

2009

## The Curious case of Jim McGreevey

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<http://dx.doi.org/10.34917/1359208>

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THE CURIOUS CASE OF JIM MCGREEVEY

by

Justin Eckstein

Bachelor of Arts  
University of Denver  
2007

A thesis submitted in partial fulfillment of  
the requirements for the

**Master of Arts Degree in Communication Studies  
Hank Greenspun Department of Communication  
Greenspun College of Urban Affairs**

**Graduate College  
University of Nevada, Las Vegas  
August 2009**

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## ABSTRACT

### **The Curious Case of Jim McGreevey**

by

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This project examines the apologetic discourse surrounding James Edward “Jim” McGreevey’s August 12, 2004 resignation as governor of New Jersey. A cursory reading of the allegations McGreevey faced reveals a curious incongruity between the initial accusations of corruption and his apologizing for being homosexual. In short, McGreevey stood accused of corruption for a number of terrible cabinet appointments. Yet, he apologized for being gay and having a “consensual” affair with his former director of Homeland Security, Golan Cipel. Through a close reading of the texts, I decipher how McGreevey’s apology modified the public’s understanding of the events that led to his resignation. It is my contention that McGreevey’s strategic use of tropes built an enthymeme that masqueraded as atonement and advanced the image of him as a martyr for gay rights.

## ACKNOWLEDGEMENTS

I wish to thank and acknowledge all those who helped me with this thesis. I would like to thank members of my committee for all their help, guidance, and patience. This project began as a term paper for my contemporary rhetorical criticism class with Dr. Donovan Conley. Through our afternoon chats and e-mail exchanges, Dr. Conley helped me mold and shape my project into its current form. Dr. Conley also showed me extraordinary patience through the various swings that accompany a long writing project and his help was indispensable. My thesis could not have been completed without Dr. Thomas Burkholder's help. Whether it was his editing, a quick chat, or willingness to answer any of my absurd questions, Dr. Burkholder was always ready to help. I would also like to thank Dr. Jacob Thompson for all his helpful suggestions, counsel, and support. My meetings with Dr. Thompson always produced new insight that took my project to the next level. I appreciate Dr. Lynn Comella's leap of faith and donating her expertise to make my project better.

A special thank-you to my parents who gave me the grounding to pursue my academic dreams. It is because of their love and support that I am where I am today. I could not forget to acknowledge my friends who "dealt" with me during the writing process. A thank-you also goes to Danielle Jennings for all her editing help. If it were not for her this project would have been a grammatical disaster. Finally, I would like to thank all those people who asked me, "are you done with your thesis yet?" It was my need to silence them that motivated me to finish.

## CHAPTER ONE

### INTRODUCTION

“I did not have sexual relations with that woman.”<sup>1</sup> These famous words were uttered by former president Bill Clinton in defense of allegations that he had an illicit relationship with his intern, Monica Lewinsky. More than an act of self-defense, this phrase signaled a turning point in the relations between sex, politics, and public discourse. Indeed, Lauren Berlant and Lisa Duggan note that Clinton’s indiscretion blurred the lines between prurience and politics, reshaping the public’s perception of leaders away from “policy makers” toward a more didactic figure, providing moral guidance for the public.<sup>2</sup> Other scholars point to Clinton as the figure that rejuvenated an apathetic voting population to once again follow politics. Robert Busby, for instance, remarked that the Clinton scandal “broadened interest in the presidential office because it dealt with salacious aspects of the President’s private conduct.”<sup>3</sup> As a result of this “broadened interest,” Clinton made numerous speeches attempting to atone for his purported sins. The Clinton scandal saturated public life, manifesting itself in “water cooler” dialogues, Saturday Night Live skits, and countless news stories. Due to the unprecedented level of publicity surrounding Clinton’s actions, scholars argue that society has entered the epoch of the apology.<sup>4</sup> Accordingly, this project seeks to better understand the rhetorical significance of the apology by examining the accusations and

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<sup>1</sup> “Sex, Lies, and Impeachment,” The BBC News, December 22 1998. [http://news.bbc.co.uk/2/hi/special\\_report/1998/12/98/review\\_of\\_98/themes/208715.stm](http://news.bbc.co.uk/2/hi/special_report/1998/12/98/review_of_98/themes/208715.stm) (September 2, 2008).

<sup>2</sup> Lauren Berlant and Lisa Duggan, “Introduction,” in *Our Monica, Ourselves: The Clinton Affair and the National Interest*, ed., Lauren Berlant and Lisa Duggan, (New York: New York University Press, 2001), 1.

<sup>3</sup> Robert Busby, *Defending the American Presidency: Clinton and the Lewinsky Scandal*, (New York: Palgrave, 2001), 7.

<sup>4</sup> Aaron Lazare, *On Apology* (New York: Oxford University Press), 6.

corresponding resignation of former governor of New Jersey, James Edward “Jim” McGreevey.

My project will explore the relations between scandal and public discourse by focusing specifically on a “sex scandal.” But what is a “sex scandal”? Defining an event as a sex scandal is difficult because it can include a number of activities ranging from intercourse to participating in “counter” sexual culture (such as sadomasochism). For the purposes of this project, I maintain that a scandal occurs when, “private acts that disgrace or offend the idealized, dominant morality of a social community are made public and narrativized by the media.”<sup>5</sup> More specifically, sex scandals are “clear instances wherein dominant moral boundaries regarding sexual behavior are transgressed.”<sup>6</sup> In other words, a sex scandal involves a person of authority violating basic sexual norms, such as fidelity to one’s significant other. It is important to emphasize that “basic sexual norms” indicate a relationship between sex scandals and the expressed values of the dominant public. Indeed, as Lauren Berlant and Michael Warner argue, the culture of sex is so persuasive it has come to define our very notions of citizenship and national identity.<sup>7</sup>

As mentioned, this project examines the apologetic discourse surrounding Jim McGreevey’s August 12, 2004, resignation as governor of New Jersey. While McGreevey’s apology utilizes some of the traditional rhetorical apologia strategies, he also incorporates other unique strategies that arguably won him public forgiveness. Going beyond the canons of traditional apologia formulas, McGreevey’s experience embodies the *evolution* of apologies. A cursory reading of the allegations McGreevey faced reveals

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<sup>5</sup> Paul J. Achter, “Narrative, Intertextuality, and Apologia in Contemporary Political Scandals,” *Southern Communication Journal* 65 (2000), 319.

<sup>6</sup> Achter, “Narrative, Intertextuality, and Apologia in Contemporary Political Scandals,” 319.

<sup>7</sup> Lauren Berlant and Michael Warner, “Sex in Public,” *Critical Inquiry* 24 (1998), 547.

a curious incongruity between the initial accusations of corruption and ultimately, his apology for being homosexual. McGreevey stood accused of corruption for a number of terrible cabinet appointments, yet he apologized instead for being gay because of a supposed relationship with his former director of Homeland Security, Golan Cipel. To make sense of the incongruity between accusation and response, this project evaluates both the accusation and Jim McGreevey's August 12, 2004, resignation address.

Through an examination of McGreevey's "stylistic tokens," I will decipher how the tactics employed in his apology reconfigured the public's perception of the events that lead to his resignation. I argue his declaration of homosexuality forced the audience to rethink the events that lead to his resignation, constructing a new story based on sexual identity instead of corruption. It is my contention that McGreevey's strategic disclosure of his identity recast his gubernatorial experience within the gay rights movements. Through his apology, McGreevey shifted the rhetorical ground from a corrupt politician to a marginalized victim of society's homophobia. Thus, the speech failed as an act of atonement, yet succeeded in mitigating McGreevey's exigencies.

The next section will provide a more specific rationale for the current project. I will explain who McGreevey is and why his experience warrants attention. The third section will survey the current literature base, staking out this project's place within the larger discourse of apology. Once I have spied the rhetorical terrain this project will occupy, I will then move onto a discussion of the particular method that I will use to advance my arguments. Finally, this paper will conclude with a plan of study, outlining the issues that I will discuss in each chapter.

## Rationale

Jim McGreevey was elected as New Jersey's 51<sup>st</sup> governor, in November, 2001. Since he took his post in early 2002, McGreevey was implicated in a myriad of scandals. McGreevey's name was linked to everything from illegal land deals to a bizarre sex scandal involving prostitutes, boats, and video tapes. Most notably, in February, 2002, McGreevey was the object of public scorn over his appointment of an Israeli "poet" who was unqualified to be in charge of New Jersey's security.<sup>8</sup> To say his brief two year tenure as governor was rocky is an understatement. Yet, in the beginning, McGreevey was able to weather the onslaught of scandals that riddled his administration. Starting in early June, 2004, however, the scandals started to compound. By July, 2004 multiple members of McGreevey's administration resigned after being implicated in unsavory transactions. July, 2004, brought more bad news. McGreevey's former national security aide, the one that drew the controversy in early 2002, Golan Cipel, threatened to publicly sue for sexual harassment. All of these exigencies were punctuated by the 2004 presidential election.

McGreevey had an important role in the 2004 presidential election, ensuring that fellow Democrat and presidential candidate John Kerry won New Jersey. The scandals plaguing the governor's office complicated this task. As more of his cabinet resigned, it became increasingly apparent that McGreevey's days as governor were numbered. Indeed, in July he was directly implicated in an illegal land deal. The Federal Bureau of Investigation claimed they had evidence of McGreevey using a "code" word to signal

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<sup>8</sup>Jonah Goldberg, "No Hero, Even Oprah Couldn't Make Jim McGreevey One," *The National Review*, September 22, 2006. <http://article.nationalreview.com/print/?q=ZDAxODhiNDI5NDJkYjFmMGMxZTY4NDBkNDU1MWY5YWM> (July 8, 2008).

that “the fix was in.”<sup>9</sup> McGreevey had a difficult rhetorical situation before him. On one hand, he needed to remain in power to ensure that Kerry won New Jersey. Staying too long in office, though, would alienate New Jersey’s Democrat voters. Enflaming McGreevey’s base might swing them to vote Republican in the presidential race. On the other hand, immediately resigning would result in a “special election” to elect a new governor, risking a Republican governor and swinging the state “red.” All the while, Cipel was threatening a very public sexual harassment suit, which would reveal McGreevey’s sexuality. Faced with this “rhetorical tightrope,” McGreevey needed to perfectly balance all three.

On August 12, 2004, McGreevey faced a national audience and resigned. In his speech, McGreevey proclaimed his homosexuality. “I am a gay American,” he told the audience.<sup>10</sup> He apologized for a “consensual” affair with an undisclosed man. Press reports later confirmed that that man was Cipel. The affair, McGreevey argued, opened his office to “rumors, false allegations, and threats of disclosure.”<sup>11</sup> Therefore, McGreevey argued, he must resign. “It makes little difference that as a governor I am gay,” McGreevey proclaimed, but he added that he was resigning because it was “the right course of action.”<sup>12</sup> McGreevey decided that “to facilitate a responsible transition,” his resignation would be “effective of November 15<sup>th</sup>.”<sup>13</sup> In his resignation speech, McGreevey only discussed one scandal, which was his relationship with Cipel.

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<sup>9</sup> Jonathan Schuppe, “D’Amiano Pleads Not Guilty to Extortion,” *The Star-Ledger*, July 16, 2004, p. 1.

<sup>10</sup> Jim McGreevey, “Resignation Address” August 12, 2008.

<http://www.americanrhetoric.com/speeches/jamesmcgreeveyresignation.htm> (July 8, 2008).

<sup>11</sup> Jim McGreevey, “Resignation Address,” (July 8, 2008).

<sup>12</sup> Jim McGreevey, “Resignation Address,” (July 8, 2008).

<sup>13</sup> Jim McGreevey, “Resignation Address,” (July 8, 2008).

McGreevey's experience provides the critic with a fascinating rhetorical artifact. The former Governor crafted a speech that allowed him to stay in office long enough to stave off a "special" election, while maintaining positive relations with his voting base. McGreevey's success in courting his liberal base is evidenced by Kerry winning New Jersey's fourteen electoral votes.<sup>14</sup> I believe McGreevey's rhetorical experience warrants additional study for two reasons. The first reason is guided by the incongruity between the initial accusations of corruption and McGreevey's "the-truth-is-I-am-a-gay-man" response. How is it that McGreevey "revealing" his homosexuality answers the accusation of corruption? And, second, what specific aspects of McGreevey's speech allowed him to preclude a gubernatorial election and ingratiate himself with the Democrat voting base? These two questions synthesize the overarching question that will inform this project: What is the rhetorical function and significance of McGreevey's decision to disclose his sexuality? To make sense of these questions and the corresponding rationale, let us start with the incongruity between the accusation and apology.

As I will detail more in the method section, grasping the full depth of McGreevey's rhetorical experience requires an evaluation of the *kategoria*, or accusation. This is the logical place to start my criticism because it provides an account of McGreevey's supposed transgression. However, evaluating "*kategoria*" is a difficult task. One reason is the sheer lack of contemporary scholarship concerning *kategoria*. This is further punctuated by the difficulty in isolating a singular text as "the accusation." Since this project will engage in both of these difficult tasks, it will add to the discussion of

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<sup>14</sup> "Election-2004, U.S. President/Electoral College Explainer," CNN, November 17, 2004, <http://www.cnn.com/ELECTION/2004/pages/results/electoral.college/> (June 6, 2009).

kategoria as genre. I should note, however, that since kategoria is not the focus of this project, I will not provide a complete sketch of the genre. Instead, I hope to add some concepts to supplement the study of kategoria.

A majority of apologetic criticism is grounded in “genre theory.” As opposed to other rhetorical methods, genre theory examines groupings of speeches, cataloging similarities that transcend the particularities of a rhetorical situation. Karlyn Kohrs Campbell and Kathleen Hall Jamieson highlight the importance of generic criticism. They argue that the generic approach “would culminate in a developmental history of rhetoric that would permit the critic to generalize beyond the individual event which is constrained by time and place to affinities and traditions across time.”<sup>15</sup> Accordingly, “the generic approach [...] can allow the critic to see how well speeches meet clearly defined criteria for success.”<sup>16</sup> To construct “genres” the critic looks at a variety of speeches and organizes them around patterns and similarities.

The rhetorical situation of a scandalized political figure is not new. In fact, Berlant and Duggan note that scandals have taken center stage in the public sphere because they are “addictive, like monitoring a hostage crisis or rubbernecking on the highway.”<sup>17</sup> The repetition of scandals in the media also manifests, like any other genre, “pre-conceived” expectations of the speaker. Robert C. Rowland calls these expectations “societal constraints.”<sup>18</sup> Rowland’s term is descriptive of what our culture has deemed “the appropriate” response to certain situations. To further elucidate this concept, let us

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<sup>15</sup> Karlyn Kohrs Campbell and Kathleen Hall Jamieson, “Form and Genre in Rhetorical Criticism: An Introduction,” In *Readings in Rhetorical Criticism*, ed. Carl R. Burghardt, (State College: Strata Publishing, 2005), 414

<sup>16</sup> Robert L. King, “Transforming Scandal into Tragedy: A Rhetoric of Political Apology,” *The Quarterly Journal of Speech* 71(1985), 289.

<sup>17</sup> Berlant and Duggan, “Introduction,” 3.

<sup>18</sup> Robert C. Rowland, “On Generic Categorization,” *Communication Theory* 2 (1991), 133.

turn to the brief example of Michael Moore and his Oscar acceptance speech. Moore is a controversial film maker with notorious liberal leanings. In 2003, he won an Oscar for his documentary *Bowling for Columbine*. When Moore went up to receive his award, he “accepted his Oscar by attacking President Bush.”<sup>19</sup> Moore’s speech was met with a mixture of scorn and media criticism. This raises the question, why was the audience so furious? The concept of social limitations helps illuminate one possible reason: Moore deviated from what was socially appropriate. Indeed, an Oscar acceptance speech is a genre so predictable that it has its own unique conventions.<sup>20</sup> This is not to say a speaker cannot violate “social constraints,” but it indicates that doing so requires a good deal of artistry.

McGreevey’s artistry involved fusing two types of speeches together. He melded apologia with a “coming-out” speech. This was a peculiar decision because the dominant political scandal script rarely involves speakers affirming their homosexuality. Unlike Moore, McGreevey did not suffer any “boos” for his decision. It was quite the opposite. In fact, McGreevey was seen as a martyr for gay rights.<sup>21</sup> McGreevey’s mutation from corrupt politician to gay rights hero was perplexing. I believe it was the parts of his speech not traditionally associated with apologia that informed this transformation. Currently there is not much written on the relationship between “coming out” rhetoric and audience perception. McGreevey provides an excellent mechanism to evaluate these linkages. It is my argument that by “coming-out,” McGreevey associated himself with the

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<sup>19</sup> “Michael Moore Booed Trashing Bush at Oscars,” World Net Daily, March 23, 2003, [http://worldnetdaily.com/news/article.asp?ARTICLE\\_ID=31680](http://worldnetdaily.com/news/article.asp?ARTICLE_ID=31680) (June 6, 2009).

<sup>20</sup> “The Film.com Oscar Drinking Game,” film.com, February 22, 2007, <http://www.film.com/features/story/the-filmcom-oscar-drinking-game/13562759> (June 6, 2009).

<sup>21</sup> Goldberg, “No Hero, Even Oprah Couldn’t Make Jim McGreevey One,” (July 8, 2008).

gay rights movement, which bifurcated the audience as either with him or against equal rights.

To sum up, McGreevey's political turmoil provides rich insight into the rhetoric of scandals and the politics of sexual identity. McGreevey faced a plethora of exigencies, but through his rhetorical artistry he maintained control of New Jersey in an important election year without alienating his base. This is a story worth exploring. Indeed, as I have suggested, McGreevey's resignation yielded two significant implications for rhetoric. First, reading the accusation-apology set adds to the limited discussion of *kategoria*. This will be further elucidated and explained in the next chapter. Second, McGreevey's speech provides insight into the relationship between identity and debate, providing an account of how strategically revealing his sexuality chills public discussion. To understand what that means to the larger study of *apologia*, I next turn to the literature review of *apologia* scholarship.

## Literature Review

Situated in the rhetorical tradition, apology comes from the Greek term *apologia*.<sup>22</sup> Simply defined, *apologia* is a speech of self-defense.<sup>23</sup> B.L. Ware and Wil A. Linkugel explain why *apologia*, in contrast to other rhetorical forms, is unique. They write that "the questioning of a man's *moral nature, motives*, or reputation is qualitatively different from the challenging of his policies."<sup>24</sup> The study of *apologia* stretches the rhetorical tradition, from the writings of Plato (who divided oratory into accusation and

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<sup>22</sup> Aaron Lazare, *On Apology*, 24.

<sup>23</sup> B.L. Ware and Wil A. Linkugel, "They Spoke in Defense of Themselves: On the Generic Criticism of *Apologia*," *Quarterly Journal of Speech* 59 (1973), 273.

<sup>24</sup> Ware and Linkugel, "They Spoke in Defense of Themselves: On the Generic Criticism of *Apologia*," 274

apology) and Aristotle (who argued that forensic speech has an apologetic dimension) to more recent publications, such as Koesten and Rowland's work.<sup>25</sup> Perhaps critics are so intrigued with apologia because it may be considered an "ontological trait." I use the term ontological because defending oneself is such a common occurrence that it composes part of our very being, signaling that apologia is as "relevant today as it was in the classical period."<sup>26</sup>

When reviewing apology literature, one is confronted with a breadth of sources. Apologies interest a myriad of disciplines from psycholinguistics to etiquette/manners. While apology literature is diverse, one unifying concept is that simply saying "I am sorry" is not an apologetic gesture. Relying on the current literature base, I define an apology as an attempt to rectify a "wrong doing" through an expression of sympathy and/or regret. Appealing to both sympathy and/or regret is the most precise definition because apologies exist on a continuum that emphasizes various levels of culpability. On one end of the continuum is the speaker expressing sympathy for the situation of the wronged but not accepting responsibility for the "sin." For example, when the U.S. Congress passes a motion to apologize for slavery, they are expressing sympathy for a past action, but not accepting responsibility for the past sin.<sup>27</sup> The other end of the spectrum is when the speaker demonstrates full acceptance of the guilt. Overall, the most appropriate place on the apologetic spectrum is determined by context, use, and function.

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<sup>25</sup> Halford Ross Ryan, "Kategoria and Apologia: On Their Rhetorical Criticism as a Speech Set," *Quarterly Journal of Speech* 68 (1982), 254.

<sup>26</sup> Sharon D. Downey, "The Evolution of the Rhetorical Genre of Apologia," *Western Journal of Communication* 57 (1993), 58.

<sup>27</sup> For a discussion of the seven types of apologies refer to Daniela Kramer-Moore and Michael Moore, "Pardon Me for Breathing: Seven Types of Apology," *A Review of General Semantics* 60 (2003), 160-169.

This is of particular importance to my project because it is my belief that evaluating the context, specifically the accusation, is an important step missing in apologetic literature.

Within the democratic political system, apologies serve a special role. Jackson Harrell, B.L. Ware, and Wil A. Linkugel argue, “apologia serves the unique role in our political system of being the rhetorical instrument best suited to the maintenance of rhetorical personae against charges that an individual is personally unsuited to wear the public mask and, hence, not fit for public trust and office.”<sup>28</sup> The concept of “political” apology is generated by offences which are both past (slavery) and present (the Lewinsky scandal) that risk political ramifications.<sup>29</sup> The literature discusses a wide spectrum of apologies, ranging from collective to personal. My project is specifically concerned with political, personal apologies.

The “personal apology” is bound by the relationship between the political agent, that person’s identity, and current events. These apologies occur when an individual speaker is apologizing for an action that she or he had some part in. These apologies are heavily “circumstantial.” Put simply, circumstantial apologies occur when the speaker accepts full or partial fault, blames another party, and/or argues that they had no ill intentions. Hugh Grant utilized this strategy during his sex scandal in the late 90s. Grant, who was caught with a prostitute, engaged in a mixture of accepting a portion of responsibility, attacking talk show hosts, and arguing he did not mean to harm anyone. Grant’s example helps illuminate the “circumstantial apology” as a way of repairing his public image because he both accepted responsibility and externalized blame. This dual

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<sup>28</sup> Jackson Harrell, B.L. Ware, and Wil A. Linkugel, “Failure of Apology in American Politics: Nixon on Watergate,” *Communication Monographs* 42 (1975), 251.

<sup>29</sup> Sandra Harris, Karen Grainger, and Louise Mullany, “The Pragmatics of Political Apologies” *Discourse & Society* 17 (2006), 726.

movement deflects criticism because he is admitting his sin, while giving him the “high” ground to attack the media’s constant recirculation of his strife. Indeed, Grant used his new position to go after numerous talk show hosts. This is a similar strategy employed by McGreevey. In his apology, McGreevey characterized his transgressions in the language of a larger social homophobia, forcing him into the closet and to seek alternative means to attain his desires. McGreevey is not necessarily accepting full guilt for his sin; rather, he is transplanting blame onto society, transfiguring him from sinner to martyr.

The second kind of apology involves what Kenneth Burke refers to as “mortification”. Mortification occurs when a speaker proclaims culpability for the sin and demonstrates personal anguish for their decisions. These apologies reside on the guilt end of the apology continuum because a speaker does not offer any defense of her/his actions, electing instead to confess a wrong doing. If a circumstantial apology scapegoats other factors, mortification would then be the inverse: the subject taking full responsibility. It is this area of scholarship where the literature is scant. The only scholarship done on this subject is a criticism of Bill Clinton’s September 11<sup>th</sup>, 1998, Annual Prayer Breakfast, in which Clinton took full responsibility for the Monica Lewinsky scandal.<sup>30</sup> This is a significant hole in the literature. As I shall develop later, much of the literature on mortification does not offer any kind of analysis of the speaker forgoing traditional apologia strategies and accepting responsibility for their actions. Indeed, while McGreevey highlights other motivations for his actions, he does accept that he had committed some sort of transgression. It is the question of mortification that will inform my study and help me supplement the current literature. When the speaker accepts guilt,

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<sup>30</sup> Joy Koesten and Robert C. Rowland, “The Rhetoric of Atonement,” *Communication Studies* 55 (2004), 80-81.

it forces the critic to redirect their attention away from self-defense to a question of the larger social implications. In other words, side stepping the question of culpability allows the critic to evaluate the relationship between the indiscretion and the rhetorical invention utilized to help repair the speaker's character.

Joy Koesten and Robert C. Rowland believe the state of apologia literature is insufficient as well. They take issue with the assumption that the speaker is always trying to shirk responsibility or alter the audience's perception of their wrong doing.<sup>31</sup> Traditional apologia strategies, such as those established by Ware and Linkugel, assume a speaker that can "transform" or "reform" a transgression. However, what is the critic to do if there is no room for the speaker to reform/transcend the event? Through an examination of a variety of Bill Clinton's apologies, Koesten and Rowland sketch out a genre of apologia that focuses a speaker forging traditional apologia strategies and accepting full moral weight for their actions. They termed the formula "the rhetoric of atonement." Utilizing religious imagery, Koesten and Rowland outline the five parts of a newer genre of apologia. First is repentance, which is when the speaker "freely" reconciles with the wronged party. Second is prayer, which is an "inward-looking reflection on the causes of the sinful action in order to prevent any recurrence of the sin."<sup>32</sup> Third is charity, which is descriptive of the speaker promises to fix the various exigencies created by their wrong doing. Fourth is "evidence of mortification,"<sup>33</sup> referring to public perception that the speaker accepts culpability for their actions. Finally is the public confessional, in which the speaker explains their sins to the public. Koesten and Rowland's framework will be further explained in the third chapter.

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<sup>31</sup> Koesten and Rowland, "The Rhetoric of Atonement," 70

<sup>32</sup> Koesten and Rowland, "The Rhetoric of Atonement," 73

<sup>33</sup> Koesten and Rowland, "The Rhetoric of Atonement," 74

As this review indicates, the current literature reflects different flavors of apologies, allowing critics to best estimate the most productive and effective way for speakers to manage attacks against her/his character. Indeed, Harrell, Ware, and Linkugel used genre theory to help explain the reason why Nixon's Watergate apologia failed.<sup>34</sup> But what happens, for example, if the criticism fails to meet the rules suggested by a genre but is still successful? To answer that question, I will have to employ a method of close textual analysis.

## Method

To approach this rhetorical artifact, I will rely on a method of close textual analysis that pays particular attention to "extra-textual" cues. Using textual analysis allows the critic to closely examine a rhetorical object and assess the best theory to elucidate it. In other words, the answer to the question of "what" (the object of criticism) should naturally lead the critic to answer the question of "how" (method). To work inductively necessitates that the critic work from the specifics of an object of criticism to a more general argument. However, these various rhetorical artifacts do not exist in some sort of *ex nihilo* space, but rather are situated within the flow of history. A number of concepts will guide my textual analysis, including atonement rhetoric, the truth criteria, and stylistic tokens.

Once the rhetorical artifacts have been chosen the critic must determine the appropriate location to begin a rhetorical criticism. In doing so, they invariably sketch a circumference around a field of activity. This project agrees with Halford Ross Ryan's

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<sup>34</sup> Harrell, Ware, and Linkugel, "Failure of Apology in American Politics: Nixon on Watergate," 251

observation that the accusation is the logical starting point for apologia based criticism.<sup>35</sup> Ryan argues that for an apologia to make sense, both the audience and the critic must have an understanding of the accusation first. As explained in the literature review, the starting point for most critics studying apologia is the apologetic address itself. However, I believe McGreevey's address requires the critic to expand their scope to include both the accusation and the apology because of the rhetorical tension between the two. To this end, I utilize the approach set forth by Ryan.

In his treatise on *kategoria* and apologia, Ryan argues that “as a response to the accusation, the apology should be discussed in terms of the apologist's motivation to respond to the accusation, his selection of the issues—for they might differ from the accuser's issues—and the nature of the supporting materials for the apology.”<sup>36</sup>

Following Ryan's advice, I begin chapter two with a *Star-Ledger* opinion editorial that outlines the allegations against McGreevey. Setting the scene for the political turmoil to follow, the accusation provides a way for the critic to approach the apologia. According to Ryan, “the critic cannot have a complete understanding of accusation or apology without treating them both.”<sup>37</sup> This approach is not without its problems. For instance, Ryan's discussion of *kategoria* assumes a direct, sustained accusation, similar to what one would see in the Roman Senate. However, in this new digital age, it is difficult to designate a particular discourse as *the* accusation. Instead, accusations are fragmented, stretched throughout various sectors of the public as a whole. This should not deter the critic, however, because all these different fragments share common themes. For example, various accusations levied against McGreevey all share the common theme of

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<sup>35</sup> Ryan, “*Kategoria* and Apologia: On Their Rhetorical Criticism as a Speech Set,” 254.

<sup>36</sup> Ryan, “*Kategoria* and Apologia: On Their Rhetorical Criticism as a Speech Set,” 254.

<sup>37</sup> Ryan, “*Kategoria* and Apologia: On Their Rhetorical Criticism as a Speech Set,” 254.

corruption. Moreover, an apology assumes a unified theme for which they need to atone. Put simply, if there was not some semblance of a consistent accusation (i.e., corruption) then there would not be an apologia situation.

With a firm grasp of McGreevey's rhetorical situation, I will pay close attention to the speech text itself. The most logical place to start is with the genre of atonement rhetoric. This is because, as I will discuss in the third chapter, McGreevey's resignation speech appears to be accepting the full moral weight of a transgression. Thus, at first glance, atonement rhetoric provides the most appropriate tool to decipher the speech. To evaluate how McGreevey "meets" the criteria suggested by atonement rhetoric, I will integrate Edwin Black's concept of "stylistic tokens." Black helps elucidate how different terms intersect with dominant public values to become persuasive. This stylistic token is of unique interest to rhetorical study because these devices apply to "the persuasible, and that makes them germane to rhetoric."<sup>38</sup> Relying on Black's conception of the second persona provides a framework to evaluate the different *topoi* utilized in both McGreevey's accusation and the apology. "This relationship" Black writes, of "such stylistic tokens [...] suggests that the association between an idiom and an ideology is much more than a matter of arbitrary convention or inexplicable accident."<sup>39</sup> For example, in his speech, McGreevey declares "I am a gay American." Denotatively, these five words do not seem incredibly important. However, read as a stylistic token, the critic would unpack a lot of ideological baggage. A variety of questions arise such as: what does it mean to be gay? What does it mean to be a gay American? How does homosexuality implicate citizenship? Black thus provides a tool to examine how

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<sup>38</sup> Edwin Black, "The Second Persona," *Quarterly Journal of Speech* 56 (1970), 90.

<sup>39</sup> Black, "The Second Persona," 95.

McGreevey's use of stylistic tokens built enthymemes to give the appearance of atonement. This concept thus enables me to move beyond a commentary on McGreevey's diction to a richer examination of how he (re)constructs his identity, audience, and situation at the same time.

Finally, Ryan instructs the critic to measure the *kategoria* and *apologia* against one another to look for inconsistencies and flaws. As will become increasingly apparent, the accusation and apology are inconsistent. This provides the critic with two conceptions of reality, one produced by the *kategoria* and another by the *apologia*. Thus, the critic needs a mechanism to evaluate the competing interpretations of reality. To this end, I utilize the "truth criterion."<sup>40</sup> This standard for evaluation measures the speech text's construction of reality against reports from the public, the media, and Federal agencies to determine the most "probable" conception of reality. In short, the truth criterion asks the critic to "fact check" certain aspects of the speech. As my third chapter demonstrates, the world portrayed in the *kategoria* is the most probable. Therefore my analysis will then have to move beyond "atonement rhetoric" to explain the larger possible functions of McGreevey's "coming-out" strategy.

The amalgamation of these diverse concepts converges in McGreevey's rhetorical experience. While each concept has its own unique use, I believe that taking these concepts together constructs a patchwork that provides the best opportunity to interpret the complex, interconnected factors that are evident in McGreevey's speech. Together, they constitute my critical approach, or "method." By first locating the speech in the context of history, then determining how both sides assign culpability, and finally

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<sup>40</sup> Karlyn Kohrs Cambell and Thomas R. Burkholder, *Critiques of Contemporary Rhetoric*, (New York: Wadsworth Publishing Company, 1997), 114.

elucidating how these arguments gain their force, I will be able to fulfill the obligation imposed by Black, thus engaging in a kind of moral criticism that can help the audience shape a useable history.

## Chapter Preview

This project will examine the life of the scandal surrounding Jim McGreevey. Following the advice of Ryan, the second chapter will examine the editorial published in the July 18, 2004 issue of *The Star-Ledger*. This is the best article to study because it represents a synthesis of all the accusations against McGreevey. This article establishes McGreevey's rhetorical situation and gives the critic the proper context to examine his apology. Moreover, the accusation will be taken on its own terms, making sense of how discourse contributes to a rhetorical problem. I argue that the *kategoria* makes two arguments. First, *The Star Ledger* argues that McGreevey engaged in corrupt and unethical practices. Second, they argue that McGreevey is a liar that broke his campaign promises to the voters.

The third chapter examines McGreevey's resignation/apology speech. I begin this chapter with a discussion of "atonement rhetoric." This section explains the difference between "atonement" and traditional *apologia*. The concepts associated with atonement are further explained through the various parts of McGreevey's speech. However, the incongruity between his speech and the allegations outlined in chapter two ask me formulate a test of the validity of McGreevey's claims. In other words, I will "fact" check his speech. Finally, this chapter concludes by offering a possible explanation of why McGreevey disclosed his sexuality.

My final chapter investigates the lessons learned from McGreevey's resignation address. With grounding in McGreevey's rhetorical experience, I explicate the possible implications for rhetoric. The first section details some modest suggestions to supplement the study of *kategoria* as genre, where I argue for resurgence of the genre. As such, I outline a possible method for *kategoria* selection. In other words, I detail how I selected the appropriate text. The final section evaluates the possible links between McGreevey's resignation speech and his image as a gay rights martyr. It is my argument that McGreevey's decision to reveal his identity transformed his speech from a resignation speech to a liberation narrative. More than an apology, his speech exemplified the tribulations of a "closeted" politician in a homophobic society. Thus, McGreevey's appeal to absolute terms like "equality" split the audience into those either with him or against equal rights.

## CHAPTER TWO

### THE “KAT” IS OUT OF THE BAG: MCGREEVEY, CORRUPTION, AND

#### *KATEGORIA*

He wasn't a gay governor, he was a bad governor.<sup>41</sup>

-- New Jersey State Senator John Adler

On August 12, 2004, the Governor of New Jersey, Jim McGreevey, faced a national audience and confessed that he is “a gay American.”<sup>42</sup> With those words, McGreevey resigned his post as governor, agreeing to hand over his seat of power on November 15, 2004. Leaving a governorship filled with scandals and accusations, McGreevey exited Trenton to pursue his own private interests. To some, McGreevey's resignation came as a surprise, although not unwarranted. During his tenure as governor, many, such as New Jersey resident Miklos Bognar, called for McGreevey to “leave now or be impeached.”<sup>43</sup> There are a number of reasons why Bognar called for the Governor's resignation, corruption chief among them. Despite such calls for McGreevey to be punished, he remained comfortably in his seat of power for years. It seemed no one could levy a sustained charge against McGreevey that would “stick.” The accusations McGreevey faced were varied; however, one unifying criticism was distaste for his decisions in appointees. Often called “corrupt” and “blatantly political,” McGreevey's choices for cabinet positions were followed by harsh criticism. For instance, Peter Harvey, McGreevey's choice for New Jersey's Attorney General, was characterized by the *Home News Tribune* as “slurping at the public trough, making far more than he is

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<sup>41</sup> Goldberg, “No Hero, Even Oprah Couldn't Make Jim McGreevey One,” (July 8, 2008).

<sup>42</sup> McGreevey, “Resignation Address,” ( July 8, 2008).

<sup>43</sup> Miklos Bognar, “The Real Issues,” *The Star-Ledger*, August 20, 2004, p.20.

worth to New Jersey.”<sup>44</sup> Some other examples of McGreevey’s questionable cabinet include a state police superintendent with a criminal record, two former aides accused of using their political influence for their own private interests, a commerce secretary who funneled money to his family, and a top campaign contributor (also his appointee for Port Authority chairmanship) who was charged with a myriad of felonies.<sup>45</sup> While he indeed appointed corrupt and inept individuals, this fact still did not create a strong enough link to indict McGreevey. Thus, McGreevey’s propensity to circumvent charges presented an exigency to the New Jersey citizens who wanted to remove McGreevey because they wanted him out of power but lacked the tangible proof to impeach him.

Rhetorical scholar Halford Ross Ryan explains the importance of studying the accusations that give rise to apologies. He writes that by “identifying and assessing the issues in the accusation, the critic will gain insights into the accuser’s motivation to accuse, his selection of the issues, and the nature of the supporting materials for his accusation.”<sup>46</sup> Uncovering the motives and reasons for making judgments against another’s character is important for understanding apologies. Beyond highlighting the issues the public has with him, a thorough study of the charges he faced makes evident the exigencies present in McGreevey’s rhetorical situation. Moreover, examining a *kategoria*--the Greek term for accusations, or an accusatory oration—prior to the corresponding *apologia*, helps contextualize the rhetorical problems faced by a speaker. Thus, the purpose of this chapter is to contextualize McGreevey’s rhetorical situation

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<sup>44</sup>“McGreevey-Kushner ties too numerous to ignore And the governor's not strong on ethics,” Home News Tribune, July 18, 2004, A15.

<sup>45</sup> “McGreevey Accused of ‘Smear Campaign,’” The Associated Press, August 13, 2004. <http://www.msnbc.msn.com/id/5686618/> (August 1, 2008).

<sup>46</sup> Ryan, “*Kategoria* and *Apologia*: On Their Rhetorical Criticism as a Speech Set,” 254.

including the charges against him and begin to illuminate his unique rhetorical performance.

The best synthesis of the accusations against McGreevey appears in the July 18, 2004, editorial in *The Star-Ledger*, titled “McGreevey Must Face Up to His Responsibility.” In that article, the editorial staff outlines the charges against McGreevey. From the very outset of the article, the authors take careful steps to elucidate, McGreevey’s poor decisions, taking great pains to properly assign culpability to the Governor. Instead of bluntly accusing McGreevey of corruption, *The Star-Ledger* opted for an indirect method, locating McGreevey’s decisions as the “object” to which culpability could be assigned.

This chapter will proceed as follows: first, I will explain the meaning and form of *kategoria*. Relying on Ryan’s work, this section will sketch out the function of an accusation and the corresponding importance of its study to *apologia*. Next, I will detail McGreevey’s political background. This part will discuss McGreevey’s rise to power, starting with his 1997 bid for governor all the way to the end of his political career. By starting with his first run at governor, we are better able to contextualize the various backroom deals that arguably lead to his questionable appointments as governor. Finally, I will examine *The Star-Ledger* as a *kategoria*, particularly, how it functioned to establish McGreevey’s rhetorical situation. This is important because the species of *kategoria* anticipates a particular apologetic response from the speaker. In short, the type of *kategoria* should inform the speaker’s decision between traditional *apologia* (deflection, transcendence, bolstering, etc) and/or atonement strategies (simply accepting responsibility). By first examining the *Star Ledger’s kategoria*, we are better positioned

to understand the strange incongruity of McGreevey's choice to focus on his sexual orientation as the basis of his apology. Only by firmly understanding the specific charges McGreevey faced can we begin to make sense of the curious rhetorical performance he gave in response.

### Kategoria and Genre

*Kategoria* is an ancient Greek term describing the genre of oratory that encompasses accusations. Accusations, both ancient and modern, are found in opposition to its counter-part: *apologiamia*, or apology. Hence, when situating an apology, it logically makes sense to start with the speech that necessitates the apology—the accusation. To reiterate a previous quote: “by identifying and assessing the issues in the accusation,” Ryan writes, “the critic will gain insights into the accuser’s motivation to accuse, his selection of issues, and the nature of the supporting materials for his accusation.”<sup>47</sup> In short, making sense of the accusation is a requisite step to understanding a speaker’s apologia. Ryan continues, by “checking each speech against the other, the critic is better able to distinguish the vital issues from the spurious ones, to evaluate the relative merits of both speakers’ arguments, and to make an assessment of the relative failure or success of both speakers in terms of the final outcome of the speech set.”<sup>48</sup> Take for example President Clinton’s scandal with Monica Lewinsky. When the charges first started to circulate, Clinton opted for a strategy of denying, telling the American people that he “did not have sexual relations with that woman.”<sup>49</sup> The decision to deny was most likely informed by the media’s lack of tangible evidence to substantiate

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<sup>47</sup> Ryan, “Kategoria and Apologia: On Their Rhetorical Criticism as a Speech Set,” 254.

<sup>48</sup> Ryan, “Kategoria and Apologia: On Their Rhetorical Criticism as a Speech Set,” 254.

<sup>49</sup> “Sex, Lies, and Impeachment,” (September 2, 2008).

their claims. However, as more evidence began to surface, Clinton's strategy changed. Two noted rhetoricians, Joy Koesten and Robert C. Rowland, note, "When it became quite clear based on DNA and other evidence that the accusations were true, Clinton was presented with a situation in which atonement was the only option."<sup>50</sup> In other words, having a firm grasp on the "alleged charges" a speaker faces helps a critic decipher their specific rhetorical choices. This is especially important when there is slippage between the accusation and the apology. By "slippage," I mean an inconsistency between the initial charges and the apology itself. Such is the curious case of Jim McGreevey.

Hardly a new concept, *kategoria* has deep roots in the rhetorical tradition. Discussions of accusatory speech can be traced as far back as Plato. Ryan asserts that "Plato divided oratory into two genres of accusation and apology."<sup>51</sup> In Plato's *Phaedrus*, for example, the discussion between Socrates and Phaedrus about Theodorus' concept of rhetoric acknowledges a distinction between accusation and defense. "Refutation and Supplementary Refutation," Plato writes, are to "be used in prosecution and in defense."<sup>52</sup> Plato's division of judicial speech is, at best, general and ambiguous, ignoring importance issues such as the "distinction between public and private suits," which according to rhetorical historian George Kennedy "is of considerable legal significance."<sup>53</sup> Plato's acknowledgement of this division, however, provides evidence of a rhetorical awareness of *kategoria*. For a fuller treatment of *kategoria* as genre, though, we must turn to Plato's most influential student, Aristotle.

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<sup>50</sup> Koesten and Rowland, "The Rhetoric of Atonement," 78.

<sup>51</sup> Ryan, "Kategoria and Apologia: On Their Rhetorical Criticism as a Speech Set," 254.

<sup>52</sup> Plato, *Phaedrus*, trans by Alexander Nehama and Paul Woodruff (Indianapolis: Hackett Publishing, 1995), 267a.

<sup>53</sup> George Kennedy, *The Art of Persuasion in Greece* (Princeton: Princeton University Press, 1963), 86.

In *The Rhetoric*, Aristotle lays the foundations for the genre of *kategoria*, assigning it to the larger genre of “forensic” rhetoric. According to Aristotle, forensic, or “judicial,” rhetoric typically occurs in the courts and is concerned with the attack or defense of an individual.<sup>54</sup> For Aristotle, then, *kategoria* occupies itself with the character of the accused. Aristotle writes, “any wrong that any one does to others corresponds to his particular faults of character.”<sup>55</sup> In other words, Aristotle claims that accusations as genre must slander the character of the accused. A cursory reading of contemporary accusations yields the observation that a *kategoria* can encompass topics such as corruption, sexual deviance, and hypocrisy. For example, during the inception of the Monika Lewinsky scandal, accusations against Bill Clinton focused on the ethics of his actions. Commentators, pundits, and citizens alike all expressed outrage that Clinton had “sexual” relations with his intern, Lewinsky. The pages of tabloids and newspapers were filled with a whole spectrum of “ethics” commentary ranging from the importance of marriage to work place sexual harassment. Beyond the aim (character) and type (forensic rhetoric) of *kategoria*, Aristotle is fairly vague outlining the “form” a *kategoria* takes. In Book III, Chapter 17, of *Rhetoric*, however, in his discussion of argumentative arrangement, Aristotle outlines his theory of forensic disputation.<sup>56</sup> This section, though, is more descriptive of an *apologia* strategy, instructing the speaker how to overcome a *kategoria*. While we could infer a scheme for *kategoria*, it would be difficult to ascertain. The burden shifts to Aristotle’s students to provide a fuller account of *kategoria* as genre. This is where Ryan’s work becomes helpful because he elucidates both the form and function of a *kategoria*.

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<sup>54</sup> Aristotle, *Rhetoric*, trans. Edward P.J. Corbett, (New York: Random House, 1984), 32.

<sup>55</sup> Aristotle, *Rhetoric*, 64.

<sup>56</sup> Aristotle, *Rhetoric*, 210.

To explain *kategoria*'s form, Ryan relies on Cicero's *stasis theory*. "Every subject," the young Cicero writes, "contains in itself any controversy existing either in language or in disputation, contains a question either about a fact, or about a name, or about a class, or about an action."<sup>57</sup> Given Cicero's predilection towards forensic rhetoric, it is no surprise that his theory helps explain accusatory rhetoric. For Cicero, stasis is a schematic for understanding the points of contention that arise in a given dispute. As rhetorical historian Thomas Conley explains, stasis theory consists of four parts: "fact, definition, quality, and jurisdiction."<sup>58</sup> Stasis is useful in both the construction and response to an argument because it helps specify the *loci*, or places, to develop one's argument. Cicero emphasizes that rhetorical invention must start with fact/conjecture and ultimately ending with jurisdiction. In short, stasis provides a language to describe the *process* of disputation that would occur, at least for Cicero, in the courts.

The first issue, fact, "focuses on whether an action is done or not."<sup>59</sup> Put simply, this locus assesses the question of an event's existence—"is it"?. Does x exist? Did y happen? "A stating of a case" Cicero argues, "is the first conflict of causes arising from a repulse of an accusation."<sup>60</sup> The requisite step then, for an accuser, is to first establish an event's actuality. *The Star-Ledger* editors' burden is to construct an evidentiary link between McGreevey and the alleged transgressions. With this established, the second stasis issue arises. "When parties are agreed as to the fact," Cicero writes, "the question is

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<sup>57</sup> Marcus Tullius Cicero, *The Orations of Marcus Tullius Cicero*, trans. C.D. Yonge (London: George Bell & Sons, 1888), 244.

<sup>58</sup> Thomas Conley, *Rhetoric in the European Tradition*, (Chicago: University of Chicago Press, 1990), 33.

<sup>59</sup> Ryan, "Kategoria and Apologia: On Their Rhetorical Criticism as a Speech Set," 255.

<sup>60</sup> Cicero, *The Orations of Marcus Tullius Cicero*, 244.

by what name that which has been done is to be designated.”<sup>61</sup> Succinctly, the second locus is termed definition. Definition entails assigning a label to the now established event. For Cicero the locus of definition encompasses a dispute as to the name of a thing, “because that which has been done appears in a different light to different people, and on that account one calls it by one name and another by another.”<sup>62</sup> Thus, the speaker must define why the supposed action qualifies as a transgression. Debate about definition occurred, for example, when the press accused Bill Clinton of having “sexual relations” with his intern. While it’s true that the reality of sexual relations is a question of fact, there are also definitional considerations. In Clinton’s scandal the definition of “sex” became a point of contention. In Clinton’s case, winning the definition of sex renders the accusation impotent because he no longer committed any wrong doing.

“When there is no question as to the name by which it ought to be designated,” Cicero notes, it then becomes “a question of what importance the matter is, and of what sort it is, and altogether of what character it is; in this way—whether it be just or unjust.”<sup>63</sup> In other words, once the existence of an event is established and a name to it is assigned, the speaker then must determine the “quality” of the offense. The loci of “quality” provides the two parties a mechanism to discern the gravity of a transgression. According to Cicero, quality answers the “question what is the character of that which has been done.”<sup>64</sup> This measurement typically stresses ethical matters, because these kinds of evaluation are normative.<sup>65</sup> Quality functions by situating a particular offense within the realm of *doxa*, or social opinion. For example, simply accusing an individual

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<sup>61</sup> Cicero, *The Orations of Marcus Tullius Cicero*, 244.

<sup>62</sup> Cicero, *The Orations of Marcus Tullius Cicero*, 244.

<sup>63</sup> Cicero, *The Orations of Marcus Tullius Cicero*, 244.

<sup>64</sup> Cicero, *The Orations of Marcus Tullius Cicero*, 244.

<sup>65</sup> Ryan, “Kategoria and Apologia: On Their Rhetorical Criticism as a Speech Set,” 256.

of murder is insufficient to prove an act unethical or even problematic. There are a variety of mitigating circumstances that could possibly excuse such action. Thus, the speaker must “qualify” their argument, i.e., they killed an innocent child, to be persuasive. The final locus is jurisdiction or objections, and encompasses the appropriateness of an oratory to a particular audience. In the strictest sense of the term, this locus is concerned with the proper legal scope of a particular argument. Ryan excludes the jurisdictional element of stasis from the discussion of accusation because *kategoria*, by definition, must always be aimed at the correct audience. Additionally, some accusations, such as *The Star-Ledger’s*, are not situated within a legal forum. Thus, arguments concerning the proper jurisdiction of an accusation or apologia is not recurrent enough to constitute part of the form.

Cicero’s stasis theory emphasizes a fluid motion of argumentation, each loci representing a potential sticking point, or “head” as Hermogenes called them, that aid in the construction/refutation of arguments. While *kategoria* as a genre borrows much of its vocabulary from stasis, a subtle but important distinction needs to be made. Stasis theory is typically situated within the context of a live *disputation*, meaning the loci will involve different chronological phases, as opposed to a singular rhetorical act. For example, in a murder trial, it may take numerous speeches to move through the four loci; the first set of speeches proving a killing occurred, the next set naming the killing (murder or self-defense), another speech qualifying the ethical nature, and finally determining proper jurisdiction. A *kategoria*, by contrast, must incorporate the first three parts of stasis in a singular speech act. “Accusations,” Ryan writes, rely on the “stases of fact, definition,

and quality,” that seek “to expose an exigence in the accusee’s” character.<sup>66</sup> While both Aristotle and Cicero locate *kategoria* within the province of forensic/judicial rhetoric, contemporary accusations emphasis on character seem to undermine this classification. This is perhaps the first place we can help supplement the ancient literature.

“In treating accusatory speeches,” Ryan writes, “one finds two kinds of speeches: accusations against policy or against character.”<sup>67</sup> These two different kinds of accusations, Ryan argues, anticipate different self-defense speeches. Ryan acknowledges that his position is controversial, citing literature that locates *apologia*, *kategoria*’s rhetorical counter-part, in the providence of character. I believe, however, Ryan’s concept of “policy” is just a re-articulation of Aristotle and Cicero’s emphasis of *kategoria* as forensic. Ryan’s definition of policy is broad and encompasses a wide range of topics, everything from sexual misconduct to inappropriate legislation.<sup>68</sup> However, there is one unifying theme that acts as a suture for these “policies,” which is that they all incorporate past misdeed. Accordingly, a policy centered *kategoria* is most often oriented to redressing the past misdeed. The most distinctive feature of policy oriented *kategoria*, according to Ryan, is its focus on “whether an action was done or not.”<sup>69</sup> It is this species of *kategoria* that ancients placed into the forensic genre. Indeed, this focus on both the past and justice, renders it forensic.

However, the *kategoria* centered on policies is just one of two kinds of *kategoria*. As such, residing all *kategoria* to the province of “forensic” disarms the critic of the tools needed to decipher the other kind of accusation: a slandering oratory. Because forensic

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<sup>66</sup> Ryan, “*Kategoria* and *Apologia*: On Their Rhetorical Criticism as a Speech Set,” 258.

<sup>67</sup> Ryan, “*Kategoria* and *Apologia*: On Their Rhetorical Criticism as a Speech Set,” 255.

<sup>68</sup> Ryan, “*Kategoria* and *Apologia*: On Their Rhetorical Criticism as a Speech Set,” 256.

<sup>69</sup> Ryan, “*Kategoria* and *Apologia*: On Their Rhetorical Criticism as a Speech Set,” 256.

rhetoric adjudicates competing claims of justice, it lacks the language to make sense of any rhetorical invention aimed at either honoring or dishonoring. Another one of Aristotle's genres, however, helps provide texture to *kategoria*: epideictic. Aristotle explains that the epideictic genre encompasses oratory that "either praises or censures somebody."<sup>70</sup> Accordingly, the epideictic address has distinctive features that differentiate it from other species of rhetoric: its emphasis on the present and its focus is on honor or dishonor. Indeed, according to Ryan, a *kategoria* against the accused character tends to focus on the loci of quality. This is because, as discussed earlier, the quality of an offense is predicated on *doxa*.

While *stasis* provides a useful index to describe the process of invention associated with a *kategoria*, it does not provide a useful language to elucidate a rhetor's strategy to produce a negative image of the accused. Those kinds of arguments are determined by the dominant discourse, meaning that these premises operate within the realm of the "enthymeme." According to Aristotle, the enthymeme, "must consist of few propositions, fewer often than those which make up the normal syllogism. For if any of these propositions is a familiar fact, there is no need to even mention it; the hearer adds it himself."<sup>71</sup> In other words, cultural norms are demonstrated through their "self-evidence," i.e., a speaker does not need to explain why rape is wrong, they can simply assert it because it is generally recognized as true. These social truths provide an inventory a speaker can utilize to help in argument construction. These arguments are effective because, as rhetorical scholars Karlyn Kohrs Campbell and Kathleen Hall

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<sup>70</sup> Aristotle, *Rhetoric*, 32

<sup>71</sup> Aristotle, *Rhetoric*, 29.

Jamieson, explain the, “auditors participate in the construction of the arguments by which they are persuaded.”<sup>72</sup>

According to Aristotle, *topoi* are the “places” from which a rhetor draws his premises. *Topoi* function within the realm of contingent truths, of *doxa*. As such, they often do not require much explanation because they are generally accepted, helping the rhetor construct enthymemes. Aristotle draws a distinction between generalized and specific *topoi*. Generalized *topoi*, according to Aristotle, are lines of argumentation that “apply equally to questions of right conduct, natural science, politics, and many other things that have nothing to do with one another.”<sup>73</sup> Put simply, generalized *topoi* are not anchored to a particular discourse, giving them far-reaching applicability. Take for example the *topoi* the “lesser and the greater,” in which a speaker compares two potential commodities and render a value judgment based on the quantity. Using this generalized *topoi*, a speaker can argue, “what is rare is a greater good than what is plentiful.”<sup>74</sup> The argument is void of situational particularities, i.e., it does not delineate what particular object is plentiful and what is rare. Instead, generalized *topoi* function as logical *forms*, allowing the speaker to “plug” in the competing interests and make their argument. On the other hand, there are *topoi* that “are based on such propositions as apply only to particular groups or classes of things.”<sup>75</sup> In short, these *topoi* and their corresponding uses are guided by the particularities of a given rhetorical situation. For example, appealing to a speaker’s “trustworthiness” helps in an epideictic address, but has no place in advocating the expediency of a policy.

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<sup>72</sup> Campbell and Jamieson, “Form and Genre in Rhetorical Criticism: An Introduction,” 408.

<sup>73</sup> Aristotle, *Rhetoric*, 31.

<sup>74</sup> Aristotle, *Rhetoric*, 49

<sup>75</sup> Aristotle, *Rhetoric*, 31.

Cicero provides a useful supplement to a discussion of specific *topoi* because he discusses another guide for invention to construct arguments that attacks another. Cicero calls a type of oratory a “speech of indignation.” As the name suggest, an indignation address seek to excite “great hatred” and/or “great dislike” towards someone.<sup>76</sup> Each of these “topics,” as Cicero calls them, are situated within the larger framework of stasis. For example, Cicero’s fourth topic is the argument that if the accused is not punished people will start to mimic the negative behavior. Another possible trope a speaker could use, according to Cicero, and arguably the most prevalent today, is corruption. In the seventh topic, Cicero instructs the speaker to associate the accused's deeds with either violence or the quest for riches, which situates it opposite of justice.<sup>77</sup> While these speeches may make the audience angry with the accused, they do not always equate to slandering character.

It should be noted, however, that resurrecting a study of *kategoria* is not without its problems. For instance, Ryan’s discussion of *kategoria* assumes a direct, sustained accusation, similar to what one would see in the Roman Senate. However, in this new digital age it is difficult to designate a particular discourse as *the* accusation. Instead, accusations are fragmented, stretched throughout various sectors of the public as a whole. This should not deter the critic, however, because all these different fragments share common themes. For example, various accusations levied against McGreevey all share the common theme of corruption. Indeed, for a speaker to apologize, it first assumes a unified theme for which they need to atone. In other words, if there was not some

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<sup>76</sup> Cicero, *The Orations of Marcus Tullius Cicero*, 289.

<sup>77</sup> Cicero, *The Orations of Marcus Tullius Cicero*, 290

semblance of a consistent accusation (i.e., corruption) then there would not be an apologia situation.

Confronted with a breath of literature concerning *kategoria*, it is difficult to explicate a cogent, differentiated rhetorical form. Much of what has been discussed simply approximates modern forms of *kategoria* as genre. Concepts like *stasis* are descriptive of invention but not the function of this particular genre. In a culture obsessed with image, accusation functions by “defacing” the accused. Accusations, because of their ethical nature, are grounded in contingent truths to give their argument persuasive appeal, meaning that they are the rhetorical center of an accusation. In particular, an accusation seeks to construct the accused as immoral/unethical, worthy of some sort of punishment and/or humiliation. In short, I concur with rhetorical critic Walter Fisher's explanation of modern *kategoria*, when he writes that an accusation is “concerned with giving birth to an image.”<sup>78</sup> Thus, I believe *kategoria* can be packaged within the larger genre of epideictic address, as it the image produced typically does not concern itself with guilt. Rather, the accuser seeks to construct an unflattering image of the accused.

For McGreevey, then, the accusation sought to transfigure him from a charismatic underdog, to a hypocrite. Utilizing the framework of *stasis* theory, the first step to make sense of McGreevey's rhetorical experience is to understand the rhetorically constructed image that became his exigency. What follows in the next section is a brief “thumbnail” sketch of McGreevey's political biography. Situating McGreevey within the arch of his “public service” career contextualizes the origins of his accusations.

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<sup>78</sup> Walter R. Fisher, “A Motive View of Communication,” *Quarterly Journal of Speech* 56 (1970), 132.

## McGreevey's Political Biography

Born James Edward McGreevey on August 6<sup>th</sup>, 1957, McGreevey was never a stranger to politics.<sup>79</sup> Often compared to Bill Clinton for his “moderate” agenda and his charisma, McGreevey led a very public life. Since his early days as an assistant prosecutor in 1982, to a fallen Governor in 2004, McGreevey was a consistent contributor to both national and New Jersey politics.<sup>80</sup> While McGreevey's entire political career is fascinating, I will focus on his gubernatorial run in 1997 until his acceptance address in 2001. This is an important time in McGreevey's life, and is highly pertinent to the project, because it is between 1997 and 2001 that McGreevey started making his various “back-room” deals that later manifested themselves in controversial appointments. Moreover, *The Star-Ledger's* accusation similarly locates the beginning of their argument within the context of McGreevey's 2001 gubernatorial run.

On June 3, 1997, McGreevey won the Democratic Party's nomination to run for governor of New Jersey, beating his rival Robert E. Andrews by a margin of over five thousand votes.<sup>81</sup> With his victory over Andrews secured, McGreevey was ready to face the incumbent Republican candidate Christine Todd Whitman. The press noted that in this election, McGreevey was little more than a “slingshot-wielding challenger looking up at a gigantic Republican opponent.”<sup>82</sup> In response to the mounting odds against him, McGreevey ran on a “New Democrat” platform. Popularized by Bill Clinton, a “New

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<sup>79</sup> Erick Trickey, “Jim McGreevey Biography,” Encyclopedia of World Biography, <http://www.notablebiographies.com/newsmakers2/2005-La-Pr/McGreevey-James.html> (March 11, 2009).

<sup>80</sup> Trickey, “Jim McGreevey Biography,” (March 11, 2009).

<sup>81</sup> Brett Pulley, “McGreevey Wins Democratic Nod for Governor,” *New York Times*, June 4 1997. <http://query.nytimes.com/gst/fullpage.html?res=9B03E1DD103DF937A35755C0A961958260&sec=&spn=&pagewanted=print> (March 11, 2009).

<sup>82</sup> Pulley, “McGreevey Wins Democratic Nod for Governor,” *New York Times*, (March 11, 2009).

Democrat” was both fiscally and socially moderate.<sup>83</sup> Perhaps as a result of his “middle of the road” political leanings, McGreevey gave Whitman “a well-deserved pie in the face,” much to both Whitman and the press’ surprise.<sup>84</sup> In what turned out to be an incredibly close election, McGreevey gained forty-six percent of the votes, one percent less than Whitman.<sup>85</sup> When the polls closed and all the votes were counted, McGreevey lost by the slim margin of twenty-five thousand votes.<sup>86</sup> McGreevey’s platform of property-tax and auto-insurance reform apparently struck a cord with New Jersey citizens. Indeed, many commentators noted that Whitman was, “lucky that a minor-party candidate took votes from McGreevey.”<sup>87</sup> Michael J. Curran, a New Jersey citizen, characterized McGreevey’s run for governor, as successful because he “came within an eyelash of a major political upset.”<sup>88</sup> After losing his first attempt to become governor, McGreevey made it clear that he would run again in the next election.

In 2000, McGreevey again “threw his hat” into the gubernatorial ring. Joe Donohue, a writer for the *Star-Ledger* called McGreevey the “presumed favorite,” because of McGreevey’s narrow loss to Whitman in the previous election.<sup>89</sup> “Since the day after Election Day 1997,” Jose C. Sousa, New Jersey resident writes, McGreevey, “has been a workhorse, crisscrossing the state seeking the support he deserves.”<sup>90</sup> However, to enter the race for governor, McGreevey first needed to win the democratic primary. This appeared to be, at first, a difficult task. McGreevey faced a very powerful

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<sup>83</sup> Trickey, “Jim McGreevey Biography,” (March 11, 2009).

<sup>84</sup> Joan Faszczewski, “Readers Forum,” *The Star-Ledger*, November 25, 1997, p. 18.

<sup>85</sup> Rob Richie and Steven Hill, “Instant Runoff Vote Would Allow True Majority Rule,” *The Star-Ledger*, November 24, 1997, p. 14.

<sup>86</sup> Trickey, “Jim McGreevey Biography,” (March 11, 2009).

<sup>87</sup> Richie and Hill, “Instant Runoff Vote Would Allow True Majority Rule,” p. 14.

<sup>88</sup> Michael J. Curran, “Reader’s Forum,” *The Star-Ledger*, July 30, 2000, p. 2.

<sup>89</sup> Joe Donohue, “Democratic Rivals Dust Off Warchests,” *The Star-Ledger*, July 29, 2000, p.6.

<sup>90</sup> Jose C. Sousa, “Reader Forum,” *The Star-Ledger*, July 30, 2000, p. 2.

political opponent, United States Senator Robert Torricelli. Stephen G. Sweet explains the political challenge McGreevey faced: “Torricelli is a nationally known and respected member of his party who will bring considerable intellect and energy to this campaign.”<sup>91</sup> Both candidates, McGreevey and Torricelli, were ready for an expensive and hard fought battle. Donohue took examined the two candidates’ “war chests,” or the money they have raised to run for office, and noted that “Torricelli heads the Democratic Senatorial Campaign Committee, which is raising tens of millions of dollars for Senate races. McGreevey last month helped the Democratic State Committee raise a record of more than \$3 million at one event.”<sup>92</sup> Both candidates’ respective war chests signaled to the public that they had enough money to fight a prolonged political battle for power.

Torricelli ran on the platform that “he is the person best suited to heal the party's north- south divisions”<sup>93</sup> Eugene Kiley, a writer for the Philadelphia Inquirer, called Torricelli the “Torch” arguing that he had enough “horsepower” to beat any political opponent.<sup>94</sup> While the media pundits and newspapers forecasted a long political battle for the democratic nomination, their predications never came to fruition. Torricelli’s bid for governor was short lived. Staying in the race for fewer than three weeks, Torricelli realized that McGreevey was an impressive and forceful candidate. On July 31, 2000, the reality of McGreevey’s skill as a politician became incredibly apparent. Ted Sherman, Ron Marsico, and Joe Donohue, writers for the *Star-Ledger* note that in the “Marriott Hotel lounge at Newark International Airport [...], seven men secretly reached an accord

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<sup>91</sup> Stephen G. Sweet, “Reader Forum,” *The Star-Ledger*, July 30, 2000, p. 2.

<sup>92</sup> Donohue, “Democratic Rivals Dust Off Warchests,” p.6.

<sup>93</sup> “Democratic Chair Hits Torricelli Foe’s Tactics,” *Roll Call*, July 24, 2000, [www.lexis-nexus.com](http://www.lexis-nexus.com) (March 14, 2009).

<sup>94</sup> Eugene Kiley, “Torricelli is Moving Quickly in his Quest for N.J. Governship,” *The Philadelphia Inquirer*, July 23, 2000, p. D04.

that would spell the collapse of the gubernatorial blitzkrieg of U.S. Sen. Robert Torricelli.”<sup>95</sup> According to Sherman, Marsico, and Donohue the meeting consisted of Senators “Raymond Lesniak and John Lynch, Newark Mayor Sharpe James and his chief of staff, Calvin West, Rep. Robert Menendez, and Hudson County Democratic operative Donald Scarinci.”<sup>96</sup> At the airport Marriott, McGreevey was able to “horse-trade” and make political promises to ensure the support of influential local Democrats. Specifically, it was Mayor of Newark, Sharpe James, and the other Essex county Democrats’ decision to abandon Torricelli for McGreevey that ended Torricelli’s gubernatorial hopes. Torricelli explained to the *Star-Ledger* that he could not “get into a nine-month primary” because it was too much to handle “while running back and forth to Washington [for the] Democratic Senate Campaign Committee.”<sup>97</sup> Arguably one of the harbingers to his own political downfall, it was McGreevey’s political prowess and ability to make deals that won him the Democratic bid for governor. This “horse-trading” talent is what laid the foundation for the scandals that riddled his administration.

While the Democrats settled on their candidate quickly, the Republican’s situation was different. Suzette Parmley, a writer for the *Philadelphia Inquirer* observed, “the field of potential Republican candidates is more crowded than ever.”<sup>98</sup> Out of the crowd of potential candidates, however, Jersey City Mayor Bret Schundler quickly differentiated himself. Throwing his own “mini rally” paralleling the Republican convention, Schundler courted powerful members of his party to his campaign, such as “the likes of Jack Kemp,

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<sup>95</sup> Ted Sherman, Rob Marsico, and Joe Donohue, “The Last Stand that Stopped Torricelli,” *The Star-Ledger*, August 2, 2000, p. 1.

<sup>96</sup> Sherman, Marsico, and Donohue, “The Last Stand that Stopped Torricelli,” p. 1.

<sup>97</sup> Sherman, Marsico, and Donohue, “The Last Stand that Stopped Torricelli,” p. 1.

<sup>98</sup> Suzette Parmley, “Convention a Testing Ground for N.J. Governor’s Race, Several Republicans Spent the Week Lobbying Colleagues For Support and Assuring their Chances of Running in 2001,” *The Philadelphia Inquirer*, August 4, 2000, p. B01.

Newt Gingrich and Steve Forbes.”<sup>99</sup> Schundler, who ran “further right” than most New Jersey politicians, utilized a “grass-roots” campaign, lobbying local organizations like the college republicans to garner votes. Mary Clare Jalonick, a political scientist, helps elucidate this strategy. She writes that “the insurgent, largely grassroots campaign Schundler would put together was, from a strategic sense, ‘Bret-centric,’ very tightly focused on a few issues and the candidate's record in Jersey City.”<sup>100</sup> Eventually, Schundler beat his main opponent, Bob Franks, by a wide margin and won the nomination for New Jersey’s 2001 gubernatorial race.<sup>101</sup> While a “dark horse” at the beginning of the primary, he ended as the Republican party’s clear victor. While some pundits credited Schundler’s success to a well run and strategic campaign, others’ assessment was much less optimistic. One observer remarked that “Mr. Schundler's opponents proceeded to self-destruct in dramatic fashion,” opening the door for his bid for governor.<sup>102</sup>

The stage was set, the new governor of New Jersey would either be the popular McGreevey or his conservative counter-part Schundler. McGreevey retained his 1997 gubernatorial platform, advocating tax and insurance reforms. He also preached that he would clean up New Jersey politics and change “the way business is done in Trenton.”<sup>103</sup> These words, as will be detailed more extensively later, would come back to haunt McGreevey. Schundler, on the other hand, focused on education and economic reform,

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<sup>99</sup> Parmley, “Convention a Testing Ground for N.J. Governor’s Race, Several Republicans Spent the Week Lobbying Colleagues For Support and Assuring their Chances of Running in 2001,” p. B01.

<sup>100</sup> Mary Clare Jalonick, “Bret Schundler’s Big Win,” Campaign & Elections, August 1, 2001. [http://www.accessmylibrary.com/coms2/summary\\_0286-781052\\_ITM](http://www.accessmylibrary.com/coms2/summary_0286-781052_ITM) (March 14, 2009).

<sup>101</sup> Jalonick, “Bret Schundler’s Big Win,” (March 14, 2009).

<sup>102</sup> David M. Halbfinger, “The 2001 Elections: Governor; Democrat Vows to Alter Way ‘Business is Done in Trenton,” The New York Times, November 7, 2001, p. D08.

<sup>103</sup> Halbfinger, “The 2001 Elections: Governor; Democrat Vows to Alter Way ‘Business is Done in Trenton,” p. D08.

trying to divert away from his ultra conservative beliefs on controversial issues like abortion (he is pro-life) and gun control. According to David M. Halbfinger, the Trenton bureau chief for the *New York Times*, Schundler sought to “frame the campaign around taxes, education and a comparison between his record as mayor of Jersey City and Mr. McGreevey's as mayor of Woodbridge.”<sup>104</sup> For example, on the issue of auto-insurance, Schundler advocated a deregulation of the industry. According to Schundler in an interview with *The Record*, such policy action “would ultimately lead to lower rates because more companies would be willing to do business in New Jersey, resulting in healthy competition.”<sup>105</sup> This was much different than McGreevey’s plan to crackdown on insurance companies, by increasing regulation.

Schundler’s attempts to divert attention away from his socially conservative beliefs came to no avail. Many commentators argue Schundler’s failure was a product of many factors, like his power struggle with fellow Republican Donald T. DiFrancesco. The most probable cause, however, can be traced to the combination of McGreevey’s brilliant campaign strategy and Schundler’s predilection for “shooting himself in the foot.” McGreevey crafted a three pronged attack to undermine Schundler’s credibility, seeking to portray Schundler as an extremist. McGreevey argued that Schundler “opposed abortion even in cases of rape and incest; favored a law making it easier for people to get permits to carry concealed weapons; and would drain the public schools of nearly \$600 million.”<sup>106</sup> McGreevey’s accusations were bolstered by Schundler himself. Halbfinger points out that Schundler’s attempts to answer McGreevey’s accusations,

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<sup>104</sup> David M. Halbfinger, “On Politics; Both Candidates Are Bruised in Skirmish Over Religion,” *The New York Times*, August 5, 2001, p. 2.

<sup>105</sup> Randy Diamond, “New Jersey Governor Candidate Backs Auto Insurance Deregulation,” *The Record*, August 30, 2001. [www.lexis-nexus.com](http://www.lexis-nexus.com) (March 14, 2009).

<sup>106</sup> Halbfinger, “On Politics; Both Candidates Are Bruised in Skirmish Over Religion,” p. 2.

“often succeeded only in focusing greater public attention on them.”<sup>107</sup> Take, for example, the issue of gun control. In August, 2001, Schundler issued a press release, indicating that he and McGreevey favored similar gun laws. To make this argument, Schundler relied on statements McGreevey made during a debate surrounding the 1990 *Assault Weapons Ban*. However, Schundler’s evidence was based on quotes that were taken out of context. “Even Richard Miller,” Halbfinger writes, “head of the Coalition of New Jersey Sportsmen, said Mr. Schundler had erred, either out of ignorance or by trying to be ‘too cute.’”<sup>108</sup> Indeed, as Schundler tried to move away from his socially conservative roots, he only succeeded in reminding the very moderate voters of New Jersey just how far right he was.

At 10:16 PM on Tuesday, November 6 2001, McGreevey took center-stage and accepted the Governorship of New Jersey. McGreevey won the position in a “land slide victory,” garnering over fifty-six percent of the votes.<sup>109</sup> In a memorable address, McGreevey promised to build “a government of Republicans, independents and, yes, Democrats -- a government for all the people,” a government “that is accountable to you, and only to you.”<sup>110</sup> McGreevey promised to “‘work day and night, with the full fiber of my being, with every measure of my strength,’ to tackle soaring property taxes, failing public schools, vanishing open space and official corruption and mismanagement.”<sup>111</sup> McGreevey had actualized his goal; he was now Governor of New Jersey. But, he won his position only after making lofty, and arguably contradicting, promises to both the voters and his contributors.

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<sup>107</sup> Halbfinger, “On Politics; Both Candidates Are Bruised in Skirmish Over Religion,” p. 2.

<sup>108</sup> Halbfinger, “On Politics; Both Candidates Are Bruised in Skirmish Over Religion,” p. 2.

<sup>109</sup> Halbfinger, “On Politics; Both Candidates Are Bruised in Skirmish Over Religion,” p. 2.

<sup>110</sup> Halbfinger, “On Politics; Both Candidates Are Bruised in Skirmish Over Religion,” p. 2.

<sup>111</sup> Halbfinger, “On Politics; Both Candidates Are Bruised in Skirmish Over Religion,” p. 2.

In their kategoria, *The Star-Ledger* editors highlight six specific appointments: Charles Kushner, David D’Amiano, William Watley, and Golan Cipel.<sup>112</sup> While *The Star-Ledger* piece discusses other problematic appointments, the above list is the most substantial. Through *The Star-Ledger’s* analysis, of each of these “poor” cabinet decisions is juxtaposed to McGreevey’s stated platform, and the newspaper advanced the claim that the Governor broke his promise to “clean up Trenton.” It was through the permutations of these two lines of argument that *The Star-Ledger* constructed their case for McGreevey’s resignation. Before examining *The Star-Ledger’s* case, however, it is necessary to explain the various scandals discussed in the editorial.

Problems for McGreevey began to arise in July, 2004. Starting in early July, Kushner “was arrested by the FBI earlier this month and accused of hiring a prostitute to trap his enemies in compromising positions in a motel room.”<sup>113</sup> Kushner’s bad news was followed by Watley’s scandal and corresponding resignation on July 14, 2004.<sup>114</sup> The very next day, July 15, D’Amiano plead not guilty to extortion charges<sup>115</sup> The month ended in a crescendo with Cipel threatening a sexual harassment law suit. The convergence of these various scandals created the perfect *karios* for the *Star-Ledger*. *Karios* signals the opportune moment for rhetorical action. July, 2004, presented McGreevey’s enemies with the perfect time to construct their kategoria. Below is a brief sketch of the unsavory characters and acts McGreevey was implicated in.

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<sup>112</sup> The reader should note that the next chapter will provide a fuller, more detailed account of McGreevey’s relationship with Golan Cipel.

<sup>113</sup> “The Auditor,” *The Star-Ledger*, July 25, 2004, p. 3.

<sup>114</sup> “The Auditor,” p. 3.

<sup>115</sup> Schuppe, “D’Amiano Pleads Not Guilty to Extortion,” p. 1.

## Kushner

Charles Kushner, was one of McGreevey's major campaign contributors.

McGreevey appointed Kushner to a position on the board of Port Authority in the middle of February, 2001.<sup>116</sup> According to the New Jersey Port Authorities' website, Kushner gained jurisdiction over the development and maintenance of critical infrastructure of both New Jersey and New York, as well the greater East coast.<sup>117</sup> Later in 2002, McGreevey tried to appoint Kushner to the head of the Port Authority. This position would entitle the real-estate developer to "extraordinary control over hundreds of millions of dollars in development contracts—just as the redevelopment of downtown Manhattan was about to begin."<sup>118</sup> This would never come to fruition, however, as William Gormley, head of the State Senate's Judiciary Committee, demanded Kushner appear before the committee to answer questions about potential conflicts of interest. Never one to disclose his business dealings, Kushner opted to resign.<sup>119</sup> Kushner was implicated in making illegal campaign contributions to various candidates, including McGreevey. Complicating his precarious situation, Kusher was arrested and "accused of hiring a prostitute to trap his enemies in compromising positions in a motel room."<sup>120</sup> However, Kushner was not the only campaign contributor to be implicated in a scandal.

## D'Amiano

Another of McGreevey's campaign associates is David D'Amiano. Between December 12, 2002, and July 30, 2003, D'Amiano obtained forty-thousand dollars in

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<sup>116</sup> Craig Horowitz, "Jim McGreevey and His Main Man," New York Magazine, September 14, 2004. <http://nymag.com/nymetro/news/people/features/9874/> (March 14, 2009).

<sup>117</sup> "The Port Authority of NY & NJ Facts," The Port Authority of NY & NJ, September 2008. [http://www.panynj.gov/AboutthePortAuthority/FacilitiesandServices/pdf/final\\_12-20\\_PAFactSheet4.pdf](http://www.panynj.gov/AboutthePortAuthority/FacilitiesandServices/pdf/final_12-20_PAFactSheet4.pdf) (March 14, 2009).

<sup>118</sup> Horowitz, "Jim McGreevey and His Main Man," (March 14, 2009).

<sup>119</sup> Horowitz, "Jim McGreevey and His Main Man," (March 14, 2009).

<sup>120</sup> "The Auditor," p. 3.

campaign contributions for McGreevey.<sup>121</sup> This “back-room” deal involved D’Amiano soliciting a farmer in Piscataway Township, Mark Halper, for the financial support. In exchange for a generous campaign contribution, D’Amiano agreed to give the farmer favorable land deals.<sup>122</sup> Much to D’Amiano’s surprise, Halper was working with the federal government and was recording his conversations with D’Amiano, and other high-ranking officials. As a result, D’Amiano was charged with eleven indictments for these illegal meetings. What is of special interest is best pointed out by *Star-Ledger* columnist, Jonathan Shuppe. “[Although] McGreevey was not named in the indictment,” Shuppe writes, “he was apparently the state official who was secretly recorded in meetings with Halper.” D’Amiano’s scandal represented the most serious threat to McGreevey’s administration because the federal government had evidence of a McGreevey extorting campaign contributions. It was McGreevey’s use of the code word “Machiavelli,” according to Schuppe, that indicated “the fix was in.”<sup>123</sup> McGreevey also had issues with appointments external to his campaign contributors.

#### Watley

Appointed in 2002, William Watley, a reverend at the St. James Church in Newark, New Jersey, accepted the position as secretary of the Commerce and Economic Growth Commission.<sup>124</sup> To many, this was a curious appointment because as *The Star-Ledger* points out: Watley “had no business experience.”<sup>125</sup> When he accepted the position, Watley also decided to keep his previous position as preacher. Watley was

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<sup>121</sup> “Political Fundraiser David D’Amiano Sentenced to Two Years in Federal Prison,” *The Free Republic*, May 1, 2005. <http://www.freerepublic.com/focus/f-news/1394950/posts> (March 20, 2009).

<sup>122</sup> Schuppe, “D’Amiano Pleads Not Guilty to Extortion,” p. 1.

<sup>123</sup> Schuppe, “D’Amiano Pleads Not Guilty to Extortion,” p. 1.

<sup>124</sup> Jeff Whelan, “Commerce Controller Gets Pink Slip,” *The Star-Ledger*, July 21, 2004, p.13.

<sup>125</sup> James Ahearn, “Our Jim Embraces Ethics, Belatedly,” *The Star-Ledger*, July 28, 2004, pL09.

implicated in a scandal involving a contract for a one-hundred unit development a block from his church. According to *The Star-Ledger*, Watley awarded the contract to Ku'Umba Corp, a company he had a stake in.<sup>126</sup> Additionally, Watley's chief of staff, Lesly Devereaux, was caught illegally giving family members money and taking vacations with the tax payers money. According to *The Trenton Times*, "With all this going on around the governor, they had to cut their losses. They couldn't afford to keep Watley there."<sup>127</sup> Amid a storm of allegations of misappropriations of funds and corruption, Watley resigned on July 14, 2004.<sup>128</sup>

### Cipel

On July 15, 2002 McGreevey appointed Golan Cipel to be the director of homeland security.<sup>129</sup> However, both the press and the public were unhappy with McGreevey's choice. They believed that Cipel was unqualified.<sup>130</sup> However, the "nail" in the coffin for Cipel was when the press revealed the he "couldn't even obtain federal clearance to see top-secret data because he is a foreigner."<sup>131</sup> In August, 2002, Cipel resigned his position as director of homeland security. Then, in July, 2004 Cipel began to threaten McGreevey with a sexual harassment suit.

In McGreevey's rise to power, a trend emerged that would not become apparent until after he officially occupied the Governor's seat. Stemming from a predilection towards political favors and backroom deals, McGreevey quickly consolidated his base. Starting with his 2001 primary victory over Torricelli, credited to a hotel bar negotiation,

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<sup>126</sup> Ahearn, "Our Jim Embraces Ethics, Belatedly," pL09.

<sup>127</sup> "New Jersey Governor '05: Another Sex Scandal With No Sex," *The Hotline*, July 15, 2004. [www.lexis-nexus.com](http://www.lexis-nexus.com) (March 20, 2009).

<sup>128</sup> "New Jersey Governor '05: Another Sex Scandal With No Sex," (March 20, 2009).

<sup>129</sup> "McGreevey Accused of 'Smear Campaign,'" (August 1, 2008).

<sup>130</sup> "McGreevey Accused of 'Smear Campaign,'" (August 1, 2008).

<sup>131</sup> "McGreevey Accused of 'Smear Campaign,'" (August 1, 2008).

to his questionable methods of raising campaign contributors, one thing became very clear: the new Governor owed a lot of favors. This trend of making appointments grounded in political calculations as opposed to the needs of New Jersey voters, manifested his exigencies. But, before moving on to a discussion of the specific allegations against McGreevey, it is necessary to elucidate the concept of *kategoria*.

### *The Star Ledger's* *Kategoria*: McGreevey's Questionable Decisions

While there is no shortage of opinion editorials that take issue with McGreevey's cabinet appointments, this particular *Star-Ledger* article is the best synthesis of the sustained allegations against McGreevey. The article "McGreevey Must Face Up To His Responsibility" represents the legitimate concerns of the New Jersey voters. After all, the *Star-Ledger* is, according to its website "New Jersey's largest newspaper."<sup>132</sup> Indeed, the 2009 "Top Media Outlets: Newspapers, Blogs, Consumer Magazines & Social Networks," ranks *The Star-Ledger* as the sixteenth most read newspaper in the country, out ranking the likes of *The Chicago-Sun Times*, *The Philadelphia Inquirer*, and *The Detroit Free Press*. *The Star-Ledger* has a daily circulation of 316,280 readers and an impressive 455,699 Sunday edition readers.<sup>133</sup> As the voice of New Jersey's voters, *The Star-Ledger* is the best source to feel the "pulse" of New Jersey politics, because as one commentator noted "New Jersey is [...] a newspaper state in an electronic world."<sup>134</sup> *The Star-Ledger* is an extremely powerful force in New Jersey politics, a newspaper that

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<sup>132</sup> The Star-Ledger, <http://www.nj.com/starledger/> (March 14, 2009).

<sup>133</sup> "2009 Top Media Outlets: Newspapers, Blogs, Consumer Magazines & Social Networks," BurrellesLucas, September 30, 2008. [http://www.burrellesluce.com/top100/2009\\_Top\\_100List.pdf](http://www.burrellesluce.com/top100/2009_Top_100List.pdf) (March 14, 2009).

<sup>134</sup> Horowitz, "Jim McGreevey and His Main Man," (March 14, 2009).

wields a significant amount of influence and should be taken seriously as a rhetorical artifact.

*The Star-Ledger's* approach can best be characterized as subtle. While it is easy to simply announce that McGreevey is corrupt, this approach may risk alienating parts of the audience. In what can only be assumed is an attempt to court larger parts of the New Jersey constituency, *The Star-Ledger* opted for a covert style of argumentation. Relying on a combination of strategic concessions, arrangement, and inference, *The Star-Ledger* was able to situate McGreevey in a difficult rhetorical situation. Through this “grab-bag” of rhetorical strategies, *The Star-Ledger* was able to solidify two persuasive enthymemes: the first being that McGreevey favors his own selfish interests over the welfare of New Jersey citizens; and second, that McGreevey fell short on his promises to clean up New Jersey politics.

As previously discussed, the first step in crafting an accusation is to ground the address within the “facts.” Along these lines, *The Star-Ledger* begins by arguing that while it would be easy to assign all the blame problems in Trenton on McGreevey, “it isn’t all his [fault].”<sup>135</sup> *The Star-Ledger* acknowledges that McGreevey may not be able to predict all the scandals his appointees would be implicated in, but he should be responsible for those he placed in power. It is McGreevey’s decisions that became *The Star-Ledger's* rhetorical center. “McGreevey,” they write “cannot evade ownership of some stunningly bad decisions.”<sup>136</sup> By constructing an image of a fully realized and rational subject, *The Star-Ledger* is able to assign McGreevey culpability because it was his choice to give these appointees power. Therefore, locating culpability within the

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<sup>135</sup> “McGreevey Must Face Up To His Responsibility,” *The Star-Ledger*, July 18, 2004, 2.

<sup>136</sup> “McGreevey Must Face Up To His Responsibility,” 2.

providence of a subjects' decision allows *The Star-Ledger* to create a link between McGreevey and his appointees' scandals.

Take for example, *The Star-Ledger*'s discussion of Kushner. Instead of blaming McGreevey for Kushner's trysts and illegal activity, they acknowledge there is no way McGreevey could predict that Kushner "would be charged [...] with [...] setting a lurid sex trap for his brother-in-law and a business associate."<sup>137</sup> Instead, *The Star-Ledger* argues that "McGreevey should have known that nominating Kushner, a real estate mogul with property interests throughout the region, to Port Authority board wasn't a good idea." By detailing the conflict of interests that Kushner would have in his new position, *The Star-Ledger* is able to advance an argument that McGreevey made a bad decision. McGreevey "could not have known that his commerce secretary, the Rev. William Watley, pastor of the St. James AME Church in Newark, would become embroiled in conflicts of interests," *The Star-Ledger* reports, but it is common sense to make "Watley choose between his state post and his work with the church."<sup>138</sup> Emphasizing the obvious problems with McGreevey's appointments becomes a pattern throughout the editorial. Structurally, *The Star-Ledger* acknowledges potential arguments that the reader may raise. However, by addressing them directly after the objection, *The Star-Ledger* goads the reader into agreeing that McGreevey should be held accountable for his bad decisions.

Instead of overtly accusing McGreevey of corruption, their detailing of all the clearly bad decisions he made instructs the audience to deduce that his appointees were a product of corrupt politics. After listing the various botched appointments and cabinet

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<sup>137</sup> "McGreevey Must Face Up To His Responsibility," 2.

<sup>138</sup> "McGreevey Must Face Up To His Responsibility," 2.

members, *The Star-Ledger* tells their readers to “wonder how scrupulous [McGreevey] has been in his choice of friends, donors and aides.”<sup>139</sup> When reading the extensive catalog of terrible appointments, the reader can not help but question McGreevey’s logic and motives. The enthymeme is punctuated by *The Star-Ledger* specific choice of the term “friends” which helps elucidate a motive. Stressing prior relationships that McGreevey had with his various appointments insinuates that his choices were driven by politics instead of qualifications. Take, for instance, McGreevey’s choice for former director of Homeland Security, Golan Cipel. Cipel occupied his post until “the FBI said it wouldn’t work with a non-citizen.”<sup>140</sup> The inconsistency in appointments only leaves the audience with one belief, which is that McGreevey is corrupt.

The structure of the editorial also yields interesting examples of rhetorical invention. Each paragraph begins with either directly mentioning McGreevey’s name or a reference to him. While this may seem insignificant, it strategically situates McGreevey as the focus of the article, creating a “guilt by association” argument, where the audience is asked to draw a logical extension that links McGreevey with the negative actions of his appointees. Rather than starting the article by discussing D’Amiano’s actions outside the context of McGreevey, *The Star-Ledger* instead stresses the relationship between the two men. “Then there's McGreevey's friend and fund-raiser David D'Amiano,” *The Star-Ledger* observes, “who has pleaded not guilty to extorting \$40,000 from a Middlesex farmer in a dispute with the state.”<sup>141</sup> By starting with McGreevey and his relationships, *The Star-Ledger* emphasizes the direct connection between McGreevey and corruption.

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<sup>139</sup> “McGreevey Must Face Up To His Responsibility,” 2.

<sup>140</sup> “McGreevey Must Face Up To His Responsibility,” 2.

<sup>141</sup> “McGreevey Must Face Up To His Responsibility,” 2.

Next, *The Star-Ledger* catalogs the possible options which McGreevey has to fix his administration. After each possible solution, however, *The Star-Ledger* is quick to note why McGreevey will not or has not pursued any of the options. One such example is a discussion of a non-partisan corruption watchdog group, the State Commission on Investigation (SCI). Established in 1968, the SCI's purpose is to help governors and legislatures combat organized crime and corruption. *The Star-Ledger* argues that to deal with the corruption in his administration, he can simply ask for the SCI's help. Indeed, while campaigning, *The Star-Ledger* notes that "McGreevey talked about how important it was to maintain the State Commission on Investigation as an effective watchdog."<sup>142</sup> Again, *The Star-Ledger* is constructing an enthymeme: if McGreevey is aware of the SCI's function and effectiveness, then why doesn't he use them to clean up his administration? The audience is left to wonder why McGreevey does not want an independent watchdog examining his files. *The Star-Ledger*, again, reports that whatever recommendations SCI makes, McGreevey will not accept them.<sup>143</sup> Punctuating the end of this section is *The Star-Ledger*'s observation that McGreevey canceled the State Investment Council meeting that was set to "discuss a ban on hiring private investment managers who contribute to state political campaigns,"<sup>144</sup> characterizing that action as a "failure to grasp the seriousness of his credibility issue."<sup>145</sup> What *The Star-Ledger* is doing is presenting the audience with a series of "false dichotomies." Focusing their discussions on myopic policy options (because there could always be more) facilitates the

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<sup>142</sup> "McGreevey Must Face Up To His Responsibility," 2.

<sup>143</sup> "McGreevey Must Face Up To His Responsibility," 2.

<sup>144</sup> "McGreevey Must Face Up To His Responsibility," 2.

<sup>145</sup> "McGreevey Must Face Up To His Responsibility," 2.

assumption McGreevey is doing nothing to battle this corruption, which infers, at the very least, tacit consent to it.

*The Star-Ledger* ultimately terms this corrupt series of events a “perfect storm of greed and opportunism.”<sup>146</sup> Once the “facts” have been stated, the next step for the speaker is to define the offense. However, *The Star-Ledger* does not overtly define what constitutes corruption. Rather, they give an example of what corruption is not. “In 1973,” *The Star-Ledger* writes, “the FBI caught two mobsters on a wiretap talking about former Essex County prosecutor and Morris County Judge, Brendan Byrne. ‘That man cannot be bought,’ one of the gangsters said.”<sup>147</sup> Although not an explicit comparison between the two politicians, *The Star-Ledger*’s description of the Byrne implicitly compares the two. This is what I termed the “rule of negative.” This rhetorical strategy functions by associating positive characteristics with one party, which in turn infers the converse negative characteristic with the other party. Hence, by advancing a “negative” definition of corruption, they define corruption. In short, anyone who can be persuaded by outside interests is corrupt.

The last step for an accusation is the quality of the offense. This is very important because the severity of the offense determines the appropriate punishment. For example, if one person murders another, the motive behind the action determines if the killer goes to jail or is absolved of guilt because she/he was defending her/himself. Similarly, McGreevey’s corruption, for *The Star-Ledger*, is of a unique variety warranting some kind of action. They write that McGreevey can be “blamed for preaching he would clean up Trenton and then never touching a mop.” Again, thematic of the entire editorial, they

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<sup>146</sup> “McGreevey Must Face Up To His Responsibility,” 2.

<sup>147</sup> “McGreevey Must Face Up To His Responsibility,” 2.

construct two different versions of McGreevey, one campaigning for governor and him as the actual governor. While campaigning, *The Star-Ledger* observes, McGreevey vowed “to change the way Trenton does business.”<sup>148</sup> *The Star-Ledger* details McGreevey’s various election promises to use independent watchdogs and “restore the Department of the Public Advocate,” which had the power to “sue state and local agencies and even the governor on behalf of citizens who felt they weren’t getting a fair shake from government.”<sup>149</sup> This is juxtaposed with McGreevey’s actions as governor, where he has yet to make it clear that he “knows how to say no, especially to those whose money helped elect him.”<sup>150</sup> The comparison between the two different McGreeveys only typifies the claim that McGreevey is not good for New Jersey.

By drawing comparisons between the past and present McGreevey, *The Star-Ledger* implicitly argues, via the topoi of hypocrisy, that McGreevey is a liar and should not be trusted. Similar to an inoculation strategy where the speaker preempts their opponent’s arguments, *The Star-Ledger*’s portrait of McGreevey places him in an unfavorable position. Any argument he makes for his innocence can be easily dismissed by the audience because they know he has lied in the past. The rhetorical impact of grounding a kategoria in the claim that the accused is a liar is well documented. Take for example, the accusations leading up to the 2002 invasion of Iraq. In their kategoria, the Bush administration claimed that Iraq “had” weapons of mass destruction and Saddam Hussein’s denial was a lie. “If the claims Hussein makes cannot be believed,” rhetorican

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<sup>148</sup> “McGreevey Must Face Up To His Responsibility,” 2.

<sup>149</sup> “McGreevey Must Face Up To His Responsibility,” 2.

<sup>150</sup> “McGreevey Must Face Up To His Responsibility,” 2.

Kathleen Hall Jameson notes, “then any evidence he provides will be dismissed.”<sup>151</sup> For Hussein then, there would be no way for him to “prove” his innocence because anything he produced counter to the accusation can be labeled a lie and ignored. Similarly, inoculating the audience only leaves McGreevey with one possible option: to resign. The Chairman of the New Jersey Republican State Committee, Joe Kyrillos, urged McGreevey to “do the right thing” and resign.<sup>152</sup> McGreevey agreed with Kyrillos statement and decided to step down because he felt that the affair he had interfered with “his ability to govern.”<sup>153</sup> On August 12, 2004, McGreevey formally announced that he would surrender his Governorship. In a very emotional speech, McGreevey spoke of the pain of hiding his homosexuality.<sup>154</sup>

## Conclusion

In what may remind some readers of the prosecutors’ relentless pursuit of former mafia boss John Gotti (known as the Teflon don), the press, starting in early 2001, constantly produced accusations and McGreevey repeatedly side-stepped them. Perhaps McGreevey deserved the nickname the “Teflon” governor—no accusation would stick. At best, the press only had circumstantial evidence, a collection of indirect links between McGreevey and questionable policy decisions, though all insufficient to levy a sustained charge. As a result, the supposed “distance” between McGreevey and his appointees’ dealings created an uniquely complicated rhetorical situation. Lacking any “hard evidence,” the press had to craft an argument that associated McGreevey with the poor

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<sup>151</sup> Kathleen Hall Jameson, “Justifying the War in Iraq: What the Bush Administration’s Uses of Evidence Reveal” *Rhetoric and Public Affairs* 10 (2007), 251

<sup>152</sup> “McGreevey Accused of ‘Smear Campaign,’” (August 1, 2008).

<sup>153</sup> “McGreevey Accused of ‘Smear Campaign,’” (August 1, 2008).

<sup>154</sup> “McGreevey Accused of ‘Smear Campaign,’” (August 1, 2008).

decisions his appointees made. Yet, in August 2004, despite his critics' inability to produce tangible evidence against him, McGreevey still resigned.

While it is difficult to gauge the "effectiveness" of *The Star-Ledger's* kategoria, one thing is certain: two weeks later, McGreevey resigned. Situating the publication of "McGreevey Must Face Up to His Responsibility" within the broader context, indicates that McGreevey's resignation may have had to do with the political firestorm he was trying to weather, rather than a particular article. Indeed, prior to publication of this particular *Star-Ledger* editorial, the argument that McGreevey is a liar was gaining force. For example, immediately following Watley's resignation, McGreevey attempted to pass reform to "stop" corruption in Trenton,<sup>155</sup> going so far as making a public statement proclaiming he would not allow such corruption in his cabinet.<sup>156</sup> The major news outlets however, were highly skeptical of McGreevey, and perhaps as a product of that anxiety, *The Star-Ledger* published its argument. Regardless of the "efficacy" of the article, it provides an excellent case study in kategoria.

The editorial board at *The Star-Ledger* constructed a difficult rhetorical situation for McGreevey. By advancing an image of a self-absorbed hypocrite, *The Star-Ledger* created two specific exigencies for McGreevey. First, McGreevey became associated with corrupt politics, inoculating the audience to traditional apologia strategies. In other words, McGreevey could no longer "deflect" or "transcend" his image, because any argument he makes can be simply dismissed as an excuse or another lie. Second, by objectifying McGreevey's choices and making them the locust of their argument, I believe that *The Star-Ledger*, converted "circumstantial evidence" into casual linkages.

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<sup>155</sup> "New Jersey Governor '05: Another Sex Scandal With No Sex," (March 20, 2009).

<sup>156</sup> "McGreevey Must Face Up To His Responsibility," 2.

For McGreevey, then, he must not only dissolve culpability from the likes of Kushner and Wately, but do so in a matter that cannot be dismissed as a liar. What is peculiar, though, is that in his resignation speech McGreevey only addressed one particular appointment: Golan Cipel. Notorious in New Jersey as the man McGreevey appointed head of New Jersey's Homeland Security, Cipel later resigned when it surfaced that he legally could not perform his job. Addressing only his decision to appoint Cipel, McGreevey opted for a discussion of his own queer identity, instead of justifying his other selections for government posts. For the rhetorical critic, this is a curious choice and will be explored in the next chapter.

## CHAPTER THREE

### THE ATONEMENT THAT WASN'T: MCGREEVY'S FABRICATED SITUATION

As the hot, humid days of July, 2004, expired, so too did Jim McGreevey's chances of weathering his cabinets' scandals. As discussed in the previous chapter, it seemed as though McGreevey's cabinet members were resigning daily. Compounding the situation, McGreevey was notified that he was going to be sued by a former aid and campaign advisor, Golan Cipel, who planned to press sexual harassment charges. The logical implication was that McGreevey would be "outed" as gay. He was told that Cipel was willing to settle out of court, quietly, for either money or an apology.<sup>157</sup> McGreevey thus found himself in a complicated situation. Faced with competing exigencies, he met with his advisors and planned how to proceed.<sup>158</sup>

While it is difficult to say what exactly was discussed at this meeting, it seems reasonable to assume McGreevey was advised to resign. After all, this is exactly what he did on August 12, 2004. Yet the situation was more complex; the question no longer concerned the appropriate course of action, but rather the best "exit strategy." Or, put another way: how best to resign. McGreevey had a number of options. He could resign in the fashion of Elliot Spitzer, simply stepping down without citing an explicit reason; he could "come clean" about the many corruption charges levied against him; or, he could subscribe to the old political strategy of denying and deflecting the charges. Instead, McGreevey chose to discuss only the Cipel affair, neglecting to mention the other incidents outlined in the previous chapter. This was a curious choice because "admitting"

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<sup>157</sup> David Kocieniewski and John Holl, "Sex Accuser of McGreevey Won't File Suit," *The New York Times*, August 31, 2004, p.B1.

<sup>158</sup> Bob Ingle and Sandy McClure, *The Soprano State: New Jersey's Culture of Corruption*, (New York: Macmillan, 2008), 35.

to an affair with Cipel would require McGreevey to “out” himself as a gay man; the very result, it would seem, he wanted to avoid. Before interrogating McGreevey’s decision to exclusively focus on this “tryst,” however, we must first decipher his rhetorical maneuvers.

Accordingly, this chapter will evaluate the rhetoric of McGreevey’s August 12, 2004, resignation speech. I will argue that McGreevey’s resignation address represents a unique species of apologia. Instead of utilizing more common strategies, such as deflection and denial, McGreevey chose to accept guilt. McGreevey’s speech sought neither to transform nor reform his perceived transgression; rather he accepted and embodied the guilt imposed by Cipel’s accusations against him. This is a departure from the models employed by various other apologetic politicians. Due to the more nuanced nature of McGreevey’s address I will rely on the scholarship of Joy Koesten and Robert C Rowland and their work with “the rhetoric of atonement.” Koesten and Rowland locate atonement rhetoric in the genus of apologia because it shares many of the same goals as self-defense speeches, such as mending the damaged communal fabric following a transgression, and long-term image restoration. Atonement rhetoric is unique because it fully accepts culpability with all the corresponding moral implications, electing for a “long term” image repair over more “short term” strategies.

As demonstrated in the previous chapter, McGreevey’s speech was incongruous with the charges that preceded it, and this requires the critic to more closely read his speech *in relation* to the proceeding “situation.” In this chapter, I will set out to prove the former Governor’s speech only superficially fits in the genre of atonement. By juxtaposing his speech with media reports and government documents, we will see that

McGreevey's supposed exigency was fabricated, or at the very least hyperbole. To be clear, it is my assumption that many of the events and facts alluded to in McGreevey's address did not actually occur. This being the case, McGreevey's speech was a "failure" since he did not make amends for any "real" transgression. Instead, McGreevey obfuscated his real crimes.

The chapter will proceed as follows. First, I will explain the form and function of "atonement rhetoric." Here I will demonstrate how on its surface McGreevey's resignation speech fits nicely within the parameters of atonement rhetoric. The second section explains the "truth criteria" and its corresponding application to McGreevey's speech. Almost like an external check on criticism, utilizing the truth criterion helps me explain the problem with categorizing McGreevey's address as atonement rhetoric. Finally, I will evaluate the claims made in McGreevey's speech by "fact" checking them via the truth criteria. As I will show, McGreevey's failure of the truth criterion indicates there is more going on in the speech than genre allows me to identify. Perhaps more importantly, this section demonstrates that the standards suggested by atonement rhetoric would render McGreevey's speech a failure; despite the fact it helped him repair his image. Thus, to cultivate a fuller understanding of McGreevey's rhetorical experience we must re-read the text on its own terms, *external* to its supposed genre.

#### Atonement Rhetoric and McGreevey's Resignation

McGreevey's resignation speech is a fascinating rhetorical artifact. Unlike the more common strategies of denial or deflection, McGreevey adopts a radically different tactic: he fully admits to having transgressed. As my first chapter indicated, accepting the

full magnitude of a transgression without seeking to alter or modify the audience's perception of it contradicts most self-defense strategies. Yet, McGreevey's address is one of many recent speeches to employ a similar strategy. Politicians such as Bill Clinton, Elliot Spitzer, and John Edwards all professed their misdeeds and begged the public for forgiveness. This trend, is still not more common than traditional apologia strategies, none-the-less creates a challenge for rhetorical critics. If a speaker no longer seeks to "reform" or "transform" her or his transgression, traditional apologia scholarship would seem to be exhausted as an apparatus of criticism. Aware of this trend, Joy Koesten and Robert C. Rowland, two rhetorical scholars from the University of Kansas, have given this unique "species" of apologia its own name and sub-genre: atonement rhetoric. "Recently," Koesten and Rowland write, "the focus has shifted away from an emphasis on self-defense toward the theme of atoning for past sins."<sup>159</sup> As such, Koesten and Rowland's atonement rhetoric provides a language to illuminate the breed of apologies that simply accept responsibility.

The difference between atonement rhetoric and traditional apologia is the former's lack of emphasis on image restoration. Atonement rhetoric's primary concern is mending the relationship between a speaker and their community. According to Koesten and Rowland atonement rhetoric "does not 'restore' the image directly, but admits that sinful behavior has occurred in an attempt to gain forgiveness and long-term image restoration."<sup>160</sup> Put simply, while image restoration may be an externality of atonement rhetoric, it is not its primary function. Rather, atoning seeks to purge one's guilt in the hopes of repairing communal norms. Drawing from the grammar of the Judaic tradition,

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<sup>159</sup> Koesten and Rowland, "The Rhetoric of Atonement," 68.

<sup>160</sup> Koesten and Rowland, "The Rhetoric of Atonement," 69.

Koesten and Rowland outline the topoi that create a rhetoric of atonement. These include: 1) confessing an offense; 2) inward-looking reflection; 3) reparation; 4) evidence of mortification; and 5) public confession. Because McGreevey “admits” to his transgression, his address seems most logically explained through this sub-genre of atonement rhetoric; thus, “atonement” seems the best framework to begin analyzing this speech. As such, this section will elucidate Koesten and Rowland’s five topoi of atonement rhetoric as they are manifested through McGreevey’s resignation address. In doing so, this section will take the text at face value, assuming McGreevey’s statements to be truthful. The subsequent section will address the actual merits of McGreevey’s claims.

#### Confessing an offense

To atone, a speaker must first confess her or his wrong doing, because “repentance is an essential part of atonement.”<sup>161</sup> This facet incorporates the dual questions of “what happened” and “why was it bad.” It is through “confessing” that the speaker begins purging themselves of guilt. To this end, McGreevey openly acknowledges transgression using clear, succinct language. “I am also here today,” McGreevey explains, “because, shamefully, I engaged in adult consensual affair with another man, which violates my bonds of matrimony.”<sup>162</sup> He tells the audience there is no excuse for his actions and proclaims: “I accept total and full responsibility for my actions.” Through his address and confession, McGreevey explains he has hurt his loved ones, his family, parents, wife, and friends.<sup>163</sup> Cataloging the victims of his misdeeds lends moral gravity to his offense, explaining why McGreevey’s actions ought to be

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<sup>161</sup> Koesten and Rowland, “The Rhetoric of Atonement,” 73.

<sup>162</sup> McGreevey, “Resignation Address,” ( July 8, 2008)

<sup>163</sup> McGreevey, “Resignation Address,” (July 8, 2008)

considered a moral transgression. His acknowledgement of those he hurt shows that he recognizes the severity of his actions and represents a full comprehension of why his actions are considered a transgression.

#### Inward-looking Reflection

While a confession is a necessary component of atoning, it is insufficient to mend the relationship between the speaker and the community. Haunting a speaker's observations and epiphanies must be some evidence of personal suffering and introspection. The audience must believe the speaker has, as Mothers tell their children, truly thought about their actions. As such, atonement rhetoric's second criterion is an "inward-looking reflection." By evidencing their introspection, a speaker demonstrates an understanding of the factors and motivations that lead to their transgression. This is important because if the speaker displays adequate understanding of their sin's midwife, they can hopefully alter those circumstances to insure similar "slip-ups" do not reoccur.<sup>164</sup> McGreevey explicitly cites his introspection throughout the speech. He speaks of how he "acknowledged some feelings," and how he is at his "most reflective, maybe even spiritual level."<sup>165</sup> McGreevey even explains that he has looked deeply into the mirror of his soul, "not as we may want to see it or hope to see it, but as it is."<sup>166</sup> Indeed, the theme of introspection is scattered throughout the speech.

Beyond explicit references to his own deep thoughts, McGreevey also folds evidence of introspection into his addresses' structure. Following chronological order, McGreevey's speech is separated into three parts: past, present, and future. The past incorporates the majority of McGreevey's epiphanies that he credits as the cause of his

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<sup>164</sup> Koesten and Rowland, "The Rhetoric of Atonement," 73.

<sup>165</sup> McGreevey, "Resignation Address," ( July 8, 2008).

<sup>166</sup> McGreevey, "Resignation Address," ( July 8, 2008).

transgressions. This is evidenced in the first line of his speech, where McGreevey explains: “Throughout my life, I have grappled with my own identity—who I am.”<sup>167</sup> He tells the audience that his whole life he has been struggling to conform to traditional American values. In the next paragraph, McGreevey discusses his respective marriages. He recounts his “first wife, Kari,” and how he married her “out of respect and love.”<sup>168</sup> McGreevey also shares that “Dina,” his current wife, “has been an incredible source of strength for me.”<sup>169</sup> By situating the discussion of his marriages in close proximity to his struggle with values, McGreevey both foreshadows his “coming out” and implies a causal relationship between his identity and his transgression. The immediate transition to his first failed marriage leaves the audience a textual clue that it is McGreevey’s relationship with women that is the locus of his struggle.

This rhetorical strategy of drawing an implicit comparison operates by putting two ideas in close proximity, so as to blur their distinctions. It is a shrewd bit of enthymematic associationism, whereby the audience is invited to infer McGreevey’s failed attempts at conforming to traditional social values precipitated his failed marriages. The enthymeme functions by establishing a synecdoche of his struggles, providing the audience with a concrete example to attach to McGreevey’s confession. Here, his failed marriages represent the unattainable demands of society. Since McGreevey’s actions were a product of him being untrue to himself, “coming out” is the only logical option to ensure he does not sin again. McGreevey then reaches his epiphany: “And so my truth is that I am a gay American.”<sup>170</sup> It is in these “realizations” that McGreevey grounds his

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<sup>167</sup> McGreevey, “Resignation Address,” ( July 8, 2008).

<sup>168</sup> McGreevey, “Resignation Address,” ( July 8, 2008).

<sup>169</sup> McGreevey, “Resignation Address,” ( July 8, 2008).

<sup>170</sup> McGreevey, “Resignation Address,” ( July 8, 2008).

rationalization for confessing. The mixture of explicit and covert traces of his introspection help the audience to follow his logic. As a result, the audience is more likely to be persuaded by his claims.

### Reparation

Once a speaker has demonstrated that she/he understands the circumstances that gave rise to her/his sin, Koesten and Rowland note that they then make amends with the community they have wronged. This is the next part of atonement rhetoric and is located in the subsequent two sections of McGreevey's speech: the present and future. Located under the banner of "reparation," the third phase of atonement rhetoric is when a speaker demonstrates she/he is taking steps to "develop a different kind of present and future."<sup>171</sup> McGreevey offers reparation in two ways: by "coming-out" and his resignation. By proclaiming he is a "gay American," McGreevey evidences the authenticity of his atonement by constructing a new environment that precludes similar transgressions. If McGreevey's sins were the product of "living in the closet," by "outing" himself he no longer has any reason to deceive and cheat. Admitting his sexuality, then, helps answer the rhetorical question McGreevey asked the audience when he pondered "what an acceptable reality really meant for me."<sup>172</sup> Admitting he is gay, informs the audience that he will no longer have to live a lie; he is free to be a fully actualized human being. McGreevey's "strategic" revealing of his sexuality provides an alternative motivation for his questionable practices, the need to "pass" as heterosexual. If the public accepts McGreevey's assertion that "the closet" provided the motivation to cheat and deceive,

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<sup>171</sup> Koesten and Rowland, "The Rhetoric of Atonement," 75.

<sup>172</sup> McGreevey, "Resignation Address," (July 8, 2008).

coming out the closet seems like an adequate punishment, and thus should alter the future and present.

McGreevey also offers reparation through his resignation. Offering his resignation as a way “to correct the consequences of my actions and to my loved ones, to my friends and my family, and also myself.”<sup>173</sup> He continues, “given the circumstances surrounding the affair and its likely impact upon my family and my ability to govern, I have decided the right course of action is to resign.”<sup>174</sup> Some may argue that stepping down does nothing to repair the community and thus does not fulfill the reparation portion of atonement rhetoric. This argument assumes, however, that reparation has to be proactive, i.e. like giving money to the poor. This is not necessarily always the case. All a speaker must do is alter the present and/or the future. McGreevey’s resignation changes the political texture of New Jersey because, at the very least, the state will have a new governor.

#### Public Confession

Before moving on to the evidence of mortification, I would like to briefly turn to the public confessional part of atonement. This is because the public confessional component is external to the sequence of the speech. One dimension of this *topoi* simply seeks to establish that the speech is performed before a public audience. “For political leaders,” Koesten and Rowland write, “the apologies they offer to those they have wronged in some way must be heard by all if everyone is to move forward in the process of healing.”<sup>175</sup> McGreevey easily satisfies this criterion, as he gave his speech in the form of a nationalized press conference. Yet a public confessional is far more complex than the

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<sup>173</sup> McGreevey, “Resignation Address,” ( July 8, 2008).

<sup>174</sup> McGreevey, “Resignation Address,” ( July 8, 2008).

<sup>175</sup> Koesten and Rowland, “The Rhetoric of Atonement,” 75.

location or physical setting of the speech. We ought also to consider the substance of the text itself, as it makes public that which was previously private. Indeed, McGreevey characterizes his speech as “intensely personal,” and “not one typically for the public domain.”<sup>176</sup> In this sense, McGreevey’s atonement does not require the public stage. Many press reports indicate that McGreevey already apologized to Dina McGreevey, his wife, privately. The public confessional is highly symbolic, inviting the audience into a “private setting” to see the “real” Jim McGreevey. To bring his private affairs into the public, McGreevey relies on *apostrophe*. This rhetorical trope involves the speaker turning from one audience to another.<sup>177</sup> In McGreevey’s case, he is turning from the abstract national audience to address specifically his wife Dina. “It was inexcusable” McGreevey laments, “And for this, I ask the forgiveness and the grace of my wife.”<sup>178</sup> Speaking directly to his wife on a national stage is punctuated by the fact he does not apologize to any party besides her. However, all these aspects are only effective if the audience believes the speaker is being authentic.

#### Evidence of Mortification

The last and arguably most important characteristic of atonement rhetoric is evidence of mortification. In this particular sub-genre of apologia, “mortification” refers to evidence of a speaker’s regret for her/his actions. This aspect of atonement rhetoric could be categorized under “sincerity,” because it asks the critic to assess the authenticity of the speaker’s remorse. Demonstrating this authenticity is the most important aspect of atonement rhetoric because, according Koesten and Rowland, it provides cohesion

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<sup>176</sup> McGreevey, “Resignation Address,” (July 8, 2008).

<sup>177</sup> James J. Murphy, “The Codification of Roman Rhetoric. With a Synopsis of the *Rhetorica ad Herennium*,” in *A Synoptic History of Classical Rhetoric*, eds. James J. Murphy, Richard A. Katula, Forbes I. Hill, and Donovan J. Oches, (Mahwah, New Jersey: Hermagoras Press, 2003), 139.

<sup>178</sup> McGreevey, “Resignation Address,” (July 8, 2008).

between all other aspects of the genre. They write, “the rhetorical form linking these concepts together to produce the perception of genuine atonement is mortification.”<sup>179</sup> Absent evidence of mortification the speech could simply be dismissed as an empty “I am sorry”—hence, no real atonement. As Koesten and Rowland succulently put it, “if the person does not prove that he or she has suffered, the atonement will not be perceived as genuine.”<sup>180</sup> The problem, however, is that determining whether a speaker is demonstrating genuine sincerity is incredibly difficult. By what criteria shall we decide whether a speaker is being *genuinely* honest? While such judgments are subjective, one commonality is that an audience member does not exclusively focus on a speech’s substance to determine if the speaker is being honest. The audience also looks at things such as the speaker’s gesticulations and dress as well as who is with the speaker during the speech. In short, assessing “authentic” mortification can come from both textual cues and the extra-textual, performative dimensions of the speech. Let us first deal with the textual cues.

In his speech, McGreevey clearly and explicitly claims to be sincere. In discussing his indiscretions, he says, “It was wrong. It was foolish. It was inexcusable.”<sup>181</sup> This is a strong example of *epanaphora*. According to James J. Murphy, epanaphora “occurs when one and the same word forms successive beginnings for phrases expressing like and different ideas.”<sup>182</sup> This figure of speech helps the speaker forward their ideas by drawing the audiences’ attention to a particular concept through

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<sup>179</sup> Koesten and Rowland, “The Rhetoric of Atonement,” 74.

<sup>180</sup> Koesten and Rowland, “The Rhetoric of Atonement,” 73.

<sup>181</sup> McGreevey, “Resignation Address,” ( July 8, 2008).

<sup>182</sup> James J. Murphy, “The Codification of Roman Rhetoric. With a Synopsis of the Rhetorica ad Herennium,” in *A Synoptic History of Classical Rhetoric*, eds. James J. Murphy, Richard A. Katula, Forbes I. Hill, and Donovan J. Oches, (Mahwah, New Jersey: Hermagoras Press, 2003), 139.

the use of repetition. Murphy further explains, it “is used for both embellishment and amplification.”<sup>183</sup> As such, this form appears when the speaker wants to highlight a particular part of the speech or set of ideas. The linguistic pattern is aesthetically pleasing, which in turn increases the force of the speaker’s arguments. Through the use of this rhetorical trope, McGreevey emphasizes his acceptance of guilt, placing it at the center of his address.

McGreevey further stresses his sincerity when he repeats his acceptance of culpability. His observation is punctuated by his recognition of *kairos*. As discussed in the previous chapter, *kairos* encompasses the appropriateness of timing. McGreevey acknowledges that he can no longer evade responsibility for his actions, proclaiming that the moment “cannot and should not pass.”<sup>184</sup> This recognition of *kairos* helps construct an enthymeme that he could have “weathered” this scandal, i.e., he could have let it pass. This is evidenced by the “rule of the negative” discussed in the previous chapter. By stating that he “can not and should not,” McGreevey implies he could simply let the moment slip away. But his decision to be honest and claim responsibility for his actions suggests his sincerity.

At the same time, however, critics found reason to doubt McGreevey’s sincerity. Take for instance McGreevey’s belief that to “facilitate a responsible transition, my resignation will be effective on November 15th of this year.”<sup>185</sup> Unlike other politicians who found themselves embroiled in a political scandal and simply resigned and stepped down shortly after, McGreevey elected to stay in office until November, until “11 days

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<sup>183</sup> Murphy, “The Codification of Roman Rhetoric. With a Synopsis of the Rhetorica ad Herennium,” 139.

<sup>184</sup> Murphy, “The Codification of Roman Rhetoric. With a Synopsis of the Rhetorica ad Herennium,” 139.

<sup>185</sup> McGreevey, “Resignation Address,” (July 8, 2008).

after the coming general election.”<sup>186</sup> Some argue that this decision was nakedly political because instead of risking a special election and a Republican governor, by waiting until November he ensured that fellow Democrat Richard Codey would be governor until 2006.<sup>187</sup> The Chairman of the New Jersey Republican State Committee, Joe Kyrillos, urged McGreevey to “do the right thing” and resign immediately.<sup>188</sup> To many, McGreevey’s decision to stay in office negated the possibility of mortification, and thus undermined his entire message.

Some members of the audience, though, were less concerned with the substance of McGreevey’s address, and more concerned with other factors. Considerations such as McGreevey’s posture, tone, and dress all had bearing on the audience’s evaluation of his sincerity. A *Star-Ledger* report, for example, argued McGreevey’s composure demonstrates that he is “actually liberated” and “free.”<sup>189</sup> Evidencing, for the authors’ of that particular *Star-Ledger* article, Robin Gaby Fisher and Susan Livio, that McGreevey was being honest. McGreevey’s authenticity was also determined by who McGreevey was with while delivering his address. More specifically, numerous media outlets focused exclusively on his wife Dina. Some media-outlets wrote on Dina’s clothing as a reflection of McGreevey’s sincerity. “It looked like Mrs. McGreevey was wearing a St. John knit,” Steve Lopez of the *Los Angeles Times* writes, and “no gay man I know would be seen in public with a woman dressed like that.”<sup>190</sup> Others elected to focus on Dina’s decision to hold her husband’s hand. Michelle Caruso of *The Daily News*, a New York publication,

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<sup>186</sup> “McGreevey Accused of ‘Smear Campaign,’” (August 1, 2008).

<sup>187</sup> “McGreevey Accused of ‘Smear Campaign,’” (August 1, 2008).

<sup>188</sup> “McGreevey Accused of ‘Smear Campaign,’” (August 1, 2008).

<sup>189</sup> Robin Gaby Fisher and Susan Livio, “At First, Surprise and Then Support,” *The Star-Ledger*, August 13, 2004, p.20.

<sup>190</sup> Steve Lopez, “Straight or Gay, Jersey Gov. Flings a Curveball,” *The Los Angeles Times*, August 13, 2004, p. B1.

focused her article on “Dina Matos, who smiled and held the governor's hand when he declared himself gay.”<sup>191</sup> Still others characterized Dina’s presence and actions as evidence of her husband’s private mortification.<sup>192</sup> One reporter argued he could tell the couple was “heart-sick” over the scandal.<sup>193</sup> Dissenters, however, cynically used Dina’s presence to evidence McGreevey’s predilection towards manipulation.<sup>194</sup>

Overall the reactions to McGreevey’s speech were mixed. Jim Nerney, 48, of Middletown felt that McGreevey “brought a lot of passion to the governor’s office, but the fact is that it’s not accepted in today’s society and he’s paying the consequences.”<sup>195</sup> Another view, offered by Donald Bowman, 52, of Kearny, a school district worker in Newark, remarked that McGreevey’s “sexual orientation doesn’t matter,” and he feels that McGreevey did “a good job, holding the line on taxes.”<sup>196</sup> Former Republican governor Christie Whitman said McGreevey “made a courageous decision.”<sup>197</sup> Others were not impressed. Calling his speech a sad attempt to conflate gay rights with public misconduct, John Cloud, a columnist for *Time Magazine* concurs, “McGreevey's act of revelation also functioned as an act of concealment.”<sup>198</sup> Indeed, Cloud rightly points out that there are numerous openly gay politicians such as Jim Kolbe of Arizona and Oregon Supreme Court Justice Rives Kistler.<sup>199</sup> While McGreevey’s reviews were mixed, no one could argue with the results of the speech. As Jonah Goldberg points out, “77 percent of

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<sup>191</sup> Michelle Caruso, “Governor’s Supportive Wives Club,” Daily News, August 14, 2004, p.6.

<sup>192</sup> Fisher and Livio, “At First, Surprise and Then Support,” p.20.

<sup>193</sup> John Cloud, “The Governor’s Secret Life,” Time Magazine, August 23, 2004.

<http://www.time.com/time/magazine/article/0,9171,994916,00.html> (July 8, 2008).

<sup>194</sup> Youtube, a popular website, posted the video of McGreevey’s resignation address, comments are collected from various blogged responses by viewers. The website can be at <http://youtube.com/watch?v=EPVxlBOjITI> (July 8, 2008).

<sup>195</sup> “McGreevey Accused of ‘Smear Campaign,’” (August 1, 2008).

<sup>196</sup> “McGreevey Accused of ‘Smear Campaign,’” (August 1, 2008).

<sup>197</sup> “McGreevey Accused of ‘Smear Campaign,’” (August 1, 2008).

<sup>198</sup> Cloud, “The Governor’s Secret Life,” (July 8, 2008).

<sup>199</sup> Cloud, “The Governor’s Secret Life,” (July 8, 2008).

New Jerseyans polled said McGreevey resigned because he's gay.<sup>200</sup> In short, McGreevey successfully skewed all the other issues surrounding his cabinet and the media focused on his sexuality.

McGreevey's resignation address would therefore seem to be a textbook example of atonement rhetoric. Yet, many commentators express concern that McGreevey's atonement had nothing to do with the substantive issues surrounding his resignation performance. As the *Philadelphia Inquirer* put it, "McGreevey didn't come clean. He just came out."<sup>201</sup> The split reactions to the speech leave the critic with two possible scenarios. On one hand, this act of atonement ought to be judged authentic. McGreevey had a consensual affair with another man, cheated on his wife, and needed to leave office to mend his fractured relationships. In fact, absent a reading of the *kategoria* in the previous chapter, one would almost certainly deduce that McGreevey was telling the truth about what occurred. On the other hand, reaction to the speech seems to indicate that McGreevey was, at the very least, manipulating the genre of atonement to circumvent some other exigency. If this was the case it would require the critic to go back through the speech and evaluate McGreevey's claims. This would help, at the very least, to rectify the two competing interpretations of reality. If McGreevey told the truth, the sincerity of his atonement would be probable. However, if McGreevey lied, his entire speech would be a farce. If that was the case, then I would have to go beyond the genre of atonement and try to interpret how McGreevey was able to receive forgiveness from the public. The next step, then, is to evaluate the claims in McGreevey's speech. Perhaps by

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<sup>200</sup> Goldberg, "No Hero, Even Oprah Couldn't Make Jim McGreevey One," (July 8, 2008).

<sup>201</sup> Monica Yant Kinney, "McGreevey's Truth Hard to Believe," *The Philadelphia Inquirer*, September 19, 2006, p.B01.

going back through McGreevey's major claims we could help explain the laughter Dina reportedly heard from her husband's quarters immediately following his resignation.<sup>202</sup>

### Fitting McGreevey's Speech in the Genre

After listening to McGreevey's resignation address Monica Yant Kinney, a reporter for the *Philadelphia Inquirer*, raised an interesting question. She asked: "If you've been lying your whole life, why should anyone believe you now?"<sup>203</sup> Kinney was not the first to ask this question, which, if valid would seem to undermine the authenticity of McGreevey's apology. In fact, further research produces ample evidence that contradicts McGreevey's statements. If that is the case, McGreevey's address would be responding to a "straw-man" rhetorical situation, imagining exigencies from which to respond. The implication is that McGreevey's speech failed the criteria enumerated by Koesten and Rowland.

One important consideration when evaluating McGreevey's speech as "atonement rhetoric" is determining whether it shares the same "internal dynamic" as other speeches within the genre. The term "internal dynamic" is descriptive of linkages between speeches that help establish them as a genre. As Rowland explains it, "in communication genres there is a force that unifies the form and content of the genre."<sup>204</sup> Rowland enumerates three factors present in a stable genre that binds them together: "needs, limiting purposes in confronting those needs, and social limitations on appropriate rhetorical responses."<sup>205</sup> Put simply, a genre must have a common problem that can only

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<sup>202</sup> Ingle and McClure, *The Soprano State: New Jersey's Culture of Corruption*, 35.

<sup>203</sup> Kinney, "McGreevey's Truth Hard to Believe," p.B01.

<sup>204</sup> Rowland, "On Generic Categorization,"131.

<sup>205</sup> Rowland, "On Generic Categorization,"134.

be solved in certain, socially acceptable ways. It is the combination of these three factors that shape the speakers' available rhetorical options and creates a genre. Take for example a eulogy. In a eulogistic situation, the need stems from the death of a loved one, the purpose, resulting from the death, is to mend the community, and social norms dictate the appropriate content for the speech. Conversely, "absent that rhetorical linkage," Rowland observes, "a genre or sub-genre is unlikely to be definable in clear and stable terms."<sup>206</sup> That means if a particular speech does not share the same need, or purpose, it would be outside the genre. It is my contention that McGreevey's speech does not share the "need" that the sub-genre requires.

According to Koesten and Rowland, the need for atonement rhetoric is created by, "an undeniable jeremiadic accusation."<sup>207</sup> They define jeremiadic as, "accusations of significant personal or institutional wrongdoing, as well as violation of religious covenant."<sup>208</sup> In other words, a speaker can only atone if she/he is accused of a sin. Atonement, then, "is the personal or organizational response when there is no means of denying or side-stepping an accusation of substantial wrong doing."<sup>209</sup> One important modifier imposed by Koesten and Rowland is that the accusation would have to be undeniable, and to some extent inevitable. A fabrication of events, then, would meet neither of these standards. Thus, if there is no jeremiadic exigency, McGreevey's speech would reside outside the scope of atonement rhetoric.

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<sup>206</sup> Rowland, "On Generic Categorization," 131.

<sup>207</sup> Koesten and Rowland, "The Rhetoric of Atonement," 72

<sup>208</sup> Koesten and Rowland, "The Rhetoric of Atonement," 72

<sup>209</sup> Koesten and Rowland, "The Rhetoric of Atonement," 72

To show how McGreevey's resignation address did not in fact stem from this jeremiadic exigency, I will appeal to the "truth criterion."<sup>210</sup> This standard for evaluation concedes that truth is socially constructed. This is not to say Truth does not exist, but rather truth is contingent, grounded in lived experiences, or as the ancient Greeks called it, *nomos*. As such, the truth criteria asks the critic to compare a discourse's version of reality with external accounts and render a judgment based on which scenario is the most probable. This could be as simple as fact-checking a speech and as complicated as contesting a speaker's conception of history. In this particular instance, I will be fact-checking McGreevey's claim that he had both a "consensual" affair and was "threatened."

It needs to be stressed that I am *not* claiming that McGreevey had no reason to atone. The previous chapter details a myriad of transgressions that McGreevey could have, and probably should have, apologized for. Rather, it is my argument that if the particular act he *was* atoning for could have been fabricated it can not be placed in the genre. Moreover, there were multiple scandals that McGreevey might have needed to atone for, but he neglected to mention *any* of these in his resignation speech. But before we can get to such observations, we first must determine if the events discussed in McGreevey's resignation address occurred in the way he depicted.

#### Exposing McGreevey's Claims

Throughout McGreevey's speech there is a surprising lack of specificity. He admits to a homosexual affair, but never explicitly names the partner. The only clue to the identity of McGreevey's lover comes in the eleventh paragraph after his "coming out." McGreevey explains that his identity leaves him "vulnerable to rumors" and open to

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<sup>210</sup> Cambell and Burkholder, *Critiques of Contemporary Rhetoric*, 114.

“threats of disclosure.”<sup>211</sup> “So,” McGreevey tells his national audience, “I am removing these threats by telling you directly about my sexuality.”<sup>212</sup> McGreevey is implying that someone was attempting to extort and/or blackmail him. This is an extra-textual cue that suggests to the audience the identity of McGreevey’s partner, former aid Golan Cipel. As will be discussed in greater detail below, Cipel was threatening a sexual harassment lawsuit against McGreevey. This observation is solidified by two sources close to McGreevey who “leaked” to the media the fact that Cipel was in fact McGreevey’s anonymous lover. Christopher Lee and Michelle Garcia elucidate the connection: “After disclosing that he had engaged in an adulterous affair with a man -- confirmed by a former aide to be Cipel,” they write, McGreevey resigned because he felt the affair “left the governor vulnerable to “false allegations and threats of disclosure.”<sup>213</sup> If that is the case, the entirety of McGreevey’s apology/resignation address is predicated on a “consensual” affair with Cipel. However, while McGreevey may have made sexual advances toward to Cipel, and may in fact be gay, the available evidence suggests that a consensual affair is improbable. The crux of McGreevey’s argument that he had a *consensual* affair that precipitated the kind of threats that could damage his office is simply factually incorrect. A brief look at the historical record establishes this point clearly.

McGreevey met Cipel in early 2000 during a junket to Israel while serving as mayor of Woodbridge, New Jersey.<sup>214</sup> At the time of their meeting, “Cipel was then

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<sup>211</sup> McGreevey, “Resignation Address,” (July 8, 2008)

<sup>212</sup> McGreevey, “Resignation Address,” ( July 8, 2008)

<sup>213</sup> Christopher Lee and Michelle Garcia, “Ex-Lover Alleges Harassment by Governor of New Jersey,” The San Francisco Gate, August 14, 2004. <http://www.sfgate.com/cgi-bin/article.cgi?file=/c/a/2004/08/14/MNG0H881MV1.DTL&type=printable> (May 13, 2009).

<sup>214</sup> Cloud, “The Governor’s Secret Life,” (July 8, 2008).

spokesman for the city of Rishon Letzion.”<sup>215</sup> McGreevey took a liking to Cipel and recruited him to be his liaison to the Jewish community for his upcoming gubernatorial campaign.<sup>216</sup> McGreevey called on his close friend and largest financial contributor, Charles Kushner, to help relocate Cipel to New Jersey. Kushner procured Cipel a visa and gave him a public relations job that paid an additional thirty thousand dollars.<sup>217</sup>

In 2001, McGreevey formally announced his intention to run for Governor. Ultimately, McGreevey reached his goal. In what most political observers call a “landslide” victory against Republican Bret D. Schundler,<sup>218</sup> McGreevey captured 56% of the vote and became the 51<sup>st</sup> Governor of New Jersey.<sup>219</sup> McGreevey took his oath of office on January 15, 2002.<sup>220</sup> That same day, the press reported that McGreevey appointed Cipel to be “New Jersey’s \$110,000-a-year director of homeland security.”<sup>221</sup> McGreevey argued that Cipel would be the best choice because of his background with the Israeli Defense Force.

Almost immediately after the appointment there was a storm of allegations surrounding Cipel’s appointment. One report alleges, “Cipel was named to the newly created post of homeland security adviser without any background check or official announcement.”<sup>222</sup> Others more critical of Cipel called him nothing more than “a poet”

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<sup>215</sup> Haim Handwerker, “Golan Cipel: ‘I Was Portrayed as a Ridiculous Character,’” Haaretz.com, August 19, 2004. <http://web.archive.org/web/20040820013913/http://www.haaretz.com/hasen/spages/466052.html> (August 18, 2008).

<sup>216</sup> Cloud, “The Governor’s Secret Life,” (July 8, 2008).

<sup>217</sup> Cloud, “The Governor’s Secret Life,” (July 8, 2008).

<sup>218</sup> Halbfinger, “The 2001 Elections: Governor; Democrat Vows to Alter Way ‘Business is Done in Trenton,’” (August 1, 2008).

<sup>219</sup> Halbfinger, “The 2001 Elections: Governor; Democrat Vows to Alter Way ‘Business is Done in Trenton,’” (August 1, 2008).

<sup>220</sup> Cloud, “The Governor’s Secret Life,” (July 8, 2008).

<sup>221</sup> “McGreevey Accused of ‘Smear Campaign,’” (August 1, 2008).

<sup>222</sup> “McGreevey Accused of ‘Smear Campaign,’” (August 1, 2008).

and a “concubine.”<sup>223</sup> “Someone found a book of poetry, that I published myself when I was 16,” Cipel recalls in an interview after McGreevey’s resignation, “and suddenly they made me into a poet.”<sup>224</sup> The issue was so contentious because it seemed as though McGreevey favored personal relations over of New Jersey’s security. This fact is especially pertinent because of its temporal proximity to the September 11<sup>th</sup> terrorist attacks. Ultimately, Cipel ending up leaving his post because of mounting pressure from public relations officials and the press revealed the Federal Bureau of Investigation (FBI) refused to give him security clearance.<sup>225</sup> Throughout the entire affair, Cipel was not allowed to talk with the press.<sup>226</sup> Eventually he took another job in the Governor’s office, where he planned various foreign trips for McGreevey. In one of many interviews with the press, Cipel explained that his new job was the exact same as his old one, minus the security aspect.<sup>227</sup> However, the pressure was too much and Cipel ended up quitting state government altogether on August 13, 2002.<sup>228</sup> Cipel maintains that he was asked to step down from his position as the director of homeland security, not due to his qualifications, but rather because McGreevey, “fired him from his position of adviser when he rejected the governor's advances.”<sup>229</sup>

After resigning, Cipel started telling the press that McGreevey had sexually harassed him. According to Cipel, McGreevey made dozens of sexual advances towards

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<sup>223</sup> Goldberg, “No Hero, Even Oprah Couldn’t Make Jim McGreevey One,” (July 8, 2008).

<sup>224</sup> Handwerker, “Golan Cipel: ‘I Was Portrayed as a Ridiculous Character,’” (August 18, 2008).

<sup>225</sup> Handwerker, “Golan Cipel: ‘I Was Portrayed as a Ridiculous Character,’” (August 18, 2008).

<sup>226</sup> Handwerker, “Golan Cipel: ‘I Was Portrayed as a Ridiculous Character,’” (August 18, 2008).

<sup>227</sup> Handwerker, “Golan Cipel: ‘I Was Portrayed as a Ridiculous Character,’” (August 18, 2008).

<sup>228</sup> “McGreevey Accused of ‘Smear Campaign,’” (August 1, 2008).

<sup>229</sup> Handwerker, “Golan Cipel: ‘I Was Portrayed as a Ridiculous Character,’” (August 18, 2008).

him after November, 2001.<sup>230</sup> In an interview with the Israeli press, Cipel provides graphic details of these incidents. In his speech, however, McGreevey characterizes his relationship with Cipel as “consensual.”<sup>231</sup> This was a claim Cipel vehemently denies. Instead, Cipel calls McGreevey’s advances a “traumatic series of three sexual assaults.”<sup>232</sup> The events described by Cipel were so terrible, it lead one reporter to comment that McGreevey is “lucky he wasn't investigated for attempted rape.”<sup>233</sup> Yet in 2006, two years after his resignation, McGreevey appeared on a litany of popular talk shows including *Oprah*, *The Daily Show*, and *Good Morning America*, to plug his tell-all book: *The Confession*. In the backdrop of McGreevey’s media blitzkrieg, the *Jerusalem Report* noted that Cipel’s version of the story received next to zero media coverage.<sup>234</sup> Compounding the issue, “U.S. talk shows never bothered to verify McGreevey's claims of a consensual love affair.”<sup>235</sup> They preferred to just publish the story. As a result, Cipel’s voice was and remains unheard in the American media, privileging McGreevey’s version of the “truth.” Some may argue that Cipel denied his affair with McGreevey because he feared exclusion in the Israeli community. While I do not doubt Cipel was concerned about his reputation, the evidence seems to indicate that McGreevey did in fact harass Cipel. For example, if given the ability to speak, Cipel argues he could produce witnesses that “could corroborate the accusations against Mr. McGreevey.”<sup>236</sup> This is a fact that McGreevey has been unable to rebut. In the *Haaretz* interview, Cipel further

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<sup>230</sup> Patrick Healy, “Ex-Aide Tells Israeli Paper Of a Relentless McGreevey” *The New York Times*, August 16, 2004. <http://query.nytimes.com/gst/fullpage.html?res=9D07E6DD133FF935A2575BC0A9629C8B63> (July 8, 2008)

<sup>231</sup> Lee and Garcia, “Ex-Lover Alleges Harassment by Governor of New Jersey,” (May 13, 2009).

<sup>232</sup> Netty C. Gross, “A Man With a Cause,” *The Jerusalem Report*, November 13, 2006, p.62.

<sup>233</sup> Kinney, “McGreevey’s Truth Hard to Believe,” p.B01.

<sup>234</sup> Gross, “A Man With a Cause,” p.62.

<sup>235</sup> Gross, “A Man With a Cause,” p.62.

<sup>236</sup> Kocieniewski and Holl, “Sex Accuser of McGreevey Won’t File Suit,” p.B1.

poses the rhetorical question: if he was gay, why haven't any other men claimed to have been with him?<sup>237</sup> Perhaps it is because others do not want to join Cipel in the harsh media spotlight, or maybe it is because he is not gay. In any case, if their interactions fall under the heading of harassment, however, there could be a potential lawsuit.

The Associated Press reports that prior to "blowing the whistle," Cipel threatened McGreevey that unless he was paid "millions of dollars," he would file a sexual harassment lawsuit.<sup>238</sup> However, the issue of blackmail is in contention; Cipel and his lawyer deny these allegations.<sup>239</sup> *Haaretz*, an Israeli publication, noticed inconsistency in the requested amount, fluctuating between two and fifty million dollars.<sup>240</sup> The FBI decided to investigate Cipel's alleged attempt at blackmail and extortion. Their investigation "did not produce any charges."<sup>241</sup> Perhaps McGreevey is confusing an out of court settlement with extortion. MSNBC reports that Cipel "was offered money by representatives of McGreevey after the governor was informed of a possible lawsuit [...and] It was Mr. McGreevey's representatives who, without provocation, offered a sum of money."<sup>242</sup> And it is documented that three weeks prior to McGreevey's resignation, Cipel's and McGreevey's lawyers had a meeting regarding a possible sexual harassment suit.<sup>243</sup> Netty C. Gross reports that "the so-called blackmail attempt was a legitimate, behind-the-scenes negotiation between lawyers to work out a compensation package to be paid by McGreevey to Cipel."<sup>244</sup> Cipel asked for two million dollars, but also admitted

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<sup>237</sup> Handwerker, "Golan Cipel: 'I Was Portrayed as a Ridiculous Character,'" (August 18, 2008).

<sup>238</sup> "McGreevey Accused of 'Smear Campaign,'" (August 1, 2008).

<sup>239</sup> Handwerker, "Golan Cipel: 'I Was Portrayed as a Ridiculous Character,'" (August 18, 2008).

<sup>240</sup> Handwerker, "Golan Cipel: 'I Was Portrayed as a Ridiculous Character,'" (August 18, 2008).

<sup>241</sup> Gross, "A Man With a Cause," p.62.

<sup>242</sup> "McGreevey Accused of 'Smear Campaign,'" (August 1, 2008).

<sup>243</sup> Kocieniewski and Holl, "Sex Accuser of McGreevey Won't File Suit," p.B1.

<sup>244</sup> Gross, "A Man With a Cause," p.62..

that he would be “willing to drop the matter if the governor would simply apologize”<sup>245</sup> Something, strangely enough, “Mr. McGreevey's aides said the governor would not do.”<sup>246</sup> Instead, “the governor had threatened to ruin Mr. Cipel's reputation or have him deported if he complained.”<sup>247</sup> And, according to Dina McGreevey, McGreevey and his aids decided “to spin the fact that there was a multimillion-dollar lawsuit against him.”<sup>248</sup>

While it is true that Cipel could have threatened a false harassment charge against McGreevey, it seems more likely that Cipel was telling the truth. Dina’s observations are particularly telling. The fact that McGreevey met with his advisors to devise a way to spin this potential lawsuit indicates they most likely believed they were in the wrong. Moreover, according to a *New York Times* article in 2006, the aide that leaked the “McGreevey/Cipel” affair came out two years later and retracted his statements.<sup>249</sup> At the very least, if it is true that Cipel was willing to quietly settle the harassment suit, the outing of McGreevey’s identity was not inevitable. That means McGreevey’s exigency, at least in relation to Cipel, does not conform to one of the dual criteria advanced by Koesten and Rowland, that being the inevitability of the accusation.

In sum, the underlying motivation for McGreevey’s resignation seems to be *external* to the reasons cited in his speech. Utilizing the truth criteria, this speech must be judged as a failure, at least in relation to the internal dynamics of atonement rhetoric. McGreevey is not providing an appropriate response to his rhetorical situation, as outlined in the previous chapter. At the very least McGreevey cannot atone for something

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<sup>245</sup> Kocieniewski and Holl, “Sex Accuser of McGreevey Won’t File Suit,” p.B1

<sup>246</sup> Kocieniewski and Holl, “Sex Accuser of McGreevey Won’t File Suit,” p.B1

<sup>247</sup> Kocieniewski and Holl, “Sex Accuser of McGreevey Won’t File Suit,” p.B1

<sup>248</sup> Ingle and McClure, *The Soprano State: New Jersey’s Culture of Corruption*, 35.

<sup>249</sup> Andrew Jacobs, “Aide McGreevey Cited Says They Never Had an Affair,” *The New York Times*, September 18, 2006, <http://www.nytimes.com/2006/09/18/nyregion/18cipel.html> (June 3, 2009).

that has not occurred. At the surface, then, McGreevey's decision to resign does not make sense. It would seem to run counter to his interest to reveal his identity and resign. This seems especially odd, considering Cipel was willing to stay quiet about the sexual harassment. Yet, McGreevey decided not to settle and resign instead. This seems to run counter to his self interest. These odd decisions when read in concert with the accusations starts to produce an alternative explanation that will be examined in the next chapter.

## Conclusion

The evidence seems to indicate that McGreevey was not truthful in his resignation address. McGreevey was lying about the events that precipitated his speech and probably the reason for his resignation. Additionally, McGreevey did not apologize or admit to any of the other scandals and transgressions plaguing his administration. Yet, McGreevey is, for the most part, remembered fondly. Indeed, shortly after his resignation McGreevey was taken up as a martyr for the gay-rights movement. This would be external to the grammar of atonement rhetoric. While McGreevey is accepting culpability for *a* transgression, it was not for the ones that occurred. It seems McGreevey fabricated a rhetorical situation to help him circumvent the exigency presented by the corruption charges. In short, McGreevey created a kind of "red herring" to divert attention away from the more serious charges he faced.

A possible explanation is found in a reading of the *kategoria* and *apologia* as a set. It seems McGreevey did face an inevitable jeremiadic accusation, but one different than his speech acknowledges. The issue was not that he had an affair with another man, but that his political opponents were gaining momentum and had enough evidence to

impeach him. In this scenario, McGreevey's resignation makes more sense, especially when you consider that 2004 was a presidential election year. Resigning provided McGreevey the luxury of picking his date of departure, which was November 15, 2004. As many commentators pointed out, this date precluded a special election, which conservatives writers theorized would swing New Jersey to a red, Republican state. By resigning and leaving on November 15, McGreevey would ensure New Jersey stayed a blue, Democrat state.

The nature of the accusations detailed in the previous chapter provided the impetus for his resignation. That means approaching the text from the apparatus of atonement rhetoric alone is insufficient. Koesten and Rowland's framework does not provide an adequate language to make sense of McGreevey's rhetorical maneuver. The text pushes us to look deeper. This chapter, then, seems to raise more questions for the study of rhetoric, such as how to rectify a fake atonement speech against a myriad of corruption charges. This relationship and its corresponding implications on rhetoric will be explored in the conclusion.

## CHAPTER FOUR

### CONCLUSION

On August 17, 2004, three days after McGreevey announced his resignation from his post as governor, Cal Thomas, a conservative columnist, published an article in the *Jewish World Review*. In his article, Thomas succulently describes McGreevey's rhetorical experience as a "'governor playing the gay card,' garnished with a little religion - a twofer in the self-justification Olympics."<sup>250</sup> While I disagree with the nomenclature "gay card," Thomas aptly describes McGreevey's actions. Faced with mounting political pressure from his association with unsavory acts, McGreevey had to do something. That "something," McGreevey decided, was to disclose his sexual orientation.

However, McGreevey's responses to his exigencies were, at best, perplexing. When I first read McGreevey's resignation address, a litany of questions emerged. Simple questions arose, such as: was McGreevey's speech an appropriate response to his rhetorical situation? "Why didn't McGreevey deny the accusations?" With each question a corresponding one followed: Are the events discussed in McGreevey's speech "true?" "Why did McGreevey implicate himself in this affair?" And perhaps most importantly: "Why did McGreevey come out as gay?" As my investigation progressed, I realized these inquiries converged into a single overarching question that I outlined in my first chapter: what is the rhetorical function and significance of McGreevey's decision disclose his sexuality? Guided by this question, I proceeded to research the political events leading up to his resignation. This research yielded the second chapter, which demonstrated that in

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<sup>250</sup> Cal Thomas, "Playing the Gay Card," *The Jewish World Review*, August 17, 2004, <http://www.jewishworldreview.com/cols/thomas081704.asp> ( April 27, 2009).

the months leading up to his resignation, McGreevey had a myriad of scandals plaguing his administration. While McGreevey's scandals spanned the spectrum of despicable actions, the common thread binding them together was a sustained charge of corruption and hypocrisy. Yet, as chapter three demonstrated, McGreevey did not even acknowledge these allegations in his resignation speech. Instead, he "atoned" for being a "governor in the closet" who had an illicit gay affair. But the research in my third chapter renders McGreevey's explanation improbable. At the very least, based on the preponderance of evidence available, it is clear that McGreevey never had an "affair" and that he was not in a homosexual relationship. The conclusion I was forced to confront, then, is that McGreevey's speech was a pseudo-response to a fabricated exigency. The laws the Governor broke, however, were very real.

McGreevey faced a litany of possible criminal charges based on the allegedly corrupt nature of his administration. In fact, just before his resignation, the former Governor was caught on tape muttering a "code word" for an illegal land deal.<sup>251</sup> Yet, after his resignation, McGreevey never faced any criminal charges. In fact, he has since become something of a martyr to the gay community. Teresa M. Hoback, an editor for *The Roanoke Times*, provides an excellent example of this view. She queries, "Do you really think McGreevey would have become a governor if he had been openly gay all his life? Gays have a right to their careers and dreams as do straight folk."<sup>252</sup> Following his resignation speech, McGreevey's misdeeds could be seen from a new perspective. McGreevey framed his resignation in a manner that made it possible for the public to believe that his resignation was a result of social homophobia. Indeed, a previously

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<sup>251</sup> Schuppe, "D'Amiano Pleads Not Guilty to Extortion," p. 1.

<sup>252</sup> Teresa M. Hoback, "Some Other Bible Verses for Thomas," *The Roanoke Times*, September 15, 2004, p.B7.

quoted study indicated that seventy-seven percent of the New Jersey population polled believed McGreevey stepped down because he was gay.<sup>253</sup>

Considering the various exigencies he faced, McGreevey pulled off an impressive balancing act. He was able to decide the date that he resigned from office, precluding a special gubernatorial election and simultaneously avoided angering New Jersey's liberal voting base. Yet, atonement rhetoric's standards suggested McGreevey failed. After all, he did not demonstrate adequate evidence of mortification, nor did he acknowledge his other transgressions. Instead, he "invented" a transgression and then apologized for it. However, the speech must be judged highly successful because he not only dodged jail time but also ensured New Jersey's fourteen electoral votes went to Kerry.

As such, I believe this project produced two implications for rhetoric that will inform the two sections of this chapter. First, this project established an analytical "set." As I discussed in my first chapter, this method instructs the critic to read a *kategoria* and *apologia* as a singular rhetorical event. The logical implication was an evaluation of *The Star-Ledgers'* *kategoria*. In the next section, I will discuss how I selected the text for the *kategoria* and how that process may help instruct its future criticism. Second, this project, I believe, demonstrated how "coming out" can act as a trump card to stifle discourse. It is my argument that his narrative was akin to civil rights discourse. Thus, his strategy of splitting the world into two erased moral ambiguity and closed space for dissent. As a result, I argue, McGreevey was able to keep New Jersey a "blue" state, without alienating the liberal base. In the following section I explore these implications in greater detail.

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<sup>253</sup> Goldberg, "No Hero, Even Oprah Couldn't Make Jim McGreevey One," (July 8, 2008).

## Set-ting the Situation

As I discussed in the first chapter, Ryan asks the critic to evaluate both a *kategoria* and *apologia* together, arguing that reading the two produces insights that may have gone unnoticed if each speech was read independently. More importantly, Ryan also argues that reading *kategoria* and *apologia* as a set illuminates inconsistencies and incongruities that are fertile ground for the study of *apologia*. Following Ryan's advice, chapter two took *kategoria* as the starting point for my criticism. Moreover, Ryan observes that there is a lack of literature investigating the genre of *kategoria*. One possible explanation for this "blind spot" is located in our contemporary media sphere. When the ancients wrote *kategoria*, they lived in a world where it was easier to identify the specific accusation. Much has changed since the early days of the Greek judicial system and the Roman senate, where individuals would accuse one another of misdeeds in person.

The advent of mass media and the internet has made it difficult to label any single text *the* accusation. Instead, the critic is confronted with a variety of sources making different arguments. As such, critics who want to use the genre of *kategoria* are forced into a choice: either they must piece together different texts to create an argument or they pick one text and evaluate it on its own terms. The former is difficult and subjective. It relies on the critics own determination of what "counts" as an accusation. The critic could, for example, exclude certain accusations to strengthen their own arguments. This project opted for the latter, electing a text that exemplified all the charges against McGreevey. However, some may disagree with this move, arguing that it is just as subjective as quilting together accusations. While this is true, the circulation and status of *The Star-Ledger* (McGreevey's accuser), acted as a check against arbitrarily selecting an

accusation. Thus, the critic should only choose accusations from *perceived* credible sources. Kategoria's concern with the construction of an image means the credibility of the accuser directly influences the probability the audience will assign to their accusation. In other words, an audience is more likely to believe the accusation of a whole newspaper over a letter to the editor. Determining the credibility of a speaker or writer is also fairly subjective. To hedge against this, I incorporated the additional check of "circulation numbers."

Integrating a standard like circulation ensures an accusation has a large enough base to produce an exigency. Standards like circulation insulate against selecting obscure accusations, because a little read accusation is unlikely to produce an exigency. In my second chapter, I discussed how *The Star-Ledger* is both New Jersey's premier digest and one of the top twenty most read newspapers in this country. The sheer volume of people who read *The Star-Ledger* indicates the potential impact of their arguments. However, other media present problems. Things like "blogs" are difficult to assess, because their credibility and popularity are in constant flux. One idea can be to request things like "site" traffic information to gauge the popularity of a blogger. However, these numbers do not indicate the amount of different people who read the blog, rather just the number of times it has been visited. Perhaps further study into kategoria on the internet can guide research into this genre.

Additionally, in my second chapter, I raised the possibility of political kategoria having specific topoi. As discussed in my second chapter, topoi are "common place" arguments, and according to Aristotle, there are two kinds. The first are generalized topoi, and these can be inserted into a myriad of different situations. Beyond the

generalized topoi, there are also “specific topoi.” Specific topoi encompass arguments that are common to types of situations. For example, there are certain “common place” ways of advocating expediency of policy; these topoi are part of the deliberative genre. Similarly, in my research, I was confronted with a pattern of accusing politicians of “hypocrisy.” The cynical reader may argue politicians are corrupt hypocrites. While that may be true, its prevalence in a variety of kategoria suggests it may be a genre-specific topos. Therefore, hypocrisy acts as an organizational mechanism that the audience uses to filter “the accused’s” motives and actions. Put another way, no one is “intrinsically” hypocritical, rather it is a label applied to influence the way the audience perceives the accused. This is due largely to the elasticity of the term “hypocrite.” More importantly, however, the topos of hypocrisy indicates the proper location of kategoria.

As I discussed in my second chapter, there is confusion in determining kategoria proper genre. The ancients often located forensic and its corresponding emphasis on justice as the domain of kategoria. They believed that kategoria most often occurred in the court. This makes sense; a plaintiff would bring a charge against a person, and the legal system was organized to levy a specific charge against the accused. However, in the modern era, kategoria makes more sense as an “epidictic speech.” The province of Epidictic speaking praise or blame and honor or dishonor. As I detailed in chapter two, the allegations of corruption and hypocrisy against McGreevey warrant my argument that kategoria should be categorized as epidictic. This is because an attack on the accused character is not concerned with “justice.” The more traditional “forensic” label attributed to kategoria would imply the accuser was only seeking justice. Instead, the aim of this

speech is to dishonor the accused. Thus, at the very least, this has solidified *kategoria* as having “epideictic leanings.”

In short, I believe this project shows that there can be resurgence in the study of *kategoria*. This is not to say that there are not difficulties associated with a *kategoria*-based criticism. However, there are ways around these difficulties. One of the most basic issues a critic faces is how to select the appropriate text to evaluate. In the case of atonement rhetoric, it is critically important to select the appropriate “accusation” text. This challenge can be met by looking to the twin criteria of source credibility and popularity/circulation. Moreover, through my study of *kategoria*, it became apparent that accusations are filled with specific epideictic based *topoi*, such as being called a hypocrite, indicates *kategoria* is most probably an epideictic address. It is because these *topoi* are concerned with the accused’s character and not justice, which informs *kategoria*’s proper location. Indeed, this is confirming Ware and Linkugel’s observation that *apologia*’s providence is the speaker’s character.<sup>254</sup> Going through the process of *kategoria* selection and evaluation gave me a better understanding of the charges against McGreevey; with that information I then turned to his response.

#### McGreevey and the Liberation Narrative

There were practical reasons McGreevey did not resign and immediately step down. Primary among those reasons was his desire to ensure that New Jersey remained a Democrat-controlled state. 2004 was a presidential election year in which the incumbent, George W. Bush, was running against Democrat John Kerry who was largely perceived

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<sup>254</sup> B.L. Ware and Wil A. Linkugel, “The Spoke In Defense of Themselves: On the Generic Criticism of *Apologia*,” in *Readings in Rhetorical Criticism*, ed. Carl R. Burghardt (State College, Pennsylvania: Strata Publishing, 2005), 419.

as an underdog candidate. Liz Marlantes, a staff writer for *The Christian Science Monitor*, explained Kerry's image as "as indecisive and even weak."<sup>255</sup> As a result the Democrats knew they would need to win every state that they could. Throughout July, 2004, more and more scandals implicating McGreevey started to appear in the news. As the weeks of July expired, it became increasingly apparent that McGreevey was in some real political trouble. It seemed that his impeachment or resignation was inevitable. *The Record*, a local news paper for Bergen County, New Jersey, proclaimed in mid-July that "It doesn't matter whether Governor McGreevey is removed by resigning, being recalled, or by impeachment. He must go for the sake of New Jersey."<sup>256</sup> This mounting pressure presented McGreevey with a difficult and contradictory task. Somehow he had to retain Democratic control of New Jersey, while ducking a myriad of scandals. As I discussed in my third chapter, this occurred while McGreevey's and Cipel's lawyers met to attempt to reach a mutually agreeable resolution.

McGreevey realized that immediately stepping down would risk losing New Jersey to the Republican Party. Beyond losing the election, this would also alienate his constituents. It makes sense then for McGreevey to disclose his sexuality. McGreevey needed to cite some reason other than corruption for leaving office. Perhaps more important, resigning before risking impeachment provided McGreevey the luxury of choosing his date of departure: November 15, 2004. Picking November 15 ensured that the Democrats would retain control of New Jersey because it was *just* late enough in that gubernatorial term to preclude the need for a special election. Instead, McGreevey strategically allowed fellow Democrat and Lieutenant Governor, Richard James Codey,

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<sup>255</sup> Liz Marlantes, "Campaign Spar on War Leadership," *The Christian Science Monitor*, August 13, 2004, p.01

<sup>256</sup> Ron Gripenburg, "A Reason for Right to Recall," *The Record*, July 20, 2004, p.L14.

to take the reigns. However, this political predicament required a delicate balancing act from McGreevey.

McGreevey needed balance retaining his office long enough to preclude a special election without angering the Democratic base. However, if his resignation was viewed as a transparent attempt to retain power, McGreevey would alienate New Jersey Democrats. McGreevey's decision to "come out" thus seems to have managed his difficult task. By telling the world he is gay, McGreevey capitalized on New Jersey's liberal leanings. No one wanted to be called "homophobic" for launching character attacks against the governor. In this way, McGreevey's resignation address influenced public debate precisely by chilling it. Take for example, Thomas's article cited at the start of this chapter. After his article was published he was attacked by a litany of Gay rights groups for being "presumptuous and self-righteous."<sup>257</sup>

Shelby Steele, a fellow of the Hoover Institution, offers one possible explanation for how McGreevey's "coming out" chilled debate and helped him manage his exigencies. For Steele, the discourse on gay rights—particularly that pertaining to marriage—increasingly relies on civil rights rhetoric. Steele uses the term "civil rights rhetoric" to describe a rhetorical strategy that appeals to equality and fairness, and highlights certain tasks that make arbitrary exclusions. While I do not agree with Steele's conclusion that gay rights are not a civil rights concern, I concur with his assessment that placing gay concerns "in a suit of civil rights has become the standard way of selling it to the broader public."<sup>258</sup> Indeed, the public is confronted with posters and arguments conflating civil rights with "gay marriage." This movement's reliance on civil rights

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<sup>257</sup> Hoback, "Some Other Bible Verses for Thomas," p.B7.

<sup>258</sup> Shelby Steele, "Selma to San Francisco," *The Wall Street Journal*, March 20, 2004, <http://www.opinionjournal.com/extra/?id=110004846> (June 3, 2009).

argumentation places “equality” and “fairness” at the center of its rhetorical production. As a result it turns “dissenters [...into] Neanderthals standing in the schoolhouse door, fighting off equality itself.”<sup>259</sup> In short, civil rights argumentation bifurcates the world along the lines of equality, where some one is either “for” or “against” equality, there is no middle ground.

McGreevey’s decision to disclose his sexuality thus moved the debate away from corruption to a larger national discussion of gay rights. This sly rhetorical move meant that any criticism of his political reign would smack of bigotry. And sure enough when the media would attack McGreevey, politicians and liberals advocates would come to his defense. Take for example State Senator Raymond J. Lesniak who chastised the media for questioning McGreevey’s policies. Lesniak proclaimed that “it was unfair to second guess the governor’s decision.”<sup>260</sup> Indeed, to be against McGreevey was the equivalent of being against equality, family, and being true to oneself. Others used McGreevey’s resignation to “reaffirm, loudly and without reservation, that to be gay is to be normal—whether you’re a governor or a gardener, a public figure or a very private one.”<sup>261</sup>

Arianna Huffington, founder of the popular leftist publication *The Huffington Post*, noted that the same day McGreevey resigned the California Supreme Court annulled almost four thousand same-sex marriages. To this she asks, ““What if the world were a more welcoming place where gay people could have in their lives all the 'good things' and the

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<sup>259</sup> Steele, “Selma to San Francisco,” (June 3, 2009).

<sup>260</sup> David Kocienniewski, “McGreevey Stays Put, And Intrigue Escalates,” *The New York Times*, September 5, 2004, <http://query.nytimes.com/gst/fullpage.html?res=9B03EED61131F936A3575AC0A9629C8B63&sec=&spn=&pagewanted=all> (June 3, 2009).

<sup>261</sup> Arianna Huffington, “McGreevey’s Cry for Help,” *The Advocate*, October 12, 2004, <http://www.thefreelibrary.com/McGreevey's+cry+for+help-a0123077735> (June 3, 2009).

'right things' without having to pretend they're straight?"<sup>262</sup> As Huffington article demonstrates, McGreevey's resignation quickly became mobilized may gay rights activist organizations. McGreevey became hotly discussed in the gay community. Indeed, they were the first to come to his aide when he reigned. As a result, McGreevey no longer had to worry about enraging the liberal voters, he became a martyr.

Hence, McGreevey was able to link his resignation to the broader struggle for equal rights, successfully equating his scandal with equality and fairness. In essence, he was successful because he transfigured the accusations against him into a narrative of his own personal liberation. This presented a bifurcated world in which you either accepted McGreevey's coming-out, or you did not care about equality and fairness. The construction of this binary removed the complexity from McGreevey's situation. McGreevey changed his situation to one about corruption and hypocrisy to a struggle for equality and freedom. This is not to say that he did not have critics after he resigned. He had many of them. But what is true is that McGreevey was able to retain his position until his desired date and he was able to use his sexuality as a weapon to chill debate. In sum, the incongruity between the accusation and the apology is testament to the use of his identity to navigate away from corruption charges. Rhetorically this was brilliant. The fact that he failed to atone, but succeeded in the larger political-social context is a testament to his rhetorical artistry.

In sum, my study of McGreevey's experience yields two possible implications for rhetoric. First, the complexity, incongruity, and inconsistency between accusations and their response exemplify the need to study *kategoria* and *apologia* as a "set." This method involved an analysis of the *kategoria-apologia*. As a result, I believe this project

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<sup>262</sup> Huffington, "McGreevey's Cry for Help," (June 3, 2009).

demonstrates promise for the study of kategoria as a genre. If nothing else, it has provided a starting point to a discussion of how to integrate that genre back into rhetorical studies. Second, McGreevey's speech must be judged as successful. If his goal was to circumvent the exigencies associated with his scandals, he was successful because none of the charges came to fruition. I ended Chapter three with my best hypothesis as to McGreevey's motives. I argued that McGreevey's sexuality provided a convenient scapegoat that the public could not question; allowing him to ensure New Jersey remained Democratic controlled in a very important Presidential election year. More important, I have demonstrated how McGreevey's speech conflated civil rights right with apologia, allowing him to silence critics and maintain power.

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