

Statement for the Record

Submitted to: Select Committee to Investigate the January 6th Attack on the United States Capitol, U. S. House of Representatives, March 31, 2022.

Chairperson: The Honorable Bennie Thompson.
Vice-Chairperson: The Honorable Liz Cheney.
Members: The Honorable Zoe Lofgren, The Honorable Elaine Luria, The Honorable Adam Schiff, The Honorable Pete Aguilar, The Honorable Stephanie Murphy, The Honorable Jamie Raskin, and The Honorable Adam Kinzinger.

Submitted by: Dr. Jennifer Mercieca, Professor, Department of Communication, Texas A&M University.

Brief Biography:

Dr. Jennifer Mercieca is an award-winning Professor in the Department of Communication at Texas A&M University. She is an expert in American political discourse, especially as it relates to citizenship, democracy, propaganda, and the presidency. Jennifer has published three books: Founding Fictions, The Rhetoric of Heroic Expectations: Establishing the Obama Presidency, and Demagogue for President: The Rhetorical Genius of Donald Trump.

Her academic scholarship has been published in *The Quarterly Journal of Speech*, *Presidential Studies Quarterly*, *Rhetoric & Public Affairs*, *Argumentation & Advocacy*, and *Rhetoric Society Quarterly*. She is a member of the Editorial Boards for *The Quarterly Journal of Speech*, *Rhetoric Society Quarterly*, *Southern Communication Journal*, *Rhetoric & Public Affairs*, and the *Texas A&M University Press*. She is a Contributing Editor for Zócalo, the Public Square. She has written public scholarship and been interviewed about rhetoric and politics for media outlets throughout the United States and Worldwide.

In 2020 she authored *Demagogue for President: The Rhetorical Genius of Donald Trump*. It was reviewed in the *Washington Post*, which said, "it deserves a place alongside George Orwell's 'Politics and the English Language' and Harry G. Frankfurt's 'On Bulls---.' It's a brilliant dissertation on Trump's patented brand of balderdash. That makes it one of the most important political books of this perilous summer." Reviews in *Politico* and *Salon* called the book a "must read" and "highly recommended." The Association of American Publishers awarded *Demagogue for President* a 2021 PROSE Award for Excellence in Social Sciences: Government & Politics. The book is also a Foreword Indies Winner, earning a Bronze medal in the category of Political & Social Sciences. She is a 2016 recipient of the Texas A&M Association of Former Students Distinguished Achievement Award in Teaching, the highest student award given to faculty for teaching at Texas A&M University.

Former President Donald Trump uses anti-democratic language, which threatens American democracy.

Former President Donald John Trump communicates like a dangerous demagogue does.¹ A dangerous demagogue is a political leader who uses anti-democratic language and refuses to be held accountable for their words and/or actions. Political accountability is necessary because rhetoric and political power are so easily abused. Unaccountable leaders are dangerous in any position of power, but especially in government.

Communication can be used to facilitate and strengthen democracy, or it can be used as a weapon to destroy it. There are legal standards defining protected political speech, but communication that meets the minimum legal standard may not necessarily help to build and maintain democracy. Communication that helps to build trust, diminish conflict, and solve political problems strengthens democracy; communication that damages trust, increases conflict, and prevents problem solving destroys it. Democracy-building language uses persuasion as a method of decision-making and cooperation. Democracy-destroying language uses persuasion as force (as propaganda) and as a technique of control.

Democracy ought to be the weighing mechanism by which we judge the quality, appropriateness, and value of political communication because in America – where we consider our government a democracy – whether or not a political candidate or leader’s rhetoric promotes and protects democracy is the most fundamental quality in assessing their fitness for office. By this standard President Trump is unfit for political office.

Below I draw from research I’ve conducted on President Trump’s communication strategies to explain how he uses anti-democratic language in ways that make it difficult to hold him accountable for his dangerous speech. Trump is an aggressive, relentless, irresponsible, and defiant political communicator who uses coercion rather than persuasion and wields language as a weapon. Trump uses threats, attacks, conspiracy theory, evasion, and lies to avoid accountability. Trump uses these same strategies to subvert and delegitimize democracy.²

President Trump used anti-democratic language to win the 2016 election.

President Trump used anti-democratic language during his 2016 presidential election campaign. An important part of the story of Trump’s campaign is the context within which it succeeded: a citizenry so fractured that the nation was in crisis. The 2016 electorate had an historic and dangerous crisis of distrust, polarization, and frustration that made the nation vulnerable.

Distrust: According to a 2015 Pew Research poll, “only 19% of Americans today say they can trust the government in Washington to do what is right.” Pew reported that Americans’ trust in their government had been declining since 2007. This widespread distrust represented “the longest period of low trust in government in more than 50 years.”³

Polarization: A June 12, 2014, Pew Research Center report found that “Republicans and Democrats are more divided along ideological lines – and partisan antipathy is deeper and more extensive – than at any point in the last two decades.”⁴

Frustration: In 2014 and 2015, Gallup found that Americans thought that government was the “most important problem facing this country today” – it was the second biggest problem in 2016. Gallup also found that only 33 percent of Americans were “satisfied with the way the US is governed.” Frustration with government was linked to political polarization: a June 2016 Pew survey found that 57 percent of Republicans were “frustrated” by Democrats and 58 percent of Democrats were “frustrated” by Republicans. According to a Real Clear Politics survey on the eve of the election, 62.3 percent of Americans thought that the nation was on the “wrong track.”⁵

A pro-democracy political candidate would have used democracy-building language to try to increase trust, decrease polarization, and ameliorate frustration to strengthen the nation. President Trump did the opposite.

Within a crisis of public trust in which the very viability of democracy was at risk, Trump ran a campaign that was *designed* to increase distrust for government and traditional leadership. Within a crisis of polarization in which Americans believed that they had little common ground with their political opposition, did not share the same values, and that their opposition was an enemy of the state, Trump ran a campaign that was *designed* to increase polarization. Within a crisis of frustration in which Americans believed that government was the biggest issue facing the nation, that the nation was on the wrong track, and that anybody else would do a better job running the country than current leaders, Trump ran a campaign that was *designed* to increase frustration. Trump’s campaign strategy of increasing distrust, polarization, and frustration was designed to take advantage of a vulnerable nation that was already weakened. In so doing, President Trump attacked America’s public sphere and its democratic process.

Yet, like the Wizard of Oz telling Dorothy to “pay no attention to that man behind the curtain,” President Trump told us repeatedly not to pay attention to the way that he communicated. He trivialized people’s concerns about his language strategies by calling those concerns mere “political correctness,” or complaining that people were policing his “tone,” or that women were trying to control how real men talk, or that such criticisms were just a part of the rigged system that was trying to destroy his campaign.⁶ Trump told us that his anti-democratic language didn’t matter. His language did matter.

President Trump used seven anti-democratic language strategies throughout his 2016 campaign. Three of the strategies unified Trump with his target audience: *ad populum* (praising the wisdom of the crowd), *paralipsis* (I’m not saying; I’m just saying), and *American exceptionalism* (America’s unique status among other nations in the world, here conveyed as American greatness). Four of the strategies divided Trump from his opponents: *ad hominem* (attacking the person instead of their argument), *ad baculum* (threats of force or intimidation), *reification* (treating people as objects), and *conspiracy* (a self-sealing narrative). The sum total of these seven strategies was to unify his followers against his opponents and to make Trump the center of all political decisions. Whether or not a person supported Trump became an important “heuristic cue” which led Americans to make political choices based upon their allegiance to one man. (see Appendix A for definitions of the rhetorical terms)

Most of the strategies that President Trump relied upon in his 2016 presidential campaign are technically fallacies – errors of argumentation and rhetoric that would typically disqualify a

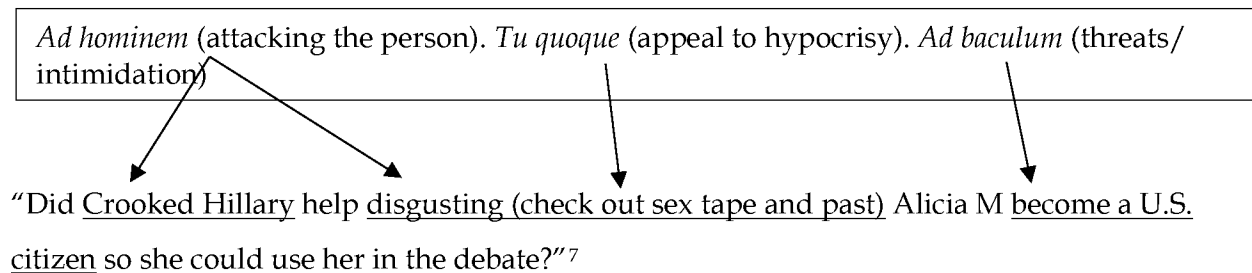
speaker, denying them the standing to continue in a formal debate. Trump used these strategies defiantly to take advantage of historic and crisis levels of distrust, polarization, and frustration—all democracy endangering qualities in an electorate—to win. Taken together, these seven strategies violated the norms of democratic political discourse.

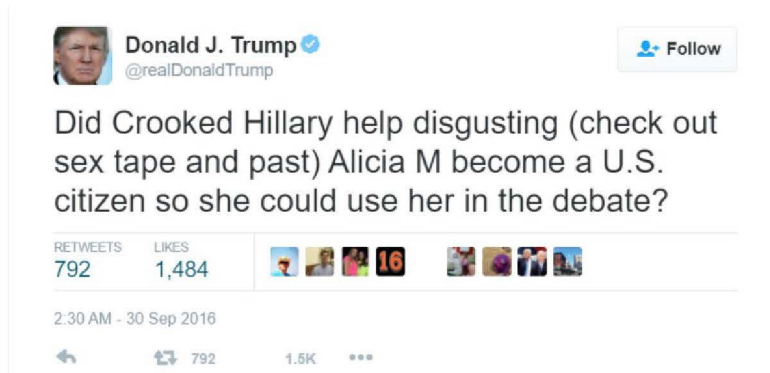
President Trump routinely uses these seven strategies (and more) to attract and redirect our attention, heighten polarization, threaten, bully, and silence his opposition, and avoid accountability. In my book *Demagogue for President*, I analyzed eighteen situations in which President Trump used these strategies to his advantage. I want to focus here on how he used these strategies in two ways relevant to the January 6th Committee investigation: how Trump used anti-democratic language in his 2016 campaign to avoid accountability (Example A) and how Trump used anti-democratic language to spread dangerous lies in ways that made it difficult to hold him accountable for his words and actions (Example B). These two examples are representative of his larger communication patterns and strategies.

Example A: President Trump denied he sent the tweet he sent, September 30-October 10, 2016.

This example shows President Trump using *ad hominem* (attacking the person), *tu quoque* (appeal to hypocrisy), and *ad baculum* (threats of force or intimidation) in a tweet on September 30, 2016. Moderator Anderson Cooper asked Trump about the tweet during the second presidential debate and if he thought it showed “good leadership and discipline.” Trump avoided directly answering the question, preventing himself from being held accountable for his tweet by deploying denial, *ad hominem* (attacking the person), *paralipsis* (I’m not saying; I’m just saying), red herring (distraction), conspiracy (a self-sealing narrative), and *ad populum* (appeal to the wisdom of the crowd).

Trump Tweet, September 30, 2016





Second Presidential Debate, October 10, 2016⁸

Cooper: "Mr. Trump, let me follow-up with you. In 2008, you wrote in one of your books that the most important characteristic of a good leader is discipline. You said if a leader doesn't have it, quote 'he or she won't be one for long.' In the days after the first debate, you sent out a series of tweets from 3:00 A.M. to 5:00 A.M. Including one that told people to "check out a sex tape." Is that the kind of discipline..."

Denial of an accurate fact. *Paralipsis* (I'm not saying). *Ad hominem* (attack the person)

Trump: "No, it wasn't 'check out a sex tape.' It was 'take a look at this person she build up to be this wonderful, uh, girl scout, who was no girl scout'."

Cooper: "You mentioned 'sex tape'."

Trump: “Just so you understand: When she said 3 o’clock in the morning, take a look at Benghazi. She said who is going to answer the call at 3 o’clock in the morning, guess what? She didn’t answer. Because when ambassador Stevens -- she said she was awake of at 3:00 in the morning. And she also sent a tweet out at 3 o’clock in the morning, but I won’t mention that. But he said she will be awake, the famous thing ‘we’re going to answer the call at 3:00 in the morning. Guess what happened, Ambassador Stevens, Ambassador Stevens sent 600 requests for help and the only one she talked to was Sidney Blumenthal who’s her friend and not a good guy, by the way. So, she shouldn’t be talking about that. Now, tweeting happens to be a modern day form of communication. You can like it or not. Between Facebook and Twitter, I have 25 million people. It’s a very effective way of communication. So you can put it down, but it’s an effective form of communication. I’m not unproud of it to be honest with you.”

Ignores correction & pivots with a red herring (distraction) & unrelated attack.

Paralipsis (I’m not saying; I’m just saying).

Conspiracy (self-sealing narrative that cannot be disproved).

Ad hominem (personal attack).

Bolstering with *ad populum* (appeal to the wisdom of the crowd).

President Trump overwhelmed the debate moderator by using six different accountability-avoiding strategies rather than directly answer the question about his tweet and what it said about his leadership abilities. He used anti-democratic language to deny the truth, shift our attention, attack an unrelated issue, spread conspiracy, undermine legitimate political opposition, and praise himself and his followers. Trump finished by defending Twitter as a method of communication, which was off-topic and unrelated to the central issue of the question (which was if the manner in which Trump used his Twitter account demonstrated good leadership’). These are all aggressive anti-democratic language strategies that are deployed to make it very difficult to hold him accountable for his words and actions.

Example B: President Trump spread conspiracy about Ted and Rafael Cruz, May 3, 2016.

During the 2016 presidential campaign, President Trump circulated unverified tabloid rumors and conspiracy (a self-sealing narrative) to attack his Republican primary opponent Senator Ted Cruz and his father Rafael Cruz, then used *paralipsis* (I’m not saying; I’m just saying) to deny responsibility for the attack. Trump continued to circulate the conspiracy theory to attack Cruz even after he said that he didn’t believe it.



Donald J. Trump ✓
@realDonaldTrump



"@ResisTyr: Mr.Trump...BOTH Cruz AND Rubio are ineligible to be POTUS! It's a SLAM DUNK CASE!! Check it!
[powderedwigsociety.com/eligibility-of ...](http://powderedwigsociety.com/eligibility-of-...)"

On February 20, 2016 Trump retweeted “BOTH Cruz AND Rubio are ineligible to be POTUS! It’s a SLAM DUNK CASE!! Check it!”⁹ The tweet included a link to a story from the Powdered Wig Society that showed an unnamed lawyer explaining how Senators Marco Rubio and Ted Cruz could not become president because they were not “natural born citizens” of the United States.

Trump appeared the next morning on ABC News’ *This Week*, where George Stephanopoulos asked Trump about his retweet.¹⁰

Stephanopoulos: “You actually sent out a retweet yesterday suggesting that Marco Rubio might be ineligible to be president – a tweet that said both Cruz and Rubio are ineligible to be President of the United States. Do you really believe that?”

Paralipsis (I’m not saying). Conspiracy (self-sealing narrative). *Ad populum* (appeal to the wisdom of the crowd)

Trump: “Well, it was a retweet. I mean, let people make their own determination. I’ve never looked at it, George. I honestly have never looked at it. As somebody said, he’s not [eligible]. And I retweeted it. I have 14 million people between Twitter and Facebook and Instagram, and I retweet things and we start dialogue and it’s very interesting.”

Trump’s response to Stephanopoulos was a *paralipsis*: “I’m not saying; I’m just saying” (here in the form of “I’m not tweeting it; I’m just retweeting it”). It was not his fact – he had never even looked into it. He was just retweeting someone else’s accusation and so he was not responsible. Throughout his 2016 campaign, Trump used *paralipsis* to make accusations that he could later disavow without having to take responsibility for his words. *Paralipsis* was a powerful strategy for Trump because it allowed Trump to say two things at once – to both say the thing and to not say the thing – which helped him spread rumors, conspiracy, and racist content while avoiding consequences. He routinely used *paralipsis* to recirculate innuendo and to distance himself from the things that he said. Using *paralipsis* gave Trump the “out” of plausible deniability. In this example, conspiracy and *paralipsis* were used for anti-democratic ends: the strategies helped him to undermine the credibility of established political leaders.

On May 3, 2016 President Trump used *paralipsis* to circulate conspiracy theory about the father of his biggest Republican rival, Senator Ted Cruz. Trump had called in to *Fox & Friends* to discuss that day’s Indiana primary and was asked for his reaction to a video of Cruz’s father

(Rafael Cruz) asking voters to “vote for the candidate that stands on the word of God and on the Constitution of the United States of America.” Rafael Cruz predicted that Trump’s election “could be the destruction of America.”

Trump called Rafael Cruz’s speech a “disgrace” and then denounced him with a conspiracy theory that functioned as an *ad hominem* attack on his credibility and patriotism.

Trump: “You know, his father was with Lee Harvey Oswald prior to Oswald being, you know, shot. I mean, the whole thing is ridiculous. What is this? Right prior to his being shot and nobody even brings it up. They don’t even talk about that. That was reported, and nobody talks about it. . . . What was he doing with Lee Harvey Oswald shortly before the death? Before the shooting? It’s horrible.”

Accusation as fact, implicates guilt.
Conspiracy (self-sealing narrative).
Extends conspiracy to include cover-up. Ignores lack of source credibility.

Trump was referring to an article published in a supermarket tabloid, the *National Enquirer*.¹¹ The story first originated on April 7, 2016, with conspiracy site InfoWars regular and “investigative journalist” Wayne Madsen posting a long analysis on the *Wayne Madsen Report*, asking, “Was the father of presidential hopeful Cruz involved in the JFK assassination?” On April 14, 2016, a short Reddit thread opened up, with a link to Madsen’s article reposted on a blog called *Milfuegos*. On April 15, 2016, Madsen posted the story on InfoWars, and on April 18, 2016, he joined Alex Jones’s InfoWars program to discuss the story. On April 20, 2016, the *National Enquirer* posted a press release online, teasing for its May 2, 2016, cover story: “Ted Cruz’s Father Now Linked to JFK Assassination!” it exclaimed, promising that the “world exclusive bombshell *Enquirer* probe reveals the photos that will destroy Lyin’ Ted.” In their story, the *Enquirer* quoted Madsen, “If it is [Rafael Cruz], it raises questions about what he knew about Oswald,” to support its claim that the “troubling photos suggest Rafael worked directly with Oswald before he fired the fatal shots from the Texas School Book Depository in downtown Dallas that killed Kennedy on November 22, 1963.”

Wayne Madsen was the only source for the Rafael Cruz–Oswald–JFK story; no other credible source for the story emerged, and many news organizations as well as fact-checkers discredited the story. As fact-checkers noted, the picture in question was taken in New Orleans in August 1963 and showed Oswald distributing pro-Castro literature with a person who the Warren Commission was never able to identify and who could not be identified based upon the photo. Even *if* the picture turned out to be Rafael Cruz, there was no evidence that the person in the photo had any knowledge of a plot to assassinate JFK – an event that would occur three months later in a different state. Nonetheless, the *National Enquirer* and President Trump led their audiences to believe that the photo proved a connection between Cruz and Oswald and JFK’s assassination.

President Trump had a well-known friendly relationship with *National Enquirer* tabloid publisher, David Pecker, and with InfoWars conspiracist Alex Jones. The *Enquirer* had run

spoon-fed positive stories about Trump for years, published his “writings,” urged him to run for president in both 2012 and 2016, used “catch and kill” techniques to suppress negative stories about Trump, denounced his opponents, and issued its first-ever presidential endorsement all in support of Trump’s bid to become president. Trump appeared with Alex Jones on InfoWars on December 2, 2015 and continued to be connected with Jones throughout Trump’s 2016 campaign. Trump did not go on InfoWars again during the campaign, but he often echoed the content of their news stories. Trump echoed Jones about Muslim refugees being a “Trojan horse,” he echoed Jones that “Hillary is the founder of ISIS, along with Obama,” he echoed Jones that Obama was going to use “executive orders to go after our guns,” he echoed Jones that “Hillary Clinton is a god-damned demon,” he echoed Jones that Clinton would be on drugs during the debates, and that Clinton stole the primary and would try to steal the general election. Trump echoed Jones so frequently that on August 11, 2016, Jones told his InfoWars audience that it was “surreal to talk about issues here on air and then word for word hear Trump say it two days later. It is amazing. And it just shows how dialed in this guy is and why they’re so scared of him.”

In a series of media interviews on May 4, 2016 Trump continued to promote the conspiracy about Rafael Cruz while using *paralipsis* to deny responsibility for the accuracy of his claims:

1. George Stephanopoulos asked Trump, “Do you owe Ted Cruz’s father an apology for saying that he was with Lee Harvey Oswald before the JFK assassination?” Trump denied responsibility using a *paralipsis*.

Trump: “No. The fact is that it was a cover story on the *National Enquirer*. It was picked up by many other people and magazines and periodicals and newspapers, and all I did was refer to it. . . I’m just referring to an article that appeared; it has nothing to do with me.”

Stephanopoulos: “So no apology?”

Trump: “I’m just referring to an article that appeared; I mean, it has nothing to do with me . . . I just referred them to articles that were in various periodicals.”

2. *The Today Show’s* Savannah Guthrie asked Trump to explain his accusation, as there was “no evidence of this.” Trump denied responsibility using the language of conspiracy.

Trump: “I just asked about stories that were appearing all over the place, not just the *National Enquirer*, that a picture was taken of him and Lee Harvey Oswald and they didn’t deny that picture. [Cruz’s campaign did deny that the picture was of Rafael Cruz.] And I just asked, what was that all about? So this was just in response to some very, very nasty—I mean, honestly, very, very, very nasty remarks that were made about me . . . All I did was refer them to some articles that appeared about his picture.”

3. Trump explicitly used a *paralipsis* to deny responsibility in his self-defense on CNN that night with Wolf Blitzer:

Trump: "I'm not saying that he conspired; I'm just saying that it was all over the place. I said, 'Well, why don't you talk about that?' I'm not saying that he did it, but I'm just saying that it was all over the place."

Blitzer: "You don't really believe that Ted Cruz's..."

Trump: "I didn't say."

Blitzer: "... father had anything to do with the assassination of President Kennedy?"

Trump: "No, I don't. No. Of course I don't believe that. I didn't believe it, but I did say, 'Let people read it.'"¹²

The question of Rafael Cruz's relationship to Lee Harvey Oswald largely dropped out of public discourse until July 22, 2016. Ted Cruz had made news on July 20, 2016, when he declined to endorse Trump in his Republican National Convention speech, urging Republicans instead to "vote your conscience."

In response to this overt insult, Trump pretended to be baffled, "All I did is point out the fact that on the cover of the *National Enquirer* there was a picture of his dad and crazy Lee Harvey Oswald having breakfast," he told reporters at a press conference. Then Trump blamed the whole Cruz drama on the media taking his *paralipsis* literally, causing the misunderstanding: "The press takes that, and they say, 'Donald Trump and his conspiracy theories; he went out and said his father was with Lee Harvey Oswald, and he assassinated the president.' What did I do? I know nothing about his father. I know nothing about Lee Harvey Oswald." He was just saying; he wasn't saying. Then he took the opportunity to say it again: "But there was a picture on the front page of the *National Inquirer*, which does have credibility, and they're not going to do pictures like that because they get sued for a lot of money if things are wrong, OK—a lot of money."

Trump's anti-democratic use of *paralipsis* allowed him to recirculate the *ad hominem* attack and conspiracy while giving him the out of plausible deniability, which undermined the credibility of his opposition and increased his followers' suspicion of those in power. These language strategies are anti-democratic because they increase distrust and polarization while undermining the legitimacy of political opposition and the political process while also preventing accountability. Trump continued to use *paralipsis* throughout his 2016 presidential campaign to circulate rumor and innuendo, which (perhaps counterintuitively) helped him appear to be a truth-teller for his followers who believed his conspiracies.

President Trump used anti-democratic language throughout his presidency.

While many political observers and Trump voters believed that President Trump would become more "presidential" once in office, he did not. Trump continued to use anti-democratic language throughout his presidency. Here, I want to highlight how Trump used what he called "modern day presidential" language in office to outrage his base and his opposition and how the Mueller Report showed him using *ad baculum* (threats of force or intimidation), *ad hominem*

(attacking the person), and *paralipsis* (I'm not saying; I'm just saying) as anti-democratic coercion strategies to try to end the investigation into his 2016 campaign.

President Trump often explained that he communicated the way that he did because it was effective. "My use of social media is not Presidential - it's MODERN DAY PRESIDENTIAL. Make America Great Again!" Trump tweeted on July 1, 2017. He used communication strategies to keep the nation entertained and attentive with what were designed to stoke outrage in his base, his opposition, and the mainstream media gatekeepers. Trump's communication style was calibrated perfectly for the metrics that allow trolls to dominate our public sphere: attention and engagement.

Within the attention economy, being outrageous is the most efficient way to set the nation's news agenda, frame issues, and influence citizens. Outrage, especially when deployed with conspiracy, has the added benefit of unifying audiences against whatever is named as the target of outrage, which was useful for President Trump because it solidified his political base, but is anti-democratic because it increases distrust, polarization, and frustration. Trump used outrage and conspiracy to keep the nation on edge, which threatened democratic stability. That outrage and conspiracy, rewarded with our attention, allowed him to control our public sphere throughout his presidency.

In Special Council Robert S. Mueller's *Report on the Investigation into Russian Interference in the 2016 Presidential Election*, we see evidence of President Trump using *ad baculum* (threats of force or intimidation) in anti-democratic ways. The *Report* shows Trump using *ad baculum* as a cudgel to intimidate, coerce, and gain compliance over others in the government. *Ad baculum* in argumentation is fallacious – it is an attempt to prevent debate and discussion by overwhelming the opposition, so that they cannot make their case. *Ad baculum* in politics is authoritarian – it is a tactic designed to prevent democratic decision-making, or in this case, to prevent the administration of justice in a democratic, rule-of-law system.¹³

The Mueller *Report* and President Trump's statements around it show repeated examples of the president acting to undermine democratic public deliberation, delegitimize his opponents, and abuse language to gain compliance:

1. President Trump used anti-democratic language to put pressure on his staff to violate democratic political norms and undermine the Mueller investigation.

Perhaps the most egregious example of President Trump using anti-democratic language is when he tried to force Attorney General Jeff Sessions to un-recuse himself from the investigation. According to the Mueller *Report*, "During that Oval Office meeting, which [Staff Secretary Rob] Porter attended, the President again suggested that Sessions could "un-recuse," which Porter interpreted as taking back supervision of the Russia investigation and directing an investigation of Hillary Clinton. According to contemporaneous notes taken by Porter, the President said, "I don't know if you could un-recuse yourself. You'd be a hero. Not telling you to do anything. [Celebrity lawyer and President Trump defender Alan] Dershowitz says POTUS can get involved. Can order AG to investigate. I don't want to get involved. I'm not going to get involved. I'm not going to do anything or direct you to do anything. I just want to be treated fairly."

In this example, we see President Trump using one of his favorite rhetorical strategies, *paralipsis* (I'm not saying; I'm just saying), to put pressure on Sessions by indirectly instructing him to un-recuse, while at the same time stating that he was not going to direct him to do anything. Trump told Sessions that he would “be a hero” if he did the thing that Trump told him — but technically didn't tell him — to do. Trump is a master at saying two things at once in such a way that his message is conveyed, but he retains plausible deniability.

When President Trump said that he only wanted to be treated “fairly,” he meant that he wanted to be treated in a way that helped him out of his predicament, which is not exactly “fair.” Trump continued to put pressure on Sessions to un-recuse himself in public interviews and tweets until Trump eventually fired him. (Volume 2, p. 108-111)

2. President Trump used anti-democratic language to attack the news media.

President Trump attacked the media for reporting facts, threatened journalists with libel and accused them of reporting “fake news” and of being “enemies of the people,” which exposed the press to the risk of violence.

In anticipation of the release of Attorney General Barr's March 24, 2019 summary of the Mueller *Report* weeks before the redacted version was released, for example, President Trump tweeted, “The Fake News Media has NEVER been more Dishonest or Corrupt than it is right now. There has never been a time like this in American History. Very exciting but also, very sad! Fake News is the absolute Enemy of the People and our Country itself!”¹⁴



President Trump's attacks on the press were *ad baculum* threats of force and intimidation, using the power of the presidency to exert force over the press in return for favorable news coverage. In this example, Trump not only sought to intimidate the news media, but he exposed them to violence by calling them “the absolute Enemy,” extremist language that invited his followers to see the press as treasonous traitors, as enemies to be destroyed. Such positioning is typical of presidential war rhetoric: on the eve of the release of the Mueller *Report*, Trump invited the nation to view the press as enemy combatants to be destroyed.

3. President Trump used anti-democratic language to attack the Mueller investigation itself and Robert Mueller personally, seeking to deny both political legitimacy.

When President Trump attempted to fire Robert Mueller, he told then-White House Counsel Donald F. McGahn privately and tweeted publicly using an *ad hominem* (attacking the person) and *tu quoque* (appeal to hypocrisy) that Mueller was too “conflicted” to serve in the role: “This is a terrible situation and Attorney General Jeff Sessions should stop this Rigged Witch Hunt right now, before it continues to stain our country any further. Bob Mueller is totally conflicted, and his 17 Angry Democrats that are doing his dirty work are a disgrace to USA!” (Volume 2, p. 130).

President Trump also repeatedly attempted to discredit the entire investigation into his conduct as a “hoax” and as a “witch hunt.” These are *ad hominem* (attacking the person) attacks steeped in conspiracy rhetoric, designed to discredit both Mueller and the investigation. Trump’s use of *ad hominem* against Mueller was meant to convince the nation that Mueller lacked the credibility to perform his duties impartially. Trump’s use of *ad hominem* against the investigation aimed to frame the investigation as an illegitimate conspiracy, and as lacking the standing to question Trump’s behavior. Trump repeatedly used anti-democratic language strategies such as *ad baculum*, *ad hominem*, and *paralipsis* to try to prevent himself from being held accountable by the law and the lawful investigation into his conduct.

President Trump used anti-democratic language during the 2020 presidential election to cast doubt on the election results.

President Trump first used the “Stop the Steal” conspiracy theory during his 2016 presidential campaign.¹⁵ He revived and elaborated on the conspiracy theory during his 2020 presidential campaign, ultimately refusing to accept the results of the election and threatening the peaceful transition of power. Below I explain how right-wing “agent provocateur” and conspiracy theorists Roger Stone, Alex Jones, and Milo Yiannopoulos gave Trump the idea for the “Stop the Steal” conspiracy in 2016 and how Trump used it to introduce doubt in the results of that election by “poisoning the well” (a preemptive attack) to create a frame for understanding his election loss (frame: “Trump couldn’t lose the election unless Clinton stole it”). Next, I explain how Trump continued to use the same “poisoning the well” framing strategy with the “Stop the Steal” conspiracy in 2020. Trump’s conspiracy was very successful, ultimately convincing his followers to reject the results of the election, thereby delegitimizing the electoral process and the Biden presidency, preventing the peaceful transition of power, and threatening democracy in America.

1. How the “Stop the Steal” Conspiracy Emerged in 2016.

During his 2016 presidential campaign President Trump argued repeatedly that there was a conspiracy to deprive him of the presidency and prevent him from making America great again. Trump’s campaign-long conspiracy narrative had an evolved plotline: Trump claimed that there was a conspiracy against American exceptionalism (America’s unique status among other nations in the world, here conveyed as American greatness). Trump claimed that the conspiracy was led by President Barack Obama and former Secretary of State Hillary Clinton, who weren’t even American (Obama) and were completely controlled by global interests

(Clinton). Trump claimed that the conspiracy was supported by journalists (who Trump called purveyors of fake news and suppressors of the truth) and the FBI and DOJ (who supposedly covered up Clinton's email scandal) and the DNC (who supposedly rigged the Democratic primary for Clinton). Trump claimed that the conspiracy's goal was to destroy America from within by erasing national borders, polluting the nation with dangerous immigrants, and destroying the American economy. Trump claimed that the conspiracy was so powerful that it would rig the presidential election to make Clinton president. But, Trump claimed, he and his followers were more powerful than the conspirators, and because they could clearly see the conspiracy, they would elect Trump president so that he could drain the swamp of corruption. Conspiracy framed Trump's entire 2016 presidential campaign.

President Trump told *Playboy* magazine in 1990, "I'm a very untrusting guy. I study people all the time, automatically; it's my way of life." As an untrusting guy, he was a connoisseur and purveyor of conspiracy theory. As such, Trump associated with other well-known conspiracy theorists. Most notably, on December 2, 2015 Trump appeared with infamous conspiracy theorist Alex Jones – who the Anti-Defamation League called, "the conspiracy king" – on his InfoWars program. Trump's appearance on InfoWars was arranged by self-proclaimed "agent provocateur" and long-time Trump political advisor and InfoWars regular Roger Stone, who would later be found guilty on seven counts of "lying, obstruction, and witness tampering" to prevent or obscure the investigation into the DNC email hack and WikiLeaks. Not only did Stone, Jones, and Trump share an interest in conspiracy; they also shared an interest in getting Trump elected, and Jones had a large audience of potential Trump voters.

On July 27, 2016 President Trump's former political advisor Roger Stone appeared with Breitbart News' Milo Yiannopoulos for his *Milo Show* where he warned Trump that Clinton was planning to use "widespread voter fraud" to steal the election. Stone advised Trump to "begin talking about it constantly." The message to the nation ought to be, "if there's voter fraud, this election will be illegitimate, we will have a constitutional crisis, widespread civil disobedience, and the government will no longer be the government," Stone told Yiannopoulos. Stone warned that there would be "a bloodbath" if Clinton wins. "No, we will not stand for it. We will not stand for it," he insisted.

Two days later conspiracy theorist Alex Jones posted an "emergency message to Donald Trump," which, like Stone had done, warned Trump about Clinton's impending election fraud. "It's imperative that the Trump campaign make this one of the central issues: if she steals the primary, then she's going to steal the general election," advised Jones. "I'm asking the American people to support you in standing up to this witch," Jones concluded, speaking directly to Trump through his InfoWars video. "I'm asking the American people to take action and really cause a grassroots brushfire . . . because if you think Hillary's gonna stop with stealing the nomination, if you think she's not going to try to steal the general election, I got a bridge in Brooklyn I want to sell you."

Alex Jones had Roger Stone on his show on August 1, 2016, where both agreed that Clinton was determined to steal the election from President Trump. "If she stole the primary, she's going to try to steal the election," Jones told Stone, "so now Donald Trump really needs to think about what he's going to do, but *we* need to think about what are we going to do to stop Hillary Clinton." Stone, who had already set up a website called "Stop the Steal" told Jones that he was

“convinced that they are looking more and more at the option of stealing it.” Stone thought with Russia dropping “truth bombs on her campaign” that she would get even more desperate. Stone said that Trump’s message to the nation needed to be that he would “challenge her being sworn in. I will have my people march on Washington and we will block your inauguration,” Stone advised. “We’re not rolling over,” was the message that Trump needed to send, according to both Jones and Stone. Both agreed that the only thing that could prevent Clinton from stealing the election would be an electoral landslide for Trump: “What you can’t steal is a landslide – that’s been proven,” said Jones.

That same day in Columbus, Ohio, Trump told his rally crowd that “I’m afraid the election is going to be rigged, I have to be honest. Because I think my side was rigged – if I didn’t win by massive landslides. I mean, think of what we won in New York and Indiana, California – 78 percent. That’s with other people in the race. But think of it,” Trump told his rally crowd in Ohio. “I hear more and more that the election on November 8 . . .,” he said, echoing what he had heard over the past three days from Stone and Jones. (The subject of the speech then changed course and never returned back to the subject of Clinton stealing the election.)

“You said at a speech today you’re afraid this election is going to be rigged,” Sean Hannity said to Trump that night. “Explain.” Trump offered no proof of the conspiracy but said that he’d “been hearing about it for a long time” and since during the 2012 election “you had precincts where there were practically nobody voting for the Republican” and because “it was rigged, I thought, a little bit for me and we won in landslides. I think it was rigged against Bernie Sanders with his super delegates nonsense,” explained Trump. “I’m telling you November 8, we better be careful because that election’s going to be rigged, and I hope the Republicans are watching closely, or it’s going to be taken away from us.”

Within two weeks, Trump’s campaign had posted a website for recruiting poll watchers to “watch closely” so that the election did not get “taken away from us,” as he had said to Hannity on August 1, 2016. “Hours before the site gained traction Friday night,” Politico reported, “Trump said at a rally in Altoona, Pennsylvania, that the only way he would lose in Pennsylvania is ‘if cheating goes on. She can’t beat what’s happening here. The only way they can beat it in my opinion, and I mean this 100 percent, if in certain sections of the state they cheat.’”

When President Trump was asked if he would “absolutely accept the result of this election” at the third presidential debate on October 19, 2016 he answered, “I will look at it at the time. I’m not looking at anything now. I’ll look at it at the time. . . I’ll keep you in suspense.” The next day Trump told his rally crowd in Delaware, Ohio, that he would “totally accept the results of this great and historic presidential election – *if I win.*” His rally crowd cheered. By October 27, 2016, Trump told his rally in Toledo, Ohio, “I’m just thinking to myself right now; we should just cancel the election and just give it to Trump, right? What are we even having it for?” The rally crowd roared in approval.

Trump’s supporters got the message that Clinton was going to steal the election. According to a story by Dana Milbank in the October 18, 2016, *Washington Post*: “Retiree Gerald Miller, a volunteer at Donald Trump’s rally here [shared] Trump’s concern that the election may be ‘rigged’ by the Clinton campaign. ‘It is enough to skew the election. They can swing it either

way.” He told Milbank that “Donald Trump is going to holler fraud if he doesn’t win. I think we’re on the verge of a civil war, a racial war. This could be the spark that sets it off.” Likewise, on October 13, 2016, Trump supporters in Cincinnati, Ohio, told the *Boston Globe’s* Matt Viser and Tracy Jan that they had no doubt that Clinton planned to rig the election. Viser and Jan reported that “anger and hostility were the most overwhelming sentiments” among Trump supporters, along with “a deep sense of frustration, an us-versus-them mentality, and a belief that they are part of an unstoppable and underestimated movement.” Even though Trump supporters felt powerful, Viser and Jan reported that they were “worried that Democrats will load up buses of minorities and take them to vote several times in different areas of the city. They’ve heard rumors that boxes of Clinton votes are already waiting somewhere.” A Trump supporter named Jeannine Bell Smith worried that “we’re going to have a lot of election fraud. They are having illegals vote. In some states, you don’t need voter registration to vote.”¹⁶

2. “Stop the Steal” 2020.

President Trump revived his conspiracy claim that the Democratic Party was trying to “rig” their nomination process to prevent Senator Bernie Sanders from winning as early as January 22, 2020 when he tweeted, “They are taking the nomination away from Bernie for a second time. Rigged!”¹⁷ Trump continued to claim that the Democratic Party nomination was “rigged” until the process was over, and Vice-President Joe Biden became the party’s nominee. For example, on February 18, 2020, Trump tweeted: “The Crooked DNC is working overtime to take the Democrat Nomination away from Bernie, AGAIN! Watch what happens to the Super Delegates in Round Two. A Rigged Convention!”

By May 1, 2020 Trump tweeted about “rigged elections” in general: “Don’t allow RIGGED ELECTIONS!” On June 22, 2020 Trump tweeted about the supposed dangers of mail-in ballots, “RIGGED 2020 ELECTION: MILLIONS OF MAIL-IN BALLOTS WILL BE PRINTED BY FOREIGN COUNTRIES, AND OTHERS. IT WILL BE THE SCANDAL OF OUR TIMES!”

President Trump continued to rail against mail-in ballots, voter registration, drop-boxes, and other election procedures throughout the remainder of the campaign. This strategy allowed him to create widespread doubt against the election. Trump used the same “poison the well” conspiracy strategy that he had used in 2016 to create a frame for understanding that he could only lose the election if the election was rigged against him. Trump and his accomplices tweeted and gave speeches and interviews about the election conspiracy throughout the summer and fall of 2020. Trump and his accomplices have continued to spread his election rigging conspiracy to this day.

Trump continued to use his anti-democratic conspiracy even after Joe Biden was declared President-Elect, “He only won in the eyes of the FAKE NEWS MEDIA. I concede NOTHING! We have a long way to go. This was a RIGGED ELECTION!” he tweeted on November 15, 2020. He also ominously tweeted, “We won’t let a RIGGED ELECTION steal our Country!” that same day. It was noteworthy that Trump connected election “rigging” with “stealing our country” because it linked Trump’s appeal to conspiracy with an enemy invasion of the nation. Trump vowed to continue fighting the conspiracy as well as defend his and his follower’s “country” from election thieves. As Roger Stone had warned in 2016, “election rigging” meant there

would be a “bloodbath,” a “constitutional crisis, widespread civil disobedience, and the government will no longer be the government.”

Like he had done when he pressured the Mueller investigation, President Trump repeatedly tried to put pressure on different parts of state and federal governments to violate the law. On December 10, 2020 Trump used *ad baculum* (threats of force or intimidation) with an *ad populum* (appeal to the wisdom of the crowd) in a tweet pressuring the U. S. Supreme Court to make him president “The Supreme Court has a chance to save our Country from the greatest Election abuse in the history of the United States. 78% of the people feel (know!) the Election was RIGGED.”

On December 24, 2020 President Trump tweeted used *ad baculum* (threats of force or intimidation) with an *ad populum* (appeal to the wisdom of the crowd) to put pressure on the Senate to make him president, “At a meeting in Florida today, everyone was asking why aren’t the Republicans up in arms & fighting over the fact that the Democrats stole the rigged presidential election? Especially in the Senate, they said, where you helped 8 Senators win their races. How quickly they forget!”

On December 26, 2020 President Trump called the conspiracy an “act of war” in a tweet demanding that the Republicans in the Senate “fight to the death” to make Trump president: “If a Democrat Presidential Candidate had an Election Rigged & Stolen, with proof of such acts at a level never seen before, the Democrat Senators would consider it an act of war, and fight to the death. Mitch & the Republicans do NOTHING, just want to let it pass. NO FIGHT!” Trump positioned Senate Democrats as vicious and irrational and goaded his fellow Republicans for their weakness, putting pressure on them to “fight to the death.”

President Trump tweeted the word “fight” at least 29 times between November 15, 2020 and January 6, 2021. Trump repeatedly used *ad baculum* (threats of force or intimidation) to put pressure on members of the government to violate the law to make Trump president. On January 6, 2021 Trump used a quote retweet to put pressure on his party to make him president, “Get smart Republicans. FIGHT!” Trump wrote while retweeting, “Republicans confirmed Justice Barrett, which they had the clear, lawful right to do, and in response Chuck Schumer said, ‘EVERYTHING IS ON THE TABLE NOW.’ If that’s the case, why shouldn’t Republican legislators go to the wall for the President?”

President Trump had spent weeks putting pressure on other branches of government and his party to “go to the wall for the president.” He continued to use anti-democratic *ad baculum* (threats of force or intimidation) and conspiracy put pressure on the government in his speech at the Ellipse on January 6, 2021.

President Trump used anti-democratic language on January 6, 2021, which turned a democratic political protest into political violence.

President Trump used anti-democratic language on January 6, 2021 to turn a legitimate political protest into illegitimate political violence. Looking at the entirety of what occurred on that day, it’s clear that there was both legitimate political protest and illegitimate political violence. If we look at the Ellipse, we see a vibrant, and legitimate, political protest with signs, chants, and

speeches. If we look at the Capitol, by contrast, we see illegitimate political violence, including people using bear spray, erecting a hangman's noose, physically assaulting others, and breaking into the building. The link between the two events was Trump's speech on that day.

President Trump used anti-democratic political speech on January 6, 2021. He used a particular combination of rhetorical strategies that has been used traditionally to motivate a nation for war.¹⁸ In addition to conspiracy theory, Trump's war rhetoric in his speech used four strategies: 1) victimage (we are innocent victims); 2) patriotism ("we" are good, strong, pure, and sure of victory); 3) exterminationism (a plague must be removed to be pure again); and 4) *ad baculum* (threats of force or intimidation).¹⁹

That type of communication from a president could be legitimate political speech when used to motivate a nation for war against another (aggressor) nation. But **when the president uses war rhetoric against the democratic process in his own government in order to retain power, it is not legitimate political discourse.** Rather, as scholars of authoritarianism have explained, using war rhetoric against your own nation amounts to an "autogolpe," or "self-coup."²⁰

When President Trump used conspiracy and war rhetoric against his own government and urged the Ellipse crowd to march towards the Capitol and "fight like hell," **his words transformed the speech occasion** from a legitimate political protest rally into an anti-democratic violent insurrection.

As he had done so many times since he began his 2016 presidential campaign, President Trump used an *ad baculum* (threat of force or intimidation) in combination with a *paralipsis* (I'm not saying; I'm just saying) as a tactic to threaten violence while retaining plausible deniability.

President Trump told his audience "I know that everyone here will soon be marching over to the Capitol building to peacefully and patriotically make your voices heard," but he also said repeatedly that his audience needed to "fight." Trump told his audience, "We fight like hell. And if you don't fight like hell, you're not going to have a country anymore." Trump used the word "fight" twenty times in his speech and used the word "peacefully" one time.

President Trump said two things at once so he could not be held accountable, but it was clear that Trump's Ellipse rally audience understood him to be asking for them to fight. When Trump told the audience, "We will not let them silence your voices. We're not going to let it happen, I'm not going to let it happen." The audience repeatedly chanted "fight for Trump" in response, indicating they understood that since he was fighting for his audience, his audience needed to fight for him. He responded to their chant by saying, "thank you." His audience acted in accordance with his demands, by marching to the Capitol to "fight like hell," just as he instructed them to do. When the crowd arrived at the Capitol they continued to chant "Fight for Trump! Fight for Trump!"²¹

My analysis of President Trump's January 6, 2021 "Save America Rally" speech shows that it had two purposes: first, provide supposed evidence to support his election conspiracy; and, second, motivate his rally crowd to act by putting pressure on Congress to prevent the certification of the election results.

President Trump devoted a large portion of his speech to providing supposed evidence to support his election rigging conspiracy, by explaining to his audience: “These are the facts that you won’t hear from the fake news media. It’s all part of the suppression effort. They don’t want to talk about it. They don’t want to talk about it. In fact, when I started talking about that, I guarantee you, a lot of the television sets and a lot of those cameras went off. And that’s a lot of cameras back there. But a lot of them went off.”

This conspiracy frame had dominated his anti-democratic language about the 2020 election for the previous year (as described above). His speech sought to provide an accumulation of evidence to “prove” the existence of widespread voter fraud and election tampering, which Trump claimed – as he had done with the “Stop the Steal” conspiracy in 2016 – amounted to a “theft.” Calling the election a “theft” was an anti-democratic way to delegitimize the political process and Joe Biden’s presidency, but it also implied action: if you are a victim of a “theft,” then something was unjustly taken from you and you are permitted to “fight” to get back what is rightfully yours. Trump used these strategies to give motivation and permission to his audience to attack the Capitol.

While President Trump used his speech to establish his conspiracy frame, he also deployed four well-used strategies of war rhetoric. These strategies have been used by presidents and other leaders throughout history and around the world to motivate a population to fight. Trump positioned his followers as innocent *victims* of irrational aggressors who were determined to destroy them and the nation. Trump also positioned his followers as the “real” Americans, as *patriots* who were the rightful winners of the election and who were strong and justified to act to defend what was rightfully theirs. Trump used *exterminationist* rhetoric to argue that the pure nation had been polluted by the irrational aggressors who were determined to destroy the nation, and therefore it needed to be purified. Finally, Trump used *ad baculum* (threats of force or intimidation) to threaten members of Congress, Vice-President Mike Pence, the media, and anyone else who Trump labeled as part of the conspiracy.

1) Rhetoric of victimage (we are the innocent victims of an election theft):

“All of us here today do not want to see our election victory stolen by emboldened radical-left Democrats, which is what they're doing. And stolen by the fake news media. That's what they've done and what they're doing. We will never give up, we will never concede. It doesn't happen. You don't concede when there's theft involved.”

“For years Democrats have gotten away with election fraud.”

“Democrats attempted the most brazen and outrageous election theft...It’s a pure theft in American history, everybody knows it.”

“Our country has been under siege for a long time, far longer than this four-year period.”

2) Rhetoric of patriotism (we are the real patriots who are strong and sure of victory):

“Hundreds of thousands of American patriots are committed to the honesty of our elections & the integrity of our glorious Republic.”

"We will never give up. We will never concede, it doesn't happen. You don't concede when there's theft involved."

"We will not take it anymore and that's what this is all about."

"We will not let them silence your voices. We're not going to let it happen. Not going to let it happen.<the crowd chants: "Fight for Trump! Fight for Trump!">

"You're stronger, you're smarter. You've got more going than anybody, and they try and demean everybody having to do with us, and you're the real people. You're the people that built this nation. You're not the people that tore down our nation."

"We will not be intimidated into accepting the hoaxes and the lies that we've been forced to believe over the past several weeks. But it's never going to be the end of us, never. Let them get out. Let the weak ones get out. This is a time for strength."

"We have truth and justice on our side. We have a deep and enduring love for America in our hearts. We love our country. We have overwhelming pride in this great country and we have it deep in our souls."

"Together we are determined to defend and preserve government of the people, by the people and for the people."

3. Exterminationist rhetoric (there is a plague we must remove to be pure again):

"Our country will be destroyed, and we're not going to stand for that."

"The radical left knows exactly what they're doing. They're ruthless and it's time that somebody did something about it."

"Our media is not free. It's not fair. It suppresses thought. It suppresses speech, and it's become the enemy of the people. It's become the enemy of the people."

4) Ad baculum (threats of force) against Congress, Republicans, Vice-President Mike Pence, Democrats, and the media:

"These people are not going to take it any longer."

"He's got guts, unlike a lot of people in the Republican party. He's got guts, he fights...He looked at Mike Pence, and I hope Mike is going to do the right thing."

"Unbelievable, what we have to go through, what we have to go through and you have to get your people to fight. If they don't fight, we have to primary the hell out of the ones that don't fight. You primary them. We're going to let you know who they are."

"We're going to have to fight much harder and Mike Pence is going to have to come through for us. If he doesn't, that will be a sad day for our country because you're sworn to uphold our constitution."

“After this, we’re going to walk down and I’ll be there with you. We’re going to walk down...We’re going walk down to the Capitol, and we’re going to cheer on our brave senators, and congressmen and women. We’re probably not going to be cheering so much for some of them because you’ll never take back our country with weakness. You have to show strength, and you have to be strong. We have come to demand that Congress do the right thing and only count the electors who have been lawfully slated, lawfully slated.”

“I know that everyone here will soon be marching over to the Capitol building to peacefully and patriotically make your voices heard.”

“And I’m going to be watching, because history is going to be made. We’re going to see whether or not we have great and courageous leaders or whether or not we have leaders that should be ashamed of themselves throughout history, throughout eternity, they’ll be ashamed. And you know what? If they do the wrong thing, we should never ever forget that they did. Never forget. We should never ever forget.”

“Mike Pence, I hope you’re going to stand up for the good of our constitution and for the good of our country. And if you’re not, I’m going to be very disappointed in you. I will tell you right now. I’m not hearing good stories.”

“So we’re going to, we’re going to walk down Pennsylvania Avenue...and we’re going to the Capitol and we’re going to try and give...The Democrats are hopeless. They’re never voting for anything, not even one vote. But we’re going to try and give our Republicans, the weak ones, because the strong ones don’t need any of our help, we’re going to try and give them the kind of pride and boldness that they need to take back our country. So let’s walk down Pennsylvania Avenue.”

President Trump used language like a General motivating his troops. His troops then stormed the Capitol, just like he asked them to do. There is not a specific battle plan in the speech; he left the battle plan up to the crowd – very carefully *not* instructing them to do anything more specific than “walk down” and “fight like hell.” He told his crowd that everything was on the line, a great injustice had been done to them and their pure nation, and that they were all-powerful and could stop it <somehow>. Then, Trump told them to march toward the Capitol “to take back our country” and that he would march with them.

Later that day on January 6, 2021 President Trump used *apologia* (self-defense) to explain away and defend the violence that occurred at the Capitol after his speech. Trump tweeted, “These are the things and events that happen when a sacred landslide victory is so unceremoniously & viciously stripped away from great patriots who have been badly & unfairly treated for so long. Go home with love & in peace. Remember this day forever!”²²



His tweet used the same conspiracy, victimage, and patriotism strategies as his speech earlier in the day as a defense for the insurrection. It also included a strategy to “cool out” the crowd by giving them an honorable way to remember their participation in the insurrection. They were not “insurrectionists,” but “great patriots” who should remember what they did on January 6, 2021 “forever” (somewhat reminiscent of William Shakespeare’s St. Crispin Day speech in Henry V).

The tweet’s primary (unstated) strategy is denial (it didn’t happen) through differentiation (it wasn’t what they say it was). President Trump’s *apologia* (self-defense) used strategic ambiguity: he called the attack on Congress “things and events” instead of giving his audience a specific term or label for understanding what happened. Trump framed the insurrection in a neutral way that gave plausible deniability to the insurrectionists, himself, his supporters at home, and his supporters in the Republican Party. This nation is still trying to determine the right word to use to describe the violence at the Capitol. Because Trump used war rhetoric against the peaceful transition of power, I believe the attack on the Capitol should be labeled an “insurrection” or a “self-coup.”

From that strategic ambiguity, President Trump justified and condoned the insurrection. Trump explained what happened at the Capitol was not a violent insurrection but an <undefined thing> that was a reasonable response of “great patriots” who had been deprived their “sacred victory” by a conspiracy. Trump’s anti-democratic conspiracy rhetoric and his strategies of victimage and patriotism, were once again useful for denying and explaining away his previous *ad baculum* (threats of force or intimidation).

President Trump has continued to use these same anti-democratic strategies to refer to the 2020 election and the insurrection on January 6, 2021.

Conclusion: President Trump’s anti-democratic language is “treason to the democratic way of life.”

In 1939, just nine months after 20,000 people attended a Nazi rally at Madison Square Garden in New York City, philosopher John Dewey gave a speech in which he warned Americans that their democracy was at risk.²³ For democracy to thrive, Dewey believed, Americans had to think of it as more than just a political system. Dewey wrote that we could only defeat Nazism if we

recognized that “democracy is a way of life,” a specific way of associating, thinking, and communicating.

Today the threat is not Nazism; however, Dewey’s warning about the health of our democracy is equally warranted. Over the past several decades we have stopped associating, thinking, and communicating democratically.

Democracy would beat Nazism in America, Dewey argued, so long as there were, “free gatherings of neighbors on the street corner to discuss back and forth what is read in uncensored news of the day, and in gatherings of friends in the living rooms of houses and apartments to converse freely with one another.” Dewey knew that democracy was threatened by “intolerance, abuse, [or the] calling of names because of differences of opinion.” Dewey called all of those democracy-threatening communication practices “treason to the democratic way of life.” He explained, that “everything which bars freedom and fullness of communication sets up barriers that divide human beings into sets and cliques, into antagonistic sects and factions,” which undermines democracy.

What is true about the kind of communication that was “treason for the democratic way of life” in 1939 remains true today. A democrat is someone who is motivated by freedom, equality, social justice, and political practices that allow all citizens to share power. As Dewey warned in 1939, there are certain ways of communicating that amount to “treason” because they increase distrust, polarization, and frustration between citizens as well as between citizens and their government. In so doing, those treasonous communication practices threaten the fragile trust upon which democracy rests, which therefore erodes democracy itself.

Unfortunately, former President Donald Trump is an expert at using the kind of communication that is “treason to the democratic way of life.”

Based on his history of using anti-democratic language as a weapon and the fact he used war rhetoric to change a legitimate political protest into illegitimate political violence on January 6, 2021, I believe it is reasonable to conclude that President Trump used language to incite a violent attack on the United States Capitol.

Appendix A: Definitions of Rhetorical Terms

Argumentum ad populum (Latin for “appeal to the crowd”). Used by a demagogue to praise his or her supporters as wise, good, and knowledgeable. *Ad populum* appeals can work in three different ways: first, *ad populum* appeals can be used as an *argument ad verecundiam* (an appeal to authority), in which demagogues try to persuade that some disputed thing is a “fact” because it is commonly believed to be fact, or believed to be a fact by a select subset of the population who supports the demagogue’s argument. Second, demagogues can use the presence of a large crowd of people as evidence of widespread support, claiming that the size of the crowd is evidence that the demagogue speaks the truth and represents the true voice of the people. While appealing to the size of a crowd may seem persuasive, large crowds can be unreliable indicators of either truth or support. Third, demagogues can use large crowds of people to heighten the emotional responses of audiences, relying on “sociopsychological factors that play a part in meetings of large groups of people” to manipulate “the emotions of those present” in order to “to get his way.” According to argument scholars Frans van Eemeren and Rob Grootendorst, “the true demagogue knows how to play on both positive and negative emotions and how to touch both the group as a whole and the individuals composing it. The positive emotions that may be exploited include, for example, feelings of safety and loyalty; the negative ones include fear, greed, and shame.” Appeals to popular opinion are not always fallacious, of course, but when “the crowd” is not representative of the whole (it consists of only the demagogue’s supporters or is manufactured through astroturfing), then the appeal to the wisdom of the crowd is merely manipulation. Demagogues use *ad populum* appeals to gain and maintain power because it is difficult to challenge what is believed to be popular. Demagogues also use *ad populum* appeals to prevent critical thinking by overwhelming people with the supposed authority of the crowd and *vox populi, vox dei* arguments (Latin for “the voice of the people is the voice of God”). Indeed, the propagandistic abuse of “the wisdom of the people” via arguments based upon *ad populum* appeals is one of the more pernicious techniques of demagogues because it erodes a society’s trust in the wisdom of “the people” and in popular rule. A dangerous demagogue has no power without their followers.

American exceptionalism (America’s unique status among other nations in the world). Used by a dangerous demagogue to motivate audiences to support the demagogue’s policies. Alexis de Tocqueville first described America’s exceptional situation relative to other nations in his 1835 *Democracy in America*. “The position of the Americans” being so far from Europe, de Tocqueville noted, “is therefore quite exceptional, and it may be believed that no democratic people will ever be placed in a similar one.” He also noted that America’s “strictly Puritanical” religion, “exclusively commercial habits,” and the distractions of nature, “which seems to divert their minds from the pursuit of science, literature, and the arts” combined to create a distinctly American culture. Political scientist Seymour Martin Lipset, like de Tocqueville, observed “America continues to be qualitatively different.” Yet, Lipset believes that this exceptionalism is “a two-edged phenomenon; it does not mean better. This country is an outlier. It is the most religious, optimistic, patriotic, rights-oriented, and individualistic.” While some take the word “exceptionalism” to mean “unequivocally good,” Lipset explains that American exceptionalism has always been a technical distinction—America is simply different from other nations—in some good ways and some bad ways. Yet the “myth of American exceptionalism” elides America’s “uniqueness” and substitutes instead America’s “greatness.” Appeals to American exceptionalism rely on Americans’ pride and their desire to believe that their nation is the best among others, that it is chosen by God, and that it has a heroic destiny to spread democracy and

enlightenment throughout the world. By using powerful appeals to American exceptionalism, demagogues may persuade audiences to support policies that they might not otherwise support. Because American exceptionalism techniques stir the patriotic emotions of pride, they can make critical thinking more difficult. American exceptionalism appeals are particularly pernicious because they take advantage of the nation's hope that it can be a beacon of freedom and liberty for others and turns what could be a positive approach to understanding the nation's obligations toward other nations into hubris and, potentially, to violence.

Paralipsis (Greek for "to leave to the side," or more colloquially, "I'm not saying; I'm just saying"). Used by a demagogue to circulate rumors and accusations, to ironically say two things at once, and to build a relationship with supporters. Rhetoric scholar Jeanne Fahnestock has explained that *paralipsis* "involves mentioning something in the act of denying the mention of it." One of the oldest rhetoric texts *Rhetoric Ad Herennium* explains that "it is of greater advantage to create a suspicion by *paralipsis* than to insist directly on a statement that is refutable." Because *paralipsis* offers accusations without explanations or evidence, it often prevents critical thinking and gives a speaker "plausible deniability." For this reason, it has often been "used as a tool for damaging opponents." But, more than this, since *paralipsis* is a form of irony, it allows a speaker to say two things at once—denying while at the same time affirming. This form of irony connects audiences to demagogues by allowing audiences to believe that they see "the behind the scenes" or the "backstage" or the "real" thoughts of the demagogue—the thoughts that the demagogue can't or won't acknowledge that they have. This can cultivate an "us" versus "them" polarization between in-group audiences and out-group audiences and helps create a faux intimacy between demagogues and audiences because it allows audiences to believe that they know the "insider only" real and true thoughts of the demagogue. Furthermore, not only does *paralipsis* reward audiences by making them believe that they know the demagogue's real thoughts, *paralipsis* is also rewarding because it is often funny. The ironic twist of the demagogue saying the thing that they say that they aren't saying is so obvious that it often elicits laughter from audiences, thus rewarding the speaker once again because audiences enjoy being entertained, especially at the expense of some abhorred outgroup other.

Argument ad hominem (Latin for "appeal to the person," attacking the person instead of their argument). Used by a demagogue to misdirect the audience's attention and attack the character of their opponents. *Ad hominem* is a technique that shifts attention away from the issue by refocusing our attention on the person who raised the issue, or at a secondary level, on the demagogue's attack on the person. If successful, *ad hominem* attacks prevent critical thinking, as our attention is no longer on the debated question and is instead on the person. According to argumentation scholars Frans van Eemeren and Rob Grootendorst there are three variations of *ad hominem* attacks: first, "direct personal attack," which "consists of cutting down one's opponent by casting doubt on his expertise, intelligence, character, or good faith." Second, "circumstantial" *ad hominem* attacks cast doubt on the "motives of one's opponent for his standpoint" by making them appear self-interested or biased. And third, *ad hominem* attacks can be based on the charge of *tu quoque* (appeal to hypocrisy), in which "an attempt is made to find a contradiction in one's opponent's words or between his words and his deeds." While there are certainly times when arguments about a person's qualifications or character would be relevant to consider, demagogues use these kinds of arguments typically to "appeal to our stereotypes or prejudices about people" and as distraction, diverting attention away from legitimate issues. *Ad*

hominem attacks undermine democracy by denying the legitimacy of political opposition. Furthermore, *ad hominem* attacks may help demagogues increase polarization by creating or reinforcing in-groups and out-groups by mocking or disparaging “others.”

Argument ad baculum (Latin for “appeal to the stick,” or threats of force or intimidation). Used by a demagogue to attack and overwhelm opponents. Like other “*ad*” appeals, demagogues use argument *ad baculum* to shift attention away from the argument. In this case, the demagogue’s victim and the audience’s attention is distracted by the threat of force. *Ad baculum* tactics might include threats of physical violence but could also be things like overwhelming opponents or audiences with information so that it is difficult to track the arguments or have time to refute them (“flooding the zone”) or could be things like threatening to release private or embarrassing information about an opponent (doxxing). In all of these ways, and more, demagogues can use *ad baculum* attacks to put “pressure on [opponents] to refrain from taking up a position.” All *ad baculum* attacks—whether or not they contain actual physical violence—have the same end: to use coercion and intimidation to gain compliance. *Ad baculum* attacks are therefore designed to prevent critical thinking by putting pressure on opponents and making it difficult to question demagogues or make arguments against them.

Reification (from the Latin “*res*” for “thing” — thingification, treating people as objects). Used by a demagogue to signal that a demagogue’s designated enemies are unworthy of fair treatment. “All reification is a forgetting,” wrote philosophers Max Horkheimer and Theodor W. Adorno, because reifying rhetoric allows speakers to “forget” that people are not things, that people have immanent value (that they have value *qua* people as opposed to value *qua* utility or capitalism). According to philosopher Axel Honneth, *reification* “violates moral or ethical principles by not treating other subjects in accordance with their characteristics as human beings, but instead as numb and lifeless objects—as ‘things’ or ‘commodities.’” Demagogues seek to control people as objects, denying people their own free will and autonomy. Furthermore, *reification* is a dangerous polarizing rhetorical strategy that demagogues use to divide people into the categories of “real people” and “objects,” which allows demagogues to deny the perspectives of those who the demagogue treats as objects and is often a pre-condition for violence. Since objects cannot speak, they can neither consent nor criticize. *Reification* prevents critical thinking by delegitimizing the voices of the “objects” and in so doing denies critics the opportunity to question the demagogue or speak of their concerns.

Conspiracy (a self-sealing narrative). Used by a demagogue to create suspicion and polarize. Conspiracy divides the world into those who know the truth, those who are duped (wittingly or not) by the plot, and those who conspire and plot against the rest. As a genre of discourse, conspiracy theories are appealing because they reward believers by cynically positioning them as more knowledgeable and less gullible than those who are duped by the conspiracy. As historian Richard Hofstadter famously noted, conspiracy rhetoric is premised on the “paranoid style,” which tells an apocalyptic story of a network of agents determined to infiltrate and undermine the nation. The paranoid style’s “heated exaggeration, suspiciousness, and conspiratorial fantasy” creates a coherent narrative of a dangerous yet hidden plot. Conspiracy theories rely on the difference between appearance and reality: what is apparent is false and hides plotting and subterfuge. Once the narrative of conspiracy and corruption takes hold within a political community, it is difficult to dispel. It is difficult for people to abandon the conspiracy theories that turn them into heroes. The logic of conspiracy is very compelling: it is a

“self-sealing” narrative, meaning that any holes in the story are quickly covered up by the conspiracy. Conspiracy can never be proven true or untrue because no evidence is allowed to count against it. If there is no proof to support the conspiracy, the conspiracist claims “they are hiding the proof.” If the conspiracy is disproved by evidence, the conspiracists claims, “they lie, there's more to the story” and asks, “what are they hiding, why won't they let us even ask the question?” Those who attempt to discredit the conspiracy are stooges or conspirators. The demagogue who wields conspiracy counts on distrusting audiences who are both gullible and cynical, who are prepared to believe everything and nothing.

¹ See Jennifer Mercieca, *Demagogue for President: The Rhetorical Genius of Donald Trump* (College Station: Texas A&M University), 2020. According to classicist Ernest Barker in ancient Athens “the ‘demagogue’ proper had no official position; he simply exercised, in a peculiar degree and with a permanent influence, the right of the private member of the assembly to take the initiative and propose a policy.” Ernest Barker, trans., *The Politics of Aristotle* (Oxford University Press, 1962), 169, n. 50.

² As political scientists Steven Levitsky and Daniel Ziblatt explain in *How Democracies Die*, unaccountable leaders are especially dangerous in democratic governments. Historically democratic governments have been overturned by unaccountable leaders who: (1) rejected or showed a weak commitment to democratic rules; (2) denied the legitimacy of political opponents; (3) tolerated or encouraged violence; and (4) were ready to curtail the civil liberties of opponents and the media. Steven Levitsky and Daniel Ziblatt. *How Democracies Die: What History Reveals about Our Future*. (New York: Viking), 2018.

³ Pew data on trust in government here: https://www.pewresearch.org/politics/2021/05/17/americans-see-broad-responsibilities-for-government-little-change-since-2019/pp_2021-05-17_scope-of-government_00-04/

⁴ Pew data on polarization here: <https://www.pewresearch.org/politics/2014/06/12/political-polarization-in-the-american-public/>

⁵ “Beyond Distrust: How Americans View Their Government,” Pew Research Center, November 23, 2015, <https://www.pewresearch.org/politics/2015/11/23/beyond-distrust-how-americans-view-their-government/> ; Michael Smith and Lydia Saad, “Economy Top Problem in a Crowded Field,” Gallup, December 19, 2016, https://news.gallup.com/poll/200105/economy-top-problemcrowded-field.aspx?g_source=link_news9&g_campaign=item_220703&g_medium=copy ; Frank Newport, “Seven in 10 Dissatisfied with Way U.S. Is Being Governed,” Gallup, September 18, 2017, https://news.gallup.com/poll/219320/seven-dissatisfied-governed.aspx?g_source=Politics&g_medium=newsfeed&g_campaign=tiles ; “Direction of Country,” Real Clear Politics, https://www.realclearpolitics.com/epolls/other/direction_of_country-902.html.

⁶ Mercieca, *Demagogue for President*

⁷ Trump tweet (account now suspended), archived here: <https://web.archive.org/web/20160930095103/http://twitter.com/realdonaldtrump/status/781788223055994880>

⁸ Debate transcript: <https://www.politico.com/story/2016/10/2016-presidential-debate-transcript-229519>

⁹ Trump tweet (account now suspended), archived here: <https://web.archive.org/web/20161023175826/http://twitter.com/realdonaldtrump/status/701045567783219201>

¹⁰ ABC News transcript: <https://abcnews.go.com/Politics/week-transcript-ted-cruz-marco-rubio-donald-trump/story?id=37092853>

¹¹ For details see Mercieca, *Demagogue for President*

¹² CNN transcript: <http://www.cnn.com/TRANSCRIPTS/1605/04/sitroom.01.html>

¹³ Jennifer Mercieca. "Mueller Report Illustrates Trump's Authoritarian Rhetorical Tactics." Just Security, May 1, 2019. <https://www.justsecurity.org/63860/mueller-report-illustrates-trumps-authoritarian-rhetorical-tactics/>.

¹⁴ Trump tweet (account now suspended), archived here: <https://web.archive.org/web/20190320020646/https://twitter.com/realdonaldtrump/status/1107981131012628481>.

¹⁵ For details see Mercieca, *Demagogue for President*

¹⁶ Politico/Morning Consult released a poll that asked Americans, "Donald Trump has said that this election could be 'stolen' from him as a result of widespread voter fraud. Do you agree or disagree with his statement?" Forty-one percent of all registered voters either strongly or somewhat agreed with Trump, and 73 percent of Republicans either strongly or somewhat agreed with Trump.

¹⁷ See Trump Twitter archive: <https://www.thetrumparchive.com/?searchbox=%22rigged%22>

¹⁸ Robert L. Ivie (1980) "Images of savagery in American justifications for war," *Communication Monographs*, 47:4, 279-294, DOI: [10.1080/03637758009376037](https://doi.org/10.1080/03637758009376037)

¹⁹ The transcript for Trump's January 6, 2021 speech: <https://www.npr.org/2021/02/10/966396848/read-trumps-jan-6-speech-a-key-part-of-impeachment-trial>

²⁰ See: https://clinecenter.illinois.edu/coup-detat-project-cdp/statement_jan.8.2021 and <https://www.washingtonpost.com/business/2021/01/13/autogolpe-self-coup-capitol/>

²¹ Ryan Goodman and Justin Hendrix. "'Fight for Trump': Video Evidence of Incitement at the Capitol." Just Security, February 26, 2021. <https://www.justsecurity.org/74335/fight-for-trump-video-evidence-of-incitement-at-the-capitol/>

²² Trump tweet (account now suspended), archived here: <https://web.archive.org/web/20210106230114/http://twitter.com/realdonaldtrump/status/1346954970910707712>

²³ John Dewey, "Creative Democracy – The Task before Us," in *Later Works*, 14:224–230, 225–226.