasive power of speech: "The process of persuasion is thus…more complex than a simple conquest of reason by the irrational powers of the *logos*. There is rather a psychic complicity in the emotive action of the *logos*: the psyche participates in and reacts to the artistic composition of the *logos* and thus experiences *terpsis*; it is hence regarded as a perceptive, aesthetically sensitive organ upon which the work of art acts. When the aesthetic stimulus is strong enough, however, as in the case of a pleasing vision or a moving speech, the passive aesthetic *terpsis* becomes a powerful impulse which directs the whole course of action of the psyche."[38] This attention to style and aesthetics did not end with the Sophists, of course. Scott Church observes in his discussion of modern remix that "rhetoric and many forms of digital media are concerned with attracting and sustaining the attention of audiences, primarily by using style and aesthetics as vehicles for persuasion."[39]

These urban legends are told as true stories, but they are also told because they are *stories worth telling*. As Brunvand observes, "the stories that people believe to be true hold an important place in their worldview. 'If it's true, it's important' is an axiom to be trusted, whether or not the lore really *is* true or not."[40] Urban legends shape the discourse concerning what is normal and desirable in a particular sub/culture. In other words, "norms are held in place not by a nebulous system, but by each of us."[41] Every retelling of the urban legend reifies the status quo. Thus, because of a desire to likewise define the tale as true, the urban legend functions enthymematically, with the listener supplying the moral of the story. Such enthymematic discourse can be quite powerful because, as Lloyd Bitzer writes, "since rhetorical arguments, or enthymemes, are formed out of premises supplied by the audience, they have the virtue of being self-persuasive. Owing to the skill of the speaker, *the audience itself helps construct the proofs by which it is persuaded.*"[42]

These stories often have a darkly humorous angle to them. But this is, to an extent, the role of myth; Joseph Campbell writes, "It is the business of mythology proper, and of the fairy tale, to reveal the specific dangers and techniques of the dark interior way from tragedy to comedy."[43] For example, the many urban legends involving sexual mishaps among teenagers are often thinly veiled commands to refrain from indulging in sexual behavior or means by which specific individuals or groups (often women) are sanctioned. These tales are not merely descriptive but also normative. As S. I. Hayakawa observes, "the first steps in sex education, whether among adults or in schools, are usually entirely linguistic."[44] Yet these tales are also peppered with shocking details that both titillate and amuse, such as a hot dog or a Coke bottle lodged in an unconventional location.[45] Much as the news can report on horrifying crimes in the interest of simply informing the public, such details are allowed to be told because they are true, despite their unverifiable quality. Moreover, because one is simply relating the story, rather than acting as a participant in it, the teller can remain safely distant from the acts while tacitly reaffirming the norms implied in the tale.

Fisher, in his exploration of narrative form, suggests that we operate on a logic of good reasons, and that its purpose "is to offer a scheme that can generate a sense of what is good as well as what is reasonable, to ensure that people are conscious of the values they adhere to and would promote in rhetorical transactions, and to inform their consciousness *without dictating what they should believe*."[46] To argue by narrative is to argue in a more roundabout fashion. But these stories are persuasive partly because of their plausibility. Fisher suggests that "the principle of coherence brings into focus the integrity of the story as a whole, but the principle of fidelity pertains to the individuated components of stories—whether they represent accurate assertions about social reality and thereby constitute good reasons for belief or action."[47] But even if they may not be true, the *potential* of truth keeps them in circulation. Brunvand writes, "a great deal of [urban legend's] popularity can be explained more simply in terms of an artistic exploration in oral tradition of the *possibilities* of things."[48] In other words, it is possible that teenagers may explore their sexualities in unconventional ways; it is possible that a person may exact revenge in a terrible manner; people die in unusual circumstances—all of this points to the possibility of things, which is, as Aristotle claimed, the very essence of rhetoric.[49] As Quintilian observed, "oratory does not always purpose to say what is true, but does always purpose to say what is like truth."[50]

But in the triumvirate of ethos, pathos, and logos, it seems that ethos is taken as a given because of its invisibility and logos is reduced to a

determination of probability, which leaves us with judgment based mainly on pathos. Chip Heath and his colleagues state that "rumors and legends that create emotion may be extremely useful as the basis for social exchange and social interaction."[51] They further argue that "rumors and legends that create emotion may be useful if people bond socially with others who are sharing the same emotion."[52] This is an important element, as these urban legends are often told in public to groups of friends and acquaintances. They allow the speaker to present him- or herself as one who knows the tale, even if they are not the source. Once again, this borrowed ethos allows for a strategic presentation of self as one who exists in the kinds of circles in which extraordinary events occur. But this focus on emotion allows the speaker to orchestrate specific emotions, whether they include fear, disgust, amusement, or lust, playing the audience like an instrument. Pathos is a powerful means of persuasion. "Nothing in oratory," Cicero argues, "is more important than to win for the orator the favor of his hearer, and to have the latter so affected as to be swayed by something resembling a mental impulse or emotion, rather than by judgment or deliberation. For men decide far more problems by hate, or love, or lust, or rage, or sorrow, or joy, or hope, or fear, or illusion, or some other inward emotion, than by reality, or authority, or any legal standard, or judicial precedent, or statute."[53]

With urban legends, we are left with a story that induces emotion and relates unverified facts from a hidden source. In some ways, it is a wonder that these tales survive at all. However, Brunvand provides some clues as to why they survive: "People still tell legends, therefore, and other folk take time to listen to them, not only because of their inherent plot interest but because they seem to convey true, worthwhile, and relevant information, albeit partly in a subconscious mode." He concludes that "legends survive by being as lively and 'factual' as the television evening news, and, like the daily news broadcasts, they tend to concern deaths, injuries, kidnappings, tragedies, and scandals."[54] In addition to the knowledge and entertainment value, there may be a more visceral reason for telling these stories. Mark Schaller suggests that these narratives may have an evolutionary impulse behind them, providing indications concerning who and what is desirable (or not desirable). Schaller concludes that "interpersonal transmission processes (social learning, interpersonal communication) are not alternative routes to culture; they are important links in the coherent causal chain through which evolutionary processes create culture."[55] Like the news of the world, not knowing these stories may have a negative impact on our lives. Urban legends, like literature, are "equipment for living."[56]

Conclusion

If they were merely entertaining tales, these seemingly ubiquitous stories would be cause for little more than amusement, but as rhetorical acts, urban legends can have profound implications in the lives of those who believe them and those who are implicated in them. Such legends perpetuate social hierarchies, induce moral panics, and denigrate individuals and groups deemed undesirable.[57] Heath, Bell, and Sternberg's findings that those legends that induce stronger emotional responses in the audience are more likely to be passed on suggest that those legends that cast the denigrated group in an even harsher light or portray someone as even more debased and depraved are likely to continue and thrive.[58] Thus, these legends may serve not only to keep existing social structures in place but also to further stratify them, pushing those who are marginalized even further to the margins.

What makes urban legends particularly troubling is the ability to hide one's agency behind the "friend of a friend," denying responsibility for the discourse. We can see this playing out every time Donald Trump claims that "a lot of people are saying" something that he wants to float out into the narrative without claiming it.[59] We can also see this strategy play out in the following rendition of the "kidney thieves" urban legend as told to a Hong Kong radio show:

> In breathless but resigned tones, he explains to the radio host that during that sleepless night spent in the Shenzhen police station, the police officers told him, well, in these Shenzhen nail salons, they take your nail clippings and run them upstairs. That's where they have the machines that do the DNA analysis. If they identify you as a genetic match for someone rich, they'll kill you in the bathroom and harvest all of your organs. All in under 15 minutes. "Who knows if it's true," the friend of a friend tells the radio host, "but that's what they said."[60]

Although one can readily concede the rhetorical advantages to employing such a strategy, the question of whether the strategy is ethical remains. Although individuals who relate urban legends have no firsthand knowledge, they relate it as if it were true. This raises two interrelated issues. First, if the teller believes that the story is true, then they can easily consider the telling of the story to serve the public good. Many of these tales discuss issues of health, safety, and hygiene, which are pressing desires for many individuals. To know that McDonalds adds ground earthworms to their ground beef is certainly important to those who consume their products.[61] Indeed, if some of these tales were true, such as those that sprang up about AIDS/HIV, it would seem to be a matter of life and death to know about them.[62] Thus, if viewed strictly from an intentional point of view, to tell the story seems reasonable.

However, the second, related, issue concerns the speaker's lack of firsthand knowledge: to profess the veracity of an account that one has no way of verifying places the audience in a position where they are ill-suited to make judgments. Perhaps, the main issue here is the profession that the story is true, despite the fact that the author actually has no way of knowing its truth. Although Quintilian recognized that rhetoric cannot relay complete truth, he notes that "the orator must know whether what he says is like truth or not."[63] To tell the story with a sense of tentativeness would certainly weaken the dramatic effect, and this is part of the pleasure of the urban legend. Yet the problem is that even the speaker is caught in the deception, leaving him or her to simply pass on the information as a semi-passive conduit. That they may gain some benefits in a social sense by simultaneously dominating the conversation and, for a moment, gain the spotlight in its entirety while engaging in ego-boosting downward social comparison is clear. Yet they do so unreflectively and with little thought as to the veracity of their version of truth. As such, when (and generally this is not a case of "if") the urban legend is debunked, the teller may suffer the embarrassment of having been duped, although the audience would share in this culpability.

Thus, urban legends may not actually be the problem, but rather a symptom of a public that is unskilled in the art of critical thinking and rhetorical discourse. Moreover, the relaying of such friend of a friend stories reveals a desire to hide behind a bureaucratic ethos, which dissipates responsibility for one's own narrative. That such tales continue to persist seems to bode poorly for the prospects of a vibrant, informed public sphere. Although there are some correctives, such as the popular urban legend debunking Web site snopes.com, these are few and far between, and even Snopes is left with many legends that remain unverifiable. As such, individuals are left to their own devices to determine the plausibility of the anecdote.[64] If the current environment is any indication, it seems that urban legends will become increasingly salacious and extreme and that people will continue to attribute these tales to someone who can imbue the tale with a veneer of credibility. At least that's what I heard somewhere….

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