

# Impeachment then and now

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With the official launching of an impeachment inquiry by the House of Representatives, the focus of the right-wing assault against the Clinton White House has shifted from the Office of Independent Counsel to the Republican-controlled Congress.

Brushing aside the muted protests of the Democratic minority on the House Judiciary Committee, the Republican majority pushed through the inquiry resolution October 5 by a straight party-line vote. The full House is to approve the resolution Thursday, with the only question being how many Democrats will vote with the Republicans.

With the assistance of the media and the complicity of a considerable section of the Democratic Party, the Republicans are seeking to portray the proceedings as a defense of the rule of law. So patently contrived is the case against Clinton and so obvious the political aims of those pushing for impeachment, this attempt to lend the process an air of constitutional authority renders it all the more fantastic. Were their implications not so serious, the goings-on in Washington would seem utterly absurd.

In their effort to legitimize the proceedings, the Republicans have draped themselves in the mantle of the 1974 Watergate inquiry, citing it repeatedly as a precedent. At Monday's hearings Watergate was cited as the model for an inquiry that is to be open-ended in both time and subject matter, with the House free to investigate Whitewater and other matters ignored in Kenneth Starr's September 9 report. Even the text of the resolution to begin an impeachment inquiry was lifted word-for-word from that approved by the House Judiciary Committee 24 years ago.

In this vein, David Schippers, the counsel for the Republican majority, said in his presentation that the overarching issue was 'the principle that every witness in every case must tell the truth, the whole truth and nothing but the truth,' which he declared to be 'the foundation of the American system of justice.' He went on to assert: 'The subject matter of the underlying case, whether civil or criminal, and the circumstances under which the testimony is given, are of no significance whatever.'

This astonishing claim would by inference raise dissembling in testimony about a traffic violation to the

height of an impeachable offense. All the talk of the rule of law and the repeated references to Watergate are aimed at concealing the real purpose of the impeachment drive, namely, the attempt to effect radical changes in the political institutions of the United States, with far-reaching implications for democratic rights.

An objective comparison between the present case and Watergate sheds light on the pretenses of those who are orchestrating this political operation, and the reactionary aims that underlie it. There is a connection between the events of 1974 and those of today, but not the connection asserted by the congressional Republicans. Watergate involved a right-wing attack on the Constitution and democratic rights, as does the present impeachment crisis. But, in the first place, the roles are reversed.

In Watergate, the White House was the organizing center of the attack on democratic rights. This time, the White House is not the organizer of a conspiracy, but rather its immediate target. The vehicles for the assault are the Office of Independent Counsel and the Republican-controlled Congress.

## The issues in Watergate

The fundamental significance of Watergate was not that Nixon lied, but what he was lying about. Nixon's 'plumbers unit,' a group of ex-CIA and ex-FBI operatives, spied on his political opponents, both in the Democratic Party and in groups opposed to the US war in Vietnam. It carried out burglaries to obtain politically sensitive material and break-ins to install illegal wiretaps.

When one group of 'plumbers' was arrested breaking into Democratic Party headquarters in the Watergate complex, White House officials, at Nixon's direction, paid hush money to the burglars and coordinated efforts by the CIA and other agencies to prevent the federal investigation of the break-in from tracing responsibility back to Nixon's reelection committee and the Oval Office.

Nor was Watergate an isolated excess. Nixon ordered the Internal Revenue Service to harass hundreds of individuals who were on his 'enemies list.' He demanded FBI

surveillance of his own appointees and hired ex-cops and other agents to spy on Edward Kennedy and other potential Democratic Party presidential nominees (one such right-wing spy, Lucianne Goldberg, has resurfaced in the Lewinsky affair as an adviser to Linda Tripp).

In one sphere after another the Nixon White House asserted the unilateral power of the executive branch and rode roughshod over traditional constitutional restraints, a tendency which Senate Majority Leader Mike Mansfield characterized as 'an ominous shift to one-branch government.'

As one historian of the period summed it up, the methods of the administration were increasingly dictatorial: 'executive secrecy in the name of national security; executive impoundment of appropriated funds; executive assaults on the media; executive preemption of authority over the federal budget; multiplying expressions of executive contempt for Congress, and thus, by extension, for the people; executive usurpation of changes in basic organizational structure; and illegal invasions of personal privacy by executive agents' (Stanley Kutler, *The Wars of Watergate*, p. 442).

This turn towards authoritarian methods was the product of an intense political crisis produced by the defeat of American imperialism in Vietnam and the sharpening of social antagonisms at home, expressed in the ghetto rebellions of the 1960s, a massive strike movement by unionized workers, and growing popular opposition to the war.

#### The impeachment process

Nor can any serious comparison be made between the methods employed in the Watergate impeachment inquiry and the present assault on the White House. By the time the House of Representatives began considering an impeachment resolution, the crimes committed in Watergate were well established. The Watergate burglars had been tried, convicted and sentenced, and a series of other Republican Party and White House operatives had either confessed or been convicted of complicity.

So blatant were the crimes uncovered, so obviously did they threaten democratic rights, that the principal argument of Nixon's defenders was that he had not authorized or been aware of these actions; that they had been taken by 'overzealous' lower-level operatives. The Watergate affair came to revolve around the release of tape-recordings of White House discussions because the tapes provided the answer to the famous question posed by Republican Senator Howard Baker, 'What did the president know and when did he know it?'

The House of Representatives voted to begin impeachment proceedings in October 1973 only after Nixon refused to turn over the tapes and fired special prosecutor Archibald Cox for filing a legal action to obtain them. The House Judiciary Committee subpoenaed the tapes and Nixon's refusal to turn them over was one of the three impeachable offenses charged by the panel, together with obstruction of justice and abuse of power.

All three charges were based upon the constitutional provision that impeachment and removal from office were reserved for 'high crimes and misdemeanors.' According to a legal study prepared for the Judiciary Committee at the time, 'Impeachment is a constitutional remedy addressed to serious offenses against the system of government. And it is directed at constitutional wrongs that subvert the structure of government or undermine the integrity of office and even the Constitution itself.'

It is worth noting, in the light of current events, that in 1974 the Judiciary Committee voted down a charge of tax evasion against Nixon, even though there was considerable evidence that he was guilty of forging documents and lying under oath to receive favorable tax treatment of his San Clemente estate. The committee decided that this was not an impeachable offense because it involved only his personal life, not his conduct in office. The contrast to the present investigation, wholly focused on Clinton's personal life, is obvious.

Watergate concerned real crimes, and the investigation was necessary to establish the exact role of Nixon in them. The case against Clinton rests on a sex scandal, which itself is the product of a longstanding effort by right-wing organizations, funded by multimillionaires and with links to the highest levels of the media, the judiciary and the Republican Party, to undermine the Clinton administration. As is becoming increasingly clear with new revelations of the ties between Kenneth Starr, Linda Tripp and the Paula Jones lawyers, these forces set Clinton up and maneuvered him into a 'perjury trap.'

The immediate target of the conspiracy is Clinton, but it is fundamentally directed against the democratic rights of the broad masses of the American people. The patent inability of Clinton and the Democrats to oppose the right-wing assault underscores the fact that the only basis for defending democratic rights is the independent political mobilization of the working class.



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