

The political meaning of the Starr report

Spearhead of a right-wing coup

Editorial Board
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With the release of the full text of Independent Counsel Kenneth Starr's report to Congress, calling for the impeachment of President Clinton on eleven counts, the political character of the protracted legal investigation of the White House is clear for all to see.

Starr's report is not an impartial recounting of the evidence uncovered by a four-year-long, \$40 million investigation. It does not make a coherent or convincing legal argument on why the president should be impeached. Instead, it aims, through a flood of salacious details about Clinton's sexual relationship with Monica Lewinsky, to stampede public opinion and force Clinton to resign.

By any objective standard, the Starr report is a politically-motivated diatribe, drafted by enemies whose hatred of Clinton knows no bounds. As the Supreme Court correspondent for the *New York Times*, Linda Greenhouse, noted in her analysis, the Independent Counsel's report is 'a document with an attitude.' Greenhouse contrasted it with the report filed by Watergate special prosecutor Leon Jaworski, which consisted of a mass of documents and an index, but 'provided no analysis and drew no conclusions.'

While Jaworski's report was filed to provide the House Judiciary Committee with the raw materials to conduct an inquiry into Richard Nixon's conduct in Watergate, the Starr report has the opposite purpose. It aims to preempt any serious deliberation and produce a panic-stricken response in Congress, and especially among congressional Democrats.

That it is having the desired effect was demonstrated in the 363-63 vote by the House to make the report public and circulate it on the Internet. Every Republican and a large majority of Democrats voted to put the congressional seal of approval on a document which none of them had even seen.

The 'crime' of self-defense

The Starr report is a combination of pornography and pettifoggery, and its legal theories are just as reactionary as its sex-obsessed moralizing. The essence of its legal case against Clinton is that the president did not cooperate fully and enthusiastically with the attorneys for Paula Jones, in the sexual harassment suit which was instigated, directed and financed by organized right-wing groups.

The report does not address any of the events which supposedly triggered Starr's investigation--the Whitewater real estate deal, the

White House travel office firings, the suicide of Vincent Foster, etc. These are not even referred to in the 450-page document, an indication that Starr found no criminal or impeachable offenses in any of them.

As the British daily *The Guardian* observed, 'After four years of investigating a swirl of innuendo against the Clintons which began with the Whitewater land deal and has encompassed gossip about murders and gun-running, Judge Starr has come up with nothing much more than a husband who committed adultery and then took traditional precautions against discovery.'

The report begins its chronology of events with the filing of a sexual harassment lawsuit by Paula Jones in 1994, followed by the 1997 Supreme Court decision upholding her right to bring the president to trial during his term of office. The bulk of the report concerns Clinton's efforts to fight the Jones' lawsuit, and eight of the eleven 'impeachable offenses' involve this suit, which has since been dismissed as groundless.

The other three 'impeachable offenses' involve Clinton's legal maneuvers with the Starr investigation itself. These charges are in many ways the most fantastic and reactionary, since they amount to the claim that any effort by Clinton to defend himself was itself a criminal offense.

Starr claims that Clinton abused his constitutional authority by his conduct between January and August 1998, because he denied his relationship to Monica Lewinsky and fought a series of delaying actions in the courts seeking to block subpoenas of White House aides, attorneys and Secret Service agents.

According to Starr, refusing invitations to 'testify voluntarily' to the grand jury, invoking executive privilege and lawyer-client privilege, and other acts in which Clinton exercised his democratic and due process rights, constituted criminal violations of the law. As more than one prominent attorney has protested since the report was made public, Starr's legal position amounts to criminalizing the everyday conduct of defense lawyers who act as aggressive advocates for their clients.

Some unanswered questions

There are, in the mass of legal quibbling and voyeurism, a few facts worth noting, which raise questions that few in official Washington or the mass media have bothered to consider.

The close coordination between the Paula Jones lawsuit and the Starr investigation--they virtually merge in Starr's narrative of

events--is the clearest indication of the political motivation behind the independent counsel's investigation.

The rebuttal issued by White House lawyers details the sequence of events in early January, after Linda Tripp went to Starr's office with her illegally obtained tapes of Monica Lewinsky (some of which, according to FBI analysts, had been doctored). At that time neither Lewinsky nor Clinton had given any sworn testimony about their sexual relationship.

Starr deliberately delayed seeking extension of his jurisdiction to include the Lewinsky affair until after she and Clinton had been compelled to give depositions to the lawyers for Paula Jones. In other words, as one British columnist observed, 'Mr Starr was not so much investigating a 'high crime' as behaving as an agent provocateur, 'manufacturing the circumstances' in which his victim might commit an offence.'

Another significant fact has gone largely unremarked, although it has potentially staggering implications. Lewinsky told the grand jury of a discussion with Clinton on March 29, 1997, in which he said 'that he suspected that a foreign embassy (he did not specify which one) was tapping his telephones, and he proposed cover stories. If ever questioned, she should say that the two of them were just friends.'

What government has the technical capacity and political connections required to successfully bug the White House? Is this government connected with the right-wing destabilization campaign against the Clinton administration? Were US intelligence agencies, such as the CIA and FBI, involved in or cooperating with such efforts? These questions are being covered up both by Clinton and his right-wing opponents.

A bitter political struggle

Among foreign observers it is taken for granted that Starr's prosecution of Clinton is a political struggle in legal disguise. The *Times of London*, no friend of Clinton, commented, 'Many within the US, and especially outside its borders, will ask how adultery managed to transform itself into an affront to the US Constitution.' *Times* columnist Simon Jenkins wrote, 'The process is claimed as constitutional, but every well-tooled coup claims that.'

Jenkins compared the United States to Russia, writing, 'A nuclear power wanders leaderless. Its President appears slow and puffy-eyed on television, frantic to save himself from impeachment. The Constitution is tested to the limit. Dark forces of reaction manipulate the nation's assembly. Nobody has a clue what is going to happen.'

His conclusion: the crisis in Washington is more serious than that in Moscow, because the American president is more likely than his Russian counterpart to launch a military diversion, and better equipped to do so. 'The last three American Presidents have all unleashed massive violence in asserting their authority, often without warning, consultation or legitimation,' Jenkins wrote.

The cold-eyed, sober and increasingly concerned commentaries from abroad are in sharp contrast to the hysterical moralizing in the American press and television networks. This reached fever pitch in the two newspapers which have been leading the charge against the Clinton White House: the *New York Times* and the *Wall*

Street Journal.

The *Times* saluted Starr for elevating 'truth' and denounced Clinton for 'the disrespect with which he treated a dwelling that is a revered symbol of Presidential dignity'--i.e., having sex in the White House.

While the *Times* wins the prize for sheer hypocrisy, the *Wall Street Journal* is the true voice of the right-wing Clinton haters. Its lead editorial, headlined 'Starr's Hour,' hailed the independent counsel as the 'hymn-singing son of a fundamentalist minister' who had finally brought an immoral president to justice.

Kenneth Starr 'was not just prosecuting Bill Clinton; he was prosecuting the entire culture that gave birth to what Bill Clinton represents,' the *Journal* declared. And for good measure, the *Journal* continued in its second editorial, Starr should press ahead with an indictment of 'The Other Clinton,'--Hillary--as well, even though, the newspaper admitted, this is 'asking a lot.'

However deranged these comments might appear, there is an important political reality revealed. To those elements in the ruling elite for which the *Journal* speaks, Clinton and his wife remain linked somehow, despite his conservative administration and his conformist politics, to the great social upheavals of the 1960s.

And it is not merely the 30-year-old memories of the ghetto rebellions and the antiwar protest movement which stir these reactionary circles: it is their growing fear of the political consequences of today's social conditions and today's economic crisis of world capitalism.

American society is more polarized than ever before between the fantastically wealthy and privileged layer at the top and the great mass of the population, struggling for survival. The *Journal* and its co-thinkers fear that even the slightest concession to the needs of working people, even the most token gesture of social reform, may become the occasion for an eruption from below.

Working people must take warning from the extraordinary ferocity of the political warfare in Washington. If this is how the most conservative Democratic president of the 20th century is treated, what will be the response of corporate America to a political movement of the working class, which poses a real threat to its profits and wealth?

See Also:

Starr Investigation of Clinton--Full Coverage



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