

Revisiting Digital Sampling Rhetorics with an Ethics of Care

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Abstract

Rhetoric and composition studies have conceptualized and defined digital sampling as a method of composition in many ways and for various pedagogical purposes: from a means of free-play invention that is critical of more formalistic writing practices to a semiotic strategy rooted in African American rhetorical traditions designed to effect political change. The latter view is critical of the former in that the former does not account for student digital sampling projects that unquestioningly appropriate from other people and communities. This is a real pedagogical problem, but students can create unethical and hurtful digital sampling projects, no matter the assignment prompt. To supplement such free-play invention strategies and anticipate problematic student projects, this essay suggests to view digital sampling through a rhetorical ethics of care perspective and offers a pedagogical heuristic for ethical in(ter)vention through the concept of vulnerability. Considering digital sampling through a heuristic of vulnerability entails a questioning of all sampling practices as potential acts of wounding or caring in the hopes of helping students develop into more sophisticated rhetors capable of producing nuanced compositions and engaging with ethical issues of digital media.

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1. Introduction

I begin with an analogy: teaching research-based argumentation and critique in composition studies is like learning how to perform hip-hop music. (Rice, 2003, p. 453)

While I see value in both Rice's and Sirc's arguments in favor of the ability to play freely in texts and techniques in the writing classroom, . . . the mixtape as rhetorical practice offers composition pedagogy and digital writing theory far more than a whimsical pursuit of the cool. (Banks, 2011, p. 13)

The vulnerable is not the same as the killable. The latter stands poised between death and life, the former between the wound and healing care. (Cavarero, 2011, p. 32)

The appeal of incorporating digital sampling into the composition classroom is now stronger than ever. Still, practices of digital sampling present rhetorical and ethical challenges for students as they struggle to select and use samples in their composition practices. Although the genres most commonly incorporating sampling methods share certain values

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with academic writing, such as the interest in acknowledging invention through “outside” source materials, they also depart from academic conventions in important ways, particularly in the practice of how to cite those outside source materials. These differences leave instructors no less immune to rhetorical and ethical challenges. In response to these challenges, on one hand, versions of “limitless” assignments have been promoted for use in the multimodal composition classroom by those attune to the inventive strengths of digital sampling and remixing practices demonstrated in hip-hop, DJing, and other genres that incorporate the practices (Sirc, 2002; Sirc, 2006; Rice, 2003; Rice, 2007). On the other hand, some have countered this idea by showing how these digital sampling and remixing practices are actually informed by a complex awareness of communal difference and cultural histories (Banks, 2011; McFarlane, 2013). The latter position has critiqued the former as potentially endorsing naïve cultural appropriation at best and, at worst, enabling the production of racist, sexist, and homophobic content.

Powerful benefits apply to both arguments, however incompatible and polar opposite they may appear at first glance. To offer some guidelines for instructors and their students in meeting the rhetorical and ethical challenges presented by each position, in this essay I suggest applying what I call a *heuristic of vulnerability*—which is informed by a feminist ethics of care—to digital sampling assignments and the multimodal composition classroom, in general. As composition instructors, we can bring both digital sampling positions into the classroom to help students produce (and question) inventive and more ethically aware multimodal compositions without prescribing a dogmatic morality. To these ends, I explain the logics of the main proponents of these seemingly polar digital sampling positions, that of Rice, 2003; Rice, 2007 and Banks (2011), respectively. Then, in the second half of this essay, informed by feminist philosopher Adriana Cavarero’s ontological work (2005; 2011), I explain a heuristic of vulnerability not so much to rehabilitate the stance focused on free-play invention strategies with the critiques its opponents have brought to bear, but rather, I share this heuristic because students can produce digital compositions that are harmful and unethical, no matter the assignment prompt, and this heuristic has helped me negotiate such challenges.

In brief, this heuristic is not a flowchart or lens explaining exactly how to solve the problem of students creating potentially unethical compositions—such heuristics for ethical decision-making are too often devoid of enough contextual concerns and are thus ineffective and unhelpful. Rather, this heuristic is more of a lens to generate ethical questions of relationality. This heuristic prompts multimodal writers to justify or at least to account for their acts of sampling and remixing in terms of wounding or caring for the people and communities who took part in the history and creation of the sampled-from compositions. While I present the aims of applying this heuristic of vulnerability to digital sampling practices mainly as a strategy for developing more complex, nuanced, and critically aware compositions in the classroom, I acknowledge that I am advocating a particular kind of normative ethics informed by a feminist ethics of care. This ethics of care, or what I broadly call an *ethic of care for singularity and community*, while not falling neatly under deontological, virtue, rights, or consequentialist ethical frameworks, is related to if not completely consistent with many of the normative positions other compositionists have worked from when engaging with problems of cultural appropriation. Not deontologically rule-bound, this ethic asks rhetors to place themselves in an empathetic relation with those they are responding to (i.e., sampling from) and is motivated by an attempt to respect the difference of others and acknowledge a responsibility to those individuals and communities to which the rhetors are in relation. Composition studies has negotiated with problems of appropriation for decades; although these problems seem familiar at the outset, the genres incorporating digital sampling are resistant to traditional citation conventions and how we might typically understand appropriation versus appreciation, thus complicating and intensifying the seemingly familiar problem of acknowledging indebtedness to others in rhetorical invention.

2. Perspectives and definitions of sampling as a strategy for rhetorical invention

In *Rhythm Science*, Miller (2004), also known as the writer, musician, and artist DJ Spooky that Subliminal Kid, defined sampling as,

a new way of doing something that’s been with us for a long time: creating with found objects. The rotation gets thick. The constraints get thin. The mix breaks free of the old associations. The script gets flipped. The languages evolve and learn to speak in new forms, new thoughts. (p. 25)

Claiming “there is no such place as an ‘immaculate perception,’” Miller (2004) saw creativity in “how you recontextualize the previous expression of others” (p. 33). He maintained that the DJ is an archetype of contemporary artists and writers who use multimedia, as the DJ’s ability to create art is contingent upon a critical embrace of technologies

that reproduce sounds and video from previous works: “DJ-ING IS WRITING/WRITING IS DJING” (p. 56). Along with the emphasis on artistic invention, other scholars have noted how the practice of sampling, under a broad umbrella of hip-hop culture, has been and can be used as a rhetorical means of political resistance to dominant societal norms of ownership, including those of language, identity, and property (Alim & Pennycook, 2007; Alim, Lee, & Carris, 2011).

Of course, viewing writing as the sampling, remixing, and recontextualizing of others’ works is not necessarily a new idea for scholars familiar with the works of Roland Barthes or Mikhail Bakhtin, both of whom challenged modern notions of authenticity and authorial creativity in their critiques of writing by positing an always-present excess of historicity preceding and determining the meaning of any written or spoken utterance. Although these ideas by no means equate in totality to what a DJ does, they help explain why sampling as a means of multimodal rhetoric has found legitimacy in composition studies.

One of the most influential promoters of sampling as a means of rhetorical invention is Rice (2007), who, in *The Rhetoric of Cool* challenged conventional histories and pedagogies of composition, which found their tradition and purpose in a stable, linear, and continuous story. In an earlier, related work, “The 1963 Hip-Hop Machine: Hip-Hop Pedagogy as Composition,” Rice (2003) promoted the importance of sampling as a method for developing alternative writing pedagogies. Building upon Baker’s, 1991 argument to approach English studies pedagogy through a hip-hop lens, Rice (2003) started from a definition of sampling as “the hip-hop process of saving snippets of prerecorded music and sound into a computer memory. These sounds become cut from their original source and pasted into a new composition” (p. 454). He then extended this definition beyond sound to include images and video, advocating a “take whatever you find and use it” method. This method enables students to produce content at a moment’s notice (especially through the use of computer, tablet, and other mobile technologies) even without necessarily having a specific thesis or end goal in mind, as the term *whatever* works in youth culture as a word that evokes “a sense that something has eluded the meaning of the response or defiance, dismissal, and opposition” (Rice p. 455). As a method, then, *whatever* privileges “cutting a detail from its original source and recontextualizing it within a different setting,” often critiquing, disguising, or hiding the original source in the process (Rice p. 456).

Of course, Rice has not been alone in promoting the study and practice of sampling and remixing in the composition classroom. Johnson-Eilola & Selber, 2007 pointed out that studying the various genres using sampling, from hip-hop to film-making, enables students and teachers alike to question the “often narrow perspectives on plagiarism” found in the history of composition (p. 376). Hess (2006) noted that incorporating a study of sampling in the composition classroom can help students recognize differences in academic writing and hip-hop while also recognizing how the different genres share certain values, including the critique of and response to sources as a means of invention. Geoffrey Sirc, 2002; Sirc, 2006, similar to Rice, emphasized invention via hip-hop sampling, pointing out that students better identify with how the world works around them through an understanding of the content and practice of hip-hop sampling than they might through more formalist writing practices. And most recently, digital sampling has been referenced as one of several ways students demonstrate popular culture knowledge in multimodal composing (Williams, 2014).

In tension with those above (particularly Rice and Sirc) was Banks (2011), who, calling on Kynard (2007), noted that “trying to scratch or sample the practices of the DJ, MC, or hype-wo/man in Hip Hop and drop them into our scholarship without thorough, searching attention to the discursive and rhetorical traditions from which they emerge” is “foolishness” (p. 13). Banks was most critical of the “take whatever you find and use it” method that Rice and others espoused. He argued that such “isolated sampling or ripping” risks uncritical cultural appropriation “if we somehow build our theorizing on individual practices without full recognition of the people, networks, and traditions that have made these practices their gift to the broader culture” (p. 13). McFarlane (2013) went further and maintained that when students sample without an awareness of the sociopolitical contexts from which the sampling and remixing borrow and appropriate, the students risk uncritically “deliver[ing] assignments with sexist, homophobic, and/or racist, content” (para. 5).

Now, Banks’s (2012) and McFarlane’s (2013) shared concerns that unchecked or uninformed digital sampling rhetorics may result in uncritical cultural appropriation or worse, are important and valid concerns. In my own teaching, I have found evidence that uncritical, or “isolated,” sampling practices encouraged by a “take whatever you find and use it” method can at times produce uncritical and even harmful results. However, such results are problems that, although they can arise out of employing a *whatever*-pedagogy, really can result from any pedagogy. How instructors might anticipate and address these issues of “when digital sampling goes wrong” is a challenge, no matter the pedagogy in practice.

Some of the most frustrating digital sampling projects are those by students who, whether given the power to “take whatever you find and use it” or not, literally take the first ten trivial items they find online and attempt to make a multimodal composition from those items to fulfill the assignment requirements, oblivious to any of the samples’ cultural significance. A greater challenge can be when students make historically inaccurate arguments, especially those charged with ableism, heterosexism, nationalism, racism, sexism, or other prejudices. For example, one of my students juxtaposed images, sounds, and video of Barack Obama with images and video of Adolf Hitler and the Nazis. Straight-faced, this student concluded that the consequences of re-electing Obama would be apocalyptic—not unlike those arguments of Glenn Beck or other fear-mongering radio or cable television news pundits who unabashedly associate Nazism with anything they disfavor. Though not this student’s intent, the implied excesses of this presentation held racist overtones. Similarly, another student sampled video and audio from the Muscular Dystrophy Association’s past telethon footage and made the argument that effective rhetors can exploit images of people with disabilities to make audiences more sympathetic to a message. Also not the student’s intent, this project was of course subsumed by an ableist mindset and very offensive to many in the class.

Of course, sampling and remixing outside of the classroom can also produce ethically problematic results. Poet [McDaniel \(2008\)](#) came under fire for sampling the personal histories of six African American survivors of Hurricane Katrina to compose the centerpiece poem of his *Saltwater Empire*. Commenting on McDaniel’s poetry, [Young \(2010\)](#) has noted that “Stripped of names and context, and combined with one another” (para. 6), the 19-page, six-part poem presents the content as all from McDaniel’s own imagination, observation, or experience with only a vague reference at the bottom of the copyright page to the website where the narratives were located. [Hesmondhalgh \(2006\)](#) also raised broader cultural concerns of unconstrained sampling practices. He applied legal and media studies research to question the problems of “cultural borrowing” inherent in digital sampling. Like [Howard \(2000\)](#), [Johnson-Eilola and Selber \(2007\)](#), or [Pennycook, 2007a; Pennycook, 2007b](#), who advocated plagiarism policy reform, [Hesmondhalgh \(2006\)](#) acknowledged that copyright laws viewing digital sampling without permission from the original creator as unlawful often discourage the creative and political powers of African Americans and other marginalized groups. However, using as a case study international music star Moby’s sampling and remixing of African American musicians like Bessie Jones and Vera Hall on Moby’s album *Play*, [Hesmondhalgh \(2006\)](#) resituated the issue by demonstrating how less constraints on digital sampling laws can actually perpetuate or increase the already-present dynamics of inequality that privilege dominant groups in a power relation.

Bringing the discussion back into the composition classroom, I ask, might a more invention-centered pedagogy without supplemental ethical frameworks actually perpetuate the white privilege that already exists in the U.S. higher education system,¹ as [Hesmondhalgh’s \(2006\)](#) research might suggest? This is a rhetorical question, of course. Cognizant of this problem, [Banks \(2011\)](#) argued that, rather than teach the free-play sampling practices advocated by [Rice, 2003; Rice, 2007](#) and others, composition instructors should follow and attempt to teach what he deems the virtues of a “digital griot.” [Banks \(2011\)](#) described griots as a combination of “storytellers, preachers, poets, standup comics, DJs, and even everyday people [who] all carry elements of the traditional griot’s role in African American culture”—a multifaceted role Banks described as equal parts historian, social critic, archivist, entertainer, and cultural interpreter (p. 25). Adding “digital” to this identity, Banks showed how the griot’s role persists and is critical in our multimedia age. Some of the values of the digital griot, for example, include the ability to demonstrate “knowledge of the traditions and cultures of his or her community” and “the ability to employ [technological] skills for the purposes of building community and/or serving communities with which he or she is aligned” (p. 26).

Of course, one of [Banks’s \(2011\)](#) aims in *Digital Griots* was to increase the awareness of multimodal theorists and instructors, particularly regarding how sampling and related practices are rooted deeply in historically black music and storytelling traditions. However, at other times [Banks’s \(2011\)](#) argument appeared audience specific; that is, in places he articulated that he is “grounding a discussion of digital ethics for African Americans in a theoretical frame . . . that would encourage black people to make use of technological systems and tools” toward progressive political goals (p. 123). I do not question the historical precedence or political exigency of either of these goals. Nonetheless, I think it is safe to say that most composition instructors would love to see the set of values Banks articulated emerge in any of their students’ compositions. [Duffy, 2012; Duffy, 2014](#) recently made an influential push to begin reconsidering ethics

¹ See Carnevale, Anthony P. & Strohl, Jeff. (2013). Separate & unequal: How higher education reinforces the intergenerational reproduction of white racial privilege. *Georgetown University*. Retrieved from <https://cew.georgetown.edu/separateandunequal>

in the composition classroom, particularly a negotiation with what is deemed virtuous writing or a virtuous writer, and this focus would seem to be even more relevant in a course that draws heavily on digital sampling and potentially invites the writer to mask his or her indebtedness to others. The digital griot, as Banks described it, is a powerful ethos for all of our students to work toward becoming.

However, our students come into the composition classroom with varying degrees of knowledge, skill, and self-confidence regarding their writing abilities. Students often find engaging in critical pedagogies that demand cultural awareness to be challenging, scary, and laden with their instructors' ideologies. This challenge is one of the great strengths of digital sampling from Rice's (2003, 2007) perspective. It enables students to envision themselves as potentially great writers no matter their background and experience, and it does not hold them to the sometimes paralyzing standards of paying due "attention to the discursive and rhetorical traditions" from which they sample (Banks, 2011, p. 13), let alone considering themselves "grounded deeply" enough in their own traditions that they feel authorized to "tell it," as Banks put it (p. 27). Sometimes students do produce hurtful digital compositions; however, this can happen whether they are encouraged to experiment freely or even when they feel they are authorized to comment on a community or a particular issue—an authority my own students have rarely claimed. What can composition instructors do about this problem? How do instructors prepare for ethically and culturally harmful compositions, and how should they respond to them when they are produced? For the remainder of this essay, I suggest and describe a heuristic for ethical invention, or intervention, that enables students to see their digital sampling practices through a lens finding political and ethical value in acts of caring and wounding. I call this heuristic a *heuristic of vulnerability* and the type of ethics it is informed by and helps discover and enact a *rhetorical ethic of care for singularity and community*.

3. A heuristic of vulnerability for digital sampling ethics

As Foster (1997) argued, notions and tropes of community have been simultaneously endorsed and vilified in composition studies. By a rhetorical ethic of care for singularity and community, I am not promoting nostalgic notions of unity, cohesion, or commonality as absolute ethical values that should be endorsed in the classroom. Leverenz (1994) noted that such ideas can lead to the erasure of difference, and I agree. Rather, an ethic of care for singularity and community speaks to the feminist ethics of care articulated by composition scholars such as Kirsch & Ritchie, 1995: "Unlike rule-bound ethics, 'caring' requires one to place herself in an empathetic relationship in order to understand the other's point of view" (p. 21); this ethic speaks to Jacqueline Jones Royster's (1996) advocacy of respect for the difference of other singular beings and communities; and of course, this ethic of care for singularity and community finds value in maintaining "our collective responsibility for the physical lives of one another," as Judith Butler (2004) wrote (p. 30). Royster and Kirsch (2012) reminded us recently that such ethical considerations remain important today and will be in the future.

I see the combination of these ethical positions as potential first steps in developing, and not inconsistent with, a complex and mature ethos like that of Banks's (2011) digital griot. In many ways, I am arguing for a reconsideration, reapplication, and revision of feminist ethics of care and respect with regards to digital sampling practices. In fact, the heuristic of vulnerability I describe below, which enables these ethics to be put into practice, stems from contemporary feminist philosopher Adriana Cavarero's notion of vulnerability. I suggest that a heuristic of vulnerability, in helping students develop such an ethic of care or at least be aware of and consider such an ethic, can help to bridge the seeming dissonance of Rice's (2003, 2007) free-play invention strategies with Banks's (2011) ethos of the digital griot. Most importantly, this heuristic works to anticipate or respond to digital sampling projects that have taken a turn for the worse, ethically speaking.

In *Horrorism: Naming Contemporary Violence*, one of Adriana Cavarero's (2011) prominent aims was to distinguish horror from terror. For Cavarero (2011), horror was not the same thing as terror, which "moves bodies, drives them into motion . . . [Terror's] menace is directed, substantially, at life itself: it is a threat of violent death. He who is gripped by terror trembles and flees in order to survive, to save himself from a violence that is aiming to kill him" (p. 5). In contrast, "horror does not concern imminent death from which one flees, trembling, but rather the effects of a violence that labors at slicing, at the undoing of the wounded body and then the corpse, at opening it up and dismembering it" (Cavarero, 2011, p. 12). Key to Cavarero's understanding of how horror is invoked was the concept of vulnerability.

Influenced by the works of Hannah Arendt, Judith Butler, and even Thomas Hobbes, Cavarero (2011) posited that vulnerability is an ontological characteristic of being human. Following up her work in *For More than One Voice: Toward a Philosophy of Vocal Expression*, in which she maintained that voice is the primary characteristic that expresses a

singular person's simultaneous uniqueness and necessary relation to others (2005), in *Horrorism* Cavarero (2011) added vulnerability as an additional characteristic of simultaneous uniqueness (singularity) and relationality (community): "If, as Hannah Arendt maintains, everyone is unique because, exposing herself to others and consigning her singularity to this exposure, she shows herself such, this unique being is vulnerable by definition" (pp. 20–21). This commitment to uniqueness does not equate to individualism; in fact, Cavarero has rejected ontologies of individualism, which refuse "to admit dependency and relationship" (p. 21). She argued, rather, that each human being is still unique and singular, but each person's uniqueness and singularity are constituted in concert with the constant relational exposure to the difference of others. Just as no human's voice is identical to another's, no two humans' lifetimes of vulnerable exposures to others are identical.

By designating vulnerability as an ontological category, Cavarero (2011) highlighted that a significant part of what constitutes a human being is that, throughout life, "the singular body is irremediably open" to two responses: "wounding and caring" (p. 20). Not only are no two persons' lifetime of vulnerable exposures to others identical, but the degree to which one is vulnerable to others also changes depending upon life circumstances. In other words, though we are always vulnerable, context governs the degree to which we can be wounded and the degree to which we require care.

Even though, as bodies, vulnerability accompanies us throughout our lives, only in the newborn, where the vulnerable and the defenseless are one and the same, does it express itself so brazenly. The relation to the other . . . in this case takes the form of a unilateral exposure. The vulnerable being is here the absolutely exposed and helpless one who is awaiting care and has not means to defend itself against wounding. (Cavarero, 2011, pp. 20–21)

As the above passage makes clear, "'vulnerable' and 'helpless' are not synonymous terms" (30). Vulnerability is not reducible to helplessness. One might say that helplessness is the most extreme form of vulnerability. However, understanding vulnerability through a theme of infancy (and thus helplessness) enabled Cavarero (2011) to theorize how, just as our degree of vulnerability changes depending on the context, so too can the "drastic alternative between violence and care" shift in degree and change in character as an active response to another's vulnerability. For example, an attempt to "[refrain] from wounding" (Cavarero, 2011, p. 24) can be an act of care or wounding, depending on the degree of vulnerability of the person to whom one is responding. In the context of an adult, the active response to wound or care may be the difference "between a hand that strikes and one that does not rise to do so" (Cavarero, 2011, p. 24). But if the vulnerable person is an infant, or a group unable to defend itself, "the arresting of a violent hand is not enough" (p. 24). As Cavarero (2011) pointed out, in such cases, "it is necessary that the alternative inscribed in [the helpless person's] primary vulnerability should also bring into account a hand that cares, nourishes, and attends" (p. 24). This lifetime of vulnerability, in which the intertwining relationship between the degree of one's vulnerability, contingent circumstances, and responsive acts—always defined as caring and/or wounding, depending on those circumstances and the degree of vulnerability of the person acted upon—is best summed up in the following passage:

As a body, the vulnerable one remains vulnerable as long as she lives, exposed at any instant to *vulnus* [wound]. Yet the same potential also delivers her to healing and the relational ontology that decides its meaning. Irremediably open to wounding and caring, the vulnerable one exists totally in the tension generated by this alternative. As though the null response—neither the wound nor the care—were excluded. Or as though the absence of wound and care were not even thinkable. And yet you might call that indifference, and even bless it, if it were just the absence of wounding, whereas, if it were the absence of caring, we would perhaps have to call it desolation. But exposure to the other that persists over the arc of an entire life renders this absence improbable. In fact, given that every human being who exists has been born and has been an infant, materially impossible. (Cavarero, 2011, p. 30)

In any human-to-human relation, then, a response of wounding and/or caring is always taking place. Although we as human beings are vulnerable throughout the entirety of our lives, and no human can escape vulnerability, the degree to which we are vulnerable is contingent upon the circumstances we find ourselves in; hence, we are "always vulnerable but only sometimes helpless, as contingency dictates and with a variable degree of intensity" (Cavarero, 2011, p. 31). We cannot escape responding to another's vulnerability to which we are exposed. Even leaving someone alone is a response, and the degree to which our response is one of wounding our caring is contingent upon circumstances.

Here is where I want to put forward a heuristic of vulnerability, based upon Cavarero's (2011) thought, for ethical considerations in digital sampling rhetorics. No, I am not equating sampling with the dismembering or disfiguring of

vulnerable, physical human bodies—though there is always a physical connection between the labor of the producer and the materiality of the product. Nor am I saying that knowledge of this ontology guarantees or even provides us with the kind of ethics instructors might want their students to enact. In contrast to Cavarero’s (2011) use of vulnerability to understand horror, when practicing a heuristic of vulnerability for digital sampling, writers may find certain instances where an act of wounding—a determination that is always a subjective construct—might function as an act of caring within another relation or context. Additionally, the visceral character of a term like wounding provides a more affective response in students than considerations of copyright law, for example, when they justify what and how to sample, even if no act is easily defined as one that wounds. And just as differences between terror and horror exist for Cavarero (2011), ignoring and erasing our relationship to others in our scholarship and pedagogies is different than sampling from others and disguising those relations for purposes interested in the re-appropriation of meaning. Although both practices are problematic and deserve attention, the concept of vulnerability can make a particularly productive impact on how we practice digital sampling and remixing—methods associated with genres such as hip-hop and DJing—where a lack of acknowledgement to the source material, or a masked acknowledgement, can be seen as an inventive strength and even an expected convention of the genre (see Hess, 2006, pp. 282–86).

I suggest, then, when we as instructors apply a logic similar to Rice’s (2003, 2007) whatever pedagogy (“take whatever you find and use it”) as a method of invention in the composition classroom, that we supplement this method with a heuristic of vulnerability. Such a heuristic views each composition from which we sample as in relation to a vulnerable human being and/or community and requires the sampler to ask *both*, “In my sampling and remixing of this work, am I wounding or caring for the people who took part in the works I sample from?” and “In my remixing of these works into a new composition, am I wounding or caring for those people and others who might be exposed to my own remix?” Such a heuristic enables students and scholars alike to work toward becoming more culturally conscious multimodal writers, toward developing an ethos like that of Banks’s digital griot.

To reiterate one of Cavarero’s (2011) important points, identifying an “original author” as vulnerable does not mean identifying such a being as helpless—this is not a patronizing identification. Those from whom our students sample are not necessarily helpless (though they might be in certain contexts) and do not lose their agency when recognized as vulnerable. Rather, this presupposition is a recognition of all human beings’ ontological condition, one that enables students to consider their relation to those they sample from as a co-constitutive relationship. The sampled-from are not completely passive but are agents who help constitute the students’ own subject positions as multimodal writers and producers of new meaning. Such an ontological presupposition helps students realize that no creative work exists in a vacuum; rather, it is a co-constitutive relationship that simultaneously contributes to the recognition of each person’s uniqueness and agential capacity to affect and effect others.

Therefore, although in its essence such a heuristic of vulnerability sounds simplistic, it is actually multi-layered. And yes, although a heuristic of vulnerability is motivated by an ethic of care for singularity and community, using the heuristic does not guarantee the development of such an ethic. Nevertheless, in putting this heuristic into practice the students are asked to recognize and interrogate the relationship between those from whom they take and the creation of their own inventions when they practice digital sampling—for to ask the question, “Am I wounding and/or am I caring?” requires that students ask a host of other questions regarding their sampling practices, enabling them to consider additional but related ethical concerns.

4. Caring and wounding in digital remix: Questions and benefits for critical reflection and application

To better enable practitioners of a heuristic of vulnerability, I include below a set of bulleted lists I have used as a supplement to digital sampling assignments, whether as a handout for discussion, a reflective writing prompt, or even questions for peer review or group revision. Below each set of bullets, I provide additional context, explanation, and justification of the questions in each bulleted list, as concerns to consider for the digital sampler in the composition classroom.

1. Identification of Producers/Creators
 - a. Where did your samples (images, video, audio) come from?
 - b. Who has taken part in the creation of these samples?
 - i. Individuals?

- ii. A community?
- iii. A company or other organization?
- c. Do you have a connection to any of these individuals or groups?
 - i. Is this connection close, or does it resemble seven steps to Kevin Bacon?
- d. Do you think your relation (or lack of relation) to these individuals or groups gives you more or less constraints to sample and remix their creative work?
- e. If you do not know where your samples come from originally, how do you think you might discover this information? (Once you have done more research, go back and answer the previous questions.)

One concern is that, to understand whether I am practicing caring or wounding in my acts of sampling and remixing, I must identify or even address those people from whom I sample. Whether I sample from a speech by Martin Luther King, Jr., footage of the Arab Spring, prison folk music, or a protest by the Westboro Baptist Church, answering this question requires my research into various people or communities in relation to the images and sounds I have sampled. I must ask, “Where did this come from?” and “Who took part in this work?” The problems of ethnography and of “speaking” for others are real. Acknowledging for whom I am caring or wounding first requires some acknowledged and careful speculation and identification on my part—actions that expose my own subject position and open me up to responses of wounding and caring from those exposed to my remix. And, of course, I must presuppose that I am neglecting the recognition of someone, even if unintentionally.

2. Identification of Caring/Wounding

- a. To the best of your ability, please research the groups and/or individuals from whom you have sampled. According to your sources (scholarly, popular, friends, etc.), what are some of the cultural values of these people and their communities? Provide some evidence for your claims. If you identify as a member of one of these communities, explain how you have come to understand the community’s values and how your own understanding of these values might differ from others in the community.
- b. Identify 3-5 of your acts of sampling in relation to the individuals and/or groups you identified above as either acts of caring or wounding or both. Address the following questions in this identification:
 - i. In your sampling and remixing, are you potentially contradicting, subverting, changing, or even violating some of the values you researched above? Imagine someone sampling your work (something to which you have dedicated your life) and remixing it into a new work that actually violates the values expressed in your original work or that seems to take credit for authorship without acknowledging you. How do you think the “original” authors would react, should they witness your remix? How might it affect them?
 - ii. Are you appealing to their values? In other words, do you think the artists you sampled from would endorse how and what you sampled and remixed?
 - iii. Under what conditions might your act of caring be an act of wounding (and vice versa)?
- c. How might your caring and/or wounding change your relationship to those individuals or groups? Has your opinion of the different individuals and/or groups changed? Why or why not? How?

An additional concern is that I should be able to explain how my practices of sampling and remixing are acts of caring or wounding, or perhaps both. As [Cavarero \(2011\)](#) argued, an act of caring for one person may be an act of wounding for that same person in another context—or for someone else in a similar context—depending on the degree of vulnerability and the context in which my response takes place. Like the previously mentioned concern, to address this issue calls for additional research on my part beyond discovering the names of those who composed the media from which I am sampling. It also asks that I research (to the best of my ability and in the time given) the cultural values of those people and communities so that I might understand why my remix response could be construed as an act of caring and/or one of wounding. Now, realistically, no students (or scholars) will ever be able to fully discover the totality of the values of a community—as if there is such a thing—even if they identify as a member of that community. Consequently, attempting to discover these values and discern whether my sampling and remixing are acts of caring or wounding necessitates great empathy on my part and an acknowledgement of the deficiency of my subject position. “Empathy is not an unproblematic concept,” as [Kirsch and Ritchie \(1995, p. 21\)](#) have noted, as one never understands another solely in the other’s terms, as hard as one may try. [Kirsch & Ritchie’s \(1995\)](#) concern was with the ethics of the power relation of the researcher and research participant, which “can undermine, threaten or manipulate” that

relationship, even if enacted through an expression of empathy (p. 22). Although the relations in the genres employing sampling are much different than the kind of relations Kirsch and Ritchie are discussing—very likely the sampler will never meet the sampled-from—the sampler can also find him- or herself in a similarly manipulative power relation.

3 Identification of Ethicality

- a After completing and reflecting upon the previous sections, ask yourself the following questions:
 - i Do you consider your acts of wounding and/or caring to be ethical?
 - 1 Why or why not? Can you justify your acts of wounding? How?
 - 2 If you decide to distribute your remix, do you think it would be legal?
 - 3 If not (see #2), what would you need to do to make the distribution of your remix ethical as well as legal?

Recognizing that the sampler/sampled-from relationship can be one of manipulation, my empathetic position, as a digital sampler, should also theorize how what I determine as an act of care actually may be an act of wounding. There is no perfect method for making this identification—the concepts of wounding and caring are not exempt from slippage of the signifier or multiple interpretations; however, such an acknowledgement of instability can help lead a class to discussions of cultural appropriation versus appreciation, property ownership, identity construction, and politics of (mis)representation, or as Stuart Hall (1997) described it, “the way representational practices operate in concrete historical situations, in actual practice” (p. 6). The key in these types of discussions is to move away from (or at least alongside) a sense of someone’s owning a production, as we see in copyright law. Ellen Barton (2008) rightly reiterated that there is a great difference “between a context-based ethic of care and a principle-based ethics of rights” (p. 598). In the context of digital sampling, this means I ought to distance myself from a perspective solely worried about who owns the rights to the product, or who “originally” created it in a legal sense.

Though the concern for legality should not be neglected, all too often some students confuse legal action with ethical action. Determining the rights of the “original creators,” as well as what they actually “own” is extremely difficult and even controversial, and should not be the sole identifier of ethicality. Examples abound in recent news media coverage of pop music, from the various Led Zeppelin lawsuits to the recent “Blurred Lines” controversy. The latter is a particularly effective example to discuss in class for differentiating ethics and law. The “Blurred Lines” song is not only controversial in its potential endorsement of rape and the objectification of women, but the Marvin Gaye estate sued and was rewarded \$7.4 million from the “Blurred Lines” writing team of Robin Thicke and Pharrell Williams for copying elements of Marvin Gaye’s “Got to Give it Up.” As pop culture journalists Raustiala & Sprigman, 2015 have pointed out, in effect, the song “Blurred Lines” merely “sounds like” Gaye’s earlier work. Williams and Thicke, who acknowledged Gaye’s influence on that song and their work, neither sampled directly from Gaye’s song, nor copied the sheet music, leading Raustiala & Sprigman, 2015 to conclude that the verdict set a disastrous precedent: “The ‘Blurred Lines’ verdict may end up cutting off a vital wellspring of creativity in music—that of making great new songs that pay homage to older classics.” What is legal is not always ethical, and vice versa.

Thus, instead of conflating ethics and law and pursuing an endless trail for authenticity, I can ask, as a digital sampler, how my sampling and remixing might affect certain persons, groups, or communities that have devoted their lives to the creation, reception, and meaning of a particular work. This practice can be exhausting, and developing empathy is not only problematic, it is difficult to put in action. As Royster (1996) argued, empathetic recognition requires a subject position that admits, “what we think we see in places that we do not really know very well may not actually be what is there at all” (p. 614). Such an admission might even speculate that the “original authors” might not care what “some student” does with their work, as long as the student does not financially profit from the sampling. This may be a legitimate claim, but to justify it a student cannot help but negotiate with and reflect on the concepts of caring and wounding and reflect on the sampled-from author’s values. Such self-reflexivity, of course, is not a guarantee of ethical action, but it is a first step toward embracing the complexity of the ethical justification and working toward a more mature self-reflexivity—the kind Catherine Fox (2002) advocated.

Fox (2002) promoted the notion of a “spirit of critical affirmation” where, as scholars and teachers, we acknowledge our fixation on critiquing others’ work and take part in more self-reflexive processes (p. 198). Though this practice of criticizing others is often done in an attempt to enter into the academic conversation and may stem from worthy intentions, we often neglect applying this criticism to ourselves and our own ideologies, thus perpetuating a replacement of ideologies potentially as oppressive as those we criticize and prohibiting any goals we may have regarding the social

transformation of our students. As Fox (2002) deduced, “there is nothing radical or transformative about supplanting a conservative, hegemonic truth with a leftist, marginalized truth” (p. 202).

Thus, in acknowledging that perhaps both caring and wounding are taking place in my practicing of a heuristic of vulnerability, I should attempt to justify those actions ethically. Sometimes, a digital sampler may find wounding appropriate for a particular rhetorical situation, and negotiating such a claim is difficult. For example, were I to cut and sample footage of the Westboro Baptist Church community’s funeral protests of gay and lesbian lifestyles and then overlay it with loops of music and audio that imply a critique of the Church’s actions, I would acknowledge that my sampling and remixing could easily be construed as an act of wounding the community associated with the Church. Criticism and disruption are not inherently ethical acts. Such a criticism, such a disruption, such a contestation of another’s value system needs justification. My act would demand ethical and political reasons, in this case perhaps an acknowledgment of my concerns for the inequality and the problems of hate speech I see the Westboro Baptist Church perpetuating. Hopefully, I do this in a spirit of critical affirmation and try to understand the community’s perspective, even as I may condemn it. From a certain point of view, I might argue that this act of wounding to one group is actually (or at least it would be my hope that it is) an act of caring for that group and others, such as LGBTQ communities. This justification, of course, complicates the heuristic and ethic and ideally leads to discussions about the problems of universal or foundational claims to identifying certain practices as moral in and of themselves and the problems of identifying any practice as always virtuous, no matter the context.

Equally important, I should consider how I am exposing my own vulnerability (how might I be cared for or wounded?) in presenting my remix. As I note above, any attempt to recognize and justify practices of sampling and remixing also exposes the sampler’s own position of vulnerability in relation to other scholars, colleagues, and students. Thus, a heuristic of vulnerability, while accounting for potentially wounding or caring for another’s work, would increase the critical awareness of putting forth my own work to be sampled from and remixed by others. This should not discourage the students from producing and sharing work but rather expose them to the realities of multimodal production and communication. This awareness should also lead to discussions of the ethics and politics of social media applications like Facebook, the technological dissolution of the border between public and private, systems of surveillance, and the practice of exposing our daily actions and identifying information on the Internet.

In explaining some of the concerns students and instructors should address when applying a heuristic of vulnerability to their practices of sampling and remixing, I have suggested some of the benefits of using a heuristic of vulnerability as a supplement to Rice’s (2003) whatever-based method of invention (and really, it is a supplement to any assignment prompt that asks the students to sample and remix media from other people and communities): furthering practices of empathy, discussions of the construction of ethics, and the acknowledgment of political and ethical consequences of rhetorical actions, to name a few. Additional benefits apply when supplementing free-play invention strategies with a heuristic of vulnerability.

For one, a heuristic of vulnerability enables instructors to avoid didacticism and embrace the challenge of negotiating rhetorical invention with ethics. As David Sheridan, Jim Ridolfo, and Anthony Michel (2012) made clear with their notion of the “Kairotic Web” (pp. 68–9), so many elements contribute to the constitution of any multimodal composition that encapsulating the specific ethical responsibilities of the multimodal composer is difficult, leading to a very unsure ethic: “What is off limits one day is routine the next” (p. xvii). They argued,

in multimodal compositions, the whole exceeds the sum of the parts, resulting in both challenges and new possibilities. Some of these challenges concern a set of ethical considerations that emerge from multimodal semiosis. Some of the potentials concern the reality that culture itself is multimodal, as are the cultural products of identity and consciousness. (Sheridan, Ridolfo, & Michel, 2012, pp. xvii–xviii)

Of course, Sheridan et al. (2012) were most concerned with multimodal rhetoric at large, but the ethical difficulties they explicated are exacerbated further by the conventional practices typically associated with the genres that employ digital sampling—namely that of masking sources—which actually expose the opposite of one of the claims Sheridan et al. (2012) made in the above passage. In conversation with their claim that “the whole exceeds the sum of the parts” (Sheridan et al., 2012, p. xvii), I would argue that multimodal compositions very often fail to account for the sum of their parts, whose cultural implications and ontological relationality can far exceed the newly created “whole.” This is why applying a heuristic of vulnerability to digital sampling practices in the composition classroom works so well: in applying the heuristic, students find themselves changing their own minds about past identifications of acts of wounding or caring, as well as how they justify those acts. Rationalizing those changes does not require the student

to give an answer that best satisfies the instructor's ideological viewpoint or fits a set of standards or rules but instead demands a considered engagement regarding the communal relations to their inventive practices—an engagement that will likely recognize that what one student sees as ethical, another may deem unethical.

Other benefits for an instructor are the multiple ways to practice pedagogically a heuristic of vulnerability. An instructor might assign a digital sampling project that endorses a “take whatever you find and use it” methodology simultaneously with a heuristic of vulnerability, in which the recognition of caring and wounding would immediately follow or actually be part of the remix. Alternatively, an instructor might decide to present them as two different assignments where the heuristic follows the sampling and remixing as a form of ethical self-analysis and/or peer review. Personally, I privilege the latter method because it enables the students to appreciate the differences between the genres of sampling and traditional academic writing, as well as the implications sampling can have in the “real world.” As Hess (2006) pointed out, how one establishes credibility in academic writing is quite different from ethos-building in genres typically employing sampling. How one masks the original sources while still providing call outs as evidence of the sampled sources in a composition can be a sign of ingenuity and a demonstration of an awareness of what came before for people who are part of that discourse community (p. 282). Just because this practice is not valued in most academic genres does not mean it is not valuable for students to understand. Additionally, assigning these tasks of invention sequentially with ethical concerns also avoids demonizing experimentation that may not have a specific end goal yet in mind.

In the case of the student who overdubbed images and video of the Nazis and Hitler with sounds, images, and video of Barack Obama, I added a version of the heuristic to the assignment during peer review to encourage ethical considerations in the students' revisions of their remixes. As a result of peers' comments, the student, while maintaining the argument about the apocalyptic consequences of the Obama administration, did acknowledge how the remix might be received negatively as racist and anachronistic. Though the class atmosphere could hardly be described as comfortable during that presentation, a productive discussion followed regarding the problems of deciding what counts as nationalism and patriotism and how certain communities are continually privileged, excluded, and/or included within dominant definitions of those terms. Had the heuristic been implemented when the digital sampling assignment was introduced, this student may have made a completely different argument, feared experimenting, and both the discomfort and the productive discussion likely would not have taken place. Obviously, this decision is one instructors must make depending on their own teaching styles, philosophies, and course goals. Using a heuristic of vulnerability will always entail the possibility of discomfort. Unlike expressivist pedagogies that have drawn on the term *vulnerability*, a heuristic of vulnerability sides with Susan Jarratt's (1991) longstanding argument to embrace conflict in composition and not “[avoid] confrontations over social differences” (p. 109).

With hope, practicing the heuristic in more formal settings leads to practicing it outside the classroom so that the application of such a heuristic can lead to results similar to Hesmondhalgh's (2006) suggestions for musicians who engaged in digital sampling—that is, to give due credit and compensation to the sampled-from musicians and communities, no matter the current copyright laws (p. 73). Regarding poetry, Young (2010) endorsed a similar perspective to Hesmondhalgh's. However, as should be clear, I consider the application of this heuristic of vulnerability a learning approach in which the students are not given the answers to how they should ethically respond to others when sampling and remixing but rather the tools enabling them to consider better questions for developing such rhetorical ethics.

Some of my students have produced some creative and powerful multimodal compositions through digital sampling and remixing by supplementing Rice's (2003) whatever method with a heuristic based upon Cavarero's (2011) notion of vulnerability. One recent student group produced a mockumentary-style video on the political battles regarding sex education instruction in one of the group member's politically conservative home state. Juxtaposing honest interviews with acted interviews and actual footage of the state's legislative and educational institutions with loops of “sex education instruction” footage from the films and television shows *South Park*, *Mean Girls*, *Boy Meets World*, and *American Pie*, this group of students satirically endorsed an extremely conservative slippery-slope argument that better sex education and access to contraception leads to rampant sexual promiscuity and social irresponsibility.

The group followed this multimodal presentation with a self-analysis of their own sampling choices, applying traditional rhetorical critique with a heuristic of vulnerability. They theorized that their use of the footage from Hollywood was consistent enough with the message of those movies to be an act of caring (though consistency does not automatically equate to caring). They also attempted to express empathy for potentially wounding those people they interviewed who were anti-sex education, as well as the stereotypical characters they satirically depicted in “fake interviews.” Originally finding ethical and political justification in these potential acts of wounding (not unlike a Michael

Moore film or a *Daily Show* interview), the group elected to remove the actual interviews from their final revision. Of course, such actions are not inherently ethical, and whether the group really embodied an ethic of care or a rhetorical concern with caring, I cannot know; however, this subtractive choice did not lessen the impact of their remix in the eyes of their peers but only strengthened it.

5. Conclusion

My larger purpose in this essay has been to show how the ethical problems of digital sampling can be addressed productively in the composition classroom. Rice's (2003) "take whatever you find and use it" method for digital sampling need not lead to the kind of multimodal compositions with which Banks (2011) was concerned, or at least it need not lead to them in vain. I have suggested that one way to address ethically problematic digital compositions, as well as to help Rice's and Banks's seemingly irresolvable perspectives on digital sampling find some connection, is through a heuristic of vulnerability that asks students to account for what might seem to be isolated free-association sampling decisions through a lens of caring and/or wounding.

Even if the students do not adopt an ethic of care, they will at least begin to develop a concern for how their own rhetorical choices can have ethically profound consequences and can be perceived in terms of caring and wounding. Hopefully, this awareness leads to questioning the ethical frameworks to which they are already committed. One of the main differences between an ethic of care and a rhetorical concern with caring is no doubt intent, which cannot be verified easily. However, by putting the following heuristic into practice, the students will have, at minimum, considered their ethical relation to other communities and cultures they otherwise may have ignored or not even known existed.

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