MAXIMAL PROPOSITION, ENVIRONMENTAL MELODRAMA, AND THE RHETORIC OF LOCAL MOVEMENTS: A STUDY OF THE ANTI-FRACKING MOVEMENT IN DENTON, TEXAS

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The environmental problems associated with the boom in hydraulic fracturing or "fracking," such as anthropogenic earthquakes and groundwater contamination, have motivated some citizens living in affected areas such as Denton, Texas to form movements with the goal of imposing greater regulation on the industry. As responses to an environmental threat that is localized and yet mobile, these anti-fracking movements must construct rhetorical appeals with complicated relationships to place. In this thesis, I examine the anti-fracking movement in Denton, Texas in a series of three rhetorical analyses. In the first, I compared fracking bans used by Frack Free Denton and State College, Pennsylvania to distinguish the argumentative claims that are dependent on the politics of place, and affect strategies localities must use in resisting natural gas extraction. In the second, I compare campaign strategies that use local identity as a way of invoking legitimacy, which reinforces narrative frameworks of environmental risk. In the third, I conduct and analyze interviews with anti-fracking leaders who described the narrative of their movement, which highlighted tensions in the rhetorical construction of a movement as local. Altogether, this thesis traces the rhetorical conception of place across the rhetoric of the anti-fracking movement in Denton, Texas, while seeking to demonstrate the value of combining rhetorical criticism with rhetorical field methods.

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CHAPTER 1

THE ANTI-FRACKING MOVEMENT IN DENTON, TEXAS

"In the end," writes Max Baker, a reporter from the Dallas based *Star Telegram,* "it boiled down to frustration."[1] In July of 2014, Baker had just reported the passage of a citizens' referendum ballot initiative calling for the city-wide vote to ban natural drilling practices in Denton, Texas. As Baker attests, frustration had fueled the citizens of Denton ever since natural gas extraction via hydraulic fracturing, or fracking, began across the street from a local park and hospital in 2009. What began as a concern from local homeowners regarding setback distances of fracking drills, quickly turned into a community-wide effort to ban the practice altogether. Spanning from 2009 to 2015, a local anti-fracking movement formed within Denton, sending a ripple effect across the entire state of Texas regarding the oil and gas industry's influence in local governance.

In July of 2009, a special use drilling permit was granted by city officials to a natural gas company known as EagleRidge, allowing the company to drill across from Denton's McKenna Park, Denton Presbyterian Hospital, a local retirement home, and a suburban neighborhood. The construction of the drilling rig sparked intense debate from locals living within 250 feet of the fracking sites, with complaints of loud noises, damaged roads from the industry's trucks, and the emission of silica dust that citizens claimed was linked to the high rate of childhood asthma in the area. Hundreds of Dentonites attended city council meetings to speak on the fracking issue, with many of these meetings ending with the council tabling the issue. After months of not being able to speak about EagleRidge, citizens signed up to speak about unrelated city council agenda

[1] Max Baker, "Denton Meeting on Fracking Ban Exposes Frustration on All Sides," *Star-Telegram,* July 16, 2004. Accessed on October 15, 2017 from http://www.star-telegram.com/news/business/article3865626.html

items to talk about the issue, often derailing the scheduled agendas.[2] For the next two years, tensions between city council members and citizens regarding fracking began to rise, and these protests became more common.

In the coming years, more Dentonites began to engage the tedious process of initiating local regulations on many of these drilling practices, with several organizations forming around the fracking issue. After the city council's formation of a drilling task force that was stacked with members affiliated with the natural gas industry, a group of protesters formed the Denton Drilling Awareness Group (DDAG) to serve as a watchdog organization for the city.[3] From 2011 to 2013, nearly 100 official complaints were filed by citizens of Denton against two natural gas companies accused of two instances of unreported toxic spilling, illegal dumping, illegally drilling without a permit, and the contamination of drinking water.[4] In response to these complaints, the Denton City Council filed two lawsuits against the companies, issued a 12 day moratorium on drilling within the city, and even voted in favor of larger setback regulations proposed by protesters. For the first time in years, it appeared as though Denton might be able to overcome the invasiveness of the fracking industry.

By November of 2013, the Denton City Council dropped all lawsuits related to illegal drilling and dumping, even granting permits to those who never had them, sparking intense criticism from members of DDAG and other citizen protesters. Worse yet, board members of DDAG realized the setback regulations they helped pass over the course of the past year were essentially ineffective for the 65% of the wells that were grandfathered in under the previous

[2] The Protester, interview by Colton D. Hensley, March 29, 2017, interview 10, transcript.

[3] The Professor, interview by Colton D. Hensley, July 29, 2017, interview 2, transcript.

[4] "Search for the Status of a Complaint," *Texas Commission on Environmental Quality*, accessed on October 25, 2017 http://www2.tceq.texas.gov/oce/waci/index.cfm

regulations.[5] With the odds stacked against them, DDAG began a petition drive to enforce a city-wide ban on fracking in January of 2013, in hopes of forcing the city council to vote on the issue. As Baker mentions, it ended in frustration. The city council refused to vote, instead leaving the vote to the citizens of Denton. After years of proposing setback distances of drilling and suing fracking companies for illegal dumping with no resolve, the community of Denton could at last vote to get rid of the practice altogether.[6]

From July to November of 2014, Denton witnessed the most expensive election in the city's history, with two campaigns fighting for and against drilling regulations. DDAG formed the Frack Free Denton campaign, which went on to host several community-based events highlighting the dangers of fracking toward the community. On the other side of this issue, the natural gas industry formed the Support Responsible Drilling campaign, which argued for the sake of Denton's economy, noting that a fracking ban would bankrupt the city and ultimately leave the city at the mercy of the industry. Despite being heavily out-funded by the Support Responsible Drilling campaign, and campaigning in a traditionally conservative county with a history of oil and gas support, Frack Free Denton successfully appealed to both conservative and liberal demographics and won passage of the ban by a 59% to 41% margin.[7] This impressive achievement made Denton, Texas the first city in the state to enforce a city-wide hydraulic fracking ban by a popular vote. The Denton Fracking Ban turned heads nationally not only because of its strict regulations, but also because these regulations affected one of the largest

[5] The Spokesperson, interview by Colton D. Hensley, August 21, 2017, interview 4, transcript.

[6] Marissa Barnett, "Denton Voters to Consider State's First Ban on Fracking," *Dallas News,* September 2014. Accessed on October 12, 2017 from https://www.dallasnews.com/news/news/2014/09/23/denton-voters-to-consider-state-s-first-ban-on-fracking

[7] Doualy Xaykaothao and Christina Ulsh, "In Denton, Voters Approve Fracking Ban by Wide Margin," KERA News, November 5, 2014. Accessed on October 24, 2017.

shales in the nation, in an oil state, and against a campaign partly funded by the oil industry.[8]

In the end, Frack Free Denton supporters had roughly 12 hours to enjoy their victory before the Texas Oil and Gas Association and the Texas General Land Office began filing lawsuits against the city. In the coming weeks, the Denton City Council wrestled with the claims that the fracking ban was unconstitutional and a hindrance on oil and gas industries that stimulate the economy. On May 18, 2015, the Texas Legislature drafted House Bill 40, a bill that would prohibit cities from making decisions on "underground drilling activity." With Frack Free Denton protesters in disarray, members made trips to the State House in Austin, Texas, in hopes of being heard by the House Committee on Energy Resources. One representative of the committee, Drew Darby, stated:

> If health and safety were the real issue here, you wouldn't be building houses next to these wells, and number two: nobody would be buying them. A lot of times, these campaigns are not being based on sound science. They are being based on misinformation that's being presented in communities here that just leads to unreasonable circumstances.[9]

In response to Texas Governor Greg Abbott's signage of HB 40 and pressure from state agency lawsuits, the Denton City Council eventually voted 6-1 on June 10, 2015 to preemptively repeal the fracking ban.[10]

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[8] Clifford Krauss, "Split Decision by Voters on Local Fracking Bans," *New York Times*, November 5, 2014. Accessed on October 24, 2017 from https://www.nytimes.com/2014/11/06/business/energy-environment/split-decision-by-voters-on-local-fracking-bans-.html; Lindsey Bever, "A Town—In Texas of All Places—Bans Fracking," *The Washington Post*, November 6, 2014. Accessed on October 24, 2017 from https://www.washingtonpost.com/news/morning-mix/wp/2014/11/06/a-town-in-texas-of-all-places-bans-fracking/?utm_term=.7fbcfecaddc0; Dan Molinski and Leslie Eaton, "Texas Town Votes to Bar Fracking in City Limits," *The Wall Street Journal*, November 5, 2014. Accessed on October 24, 2017 from https://www.wsj.com/articles/texas-town-votes-to-bar-fracking-in-city-limits-1415164047

[9] Garrett Graham, *Don't Frack with Denton*, documentary, directed by Garrett Graham (2017; Denton, Texas: Datalus Pictures, 2017)

[10] Peggy Heinkel-Wolfe, "Ban on Hydraulic Fracturing Repealed," *Denton Record-Chronicle*, June, 2015. Accessed on October 24, 2017 from http://www.dentonrc.com/news/news/2015/06/17/ban-on-hydraulic-fracturing-repealed

On their last leg, members of DDAG performed acts of civil disobedience by blocking the gates of a fracking site.[11] The number of Frack Free Denton supporters started to dwindle, and acts of civil disobedience were ultimately ineffective with only a handful of members participating. With most of the supporters of Frack Free Denton discouraged due to the legislative outcomes, fewer protests were initiated. Frack Free Denton had no way of effectively countering HB 40, and the grassroots movement that once drew vast support from the community became less and less active.

In the end, it boiled down to frustration. A local grassroots movement played by the rules of the democratic process and appealed to citizens to legitimize their cause as being in the best interests of the community. Presently, Denton is facing a new issue related to natural gas: a natural gas power plant, with the addition of a pipeline that was approved by its own city council.[12] With HB 40 as a major barrier to any venue for democratically challenging this pipeline at the local level, it appears Frack Free Denton is between a rock and a hard place. With both the state law and its own local government stacked against any kind of regulation on natural gas, Frack Free Denton will need to use other means of protesting to regain momentum as a movement.

Reflecting on the dramatic history of the anti-fracking movement in Denton, this project asks what can be learned from a close examination of its rhetorical dimensions. These less active moments of a movement, especially one that just experienced a significant defeat at the hands of the industry and an industry-friendly state, are interesting moments within social movements that

[11] Peggy Heinkel-Wolfe, "Fracking Protesters Arrested," *Denton Record Chronicle*, June, 2015. Accessed on October 24, 2015 from http://www.dentonrc.com/news/news/2015/06/01/fracking-protesters-arrested

[12] Peggy Heinkel-Wolfe, "Denton Energy Center's Troubled Past Makes Future Uncertain," *Denton Record Chronicle*, July 2017. Accessed on October 24, 2017 from http://www.dentonrc.com/news/denton/2017/07/17/denton-energy-centers-troubled-past-makes-future-uncertain

warrant study. For instance, how movements organize new tactics against industry leaders, especially after experiencing failure politically, is one area of interest. Denton serves as a prime example of how local movements can use an array of tactics to amass impressive support, despite having all the odds against them. In Frack Free Denton's case, a plethora of texts showcase how local movements might fight advancing and invasive industries like fracking, and also provide examples of how claiming localness serves as its own type of rhetorical construction. Despite Frack Free Denton's focus on explicitly environmental issues, the tactics used by this movement go beyond rhetorical tactics typically associated with environmental communication, and requires a deep contextual knowledge that warrants additional modes of study.

Topic Statement

This thesis explores environmental, social movement, and local rhetorics through an examination of the discourse surrounding the Denton Fracking Ban. The process of hydraulic fracturing, or fracking, involves the extraction of natural gas from underground shale deposits. To break the shale, workers use a horizontal drilling method that shoots high-pressures of water and sand into the ground until natural gas rises to the surface.[13] The fracking industry has exploded in the U.S. within the past decade, and now accounts for half of the nation's oil and gas output.[14] States that have benefitted economically from the fracking boom include Texas, Pennsylvania, New York, New Mexico, North Dakota, Louisiana, and a few others not located over the Marcellus and Barnett Shale.[15]

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[13] "Process of Hydraulic Fracturing," *United States Environmental Protection Agency*, accessed on October 24, 2017, https://www.epa.gov/hydraulicfracturing/process-hydraulic-fracturing

[14] Matt Egan, "Oil Milestone: Fracking Fuels Half of U.S. Output," *CNN Money*, March 24, 2016. Accessed on October 24, 2017 from http://money.cnn.com/2016/03/24/investing/fracking-shale-oil-boom/index.html

[15]Stephen Brown, "The Shale Gas and Tight Oil Boom: US State Economic Gains and Vulnerabilities," Council on Foreign Relations, October 15, 2013. Accessed on May 1, 2017 from http://www.cfr.org/united-states/shale-gas-

Although fracking has been lucrative for many U.S. communities, it has also been controversial. As a drilling process, hydraulic fracturing is unique because of the relatively short amount of time it takes for a well to be completely extracted and the small amount of space it takes to operate.[16] Controversies over fracking have arisen in relation to major environmental phenomena like earthquakes and water pollution, but they have also arisen because of the drilling noise and heavy truck traffic in such close proximity to residential homes.[17] Local disputes over proximity ordinances, the contamination of aquifers, and noise complaints have helped make fracking a contentious industry in many communities. As a result, opposition to fracking comes in the form of both environmentalists and local social movements that have turned to the rhetorical strategies of civic discourse in their struggle to resist and coexist with the fracking boom. To understand the politics of fracking, this thesis turns to environmental and social movement rhetoric to examine the role of place and localness in the public discussion of fracking, which is a theme that cuts across all three chapters.

Purpose Statement

The movement to ban fracking in Denton presents a unique opportunity to study the local and environmental politics generated by the fracking boom across the United States. The movement in Denton succeeded at the local level through a ballot initiative that instituted a fracking ban, but then failed at the state level when it was overturned by a state law overruling

tight-oil-boom-us-states-economic-gains-vulnerabilities/p31568

[16] Matthew D. Moran, A. Brandon Cox, Rachel L. Wells, Chloe C. Benichou, and Maureen R. McClung, "Habitat Loss and Modification Due to Gas Development in the Fayetville Shale," *Environmental Management* 55 (2015): 1276-1284.

[17] Jason Silverstein, "How Fracking is Bad for Our Bodies," *The Atlantic*, October 8, 2013. Accessed on October 24, 2017 from https://www.theatlantic.com/health/archive/2013/10/how-fracking-is-bad-for-our-bodies/280384/

any local ban of fracking. As a movement that relied on being local as its primary mode of rhetorical appeal, its mix of success and failure sheds light on localness as a rhetorical strategy for environmental movements. Movements that claim to be "local" often legitimize their tactics by claiming an intimate knowledge of the places in which they live as a form of authority, and Denton's fracking ban initiative highlights the potency on many of these tactics. Finally, this thesis addresses questions related to this case study, which include:

> RQ1: Arguments are bound by the places and discourses where local movements originate, so how do local movements make strong arguments given the context of place?
>
> RQ2: How does the rhetorical representation of community play a part in successful campaigns when movements seek to persuade at the local level?
>
> RQ3: How do protest leaders construct a rhetoric of "localness" as a means of appealing to audiences and develop strategies for local movements and campaigns?
>
> RQ4: Altogether, what are the rhetorical dimensions of place and localness, and how does localness play a part in social movement rhetoric?

Review of Scholarship

The increase of fracking activity in the United States provides an opportunity to study the rhetoric used by local protest efforts to rebuke the spread of fracking. Naturally, environmental communication scholarship offers insights in several areas of research pertaining to spatial politics and narratives of protest, which is entirely relevant regarding the case studies I examine. This project relates specifically to scholarship on local protests because those supporting and opposing the ban also engaged in discourse that claimed to be concerned with fracking from a local perspective. Finally, the use of theory regarding argumentation research is relevant because of increases in natural gas extraction within the United States. Theories of argumentation like that of the *maxima propositiio*, which I draw from Boethian rhetoric are central to the rhetoric of

fracking because of the limitation of arguments dependent on places and the civic discourses that surround them.

Environmental Rhetoric

This thesis examines environmental justice in the context of spatial politics represented in policy, grassroots campaigns, and other texts. Since environmental communication is a vast and growing body of scholarship, narrowing this study to theoretically relevant research is necessary. This thesis covers literature spanning topics of spatial politics, environmental communities in relation to place, and environmental crisis. This project adds to existing conversations involving local movements against hydraulic fracturing, the contamination of other industrial practices in suburban settings, and rhetorical analysis of language used in environmental policy.

More specifically, I use Robert Cox's work on environmental communication as a crisis discipline. Cox argues environmental communication is a crisis field, and establishes four tenets for environmental communication scholars as a means of action against practices increasing environmental risks.[18] Specifically, Cox's second tenet states "representations of environment. . . should be transparent and accessible to members of the public."[19] Such a principle adds to the value of democracy in threats against our environment, which is foundational for this thesis. This scholarship provides insights to political engagement and communication practices for this project and helps with analyzing a mix of policies on the state and local levels.

Another body of literature that structures my argument is scholarship on environmental movements. This literature provides more insight on local movements of environmental justice,

[18] Robert J. Cox, "Nature's "Crisis Disciplines"': Does Environmental Communication Have an Ethical Duty?" *Environmental Communication 1* (2007): 5-20.

[19] Cox, "Nature's "Crisis Disciplines,"" 15.

as well as the language and structure of arguments made. Phaedra Pezzullo's work in *Toxic Tourism,* as well as articles related to Pezzullo's theorization of culture performances, serve as a guiding point for my methodology and how I analyze resistantive performance in Denton.[20] This thesis uses narratives of local agents involved in anti-fracking campaigns, and further examines the language that constructs a sense of community to appeal to local citizens. By using the specified literature, this thesis interprets how place, shared environment, and performances in local movements are used as rhetorical strategies for achieving goals.

Finally, the extent of my research requires several forms of analysis based on specific mixed methodologies. As a guiding text, I use *Text + Field: Innovations in Rhetorical Method* for the construction of my specific methodologies of qualitative data.[21] I conducted interviews with Frack Free Denton leaders as a way of contextualizing the movement, and use an archive of the movement's literature and other rhetorical artifacts from the movement and local sources to provide a comprehensive text for analysis. Alina Haliliuc argues the importance of having a contextual knowledge of place, and I construct this through my own archive, as well as disclosed within my interviews that I am a local community member of Denton.[22] I used my own knowledge of Denton and the movement as a means of guiding interview questions. Finally, I construct my own sense of "being there" as Haliliuc claims is a necessary part of understanding multiple aspects of text.[23]

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[20] Phaedra Pezzullo "Performing Critical Interruptions: Stories, Rhetorical Invention, and the Environmental Justice Movement," *Western Journal of Communication 65* (2001): 1-25; Phaedra Pezzullo, *Toxic Tourism: Rhetorics of Pollution, Travel, and Environmental Justice* (Tuscaloosa, AL: University of Alabama Press, 2007).

[21] *Text + Field: Innovations in Rhetorical Method,* eds. Sara L. McKinnon, Robert Asen, Karma R. Chàvez, and Robert Glenn Howard (University Park: Penn State Press, 2016).

[22] Alina Haliliuc, "Being Evoking and Reflecting from the Field," in *Text + Field: Innovations in Rhetorical Method,* eds. Sara L. McKinnon, Robert Asen, Karma R. Chàvez, and Robert Glenn Howard (University Park: Penn State Press, 2016), 135.

[23] Alina Haliliuc, "Being Evoking and Reflecting from the Field," 138.

Social Protests

For a more thorough understanding of narrative in social protests, I turn to Charles Stewart, Craig Smith, and Robert Denton's book *Persuasion and Social Movements*. Stewart, Smith, and Denton offer a concise breakdown of how narrative works within social protests, as well as offer insight on how choosing narratives within said protests comes down to a question of believability.[24] This insight is useful in terms of my research because of the multiple narratives at play within my archive of texts that generate an understanding of how each narrative assimilates rhetorically. Notably, *Persuasion and Social Movements* also serves as a guide to this thesis for use in defining persuasive functions, transcendence or hierarchy, and political arguments within social protests. More specifically, Stewart, Smith, and Denton argue that a clash of realities within differing narratives can transcend hierarchies of certain organizations.[25] This argument is especially relevant as I analyze a local movement, and works well within my argument because of political hierarchies that exist locally and federally.

I also draw from Danielle Endres and Samantha Senda-Cook's article, "Location Matters." Endres and Senda-Cook argue that the rhetoricity of place manipulates the social structures of place. In constructing their argument, Endres and Senda-Cook offer ethnographical insights on how places of protest are themselves rhetorical as well as ephemeral.[26] The concept of place in protest as it relates to everchanging discourses aids in my argument because the idea of locality holds weight in specific instances. I use Endres and Senda-Cook's work as a way to argue how places of protest differ in contexts of clashing hierarchical powers (e.g. local and state

[24] Charles J. Stewart, Craig A. Smith, and Robert E. Denton, *Persuasion and Social Movements* (Long Grove, Illinois: Waveland Press, 2007).

[25] Stewart, Smith, and Denton, *Persuasion and Social Movements*, 49.

[26] Danielle Endres and Samantha Senda-Cook, "Location Matters: The Rhetoric of Place in Protest," *Quarterly Journal of Speech 97* (2011): 257-282.

governments). I also acknowledge an extension of their argument about the temporal elements of local protests that requires an extensive knowledge of places of protest, and challenges that places of protests are also dependent on a temporal aspect when studying them rhetorically.

Other parts of this thesis address how physical places are based within arguments, and some instances a limitation of an argument. I use ancient rhetoric, specifically the concept of the *maxima proposition* (maximal proposition), to argue how places of protest, along with the culture and political traditions surrounding them, factor into how some arguments work better in some places over others. I draw much of this concept from the work of Boethius, a rhetorician from the middle ages, specifically his book *De topicis differentiis,* translated by Eleanor Stump.[27] My overall argument is a contribution to scholarship on the rhetoricity of place. By addressing how the maximal proposition is situated in, or interchanged, in events related to environmental conservationism, I can bring a more contemporary outlook on this concept.

While I first focus on how maximal proposition are used within ancient contexts, I draw from the work of Endres and Senda-Cook, whose work on places of protest showcase the rhetorical effect of place on arguments within protests. Their work is useful within my thesis because of the use of materiality within arguments, which pairs well with my cases that use places within different parts of argument. This scholarship is useful to my thesis because of how place is used within the language of policies as a sense of home and community. By using this literature, I will further explain how maximal propositions work dependently on physical places in modes of environmental discourse.

[27] Eleanor Stump, "Dialectic and Aristotle's Topics," in Boethius, *De Topicis Differentiis*, trans E. Stump (Ithaca, NY: Cornell University Press, 1978).

Methodology

I use several methods of research throughout the three chapters of this case study. My first two chapters take critical approaches of analysis, while my final chapter is guided by qualitative frameworks of analysis. More specifically, I conduct a close reading, a critical analysis of campaign ads, and analyze interviews I conducted with local activists. Within the first chapter, I conduct a close reading and comparative analysis of the text of the Denton Fracking Ban, and the State College Community Bill of Rights. The second chapter critically analyzes campaign materials from opposing campaigns by comparing how "community" is used by both sides of the Denton Fracking Ban. Finally, my last chapter analyzes interviews I collected with protesters who were involved in the Frack Free Denton Campaign.

The comparative analysis of the Denton Fracking Ban and State College, Pennsylvania Bill of Rights offers an interesting account of two similar campaigns, but illuminates how limitations of place require that some movements make weaker arguments to appeal to the politics of location. The analysis of the use of community in the two opposing Denton campaigns reveals insight on the use of community within local protests that creates an appeal of identity that works more effectively when making cases against industries that are viewed as harmful. Finally, the interviews of protesters involved in the Frack Free Denton campaign are helpful testimonies that articulate highlight how local protesters deploy their own sense of being local, and how these conceptions are themselves rhetorical.

In support of these efforts, I constructed an archive that includes every campaign advertisement from both the Frack Free Denton campaign and Support Responsible Drilling, a documentary named "Don't Frack with Denton" containing six local testimonies, several editorials from the Frack Free Denton campaign that were released locally, digital copies of

Denton City Council meeting minutes, and notes written by Frack Free Denton Leaders. The short film provides an interesting insider perspective of the Frack Free Denton campaign. Finally, I arranged six interviews with key leaders in the Frack Free Denton campaign that provide unique perspectives of the history of this debate, and I have made transcripts of all interviews. By assembling this archive, I gained a broad historical perspective of the fracking boom in the U.S., and have gained an even richer knowledge of this local movement.

Preview of Chapters

The Denton Fracking Ban was a historic vote, not only as a local success, but as the first fracking ban supported in the Lone Star state. However, the Denton Fracking Ban was not the first time a city, sitting on one of the nation's largest shale deposits, banned hydraulic fracturing within its limits. In fact, the city of State College, Pennsylvania had achieved the same goal three years earlier in passing the Community Bill of Rights. The only difference was the end result. State College eventually had the Community Bill of Right supported by the state, and successfully banned drilling within city limits. Denton repealed the ban after receiving a flurry of lawsuits from oil and gas companies, which prompted the Texas State Legislature to draft a house bill stripping local governments of their right to municipality regulations. When Texas governor, Greg Abbott, signed House Bill 40 into effect, the Denton Fracking Ban was effectively crushed at the state level.

The more interesting part of these two cases is the similarity of the towns in population density and demographic makeup. Both Denton and State College are suburban cities home to major universities that drive the makeup of their populations and local economies. Denton is located over the second largest natural gas shale in the nation; State College is located over the

largest. The major difference between these two cases is that the Denton Fracking Ban (DFB) was a relatively limited ordinance whereas the Community Bill of Rights (CBR) was a broader, more ambitious rule; however both were motivated by the same primary goal of stopping the practice of fracking within each city. Nevertheless, the eventual fates of both ordinances were the opposite.

To examine the construction of the arguments within these two fracking bans, I conducted a comparative textual analysis of the DFB and CBR. The major differences in the texts created a significantly different outcome within different contexts of political discourses and location. The heart of the matter rests on how oil and gas drilling practices can be acceptable in one location over another. A common place of argument against imposing industry is where these practices are deemed appropriate, so examining the texts in these two similar cases is an opportunity to see arguments function differently rhetorically in certain places over others.

The Boethian concept of *maxima propositio* refers to the central principle of an argument, and also serves as the basis for find central arguments. Boethius argues that maximal propositions, much like any argumentative theory, is best when the argument is common idiom that appeals to others without the process of demonstration (e.g. elaborating in extensive detail with scientific jargon). Within this chapter, I explain how maximal propositions are dependent on places of protest and the cultural discourses embedded within them. The differences in political discourses in states serve as the best example as to why an argument cannot work just anywhere, but is instead only as useful as the politics of the place will allow. By comparing two fracking bans with similar maximal propositions in two differing states, I explicate the maximal propositions within two literal propositions as a means of showcasing how arguments are only as effective as discourses that surround the place they are made.

Before the Denton Fracking Ban was passed, the Frack Free Denton campaign was at odds with the Support Responsible Drilling campaign, both organizations arguing in favor of the "best interests" of Denton. Both campaigns used their own rhetoric in characterizing this best interest for the community, with Frack Free Denton claiming that citizens' health and family were at risk, and Support Responsible Drilling listing the health of the Denton economy as being at stake. The framework of my analysis centers on how well these campaigns depicted the community of Denton, and how these representations constructed, and in some ways lost, legitimacy. Using Steven Schwarze's concept of the environmental melodrama as it extends Kennethe Burke's dramatic frames, I analyze the advertisements from the two campaigns, and use the different features of the environmental melodrama, comic frame, and tragic frame as a mode of analysis.

For a proper textual analysis of narratives within these campaigns, I examine fliers and advertisements from both campaigns to analyze the rhetorical use of "community" in Denton. I also analyze a documentary short film, as well as newspaper coverage of the campaigns for context. Within this chapter, I use Burke's tragic frame and comic frame, specifically pertaining to the Support Responsible Drilling campaign. In comparison, I also use Steven Schwarze's environmental melodrama as the framework for exploring Frack Free Denton's campaign. I argue that the representations of community exacerbated the unifying features of Frack Free Denton's environmental melodrama, and the inconsistent framework of the Support Responsible Drilling campaign did not align with its representations of Denton as a community. These representations of community, I argue, are a strategy of local movements that offer additional insights to environmental rhetoric regarding narrative theories.

Within this fourth chapter, I focus on local testimonies of those involved in the Frack Free Denton campaign. Several local protesters were involved in the process of writing the Denton Fracking Ban, gathering signatures for petitions, and writing editorials for Denton newspapers as a means to promote anti-fracking ideals. These protesters range in qualifications from professors at local universities to performers in bands around town. The rhetoric of local movement often revolves around the very part of its name; "localness." As a way of legitimizing movement efforts, movement leaders in the Frack Free Denton campaign used "localness" to rhetorically construct authority within Denton. Community-based movements often pride themselves on being local grassroots organizations and deploy multiple rhetorical strategies toward this end.

In order to examine the rhetorical construct of "localness," I interviewed six leaders in the Frack Free Denton campaign, and framed questions around strategies they used during their efforts to ban fracking in Denton. Using this text and field approach, I was able to broaden my understanding of the history of Frack Free Denton, despite analyzing the brief campaign years after it happened. Through storytelling frameworks, I added these interviews to my archive to provide further evidence in contextualizing the movement two years after its last major protest. Participants shared their perspectives on the success of the Frack Free Denton campaign, while also disclosing the struggles within the organization. Additionally, the interviewees highlighted key moments in the movement that served as important events in the movement's evolution. Through an analysis of this information, I constructed key characteristics of this local movement.

By analyzing the different perspectives of movement leaders, I identified four main tensions of being a local grassroots movement: an escape of bipartisanship vs. descent into factionalism, modeling success vs. modeling failure, winning at home vs. losing away, and

citizenly authority vs. stakeholder authority. These tensions were in constant flux in the Denton context, and epitomize how localness can serve as a powerful type of rhetoric that is able to transcend the authority of other governmental institutions, while also being vulnerable to organizational issues that bind a movement to its location. Furthermore, I argue that "localness" as a rhetorical construction can either unify and strengthen or severely limit the tactics a movement can deploy.

Anticipated Outcomes

In this thesis, I offer a historical account of the Frack Free Denton campaign, and the rhetoric surrounding all sides of the event. Altogether, this project comprises a rhetorical history of particular instantiation of a larger anti-fracking movement that emerged in response to the U.S. natural gas boom. This has the potential to be a part of a larger historical narrative of local protests during the rise of the natural gas industry, and sheds light on the rhetoric used in the politics of such disputes.

Finally, I expect this project to be the basis of a larger future study involving a rhetorical history of anti-fracking movement in the United States. What makes fracking so unique is how expansive shale deposits spread throughout the country, across smaller and larger cities. The rhetoric used within environmental and local protests regarding fracking offers a unique view of civic dispute in local politics, which differs across states. Understanding this rhetoric is important, not only because discourses surrounding this issue have to adapt as much as the industry in order to combat environmental degradation, but also because these discourses highlight the importance of local politics amongst highly invasive forms of industry. This project opens the possibility for a more in-depth comparative study with State College, Pennsylvania.

The comparison of State College would add other perspectives involving the representation of long term success or failure, while also taking place in a swing state that has the largest shale deposit next to the Marcellus Shale. The two cases are incredibly similar, and are worth analyzing the different rhetorics of place of governing bodies. Such a goal will allow me to pursue funding for this research, and provide possible work for a dissertation and publishing. I believe there is a need for an in-depth, book-length study of the local politics of fracking because of the increase of industry across the nation that creates civic disputes about environmental concerns. Finally, the history of the environmental movement in the United States is well underway, and the fracking boom is an important piece of that history. Understanding historical and rhetorical accounts of this movement is necessary for those who will likely view the fracking boom as a significant moment in history because of the abundance of newfound natural gas in the U.S., and the national appeal to exploiting this resource.

CHAPTER 2

POWER OF PLACE

After a two-year campaign to put a local drilling ordinance on the 2014 midterm election ballot in Denton, Texas, protesters against fracking celebrated a huge win over oil and gas companies around the area when they passed a law effectively banning all fracking activity within city limits. As noted already, protests against fracking in Denton began after several wells were drilled across the street from a playground and hospital.[28] In response, groups of Dentonites banded together to organize a way to get a stricter drilling regulations on the ballot, but eventually came around to banning fracking altogether. With a rather large following from the start, the Denton Drilling Awareness Group gathered nearly 2,000 signatures from residents, three times the number required to get the ban on the ballot.[29] By the time midterm elections rolled around, the Denton Fracking Ban Initiative rallied enough support to pass the measure by a 17% margin. That November, Denton became the first city in Texas to successfully pass a fracking ban by popular vote.

Denton was not the first city to ban fracking, but it was one of the few to ban the practice by a popular vote. A major problem of fracking is how it takes place in more populated areas, Pittsburgh and Dallas being prime examples. Although Dallas and Pittsburgh banned the practice of hydraulic fracturing within their cities, they had the support of their city councils to help cease the process. For towns without the power of the city council behind them, a popular vote is one of the few options for a ban, which is not an easy task. Banning fracking in Texas was an

[28] Zachary Roth, "What Happened in Denton: The War on Local Democracy," *NBC News,* August 2, 2016. Retrieved June 30, 2017 from http://www.nbcnews.com/news/us-news/what-happened-denton-war-local-democracy-n620926

[29] "Denton Fracking Ban Initiative," *Ballotopedia,* last modified July 16, 2016. Available at: https://ballotpedia.org/City_of_Denton_Fracking_Ban_Initiative_(November_2014)

accomplishment in and of itself because of the state's history with oil and gas extraction, but what was even more impressive was the amount of support without Denton's city council to back them. Denton was not the first town to achieve this feat, however. State College, Pennsylvania banned fracking within city limits three years earlier with the passage of their Community Bill of Rights. Much like Denton, residents of State College took action against the fracking industry after the placement of fracking wells concerned locals.[30] However, State College residents took a different approach.

In order to institute a fracking ban, State College residents contacted the Community Environmental Legal Defense Fund to write a Community Bill of Rights. The charter-ship gathered enough signatures to put the amendment on a ballot, and the city passed the Community Bill of Rights by a large margin. Although both Denton and State College share some similarities in the passing of their bans, the biggest difference between the two towns was the end result. State College eventually had the Community Bill of Right endorsed (even praised) by state officials and successfully banned drilling within city limits.[31] Denton, on the other hand, repealed the ban after receiving a flurry of lawsuits from oil and gas companies, which prompted the Texas State Legislature to draft a law overriding the ban. House Bill 40 "expressly preempts the authority of a municipality or other political subdivision to regulate an oil and gas operation but authorizes a municipality to enact, amend, or enforce certain measures that regulate aboveground activity."[32] When Texas governor Greg Abbott signed House Bill 40 into effect, the Denton Fracking Ban was effectively nullified by the new state law.

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[30] Pennsylvania Voters Nix Two Frack Bans; State College Ban Passes," *NGI's Shale Daily*, November 10, 2011. Retrieved July 5, 2017 from http://www.naturalgasintel.com/articles/2290-pennsylvania-voters-nix-two-frack-bans-state-college-ban-passes

[31] "Denton Fracking Ban Initiative," *Ballotopedia.*

[32] H.B. 40, Sess. of 2015 (Tex. 2015),

Although their bans met with nearly opposite results at the hands of their respective state governments, these two cases bear a lot of similarities. Both towns have roughly the same population density and demographic makeup. Both Denton and State College are suburban cities, home to major universities that drive the makeup of their populations and local economies. Denton is located over the second largest natural gas shale in the nation; State College is located over the largest.[33] The biggest difference between these two cases—aside from their outcome—is that the Denton Fracking Ban (DFB) represented a relatively limited ordinance whereas the Community Bill of Rights (CBR) was a broader, more ambitious rule. Nevertheless, both were motivated by the same primary goal to stop the practice of fracking within each city.

The major differences between the DFB and the CBR ultimately revolve around the idea of place and how arguments can be affected by them. Simply put, one argument might have a different outcome in one place, and understanding the function of place in argumentation is important to more effectively creating change. In order to understand the makeup of effective arguments and their relation to place, the Aristotelian concept of *tópos* is helpful. The classic rhetorical concept of *tópos*, or the plural form *topoi*, refers to a commonplace of argument, or a subject often returned to regarding specific topics.[34] Sometimes the commonplaces of argument can be influenced by the place in which an argument is made or the place in which it is said to apply. For instance, a common *tópos* of industrial pollution returns to where pollution is thought to belong in terms of rural, suburban, and urban areas. In other words, we value some places over others by assigning these labels. By naming places as "rural", or less in population density,

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http://www.legis.state.tx.us/BillLookup/History.aspx?LegSess=84R&Bill=HB40

[33] "Natural Gas Explained: Where Our Natural Gas Comes From," eia.gov last modified January 10, 2017, https://www.eia.gov/energyexplained/index.cfm?page=natural_gas_where

[34] Aristotle, *On Rhetoric: A Theory of Civic Discourse*, trans. George A. Kennedy (New York: Oxford University Press, 2007).

society deems those places as appropriate to be polluted. As in the case of Denton and State College, how and where these propositions were contested reflects the general characteristics of the concept of *tópos.*

When considering the Denton and State College cases, the place of argument helps to explain how two initiatives initiated for the same reason in two similar, but distant places had two completely different results. Within my own analysis of two fracking bans in the U.S., there are commonplaces (*tópoi*) of argument that are used within the policies created by protesters; the places in which those protesters made their arguments were a vital part of the anti-fracking rhetoric that has emerged. To examine the role of the topics in the movement to ban fracking in Denton and State College, I turn to Ancius Manlius Severinus Boethius's idea of the *maxima propositio* from his work on the topics, *De Topicis Differentiis*. Boethius's concept focuses on the process of constructing a good argument by prescribing a process for finding the overall argument in a given disputation and this concept highlights the key difference in the CBR and DFB.

Reintroducing the Maximal Proposition

A clearer look into Aristotle's description of *tópos* provides instruction on how argumentation takes place, and is a necessary history to know before understanding Boethius's *maxima propositio*. Aristotle loosely defines *tópos* as "a heading under which many enthymemes fall."[35] An enthymeme, although not directly related to *tópos*, is a rhetorical syllogism, or a unit of rhetorical argument. Aristotle's explanation goes hand-in-hand with another definition that he

[35] Aristotle *On Rhetoric* (1403a18–19)

provides of *tópos* as the commonplace of argument.[36] The concept serves as a general pattern of argumentation frequently returned to, a *tópos* provides instruction on whatever topic within the pattern. For instance, a commonplace of argument surrounding abortion is where life begins. By arguing about the initial stages of where life begins, the conclusive thoughts and general talking points provide a general outline for how similar arguments can be navigated. Put more simply, *tópoi* are schematic blueprints to argumentation, and offer an array of strategy to arguments of similar makeup. Indeed, *tópoi* can be tested, which explains why Aristotle provides a list of effective argumentative strategies in his work *The Topics.*

As Thomas Sloane explains in his first volume of *Encyclopedia of Rhetoric*, *The Topics* not only acts as an instruction manual for constructing a good argument, but also provide instances as to *where* to examine flaws in an argument.[37] I emphasize the importance of where an argument lies because of the importance of finding arguments that *tópoi* also possesses. The second characteristic of the concept focuses on the place of argument; like the page of a handbook, or placement within a claim. As Aristotle notes in *The Topics*, "We must find the location (*tópos*) from which to attack."[38] Although *tópos* is barely used in Aristotle's mnemotechnical technique of associating places within memories, he claims that "…the mere mention of places instantly makes us recall things, so these will make us more apt at deductions through looking to these defined premises in order of enumeration."[39] Aristotle speaks of the topics as checkpoints to assess during disputation, and the better recall of them will provide a sounder argument. In a sense, Aristotle explains the topics' uses in two ways: first, as places to

[36] Aristotle, *On Rhetoric* (1403a18–19)

[37] Timothy Sloane, *Encyclopedia of Rhetoric* (New York: Oxford University Press, 2001), 779-783.

[38] Aristotle *Topics* VIII.1, 155b4–5

[39] Aristotle *Topics* 163b28–32

dispute *within* argument, and second, as places to *go* for argument. Thus, the general practice of the topics, per Aristotle, is within the moment of dispute and relies solely on the memory of the presenter to recognize the fault in their opponent's argument.

Of course, the method of the topics changed throughout history as new rhetorical cultures reinvented them. Sloane explains, "…Romans would have given the terms *topos* or *locus* to a section of a speech that amplified the virtue or vice of the particular subject by reference to some well-known event or person."[40] Sloane mentions the ways in which Latin literature prized inventiveness in modes of speech and used the topics as more of a frame to create allusive and different takes on commonplaces of argument. Cicero is the best example. In *De Inventione*, he highlights the importance of drawing parallels to similar arguments and constructing speeches that are ultimately judged. The difference between Aristotle and Cicero's use of *topoi*, as Michael Leff explains, is Cicero's "shift from the discovery of inferential connectives to the discovery of material for argument."[41] By inferential connectives, Leff distinguishes Aristotle's use of *topoi* as analytical frames of reference during a dispute, which is more methodological in assessing the principle of proof in an argument. Cicero, however, uses *topoi* as a means of constructing arguments before a judge, which heavily relied on gathering materials to make arguments against an opponent. *Topoi*, in Cicero's explanation, are "a house of proofs" to be used as building blocks in crafting the best argument.[42]

As James Jasinski explains in his *Encyclopedia of Rhetoric*, students of Aristotle do not typically appreciate Cicero's focus on invention when using the topics.[43] According to Jasinski,

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[40] Timothy Sloane, *Encyclopedia of Rhetoric*, 781.

[41] Michael Leff, "Topical Invention and Metaphorical Interaction," *Southern Speech Communication Journal* 48, (1983a): 214-229.

[42] Cicero. *De Inventione*, trans. H. M. Hubbell (Cambridge, MA: Harvard University Press, 1949).

[43] James Jasinski, *Encyclopedia of Rhetoric* (New York: Oxford University Press, 2001): 579-583.

Cicero mostly uses the topics as reference points for creating speech, rather than as a methodological breakdown of arguments. For example, Cicero asserts that a course of reasoning establishes something into fact. If the presenter can make parallels to definitions that are similar, the same rules can be applied to both properties and treated the same. Put simply, Cicero treated the topics as a product of discourse to be repeated, slightly altered, and regurgitated for constructing foolproof speeches, which differs from Aristotle's methodological use of the topics within disputation.[44] Cicero's systematic use of *tópos* influenced classical scholarship well into the twentieth century, but there remains another era of research on the topics that serves as a middle ground between Greek and Roman culture.

The final transformation of *tópos* came from a tutor of the Middle Ages known as Boethius in his book *De topicis differentiis* (*De top. diff.*). According to Eleanor Stump in her translation of Boethius's *De top. Diff*., Boethius was a Roman scholar that was known as an educated consul to the king of his time.[45] Boethius was known for his honors to scholarship before being accused of treason and eventually sentenced to death. Known for commentating on the classics, Boethius's use of *topos* is certainly a middle-of-the-road approach, highlighting the tradition of Aristotelian topics while maintaining Cicero's focus on finding and judging arguments. If anything, Boethius's explanation of *topoi* is an improvement on Cicero's, considering that Boethius actually explains Aristotle's topics. Stump argues that Boethius's description of the topics further solidifies the idea of a topic being a strategy explained by a principle.[46] Stump illustrates this strategy by translating Boethius's concept of the *maxima*

[44] James Jasinski, *Encyclopedia of Rhetoric*, 580.

[45] Eleanor Stump, "Dialectic and Aristotle's Topics," in Boethius, *De Topicis Differentiis*, trans E. Stump (Ithaca, NY: Cornell University Press, 1978)

[46] Stump, "Dialectic and Aristotle's Topics," 186.

propositio, or the maximal proposition. Maximal propositions are self-evident truths that an audience would readily recognize as principles. Boethius claims they are generalizations that prove some conclusion. According to Boethius, these generalizations help in the process of finding arguments because the maximal proposition is the principle that ultimately guides all of the arguments that follow.[47] Boethius also explains that any secondary proposition made within an argument should be supported by the maximal proposition based on its self-evidence.[48]

Consider the example of public arguments over abortion, those arguing pro-life generally find grounds on the life of the child, while those arguing pro-choice generally value the choice of the mother over a child that technically is not alive. Thus, the argument is really where life begins because each maximal proposition is based around the concept of life. A more formulaic approach from someone arguing pro-life might resemble: [maximal proposition] babies have fully functioning brain activity before being born, so [secondary proposition] brain activity means they are living. The formula for someone arguing pro-choice would go more like: [maximal proposition] babies are not living until born, so [secondary proposition] the choice of the mother is more important than something that is not living. This argument, admittedly simplified, will inevitably revolve around where life begins, and looking at the maximal proposition alone will help find the underlying argument.

The conclusion is derived from the first principle, or the maximal proposition, so the more self-evident the proposition, the better the conclusion. Within this example, the maximal proposition is: abortion may or may not be justified depending on where life begins. So, the maximal proposition simply helps find the root of the argument, to find where life begins. Stump

[47] Stump, "Dialectic and Aristotle's Topics," 190.

[48] Stump, "Dialectic and Aristotle's Topics," 191.

claims the maximal proposition possesses the same trait of Aristotle's axiom, but provides the systematic approach that Cicero displays within his topics. Furthermore, for Boethius the topics were a way for presenters to avoid demonstration, which is described much like a scientific breakdown of a problem and solution, because audiences would not follow or at least not be useful in argumentation. In short, Boethius advised ancient rhetoricians to avoid demonstration because an argument made in fewer words could capture the attention of audiences (or judges) without the bore of a long, complicated lecture. A modern example of this might be found in advertisements, where an aesthetically pleasing photo, coupled with a brief yet necessary amount of information, would get the point across to its audiences. Boethius claims that the maximal proposition, based in self-evident truths, are a way of mapping out and *finding* arguments within the short language that a skilled rhetorician would offer. This concept of finding arguments via the maximal proposition is necessary for locating arguments on the spot, during a disputation.

However, what if the maximal proposition for a given policy advocacy depends on the location in which it is argued? One factor that Boethius does not mention is how a general principle may be valued differently in different places. All Boethius has to offer in the case of competing propositions is the more generally accepted truth, the better the proposition is suited for linking the conclusion and finding root arguments. The factor of place in maximal propositions is especially important when assessing what truths are self-evident, for a generally accepted principle in one place may be deemed unacceptable in another. The idea of constructing an argument and finding the base of an issue is linked to the law and culture of a given place, so the maximal proposition is at least partly dependent on places of argument.

The concept of places in protest as ever-changing discourses aids in the argument to follow because of the idea of one argument holding weight in specific area over others. Danielle

Endres and Samanth Senda-Cook argue that the rhetoricity of place manipulates the social structures of place.[49] In their argument, Endres and Senda-Cook offer ethnographical insight on how places of protest are themselves rhetorical as well as ephemeral. The rhetoricity of place is argued by Endres and Senda-Cook as a means of centering place as a functioning agent of protest.[50] For instance, places in protest can be used to move forward place-based arguments and/or place as rhetoric.

Although he did not foresee it, Boethius's *maxima propositio* can prove useful for scholarship pertaining to place-based arguments, and vice versa. Changes in these factors critically alter how we value place within civic discourse and create hierarchy that puts places and communities at environmental risk. It is easy to forget that protests strive for a cause eventually ending in pen and paper, so examining the laws that protesters formulate offers a key perspective on how these arguments work rhetorically in different settings.

State College Community Bill of Rights

The Community Bill of Rights originated from a local environmental advocacy group called Groundswell PA, which hosted community efforts in collecting signatures during the summer of 2011.[51] Groundswell was founded by Braden Cooks, a Penn State University Alum, who started challenging drilling ordinances to protest well water on family-owned land. The group collected more than 1,000 signatures and put the proposed amendment on the November 8

[49] Danielle Endres and Samantha Senda-Cook, "Location Matters: The Rhetoric of Place in Protest," *Quarterly Journal of Speech* 97 (2011): 257-282.

[50] Endres and Senda-Cook, "Location Matters," 258.

[51] Michael Bloom, "State College Voters Overwhelmingly Approve Community Bill of Rights to Ban Fracking," *Protecting Our Waters*. November 9, 2011. Accessed on June 12, 2017 from https://protectingourwaters.wordpress.com/2011/11/09/state-college-voters-overwhelmingly-approve-community-bill-of-rights-to-ban-fracking/

ballot in 2011. During this time, Groundswell PA contacted the Community Environmental Legal Defense Fund (CELDF), a non-profit organization devoted to legal defense of environmental concerns.[52] The CELDF contributed to most the policy within the Community Bill of Rights for State College, which was successfully amended on November 8 of 2011.

Despite the bill of rights being against the wishes of the State College City Council, the bill passed with a 72% majority. Although fracking bans had been instated within Pittsburgh and a few other towns in Pennsylvania, none had been passed by popular vote.[53] In the next few years, several other townships used the State College Bill of Rights as a model for their own goal of jurisdictional policy. The success of the CBR can be attributed to many factors, one of which is how well of an argument it presented. The maximal proposition of the CBR helps what exactly the argument is and why it worked well.

Since a maximal proposition should *self-evident, generalized,* and *support its secondary propositions,* the CBR should denote all of these characteristics. As a literal proposition against fracking, the CBR's maximal proposition centered mainly around the citizens' right to the environment of State College, and has secondary propositions that enforced punishments to the fracking industry for challenging that ownership. The State College Community Bill of Rights not only confronted regulation of fracking, but also demanded the right to clean air, water, natural communities, a sustainable energy future, self-government, sovereignty, and the "peaceful enjoyment of the home."[54] Albeit an unusual right to include among the proposition,

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[52] "State College," *Community Environmental Legal Defense Fund*, accessed June 11, 2017, http://celdf.org/2015/08/state-college/

[53] Stephen Brown, "The Shale Gas and Tight Oil Boom: US State Economic Gains and Vulnerabilities," *Council on Foreign Relations.* Accessed May 1st, 2017. http://www.cfr.org/united-states/shale-gas-tight-oil-boom-us-states-economic-gains-vulnerabilities/p31568

[54] 41.2-205, State College Borough Bill of Rights, *Our Community Bill of Rights and Natural Gas Drilling Ban*, State College, PA: 2011

enjoyment of the home is a perfect example of the generalizable notion of claiming a community right to the environment in a general sense. The overall argument made by the CBR, that the fracking industry has no right to drill on someone else's land, rested on this broad conception of the rights of State College residents as members of the community, rights that were just as applicable both inside and outside people's homes.

The remainder of the CBR denotes violations of the law per the bill of rights, and denounces acts of corporate or governmental contradiction.[55] Some of the protections even proclaim a violation of the law if fracking in neighboring municipalities pollutes State College, further expanding the ordinance of appropriate places to drill. The provisions go as far to say that no corporation, "or a person using a corporation," can overturn the municipal ordinance using preemptive laws enforced by the state of Pennsylvania.[56] Finally, the Community Bill of Rights invalidates any documentation or license that contradicts the provision at the highest level.

> No permit, license, privilege or charter issued by any State or federal agency, Commission or Board to any person or any corporation operating under a State charter, or any director, officer, owner, or manager of a corporation operating under a State charter, which would violate the prohibitions of this Charter provision or deprive any Borough resident(s), natural community, or ecosystem of any rights, privileges, or immunities secured by this Charter, the Pennsylvania Constitution, the United States Constitution, or other laws, shall be deemed valid within State College Borough.[57]

This final provision is the proverbial nail in the coffin to corporate fracking ordinances within State College, and directly transcends all levels of government by re-centering municipality control to local jurisdiction. Another way of looking at how these provisions are organized is by focusing on the theme of environmental boundary setting. The CBR is drawing boundaries metaphorically and physically, which emphasizes the place that the citizens live on

[55] State College Borough Bill of Rights:

[56] State College Borough Bill of Rights:

[57] State College Borough Bill of Rights:

while also creating a generalized area of ownership, and reinforces the original maximal proposition by detailing the authority of the homeowner. This right to the land as citizens is reinforced in the section covering the consequences of violation.

> Corporations in violation of the prohibition against natural gas extraction, or seeking to engage in natural gas extraction shall not have the rights of "persons" afforded by the United States and Pennsylvania Constitutions, nor shall those corporations be afforded the protections of the commerce or contracts clauses within the United States Constitution or corresponding sections of the Pennsylvania Constitution.[58]

Drawing back to a more formulaic approach of the CBR's maximal proposition, the entire approach might look something like this: [maximal proposition] the community of State College has a right to enjoy home and self-govern, so [secondary proposition] fracking disturbs the home, and we have the right to govern our own community. Therefore, fracking should not take place on our land. Thus, the argument is actually about who lives on the land. With a general concept like the home, the CBR has to literally and figuratively draw boundaries around State College to support their argument of ownership. This type of argument is very much a Not in My Backyard (NIMBY) approach, but it goes well with the concept of the maximal proposition. The right to enjoy the home is self-evident and offers few strong lines of counterattack. The home is also a very general concept that gives shelter to a host of similarly strong secondary propositions. Also, as Boethius insists they should, the secondary propositions that punish those violating those rights are justified by the maximal proposition itself. The CBR has a solid maximal proposition that helps find a distinct argument surrounding the right to the land a person lives on, which is different from Denton's maximal proposition.

[58] State College Borough Bill of Rights:

Denton Fracking Ban

Despite being passed nearly three years after the Pennsylvanian provision, the Denton Fracking Ban actually began campaigning in 2009, two years before State College. Opposition to drilling practices started forming after a local wild life preservation was stripped of land rights for fracking purposes. A local organization known as the Denton Drilling Awareness Group, or DDAG, started taking legal action against companies drilling wells. After several instances of illegal dumping of waste water, a natural gas leak, and violation of drilling ordinances, DDAG started collecting signatures to put a full-blown fracking ban on the November 4 ballot. In Texas, the required number of signatures for a city ballot amendment is 25% of the last votes cast in the previous municipal election. DDAG collected three-times the signatures required, and put the ban on the ballot, which was eventually passed with a majority, 58% of the vote.[59]

The logistics of the ban are not that different from that of the State College Community Bill of Rights, but the DFB has a differing theme focused on health of the community instead of asserting the community's ownership of its environment. The ban starts with a break-down of the health risks related to fracking, and the potential of fracking waste as a health hazard on water supplies. The authors of the document stress the importance of transparency in waste dumping to avoid health hazards, and listed complaints of noise and a worsening of air quality. Like the State College CBR, the DFB denounces corporate entities interfering with local land, and prohibits the drilling within city limits. The major difference in this case is the DFB maximal proposition, and how it focuses more on fracking generating a health risk.

In fact, the Denton Fracking Ban was filed based off the Texas Constitution, claiming:

[59] "Denton Fracking Ban Initiative," *Ballotopedia,* last modified July 16, 2016 https://ballotpedia.org/City_of_Denton_Fracking_Ban_Initiative_(November_2014)

> As a Texas home-rule municipality pursuant to Article II, Section 5, of the Texas Constitution, the City of Denton, Texas ("City"), may enact regulations not inconsistent with the general laws of the State of Texas in the interest of the health, safety and welfare of the citizens of the City.[60]

Since the interest of health was in question, the city of Denton had a case to make a ban. Much of the DFB referred to the harms of fracking and public health, citing "noise complaints, road repair issues due to use of heavy equipment, site security and signage issues, issues related to operating hours, venting of gas, fire suppression issues, lighting issues, containment systems, environmental impairment matters and other regulatory issues and air quality."[61] As such, the DFB's maximal proposition was more concerned with the health of the community. As a maximal proposition, it is relatively self-evident that Denton has a right to live in a healthy community. The maximal proposition is also generalized in terms of what constitutes a healthy lifestyle, free of air pollution, water contamination, etc. Finally, the secondary propositions that relate all cite instances of health-related concerns that reinforce the maximal proposition. Thus, a Boethian maximal proposition seems present in the Denton Fracking Ban.

Once again taking a formulaic approach to the DFB, the breakdown might look something like this: [maximal proposition] Denton citizens havethe right to live in a healthy environment, so [secondary proposition] fracking is negatively affecting the health of our environment. Therefore, fracking should not be in our environment because it harms our health. Although this argument was ultimately successful on a local level, this concern with public safety came back to the forefront of legal arguments against the ban by claiming there is no clear evidence that the practice of hydraulic fracturing actually harms public health. Despite being passed by the city of Denton, two lawsuits were filed by the Texas General Land office and the

[60] Denton Fracking Ban:

[61] Denton Fracking Ban:

Texas Oil and Gas Association just hours after the vote passed, claiming the ban was unconstitutional and restricting.[62] The city of Denton repealed the ban shortly after, the lawsuits were dropped, and the Texas legislature passed House Bill 40 which prohibited any future local control of municipality jurisdiction.[63]

In comparing the two propositions, both bans ultimately had a similar goal in mind: to ban fracking within city limits. However, the differences in their maximal propositions are partly a factor in the differing overall results. When comparing the maximal propositions to land ownership and health, there are a multitude of reasons for why one maximal proposition is better than the other. The next step in locating these factors goes back to what Boethius considers to be a maximal proposition: self-evident, generalized, and supportive of its secondary propositions. In the two cases of the CBR and the DFB, these differences are significant.

The Maximal Maximal Proposition

Since the DFB has a maximal proposition concerned with the health of Denton's environment, most of the argument will rely on proving the negative health impacts that fracking causes. In the case of the CBR, the maximal proposition relies on the right to land lived on, which will make an argument that lists much of the ownership of the city. The Community Bill of Rights relies on a much better argument than that of the Denton Fracking Ban, and this is because of the amount of, what Aristotle would call, demonstration in the DFB. Once again, demonstration is basically another way of describing demonstrative science within a debate. An

[62] Jim Malewitz, "Texas Drops Suit Over Dead Denton Fracking Ban," *Texas Tribune.* September 18, 2015. Accessed June 16, 2017 from https://www.texastribune.org/2015/09/18/texas-drops-suit-over-dead-denton-fracking-ban/

[63] Mose Buchele, "After HB 40, What's Next for Local Drilling Rules in Texas," *State Impact,* July 2, 2015. Accessed June 16, 2017 from https://stateimpact.npr.org/texas/2015/07/02/after-hb-40-whats-next-for-local-drilling-bans-in-texas/

example of this might be a climate scientist explaining the science of the melting of the polar ice caps. More importantly, demonstration requires a lot of steps to make a desired conclusion, which creates a lot of different points of contestation, any of which could prove to be a weakness. Demonstration is where the DFB and CBR differ, and why a Boethian analysis must deem the CBR a better argument.

A starting place for why the DFB is more demonstrative is the self-evident truth that Denton has a right to a healthy environment. Even though this maximal proposition is something that can hardly be argued against, the secondary propositions must demonstrate the multitude of ways in which the health of the city is at stake. For example, consider one of the many "whereas" clauses within the text of the DFB:

> WHEREAS there is an abundance of reports, studies, information and data about the effects of natural gas drilling on public health, welfare and safety, some of which reports, studies, information and data are contradictory, and due to such, many of the City's residents have undertaken extensive study to determine what, if any, effects natural gas drilling may have on the public health, welfare and safety of Denton and its residents.[64]

Most of this argument is fixated on proving fracking causes harm to health, which the ban covers numerous examples. This type of demonstration is inherently troublesome given that well information is protected in the Freedom of Information Act.[65] Without the release of the chemicals within fracking fluid, making a case that fracking is a danger to health is rather difficult. Because of this limit on well information, the secondary propositions cannot be conclusively supported by the maximal proposition and makes any attempt to prove fracking as a health risk an advantageous dispute for those opposing the ban.

[64] Denton Fracking Ban: 2014

[65] FOIA Guide, 2004 Edition: Exemption 9," *The United States Department of Justice*, accessed on October 25, 2017, https://www.justice.gov/oip/foia-guide-2004-edition-exemption-9

The CBR's maximal proposition declaring the rights of the borough of State College is broadly a declaration of rights for its citizens, which is also a strong argument. In contrast, though, the secondary propositions in the CBR only have to prove land ownership, which avoids much of the need for the sort of detailed and highly contestable demonstration that Boethius warned against. Instead, the CBR has rights that denote boundaries of State College, treating it like a sovereign state:

> State College Borough shall be the governing authority responsible to, and governed by, the residents of the Borough. Use of the "Borough of State College" municipal corporation by the sovereign people of the Borough to make law shall not be construed to limit or surrender the sovereign authority or immunities of the people to a municipal corporation that is subordinate to them in all respects at all times. The people at all times enjoy and retain an inalienable and indefeasible right to self-governance in the community where they reside.[66]

The secondary propositions go as far to deem a punishment to any corporation to foreground on State College, and are further supported by the maximal proposition. When comparing the two propositions there is clearly a differing statement of: "you must not frack here because you will make us sick," and "you must not frack here because this is ours." The most important part of these two propositions is that one is more self-evident, while the other must fish around for supporting evidence. Furthermore, the fact that the DFB was more demonstrative in relation to the many health concerns caused by fracking, it ultimately failed the city in the long run since the state could just disprove that fracking was harmful in the first place. In fact, the political makeup of the states of Texas and Pennsylvania are another part to why only one of these bans had long-term success and why maximal propositions are ultimately dependent on difference of place and culture.

[66] State College Borough Bill of Rights: 2011

Accessing the Best Maximal Proposition

Differences of place are the reason there exist two different conceptions of a maximal proposition, which is evident since the CBR and DFB are fighting for the same thing. However, place is also a factor when having access to the best maximal proposition. Is it the case that Denton did not have access to the kind of maximal proposition that State College had, and did the systems that the state of set in place inhibit them from making a better argument? The answer lies closely with the literal makeup of the propositions, given that one of them is actually a declaration of rights used in a state that allows for such legislation.

Pennsylvania is one of several states that can have local governments apply for charters of land. This ordinance states, "Municipalities shall have the right and power to frame and adopt home rule charters... A municipality which has a home rule charter may exercise any power to perform any function not denied by this Constitution, by its home rule charter or by the General Assembly at any time."[67] The Home Rule Law allows Pennsylvania boroughs possess a charter allowing stricter control over their own land and township. In fact, these charters are rarely challenged by the state. Charters are part of the reason why the CBR was able to include propositions like this:

> No permit, license, privilege or charter issued by any State or federal agency, Commission or Board to any person or any corporation operating under a State charter, or any director, officer, owner, or manager of a corporation operating under a State charter, which would violate the prohibitions of this Charter provision or deprive any Borough resident(s), natural community, or ecosystem of any rights, privileges, or immunities secured by this Charter, the Pennsylvania Constitution, the United States Constitution, or other laws, shall be deemed valid within State College Borough.[68]

[67] Community Environmental Legal Defense Fund, "Home Rule for Pennsylvania Local Governments," Archived on October 19, 2010. Retrieved from https://web.archive.org/web/20101019180250/http://celdf.org/downloads/Pennsylvania%20Local%20Governments%20and%20Home%20Rule.pdf

[68] State College Borough Bill of Rights: 2011

Texas is one of only a few states that has limited home rule charters, which is effectively trumped by the state's issuance of Dillon's Rule, or state preeminence over local governance.[69] According to the website for the Community Environment Legal Defense Fund, State College was able to create a Community Bill of Rights as a charter that had every right to not be challenged by corporate or government entities. The advantage to having a charter in this instance is banning fracking within the city limits, a privilege that Denton did not possess due to Dillon's Rule.

The home rule charter is effectively why State College had access to a better maximal proposition, and why Denton had more hurdles of legislation to jump. Given the fact that townships in Pennsylvania seem to have more power relative to cities in Texas, even the amount of local support differed. The mayor of State College, Elizabeth Goreham, openly stated that the Community Bill of Rights was an integral part of local democracy.[70] The Denton City Council refused to vote on the Denton Fracking Ban, but instead left it up to the citizens, despite a groundswell of enthusiasm for putting the ban on the ballot. The amount of support at the local level was different depending on the discourses surrounding local governance in each of the states, which is why the accessibility of the best maximal proposition is not always possible given the difference of political systems in a certain place. For State College and Denton, the makeup of their state governments—one of few aspects of place they did not share in common—helped determine two differing commonplaces of argument with differing results.

[69] Article 11, *Dillon's Rule*, Texas Constitution. Accessed May 21, 2017 from http://www.statutes.legis.state.tx.us/Docs/CN/htm/CN.11.htm#11.5

[70] Kristin Stoller, "Environmental Bill of Rights Amendment Stirs Disagreement Between Council Members," *Daily Collegian* November 3, 2011. Retrieved July 1, 2017 from http://www.collegian.psu.edu/archives/article_3ef0551d-edf9-5e42-8074-c0690fb4939b.html

This differing result begs the question of what to do when faced with a situation when the accessible maximal proposition is not going to be best for the long run. More importantly, how does one decide on the best maximal proposition based on the systems set in place, especially when the opposition is in the majority? Classic scholars like Aristotle and Boethius frame the topics of argument as generalized blueprints for argument, but they did not factor in place as a genuine factor of argumentation. Using the best argument on the table is not always going to be successful, and Denton is a prime example of how that may take place. Maybe focusing on the issue of health was the best chance at gaining local success because a bill of rights was out of the question. Of course, Boethius says the best arguments are those that are more self-evident and avoid demonstration, and perhaps could be used as a strategy.

Questions related to this kind of argumentation speak not only to instances of environmental degradation, but also facing overwhelming systems of government that inhibit making the best argument (i.e. being a Democrat in a red state and vice versa). Most importantly, place is an influential factor of what forms of protest and argument are decided upon, which challenges the notion that place is in constant negotiation. Instead, the negotiation of place is much slower depending on the systems in place. As Endres and Senda-Cook argue, "constructions [of place] can align with existing meanings of a place or reconstructions can temporarily change the meaning of a place to create a fissure in the dominant meaning of the place."[71] The problem arises when environmental degradation like that of hydraulic fracturing require a more immediate change, and challenging these meanings of place can only be effective when making the best argument *in that place*. In other words, the argument is more dependent of place, and negotiating place is much different on paper when modes of government are a

[71] Endres and Senda-Cook, "Location Matters," 276.

dominating force to be reckoned with. Additionally, a long-term strategy to change the acceptable maximal proposition in a given place must reckon with a process of environmental degradation that takes only a month from start to finish. Movements that take a democratic approach in addressing issues of fracking, that are limited in using accessible maximal propositions, must deploy other tactics within their own arguments to have any sort of success.

CHAPTER 3

STRATEGY OF COMMUNITY IN ENVIRONMENTAL MELODRAMA

In many ways, the Frack Free Denton (FFD) campaign embraced the identity of the community while simultaneously scapegoating the fracking industry as a danger to that identity of Denton as a community. From the very start of when *The Denton Record Chronicle* began publishing citizen testimonies on fracking, FFD organized their meetings in the city's bars to prepare for the upcoming vote. FFD also allowed local artists to design their campaign materials. FFD incorporated the originality and independence that Denton represents, which found its way into the campaign's discourse. Of course, other Dentonites did not see eye-to-eye with some of their neighbors. The other side of this debate, those opposing the fracking ban, was spearheaded by a campaign named Support Responsible Drilling (SRD). An organization known as Denton Taxpayers for a Strong Economy funded most of the materials for SRD. The Denton Taxpayers for a Strong Economy (DTSE) came about in response to FFD's campaign, dismissing much of FFD's campaign as fear-mongering.[72] The DTSE's ads illustrated the danger that banning fracking within the city of Denton would pose for the city's economy as well as the infringement of citizens' mineral rights.[73]

SRD framed any effort to stop this type of industry as a violation of the rights of Denton's homeowners and a huge loss to the city's economy. Opposition to FFD sent print circulars stating that those for the fracking ban were creating scare tactics to get votes. Other advertisements from SRD warned of lawsuits from private companies, as well as immediate action from the state. According to a message from the North Texas State Fair and Rodeo, a

[72]Denton Taxpayers for a Strong Economy, Advertisement, October 2014, *North Texas State Fair and Rodeo*

[73] Barnett Shale Energy and Education Council, "Just the Facts: A Publication of the Barnett Shale Energy Education Council," 2.

Denton organization partnered with DTSE, many of these ads were endorsed by energy and gas companies, or backed by a few local citizens with mineral rights within the city.[74] SRD argued that fracking was a non-issue for the city, and another important way to capitalize on the energy industry for Denton. However, FFD argued otherwise, and used their own set of campaign strategies to gain support.

FFD focused on the health risk and nuisance fracking posed to the city. Many of the campaign materials relied on pathos appeals through imagery depicting "family" and "community" to embody what fracking hurts. FFD campaign fliers drew attention to the minimal amount of profit that hydraulic fracturing would gain the city. The ads also portrayed various measurements of waste water, chemical spills, and uncontrolled blowouts, all associated environmental risks that fracking poses within the city. Most of FFD's campaign materials were paid for by an organization out of Washington D.C. known as Earth Works, which supports local and national campaigns against environmental risks.[75] Every ad used by FFD included the words "Our Denton" with the city's historic courthouse as a backdrop.

On the other side, the major backers for the responsible drilling campaign were oil and gas affiliates like Chevron, XTO Energy, and Chesapeake Energy, who contributed upwards of $700,000 within six months.[76] Other supporters of the SRD campaign were local organizations, like the North Texas State Fair Association and the Barnett Shale Energy Education Council headquartered in nearby Fort Worth. The Barnett Shale Energy Education Council, which claims to educate the public on the safety of hydraulic fracturing by stressing the safeness of fracking

[74] Denton Taxpayers for a Strong Economy, Advertisement

[75] Denton Taxpayers for a Strong Economy, Advertisement, October 2014, *North Texas State Fair and Rodeo*

[76] Douly Xaykaothao, "A Proposed Drilling Ban Sends Denton Voters to the Polls," *Kera News* October 29, 2014. Retrieved on September 23, 2017 from http://keranews.org/post/proposed-fracking-ban-sends-denton-voters-polls

for air quality, water supply, and noise pollution, paid for many of the ads used by the SRD. These ads often rejected the idea that any of FFD's health and environmental concerns were actually related to fracking, and called for other organizations to supply hard data. The Barnett Shale Energy Council mailed brief publications, usually citing several examples as to how Denton's economy would suffer from the fracking ban.[77] Staying consistent with their economic theme, the SRD ads depicted oil and gas companies as the sole providers of tax revenue for the city, often listing millions of dollars of contributions from drilling. The Denton Taxpayers for a Strong Economy also used the city's courthouse as a logo for their advertisements in a similar effort to speak as Dentonites.

In fact, many of the portrayals of Denton's "community" overlap between these two campaigns. Both campaigns regularly claimed to speak for the best interest of the community. The two campaigns might seem like a clash between environmental protection and economic interest, but FFD focused much of their campaign on the health dangers and nuisance factors of fracking and SRD did not shy away from arguing about the environmental impacts of fracking. Given that Denton's fracking ban contained a narrative of an environmental dispute that created a broader political engagement against powerful institutions, Steven Schwarze's concept of environmental melodrama provides a helpful frame for explicating Frack Free Denton's success because of the polarizing effects of the environmental melodrama that are a necessity for

[77] Denton Taxpayers for a Strong Economy, Advertisement, October 2014, *North Texas State Fair and Rodeo;* Denton Taxpayers for a Strong Economy, Advertisement, "Denton's Nov. 4th Drilling Ban Proposition Will Hurt Our Schools," *Support Responsible Drilling*; Denton Taxpayers for a Strong Economy, Advertisement, "Denton's Nov. 4th Drilling Ban Proposition Will Hurt Our Parks & Recreation Areas," *Support Responsible Drilling*; Barnett Shale Energy and Education Council, Advertisement, "Just The Facts: A Publication of the Barnett Shale Energy Education Council", page 1; Barnett Shale Energy and Education Council, Advertisement, "Just The Facts: A Publication of the Barnett Shale Energy Education Council", page 2; Pass The Ban PAC, Advertisement, "VOTE to ban Fracking in Denton," *Frack Free Denton*; Blackland Prairie Rising Tide, Advertisement, "Vote for the Fracking Ban Right Now at Sycamore Hall"; Pass The Ban PAC, Advertisement, "One Fracking Blowout," *Frack Free Denton*.

grassroots movements opposing big industry. As Schwarze argues, melodramas have a sociopolitical narrative, which "clarify issues of power" by unification of specific narratives.[78] The balance that melodramas provide in civic discourse stems from this unification that "can encourage a unity of feeling, offering a basis for identification that has been obscured by emotionally dissipating and dispassionate rhetorics."[79] Schwarze observes that the melodramatic form has four features: "a socio-political conflict, polarization of characters and positions, a moral framing of public issues, and development of monopathy."[80] These features allow the melodrama to constitute opposition, but also "generate solidarity and motivate action among those who might engage one side of the conflict."[81] All of these features are present in the Frack Free Denton campaign and were emphasized in how they bolstered a sense of community in Denton.

If the environmental melodrama moralizes characters in a socio-political conflict as Schwarze claims, then a comparative analysis of the characters in the melodrama presented by the FFD and SRD campaigns is necessary to explore how these campaigns use moral frameworks to appeal to the Denton community. FFD framed the four different features of the environmental melodrama within campaign materials, and Support Responsible Drilling responded to these features with little effect. FFD ran a successful campaign despite being out funded by SRD, and offers compelling evidence for the validity of Schwarze's theory as a tactic for movements addressing environmental concerns. Finally, I analyze multiple narrative

[78] Steven Schwarze, "Environmental Melodrama," *Quarterly Journal of Speech* 92 (2006): 239-26.

[79] Steven Schwarze, "Environmental Melodrama," 240.

[80] Steven Schwarze, "Environmental Melodrama," 245.

[81] Steven Schwarze, "Environmental Melodrama," 245.

frameworks as way to distinguish as depictions of community within dramatic modes of discourse.

Environmental Melodramas in Action

As a starting point, the environmental melodrama is an extension of Kenneth Burke's dramatistic tragic frame and needs a brief overview for reference. Burke argues that art forms like that of the tragic and comic frame offer symbolic resources to resolve conflicts in a historical and personal context. These instances act as real-life guiding points for individuals to use similar discursive strategies, and use these strategies as a way to make sense of own situation and reach a level of identity.[82] Burke mentions a way to analyze these discursive processes is examining media critics and the attitudes they frame towards a story. Brian Ott and Eric Aoki state "how a story is framed in the news affects both how the public assigns responsibly for a traumatic event," and help people figure out courses of action and preferred outcomes.[83] For example, if a media outlet frames a particular individual as a "dangerous person," Burke would suggest the people will act on these discursive strategies and reach a particular resolution, such as scapegoating. A couple of Burke's frames, like the tragic and comic frame, have their own ways in engaging these events.

Burke's dramatism relies on language as a mode of action, making us symbolic actors that are engaging in hierarchy that is always being disrupted. For instance, Burke's tragic frame is centralized around guilt. A tragic event happens and disrupts order, people feel somewhat responsible/feel as though others are responsible, thus they take necessary actions in order to

[82] Kenneth Burke, *Attitudes Toward History*, 3d ed. (Berkeley: University of California Press, 1984), 34.

[83] Brian Ott and Eric Aoki, "The Politics of Negotiating Public Tragedy: Media Framing of the Matthew Shepard Murder," *Rhetoric & Public Affairs* 5 (2002), 486.

restore order within the hierarchy. One way of resolving this guilt is either through mortification (accepting blame and resolving problems), or scapegoating (placing blame on someone else and claiming to the victim), which "unifies all those who share the same enemy."[84] People restore order if the mortification or scapegoating of characters is sufficient enough to remove guilt. Burke's comic frame is slightly different in that it centers around the belittling of the guilty party, but keeping them apart of the social order. Within the comic frame, people reach a level of compromise by acknowledging the guilty party is "mistaken", and must be enlightened.

Emerging from Burke's lessons of dramatism and the tragic frame, the environmental melodrama is a relatively recent developed concept, and several scholars like Schwarze, William Kinsellla, and Terence Check call for more research on the theory, in particular, inviting more case studies. Schwarze argues that the melodramatic form is critical to environmental controversies, and serves an important part of protests against environmental degradation by leveraging the competitive aspects of public controversy.[85] According to Schwarze, understanding the socio-political conflict, polarization of characters and positions, a moral framing of public issues, and development of monopathy will "recast the line between identification and division in beneficial ways."[86] Unlike other dramatic forms like Burke's comic or the tragic frame, the environmental melodrama looks for no compromise or transcendence between the division of good and bad. Instead, the environmental melodrama makes a clear division between "good" and "evil" and creates levity for at-risk communities by vilifying invasive industry.

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[84] Kenneth Burke, *Language as Symbolic Action: Essays on Life, Literature, and Method* (Berkeley: University of California Press, 1968), 45.

[85] Schwarze, "Environmental Melodrama," 241.

[86] Schwarze, "Environmental Melodrama," 240.

According to Schwarze, the environmental melodrama's embrace of socio-political conflict clarifies power structures between those within the conflict, and calls for a course of action. Much of the socio-political conflict takes place in the form testimony or disputes, which is partially why the melodramatic form is considered an explicitly environmental form.[87] Schwarze says these conflicts occur within environmental crises because they "place the fault line of environmentalism between the producers of significant environmental damage and those who suffer its effects."[88] Of course, this exchange in dialogue welcomes opposition, which in turn polarizes two characters within the melodrama.

As the second feature, polarization acts as a clear divide between characters in the dispute. Schwarze says polarization can take several forms, but more routinely divides "good" and "evil." The polarization of constituents clarifies systems of power that call for action to be taken by opposing sides, differing from Burke's comic frame which looks for compromises. This divide can "encourage reconsideration of the allegiances and shared substance that might normally lead audiences to accept a certain set of social and political arrangements."[89] In other words, polarization balances systems of power by reformulating distorted notions of public interest.

As the conflict progresses, Schwarze suggests that moralistic characters get attributed to opposing sides, which then allude to a conflict between "good" and "evil." Within an environmental setting, the moralistic nature of arguments normally revolves around the notion of an evil corporate entity polluting a community and affecting their well-being, an act considered inherently wrong. The moralistic feature of melodrama challenges deceptive rhetoric that calls

[87] Schwarze, "Environmental Melodrama," 241.

[88] Schwarze, "Environmental Melodrama," 246.

[89] Schwarze, "Environmental Melodrama," 248.

into question existing practices of wrong-doing. For example, in 2017 the Dakota Access pipeline at Standing Rock drew criticism from media outlets after Native American tribes protested the industry for assaulting sacred land. A moral framing of this argument stemmed around how sacred land should not be disturbed, and pinned those who would violate those morals as an opposing force to be counteracted. As Schwarze claims, "melodrama can remoralize situations that have been demoralized by inaccuracy, displaying concerns that have been obscured by the reassuring rhetoric of technical reason."[90] While Burke warns the tragic frame as dangerously divisive, Schwarze argues that division is a necessity for environmental movements to dissociate from the industries capable of harming them.

The final feature of the melodramatic form is monopathy, which "encourages a unity of feeling, offering a basis for identification that has been obscured by emotionally dissipating and dispassionate rhetorics."[91] The singleness of feeling that the melodrama offers facilitates allows participants to more closely identity with the party they support. The strong emotional appeal that draws identity within the party is why critics like Edward Appel claim that the melodramatic form is merely a subsection of tragedy that oversimplifies good and evil. However, Schwarze urges caution in the assumption that division is ultimately a bad thing, claiming that the enabling of division may generate "productive forms of polarization."[92]

Since Schwarze's theorization of the environmental melodrama in 2006, more scholarship has been published on the rhetorical function of the form. In a forum discussing Schwarze's original article, a host of scholars including William Kinsella, Peter Bsumek, Gregg Walker, Terence Check, Tarla Rai Peterson, and Steven Schwarze explicated the many

[90] Schwarze, "Environmental Melodrama," 250.

[91] Schwarze, "Environmental Melodrama," 251.

[92] Schwarze, "Environmental Melodrama," 240.

theoretical implications of the melodrama.[93] Researchers like William Kinsella and Terence Check not only question why the environmental melodrama works, but dig deeper into aspects of communal identity and the deceitful nature of vilified characters. Kinsella uses the four features of the melodrama to breakdown similarities of competing melodramas, and asks how exactly one melodrama can overthrow the other. And Check takes a similar approach in using the four features, but relates identity and monopathizing to issues of deceitfulness from "rhetorical devils."

In his discussion of competing melodramas, Kinsella argues that the environmental melodrama ultimately goes hand-in-hand with overarching narratives that have the potential to overshadow deeper issues of villainy. In his analysis, Kinsella previews an instance in Hanford, Washington involving the use of plutonium to make nuclear weapons at the height of the Cold War.[94] The mismanagement of nuclear materials caused the community of Hanford to address concerns of environmental risk, and prompted concerned locals to protest against the practice, easily portraying the industry as a hazard to the community. Kinsella observes that the overarching narrative of the Cold War played a major role in prompting the community of Hanford to act against practices of nuclear production, eventually overshadowing the original narrative of corporate greed. In the case of Hanford, community protesters were able to latch onto the Cold War narrative to further promote civil unrest in their community. Kinsella describes the shifting of narratives as a case of competing melodramas that ultimately hindered the environmental campaign's success because of the "master melodrama" of the Cold War.[95]

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[93] William J. Kinsella, Peter K. Bsumek, Gregg B. Walker, Terence Check, Tarla Rai Peterson, and Steve Schwarze, "Narratives, Rhetorical Genres, and Environmental Conflict: Responses to Schwarze's "Environmental Melodrama"," *Environmental Communication* 2 (2008): 78-109.

[94] Kinsella, Bsumek, Walker, Terence Check, Peterson, and Schwarze, "Narratives, Rhetorical Genres, and Environmental Conflict," 90.

[95] Kinsella, Bsumek, Walker, Terence Check, Peterson, and Schwarze, "Narratives, Rhetorical Genres, and

The focus on community identity and shifting narratives that Kinsella mentions is also present in Terence Check's article. Check identifies the deceitful nature of a "rhetorical devil," and translates this concept to that of an environmental devil being "associated with greed and indifference toward future generations. Environmental devils are typically infatuated with economic profits at the expense of natural ecosystems."[96] The environmental devil can take many forms, often using greenwashing tactics to project an association (those disingenuous) with being friendly to the environment, changing its colors when the moment permits. Check argues that environmental devils are the perfect culprits to target in issues like climate change, where the risks associated are not always easy to see. Environmental devils create focal points for environmentalists to attack, but the devils always remain sneaky and omnipresent, sometimes disguising themselves beneath a larger issue. In his concluding remarks, Check asks what type of identity a rhetorical devil demands from its audience, and questions whether environmental devils adapt to popular discourses or divert public attention. Ultimately, Check mentions the role identification plays within the melodrama, and claims identity is another way to pinpoint distinctive features in case studies with multiple narrative frameworks.[97]

Kinsella and Check seem to be answering one another's questions within their essays when relating identity to the narrative form of the environmental melodrama. Check's focus on environmental devils and how they trick their audiences might be the answer to how one melodrama can compete against another. However, a bigger question for the case of FFD is how a narrative and counter-narrative might use the same identity that ultimately comes down to a

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Environmental Conflict," 93.

[96] Kinsella, Bsumek, Walker, Terence Check, Peterson, and Schwarze, "Narratives, Rhetorical Genres, and Environmental Conflict," 94.

[97] Kinsella, Bsumek, Walker, Terence Check, Peterson, and Schwarze, "Narratives, Rhetorical Genres, and Environmental Conflict," 97.

vote. In other words, how does being perceived as the more "authentic" community emphasize the polarizing effects of the environmental melodrama. This use of community by citizen-led campaigns is not a new idea within communication research. For example, Phillipa Spoel and Rebecca Hoed perform a media analysis of the use of "community" using Burke's terministic screens in their analysis of the how different perceptions of community circulate in environmental discourses.[98] Spoel and Hoed claim that shifting constitutions of community "offers a generative way to better understand, and hence negotiate, the ideological motives and power dynamics animating those situations."[99] However, the environmental melodrama also has a lot to offer in terms of how these power dynamics work within the campaigns of FFD and SRD. Given that the environmental melodrama is powerful because of its polarizing effects, communal identity is a vital part of that process. FFD and the SRD deployed characterizations of the Denton community throughout their campaign materials that warrant thorough analysis. The Denton community is at the core of every feature of the environmental melodrama, and how FFD deploys this use of community was partly the reason for their success.

The Environmental Melodrama Framed by Frack Free Denton

To begin, the melodrama cannot start without a dramatic event that spurs a great deal of unrest and attention.[100] Most of the action against fracking in Denton started in July of 2009 after drilling started in McKenna Park. During the next few years, a string of delays on drilling ordinances by Denton's City Council culminated in the creation of the Denton Drilling

[98] Phillipa Spoel and Rebecca Hoed, "Place and People: Rhetorical Constructions of "Community" in a Canadian Environmental Risk Assessment," *Environmental Communication* 8, no. 2 (2014): 258-284.

[99] Spoel and Hoed, "Place and People," 282.

[100] Kinsella, Bsumek, Walker, Terence Check, Peterson, and Schwarze, "Narratives, Rhetorical Genres, and Environmental Conflict," 79.

Awareness Group in 2011, the ground who would later run the FFD campaign for a city-wide fracking ban.[101] From 2009 to 2011, the argument over fracking in Denton concerned the proposed establishment of stronger setbacks, rules that would require fracking companies to setup their drilling operations further from homes, parks, and schools. Then, on April 19, 2013 a gas well run by EagleRidge Inc. leaked natural gas into the air for upwards of 14 hours before being controlled.[102] This incident helped the Denton Drilling Awareness Group rise to the forefront of discussion within the city, which prompting immediate action from concerned citizens. Suddenly, Dentonites were discussing their concerns about the dangers of a "fracking blowout."[103]

Socio-Political Conflict

As the first feature of the melodramatic form, socio-political conflict moves personal concern to the political plane.[104] After the EagleRidge blowout, health issues arose when people voicing their concerns about how the drilling ordinances regulated the distance between fracking and residential homes. A prime example of each of these moments of socio-political conflict can be seen in different points in time between October 2014 right up to the November 4, 2014 vote. Up until the 2013 blowout, regulatory setbacks had been the main point of concern, but it was not until EagleRidge was found to be illegally drilling within Denton that lawsuits were filed in

[101] Lowell Brown, "City Puts Together Panel on Drilling," *Denton Record Chronicle*, July 2011. Retrieved August 7, 2017 from http://www.dentonrc.com/news/news/2011/07/02/city-puts-together-panel-on-drilling

[102] Peggy Heinkel-Wolfe, "Few Answer in April Gas Well Blowout," *Denton Record Chronicle*, July 2013. Accessed July 28, 2017 from http://www.dentonrc.com/news/news/2013/07/27/few-answers-in-april-gas-well-blowout

[103] Peggy Heinkel-Wolfe, "Few Answer in April Gas Well Blowout," *Denton Record Chronicle*, July 2013. Accessed July 28, 2017 from http://www.dentonrc.com/news/news/2013/07/27/few-answers-in-april-gas-well-blowout

[104] Steven Schwarze, "Environmental Melodrama," 246.

October 2013 by the city.[105] The Denton City Council eventually dropping the lawsuits on October 23, and even passed a law allowing EagleRidge to commence drilling at the controversial site.[106] Outraged by the council's actions, DDAG started their petition drive for a city-wide fracking ban in January of 2014, which officially started FFD's campaign. This socio-political shift metastasized over the next few months as increasingly contentious city council meetings drew increasing attention to the proposed fracking ordinances and the conditions of hydraulic fracturing in Denton.

At one city council meeting on July 15, 2014, Adam Briggle, a local professor at the University of North Texas and a board member of DDAG, was asked what brought him from providing research for the community to advocating an outright ban on fracking. Briggle described an experience with his neighbor:

> The immediate moment was when I was handing out fliers in Maile's neighborhood and I saw a school bus dropping off kids. Right next to that fracking site. I saw moms holding their kid's hands and running inside to get away from it. They were scared of it. If you step back, it was after years when we crafted this ordinance together, and I brought in the industry to help. I invited Ed Ireland to my class. We adopted an ordinance with a 1,200 foot setback, and fracking happens at UNT closer than that, and fracking happens down at Southridge closer than that, and then we discover that all of this fracking has already been permitted on 30% of the city. We realized, this is going to happen again, and again, and again. This strategy of trying to make it compatible with other areas in town. I mean, in our city code we don't even allow a bakery to set up in residential areas, but here we have this heavy industry. It just doesn't make sense.[107]

This testimony came shortly after DDAG collected the required number of signature to place the ban onto the ballot. While speaking, Briggle was wearing a black shirt with cracked

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[105] Amy Martyn, "Denton Homeowners Are Suing to Stop EagleRidge's 'Loud and Constant' Fracking Operation," *Dallas Observer*, March 12, 2014. Accessed August 2, 2017 from http://www.dallasobserver.com/news/denton-homeowners-are-suing-to-stop-eagleridges-loud-and-constant-fracking-operation-7148690

[106]Christina Ulsh, "Denton Drops Lawsuit Against Energy Company," *NT Daily*, November 1, 2013. Accessed on August 2, 2017 from http://ntdaily.com/denton-drops-lawsuit-against-energy-company/

[107] *Frack Free Denton.* Directed by Garrett Graham. United States: Independent, 2015, Web, 23 minutes

white lettering reading "Frack Free Denton."[108] Briggle's testimony not only served as a depiction of how the Frack Free Denton campaign served to represent families of Denton, but also went hand-in-hand with the shifting of the personal to the political planes that Schwarze argues makeup the socio-political feature of the environmental melodrama. Briggle's remarks reflected the way Frack Free Denton continued to use a strong sense of pathos, while centering the health of the families in Denton as the main appeal for the ban, an appeal that invited others to join in FFD's socio-political conflict.

Polarization

Shortly after the EagleRidge gas leak, the Frack Free Denton Campaign printed advertisements with several statistics of gas leaks happening throughout the city. The act at hand is what Appel would call a "morally disordered scene," which constitutes the blame to be placed within the tragic frame.[109] Within the context of the melodrama, a clear binary of good versus evil was created by one narrative, which was present in ads that Frack Free Denton released. As Schwarze claims, polarization sets up an "us vs. them" narrative that set the perpetrators of the crime as the looming character of evil.[110] The discourse of the Frack Free Denton campaign also created this singular interest for the associated group when emphasizing "Our Denton" in their ads. This part of the melodrama is where systems of power are further clarified through

[108] Preserve Denton, "UNT Professor Give Presentation on Fracking in Denton Texas," Filmed July 2015. Youtube Video. 14:50 minutes. Posted July 17, 2014. Accessed on August 12, 2017 from https://www.youtube.com/watch?v=mn60HgAE41s&index=5&list=PLBJT8Wst4VB3VpRHeCb0dyk_c0GOuSiRj

[109] Edward C, Appel, "'Tragedy-Lite' or 'Melodrama'. In Search of a Standard Generic Tag," *Southern Communication Journal* 73, (2008): 178-194.

[110] Steven Schwarze, "Environmental Melodrama," 248.

disassociation. Frack Free Denton established a line of boundary on their property, which disassociates the group from the oil industries supposedly fraught practices. One FFD ad read:

> OUR AIR: Fracking is a major reason why Denton has the most unhealthy air and highest rates of childhood asthma in Texas.
>
> OUR WATER: Fracking a single well contaminates 4-8 million gallons of precious freshwater…forever.
>
> OUR HEALTH AND SAFETY: Denton residents pay the costs of pollution, toxic spills, and blowouts.
>
> OUR ECONOMY: Fracking is a drag on economic development and account for only 0.2% of Denton's economy.
>
> OUR SCHOOLS: Fracking contributes ¼ the tax revenue for our community and schools than building homes does.[111]

The polarizing effect of the language of these ads argued a claim for who owned Denton, and only those who breathe the air, drink the water, or go to school in Denton are actually a part of Denton. Everyone else claiming to have these rights is disassociated. The disassociation created two groups, characterizing them as "good" and "evil." In this case, Denton residents are good, and the imposing industry of fracking is depicted as evil. Home-owning Dentonites pay more taxes, whereas the fracking industry pollutes millions of gallons of water. By examining polarization in this melodrama, a system of power is clarified about the community. Not only did Frack Free Denton portray the fracking industry as a sort of looming figure of intrusion, but it also challenged the notion that fracking grosses any economic gain. And as previously noted, all of these ads had "Help Protect Our Denton" encouraging those in the community to vote against the ban as an expression of their good, local identity. This distinctive language, coupled with black and white images of a smoke ridden fracking drill, draw a clear line between what is

[111] Pass The Ban PAC, Advertisement, "One Fracking Blowout," *Frack Free Denton*

Denton and what constitutes the fracking industry. Furthermore, but these images depicted the risk and chaos associated with fracking that does not belong in "OUR" Denton.

Moral Framing

The third feature of melodrama offers a moralistic framing of the characters, which is often driven by a strong pathos that epitomizes the group. The moralistic aspect not only humanizes the characters of the group, but brings attention to inherent wrongs committed by the evil out-group as well as the rights of the good in-group. The pathos driving the melodrama clarifies what is right and wrong, and further attributes the characters of "good" and "evil." As Schwarze states: "These melodramatic juxtapositions offer a clear moral framework for interpreting the actions of company decision-makers."[112] This process makes the melodrama distinct from the comedy, because it does not call for compromise; in fact, there is an explicit rejection of compromise.

Frack Free Denton excelled in the use of pathos in their advertisements, mainly because they depicted the community of Denton as a place of family and camaraderie. This moralistic framework was likely not surprising within the campaign because the entire movement was run on the premise of health and safety as more important than the economy. After the 2013 EagleRidge blowout, the Frack Free Denton campaign released a flier stating: "One Fracking blowout created a no-fly zone and neighborhood."[113] This heading was paired next to an image of an elderly man with a toddler in his lap, and a speech bubble stating: "I want my grandchildren to have a safe and healthy life."[114]

[112] Steven Schwarze, "Environmental Melodrama,"

[113] Pass The Ban PAC, Advertisement, "One Fracking Blowout"

[114] Pass The Ban PAC, Advertisement, "One Fracking Blowout"

The common argument against environmental campaigns is usually about environmental impacts versus the economic impact and job creation, and this is also present in the two campaigns. However, Frack Free Denton claimed to have the best interests of the community in mind by focusing on health and environment over economic and fiscal stability of the community. One particular advertisement posted on local campuses frames an image of a person consuming a beverage filled with an elaborate depiction of the fracking process, with labels like "leaking chemicals" billowing into the top of the glass labeled "ground water."[115] The ad read "Our health is more important than industry profits."[116] This depiction encompasses aspects of moral framing and alludes to the victimization of Denton already hurt by the effects of fracking. This identity as a hurt community is what Gregg Walker termed conflict escalation in terms of weaker and higher powers. Walker argues conflict escalations help in balancing acts of power within the melodrama of weaker and higher power.[117] Once these looming forces that have finally been labeled as evil figures are identified, the victims can band to together to create a unified feeling seeking retribution.

Monopathy

The final feature of Schwarze's environmental melodrama is a monopathic framework, or a unity of feeling from each side. Within most environmental melodramas, the characters normally have a feeling of anger or resistance toward the other party measuring jobs versus the

[115] Blackland Prairie Rising Tide, Advertisement, "Vote for the Fracking Ban Right Now at Sycamore Hall"

[116] Blackland Prairie Rising Tide, Advertisement, "Vote for the Fracking Ban Right Now at Sycamore Hall"

[117] Kinsella, Bsumek, Walker, Check, Peterson, and Schwarze, "Narratives, Rhetorical Genres, and Environmental Conflict," 84

environment. FFD's campaign followed a similar format, with one advertisement headlined in bold letters: "Denton's Health and Safety", followed by:

> 14 hours of uncontrolled frack venting
>
> 5,700 gallons of non-disclosed chemicals vented
>
> 4,100 gallons of hydrochloric acid vented
>
> 1,200 pounds of other chemicals vented
>
> Fracking Blowout in Denton April 18, 2013.[118]

This advertisement promoted the same message to its audience, which centered around the health and safety of Denton over the economy of Denton. FFD's focus on the health of Denton, often centered around family health, allowed their campaign to make arguments against the fracking industry, which created a unified feeling of anger or frustration toward the industry allegedly responsible for endangering the health of Denton families. This collective feeling of frustration also allowed FFD to frame a sense of urgency within their advertisements, and tied into other advertisements. For instance, the FFD's ads started using rhetoric that framed the ban as if it were the last option to save Denton. Large laminated fliers illustrated a distinction between myths and facts about the reasoning behind the fracking ban that promoted the ban while also dispelling any idea of an alternative option.

> Myth: We don't have to ban fracking, we just need better regulations
>
> FACT: *We tried that and it didn't work.* Denton spent three years revising its fracking rules, but oil and gas lobbyists made sure they were too weak to protect residents.
>
> *Banning fracking is our last resort to protect our families, homes and property. The city has failed to protect us, the industry bullies us and state and federal regulators ignore us.*[119]

[118] Pass The Ban PAC, Advertisement, "One Fracking Blowout," *Frack Free Denton*

[119] Pass The Ban PAC, Advertisement, "VOTE to ban Fracking in Denton," *Frack Free Denton*

Once again, Frack Free Denton framed an image of families at risk because of the city's "failure" to protect them, and also created a sense of urgency in noting how a ban was their last option. Here, monopathy was constructed through an argument from residues, where other potential positions are dispelled in favor of the banning monopathy. This monopathy was made possible by the natural progression of the environmental melodrama, and was an important rhetorical appeal for Frack Free Denton's ultimate electoral success. In summary, FFD focused their campaign on the conflict of fracking, and associated the risks to the industry while simultaneously labeling them as a threat. This disassociation allowed the campaign to make ethical appeals surrounding the health and safety of Denton families, and created a unified argument that addressed the risks of Denton's health and safety while justifying an all-out ban.

Furthermore, FFD deployed rhetorical appeals of community that reinforced their arguments of stopping fracking to protect the health and safety of their neighbors. Using a melodramatic approach to their campaigns, exacerbated by depictions of Denton's community, proved to be effective in winning the vote against a campaign more concerned with Denton's economy. This argument is not to say that Support Responsible Drilling did not try to keep up with these kinds of tactics, but they ultimately failed to counter the most relevant claims that Frack Free Denton made in their campaigns. In fact, Support Responsible Drilling sometimes unwittingly participated in the melodrama created by FFD, and failed to be consistent with the framing of their own campaign.

Support Responsible Drilling

SRD's campaign was heavily funded throughout the November, 2014 election cycle, with

some reports estimating over ten times the funding of Frack Free Denton.[120] Despite this lavish spending, the campaign was ultimately an electoral failure. SRD's loss, in spite of its impressive resources, is a great example of how powerful the environmental melodrama can be. However, the way its ads tried, but failed to use the melodrama set in motion by FFD is even more powerful evidence that the melodrama is difficult to resist. Taking the economic argument may have been the only way for the campaign to even come close to countering the claims that Denton was in danger, but SRD's inconsistency of their own framing devices was also to blame. SRD did not use an environmental melodrama, instead using a mix of Burke's comic and tragic frames within their own campaign materials. These inconsistencies not only faltered in comparison to the melodramatic form of FFD, but also highlighted SRD's weak depiction of Denton's community and understanding the best interests for the town.

An example of SRD's of a few of Burke's frames appear in a series of public letters from Denton Taxpayers for a Strong Economy, like the Energy Education Council, Denton Rotary Club, and the North Texas Fair and Rodeo. Those associated with the Responsible Drilling campaign used an array of actions to create a division between those who favored banning hydraulic fracking and the property owners who would lose money from a ban. Much like the comic frame, order is disrupted by incongruity, and must be resolved by belittling the guilty party. For instance, the North Texas State Fair and rodeo attempted to chastise to FFD's campaign:

> The proponents of the ban want you to believe it is us versus big oil or big corporations. We the North Texas State Fair Association and other friends and neighbors are not big oil or big corporations. I applaud the major natural gas companies for helping financially fight this fight. Corporations are made up of people, employees, contractors, suppliers, and more. These are people that live and work in Denton as well. These are people that

[120] Marrissa Barnett, "Industry Spending Big to Keep Fracking Ban out of Denton," *Dallas Morning News*, October 2014. Accessed on August 3, 2017 from https://www.dallasnews.com/news/politics/2014/10/29/oil-and-gas-flooding-anti-ban-groups-campaign-coffers

> breathe the same air, drink the same water, and send their kids to the same schools and parks.[121]

This appeal from SRD is clearly criticizing FFD, but seems problematic because it is a call for unity from an organization that has embraced the fractious political moment depicted by the environmental melodrama. These contradictory statements typified the SRD campaign and made it difficult to counter Frack Free Denton's claims that fracking is all about a profit rather than the best interest of Denton. In other words, SRD argued that FFD made a clear mistake within their campaign by assuming "big oil" is against Denton, but also acknowledged that there was some sort of division between corporate conglomerate and Dentonites. When comparing SRD's comic frame and FFD's melodrama, the comic frame made a bad appeal when trying to unify Dentonites within a frame that was meant to enlighten pro-frackers.

Support Responsible Drilling also used pathos to drive their campaign with images of families endorsing fracking, which added another level of contradictions. One advertisement pushing to Vote "NO" to the fracking ban had a heading that read "Denton Moms Oppose Drilling Ban," with an image of a woman holding a toddler while standing next to a young boy and girl. The woman is quoted to say:

> I have lived in Denton my whole life. I am a wife, mother and grandmother. My family has gas wells 275 feet from our homes, and we have never had any problems as a result. This drilling ban will hurt the future of Denton's economy, quality of life and future for all our families and children. My family is definitely voting against this ban.[122]

Once again, this image of family and community is being used, but within narrative appeal that did not stand on its own. Within this example, SRD framed this instance comically by addressing FFD's proximity to wells. The problem with this argument is when a lifetime Dentonite mother

[121] Denton Taxpayers for a Strong Economy, Advertisement, October 2014, *North Texas State Fair and Rodeo*

[122] Denton Taxpayers for a Strong Economy, Advertisement, "Denton Moms Oppose Drilling Ban," *North Texas State Fair and Rodeo*

claimed the well had not caused any problems, she reinforced the narrative that wells cause problems. A stronger ad would make her appeal for the sake of the Denton economy more concrete by talking about family members who benefit economically from the fracking industry and why that is good for Denton. Here, the SRD seemingly unconsciously fell into the stronger melodrama presented by FFD. When SRD attempted to make an emotional appeal around community and family using the comic frame, the environmental melodrama exposed the weaknesses in the depiction of those values.

SRD also framed their campaigns within the tragic frame, which appeared inconsistent with the other ads framed as comedies. Burke's tragic frame disrupts order by having a guilty party that must be resolved by either accepting blame, making amends, or scapegoating. SRD's tragedy illustrated instances of making amends. One example of the ads framed as tragedies were side-by-side photos of an apple. The ad read: "Denton's Irresponsible Drilling Ban Proposition Will Hurt Our Schools' Financial Health." One apple, appearing healthy, had "Responsible" labeled on it, while the other apple appears rotten with the label "Irresponsible."[123] Later ads from the campaign explained that the oil and gas industry fund local schools, but on the same advertisements warn that natural gas companies would sue Denton. A larger flier with a picture of a young girl on a swing set read: "What kind of city would Denton be if the kids didn't have a place to swing?"[124] The "Responsible" and "Irresponsible" ads, along with the young girl on a swing set, all framed their messages accepting the responsibility of possibly having a fracking ban, but doing the "right thing" for Denton. Once again, the troubling appeal of these ads were

[123] Denton Taxpayers for a Strong Economy, Advertisement, "Denton's Nov. 4th Drilling Ban Proposition Will Hurt Our Schools," *Support Responsible Drilling*

[124] Denton Taxpayers for a Strong Economy, Advertisement, "Denton's Nov. 4th Drilling Ban Proposition Will Hurt Our Schools," *Support Responsible Drilling*

the contradictions of placing blame on FFD, while also warning of the dangers of being sued by the fracking industry.

More of these instances appear in "Just the Facts" editions of the Energy Education Council, a public energy mailer. These documents claim to educate locals on the energy industry, and normally promote the amount of jobs that it grants the city. However, during the campaign many of these ads described the dangers of banning fracking, and used local testimonies from Denton citizens. Former Texas Supreme Court Justice Tom Phillips, also a Denton local, was often cited in these editions stating that banning fracking would "almost surely amount to a governmental taking of private property without just compensation."[125] Another issue featured a former mayor of Denton stating, "I know the positive impact that oil and gas development has had for our city and our region. I also know that reasonable and responsible drilling regulations can be implemented to protect Denton citizen from some overaggressive operators."[126] Other editions warned of the dangers of lawsuits that would burden the city financially. These warnings were contradictory to SRD's claims of no division, and corporations being people that live in Denton.

Put more simply, claiming that big oil is not harmful but warning they will bankrupt the city works counterintuitively to deciding the best interests of the city. Furthermore, how SRD made an economical argument over the health and safety of Denton might have been the downfall of the campaign because of muddying of the comic and tragic frames. SRD's comic and tragic frame did not have a strong appeal because the arguments blaming or chastising FFD

[125] Barnett Shale Energy and Education Council, Advertisement, "Just The Facts: A Publication of the Barnett Shale Energy Education Council", page 1

[126] Barnett Shale Energy and Education Council, Advertisement, "Just The Facts: A Publication of the Barnett Shale Energy Education Council", page 2

were subtly followed with information that revealed the fracking industry as another culprit all-together. Furthermore, SRD could not effectively run a campaign claiming the best interests of Denton with these frames working ineffectively against a stronger more unified environmental melodrama that appealed more to Dentonites.

Our Denton

Frack Free Denton's success is more than just a group that ran a timely campaign that demonized the oil and gas industry in the midst of scandal, or even more than the major contradictions of an opposing campaign that was poorly managed. Instead, how Frack Free Denton framed the community of Denton allowed them to ore convincingly identify with the community and made the environmental melodrama more effective. By using symbols of family, health, and community action, Frack Free Denton garnered a more identifiable campaign that created an unprecedented amount of localized support.

Once again, it is not just that Frack Free Denton won, but how they won. Not many environmental campaigns can say they won a popular vote in by a wide margin of victory in a state that has a longstanding history with oil and gas, based in a county with a conservative background, and was outspent by their opponents 10 to 1.[127] With that being said, from analyzing the two campaigns it is rather clear how well-crafted the campaign materials were in framing a powerful sense of the Denton community, while also targeting an industry that is heavily prevalent within the area. This is not to say that Support Responsible Drilling did not try to show strikingly similar features in the melodrama. Both campaigns using the Denton Courthouse as a

[127] Marissa Barnett, "Industry Spending Big to Keep Fracking Ban out of Denton," *Dallas Morning News*, October 2014. Accessed on August 3, 2017 from https://www.dallasnews.com/news/politics/2014/10/29/oil-and-gas-flooding-anti-ban-groups-campaign-coffers

logo is an example. At one point both campaigns started using "Our" statements, with Frack Free Denton claiming "Our Air and Water, Our Health and Safety, Our Denton", and Support Responsible Drilling using "Our Water, Our Land, Our Minerals." However, targeting the mineral rights owners in Denton, coupled with a dismissal of any wrongdoing from fracking proprietors while also claiming the same industry will sue the city is contradictory and inauthentic message that failed because it implicitly admitted parts of the environmental melodrama it opposed. Turning back to Schwarze's environmental melodrama shows just how effective the form can be when painting a narrative of the industrial David vs. Goliath. However, the specific case of Frack Free Denton also shows how localized identity in of itself can be balance of power that Schwarze argues is a major function of the environmental melodrama, especially when using civic discourse as a means of obtaining votes.

In communities like Denton that face a tough road ahead when combating environmental risks in an inhospitable political environment, communal identity is a starting point in launching an effective environmental melodrama. Of course, this is no easy task when an opposing campaign also claims to identify with the same community. The environmental devil that Check argues is a deceitful culprit that serves as an immediate threat to the environment can also show in this form.[128] SRD, from their name alone, claims to be a campaign made up of Dentonites with mineral rights at risk, but did a better job of communicating their interest in the economy of the Denton than the health of Dentonites. As Check explains, the environmental devil is greedy for profit, and this is exposed both in the Support Responsible Drilling campaign. Check asks what an environmental devil demands from its audience, and one answer could be relating the

[128] Kinsella, Bsumek, Walker, Terence Check, Peterson, and Schwarze, "Narratives, Rhetorical Genres, and Environmental Conflict," 91

audience itself while making a case for compromise.[129] In this case, FFD's more convincingly local depiction of community made the case for responsible drilling seem like an effort to risk the health of Denton, and lumping SRD in as an environmental devil becomes an easy way to target the opposing campaign as inauthentic Dentonites out for their own self interests. As a result, Check's environmental devil affords a movement a convenient template for how to characterize their opposition in a way that helps the movement succeed

Finally, Spoel and Coed argue that "community" as a contested meaning in political engagements with the environment have the potential to expose these communities to downstream effects.[130] In other words, even if Denton banned fracking they could still be exposed to air pollution from a nearby source. Spoel and Coed make a fair point when claiming that multiple ideals of "community" can muddy the waters when establishing setbacks within environmental policies. However, I argue that contested depictions of a community at risk also have the potential to expose one or more parties to the threat of being perceived as inauthentic. Different depictions of communal identity, at least in Denton's case, expose the inauthentic appeals to danger of moral clash, and as Schwarze claims of the environmental melodrama, direct a call to civic action against them. Simply embodying the identity and ethos of a given community when running a reactive campaign to invasive industry has potential in engaging these communities that Spoel and Coed claim are rarely politically active and scarce in resources. How the campaigns use different aspects of community emphasizes every feature in the environmental melodrama. For instance, polarization, moral framing, and monopathic framing all require identification within parties. So, identification within the melodramatic form

[129] Kinsella, Bsumek, Walker, Terence Check, Peterson, and Schwarze, "Narratives, Rhetorical Genres, and Environmental Conflict," 32

[130] Spoel and Hoed, "Place and People," 281

works differently when two competing narratives are depicting the same physical place. Parties identify more strongly based on the more accurate depiction of the place, and the competing melodrama becomes a competition of depiction, because local in of itself is a rhetorical construction. The environmental melodrama becomes a real advantage for a local cause to use because it depicts ingroups as "good" and outgroups as "bad." The environmental melodrama gives the smaller, poorer, local ingroup a field of political contestation that advantages them. This explores Schwarze's notion that "rhetorical choices articulate the material to the symbolic, constitute persuasive patterns of meaning for diverse audience, and offer possibilities for action."[131] The key to challenging invasive industries like oil and gas rests on symbolic convergence, its effect on identification with a community, exposing inauthentic environmental devils, and is an advantageous frame for a small local opposition in a political battle like FFD.

[131] Kinsella, Bsumek, Walker, Terence Check, Peterson, and Schwarze, "Narratives, Rhetorical Genres, and Environmental Conflict," 104.

CHAPTER 4

A FRACTURED MOVEMENT: "LOCAL" AS A RHETORICAL CONSTRUCTION

On June 17, 2015, the Denton City Council repealed the Denton Fracking Ban due to pending lawsuits and a bill signed by Governor Greg Abbott that rendered the ban unenforceable.[132] Merely hours after the ban was passed, TXOGA Energy and the Texas Land Office (TLO) each filed lawsuits stating that the fracking ban was a violation of property rights. When Governor Abbot signed House 40, a law giving complete jurisdiction of oil and gas regulation to the state government, TXOGA and TLO amended their lawsuits citing the new state law. The chairperson of the Railroad Commission offered support in favor of the energy companies, stating, "Local control's great in a lot of respects. But I'm the expert on oil and gas. The city of Denton is not."[133] The state's actions against the ban essentially deemed the fracking ban ineffective, which prompted civil unrest from Frack Free Denton (FFD). Even the city's mayor, who had been relatively silent about the ban during its proposal voting phases, countered, "The Railroad Commission is not an expert about the city of Denton."[134] Despite the ban being effectively being annulled, members of Frack Free Denton continued to meet.

Many members involved with Frack Free Denton still acted against the ban's repeal, including acts of civil disobedience despite vastly diminishing internal support.[135] Seeing no other route in enforcing the fracking ban, FFD organized community classes on civil

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[132] Mose Buchele, "What's Next for Local Drilling Bans in Texas," *NPR*, July 2, 2015. Retrieved September 3, 2017 from https://stateimpact.npr.org/texas/2015/07/02/after-hb-40-whats-next-for-local-drilling-bans-in-texas/

[133] Jim Malewitz, "Dissecting Denton: How One Texas City Banned Fracking," *The Texas Tribune*, December 15, 2014. Retrieved August 7 2017 from *https*://www.texastribune.org/2014/12/15/dissecting-denton-how-texas-city-baned-fracking/

[134]Jim Malewitz, "Dissecting Denton: How One Texas City Banned Fracking"

[135] Amy Martin, "Denton Police Nicely Arrested Six Protesting Texas' Ban on Fracking Bans," *Dallas Observer*, June 3, 2015. Retrieved September 28th, 2017 from http://www.dallasobserver.com/news/denton-police-nicely-arrested-six-protesting-texas-ban-on-fracking-bans-7278967

disobedience and mass protesting. Reportedly, the classes were a wake-up call to those not wanting to break the law. Mixed feelings on civil disobedience, coupled with low morale on the state's actions that overturned the ban, severely lowered attendance at FFD meetings. Although the ban passed with a decided victory, only a handful of protesters were present at the few instances of civil disobedience that FFD performed, with three members being arrested for blocking the gate to a pad site (a small area that usually contains one drill, storage tanks for fracking fluid, and separators that keep brine from contaminating oil composites).[136] Despite having a heavy amount of support, FFD appeared to be coming apart at the seams. The central issue rested on whether to remain a local effort while enforcing the ban, or mobilizing towards the Texas Legislature in Austin, Texas. With some members focused on appealing the ban to a higher court of law, traveling to the Texas State Legislature and fighting for representation seemed like a better option. Other members, however, found it more effective to enforce the ban at home, claiming that if the ban was passed locally, it should be enforced locally. For many of the members of FFD, the question became whether to remain a local protest, or ascend to a higher level of action, and in a sense, abandoning drawing more attention on a state level.

A key element to this conflict over movement strategy was how members of Frack Free Denton conceptualized "local," as either a central point of their movement and its political potential, or simply a means to an end. On one hand, FFD could have had a case against actions of the state as being potentially unconstitutional. However, since FFD's campaign strategies being exclusively local, this potentially hindered their effort to challenge the state government's decisions as their own arguments focused on residents of Denton. FFD had a split of members

[136] Bill Hughes, Samantha Malone, and Juliana Henao, "Explore a Fracking Operation-Virtually," *FRACTRACKER Alliance*, accessed October 8, 2017 from https://www.fractracker.org/resources/oil-and-gas-101/explore/

arguing whether to stay in Denton and enforce their own ban while waiting for state action, or go to Austin to protest that HB40 was undermining Denton's popular vote. The division that Frack Free Denton experienced is all too common in grassroots movements, but the interesting part of their narrative is the value that various constituencies inside the movement place on identifying as "local." After all, as discussed in the previous chapter the campaign rallied most of their support by claiming the importance of being good neighbors and flushing out invasive industry. Could that argument stand alone in any other place aside from Denton?

To address the question of the role of the identity of the movement as "local" in their decision-making processes, this chapter examines the rhetoric of localness in the movement discourse of FFD members from a series of interviews conducted with them by the author. Grassroots movements that claim to be local are in and of themselves rhetorically constructing a claim to authority that offers a host of benefits and complications to social movements. Within "local" protests there exist tensions that have strategic benefits for a movement, but also open grounds for the conflict over relatively minor issues of movement tactics or even larger issues that confuse the identity and purpose of the movement. Understanding these tensions are important to, not only theory regarding social movement and protests, but also offers another body of research surrounding "local" as a powerful use of rhetoric that requires researchers to deploy similar rhetoric to encompass a complete understanding of it.

Social Movements

Persuasion and Social Movements by Charles Stewart, Craig Smith, and Robert Denton, Jr. is the best starting point in analyzing rhetoric in social protests.[137] The major points stem from

[137] Charles J. Stewart, Craig A. Smith, and Robert E. Denton, *Persuasion and Social Movements* (Long Grove,

self-conceptualization, legitimizing a social movement, and sustaining the movement. How FFD conceptualized their local movement played off how they assessed courses of action, and sustained the movement they created. Stewart, Smith, and Denton claim that this conception of the self is part of the ego function that ultimately unifies the identity of the group, and is vital to the health of the movement in taking down larger institutions of power.[138] In theory, identifying as "local" maintains an identity that gives members of the movement the ego to unify against outside opposing forces. In this case, the opposition was the state government's actions against Denton's fracking ban.

In legitimizing the movement, taking courses of action to enable confrontational strategies is usually a common route in gaining legitimacy. Stewart, Smith, and Denton note that confrontational strategies might be using outdated laws, or systems of government. However, confrontational strategies center around the idea of making an institution play by their own rules. By winning the popular vote of a fracking ban, FFD perfectly legitimized their movement by laying claim to their own city and showing that the state must own up to its own rules. Stewart, Smith, and Denton argue that legitimizing a movement challenges the institution in power, often questioning whether that power should be in control. Once again, this strategy is seen in FFD's claim that local municipalities have ownership of their land, and they legitimated this claim by taking a popular vote.

At this point in the movement, FFD was attempting to sustain the movement after the vote and legal battles. Stewart, Smith, and Denton claim that maintaining any form of movement is reliant on visibility.[139] With attendance diminishing, the state cracking down on local control,

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Illinois: Waveland Press, 2007).

[138] Richard B. Gregg, "The Ego-Function of the Rhetoric of Protest" *Philosophy & Rhetoric* 4 (1971): 71-91.

[139] Stewart, Smith, and Denton, *Persuasion and Social Movements,* 83.

and fewer members willing to perform civil disobedience, FFD had trouble sustaining their momentum against fracking. How this happened is particularly interesting because of how the movement came about in the first place. Bringing back this initial stage of self-conceptualizing the local, maintaining the movement required FFD members to continue to be present in their locality, otherwise it would appear they had already lost. These different courses of action revolving around where to protest and whether to continue being local was a central question for the movement leaders, and may have been the reason for the movement's low attendance. Stewart, Smith, and Denton also explain the different conflicts of leadership within a social movement, and has a clear distinction between social movement rhetoric as a bid to persuade the general public and as a bid to persuade members of the movement. I am also interested in that distinction, with a particularly strong focus on how the rhetoric of the localness of a movement affects the movement's conception of itself.[140]

Given that there are several key leaders within Frack Free Denton, and the central conflict rests on staying local or abandoning it, understanding differing perspectives of "local" is necessary in conceptualizing it. By gathering these different perspectives from a few of the leaders of FFD, I can generate a better understanding of how courses of action were taken, and how the local movements are hard to sustain. More importantly, knowing the different understandings of what constitutes a "local" movement offers more answers to the power of making these arguments in the local space, and how the rhetoric of being local transcends other institutional powers when paired in the contextualized local space. As one might expect, this type of analysis is heavy in field research, and requires an on-the-ground approach.

In their book, *Text Field,* Sara McKinnon, Robert Asen, Karma Chavez, and Robert

[140] Gregg, "The Ego-Function of the Rhetoric of Protest", 85.

Howard offer the foundation of collecting field research with place being a rhetorical actor within research.[141] By centralizing place as rhetorical, Samantha Senda-Cook, Michael Middleton, and Danielle Endres argue for the necessity of fieldwork, where "the critic (1) inhabits the physical place of such rhetorical events; (2) takes field notes, photographs, and other records of the event; and then (3) analyzes them."[142] By placing oneself within the context of the event, more analysis is available which can help address other rhetorical factors of the physical place. Understanding the place of the event offers a better appreciation of the rhetorical dynamics of social protests and movements, and is especially useful when discussing environmental events.

Centralizing place as a rhetorical actor within a social movement not only offers more contextual forms of analysis, but also aids in the conceptualization of "local" within local movements. The local is often overlooked in terms of analysis because of the significance of the event, or even the lack of research available in the short life span of local protests. Often, it is also taken for granted that a movement that claims to be local simply is what they claim to be, whereas their localness is a strategic and often contested rhetorical construction just like nearly everything else about a movement. More importantly, the local is often so relative that it appears as though it may not be replicated in the bigger picture of the field. Regarding the local as its own rhetorical form is important because of the specific power that it holds in its own place, otherwise known as a home field advantage. Since these movements are so short, hard to organize and sustain, and are inherently subjecting, performing fieldwork in situ while

[141] *Text + Field: Innovations in Rhetorical Method*, eds. Sara L. McKinnon, Robert Asen, Karma R. Chàvez, and Robert Glenn Howard (Penn State Press, 2016).

[142] Samantha Senda-Cook, Michael Middleton, and Danielle Endres, *"Interrogating the 'Field'," Text + Field: Innovations in Rhetorical Method*, eds. Sara L. McKinnon, Robert Asen, Karma R. Chàvez, and Robert Glenn Howard (Penn State Press, 2016).

contextualizing the space is necessary in understanding the rhetorical power of the local. This type of methodology calls for an immersive understanding of the localized place.

Text and Field as a Method

In an effort to collect as many perceptions of Frack Free Denton's origin, I conducted qualitative analysis through interviews with several members of FFD who had some sort of leadership responsibility and were able to talk about the nature and direction of the movement. Since FFD was a local effort, snowball sampling was the most viable option in collecting contact information and conducting interviews.[143] With originally two interviews planned, a total of six participants offered their time to discuss the different aspects of FFD. To protect their identities and facilitate the reader's understanding, I assigned each interviewee a pseudonym reflecting their role in FFD (see Table 1).

The questions were open-ended and directed participants to offer insight of the organizing of Frack Free Denton from past to present, also focusing on their background and affiliation with other environmental movements:

1. Could you start by telling me the story of how you got involved in campaigning against fracking in Denton?

2. Are you still campaigning against fracking. If not, why?

3. Have you ever been involved in other environmental protests? If so, how was this protest different?

4. What other things have you done politically?

5. How would you describe the workload related to protesting fracking?

6. Are there plans to protest the natural gas plant?

[143] Pamela Maycut and Richard Morehouse, *Beginning Qualitative Research: A Philosophic and Practical Guide* (London: Psychology Press, 1994)

I framed questions to centralize the current state of the movement and also welcome personal narratives of other experiences in protests. However, I contextualized questions within the area of Denton when they were asked. In other words, the questions were generated in a way that communicated my familiarity with FFD and Denton's local politics to encourage the participants to offer their own analytical perspectives on the movement, not just neutral accounts of events involving the FFD.

Table 1: List of Interviewees

Pseudonym	Description
Recruiter	The recruiter joined FFD early in the movement after experiencing personal health issues, and was responsible for organizing efforts and gaining signatures. The bulk of her work was in the four months prior to the November vote. The recruiter was one of the few involved in acts of civil disobedience.
Protester	The protester was involved with FFD from the very beginning, roughly around March of 2009, and was a major voice within the organization. She has a history with protesting other environmental issues, and works professionally as an organizer of other protests.
Spokesperson	The spokesperson was associated as the face of FFD, and was also a leader in the Denton Drilling Awareness Group (DDAG). After years of research and going through the political process of enforcing fracking setbacks with no success, the spokesperson was one of the last to get behind the campaign to ban fracking in city limits. The spokesperson is another member who was involved in acts of civil disobedience.
Professor	The professor is a university employee with an array of experience with fracking practices. He does not identify as a protester, but rather a research resource for FFD and the Denton Drilling Awareness Group. The professor got involved with the movement around October of 2014 when gas wells were drilled by a university football stadium.
Documentarian	The documentarian, although outspoken about environmental concerns, was an observer of FFD, and documented the campaign up until the repeal of the ban in June of 2015. He was involved early in the movement, but avoided direct involvement in order to document objectively.
Council Member	The council member actually got involved with FFD after the November vote, when it was obvious the ban might be repealed. She was responsible for contacting private law practices as a means of fighting state action against the ban, and can be described as a late active member. The council member became more involved in local politics after FFD, and continues to fight against natural gas proprietors at the local level.

Simply stating "I am from Denton" gave not only an authority over the materials I was working with, but also served to inform participants that I was a local citizen with reason to research and care about the issue. More importantly, revealing that I am myself a local was a form of self-disclosure that welcomed other Denton narratives. With the focus being on local narratives, I found it necessary to disclose being "local" as sort of ethos that allowed for participants to talk, not only to a researcher, but to a neighbor. Drawing from *Text + Field,* I found it important to take notes during my interviews and also made sure that I was in public settings within Denton.[144] While setting up locations for the interviews, I provided suggestions of coffee shops, restaurants, and local buildings as a way of communicating that I knew the area of Denton, and even avoided local businesses known for obstructing FFD's goals. As an example of this tactic, I abstained from interviewing anyone in a popular Denton coffee shop, owned by a council member that voted to repeal the fracking ban. By situating myself within the context of Denton, I indicated that I was aware of the politics of the town, and felt associated within the place of Denton.

Disclosing that I am a local of Denton and maintaining my own credibility allowed me to ask my final question regarding the city's plans to open a natural gas power plant. Asking this question was more of a way of contextualizing the current state of the movement, but also reinforces that I, as a researcher, understand future plans for the city in which I live. Asking a question about the state of the movement might look different coming from a researcher that is labeled as an outsider to the area, but my assumed knowledge of Denton can potentially prompt participants to disclose more genuine data. For instance, I knew that a gas plant had recently

[144] Alina Haliliuc, "Being Evoking and Reflecting from the Field," in *Text + Field: Innovations in Rhetorical Method,* eds. Sara L. McKinnon, Robert Asen, Karma R. Chàvez, and Robert Glenn Howard (University Park: Penn State Press, 2016), 146.

been approved by the Denton City Council within the last year. By addressing the gas plant issue as a concern of mine, I was also able to show my own concern as an citizen and researcher. Finally, identifying as a local researcher and citizen of Denton ultimately made collecting snowball research rather effective. All participants appeared to have overlapping contact information with members of FFD despite not being as active at the time when I conducted the interviews. Collecting archival supplements, like campaign materials, past interviews for local and national news, and even minutes from local city council meetings came relatively easy after I established my concern as a Denton citizen, my own environment, and my research

Most importantly, establishing myself within the place of Denton allowed for participants to expound upon their own idea of what it means to be a local in Denton. Having the contextual knowledge of Denton's history, as well as experiencing the city itself provided a path for participants to freely disclose information in more of a "You get it, right?" kind of answer. Finally, when asking about the local protest, I could generate a better understanding of fieldwork just by knowing the more elusive background of my own city, but this also gave me an inside look of how local protests function rhetorically.

Tensions in the Rhetoric of a "Local" Movement

The main theme of analysis that came about from all participants was a constant tension between benefit and drawbacks of being a local movement. Despite their reflections on the potential pitfalls of the rhetoric of "local" movement, none of the participants reported considering whether the movement should have represented itself as local. Instead, they expressed differences of opinion about how or in what ways the movement should represent itself as local. Since every member had a different role or responsibility within FFD, gaining

multiple perspectives of what it was like to live in Denton before the vote surfaced in the form of pros and cons. However, simply making a binary of the good or bad of being local is not a very nuanced of the perspectives that the participants offer. Instead, being local within this type of campaign was an ongoing process that appeared more as tensions to negotiate. Based on thematic representations of the local, four main tensions arose from the interviews: an escape from partisanship that risks a descent into factionalism, the prospect for modeling success for other localities along with the danger of modeling failure, the "localness" of the movement as facilitating political success at home while also hampering it when the movement had to make its case away from home, and the conflict between a definition of citizenship as derived from where someone lives as opposed to whether or not they have a stake in the issue of fracking in Denton.

Escape from Partisanship vs. Descent into Factionalism

The first tension of the local is how powerful the local can be in making issues non-partisan and more community based, while also potentially devolving the potential for creating factions within the movement itself. Non-partisanship might arise from removing political ideologies from an issue and focusing on a unified issue that blurs the lines of political identity. I define non-partisanship, within this case, in sequence with Eugene Lee's definition of non-partisanship as a political ideology that rejects party affiliation, instead focusing on moral characteristics of a candidate or campaign.[145] Within this unification, however, there is a definite clash of morals, or simply motives of a movement that put the organization at stake. Local politics are especially useful in blurring these lines, sometimes even removing political party

[145] Eugene C. Lee, *The Politics of Non-partisanship: A Study of California City Elections* (Berkeley: Univ. of California Press, 1960).

alignments within districting elections. For instance, in Denton's district elections, no candidate can identify as Republican or Democrat making campaigning for campaigning for these elections more issue focused. When partisanship is removed, groups must focus on the ideals of a specific movement, instead of relying on party alignment as a crutch. This focus on one issue often potentially creates an environment of political diversity. However, this focus of power assembled by an array of individuals with differing political ideologies also serves as a sort of pressure cooker in that it is powerful, but also volatile and hard to control. Factions may form based on how a group is organized, or simply contesting the movement's future.

Frack Free Denton managed to pass the ban despite the county having a history of voting conservatively, which serves as an example of how running a "local" grassroots movement can appeal to voters as a non-partisan effort. When looking closer at some of the campaign materials, messages that FFD disseminated remained relatively neutral in the political spectrum, with most of them keeping to a theme of neighborliness instead of making arguments about more charged issues like climate change that might appeal more to liberal voters, but push conservatives away. Even the leaders of the campaign recognized the rhetoric they used would need to be more inclusive towards the community, rather than making arguments that would raise a red flag for the voters in a conservative district. The Spokesperson affirmed many of these descriptions of how the movement used more inclusive language.

> We knew that if we settled on climate change it would seem more liberal, and ultimately be a loser. So, we settled on what it meant to be a good neighbor and zoning. It became about property rights, and how you have the peaceful enjoyment of your own property. You don't have the right to do whatever you want because it disturbs your neighbors. So, we wanted a message that represented what it meant to be a peaceful and quiet suburban neighborhood that was safe for your kids. If you're blue or red, we can all agree on that. A local neighborhood. Given that we were in a traditional [sic] conservative area, we

> couldn't come out talking about air and water quality because it might be a turn off. We in this case, wanted to focus on rights of property.[146]

Taking a more "neighborly" approach served as a way for FFD to transcend any bounds of political affiliation and gave them more grounds to identify to the localized community. Taking into account that some Dentonites might not agree with, or even believe in, climate change, FFD was able to craft a message that adhered more towards the value of being a neighbor. Another attributing factor of the messages that the Spokesperson touches on is the connection of property rights to being a neighbor. Serving as more of an umbrella effect of political messaging, being "neighborly," while honoring property rights was a way to encapsulate other voters that might traditionally be more conservative. More importantly, when looking at the bigger picture of how political campaigning functions, being "neighborly" contains more value in some places over others. Perhaps being a good neighbor is not important in certain parts of the U.S. However, this approach at least worked in a Denton setting, accustomed to a thriving arts community, and ultimately succeeded in escaping from partisanship by highlighting how "un-neighborly" the fracking industry was when disrespecting the "peaceful enjoyment" of property rights.

However, the first signs of factionalism, the counterpart to escaping partisanship, started forming closer to the November vote and well after the signing of HB 40. Most of the concerns were either related to the structure of FFD, or related to what the organization would do in the future. The Spokesperson, Recruiter, Protester, and Council Person all seemed to agree on a division starting to form related to the values of members, while also dealing with burnout

[146] The Spokesperson, interview by Colton D. Hensley, August 21, 2017, interview 4, transcript.

related to running such a controversial campaign. The Recruiter was the first to iterate how the organized powers in charge of FFD were the cause of burnout.

> …if there was more structure, we could have had each others backs a bit more. I think the structure of a board of directors over a campaign group was a bad structure. In my opinion, we should have had working groups because then when the civil disobedience campaign came about, we could have done that as a collective. More of a direct democracy kind of structure.[147]

The structure of FFD, consisting of a board of directors, came up several times, with even the late arriving Council Person recognizing the inefficiency.

> Even when I started going to meetings I could just see the look of confusion on people's faces because there were only a few people talking. And a few of those people that were on the board were saying, 'Well, we're gonna do this, but I can't say anything specific because of a contractual agreement with lawyers.' You know, that looks kind of bad, and I just think not everybody was on board with the few that were talking.[148]

Since both the Recruiter and Spokesperson were on the board of directors of DDAG, their responses allude to a bigger issue at hand within FFD, with most of the concern resting on how to move forward with HB 40 ultimately eliminating any hope for a fracking ban. The Spokesperson even recognized that some of the FFD meetings were a lot of back and forth saying, "There were some tense issues between the Blackland Prairie Rising Tide and DDAG because some viewed them as these 'direct action anarchists' while we were the 'upstanding suburban dwellers.' Part of this division was age, income, and also just personal politics. Both voted for the ban, and both were a part of the community."[149] With some members viewing The Protester and Blackland Prairie Rising Tide as "direct action anarchists," distrust from DDAG members, organizational issues resulting in burnout, and genuine fear of getting arrested, FFD fell apart.

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[147] The Recruiter, interview by Colton D. Hensley, April 12, 2017, interview 8, transcript.

[148] The Council Person, interview by Colton D. Hensley, August 15, 2017, interview 2, transcript.

[149] The Spokesperson, interview 6, transcript.

Frack Free Denton serves as a prime example of identifying as "local" is capable of overriding dominant political discourses with its emphasis on being neighborly, but also is subject to factionalism that may uproot the organizing efforts of the entire movement. A primary concern within the decision of defending the ban after HB 40 was getting arrested for protesting, which contradicted the groups notion of being "neighborly." On one hand, appealing to the localized community can create a unified force that transcends the bounds of political partisanship, but failing to uphold those values by the end of the movement ultimately created factions of what is "neighborly" of FFD, and how they would move forward heavily depended on that. In sum, this tension illustrates the volatility of being local, which is why the life of this movement was strong, but short.

Model of Success vs. Model of Failure

The second tension of being "local" is an issue of modeling the success of local efforts for other communities to follow suit, but also modeling the failures that open up complications for them as well. Within the tension of modeling rests the larger issue of idealistic federalism, or assuming that the different systems of government have designated responsibilities at the local, state, and federal level.[150] In an ideal world, a model of success for a local government implies that other local governments could follow the same types of systematic responsibility as the original town, and the state and federal government co-opting the vote. The ideal situation would be local governments finding what works within their policies, and other governments modeling the successes. However, a model of failure might doom other local governments to assuming that

[150] John Kincaid, "Federalism and Community in the American Context," *The Journal of Federalism* 20 (1990): 69-86.

a higher system of government intervenes when there is a controversial local vote. Ultimately, this tension could be described as a "high risk-low reward" situation that is in constant flux.

Denton, although relatively successful within their own city limits, is also a model for failure on the state level, which ultimately prohibited any chance for another locality to make decisions regarding municipality jurisdictions. The Spokesperson best explains the tension of model of success and failure when debating on the issue of local governance itself. Much of his concerns lie with ethical questions that often clash within smaller governments and are challenged by federal or state governments.

> I think we were really successful because we won the campaign. But if you step even further back. I think someone could say, "the whole thing was a mistake because look at where we stand now because of the regulations." And not just in Denton. I mean, we're back to basically status quo, like where we were before. In Texas, well now fuck. Now we got HB 40 and now it's worse for the whole state…I'm torn with local control, I think it's not an absolute ideal. Although I favor it. I mean, I'm not supporting something locally if someone decides to fundamentally disenfranchise black people. I'm not just gonna say, "Well shit, that's your local control." I still think the most important question is what's the right decision. This is the opposite of what I wrote in my book because there I said what really matters is who decides. I don't care who decided to disenfranchise people. It's the wrong decision. So, I'm torn about federal action and local control. It's a balancing act that comes down to a right answer.

The issue that The Spokesperson describes is the ethical question of localities that are successful and the state or federal governments' responsibility in modeling that success, while also risking the institutional failure of the entire process. The Spokesperson's concerns are validated when looking at FFD's case. In an ideal world, FFD's vote would have held its own within city limits, and other local governments could have modeled that success for their own benefit. Instead, the state took action against the fracking ban, and even prohibited any other town to attempt a vote dealing with municipalities. However, The Spokesperson addresses how this would be ideal if a locality made an unethical vote and the state took action. The Spokesperson is really describing the tension of modeling success and failure of being "local"

because of its successes act as a spectacle for other localities to follow, but its failures have the potential of damning others altogether. In other words, doing things locally doesn't alleviate this tension, it heightens it. The realization that Denton's case offers towards these idealistic notions of federalism is passing laws as a locality happens in a vacuum that can be replicated, but the risk is much greater when it comes to failure.

Winning at Home vs. Losing Away

The third tension has to do with the home field advantage of navigating a campaign within a familiar community while also trading off the issues with strategizing a campaign outside of those boundaries. For instance, FFD was entirely successful in campaigning within city limits by knocking on doors, or even creating events that served as a creative outlet and adhered to the artists that thrive in the community. The problem that rests with winning at home and losing away comes down to community organizers being at odds with designing campaigns that work well within the contexts of their own locality while also losing any kind of discursive strategy in a less familiar environment.

Many of the members of Frack Free Denton describe the camaraderie associated with the organization of this movement, and spoke of a musical trio known as The Frackettes that became a common topic between all of the participants within the study. The Frackettes, consisting of two university students and [The Recruiter], were a satirical doo-wop group consisting of three characters named Shaley Barnett, Carcin O'Gen, and Anita Profit. The three women were known for singing "in favor" of the fracking industry, with such songs as *Fracking is Your Town's Best Friend* (to the theme of *Diamonds Are a Girl's Best Friend*) and *Death of Democracy. The Death of Democracy,* which garnered over 10,000 views on Youtube and international attention,

was posted shortly after HB 40 and has lyrics such as: We passed our bill/ We killed your ban/ don't worry little Denton/ democracy was just a fill in. Although only two videos of the Frackettes were released on Youtube, the trio made several appearances during the ban's campaign and well after the passage of HB 40.[151]

Initially, I had not planned to mention The Frackettes within this study, but the musical troupe came up in conversation (often unprompted) with every single interview participant. As a Dentonite, I understand the pride that the town has within its music scene. The University of North Texas is home to the nation's first jazz degree, and rivals that of other high caliber music schools.[152] Texas Woman's University is also home to an award-winning theater program, and school collaborations with the city are a common occurrence with local artists. More importantly, The Frackettes fit into the culture of Denton, and I would not have been able to understand this unless I lived within the city. The authors of *Text + Field* touch on the subject of reflexive ethnography and claim that it "captures the inter- and intra- subjective movement of the 'I' in culture", also stating this type of methodology "can attune critics to the processes of one's co-constitution during and after persuasive discourse."[153] By being "local" I understand The Frackettes as something that is home to Denton, and understand why this type of discourse works well towards the heavily artistic scene. However, I also understand how nothing like The Frackettes could ever work outside of Denton, which expresses the tension of winning at home and losing away.

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[151] Puppets for the Planet, "The Frackettes-'The Death of Democracy'," Filmed May 2015. Youtube Video. 4:48 minutes. Posted May 14, 2015. Accessed September 28, 2017 from https://www.youtube.com/watch?v=VIAuamq57tE

[152] Michael D. Worthy, *The Grove Dictionary of American Music* (Oxford University Press, 2013).

[153] Alina Haliliuc, "Being Evoking and Reflecting from the Field,", 136

The Frackettes are the epitome of what it means to win at home as a local movement because of their innate ability know what the citizens of Denton would respond to when informing folks about the dangers of fracking in the city. Their performances were well attended, they were actually a talented musical troupe, and despite a clear division and fatigue from all of the participants in the study, The Frackettes were the only point of interest that everyone enjoyed talking about. In a way, the group was a point of unification for all members of FFD because of its local interest and success to the campaign. However, The Frackettes are also an example of how FFD's campaign management would gain little ground outside the contexts of the city. Few non-Dentonites take a special pride in the music and culture of Denton, Texas, even if they enjoy it or find it clever.

Although The Frackettes were not a central point of the argument, the decision to stay in Denton or protest in Austin was a key point of division within FFD. Many of the participants state the importance of the home field advantage within Denton, and how the few people they sent to Austin were ultimately left unheard by the Austin legislature.[154] The Protester states her frustration with the organization for making the move to Austin in the first place, and claims that FFD would have been more successful if they devoted more of their attention to civil disobedience with Denton being the main stage.

> 15,000 people voted in Denton. Our neighbors. If one percent of them show up at a fracking site, in front of driveway, fracking tracks aren't coming to work today. And the Denton city cops are not arrest 150 people. They can't, that jail doesn't fit 150 people. It's a win if the state police, not city police, but state police has to come in. That's a win because it pisses people off. Direct action is the only way. All of these people saying: "the fights in Austin now", there was no tension between Austin and Denton. It was 15

[154] Garrett Graham, *Don't Frack with Denton*, Documentary, directed by Garrett Graham (2017; Denton, Texas: Datalus Pictures, 2017).

> people in the right place that stripped the vote of this community, and all we had to do was uphold it.[155]

The tension of winning at home and losing away comes through in the Protester's statement because of her recognition of Denton's success within the confines of Denton. Her belief of the home field advantage extends to outsiders of Denton, in this case, the state cops that would need to perform law in a city they may not be familiar with. Certainly, it is worth mentioning that FFD's support was fading away after the success of the vote, but Stewart, Smith, and Denton talk about the importance of maintaining visibility within a movement. In this case, the Protester had a fair point insinuating that if the entire strength of FFD's campaign was by being a local movement, then that type of campaign would need to stay local. The visibility of FFD protesters could have possibly reignited support in order to defend the ban.

Winning at home and losing away is just another tension for being a local movement that only has the resources to make a compelling case around where they actually live. Other factors to keep in mind within this tension are the immediate contact supporters have with their neighbors, an often overlooked point when local movements debate on mobilizing in unsupportive environments. At this point within FFD's life there is the stress of simply maintaining the movement, and this may have been the main tension that caused the ultimate failure of the entire fracking ban.

Stakeholder Authority vs. Citizen Authority

The final tension is elusive in nature by dealing with the rhetorical construction of citizenship, and the twist centered around the subject of authority that rests within localities. The

[155] The Protester, interview by Colton D. Hensley, March 29, 2017, interview 10, transcript.

conflict rests between citizenly authority and stakeholder authority, which appears quite often in environmental disputes. Within FFD, two opposing campaigns clashed on the basis of who should have control, or have any grounds to say, over the property of Denton. With citizenly authority revolving around who contains some type of presence within the community, and stakeholder authority centered around who is impacted on an environmental or economic level. With this tension comes issues of civil disobedience as well as the questioning of local control.

In order to expound upon this tension, I use multiple notions of citizenship as well as make a clear distinction between a stakeholder. Robert Asen's discourse theory behind publicly engaged citizen is the best way to make the distinction to that of the stakeholder. Asen states that citizenship requires a degree of sociability from groups that are engaging the public within their own community.[156] Stakeholder citizenship is what Andy Scerry defines as an act of local participation based around future goals of residents, wellbeing and security, which could encompass health and financial security of those impacted.[157] Within FFD's case, a recurring theme of defining who has the authority as a citizen of Denton was a major talking point from supporters and the opposition. This aspect of citizenly authority and stakeholder authority is at odds with what it truly means to be "local." Because, as power as being "local" is, only certain types of people can actually claim to be a part of it.

Frack Free Denton made an argument as "local" because they could claim they were actually from Denton and understood the right cause for the community. Much of this was based around living in Denton, and claiming ownership from simply being a citizen that was politically involved in the fight against fracking. The Protester describes her perspective of people outside

[156] Robert Asen, "A Discourse Theory of Citizenship," *Quarterly Journal of Speech* 90 (2004): 189-211.

[157] Andy Scerri, *Greening Citizenship: Sustainable Development, the State and Ideology* (Palgrave Macmillan, UK, 2012).

of Denton campaigning against the ban on the day of the vote, and subtly associates working for the industry as not being a part of Denton. However, the Protester also explains her own views of being a citizen of Denton while also debating who has the authority over the property rights of Denton. Her own testimony is truly the embodied depiction of this final tension.

> At the time, they were sending all of these dudes from Fort Worth to city council meetings. And I don't know if you've ever been to a city council meeting before, but you have to state your name and address before you make a testimony and then you have to start your three minutes on the clock. So, all these fuckers were coming from Fort Worth, and they had to admit that, and they're all wearing these shirts that say CLEAN. I guess it was some sort of acronym or something. They were all coming to a Denton city council meeting to talk about fracking, and it's like, why do you care so much about fracking regulations in Denton if you're from Fort Fucking Worth? Those city boundaries aren't magic lines. The term "outside agitator" gets used on my side against me, and I live in Denton. I've been subject to a big outsider campaign, which is really funny to me. You can't say that these things that affect air quality don't affect me. That being said, you can tell people's own motives. So, feel free to check my own bias, but what's the difference in a team of people driving out from Fort Worth to Denton to testify for fracking saying, "No, we don't need a moratorium on fracking in Denton" versus someone who lives in Sanger saying, "I also oppose this gas plant." Fuck boundaries. For me it's about impact. Who's directly impacted by this? If they're impacted they should have a say. The more impacted you are, the more say you should have.[158]

Within her own testimony, the Protester explains her own thoughts on the importance of being from Denton and having something at stake. One could argue the contradiction in this statement because that is in and of itself part of the tension. Who is to say that those impacted by the ban do not work for the oil industry, or have mineral rights that would rob them of thousands of dollars if a banned were passed? Obviously, the protester is referring to impact as citizens who are in direct risk of health and safety, and that requires more of a physical presence to be affected. However, citizenly authority and stakeholder authority are constantly at odds with one another in assessing the identity of a local, and this is especially true in environmental protests. Richard Gregg argues in his foundational article on ego function in social protests describes the

[158] The Protester, interview 8, transcript

Protester's argument as self-directed rhetoric. Ultimately, these types of argument have a moral high ground associated with them that lay claim to who is on the right and ethical side.[159] Within this notion, however, comes the importance of authority of a locality based on citizenship or stakeholding, and the essence of belonging as a local.

Conclusion

The final moments of FFD's campaign ended in an act of civil disobedience against the passage of HB 40. On June 1, 2015 the Spokesperson, the Recruiter, and a local student sat in front of the gate of a pad site, blocking entry to any trucks trying to tend to the drill. The civil disobedience had been organized by the Protester at a large meeting, yet only three volunteered. In a moving display of the success of the movement's rhetoric of localness, the *Denton Record Chronicle* reported police officers shaking the hands of the protesters, and thanking them for all of their efforts in protecting the community of Denton.[160] After the arrests, however, FFD ultimately dissipated as an organization. The Professor later explains that DDAG would ultimately shift its focus to making oil and gas ordinances for the city council to being more of a watchdog group that reports fracking activity to the public.[161] With few involved supporters left, and division within the organization, FFD's visibility faded away.

However, some of the final moments of FFD's organizing efforts included how to frame the acts of civil disobedience. The protests were mostly against HB 40, but the Protester suggested another way of protesting that may have been effective.

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[159] Gregg, "The Ego-Function of the Rhetoric of Protest", 85

[160] Julie Dermansky, "Breaking: Citizens Arrested While Defending Denton, Texas Fracking Ban," *Desmog* (blog), June 1, 2015 (3:58 p.m.), https://www.desmogblog.com/2015/06/01/breaking-citizens-arrested-while-defending-denton-texas-fracking-ban

[161] The Professor, interview by Colton D. Hensley, July 29, 2017, interview 3, transcript.

> Usually when you're performing civil disobedience, you're doing it against a law that you think is unjust. In this case, uniquely, "actually we're upholding the law. Y'all are breaking the law of Denton." If you get to actually have that conflict, it would have been pretty interesting.[162]

What the Protester suggests is treating the law of Denton as an act of civil obedience, and arguing that it was the industry and the state who were breaking the law. This conception of the local and the supreme determiner of what the law should be and how it should be enforced would give movements that tie themselves to localities like towns an argument for their transcendence of higher forms of government. Local movements are rhetorical in of themselves in that they have the power to overlook other systems of government simply by having claim to their own place, and can use the space as their own political stage. Locals can ground their claims to authority in their localness and that the extent of what this means is up for rhetorical contestation. Ultimately, The Protester is correct in pointing out how being a local movement gave FFD a particular rhetorical power at the local level in asserting their own authority, and could have allowed them to lean back on their legitimate local electoral success as a source of legitimacy against a hostile state and industry.

"Localness", then, is ultimately a rhetorical construction. To whatever degree a movement is or is not local, it must decide whether to portray itself as local, and if so, how? The rhetorical power of the construction of a movement as "local" depends on how a given local movement portrays this appeal. One unexplored and potentiality opened, but not pursued by FFD, is the power of the "localness" of a movement to claim the legitimacy of its political program over that of another, purportedly official sources, such as the state, the fracking industry, industry regulators, and even the city government. This portrayal of "local" is a

[162] The Protester, interview 12, transcript.

rhetorical maneuver and attends all discussion of the movement itself. Whenever you ask someone about their movement, their answer will imply its local or non-localness. In cases of civil disobedience, a law voted in favor of within a community can then not be viewed as civil disobedience, but spun as an enforcement of a local law. Through its appeal to localness, FFD succeeded at using the city's governmental system to create a new law, and then seeing it imperiled, members of the movement demonstrated their willingness to put their bodies in the way of a usurpation of their rightful political victory.

Furthermore, the participants of this study have created a kind of political power via the means of the rhetorical legitimacy of being "local." The Spokesperson and others involved can making convincing appeals when invested in the concerns for the interest of Denton that even some of its council members cannot make. Both the Spokesperson and Council Person mention how fracking is now an issue that local elections can be won and lost on, and it's because of movements like FFD and the legitimacy of the being "local" that afforded such a result. The participants gain a certain rhetorical power when discussing topics within their community, which they, as well as researchers have yet to explore.

CHAPTER 5

CONCLUSION

Since the passage of House Bill 40 (HB40), the bill has left proponents of the Denton Fracking Ban without a clear direction. A few members of FFD performed acts of civil disobedience in the weeks following the passage of HB40, calling their actions "Frack Free Fridays." Despite these efforts keep the movement active, membership dwindled, and a portion of FFD left to resurrect an older group named after Denton's biosphere, known as Blackland Prairie Rising Tide.[163] Several of the leaders of FFD mention the division of the group during interviews, and how HB40 rendered the chance of fighting fracking a lost cause. For example, the Spokesperson stated that the main argument of those leaving was the legislative power of HB 40, and how no local law supersedes that of state law. Over the course of a few months, FFD members moved onto to other local issues, some of them even making their own run at political offices within the city. The Council Person credits FFD for her initiation into Denton politics, and her appointment on the Public Utilities Commission Board of Denton because of her stance around the fracking issue. The Council Person took a more administrative approach to regulating natural gas by using the powers of her position to regulate energy companies within Denton, and suggesting her concerns with emissions to the budget commission.

However, with a mostly conservative local political elite retaining power in Denton, the Denton City Council wasted no time in making deals with other energy companies, including the licensing of a natural gas power plant within the city limits.[164] Each of the interviewed FFD

[163] The Protester, interview by Colton D. Hensley, March 29, 2017, interview 10, transcript.

[164] Peggy Heinkel-Wolfe, "Deal Passes, Narrowly, for New Denton Power Plant," *Denton Record Chronicle*, September 2016. Retrieved October 10, 2017 from http://www.dentonrc.com/news/news/2016/09/21/deal-passes-narrowly-for-new-denton-power-plant

leaders expressed frustration with the city council's decision to build a natural gas power plant. Some even pointed out the irony that, in this case the local government, not the state, was the real problem. The Council Person was the only participant that mentioned any hope in fighting the power plant, but her position as a council member helps explain her position. The Council Person's plan relies on excess emissions from the power plant, and argues that she has complete authority in recognizing a breach in contract that could force the energy company to pay a fine to the city, or cease operations. The active status of the FFD movement seemed to be in the hands of only a few, with Denton Drilling Awareness Group (DDAG) changing their focus all together. Leaders of the DDAG rewrote the mission of the organization regarding how to handle natural gas drilling within Denton after the Spokesperson resigned from the board of directors. The Professors discussed the mission change as more in line with the group's name, re-centering the organization around the process of raising awareness about natural gas extraction in and around the city.[165] Ultimately, the few members left in FFD focused more on administrative duties, foregoing acts of protest. The fight from FFD seems to be over, at least for now, but leaves open many questions revolving around the nature and potential fate of the larger environmental movement against fracking. My concluding thoughts on fracking, and the movements trying to fight the practice offer an array of rhetorical strategies and lessons from which to draw to add to theory-driven approaches to social protests.

Aspects of Local Rhetoric

In chapter 1, I explored the concept of the maximal proposition, an ancient Boethian argumentative concept that stresses making a common-sense argument to appeal to large

[165] The Professor, interview by Colton D. Hensley, July 29, 2017, interview 3, transcript.

audiences, and applied it to the Denton Fracking Ban and the State College Community Bill of Rights. Within my analysis, I explicated the concept of the *maxima propositio*, or the maximal proposition, as guide to finding the heart of arguments. As the sixth century rhetorician Boethius explained, the maximal proposition is a master enthymeme that is ultimately self-evident to audiences. Boethius agrees with Aristotle in that a good argument is one that requires no teaching, one that appeals to the common sense of an audience. The more appealing, or relatable to the audience, the better the proposition. For Boethius, a strong maximal proposition is recognizable in part by an apparent lack of any need to explain it. The need for a great deal of explanation and support for a proposition is evidence it is failing to persuade. Within my own comparative analysis of these two U.S. fracking bans, I compared the similar maximal propositions of each ban, and considered their effectiveness in relation to the politics of their states. This comparison revealed the importance of considering the contexts of place in protests when constructing maximal propositions, and how elusive drilling practices like that of fracking make it difficult for long-term propositions to be constructed by political members of a community because of the short drilling process.

Chapter 2 offered a narrative comparison of the Frack Free Denton (FFD) and Support Responsible Drilling (SSRD) campaigns, using Steven Schwarze's depiction of the environmental melodrama.[166] Schwarze argues the environmental melodrama is an affective form of dramatic narrative for protesters to highlight how fraught practices of environmental degradation contribute a sort of pathos to the injustice brought to the environment, which appeals to larger audiences in fighting such injustices by scapegoating those responsible for the

[166] Steven Schwarze, "Environmental Melodrama," *Quarterly Journal of Speech* 92 (2006): 239-261

environmental risk.[167] My analysis focused on aspects of "community" as a formation of identity within FFD and SSRD, highlighting how this strategy of public advertisement displayed clashing representations of communal identity that ultimately affected the two different narratives.

Furthermore, I argued that a fitting depiction of "community" within campaigns against environmental risks show potential for success when these depictions are within the framework of an environmental melodrama. This depiction of community within the FFD campaign exacerbated the effects of the environmental melodrama because of the importance of identity within each feature (sociopolitical conflict, polarization of characters, a moral framing of moral issues, and a development of monopathy). In comparison, SSRD's campaign did not follow the format of an environmental melodrama, instead using other conflicting narratives that did not align with their own representation of the community of Denton. In the end, FFD's environmental melodrama is an example of how identification within the "community" can expose a less "accurate" representations of a locality like Denton. In this case, embodying the community of Denton gave FFD a stronger narrative that aided the movement's electoral success.

In Chapter 3, my qualitative analysis revealed how FFD members depicted their "local" movement in response to a series of questions revolving around their own involvement with FFD. Based on participant responses, I argued that the "localness" of a movement is a rhetorical construction, and has the potential to create tensions within movements, but also to unify the movement and help it to coalesce and pursue its goals. "Localness" allowed leaders of FFD a way to use rhetoric that initially transcended higher systems of government by constructing the local as a more validated locus of authority. However, the authority of being "local" also made

[167] Steven Schwarze, "Environmental Melodrama," 240

FFD susceptible to disorganization stemming from clashes of ideology, change of location, and a claim to authority based on differing depictions of citizenship. Finally, being "local" granted a certain legitimacy to movement members that gave them unmatched local authority for an extended period of time, though this became difficult to transcend when legislation passed at the state level.

Rhetorical Lessons about the Rhetoric of Fracking Politics

Together, the different modes of analysis in these three chapters offer a few key takeaways as a larger part of this project. First, FFD was a unique community-led movement that succeeded despite being in a location that traditionally favors the oil and gas industry. In the case of FFD, there exists a relationship between the content and form of the movement that is evident here. If movements and protests embrace the local strategy, their campaign rhetoric cannot only rely on location as a base of support. A local movement must also dictate their arguments and the strategy around being local. In other words, being local is not just having the immediate advantage of knocking on doors, it is doing that in addition to framing risk in a way that threatens the local context. Furthermore, choosing to go the route of a local movement not only means having to lobby in the town and make appeals, but also suggests the kinds of appeals you make need to reflect the town and the community. So, being a local movement means making a set of arguments based around these contexts that appeal in a locus of community. In making a set of arguments, a local movement must make the strongest available argument accessible in a local context (e.g. a proposition that addresses health and safety in a locality that would not appeal to an argument centering around climate change). Although this argument may not be the strongest, it appeals to a specific community with potential for success.

Second, a local movement must make stylistic choices when considering their arguments and strategies. The Frackettes are a prime example in FFD's case because of the artistic appeal to a city that has a supportive arts community. The Frackettes worked as singers and advocates toward the community of Denton, appealed to a wide range of local citizens. Another stylistic choice within FFD's case is the hand-drawn image of the Denton courthouse that became the logo for the movement, appealing to locals who recognize the courthouse and the artists within the city. Local movements that make these stylistic choices engage in a performance of civic identity that potentially help validate and legitimize the goals of that movement. The better these stylistic choices, the more likely the arguments made by the movement are legitimized and backed by other locals. Furthermore, local movements must match these stylistic choices with their arguments and strategies, which makes being "local" a totalizing concept with multiple moving parts that require a succinct execution.

Finally, a movement that is adept at addressing itself to a local context risks failure in a larger context as it over-hones its ability to address a specific, localized audience. An argument about Denton, based in Denton, made for Dentonites will not work in Austin or Fort Worth. FFD succeeded on every front by making their argument appeal to the "spirit" of Denton, campaigning as neighbors to their neighbors, and creating a civic identity through performances while rooting it in their campaign and argument. However, they had little grounds for making a strong enough argument in a different context, so a good local movement must pair with another outside or national movement, or must be certain that it can it can achieve its goal through successful political action on the local level alone. In Denton's case, choosing to go to Austin was ultimately a failure because being local outside of that locality will not work if the argument is weaker. In State College's case, having a better argument in a location, and having the support

of a nonprofit that exists to aid communities with local self-government known as the Community Environmental Legal Defense Fund, actually propelled them as an effective local grassroots movement. Thus, a successful local movement is either entirely sure of their arguments and strategies, or partnered with of a larger movement or outside influence with adept arguments and strategies.

Studying the Rhetoric of Local Movement through Text and Field Methods

The anti-fracking movement in Denton demonstrates the need for more contextually immersive approaches to analyzing social movement rhetoric. By contextually immersive approaches, I mean methods that focus on locations in a similar fashion to the ethnographic work of scholars like Danielle Endres and Samantha Senda-Cook in their research on the rhetoricity of places of protest.[168] However, I would argue that archive making enhances rhetorical analysis in places of protest because of instances like that of the rhetorical deployment of being "local." These temporal moments like FFD have little to no existing archives, so archive-building becomes a necessity in constructing the vast amount of arguments made in a short amount of time. Much like Phaedra Pezzullo's ethnographic work with toxic tours, being present within these places adds a sort of contextual knowledge of cultural performances. However, ethnography and other methods of rhetorical analysis are enhanced by a closer attention to the of archive-making in fieldwork. Archive-making allows researchers to assess places of protest by gaining a deeper understanding of cultural performances in the *context of the timeline of a movement*. Furthermore, since environmentally damaging industries like fracking can be so fast-

[168] Danielle Endres and Samantha Senda-Cook, "Location Matters: The Rhetoric of Place in Protest," *Quarterly Journal of Speech* 97 (2011): 257-282

moving, we need to adapt our methods for studying them by adopting this type of text and field approach. FFD is an example of how rhetorical appeals in environmental protests situate themselves within more contemporary forms of social movement research.

Local rhetoric can be just as elusive as the fracking industry it was arrayed against in Denton, often because it must be. Community events organized by FFD members to artistically express the dangers of fracking, such as The Frackettes, be difficult to study because their appeals are deeply grounded in their local context. For example, The Frackettes likely make perfect sense to a Dentonite given the artistic presence in the town, but this performative aspect of Denton is hard to understand for a scholar who is not familiar with Denton and its history. The problem in analyzing this type of rhetoric is, not only the lack of work in existence, but how quickly any evidence of protests must be collected in order to build a useful archive. Worse yet, scholars studying movements like the anti-fracking movement in Denton need to have the ability to recognize when a given rhetorical artifact bears archiving. When local movements create rhetoric that is able to overcome environmental and political barriers, rhetoric scholars need to be able to employ effective methods for studying it. In order to examine such rhetoric, however, requires a local knowledge of places of protests, and an emphasis on archive constructing.

In the course of pursuing my own qualitative analysis within this project, I knew I needed to construct some sort of archive in order to adequately understand FFD. As Alina Haliliuc's chapter on critical ethnography in *Text +Field* suggests, I resolved to use my interviews as a base of locality, while leaning on my experience as a Denton local.[169] Seeing as I started researching FFD nearly two years after the acts of civil disobedience that marked the end of the active phase

[169] Alina Haliliuc, "Being Evoking and Reflecting from the Field," in *Text + Field: Innovations in Rhetorical Method,* eds. Sara L. McKinnon, Robert Asen, Karma R. Chàvez, and Robert Glenn Howard (University Park: Penn State Press, 2016), 135.

of the movement, I approached my study of the movement acknowledging its liminal setting, which required a prior knowledge and understanding of key players in FFD. Haliliuc argues that critical ethnographic work and interviews function best in culturally changing, liminal, and transcendental settings, but it seemed as if the time had passed.[170] Haliliuc's notion of culturally basing yourself in fieldwork was especially useful in guiding the construction of my archive of FFD. I could not have obtained these materials without the willingness of FFD leaders to share them, knowing full well they were a part of a few who had possession of such artifacts.

Interviewing participants about these texts also revealed the difficulties of responding to an invasive, yet elusive industry that has a lot of institutional power behind it. Through the interviews, I gathered an understanding of how difficult, even challenging, the risks involved with fracking could be. The Documentarian recalled:

> That's the one thing about fracking. When I was protesting against the pipeline over in East Texas, the protest moved with the line. With fracking it's a whole other concept. Unless that site it flaring, on fire, or spilling toxic chemicals in the air, it's really hard to make a tan cylindrical canister look evil.[171]

These moments of clear and present danger when disaster seems imminent affords protesters the opportunity to hold industry responsible, but they require the movement to have an active presence and a focus on local space, they require that the movement be local. For instance, in some way, FFD was ironically "lucky" in that a gas well explosion received a great deal of attention from concerned locals, and protesters used that event to demonize the practice.[172] On the same note, researching these events in the field provides an opportunity for researchers to distinguish this rhetorical clarity. The Documentarian discusses the explosion, and how that

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[170] Alina Haliliuc, "Being Evoking and Reflecting from the Field," 137.

[171] The Documentarian, interview by Colton D. Hensley, August 13, 2017, interview 1, transcript.

[172] Rhiannon Saegert, "Natural Gas Well Explodes in Denton," *North Texas Daily*, May 7, 2015. Retrieved October 10, 2017 from *http://ntdaily.com/lightning-strikes-gas-well-in-denton/*

event sparked a clear motive in constructing campaign materials, which helped contextualize my understanding of the materials related to the fracking explosion.

The fracking industry is also in a privileged position because of the exemption of proprietors to release well information. The Professor expressed this concern, but also shared other troubling consequences of fracking:

> That's what sucks for these areas because it's the noise, the trucks, and the industry. I mean, you don't want your neighbor to start pulling in RVs every ten days, and then have them pull them out for RV park shows. I mean, that would be the equivalent. It's just a whole other component that's a nuisance. It's the activity, and then you add this other component where we don't know what they're emitting, wait, we *can't* know what they're emitting. They started limiting all of this stuff, like noise cancellation and quieter rigs. But the proximity will remain an issue every day, and if they get rid of that, the environmental factor could be swept under the rug.[173]

As the industry works to eliminate nuisances from its drilling practices, it becomes harder to make a persuasive case against environmental consequences of fracking, and the proximity to homes remains the only thing keeping these concerns alive. Policies put in place by legislators exempt proprietors from releasing well information, keeping researchers from linking any types of pollution to risk of health. For instance, the Freedom of Information Act permits gas well operates to withhold well information, which is partly what the Professor referenced. The institutional privileges afforded to industries like fracking can go entirely unnoticed just by how comfortable the rigs fit into the landscape. Fracking is a relatively quick process, with noise and truck traffic being the biggest complaints from those close to it. Fracking rigs take up small plots of land, and resemble the sort of operation that might install a cell phone tower; as a result, they sometimes go entirely unnoticed. However, the relative lack of attention a fracking drill draws

[173] The Professor, interview by Colton D. Hensley, July 29, 2017, interview 3, transcript.

enables the fracking industry to do the amount of damage that it does. The only thing keeping fracking rigs on the radar are the locals who live next to them and mark their threats.

This study of a local anti-fracking movement might seem to have limited applicability to other locations struggling with the environmental effects of fracking. Innovations in resource extraction have not been unique to just the natural gas industry in the past, and they are likely to affect other industries in the future. In other words, the problems that come along with underground resource extraction are not unique to shales. Although it seems local, fracking is not the only industry that can transform itself, its environment, and the communities in which it operates through improvements in technology. What has happened to the natural gas industry with the advent of fracking could just as easily happen within industries like fishing, logging, and every form of mining. Indeed, technological advancement has transformed all of these industries and the geographies they inhabit. When technological changes like fracking continue into the future, as they have in the past, the rhetorical struggles they ignite will need to be studied, and ideally such studies should take both theoretical and methodological lessons from the anti-fracking movement in Denton, Texas. Such studies will also, hopefully, be driven by a commitment to the text and field approach enabling a deeper contextual knowledge of these movements.

APPENDIX

DENTON ANTI-FRACKING MOVEMENT TIMELINE

Date	Event
July, 2009	Robson Ranch protests- Special use permit granted to Range Resources energy company to drill 250 ft. from a residential area, hospital, and McKenna Park.
August 18-September, 2009	Denton City Council tables McKenna Park wells from discussion at city council meetings for entire month. Protesters start signing up for unrelated agenda items, speaking on fracking instead.
April 23, 2010	Toxic spill in McKenna Park. Range Resources held responsible.
July, 2011	Drilling task force assembled by Denton City Council. Four of the six members had backgrounds in the oil and gas industry.
May, 2012	EagleRidge employee caught illegally dumping waste. Denton County presses charges.
October, 2012	Denton County DA's Office drops charges against Eagle Ridge
April 19, 2013	Eagle Ridge blowout shoots natural gas for 14 hours. Equipment to shut down well was in Houston, and an official report had to be filed before employees could cap the well.
October 12, 2013	Denton City Council files two lawsuits against Eagle Ridge for illegally drilling without a permit.
October 23, 2013	Denton City Council drops lawsuits against Eagle Ridge.
October 25, 2013	Denton City Council grants drilling permits to Eagle Ridge on illegal wells.
January, 2014	Denton Drilling Awareness Group (DDAG) starts petition drive for a ballot initiative after realizing most of the cities gas wells were unaffected by setback regulations.
July, 2014	DDAG turns in petitions gathering over three times the required amount. Denton Fracking Ban is put on the ballot.
July, 2014	Frack Free Denton campaign and Support Responsible Drilling campaign face-off over fracking ban, with reports showing the most expensive election cycle in the city's history.
October 9, 2014	The Frackettes video is released on Youtube, and the group starts performing publicly
November 4, 2014	Denton Fracking Ban passes by 59% to 41% margin.
November 5, 2014	Texas Oil and Gas Association and Texas General Land Office file lawsuits against Denton, claiming the vote is unconstitutional.
May 18, 2015	House Bill 40 signed into effect by Governor Greg Abbot, which makes oil and gas exclusively regulated by the state government, and prohibits local governments from forming ballot initiatives regarding oil and gas. Fracking to go back into effect in Denton on June 1
June 1, 2015	DDAG leaders are arrested for blocking gates of pad site. Let out of jail in a matter of hours
September 21, 2016	Denton City Council passes $265 million deal for Denton Energy Center, a natural gas power plant.

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