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**A  
DEMOCRATIC STRATEGIST  
STRATEGY MEMO**

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The embarrassment for conservatives and Republicans that has been created by the revelation that the “Friends of Hamas” (a terrorist group from which Secretary of Defense Chuck Hagel was accused of taking money) was an entirely imaginary organization only represents a small and temporary setback. The central fact that the fiasco revealed was the rise of a new right-wing propaganda technique—*slander laundering*—that will be used again and again in the future to slander and libel Democrats and progressives.

Slander and libel are, of course, abuses of long standing. What is new and profoundly disturbing is the seamless way today’s media environment allows a completely baseless slander to be promoted up through various layers to national prominence while each link in the chain protects themselves from accusations of deliberately and cynically lying by passing the responsibility for the accuracy of the smear up or down to another level in the *slander-laundering* machine.

*In the analysis presented in section two of this memo the specific way that the new “slander-laundering” strategy works is outlined, using the “Friends of Hamas” case as an example.*

The new power of *slander laundering* represents a significant innovation that has only become possible with the rise of the conservative “pseudo-journalism” of publications like Breitbart News. In the past there were very clear lines between “real” or “legitimate” publications on the one hand and supermarket tabloids like the *National Enquirer* or disreputable fringe publications like those of the John Birch society or the Black Muslims on the other. The tabloids and disreputable publications were not considered reliable sources of information by the legitimate press and reputable publications would not print accusations that were published by these periodicals without solid independent confirmation because those publications did not uphold and follow the traditional rules of professional journalism (e.g., obtaining at least two credible and independent sources before running a potentially libelous story).

Today, in contrast, there are now a number of new and very well-funded conservative publications that practice the “pseudo-journalism” illustrated by the completely fraudulent

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*Note: In legal proceedings slander and libel have technical definitions. In common speech, on the other hand, the terms simply mean false accusations that are spoken (slander) or published (libel) and whose authors either know them perfectly well to be false or circulate them with “reckless disregard” for their truth or falsity.*

“Friends of Hamas” story. They act as the critical intermediate “*slander-launders*” that promote false accusations into the legitimate press. It was Andrew Breitbart himself who pioneered this new method before his death in 2009.

While the “Friends of Hamas” fiasco made the practitioners of pseudo-journalism look momentarily stupid and insured that other journalists and commentators will for a brief period look somewhat more closely at their future claims, the broader problem is the appalling failure of the major news organizations to take a firm stand in support of traditional standards of journalistic practice and journalistic ethics. “Slander-launders” would be substantially reduced if traditional news organizations took a strong and united stand against the practice. Instead, however, an appalling proportion of the discussion of this issue in the national press has reflected either a cynical sense of resignation or even a startling minimization, excuse and tacit encouragement of slander and libel.

*In the third section of this memo a front page article in the New York Times is examined to illustrate the degree to which mainstream publications frequently minimize or excuse the actions of the new conservative publications that engage in slander, libel and defamation of character.*

The two techniques, “*slander laundering*” by the disreputable press and “*slander enabling*” by mainstream media, work in concert. Together they are establishing a foundation for the future in which outrageous slanders against Democrats and progressives become entirely routine. If nothing is done, every Democratic candidate for office or government position and every progressive leader and organizational figure will be vulnerable to a withering gauntlet of slander and libel that begins in the pseudo-journalistic conservative press and ends up at the center of the national news.

## **What can be done?**

There is little that can be done to stop the pseudo-journalistic publications that practice slander laundering except for insuring that they are hit with a steady stream of lawsuits every time they cross the line into actionable legal libel. Shirley Sherrod, for example, who was the victim of an outrageous smear based on a deceptively edited video, **has continued her lawsuit**<sup>1</sup> against the estate of Andrew Breitbart and his surviving associates for over three years. If every victim of right-wing slander took an equally aggressive stance, the effect would be significant.

There are, of course, major obstacles to pursuing legal actions for slander and libel. The law makes it extremely difficult to sue the authors of false accusations that involve public figures and plaintiffs in libel suits must often show that actual economic damage has occurred in order to successfully prosecute the offender. Libel suits are also complex and costly to litigate and few victims have the resources to pursue them.

To a significant degree, however, these problems can be overcome if socially concerned attorneys and law firms would donate services to the victims of slander and libel in order to insure that the perpetrators suffer some consequences for their actions. It is a simple truism that if the authors of slander and libel encounter absolutely no penalty for their actions, they will have absolutely no incentive to stop.

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<sup>1</sup><http://www.politico.com/blogs/under-the-radar/2012/03/shirley-sherrods-suit-against-andrew-breitbart-likely-116078.html>

In regard to publications that excuse or minimize slander and libel, Democrats and progressives should direct their attention to two groups—the editors of those papers and the legitimate writers whom they publish.

The editors of papers that publish articles and commentaries that excuse or minimize slander and libel should be bombarded with letters of complaint that point out that slander and libel are not partisan or ideological issues regarding which “balance” or “diversity of opinion” are appropriate. On the contrary, they are an assault on professional journalism itself and publishing articles or commentary that excuse or minimize such behavior represents a tacit editorial endorsement of the debased journalistic standards of the National Enquirer which profoundly degrades the image and reputation of the publication itself.

Reputable writers whose work appears in publications that excuse or minimize slander and libel should also be encouraged to publish commentary that directly criticizes the editors for their failure to uphold and defend traditional journalistic standards and ethics. Legitimate writers and commentators should recognize that articles that excuse or minimize slander and libel in the periodicals for which they write directly affect their own image and professional reputation.

Finally, Democrats and progressives must “up their game” to directly challenge mainstream publications that excuse or minimize slander and libel. If a forceful challenge to the practice of slander laundering and slander enabling is not posed now, slander and libel will quickly become “the new normal,” confronting every Democratic candidate, every Democratic officeholder, every progressive leader and the staff of every progressive organization.

The point is simple: slander and libel are not partisan or ideological issues. They are inherently vile and reprehensible practices that have no place in a decent society. It is time for every person and publication that does not engage in these practices to take a stand.

## **Section Two – the Detailed Mechanics of how “Slander Laundering” Works**

The “Friends of Hamas” fiasco provided a unique opportunity to observe the internal workings of this propaganda technique and how it will be used in the future. It is vital for Democrats and progressives to understand the mechanism, using the Friends of Hamas slander as the model:

Step 1: The person initiating the slander chooses an accusation that sounds intuitively plausible based on the ethnic, cultural or political characteristics of the intended target. A Mexican, for example, can be implied to be somehow involved in drug trafficking or a Muslim involved in jihadist terrorism simply on the basis of their ethnicity. In similar fashion environmentalists are vulnerable to slanders that leverage stereotypes related to “rich elitists” and trade unionists to stereotypes based on “thugs” or “goons.”

*(In the particular case of the “Friends of Hamas” slander, Hegel’s opposition to some Israeli policies and the nation’s U.S. lobbying efforts provided the basis for implying that he might be “Pro-Arab” or even “Pro-terrorist.”)*

Step 2: The person initiating the slander passes it along to a GOP or conservative operative with the suggestion that it is a “*rumor going around*” that some conservative publication really ought to investigate. As a result, the operative who will act as the source and pass the accusation to a publication obtains plausible deniability. The operative can say that he or she didn’t invent the accusation but is just passing along “*something being said.*”

Step 3: The GOP or conservative operative then takes the slander and contacts one of the new conservative publications that do not follow the rules of professional journalism regarding the publication of unconfirmed rumors. Instead, these publications “investigate” slanders by demanding that the target of the slander provide evidence to disprove the allegation. If the target of the slander refuses, the refusal is then used as evidence of a “cover-up” and a justification for publishing the slanderous accusation

*(In the “Friends of Hamas” case, it was the Breitbart News that played this role. The story they published was titled “SECRET HAGEL DONOR?: WHITE HOUSE SPOX DUCKS QUESTION ON ‘FRIENDS OF HAMAS’”<sup>1</sup> and the first paragraph read: “On Thursday, Senate sources told Breitbart News exclusively that they have been informed that one of the reasons that President Barack Obama’s nominee for Secretary of Defense, Chuck Hagel, has not turned over requested documents on his sources of foreign funding is that one of the names listed is a group purportedly called ‘Friends of Hamas.’”)*

Step 4: After the initial publication, more respectable conservative publications begin to run commentary that discusses and circulates the slander while sanctimoniously claiming that “*we’re not necessarily saying the accusation is true, we’re just commenting on what other conservative publications are reporting.*” This allows them to promulgate the slanderous accusation without fear of being sued for libel.

*(In the Hagel case, the National Review’s Andrew Stiles reported<sup>3</sup> that “rumors abound on Capitol Hill that a full disclosure of Hagel’s professional ties would reveal financial relationships with a number of ‘unsavory’ groups, including one purportedly called ‘Friends of Hamas.’” Equally, RedState.org helpfully noted that “All [the Administration] has to do to debunk [the accusation] is to have Hagel reveal his foreign donors.”)*

Step 5 – Significant GOP or conservative politicians take up the accusation, placing their comments in the conditional form “if these accusations prove to be true...”

*(In the Hagel case, Sen. Ted Cruz<sup>4</sup> directly accused Hagel of “acquiring funds*

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<sup>1</sup> <http://www.breitbart.com/Big-Peace/2013/02/07/Hagel-Friends-of-Hamas-WH>

<sup>3</sup> [http://www.slate.com/blogs/weigel/2013/02/14/\\_friends\\_of\\_hamas\\_the\\_scary\\_sounding\\_pro\\_hagel\\_group\\_that\\_doesn\\_t\\_actually.html](http://www.slate.com/blogs/weigel/2013/02/14/_friends_of_hamas_the_scary_sounding_pro_hagel_group_that_doesn_t_actually.html)

<sup>4</sup> <http://www.middleeastmonitor.com/articles/americas/5311-israel-lobby-out-in-force-to-block-hagels-appointment-as-us-secretary-of-defence#sthash.XnszRKHo.dpuf>

from *Friends of Hamas and Hezbollah in Lebanon*” and the accusation was echoed by Sen. Rand Paul. On Fox News the accusations were given national circulation by Frank Gafney, Hugh Hewitt, Lou Dobbs,<sup>5</sup> and also Mike Huckabee<sup>6</sup> who used the characteristic conditional formulation “If these allegations prove to be true, they would certainly be grounds for rejecting Hagel.”)

Step 6: Once major conservative or Republican figures begin repeating the slander, the mainstream news organizations then feel impelled to “cover the controversy.” Their excuse is that “after all, if major U.S. senators and national commentators are saying these things we have an obligation to report it.”

Step 7: The appearance of the slander in the major national media then sets off a chain reaction of further discussion. As a result the accusation takes on a life of its own from which the victim never fully recovers. A shadow was permanently cast over John Kerry’s wartime service in 2004, for example, by the national attention given to the “swift boat” accusations that he had distorted and exaggerated his combat record, although no actual proof of any distortion or dishonesty on his part was ever produced.

The only reason this process is so clear in the “Friends of Hamas” case was the very unusual circumstance that the accusation could be and indeed was very easily disproved. Columnist David Weigel<sup>7</sup> simply checked the State Department’s list of terror sponsors and the Treasury Department’s list of terror-connected charities and then called the Treasury to see whether a “Friends of Hamas” had ever appeared on their radar. It hadn’t.

What is new and profoundly disturbing in this process is the seamless way it allows a completely baseless slander to be promoted up through various layers to national prominence while each link in the chain creates a veil of “plausible deniability” to protect themselves from legal actions for libel or slander.

(In the case of the *Friends of Hamas* story, the editor of *Breitbart News* provided a clear example of how the key step in this “slander-laundering” is done. When the review of official terrorism databases revealed that no such group as “Friends of Hamas” existed, a fact that any publication following traditional standards of journalism would have unearthed, the editor of *Breitbart News* acknowledged that “Friends of Hamas” might not exist<sup>8</sup> but argued that his story used “very, very specific language” to avoid flatly claiming it did. “The story as reported is correct, the editor said, whether the information I was given by the source is correct I am not sure”.) In short, every link in the chain of the *slander laundering* process protects itself from a lawsuit for slander or libel by passing the responsibility for the accuracy of the smear up or down to another level in the *slander-laundering* machine.

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<sup>5</sup> <http://blog.reidreport.com/2013/02/friends-of-hamas-breitbart-ghost-and-whats-really-wrong-with-the-right/>

<sup>6</sup> <http://www.buzzfeed.com/rosiegray/mike-huckabee-blasts-chuck-hagel-in-israel>

<sup>7</sup> [http://www.slate.com/blogs/weigel/2013/02/20/\\_friends\\_of\\_hamas\\_revisited.html](http://www.slate.com/blogs/weigel/2013/02/20/_friends_of_hamas_revisited.html)

<sup>8</sup> [http://www.nydailynews.com/opinion/friends-hamas-rumor-started-article-1.1268284?localLinksEnabled=false&google\\_editors\\_picks=true](http://www.nydailynews.com/opinion/friends-hamas-rumor-started-article-1.1268284?localLinksEnabled=false&google_editors_picks=true)

## Section Three – What “Slander Enabling” Looks Like Up Close

As a startling example of “slander-enabling,” consider [this New York Times profile](#)<sup>9</sup> of the editor of the conservative publication the Washington Free Beacon:

On the one hand, the text of the article summarizes the following—and quite appalling—facts about the publication:

1. Under the nasty and inflammatory title “*Hughes Drops Jews*”<sup>10</sup> the publication made the explicit claim that, under its new editor, Facebook co-founder Chris Hughes, who was raised as a Lutheran, the New Republic had “*dropped at least five prominent Jewish writers from its masthead in a move that may signal the publication’s continued drift away from a staunchly pro-Israel standpoint,*” The suggestion of a purge of Jews by Chris Hughes was clearly, absolutely and provably false—and indeed easily met the basic legal standard for libel. When challenged, however, the editor of Washington Free Beacon simply dismissed the story as just “a joke” and complained that liberals lacked a sense of humor.

2. The publication also published the claim that Chuck Hagel gave a speech in which he called the State Department “*an adjunct to the Israeli foreign minister’s office,*” an accusation that Sen. Lindsey Graham of South Carolina then urgently cited on the senate floor as another reason to delay Hagel’s nomination as defense secretary.

Hagel, however, denied ever saying those words and no recording or transcript of such a statement exists. The Washington Free Beacon described the quote as based on “*contemporaneous notes an attendee posted online*”. However, when asked if the words he posted were actually a direct quote from Hagel, the attendee in question carefully avoided giving a direct answer. Instead the [Free Beacon reported his statement](#)<sup>11</sup> as the vague and ambiguous assertions that he was “*taking notes as [Hagel] was speaking.*” And that “*If I wrote it, then that’s what happened at the time.*” Two days later, after receiving calls from the legitimate press, the attendee was [even more categorical and explicit in refusing to say that the statement was actually a direct quote](#)<sup>12</sup> from Hagel. He said instead: “*As I have told all the journalists who contacted me in recent days: unfortunately, I have no recollection of the specific words that were said; it was 6 years ago.*”

To honest observers who looked at the details, this made it clear that in this case the publication had published libelous statements without any verifiable source at all and in the New Republic case had published accusations about the motives and actions of Chris Hughes that appeared to clearly meet the legal standards for a successful libel action.

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<sup>9</sup> <http://www.nytimes.com/2013/02/24/us/politics/michael-goldfarb-gleeful-provocateur-at-intersection-of-many-worlds.html?hp&pagewanted=all>

<sup>10</sup> <http://freebeacon.com/hughes-drops-jews/#sthash.90I2UhKr.dpuf>

<sup>11</sup> <http://freebeacon.com/report-hagel-said-state-department-controlled-by-israel/>

<sup>12</sup> <http://www.ajjan.com/2007/03/hagel-in-nj-0-delegates-down-78-to-go.html>

As a result, one would ordinarily have expected that a publication like the *New York Times*—a publication that prides itself on its journalistic quality and standards—would make these deeply disturbing facts the centerpiece of their article and would feature quotes from experts in journalism and law regarding their implications.

But stunningly, a front-page [New York Times profile](#)<sup>13</sup> of the editor of the Washington Free Beacon took almost the exactly opposite position—a kind of chuckling and indulgent “*oh well, boys will be boys*” dismissal of any problem.

The Times profile of editor Michael Goldfarb called him:

*A gleeful provocateur at the intersection of many worlds*

*The conservative political operative of the moment*

*A conservative clarion*

*An all-around anti-liberal provocateur*

*[A person who] has combined a relatively new form of weaponized journalism, politicking and public policy into a potent mix.*

*The piece approvingly offered the following quote about Goldfarb:*

*“He’s at the intersection of a lot of different worlds,” said William Kristol, the editor of The Weekly Standard, who has been a boss, mentor and colleague to Mr. Goldfarb. He said Mr. Goldfarb was representative of a new generation of conservatives whose emergence at a low ebb of their party’s power has made them “a little more entrepreneurial, more outspoken and risk-taking—not so worried about moving up a corporate ladder.”*

*The article even explicitly emphasized and even glorified Goldfarb’s “it was just a joke” justification for the smear of Hughes. As it said:*

*Mr. Goldfarb has described himself as a cudgel. His signature political attack can best be described as gleeful evisceration, which at times has exposed him to charges of going too far and of getting too personal. As he tells it, he is simply trying to have fun while practicing his admittedly combative brand of politics—the humor of which, he said, his liberal critics are too self-serious to get. “We’re true believers, but we’re also troublemakers, and if you look at the work we do, a lot of it has a sense of humor,”*

In contrast, the article included only two negative quotes: One was a statement from the editor of ThinkProgress.org, denying that The Washington Free Beacon is the conservative counterpart to the publications of the liberal Center for American Progress: “*They are not an imitation of ThinkProgress,*” He said, “*They are a parody.*” The other was a quote from a progressive writer saying: “*I think he’s just out to hurt people. I don’t understand what his greater goal is.*”

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<sup>13</sup><http://www.nytimes.com/2013/02/24/us/politics/michael-goldfarb-gleeful-provocateur-at-intersection-of-many-worlds.html?hp&pagewanted=all>

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There is no other way to describe this unbelievably positive and indeed almost fawning coverage except as “*slander-enabling*” or “*slander-justifying*.” It treats the commission of slander as a kind of amusing “boys will be boys” prank and glorifies the practitioner as a clever and amusingly irreverent gadfly of liberal orthodoxy.

This kind of commentary is appallingly widespread—and deeply pernicious. It plays a vital role in excusing and encouraging slander and libel and removes all of the traditional contempt and distain with which the practice was and still should be viewed.