

ED KILGORE,
MANAGING EDITOR:

The Democratic Strategist has three editorial goals—(1) to provide an explicitly and unapologetically partisan platform for the discussion of Democratic political strategy, (2) to insist upon greater use of data and greater reliance on empirical evidence in strategic thinking and (3) to act as a neutral forum and center of discussion for all sectors of the Democratic community.

As The Democratic Strategists' editorial philosophy states, the publication will be "proudly partisan, firmly and insistently based on facts and data and emphatically open to all sectors and currents of opinion within the Democratic community".

**A
DEMOCRATIC STRATEGIST
STRATEGY MEMO**

**HILLARY'S TESTIMONY IS OVER
BUT THERE WILL BE MORE
BENGAZI-STYLE HEARINGS
IN THE FUTURE.
THE REASON IS THAT THE GOP HAS
DEVELOPED A STANDARDIZED
STRATEGY FOR MANUFACTURING
BOGUS DEMOCRATIC "SCANDALS."**

**JAMES FALLOWS AND
NORM ORNSTEIN SUGGEST ONE WAY
DEMOCRATS CAN FIGHT BACK.**

BY

JAMES VEGA

TDS STRATEGY MEMO: HILLARY'S TESTIMONY IS OVER BUT THERE WILL BE MORE BENGHAZI-STYLE HEARINGS IN THE FUTURE. THE REASON IS THAT THE GOP HAS DEVELOPED A STANDARDIZED STRATEGY FOR MANUFACTURING BOGUS DEMOCRATIC "SCANDALS." JAMES FALLOWS AND NORM ORNSTEIN SUGGEST ONE WAY DEMOCRATS CAN FIGHT BACK.

By JAMES VEGA

Writing in *The Atlantic*, James Fallows captures a key reality about Hillary Clinton's "e-mail scandal" – that the GOP has now developed a standardized method for manufacturing bogus Democratic "scandals" by manipulating the mainstream media's profound fear of reporting anything that contradicts the notion that both political parties are basically equivalent. *As Fallows says:*¹

It took mainstream journalism a long time to feel comfortable stating an obvious fact: that the modern Republican Party is going through a push to the extreme unlike anything that is happening to today's Democrats, and unlike anything else that has happened in politics since at least the Goldwater era and probably since long before. It feels so much more responsible, and is certainly safer, to write about "extremists on both sides."

Three years ago, the think-tank eminences Norman Ornstein and Thomas Mann wrote *a Washington Post essay*² called "Let's Just Say It: The Republicans Are the Problem." That was an inspired headline, because it captured the fact that even now it is harder than you would think for reporters just flat out to state that truth.

In fact, once the GOP grasped the fact that the mainstream media would not honestly report the fact that they were engaging in an asymmetric extremist warfare against the Democrats, Republicans realized that they could use the traditional journalistic standards for reporting information given "off the record" or "on deep background" to easily manipulate the press without fear of exposure or censure. As Fallows notes:

...The latest *Times* article makes clear in retrospect what I thought was evident all along: that the steady stream of leaks [**From the Benghazi Committee**] was coming either from Republican staffers or Republican committee members. But while these stories were dribbling out, most notably with the **completely false report**³ that Hillary Clinton was the object of a criminal investigation, a claim the *Times* trumpeted on its front page, *reporters added no shading to suggest that these allegations were coming essentially from a partisan oppo-research group. To do so would have been to "take sides."* Yet as Kevin McCarthy **inconveniently blurted out**,⁴ *through their commitment to "neutrality," reporters had been taking sides all along.*

¹<http://www.theatlantic.com/politics/archive/2015/10/how-the-press-can-deal-with-the-benghazi-committee/410251/>

²<http://www.brookings.edu/research/opinions/2012/04/27-gop-mann>

³<http://www.theatlantic.com/politics/archive/2015/07/when-the-paper-of-record-fails-to-keep-the-record/399752/>

⁴<http://www.theatlantic.com/politics/archive/2015/09/kevin-mccarthy-steps-into-a-faux-outrage/408253/>

The result, in the Benghazi case, has been something strikingly similar to the old “Whitewater scandal” early in the Clinton administration. I bet not one American in 100 could explain what the underlying “scandal” in that case is supposed to have been, or why it should have occupied press and government attention over a span of years. Yet, as it happened, it was highlighted by the *Times* of that era as a journalistic campaign; this added to the sense that there must be some kind of scandal here, since readers kept hearing about it...

...Thanks to the endless leak-driven reports, “everyone knows” that there’s a problem with Hillary Clinton and her emails... [The leaks] “raise questions” and “has a drip-drip-drip” effect, to quote things I’ve heard on the news in the past day. Count how many times you hear the phrase “Clinton email scandal” in the next news report you listen to, and wait to see if anyone explains exactly what the *scandal* (as opposed to misjudgment, bad decision, etc.) was. We have a “scandal,” we have a “narrative of evasiveness,” all thanks to the conjunction of a post-mainstream-media congressional oppo-research group and a media organization whose reflexes have not fully caught up.

Since the GOP will in all likelihood control one or both houses of Congress even if a Democrat is elected president in 2016, it is certain that this tactic will be used again and again in the coming years. In effect, what this strategy does is to manipulate the mainstream media into acting as a “scandal-laundering” machine for partisan generated accusations of “scandal” that amplify and extend the “echo chamber” propaganda of Fox News and talk radio.

A key value of Fallows’ piece, however, is that it also suggests a strategy for how Democrats can fight back. As Fallows notes, a critical step in the scandal-manufacturing process depends upon reporters’ ability and willingness to conceal the partisan affiliations of the people who supply them with leaks of “inside” information. Had the sources of the stream of leaks from the Benghazi committee been identified as “*Republican (or “Republican-affiliated”) sources close to the committee*” rather than simply “*sources close to the committee*” or “*sources in the Department of Justice*” the impact of their slanted disclosures would have been dramatically reduced.

Reporters shielded this information from their readers with the disingenuous claim that they were “protecting their sources” when in fact what they were actually doing was knowingly providing a patently misleading impression about their honesty and objectivity.

The journalistic tradition of protecting the identity of sources is based on the idea that reporters cannot obtain valuable and true information without the ability to guarantee their confidential sources that they will remain anonymous. This has led to a four-tier set of journalistic conventions regarding sources:

1. Informants who give information “*off the record*” cannot be described or characterized in any way.
2. Informants who give information “*on deep background*” can be described in a general way (e.g. “a high-level source in the Justice Department”) but not personally characterized.

3. Informants who give information “on background” can be described and characterized but not personally identified.
4. Informants who give information “on the record” can be quoted by name.

As Fallows notes, however, this traditional approach has now been subverted by the GOP into a tool for, in effect “slander laundering” dishonest partisan attacks on Democrats so that they appear to be objective reporting:

As Fallows says:

...when [reporters] receive leaks from informed committee sources, as obviously has happened for many months, they are honor-bound to protect their sources’ identities. But the good part of that old-school confidentiality commitment—making clear to our informants that we won’t ever give up their names—has shaded over into a cynically exploitable part...because the allegations were coming essentially from a partisan opposition research group.

In a related Atlantic article⁵, Norm Ornstein described how the abuse of this “off the record” journalistic convention allowed the New York Times to produce a report about Hillary Clinton that was so utterly false and defamatory that it would represent libel had the victim been a private citizen and then piously insist on protecting the identity of the perpetrators:

The huge embarrassment over the front page story claiming a criminal investigation of Hillary Clinton for her email is a direct challenge to the Times fundamental credibility. And the paper’s response since the initial huge error was uncovered has not been adequate or acceptable.

This is not some minor mistake...a distorted and inaccurate story about a prominent political figure running for president is especially damaging and unconscionable.

“We got it wrong because our very good sources got it wrong,” top editor Matt Purdy said. Excuse me—how are these “very good sources” if they mislead reporters about the fundamental facts? Were the congressional sources—no doubt “very good” because they are eagerly accessible to the reporters—careless in reading the referral documents, or deliberately misleading the reporters? We know that a very good reporter formerly with *The Times*, Kurt Eichenwald, read the memos⁶ from the inspectors general about the Clinton emails and quite readily came to the conclusion that this had nothing to do with a criminal referral...

...Dean Baquet, the executive editor of *The Times*, does not fault his reporters. “You had the government confirming that it was a criminal referral,” he said. That raised another question. What is “the government?” Is any employee of the Justice Department considered the government? Was it an official spokesperson? A career employee? A policy-level person, such as an assistant attorney general or deputy assistant attorney general? One definitely without an ax to grind? Did the DOJ

⁵<http://www.theatlantic.com/politics/archive/2015/07/when-the-paper-of-record-fails-to-keep-the-record/399752/>

⁶<http://www.newsweek.com/hillary-clinton-new-york-times-emails-357246?curator=MediaREDEF>

official tell the reporters it was a criminal referral involving Clinton, or a more general criminal referral? And if this was a mistake made by an official spokesperson, why not identify the official who screwed up bigtime?

This story demands more than a promise to do better the next time, and more than a shrug. When “very good” sources get a big story wrong, and reporters, without seeing the documents, accept their characterization of the facts and put it on the front page, *they have an obligation to tell readers more about who those sources were and about why they got it wrong....[and] Someone should be held accountable here, with suspension or other action that fits the gravity of the offense.*

Ornstein’s analysis of the *New York Times* debacle suggests three standards that Democrats should insist upon for the future:

- Sources that provide information that turns out to be false and defamatory should lose any “off the record” protection whatsoever and have their identities exposed.
- Reporters should not be allowed to publish information provided by a source that refuses to allow the writer to honestly describe relevant information about the sources’ partisan ties and affiliations.
- Reporters or editors who fail at this fundamental public responsibility should face dismissal, suspension or other consequences from their publishers severe enough to dissuade them from continuing to abuse the public trust.

Looked at objectively, in an era when the extremist tilt of the Republican Party has transformed the GOP’s approach to politics into a form of “no holds barred” partisan warfare, these demands are simply common sense. But the mainstream media will resist them by sanctimoniously insisting that they must follow journalistic rules that date from the pre-Watergate era when many politicians from the two parties were similar in their standards of ethical behavior and journalistic conventions regarding confidentiality were considered equitable to both political parties.

But to insist on those same standards today when one party has become deeply influenced by right-wing extremism and quite cynically manipulates those standards again and again to smear Democrats is the exact opposite of non-partisanship. The traditional journalistic standards now provide cover for “slander laundering” false charges against Democratic candidates and officeholders – a consistent pattern that can be tracked from the whitewater and other bogus “scandals” of the 1990’s to the e-mail “scandal” of today.

If editors and reporters in the mainstream media aspire to be objective, they can start by refusing to allow themselves to be manipulated by the GOP. Failing to do this represents the endorsement and support of pro-Republican partisan dishonesty in their reporting that is different from the partisan propaganda of Fox News and talk radio commentators only in degree and not essential character.