# Monsterlijke verhalen : misdaadsagen in het nieuws en op webforums als retorische constructies

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**Summary**

# Monstrous Tales: Crime Legends in the News and on Web-based Forums as Rhetorical Constructions

News media and web-based discussion forums frequently feature crime stories so monstrous that they defy belief and evoke the question: is this story true or is it an urban legend? The present study focuses on the way journalists and forum users try to convince their audience of the veracity and value – or the lack thereof – of these recurrent stories about horrendous crimes.

**Legend: objectivist versus rhetorical perspectives**

The legend label derives from folklore studies, the main discipline that has engaged with stories of this kind. In the footsteps of the Grimm brothers, folklorists have defined legends since the early 19th century largely as untrue stories that are presented as true, purportedly describing extraordinary events, and believed by the general public. Legends are typically told by people who did not themselves witness the events described, are told in informal situations and spread (at least initially) by word-of-mouth.

These criteria, however, do not hold as objective means to distinguish the legend from other narrative genres such as news stories. The validity of the supposed traits is circumscribed by the worldview of the sceptical researchers and others who profess disbelief in these stories. Traditional legend definitions have this limitation in common with the related concept of rumour, which has been defined since the classical study by social psychologists Allport & Postman (1947) as 'unverified information'. In this case too, the researcher's values determine what counts as 'verified'.

As an alternative to this objectivist perspective on legend I use a rhetorical and constructionist approach, bracketing the question 'What constitutes a legend?' and asking instead: 'What rhetorical tools do people employ to convince others that a particular story is or is not a legend?' This approach shifts attention away from the text describing the alleged event to the process of construction, focusing on the debate in which various parties seek to convince each other of these stories' veracity and value.

Evidentiary standards for judging a story's veracity vary according to the 'narrative field' in which the story is told, e.g. parliamentary debate or an academic conference. The fields studied here are those of the news, specifically newspapers, and the 'vernacular web', specifically web-based forums. The vernacular web is the term coined by the American folklorist Howard (2005a) for participatory media – e.g., Usenet, blogs, wikis, Facebook, readers' comments on news sites – characterized by a hybrid rhetoric that blends the institutional and the vernacular.

**Rhetorical analysis model**

Having set out the basic features of the rhetorical and constructionist approach to legend in Chapter 1, I lay out the analytic model in Chapters 2 and 3. At its basis is Aristotle's threefold classification of the means of persuasion: ethos, logos and pathos, supplemented by concepts from folklore studies, (news) sociology, and other disciplines.

Orators (and, by extension, journalists and forum users) can appeal to three resources in order to convince their audience: their own character (*ethos*), reason (*logos*), and their audience's emotions (*pathos*). For each mode of persuasion, orators can draw from a common stock of source material for specific occasions, the *topoi* – well-worn arguments and time-tested rhetorical manoeuvres. In the present study, the *topos* concept is employed mainly in the analysis of pathos.

Analyzing the rhetoric of veracity, my focus is on ethos and logos, analyzing the rhetoric of value I concentrate on pathos and logos.

The first means of persuasion is ethos, in which Aristotle distinguishes three dimensions: expertise, virtue and goodwill. In order to convince their audience of a story's veracity, journalists usually employ ethos techniques that stress their expertise and virtue, construing facts as objectively identifiable and vouched for by the journalist's authority and that of his independent sources. Whenever a news medium's objectivity and authority are at stake, as might happen when a news story is alleged to be a legend, journalists may employ more emphatic ethos techniques. In news sociology, the common form of this exculpatory rhetoric is known as *boundary work*, i.e. the rhetorical effort that demarcates the journalist's profession from other knowledge producers. When still firmer justifications are called for, journalists utilize *paradigm repair* (or *news repair*), i.e. the (re)affirmation of routine journalistic practices as reliable means to attain the truth.

Discussing legends on online forums, users may enhance their ethos by appealing to authorities and to their own knowledge and experience. An important ethos technique, employed by both forum users and journalists, is *distancing*: varying the distance between the narrator and the story's source.

In debates about a legend's veracity discussants can also appeal to reason (logos). Arguments for and against a legend's veracity have been characterized by the American criminologist Donovan (2002, 2004) as different 'styles of belief and disbelief'. To be sure: these styles refer to rhetorical justifications, not to belief and disbelief as inner convictions.

1. *Instrumental (or conditional) belief*: 'this story could be true': the belief of those who find crime legends useful as truths in the context of social interaction, deeming it less important whether they are based on authorized forms of evidence.
2. *Fervent belief*: 'this story is true': the belief of those who profess certainty, referring to empirical evidence.
3. *Debunking*: 'the story is not true': explicit disbelief.

In addition to Donovan's two styles of belief, a third one has been hypothesized, based on supernatural legend studies: *experiential belief* ('it happened to me'); the belief of those who claim to have experienced the crime under discussion, either as victim or as witness.

Debates about crime legends concern not just their veracity, but also their value: they may be used to convince an audience of a moral message and, more specifically, of the nature and urgency of crime problems. Central to the analysis of the rhetoric of value are logos and pathos: crime legends are utilized rhetorically as extreme, yet typical examples (logos), that exert a strong emotional appeal (pathos).

Those who claim that a certain condition is a (crime) problem (*claim makers*), may use stories as a means to typify this purported problem (*typification*), presenting stories about extreme events – worst case scenarios – as typical examples.

In order to arouse emotions of fear, outrage, and disgust, these exemplary stories feature stereotypes of 'ideal' offenders and victims. The ideal victim is female, weak, and behaves respectably, the ideal offender is male, violent, and often a stranger. In structural analyses of folk narrative, these recurring content chunks are labeled as motifs and tale types; from a rhetorical perspective, they serve the function of topoi.

The rhetorical perspective on (crime) legends is a relatively recent development and needs to be tested empirically. This leads to the following research questions:

*1. Rhetoric of veracity: what rhetorical means are employed to construct a crime legend's veracity (or lack thereof) in news media and on web-based forums?*

1.1 What ethos and logos techniques are employed by journalists and by forum users participating in online discussion about a crime legend's veracity?
1.2 To what extent can the ethos techniques journalists employ when they cover crime legends be characterized and explained as instances of *boundary work*?
1.3 Do the logos techniques employed reflect the styles of belief and disbelief as defined by Donovan (instrumental belief, fervent belief and debunking)? How frequently do the different styles occur?

*2. Rhetoric of value: how are crime legends utilised in the news media and on web-based forums as a rhetorical means to construct crime problems?*

2.1 How do journalists and forum users utilise crime legends to typify social problems (logos) and to convince others of a problem's urgency with an appeal to their emotions (pathos)?

**Method**

The methods used to answer these questions are set out in Chapter 4. Based on the rhetorical-constructivist theory, two cases have been selected: stories featuring the motif Drugged and Abused (1885-2008) and the tale type of the Smiley Gang (2003). The last case serves as an example of a primarily 'vernacular' legend: debunked by the news media and other authorities, the story was the subject of debate in online forums. The Drugged and Abused legend on the other hand enjoys official status in the Netherlands at present: in its contemporary form of drink spiking, it is presented as a serious danger in news media, in awareness campaigns by drug counseling institutions and in official statements by the police. On the vernacular web, however, the reality of the threat is a matter of debate. The legend has a lengthy history, during which its status has varied between the official, and the vernacular.

It is no coincidence that both legends pertain to the dangers of heterosocial spaces (Hunt 2002): the public spaces where people of both sexes and of various social and ethnic groups mix. This theme loomed large in the collection from which the two cases were selected.

For both cases a sample of newspaper articles and online discussions has been constructed, that have been subjected to qualitative and quantitative content analysis; for the Smiley Gang case, this has been supplemented to a modest degree by ethnographic research.

**Case 1: Drugged and Abused**

Chapters 5, 6, and 7 analyze stories containing the Drugged and Abused motif. Chapters 5 and 6 are historical and international in scope, chapter 7 focuses on recent news coverage and online discussions in the Netherlands.

Chapter 5 charts the motif's manifestations in their various contexts since 1885, when British journalist and editor William T. Stead published *The Maiden Tribute of Modern Babylon*, his landmark pamphlet against the 'white slave trade', as the trafficking of women and girls was known at the time. Surreptitious drugging was said to be a standard way to make the victims submit to a life of forced prostitution.

The Drugged and Abused motif was used in both official and vernacular narrative fields, where it was alternately constructed as authorized and as unauthorized knowledge. Campaigners against the white slave trade stressed their ethos as reliable researchers and observers, driven by altruism. Stead employed innovative journalistic practices such as undercover reporting and published essays and editorials in defense of his research methods and presentation style, an example of journalistic boundary work.

The predominant style of belief was the fervent belief of moral crusaders like Stead. After 1910 debunkers became more vociferous, questioning the stories about drugged victims innocently ushered into prostitution. These sceptics mainly appealed to lack of support by law enforcement and science.

The Drugged and Abused motif's use in the moral crusaders' rhetoric of value lay in its power to typify the problem of prostitution and sex trafficking (*logos*) and to arouse the audience's emotions (*pathos*). Portraying the prostitutes as virgins led astray by subterfuge and force modelled them rhetorically as ideal victims: the Drugged and Abused stories served as an innocence topos.

Chapter 6 focuses on one particular episode in the rhetorical history of the Drugged and Abused motif: the 1913-1917 *New York Times* coverage of allegations that female moviegoers were in danger of being drugged by white slave traders armed with hypodermic needles. The emergence of these stories coincided with that of a series of movies in which covert sedation and forced prostitution were presented as realistic threats.

The *Times* assumed the role of debunker, dismissing needle victims' evidence as mere rumour and hysteria. The arguments put forward by NYT journalists (empirical proof is lacking, the witness is an unreliable observer, and the source is a friend of a friend) are the traditional justifications of disbelief. Appeals to authority predominate: the *Times* prefers the opinion of police, law, and science representatives to those of the victims. This stance fits the recently established ethos of the *Times* as purveyor of objective news based on the best, i.e. predominantly institutional sources ('All the news that's fit to print').

Chapter 7 analyzes the rhetorical construction of rape drugs and drink spiking – the most recent incarnations of the Drugged and Abused motif – in Dutch newspapers and online discussions (1999-2008). It addresses some aspects not covered by previous studies of the construction of rape drugs as a social problem, notably the way adolescent forum users construct the veracity and value of stories about this alleged threat.

In newspaper coverage of drink spiking fervent belief predominates: referring to specific cases and official warnings Dutch newspapers presented involuntary intoxication with GHB and other drugs by sexual predators as a realistic danger. The incidents covered are relatively serious: intoxication, often followed by sexual assault or rape, or even coma and death.

On online forums however, the drug rape threat is a matter of debate. In contrast to the journalists' fervent belief, on web-based forums debunkers argue with instrumental and experiential believers: is drug rape a serious threat or merely an urban legend? One third of all arguments put forward (34%) is of the debunking kind. Those who claim to believe in the story use few fervent arguments (3.6%). The largest group of believers uses instrumental (23%) or experiential (39.5%) arguments. The debunkers express a fervent form of disbelief, the other party a hesitant belief: stories about drink spiking, including the ones about personal experiences, are mostly presented as both plausible and uncertain.

In addition to arguments (logos) both journalists and forum users use their character (ethos) as a means of persuasion. Although journalists mainly bolster their ethos by referring to police officials and other established sources, their claims are frequently unsourced, suggesting that they consider the official perspective on drink spiking and drug rape as uncontroversial. Since they were not aware of competing claims about this issue, or felt they could ignore them, there was no need for boundary work and paradigm repair. Alternative knowledge claims were seldom given a voice in the mainstream media.

The ethos techniques used in online forums are more varied in nature than those used by journalists. Those who claimed to believe in the danger of rape drugs used more, and more varied ethos techniques than were used by debunkers. The ethos of those who say their belief is based on personal experiences of being spiked is the more vulnerable: consequently, establishing their credibility requires the more outspoken rhetorical effort.

Of the three Aristotelian dimensions of ethos – expertise, virtue and goodwill – the first is used most frequently by those on both sides of the discussion. In contrast to the newspaper journalists, who mainly refer to external experts, forum users primarily appeal to their own experience, either as seasoned partygoers and drug users, or as alleged drink spiking victims.

Journalists and forum users also differed in the way they rhetorically constructed the story's value, i.e. in the way they typified the problem (logos) and utilized victim and offender stereotypes to appeal to the emotions (pathos). The news portrayed the main characters as stereotypically innocent female victims and coldly calculating male offenders. On web-based forums a more varied picture emerges: an alleged victim's voluntary alcohol and drug use is generally considered unproblematic, but debunkers frequently question the victims' integrity.

In this respect, the narrative fields of news media and vernacular media are parallel worlds, ruled by diverging standards and interests. News media largely ignore the sceptical view of the drink spiking and drug rape problem that is so prominently voiced on web-based forums. Forum users, on the other hand, mostly ignore the warnings issued by police forces and drug counseling and relayed by the news media. The different values journalists and forum users accord to drink spiking stories may be read as the difference between claim making and sense making.

**Case 2: The Smiley Gang**

Chapters 8 and 9 focus on the Smiley Gang legend, a story about an ethnic youth gang whose members offer their female victims the choice between gang rape and a smiley. Those who chose the latter option receive an ear-to-ear knife slash that leaves an indelible smile. In 2003, this legend caused concern among Dutch children and their parents. Chapter 8 analyzes the rhetoric of veracity in newspaper reports and web-based forums concerning this legend, concentrating on the construction of authority in news media and online discussions.

Debunking is the main style of (dis)belief in established news media. In order to justify this stance, journalists mainly rely on appeals to authority, referring to negations issued by police spokespeople and background provided by a folklorist (viz. the present writer). Their claims are mostly of an empirical nature, foremost the lack of proof for the gang's alleged activities.

On web-based forums frequented by children and adolescents, the story provokes more debate, but here, too, debunkers dominate. Like the journalists they mainly appeal to established authorities. In online forums, the arguments in support of the story's truth are instrumental rather than fervent. The most frequently used instrumental argument is: the story may have been an urban legend at some time, but possibly it has become true by inspiring some individual(s) to act out the legend. The most frequently used fervent arguments are: news media vouch for the story's truth and a person known to the narrator has fallen victim to the gang.

Ethos played a minor role in news coverage of the Smiley Gang: journalists did not treat the chain mail messages and other warnings as rival claims to their own authority. In online discussions debunkers and believers employed ethos techniques in equal measures, with each party preferring different techniques. Leading the five techniques most frequently used by believers is an appeal to a friend of a friend as the story's source. In order to justify their belief, believers also frequently referred to mainstream news media, in spite of these having consistently debunked the story.

Debunkers in online discussion threads most frequently appeal to traditional authorities. They also refer to their own knowledge, experience or education, and their personal virtue, they stress the common ground with their audience and vilify common enemies.

Regarding Aristotle's three dimensions of ethos, expertise is most prominent: more than 75 percent of the ethos techniques used emphasizes the discussant's expertise. Believers most frequently refer to a friend of a friend, debunkers to an established authority. Goodwill comes second; those who claim to believe the Smiley Gang story use goodwill techniques more often than debunkers do. Neither party puts much faith in appeals to personal virtue, Aristotle's third ethos dimension: for both believers and debunkers, appeals to virtue made up a mere 10 percent of the ethos techniques employed.

As in the Drugged and Abused case, veracity does not equal value. To debunkers the Smiley Gang story is untrue, to most believers its truth status is uncertain, but this does not make it less valuable for them. What constitutes this value is analyzed in chapter 9, which focuses on the way the Smiley Gang legend is put to use as an exemplary story in the context of shifting crime problems.

The motifs that constitute the tale type – the knife-wielding youth gang, their underage victims, the trick question, the barbaric mutilation, gang rape – also feature in similar stories circulating in Western Europe and beyond since the nineteen fifties. These stories, presenting an Other of varying identity as inhumanly cruel, were used rhetorically as cruelty topoi.

The Dutch incarnation of the legend emerged in 2003, and was infused with meaning in the context of news coverage and social turmoil over purportedly new crimes. The 'active ingredients' of the Dutch version all mirror the social problem of ethnic violence as it was constructed in the first years of the 21st century. Central to this problem were concerns about new crimes committed by Moroccan-Dutch adolescents: random violence, antisocial behavior on the street, gang rape and sex trafficking by so-called loverboys. In this context, the Smiley Gang legend is a hyperbolic depiction of the crime problems involving second generation Moroccan immigrants that drew massive political, public and media attention in 2003. The legend typifies this issue as one of violence and sex crimes by ethnic Others and appeals strongly to the emotions because of its monstrous character.

**Conclusions**

Approaching crime legends as rhetorical constructions instead of essentially untrue stories opens new windows for the analysis of both news and vernacular discourse and as a point of departure for critiquing journalistic practices.

A major component of the rhetorical-constructionist perspective on crime legends is the classification of belief styles by Donovan (2002, 2004) into instrumental belief, fervent belief, and debunking. The present case studies provide support for this model, but also supply arguments to extend it with the notion of experiential belief.

On web-based forums, both instrumental belief and debunking (or fervent disbelief) feature more prominently than fervent belief. Compared to debunkers instrumental believers employ a broader rhetorical repertoire when it comes to the moral implications of the contested stories. Where debunkers tend to read the stories as signs of irrationality and gullibility, to instrumental believers they are meaningful in a moral sense which is independent from their factual truth. For instrumental believers, veracity does not equal value. This explains why debates over a crime legends' veracity seldom have closure: both parties play on the same field, but stick to different sets of rules.

In debates about a crime legend's veracity, news media, too, may assume the role of believers. This finding emerges more clearly from the present study than from earlier research in this field as a consequence of subject definition and case selection. Those who define legends as vernacular stories that are largely untrue in the empirical sense, will be apt to find them on vernacular narrative fields. The Smiley Gang legend is a case in point.

Extending the sample to include official legends, one observes news media covering contested stories from a believer's perspective. In the Drugged and Abused casestudy belief and debunking were distributed differently. At the end of the 19th century this motif was established as a stock feature of claims about the white slave trade. Later these claims began to lose their credibility and the *New York Times* debunked needle attack stories as hysterical rumours. Little more than a century later, however, the stories are back in the form of warnings against rape drugs, presented by news media in the US, the UK, the Netherlands and other countries as a serious threat.

The ethos model constructed for this study on the basis of Aristotle's rhetoric, complemented with contemporary research findings and concepts from various disciplines, proved useful for the analysis of crime legend rhetoric. It proved complementary to the models laid out by Donovan (2004), who restricts her analysis of crime legends to aspects of logos, and Oring (2008), who restricted his analysis to the rhetoric employed by legend believers.

In both case studies the party that stood to lose the most made the most extensive use of ethos as a means of persuasion. In the online discussions about rape drugs, the believers used the most, and the most varied ethos techniques: particularly those who claim to be speaking from personal experience stand to lose more when others do not believe them. In the online discussions about the Smiley Gang, the risk of losing face is distributed more evenly; in this case, both parties utilized ethos techniques in equal measures.

That the appeal to ethos is associated with the rhetorical balance of power is also apparent in recent news coverage in both cases. Reporting on rape drugs and on the Smiley Gang, journalists mainly employed routine ethos techniques, mostly appealing to established authorities, since they had no reason to fear conflicting claims by rival

knowledge producers. Boundary work is in evidence in the *New York Times* coverage of the needle attack legends (1913-1917), because this newspaper's desired monopoly as a purveyor of reliable news needed strengthening at this point in time. Still more pronounced is the boundary work rhetoric in W.T. Stead's 1885 series of reports on the white slave trade, seeking to put a new crime problem on the agenda using new journalistic practices.

Considering Aristotle's three dimensions of ethos (expertise, virtue, and goodwill), the first is used most frequently by both journalists and forum users. A prime technique to convince others of one's expertise is distancing, i.e. varying the distance between the narrator and the story's source. The story can be reported either first-hand, second-hand, or third-hand – referring to a 'friend of a friend', or *foaf*. The latter option has often been named the typical source of legends.

The so-called *foaf* indeed turned out to be the source mentioned most frequently by those who professed to believe in the Smiley Gang legend. In online discussions about drink spiking and rape drugs however, believers more often referred to occasions experienced by themselves or their friends. The assumption that legends are typically sourced to *foafs* is a consequence of the traditional definition of legends as untrue, vernacular stories.

Both the Drugged and Abused legend and the Smiley Gang legend have been used as rhetorical means to construct the dangers of heterosocial spaces. The Drugged and Abused stories proved the more politically successful, supporting claims that resulted in the institutionalization of different social problems in a number of countries and time periods (the white slave trade, 'loverboys', and rape drugs).

In the cases studied, the exploitation of legends as a political tool is most apparent in the newspaper samples. The differences in the way legends are used by journalists and forum users may be characterized as political versus personal, or claims-making versus sense-making. News media adopt the policy perspectives of established parties, whereas online discussions constitute a collective effort to make sense of experiences that are presented as extraordinary and ambiguous.

For journalists the present study provides lessons about the divide between news media and vernacular media, and about their news gathering routines. In both case studies, news coverage of the legends appeared to be mostly irrelevant to the adolescents debating the legends on web-based forums. Discussing the Smiley Gang legend, forum users merely paid lip service to the authority of established new media, discussing drink spiking and rape drugs they largely ignored news coverage of these topics.

Confirming the robust research finding that journalists depend strongly on institutional sources, the present study provides new perspectives for evaluating and critiquing news gathering routines. The case studies call into question the tenet that

official sources are reliable, that vernacular sources are unreliable, and that journalists should takes their cues from the first and dismiss the latter. In order to do what they claim to do – i.e. informing and empowering their audience with reliable and useful news – journalists could profitably use some grounding in rhetoric, legend research, and the sociology and history of social problems.