Barr’s Misleading Rhetoric—He Doth Protest Too Much

By Richard Cherwitz

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Perhaps I am a skeptic but, as a rhetorician who for over 40 years studied political language, I find Attorney General William Barr’s behavior in the past week curious and not what it seems.

First, his February 13 statements that President Trump’s tweets “make it impossible for me to do my job” and “I won’t be influenced or bullied” mean little. They are weaker and more misleading than what at first blush might be inferred.
Those media grabbing declarations had no teeth. For people who justifiably have become suspicious since Trump assumed office, Barr’s claims are an example of what communication scholars label “mere rhetoric”—a theatrical or public relations ploy to take heat off the Administration rather than to deter Trump. Put simply: Barr doth protest too much.

Second, it should be noted that the White House response to Barr was surprisingly mild and telling. Stephanie Grisham, the White House Press Secretary, said in an official statement: “The President wasn’t bothered by the comments at all and he has the right, just like any American citizen, to publicly offer his opinions. The President has full faith and confidence in Attorney General Barr to do his job and uphold the law.”

How categorically different this discourse is than the usual harsh and vitriolic attacks on those who stand up to and disagree with the President. We must wonder why.

Third, on Wednesday (February 19) a Washington Post story, quoting sources close to the Department of Justice (DOJ), suggested that Barr is thinking about resigning. DOJ, not surprisingly, denied this report. I don’t buy Barr’s Hamlet-like “to resign or not resign” and it provides evidence that the Attorney General is engaging in mere rhetoric. Barr simply wishes to preserve his credibility and reputation in the wake of his efforts to undermine the rule of law.

The bottom line: If Barr really wanted Trump to stop undermining our judicial system (which, by the way, Barr also has done), then he should have explicitly stated he plans to resign unless the President ceases his irresponsible, reckless and damaging rhetorical assault against the country’s legal institutions and personnel. That he didn’t is rhetorically significant.
On the other hand, if Barr is in cahoots with the President, his statements simultaneously sent a clear message to Trump to be quiet so he could carry out the President’s agenda and created another rhetorical diversion—something that at least for the moment would take the media’s eyes off what the Justice Department is doing to undermine our system of justice.

That Barr is covering for and working on Trump’s behalf seems more plausible every day. The President’s recent flurry of pardons and clemencies of white collar criminals, many of whom were convicted of corruption and all of whose cases probably ran through the Department of Justice, provides additional evidence supporting my suspicion. It also signals the possibility of additional forthcoming pardons—perhaps including Roger Stone, Michael Flynn, Paul Manafort and other members of the Trump team.

This a critical moment in American judicial history that must concern all of us, regardless of our political party or ideology. We should pay close attention to the fact that hundreds of prosecutors across the nation—of all political stripes—are protesting what Barr is doing.

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