

## News media 'partnership' with Starr is exposed

by Edward Spannaus

The news media loves to dish it out, but it can't take it. What else can you conclude from watching the media's reaction to "Pressgate," the bombshell article published in the premiere issue of the new media magazine *Brill's Content*?

"Utterly garbage," responded *Newsweek's* Michael Isikoff. "Complete and total hogwash," sputtered NBC's David Bloom. "You have defamed me and damaged my reputation," squealed *Washington Post* Whitewater reporter Susan Schmidt.

Although the media have chosen to focus on the back-and-forth between author Steve Brill and independent counsel Kenneth Starr, Starr was, in fact, *not* the subject of the article. "This was a piece about the press and press coverage," Brill said on CNN's Larry King show on June 16. He added that if he had never interviewed Starr, "I would have had much the same piece."

What Brill did, with his thoroughly documented account of the "partnership" between the news media and Starr's office, was to show how Starr's prosecutors provided leaks to selected reporters for the major news media, and how those same media then became a "cheering section" for Starr's crusade against the President. Brill contends that a detailed examination of the first few weeks of the media frenzy around the Monica Lewinsky affair "raises the question of whether the press has abandoned its Watergate glory of being a *check* on official abuse of power"; in this matter, Brill argues, "the press seems to have become an enabler of Starr's abuse of power."

Most of the screaming is coming from people who appear not to have read Brill's 24,000-word article, but only received second-hand accounts of it. The primary documentation in Brill's article consists of the stories put out by the reporters themselves, on television and in the print media. The day-by-

day account of the media feeding frenzy that erupted after the Lewinsky story broke on Jan. 21, including quotes from the articles, news broadcasts, and television talk-shows which flooded the nation with leaks, rumors, and speculation about President Clinton and Lewinsky, is the most devastating indictment that can be lodged against the news media. They are hung by their own words.

### Starr's stenographers

Brill's primary accusation against most of the major news media is that they accepted, uncritically, leaks from Starr's office, and then broadcast and published those leaks as the truth. Thus, Brill describes Susan Schmidt of the *Washington Post* as doing "stenography" for the prosecutors, and as "softening" Starr's image for the public. "The most laughable lap-dog-like work" is done by NBC's David Bloom, Brill writes, also labelling Bloom a stenographer for Starr.

In the course of preparing his article, Brill interviewed Starr in mid-April. During an on-the-record interview, the independent counsel acknowledged that he and his office have frequently provided "background" briefings to reporters. Starr insisted that he and his deputies had done nothing improper, and that they had not violated the law against disclosure of grand jury material. Starr attempted to justify this with the sophistry of arguing that if his office talks about what witnesses say *before* they go in front of the grand jury, then it is not "grand jury information."

After the publication of the article, Starr denounced it as a "reckless and irresponsible" attack on the Office of the Independent Counsel (OIC) which "borders on libelous." But, amidst all of Starr's fulminations, he never says that he was misquoted by Brill, only that his statements were

taken “out of context” and misinterpreted.

Brill’s article identifies the major leak points for Starr’s office as the *Washington Post*, *Newsweek*, the *New York Times*, ABC News, and NBC News. The primary leaker is identified as Jackie Bennett, Starr’s deputy in his Washington office. As *EIR* has shown (March 6, 1998), Bennett is a career Justice Department prosecutor, previously assigned to the so-called Public Integrity Section, who specializes in targeting elected officials. Bennett has a well-deserved reputation as a “schoolyard bully.”

While Brill’s “Pressgate” article was in preparation, another writer also documented how leaks were orchestrated from Starr’s office. Late last month, Dan Moldea — who has just published a book on the Vincent Foster case — told of a conversation he had with Hickman Ewing, Starr’s top deputy in Little Rock, Arkansas, in which Ewing described how the OIC conducted leaks to the news media. Ewing said that Starr personally approves the leaks and who gets them.

Moldea said that Ewing told him that the OIC “talks freely with reporters . . . and gives them the OIC’s position on controversial issues along with occasionally providing information which is not on the public record. This information is provided to approved writers on an off-the-record basis.” Ewing told Moldea that if the reporter is in agreement with Starr’s office, “then the OIC will speak more freely with the reporter seeking inside information.”

While Moldea and Brill acknowledge that it is the group of reporters regarded as friendly by Starr, who get the leaks, what they leave unsaid, is that those reporters regarded as hostile to Starr, get the subpoenas. In Starr’s twisted mind, any reporter who publishes criticism of the OIC is guilty of obstruction of justice and worse.

### **Brill’s challenge to Starr**

During a discussion on the Larry King show on June 16, Brill suggested a simple way to clear up the controversy created by the article and Starr’s denial of having leaked secret information to reporters. What Starr can do, Brill proposed, is to release the logs of all the contacts that OIC has had with reporters, and disclose what he and Bennett told those reporters.

Second, Brill said, since Starr claims that there is no significance to the fact that his briefings to reporters were on background instead of on-the-record, Starr should release the reporters from the promises of confidentiality which he apparently extracted from them. The reporters now claim that they cannot acknowledge whether Starr or a deputy were their sources, because of the assurances of secrecy given to confidential news sources.

For all his protestations, Starr has been unable to explain, if all of his contacts with reporters were totally proper and did not involve secret information, why were his briefings done on the condition of anonymity, instead of on-the-record, where the source could be named?

### **Starr’s setbacks**

The Brill article is not Starr’s only problem of late. Since March, Starr has been trying to maneuver his way around serious charges of witness-tampering and prosecutorial misconduct involving his key Little Rock witness David Hale. Over \$2 million was funnelled from “Daddy Warbucks” Richard Mellon Scaife, through the *American Spectator* magazine’s tax-exempt foundation, into the so-called “Arkansas Project,” whose purpose was to dig up dirt on Clinton and to create and purchase witnesses against the President and his associates. In an April 16 letter to Attorney General Janet Reno, Starr acknowledged that there were “FBI-supervised contacts” between Hale and operatives of the Scaife-financed *American Spectator* project; there are also allegations that Hale directly received cash payments and other amenities from operatives of the anti-Clinton “Arkansas Project.” Starr has designated a former Justice Department official, Michael Shaheen, to investigate the witness-tampering allegations and to report to a panel of retired judges.

On April 1, a Federal judge threw out of court the civil suit brought against President Clinton by Paula Jones. It was the Jones lawsuit which provided the pretext for Starr to seize upon the Monica Lewinsky perjury and obstruction-of-justice allegations, permitting Starr to piggyback an investigation of the President’s sex life onto his failed Whitewater probe. The dismissal of the Jones case weakened—but did not terminate—Starr’s efforts to criminalize the Jones civil case.

Then, in late May, Starr went on a frantic drive to induce the U.S. Supreme Court to bypass its normal procedures and to intervene on an emergency basis, to decide the appeals of rulings involving grand jury witnesses. Starr explicitly raised the issue of indictments and impeachment of the President in his pleadings to the high court. But on June 4, the Supreme Court rejected Starr’s demands—ensuring that it will not hear the appeals on Starr’s cases until this fall.

Starr had reportedly promised House Speaker Newt Gingrich (R-Ga.) that he would deliver an impeachment report to the House of Representatives by the end of June. However, apart from Gingrich, much of the Republican leadership is getting cold feet over the prospect of conducting impeachment hearings against a currently popular President, and are sending broad hints to Starr that he should not send an “incomplete” report to the House—translated, this means, “We don’t want to deal with this until after the November elections.”

With new demands now coming from the White House for an independent investigation of Starr’s leaking and his violation of grand jury secrecy laws, Starr is even more desperate. On June 14, Presidential adviser Rahm Emanuel called the revelations “a cloud that hangs over the Office of the Independent Counsel.” But, meanwhile, Starr’s grand jury inquisition against the President, and his threats and intimidation against witnesses, proceed—and will continue until someone in a position to do so, has the courage to rein him in.