

Client 9:
Spitzer and Hypocrisy

Author Justin Eckstein
University of Denver

justin.eckstein@du.edu



Newspapers, magazines, and other publications called him “the steamroller,” “the sheriff of Wall Street,” “the enforcer,” “Mr. Clean,” and “the Crusader.” More recently there is a new name for former Governor of New York, Eliot Spitzer: a “John.” Indeed, Spitzer became one of many politicians implicated in a sex scandal. From Bill Clinton and Clarence Thomas to Larry Craig and Mark Sanford, sex scandals have become part of our politics. One would assume the sheer repetition of sex scandals would desensitize the public to politicians’ tomfoolery; however, Spitzer’s experience and subsequent resignation, and the many like it that have followed demonstrate that sex scandals still incite a reaction. The nature of that reaction is hard to determine because the public does not uniformly make the same accusations. Unlike Spitzer, Clinton, Thomas, and Sanford all survived their sex scandals and managed to retain power. What was so special about this particular John? What was unique about the constellation of rhetorical and political forces that led to his resignation? Amongst all the other political survival stories, why was Spitzer compelled to leave office?



I believe the answer to these questions resides in the arguments levied by the press. The *Times* sums up the arguments best, “Mr Spitzer’s chief crime was hypocrisy. If anyone ever needs a clear-cut example of this failing, Mr Spitzer provides it.”¹ The *Times* represents just one voice in the chorus calling for Spitzer’s resignation. Charges came from myriad publications that named Spitzer a hypocrite. While these charges were diverse, an underlying set of assumptions about the definition of hypocrisy seemed to prevail. This paper explores this definitional question, by asking; what constitutes hypocrisy? Did definitions of hypocrisy differ significantly among those calling for Spitzer’s resignation? This exploration is important because as democratic citizens, we use these accusations to rhetorically enforce our leaders’ accountability. A study of hypocrisy, then, arms us with the necessary rhetorical ammunition to challenge unjust leaders.



Following rhetorical theorist Halford Ross Ryan’s suggestion, this paper investigates “kategoria,” or accusatory speech, that precipitates a speech of self-defense.² While much has been written on speeches of self-defense, kategoria remains under-theorized and requires attention because kategoria flips the burden of proof onto the accused. Indeed, the viciousness of rumors is a testament to the lack of evidence required to hurl an accusation. Spitzer’s experience provides a convenient “representative anecdote,” demonstrating *how* accusations shape and influence a rhetorical situation.³ A close reading of the opinion editorials around Spitzer’s scandal generates greater insight into the relationship between such accusations and hypocrisy.

I argue that hypocrisy occurs when a speaker's words are inconsistent, and often contradictory, with her/his actions. Reacting to Spitzer's affair, some authors expressed interest in his actions, while others focused on his words. As a result, Spitzer faced two different accusations of hypocrisy: *exemption*, which emphasized his "do as I say, not as I do" attitude; and *betrayal*, which attempted to hide his contradiction between his words and deeds. These two accusations of hypocrisy put Spitzer in a double bind—either he believes he is above the law, rendering him arrogant and blind (*exemption*), or he is a liar and the populace cannot trust him (*betrayal*). It is my argument that the combination of these two accusations created an impossible exigency, which only resignation satisfied. This is because these two types, or tropes, of hypocrisy precluded an effective speech of self-defense. Anything Spitzer said could be glossed as insincere.



A close reading of opinion editorials will illuminate two different tropes associated with Spitzer's hypocrisy.⁴ Naturally, there were other accusatory tropes like being called a liar, cheater, or even a terrorist; however, this essay will focus on *exemption* and *betrayal* because they were tied to Spitzer's situation. In the next section, I will historically situate Spitzer's scandal. Tracing the fallen governor's trajectory from moral crusader to abject charlatan, this section will contextualize the accusations, to gain richer insight into Spitzer's predicament. Next, I explicate the concept of kategoria and situate its importance for rhetorical theory. I then turn my attention toward the two tropes of hypocrisy. First, I will examine the cluster of arguments surrounding the accusation of *exemption*, which is valorized through its *pathetic* (or emotional) appeal to arrogance. Second, I will explain how the attribution of *betrayal* transforms Spitzer into an untrustworthy, selfish man. This combination of arguments, I argue, eliminated any possible hope of retort and created an impossible situation for a speech of self-defense. Finally, I will conclude with suggestions for the direction of future research into hypocrisy and kategoria.



Spitzer: Historical Context

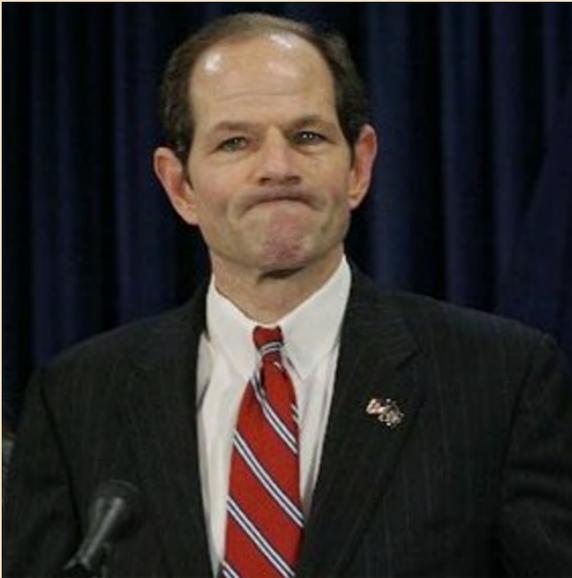
Spitzer earned his reputation for being a moral crusader during his time at the Manhattan district attorney's office and as New York's Attorney General. He operated under the mantra that you "don't change the world by whispering."⁵ He certainly did not whisper, before ascending to the rank of Governor, Spitzer went after insider trading, "organized crime, gun manufacturers, air polluters, [and] Korean grocers who don't pay minimum wage."⁶ To his enemies, Spitzer was a brash, uncouth, and relentless bully. However, for the public, he was seen as a people's champion. For example, in 1992, while working in the labor-racketeering unit at the Manhattan district attorney's office, Spitzer engineered a brilliant strategy to tackle the Gambino crime family's strong hold on trucking in New York City's garment district.⁷ Instead of using a wire to bust the notorious crime family, he opened up his own faux sweatshop in the middle of the garment district. Through his false store

front, Spitzer was able to compile enough evidence to launch an anti-trust case that eventually broke up the infamous Gambino crime family's stronghold.⁸

During his tenure as New York's Attorney General, Spitzer used his power to check major corporations. One time, he used an obscure section of the federal Clean Air Act to sue corporations in the Midwest, asserting that the wind brought acid rain to New York. Another instance occurred when Spitzer used a nuisance law to pursue illegal gun sales, claiming they "created a 'harmful condition' that required a change in business practices."⁹ In perhaps his most notable accomplishment, Spitzer targeted Wall Street, arguing that "this is the largest consumer scam ever, perhaps."¹⁰ During his Wall Street investigation, Spitzer uncovered that Merrill Lynch's financial analysts were "doctoring their reports" to "win business for their investment arms" and to strong-arm companies "that didn't play ball."¹¹

What began as an inquiry into business practices turned into an investigation on corruption in Wall Street. Spitzer quickly gained notoriety, because he was "the only man who appeared to be serious about cleaning up the rot."¹² He collected \$1.4 billion in fines and penalties, plus he implemented some tougher, new rules "that are supposed to keep it from happening again."¹³

"To many Americans," a *Times Magazine* story gushed, "Spitzer in 2002 personified integrity and trust."¹⁴ He appeared to have the voter's best interest at heart, ensuring no one was above the law. Perhaps it was this image that won him the gubernatorial race. On May 30th, 2006, Spitzer received the blessing of New York's Democratic Party to run for Governor. Capturing over 70 % of the vote, Spitzer became New York's 54th Governor.¹⁵



bobcnucjcow



Spitzer's stay atop New York politics was short lived. On March 10, 2008 the *New York Times* broke the story that Governor Eliot Spitzer was patronizing the Emperor's Club V.I.P., an agency known for their high priced prostitutes.¹⁶ New Yorkers were furious. The people's champion, the man who fought for the commoner, was not following the laws he enforced. He went from the sheriff of Wall Street to a whore monger. The press referred to this as "proof" he possessed "deeply flawed character," calling his actions, "high hypocrisy."¹⁷ However, the meaning of this hypocrisy differed by editorial. Some took contention with what they perceived as smug arrogance, arguing Spitzer's actions evidenced his blatant disregard for the law. This figures hypocrisy as an *exemption*. Others viewed Spitzer's transgression as a *betrayal*, asserting that Spitzer's commitments were an attempt to deceive the public. Indeed, Spitzer's ascent to power provided his critics numerous examples to contrast with his transgression.

The next section will situate the two tropes of hypocrisy within the larger genre of *kategoria* to register how this particular complex of accusations required Spitzer's resignation.

Kategoria and Hypocrisy

Kategoria is an ancient Greek term denoting a genre of oratory that seeks “to expose an exigence in the accusee’s” character.¹⁸ Or put differently, *kategoria* is an accusation against an individual’s ethical faculties.¹⁹ Discussions of this genre can be traced as far back as Plato.²⁰ Strangely absent from contemporary rhetorical theory, accusations merit special attention for at least two reasons: they help contextualize speeches of self-defense, and they are, in themselves, powerful rhetorical forms. First, elucidating *kategorias* imparts a richer understanding of a rhetorical situation because it illuminates some speaker’s strategy to mitigate exigency. Accusations, both ancient and modern, are found in opposition to their counter-part: *apologia*, or speeches of self-defense. Hence, when situating an *apologia*, it’s logical to start with the speech that necessitates the apology—the *kategoria*. “By identifying and assessing the issues in the accusation,” Ryan writes, “the critic will gain insights into the accuser’s motivation to accuse, his[sic] selection of issues, and the nature of the supporting materials for his[sic] accusation.”²¹ For instance, evaluating accusations explains why some speakers elect to deny an accusation, while others accept blame. Thus, explicating the accusations Spitzer faced provides a concrete background to evaluate his decision to resign.

Second, unlike other speeches, accusations have a lower evidentiary threshold, meaning the audience assigns them a higher probability without the burden of proof. A simple accusation of being a liar, for example, is enough to problematize a person’s character. After all, how can one believe anything an individual says if she/he may be a liar? Rhetorical theorist Kathleen Hall Jamison’s research on the Bush administration’s justification for invading Iraq yields a similar observation. She found that George W. Bush’s press secretary Ari Fleischer’s use of terms like “had” to describe Saddam Hussein’s possible procurement of nuclear arms flipped the burden onto Hussein. The United States no longer needed to substantiate its assertion; rather it was Hussein’s burden to prove he did not have weapons.²² Philosopher and social critic Brian Massumi theorizes that the power of the accusation may stem from its conjunctive nature. He argues that the fact something *could* have happened is sufficient to render it present.²³ That is, the mere existence of a threat, in the case of Iraq, is sufficient to precipitate the fear associated with Iraq having weapons of mass destruction.





Further augmenting the accusation's power is the sheer speed of information circulating through digital networks. "Information is offered and quickly followed by other information and images," media theorist Jayson Harsin argues, "leaving a sense of depthlessness in time and argument."²⁴ This encourages, Harsin suggests, "a relationship of viewer to text (slogan, soundbite, fragment) which is essentially fiduciary, based on trust, not critical understanding."²⁵ Put differently, the public is saturated with data and an audience is forced to render a decision before it has enough time to deliberate and weigh evidence. By the time we are able to comprehend the accusation, we have already acted. This is a reason, Harsin argues, for the 2002 invasion of Iraq. An accusation's potential truth, disseminated rapidly, primes audiences to react in the absence of sufficient proof. Much like Hussein, Spitzer, encountered an impossible task of proving his innocence to an audience who already believed he was a liar and guilty.

The next section will engage in an inductive analysis to ascertain the accusations surrounding Spitzer. Following rhetorical theorist Kenneth Burke's conception of the "representative anecdote," or an instance that can stand in for other instances, Spitzer's experience provides a discrete iteration of hypocrisy that enables the development of a language to evaluate *kategoria*.²⁶ To this end, we must turn to opinion editorials written on Spitzer's tryst because their wide appeal and circulation makes them a platform for public accountability, accusation, and *apologia*.²⁷ Instead of looking at a singular text, we must examine a number of texts to discern the accusations. In this particular case, the accusations all implicated hypocrisy. Thus, the next section will explicate and evidence the two different tropes of hypocrisy in the opinion editorials: *exemption* and *betrayal*.

Exemption

Exemption presupposes that every public utterance represents a commitment. So, a promise to fight corruption implies that the speaker will also refrain from corrupt practices. Hypocritical *exemption*, then, describes a leader's propensity to make exceptions to the rules she/he enforces. Simply defined, hypocrisy rooted in *exemption* involves an individual preaching a certain set of norms that she/he elects not to follow. This kind of hypocrisy is captured in the familiar image of a smoking parent telling her/his child not to smoke. *Exemption* functions through a juxtaposition of a speaker's words and her/his actions, which invites the audience to evaluate the incongruity. The force of the accusation is dependent on the foil, or particular utterance, the accuser chooses to emphasize. Some opted for a more vague accusation, gesturing, only abstractly to the past. For example, an editorial writing after the story of Spitzer's scandal broke, but before his resignation, noted:



Eliot Spitzer built his impressive political career on a reputation as a crusader against corruption, particularly on Wall Street. But when he was caught with his pants down this week, he denied the very logic that brought him to power as New York governor. He asked that his dalliance with a prostitution ring be treated as “a private matter.” In other words, he sought an exemption from the standards to which he has held everyone else.²⁸

Starting with his tenure as Attorney General of New York, *The Globe and Mail* detailed Spitzer’s early successes against corruption, characterizing his actions as part of a “crusade,” implying an ideological zeal for tackling heathens. These actions were then contrasted with Spitzer’s sex scandal and his requests for privacy. Spitzer’s attempt to dodge the public, *The Globe and Mail* suggests, embodied what I refer to as the exemptive nature of his transgression. Instead of appealing to a specific action, *The Globe and Mail* simply said that Spitzer “was caught with his pants down this week” and such an action denied the logic that brought him to power.²⁹ This general observation created an enthymeme that asked the audience to define Spitzer’s affair with a prostitute as corruption. In other words, by situating Spitzer’s scandal in opposition to his anti-corruption campaign, the newspaper article implied that his actions were corrupt. However, this line of argumentation did not really spread. Perhaps it was too general to resonate.

Other editorials started with Spitzer’s history of breaking up prostitution rings. *The Daily News* observed that Spitzer’s actions were the “very kind of operation he busted as attorney general. And his actions as a John were the very kind of conduct he subjected to toughened punishments as governor.”³⁰ Peter Worthington of *The Toronto Sun* framed the situation as “a former prosecutor specializing in busting up prostitution rings.”³¹ Alan Shanoff, also from *The Toronto Sun*, noted that Spitzer’s actions with The Emperors Club, reeked of hypocrisy because “he had previously prosecuted two prostitution rings while head of New York’s organized crime task force.”³²

Utilizing Spitzer’s specific actions as their foil, these authors constructed an argument that Spitzer’s behavior fell outside of the very laws he enforced. At best, these arguments undermined Spitzer’s credibility, but did not really posit a specific reason he should leave office. However, the *pathos*, or the emotional component, of the accusation painted a picture of man who was no longer fit to lead. By transgressing his own rules, Spitzer represented a smug politician who believed that the rules did not apply to him. Hence, the *empathetic* accusation, or its combination of pathos and enthymeme, crippled Spitzer’s credibility before evidence of his guilt was evaluated.³³



www.EmperorsClubVip.com

Certainly, a number of authors highlight the relationship between Spitzer’s hypocrisy and arrogance. Implicitly and explicitly, these various

editorials attributed Spitzer's actions to arrogance and/or hubris. An accusation of arrogance imports a dense nexus of inferences. Arrogance implies blindness, or short-sightedness, in which the leader cannot look beyond her/his own beliefs. It also insinuates that even if the leader's decision was the incorrect one, she/he will be too stubborn to fix the situation. In short, arrogance implies an over-investment *of the self in the self* and thus raises the question: how can we trust politicians who think they are above the public's wishes, instead of subject to them? Donald Nawi, in a letter to the editor explained, "there was never a question that sooner or later Eliot Spitzer's hypocritical arrogance would lead him to self-destruct."³⁴ Worthington agreed, observing that Spitzer was "so arrogant, so sure of himself, and has[sic] been getting away with double-standard behavior for so long, that getting 'caught' was barely on his radar screen."³⁵ *USA Today* called Spitzer a "reckless, hubristic politician."³⁶ Steven Flanders added that Spitzer's tryst displayed his horrid arrogance, stunning blindness, and professional incompetence.³⁷ At their core, accusations of arrogance inferred an inability to lead thereby questioning Spitzer's motives and decision-making calculus. Casting Spitzer as arrogant, then, provided the emotional justification for his removal from office. Any argument Spitzer could provide as to why he should stay in power would then simply be characterized as an attempt to transcend the very standards he previously enforced.

In his resignation address, Spitzer acknowledged this form of hypocrisy when he said, over "the course of my public life, I have

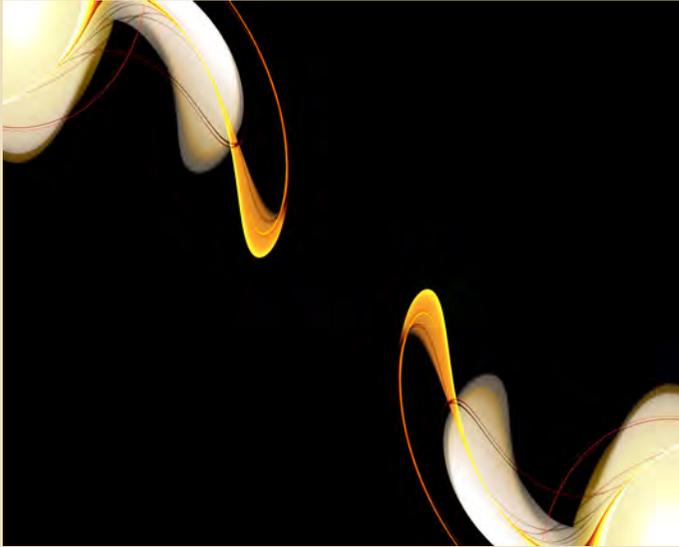
insisted, I believe correctly, that people, regardless of their position or power, take responsibility for their conduct. I can and will ask no less of myself."³⁸ Acknowledging that he must be accountable to his own actions, Spitzer is responding to his critic's claims of *exemption*. Borrowing the same rhetorical structure, Spitzer is able to lodge what appears to be an effective apology.³⁹ His rhetorical maneuvers only make sense when read in conjunction with the emotional accusation that allowed Spitzer to recast himself as atoning as opposed to arrogant.⁴⁰ In response to these arguments, however, his critics reassert hypocrisy as *betrayal*. As I will discuss in the next section, Spitzer's weakness implied a dangerous bifurcation between the Politician and the John, implying his previous victories should be discounted because his relationship with the call girl demonstrated the *real* man hiding underneath the politician.



Betrayal

If *exemption* occurs when a transgressor publicly flaunts privilege and power, *betrayal* represents the politician as covert and deceitful. *Betrayal* as a type of hypocrisy occurs when a speaker makes an ethical proclamation in public, only to violate it in private. Professor of philosophy A.C. Grayling, in his editorial about Spitzer's scandal, clarifies this hue of hypocrisy. He writes that what made Spitzer's actions a hypocritical *betrayal* was "the twofold fact that virtue is claimed, but dishonestly and consciously so."⁴¹ This trope of hypocrisy suggests that Spitzer's public commitments were, at best, insincere, and at worst hid his true intentions. Those public commitments became a foil to warrant the incongruity between Spitzer the Politician and Spitzer the John.

Reacting to Spitzer's tryst with a high cost prostitute, Dennis Cato called Spitzer a "moral schizophrenic."⁴² A different opinion editorial entitled "Hit the Road, John" posited that, hidden "behind the brains and brashness that delivered Spitzer into office on a landslide were demons that led him into tawdriness and the nether world of criminality."⁴³ Similarly, *The Daily News* argued, "to his family, to the public, in word and image, he was one man; in conduct, he was quite another."⁴⁴ Another article in that same paper noted that as "a prosecutor, Spitzer came down on prostitution rings, proclaiming them a scourge. As a John, he skulked about to patronize an operation that has been charged with violating federal anti-prostitution and money-laundering statutes."⁴⁵ These editorials combine to create two different Spitzers. There was Spitzer the Politician who promised reforms, argued for ethical practices, and chased after corruption. But, there was also the more deviant Spitzer, the John, the perverse and twisted man lurking behind the people's champion.



Thomas Boulvin

Unlike *exemption*, which represents Spitzer as unified, the *betrayal* hypocrite trope posits a bifurcation between Spitzer the Politician and Spitzer the John. After splitting Spitzer in two, it questions which was the authentic Spitzer: the one who committed the transgression or the one who spoke out against it? The editorials asserted that Spitzer's true self resided in his private actions, but his squeaky clean image was mere prestidigitation, an illusion to lure the public trust. *The Globe and Mail* explained: "when Mr. Spitzer was New York's Attorney-General, he prosecuted at least two prostitution rings, prosecutions that grew out of the state's organized-crime task force. In neither case did he let pass the opportunity to add to his luster as 'Mr. Clean.'"⁴⁶ Even Spitzer's previous actions became justifications for his removal. His heroic efforts to bust up prostitution rings, for example, became further evidence of his *betrayal*. These otherwise honorable actions served an evaluative function, to reveal the authentic Spitzer. By arguing his reforms were the cultivation of a faux persona these articles claimed Spitzer the John was the authentic Spitzer.

The disjunction between Spitzer's service record and his skulking foregrounded the public's shock and hurt. *The New York Times* explained that Spitzer "violated their trust."⁴⁷ *The Daily News* added that he was a "man of deeply flawed character," who was "unsuited for public office," had a "tendency to deceive" and was "prone to dishonesty."⁴⁸ The most visceral responses came in the letters to the editor. Phoebe Gilman reflected that Spitzer "has broken [her] heart."⁴⁹ David Turner echoed Phoebe's sentiment when he wrote, "Governor Spitzer, I believed in you. I voted for you because I thought you were different. This one hurts."⁵⁰ In short, the public felt duped. They could no longer trust their governor.





The public's emotive response identified the authentic Spitzer by his willingness to lie, deceive, and cheat. This devastated his ability to govern. The public was unsure whose interest Spitzer was representing, New Yorkers' or his own. "Spitzer's patronage of a high-priced prostitution service," *The Daily News* wrote, "drained what was left of his moral authority, and his blithe willingness to order up a hooker by telephone revealed an abysmal and disqualifying lack of judgment."⁵¹ *The New York Times* similarly noted that, "It is almost impossible for us to imagine how he can survive this scandal and provide the credible leadership that his state needs."⁵² Spitzer's actions, then, represented a radical disregard for the public's wellbeing—a favoring of the self over the public. This, at the very least, meant he was no longer able to fulfill his duties as governor. Compounding the situation, however, was the sheer political ammunition the scandal provided to Spitzer's critics. His political enemies could problematize Spitzer's legislative goals, raising questions about the governor's intentions. Or worse, they could halt all legislative progress with an impeachment trial. Either way, Spitzer would become a lame duck. Yet, attempts to defend him fell on deaf ears because this trope of hypocrisy foreclosed effective apologia strategies.

An accusation of *betrayal*, and its corresponding bifurcation, precluded an effective speech of self-defense for two reasons. First, the editorials' strategic choice to characterize Spitzer's previous legislative victories as calculated attempts to cultivate a trustworthy persona questioned his intentions and insinuated that the Sheriff of Wall Street's motivations were to hide his own misdeeds. This foreclosed the apologia strategy known as "bolstering."⁵³ This strategy allows the speaker to transcend accusations by appealing to her/his record of good deeds. However, by situating Spitzer's record within a narrative of deceit, his accusers were able to transform his service record from a political asset into a potential liability. Second, and more problematically, questioning Spitzer's sincerity functioned as an inoculation strategy that predisposed the audience to distrust Spitzer's message even before he spoke. It did not matter what evidence Spitzer could produce, the sheer emotional force of the accusation doomed him to failure. Certainly it would be difficult for the audience to discern which Spitzer was speaking and there would always be underlying questions about his sincerity. Thus, Spitzer only had one option, to resign. Any other strategy would simply feed this narrative of *betrayal*.

Conclusion

On March 12, 2008 at 8:30 in the morning, Spitzer's resignation was leaked.⁵⁴ At 11:13 am, three black SUVs took Spitzer from his apartment at Seventy-Ninth St. and Fifth Ave. to his office at Fortieth and Third. Thirty minutes later, Eliot Lawrence Spitzer became "the first New York governor to be forced out of office in nearly a century."⁵⁵ In his two minute twenty second speech, Spitzer expressed his regret and agreed to turn over power on March 17 to his Lieutenant Governor David Paterson.⁵⁶ Spitzer's speech seemed like an extension of campaign promises, stepping down to make sure his "private failings [did not] disrupt the people's work."⁵⁷ But, what insight can rhetorical critics glean from Spitzer's experience? Through an examination of opinion editorials preceding his resignation, I evidenced how an accusation of hypocrisy demanded resignation. By foreclosing common self-defense strategies and undermining public trust, Spitzer would be unable to maintain power. While Spitzer has provided an excellent test case to explore accusations of hypocrisy, his experience raises a number of other questions, such as, why was Spitzer so vulnerable? What does his experience teach us about



kategoria? About hypocrisy? I will conclude with potential answers to these questions and suggest avenues for future research.

Ultimately, Spitzer was susceptible to charges of hypocrisy because his campaign promises and professional record provided his critics a perfect foil to contrast his adulterous affair. Yet, while these accusations can be dissected and explained, it is difficult to determine what makes some kategorias potent and other flaccid. After all, many other politicians were unscathed by similar situations. I believe this is because an accusation's force is entirely contextual. It's not just that Spitzer's critics crafted a good argument, but they also struck at the right time. The ancient Greeks had a term for this kind of

appropriateness; they called it "kairos." What contextual considerations exposed Spitzer to charges of hypocrisy? Perhaps March 10, 2008 was a particularly slow news day, giving Spitzer's scandal increased coverage. Maybe one of the Sheriff of Wall Street's many enemies had the influence to ensure news of his adulterous affair proliferated. Or perchance, New Yorkers were anxiously awaiting a reason to distrust Mr. Clean. Attempting to discern the conditions that enabled Spitzer's scandal to resonate is beyond the confines of this paper. However, further studies should attend to the relationship between kategoria and karios to uncover why some accusations stick and others are left in a politician's wake.



The political fallout from Spitzer's scandal demonstrates the power of kategoria to influence politics. For the state of New York, it precipitated a change in leadership. Yet, despite the accusation's power, it has received scant scholarly attention. As Spitzer now knows, accusations are extremely potent and thus require a higher wattage spotlight. Indeed, accusations encompass a wide range of rhetorical strategies that implicate everything from interpersonal interactions to international affairs.

Accusations may be banal and pointless, like the charge that an individual forgot to fold the laundry, but they also have far reaching effects, including changing a government, starting a war, or ruining a life. Further research should investigate the nature and composition of kategoria. These inquiries should also parse out an ethical use for this genre. Is a hunch a sufficient reason to hurl an accusation? What about with Spitzer? How much evidence did *The New York Times* require before they could ethically accuse him of impropriety? Was hearing a rumor sufficient to print a story? How sure must a speaker be that they are correct before she/he is able to ethically make her/his argument? How does the content of the accusation change the burden of proof? Should we establish a different ethical guideline for accusations of terrorism? What about adultery? As the genre of kategoria is developed, we must grapple with these and other concerns.

hypocrite
 (hip'əkrit)
 Function: *noun*

Meaning:

1. a person who puts on a false appearance of virtue or religion
2. a person who acts in contradiction to his or her stated beliefs or feelings

Spitzer's experience outlined how accusers utilized a juxtaposition of actions and words to generate charges of hypocrisy. While the specifics of these accusations were tied to Spitzer's situation, the trope of hypocrisy goes beyond the man himself. Parents, teachers, police, bosses, and politicians are all subject to these accusations because they have the authority to create and/or enforce regulations. However, depending on a mixture of circumstances, the accusation looks different. Certainly, calling a teacher a hypocrite would implicate a different range of behaviors than a politician because the public has different expectations for different authority figures. So, the accusations Spitzer faced would differ if he were a police officer or a celebrity. Or, put in another context, Spitzer smoking a cigarette while preaching the harms of nicotine would not generate the same kind of public outrage his tryst did. Hence, any inquiry into hypocrisy needs to account for the relationship between the accused and accuser (i.e., student/

teacher, boss/employee, parent/child, etc), the conduct in question (i.e., smoking, fornicating, lying, cheating, etc), and the relationship between the conduct and the position of authority (i.e., a parent smoking versus a politician smoking). Failure to account for one of these considerations risks glossing over all three. For Spitzer, it was neither his authority as governor nor his tryst that made him a hypocrite, but it was the combination of his role as governor and the affair that animated accusations of hypocrisy.

Analyzing the accusations Spitzer faced provided a more complex understanding of his rhetorical situation. He had to mediate two different accusations of hypocrisy: *exemption* and *betrayal*. While each different trope of hypocrisy represents a different mixture of the words/actions dyad, the common thread that unites these two accusations is an argument that the speaker's deeds and words do not align. Such a charge inoculated the audience against some common apologia strategies. Spitzer could not appeal to his public record, because his past was now tainted with accusations of public manipulation. The twin accusations of hypocrisy left Spitzer with two possible options: either he could try to deny the accusations and weather the storm; or, he could resign. Obviously, he chose the latter.

END NOTES

¹ A.C. Garyling, “Who are you Calling a Hypocrite?” *The Times (London)*, March 15, 2008, p.23.

² Halford Ross Ryan, “*Kategoria and Apologia: On Their Rhetorical Criticism as a Speech Set*,” *The Quarterly Journal of Speech* 68 (1982), 254

³ The idea of the representative anecdote was coined by Kenneth Burke to describe the use of a story or example to develop a language to understand a larger social phenomenon. So, the language used to describe Spitzer’s experience is applicable to similar situations. For more information on this concept see Kenneth Burke, *A Grammar of Motives* (Berkeley, University of California Press; 1962), 59

⁴ All of the texts are from a Lexus-Nexus search of editorials from March 1, 2008 to the present. The limiting search modifiers were “Spitzer” and “Hypocrisy.” I have elected not to search for a direct textual relationship between these terms, as there are no such modifiers as “within paragraph” (w/p), “within sentence” (w/s), or within a certain number of words (w/5). Rather, I focused on opinion editorials containing both Spitzer’s name and the word hypocrisy. The search yielded thirty different editorials that form the sample I used to interpret Spitzer’s rhetorical event. Additionally, the lack of a “time-limit” or cap on the data would yield results that have nothing to do with the Spitzer scandal. Rather, editorials appeared grouping Spitzer with other notable sex scandals to make an argument concerning other politician’s sex scandals.

⁵ Danny Hakim, “The Road to Albany: Gilded Path to Political Stardom, with Detours,” *The New York Times*, October 12, 2006. <http://www.nytimes.com/2006/10/12/nyregion/12spitzer.html?pagewanted=all> (June 12, 2009).

⁶ Adi Ignatius, “Wall Street’s Top Cop,” *Time Magazine*, December 30, 2002. <http://www.time.com/time/magazine/article/0,9171,1003960,00.html> (June, 12, 2008).

⁷ Ignatius, “Wall Street’s Top Cop”

⁸ Ignatius, “Wall Street’s Top Cop”

⁹ Ignatius, “Wall Street’s Top Cop”

¹⁰ “The Sheriff of Wall Street,” *CBS News*, June 12, 2008. <http://www.cbsnews.com/stories/2003/05/23/60minutes/main555310.shtml> (June 12, 2008).

¹¹ Ignatius, “Wall Street’s Top Cop”

¹² Ignatius, “Wall Street’s Top Cop”

¹³ “The Sheriff of Wall Street,” *CBS News*

¹⁴ Ignatius, “Wall Street’s Top Cop”

¹⁵ David Saltonstall and Corky Siemaszko, “From Sex to Ex Gov. No Tears, Wife By His Side at Midtown Office. Resignation Will Be Effective on Monday. Feds Made Him No Deals on Prosecution,” *The Daily News*, March 13, 4

¹⁶ Danny Hakim and William K. Rashbaum, “New York Governor Tied to Prostitution Inquiry; No Comment From Spitzer on Political Future,” *The New York Times*, March 10, 2008, 1.

¹⁷ “Spitzer’s Tragic Flaws” *The Daily News*, March 13, 2008, 32.

¹⁸ Ryan, “*Kategoria and Apologia: On Their Rhetorical Criticism as a Speech Set*,” 258.

¹⁹ Ryan argues that accusations also concern policy action. Instead of focusing on an individual's character, it focuses more on an action. While this is an interesting component of *kategoria*, for the purposes of this paper, I elected to only focus on accusations against an individual.

²⁰ Discussions of accusatory speech can be traced as far back as Plato. 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." For more information see: Plato, *Phaedrus*, trans by Alexander Nehama and Paul Woodruff (Indianapolis: Hackett Publishing, 1995), 267a. For a further discussion of the relationship between Plato and accusation see George Kennedy, *The Art of Persuasion in Greece*. Princeton: Princeton University Press, 1963.

²¹ Ryan, "Kategoria and Apologia: On Their Rhetorical Criticism as a Speech Set," 254

²² For more information on Jamison's investigation see Kathleen Hall Jamieson, "Justifying the War in Iraq: What the Bush Administrations' Uses of Evidence Reveal," *Rhetoric & Public Affairs* 10 (2007): 254-256

²³ For a longer discussion of the conjunctive and the nature of threat see Brain Massumi, "The Future Birth of the Affective Fact," in *The Affect Theory Reader*, eds. Melissa Gregg and Gregory J. Seigworth (Durham: Duke University Press, 2010), 52-70

²⁴ Jayson Harsin, "The Rumour Bomb: Theorising the Convergence of New and Old Trends in Mediated US Politics," *Southern Review* 39 (2006), 101.

²⁵ Harsin, "The Rumour Bomb: Theorising the Convergence of New and Old Trends in Mediated US Politics," 101.

²⁶ Kenneth Burke, *A Grammar of Motives* (Berkeley, University of California Press; 1962), 59

²⁷ For more information see Darrin Hicks and Justin Eckstein, "Reasonableness and Strategic Maneuvering in Cold-War Editorial Argumentation," In F.H. Van Eemeren, J.A. Blair, & C.A. Willard, C.A. (Eds.), *Proceedings of the Seventh International Conference of the International Society for the Study of Argumentation* (2010) 775-787.

²⁸ "Breaking the Public Trust," *The Globe and Mail (Canada)*, March 12, 2008, A16.

²⁹ "Breaking the Public Trust," A16

³⁰ "Spitzer's Tragic Flaws," 32.

³¹ Peter Worthington, "Spitzer Circus has a Great News Hook," *The Toronto Sun*, March 12, 2008, 21

³² Alan Shanoff, "By Hook or by Croos, Why Not Try to Protect Prostitutes?," *The Toronto Sun*, October 18, 2009, 43.

³³ For more information see Greg Goodale, *Sonic Persuasion* (Urbana-Champaign, IL: University of Illinois Press; 2011), 126-127.

³⁴ Donald Nawy, "Lessons From the Fall of Spitzer," *The New York Times*, March 13, 2008, A24.

³⁵ Peter Worthington, "Spitzer Circus has a Great News Hook," *The Toronto Sun*, March 12, 2008, 21

³⁶ "Spitzer Case Tests Limits of Low Behavior in High Office," *USA Today*, March 12, 2008, A.11.

³⁷ Steven Falnders, "The Spitzer Scandal, and the Fall out," *The New York Times*, March 14, 2008, www.Lexus-Nexus.com (February 19, 2010).

³⁸ Elliot Spitzer, "Resignation Speech," *The Daily News*, March 13, 2008, 5.

³⁹ Joy Koesten and Robert C. Rowland, "The Rhetoric of Atonement," *Communication Studies* 55 (2004): 68-87.

⁴⁰ Spitzer, "Resignation Speech," 5.

⁴¹ Garyling, "Who are you Calling a Hypocrite?" 23.

⁴² Dennis Cato, "One's True Self is Not Out There," *The Gazette (Montreal)*, March 16, 2008, A14.

⁴³ "Hit the Road, John...," *The Daily News (New York)*, March 11, 2008, 30.

⁴⁴ "Spitzer's Tragic Flaws," 32.

⁴⁵ “Hit the Road, John...,” 30.

⁴⁶ “Breaking the Public Trust,” A16.

⁴⁷ “Waiting for Mr. Spitzer,” A26.

⁴⁸ “Spitzer’s Tragic Flaws,” 32.

⁴⁹ Phoebe Gilman, “Eliot Spitzer’s Dizzying Descent,” *The New York Times*, March 12, 2008, A26.

⁵⁰ David Turner, “Eliot Spitzer’s Dizzying Descent,” *The New York Times*, March 12, 2008, A26.

⁵¹ “Hit the Road, John...,” 30.

⁵² “Waiting for Mr. Spitzer,” *The New York Times*, March 12, 2008, A26.

⁵³ For more information on bolstering specifically and apologia strategies generally consult 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): 273-283.

⁵⁴ Saltonstall and Siemaszko, “From Sex to Ex Gov. No Tears, Wife By His Side at Midtown Office. Resignation Will Be Effective on Monday. Feds Made Him No Deals on Prosecution,” 4

⁵⁵ Saltonstall and Siemaszko, “From Sex to Ex Gov. No Tears, Wife By His Side at Midtown Office. Resignation Will Be Effective on Monday. Feds Made Him No Deals on Prosecution,” 4

⁵⁶ Saltonstall and Siemaszko, “From Sex to Ex Gov. No Tears, Wife By His Side at Midtown Office. Resignation Will Be Effective on Monday. Feds Made Him No Deals on Prosecution,” 4

⁵⁷ Spitzer, “Resignation Speech,” 5.