

January 16, 1994

Dear Brian:

I am sending you a copy of Thomas Olliphant's article in yesterday's Globe. I hope you will read it.

Last week you asked one of your guests what explains this continued and tenacious feeding frenzy on the "Whitewater matter" on the part of the media - and the answer is right in your studio. On Wednesday morning, while the President was in Brussels, en route to Prague, the Ukraine, Moscow, Geneva and home, Susan asked Jeff Birnbaum of the WST about Whitewater. The very first question is that the priority that media has established. The same priority is evidenced in "Capitol Daze", Mr. Tanguelin etc.

It's "tabloid journalism" finding its way with thinly-garbed respectability into the miles of the networks, CNN and the pages of America's leading newspapers.

Allegations, allegations, allegations!
As Olliphant says "ONCE WE PRINTED WHAT WE COULD VERIFY: TODAY WE RAISE QUESTIONS WE HAVE FAILED TO ANSWER"

I strongly support a ruggedly independent investigation of the matter - but until then don't let "MAMBOCRACY... CAPTURE THE PROCESS OF LAW ENFORCEMENT AND IN THE ABSENCE OF ANY EVIDENCE OF A CRIME TO TRANSFORM QUESTIONS INTO THE FUNCTIONAL EQUIVALENT OF FORMAL CHARGES"

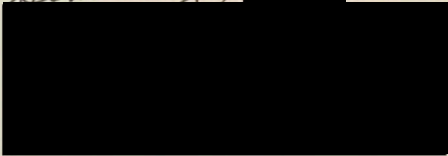
I would also like to say that I was very disappointed with your remarks to the woman who said she was tired of Bob Dole's requests for an investigation. "Why do you watch it?" (over please)

you said. We don't know what we're
going to get when we listen to NEWS.
That's why we listen to NEWS, isn't it?
But when we hear this on-going, relentless
emphasis on whitewater, it is, for some of
us deeply disappointing. "Why don't you turn
it off?" was a flip answer.

In 1940, as a ninth grader, I ran
against a girl for president of the Eastern
League of Junior Publicists, Columbia
Scholastic Press Association (I lost). I have
always had journalism at heart and
since retirement have spent several hours
daily with C-SPAN. The Globe, Time, Harper's,
Atlantic the New Yorker and at age 66
open Polling Places to keep up with Bill
Reider.

It is with that background that
I ask you to think a little about whether
Mr. Aliphant hasn't made some very
significant observations and to give
some thought as to whether C-SPAN
is getting caught in the flow.

Sincerely,



The frenzy over 3 specks of blood in Whitewater

THOMAS OLIPHANT

WASHINGTON

There is fault to be found with President and Hillary Rodham Clinton in "the Whitewater matter" — a White House phrase that symbolizes the definitional desperation of all who come in contact with this mess that has no evidentiary core.

There is fault also to be found with their closest advisers, but it pales before the far more significant triumph of politics over law in this affair.

It is a triumph whose most important seeds were sown in politics and the media five years ago when the late John Tower's nomination by George Bush to be secretary of defense was rejected by the Democratic Senate.

A minority of us whom Bush used to sneeringly mock as ACLU liberals cried foul on Tower's behalf against his chief defamer, Sen. Sam Nunn of Georgia. Above all, we objected to Nunn's public destruction of a person on the basis of accusations made anonymously by people whose raw assertions were stenographically summarized in FBI material that could be read only by senators in a locked room. No material accusation was ever made publicly by a witness who could be subjected to the elemental demands of corroboration or the rigors of cross-examination. Politics, broadly defined, thus corrupted process.

Those seeds, along with a longer-running, steep decline in journalistic standards, are now sprouted in Whitewater.

The latest victory for America's "mobocracy" impulse is the ability of politics to capture the process of law enforcement and in the absence of any evidence of a crime to transform questions into the functional equivalent of formal charges. Tower was denied the opportunity to face his accusers; the Clintons venture into the legal morass in the absence of accusation itself. Whitewater represents

the dark side of American justice, traceable back to the Salem witch trials in the 17th century where the trials were by ordeal rather than evidence; the bright side, traceable to Virginia geniuses in the 18th century and emphasizing the rights of individuals and due process, is always less popular when a little blood is in the water.

The blood in Whitewater is interesting, consisting of three, and only three, detectable specks.

The first was the disclosure in October that in 1992 the S & L cleanup agency had referred an Arkansas case to the Justice Department that mentioned the Clintons, whose financial, political and legal ties to the target in the S & L matter are public record. According to Justice Department and Arkansas sources who have seen the properly secret referral, it contains not even a hint of suspicion.

The second is an assertion by the defunct S & L's onetime head that a

complaint by then-Gov. Clinton about his family finances led him to retain Hillary Rodham Clinton as attorney nine years ago. The assertion is denied, and there is no corroboration.

The third speck of blood appeared last fall when another Arkansas businessman under federal indictment went shopping for a plea bargain with a claim that Clinton leaned on him to make a loan, some of the proceeds of which were for a short time on deposit in the infamous Whitewater real estate venture's bank account. Again, the claim is denied and there is no corroboration.

From these specks, what Ross Perot used to call the Republican attack machine went diligently to work. For those of us no longer virginal it is not cynical to observe that this is what politicians do.

What should be unacceptable is the connivance of the modern media with the attack machines of both parties. Count the number of

"shoulds" and "mights" in the stories until you run out of fingers and look for the telltale phrase "investigators are trying to determine if ..." and you see the contemporary ability of the press to put stuff in the public domain it would have shunned a generation ago. Once we printed what we could verify; today we raise questions we have failed to answer.

The Clintons have fed this frenzy by acting like lawyers. Their advisers were too timid and they were too stubborn in delaying the release of material to the government, though they never refused a request. That goes double for the independent counsel appointment.

But this pales before the putrid precedent set by the latest excesses of media politics. What most people winked at when John Tower was crucified is now much more pernicious.

Thomas Oliphant is a Globe columnist.

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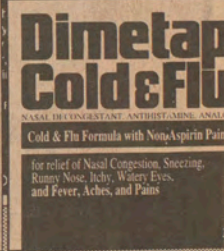
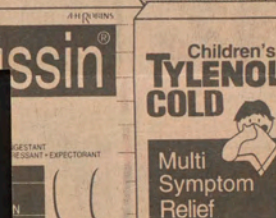
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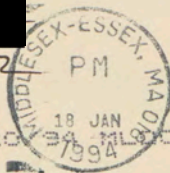
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