

# PROCEEDINGS OF THE GRATEFUL DEAD STUDIES ASSOCIATION

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Volume 3

2023

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ISSN 2770-534X (Print)

ISSN 2770-5358 (Online)

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Balter-Reitz, Susan

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### CITATION INFORMATION

Susan Balter-Reitz

Exigence, Dissociation, and Rhetorical Strategy in the Dead's 1967 Statement

**Proceedings of the Grateful Dead Studies Association**

Volume 3 (2023)

Pages: 112–120

URL: [http://deadstudies.org/wp-content/uploads/2024/04/GDSA\\_Proceedings3\\_Reitz.pdf](http://deadstudies.org/wp-content/uploads/2024/04/GDSA_Proceedings3_Reitz.pdf)

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## Exigence, Dissociation, and Rhetorical Strategy in the Dead's 1967 Statement

SUSAN BALTER-REITZ

When fledgling *Rolling Stone* publisher Jann Wenner wrote about the raid on the Grateful Dead's house in the Haight-Ashbury in October 1967, his headline was telling: "Busted—the Dead Did Get It!" And in truth, the bust did feel foreordained. As narcotics agents kicked in the front door of 710 Ashbury Street, a dozen reporters and camera crews recorded the scene, as Wenner bitingly noted (1967, 14). The media presence was equally telling: as Matthew O'Connor, the chief of the State Narcotics Bureau, explained to reporters, "an investigation kept turning up the address of 710 Ashbury as a supply source" (Raudebaugh 1967a, 1). It was a transparent bid to paint the band as pied pipers and pushers leading the impressionable youth of San Francisco into the evils of drugs.

The police were used to controlling the narrative over drugs, but they were not the only ones who understood how to use rhetoric. As soon as he was released on bail, band manager Danny Rifkin called his friend Harry Shearer and they talked through what would become the band's first major public statement, an informal press release that remains one of the most significant public documents in the Dead's history.

This paper offers a brief overview of the argumentation strategy and rhetorical features of the statement, with an eye toward how they illuminate the Dead's work as well as the ways they connect the band's views to larger cultural issues, both then and later.

### **Media and the Haight**

Certainly, the Grateful Dead made no secret of their drug use, including LSD and marijuana, as did much of the Haight-Ashbury. By 1967, the Haight was a beacon for not only hippies and young seekers but for the media as well; yet rather than see those who flocked to San Francisco as an expression of deeper cultural forces, press and television coverage reported on the growing counterculture as a completely foreign phenomenon, more like the exotic rites of some undiscovered tribe whose mores merited censure, not anthropological interest and respect.

Continuing coverage only deepened the stigma, reinforcing the spectacle created and sustained by media framing of the Hippie movement in the Bay Area. As one historian put it, that framing made the city's Summer of Love "a spectacle, a performance, a saga, a tragedy, and a saturnalia as tens of thousands of tourists, hippie wannabes, and genuine seekers descended upon the neighborhood to consume the hippie identity in some form or another" (Moretta 2017, 169). Media, along with a tidal wave of tourism and immigration turned an authentic countercultural movement into a simulacrum, and while the Grateful Dead were not responsible for the massive influx of what journalist Nicholas von Hoffman memorably called "plastic hippies" (1989, 223), the band's high-profile presence at the epicenter of the scene made them an easy target. If law enforcement wanted a theatrical bust designed to send a message that hippies were not welcome, not only to other members of the Haight community but to the state of California and the nation, then a drug raid on the home of one of the city's premier psychedelic rock bands was a perfect headline.

If the neighborhood saw the bust as a foregone conclusion in the parable of good and evil being imposed on the Haight, the band's response to it was not. Rather than meekly take the arrests in stride, the Grateful Dead held a press conference at 710 Ashbury—the site of the raid—that was as much a media event as the bust itself. Facing a row of reporters, and surrounded by members of the Grateful Dead, Danny Rifkin read a carefully crafted and altogether eloquent statement, providing a searing indictment of not only the local police and the law but of the media as well. In only 586 words, Rifkin and Shearer communicated a powerful polemic that challenged the dominant narrative of the era and laid the groundwork

for arguments that, decades later, would eventually become mainstream. For rhetoric scholars as well as those interested in the Grateful Dead, the statement is an argument that deserves analysis on two levels. First, it captures the rhetorical exigence of 1967 and presages important issues that would continue to challenge the Grateful Dead and American politics for decades. Equally significant, however, and far easier to overlook is the dominant argument structure, which is dissociation, a strategy that is truly countercultural. Each of these merit discussion.

### **Rhetorical Exigence: Framing the Countercultural Ethic**

All argument grows out of a particular rhetorical situation, the context that calls an argument into being in the public sphere (Bitzer, 1968, 1). Arguments, as Lloyd F. Bitzer notes, are pragmatic: they are created because a speaker or writer needs to address a situation that requires an immediate response. To Bitzer, such a situation is “an imperfection marked by urgency,” which he defines as a rhetorical exigency: “An exigence is rhetorical when it is capable of positive modification and when positive modification requires discourse or an be assisted by discourse” (1968, 6–7).

At first glance, the Grateful Dead’s rhetorical situation could be read as the bust, but their statement moves beyond this single event to call out a more pressing situation that required attention. As Peter Richardson notes, “Rifkin’s press statement served immediate legal and publicity needs, but it was also prophetic” (2015, 111). Richardson’s analysis praises the argument about the lack of evidence for the dangers of marijuana, which is quite true, but this statement was also prophetic in that adept speakers were able to locate situations where rhetorical intervention presents the possibility of reaching an audience that could enact change on the situation by providing a fitting response (Bitzer 1969, 10). In other words, the statement offered the Grateful Dead an opportunity to address a greater social injustice than the immediate threat posed by their arrest.

The primary argument strategy employed in the press release is “dissociation of concepts” (Perelman and Olbrechts-Tyteca 1969, 413). Dissociative argument is based on the appearance/reality pair, which Chaim Perelman and Lucie Olbrechts-Tyteca consider the prototype of

all conceptual dissociation. “While appearances can be opposed to each other, reality is coherent: the effect of determining reality is to dissociate those appearances that are deceptive from those that correspond to reality” (1969, 416). Those employing dissociative reasoning seek to persuade their audience that there is a deceptive reality clouding the audience’s interpretation of truth. The simplest way to express this dissociation is graphically:

*Appearance (Deceptive or False)*

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*Reality (Truth)*

Dissociative argument is a powerful rhetorical strategy that reframes reality through the appearance/reality pair. In an argument employing this form, appearance is the visible, known, and easily understood. Reality, conversely, is only understood in opposition to appearance, and provides a norm to judge appearance. The juxtaposition of the reality term enables audiences to differentiate truth from fiction. Dissociative arguments are inherently about values; the reality term functions as a criterion of good or bad. Appearance is devalued, reality is valued, and arguers use this structure to construct a new vision of reality and impose it on the situation they are defining.

Dissociation is very much a countercultural argument strategy. Most traditional argument strategies are based on the syllogism, which gets its legitimacy from formal logic (Toulmin 2003, 2), or on strategies that attempt to link the known to the unknown using inductive reasoning based on a rational vision of the world (van Rees, 2007, 473). Neither of these strategies challenge the known; instead, they rely on consistent patterns of reality to convince audiences of their validity. Dissociative reasoning creates a new reality: its focus on undermining appearance very much fits into a counternarrative contrary to the dominant culture. Dissociation is particularly effective at the “confrontation stage” of an argument, when a new standpoint is introduced into the public sphere (Van Rees, 2007, 475). The dominant argument strategy used in the Grateful Dead’s statement is a clear example of dissociation: taken as a whole, the intent is to redefine the status of marijuana, and undercut the claim that it is a harmful drug whose use brands hippies as dangerous antisocial agents.

The first dissociation found in the statement is one that could be easily considered a rhetorical flourish, but it sets the tone for the entire argument:

As you know by now, the San Francisco police department and State Narcotics officers invaded this house on Tuesday for the un-peaceful purpose of arresting ten persons on charges of possession of marijuana. (par 1)

The word “un-peaceful” flips the reality of police as officers of the peace. It invites the audience to reimagine the role of law enforcement in their world as one that disturbs, rather than protects the lives of the denizens of San Francisco. Of course, the reality proposed by this statement was not new to the residents of the Haight who had spent the summer under the microscope of law enforcement (Moretta 2017, 80).

In the second paragraph, the statement creates a new dissociation, one that frames the rest of the argument:

People who smoke marijuana—and there are tens of millions of them, possibly even including some of the reporters here today—usually do so for the mild enhancement of sensory experience. Prosecutions for disorderly conduct under the influence of this chemical are virtually unknown, while the Friday night fight in the neighborhood bar, and the fatal auto accident caused by the drunken driver, are familiar American traditions. (par 2)

Unlike the first dissociation, this one is fully articulated. In this argument, the appearance reality pair is alcohol/marijuana. Looking back on this argument more than half a century after it was made, this pair is no longer considered in opposition, yet in 1967 alcohol was socially embraced and celebrated. In the same magazines that excoriated the Grateful Dead and hippie culture, well-dressed businessmen, often pictured with a martini in hand, were celebrated as paragons of responsible citizenship.

The statement’s next paragraph moves beyond the dissociation of alcohol and marijuana to flip the appearance/reality pair of the types of people deemed felons. In this pair capitalist/hippies are clearly delineated:

But the law continues to treat marijuana smokers as felons. The president of a company that makes defective automobiles which

lead to thousands of deaths and injuries can face a maximum penalty of a minor fine. A person convicted of possession of marijuana can be sentenced to up to thirty years in jail. The real danger to society, as well as to thousands of individuals, comes from a law that is so seriously out of touch with reality. (par 3)

This dissociation moves beyond a simple condemnation of the hypocrisy of the alcohol/marijuana pair and posits that the machinery of capitalism—the nation’s industrial infrastructure—itself deserves condemnation. At this point in the statement, the argument structure encapsulates the value paradigm of the counterculture. Theodore Roszak would publish a similar critique in *The Nation* the following year, which would become the nucleus for his landmark work *The Making of a Counter Culture*.<sup>1</sup>

### Conclusion

Although the Grateful Dead’s statement had little effect on the larger rhetorical situation it addressed, it remains a fascinating document, not only for scholars interested in the Dead and the Sixties but also as a text in the rhetoric of the counterculture. Sadly, although it clearly delineated values that would continue to resonate with American culture for decades, it also marked the start of a decades-long effort by law enforcement to target the members of the Grateful Dead, their extended family, the community of the Haight, and the band’s fans, a campaign largely supported by the media (Richardson, 2015, 272–275). To that extent, the statement failed: the Dead’s views of cannabis use and the harms caused by its prohibition remained marginalized throughout the twentieth century; in rhetorical terms, the statement’s argument was invalid, at least for the time being.

Time changes that framework, however, and now, mainstream views of cannabis have increasingly embraced the Dead’s position. In that sense, the statement represents a harbinger of the views that would ultimately lead to the movement to legalize cannabis: it articulated an alternative reality that would eventually become widespread. For Dead scholars, the statement stands as a striking exception to the band’s well-known refusal to participate in conventional political argument: here they were willing to risk their own freedom, challenging the authority that could (and would)

continue to persecute, and prosecute, them. Indeed, the timing of the statement—after the bust, but before their court appearance—could have increased the probability that they would become an object lesson on the dangers of supporting drugs, as Andrew McGaan details in his essay in this volume (2023).<sup>2</sup>

The Grateful Dead’s invitation to the media to visit their “way out 13 room pad” (Raudebaugh 1967b) for a press conference also changed the terms of the discussion, moving the site of their defense from the courtroom to the domestic arena and recasting the issue about drug use from a legal question into a personal issue—a strategy that also could have backfired by turning the scene of their defense into yet another media spectacle.<sup>3</sup>

Despite those risks, the Dead decided to speak out, creating a seminal statement that ironically cemented their status as countercultural icons even as it marked their reluctance to serve as spokesmen for the New Left. Yet the rhetorical strength of their statement was both profound and prophetic, presaging the eventual change in the nation’s views of cannabis and the laws governing its use. Sadly, the raid on 710 would not be the last time the Dead wound up on the wrong side of the nation’s drug laws. But the statement they issued in response would not be the last time the Dead were right, and their detractors wrong.

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## Notes

1. Roszak, of course, believed that drugs were a distraction from the true values of the counterculture (1969, 155–177).
2. Other than the time they spent in jail awaiting arraignment, no one arrested in the October 2 bust ended up serving time. All were released on bail and eventually sentenced to probation. For more details on the specific outcomes, see Richardson (2015, 110) and McNally (2002, 225–27).
3. Michael Kramer, in his excellent essay on the importance of Theodore Roszak’s work, makes the argument that “For Roszak, the most important aspect of youthful dissent in the 1960s was its turn toward the personal in relation to the public” (Kramer 2015). This small gesture by the Grateful Dead parallels the importance of framing issues as personal.



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**SUSAN BALTER-REITZ** is Professor of Communication at Montana State University–Billings. Her current research project studies the intricacies of freedom of expression on university campuses, which builds on her work in argumentation theory, free speech, audience studies, and visual rhetoric. She has presented on the Grateful Dead to a variety of conferences and institutions, and serves as President-Elect of the Grateful Dead Studies Association.