

The US impeachment drive

Starr refuses to answer questions from Judiciary Committee Democrats

Barry Grey

8 December 1998

Independent Counsel Kenneth Starr is refusing to submit written answers, under oath, to questions submitted to his office by Democratic members of the House Judiciary Committee.

In a December 3 letter to the Republican chairman of the committee, Henry Hyde, and the ranking minority member, John Conyers, Deputy Independent Counsel Robert Bittman stated that Starr would not respond to written questions sent by Conyers and three other Democrats on the committee, Zoe Lofgren, Jerrold Nadler and Robert Scott.

Bittman's letter contradicts a directive given by the chair during Starr's November 19 appearance before the committee, as well as Starr's own assurances that he would respond in writing to inquiries sent to his office by committee members.

This issue arose with particular sharpness during Starr's appearance before the committee when Lofgren, a congresswoman from California, asked whether Starr had had discussions in November 1997 concerning a tape recorded conversation about a sexual relationship between Clinton and a woman.

Although she did not elaborate, Lofgren was referring to a November 21, 1997 telephone conversation with one of Paula Jones's lawyers secretly recorded by Linda Tripp, in which Tripp spoke of Clinton's affair with Monica Lewinsky, without mentioning Lewinsky's name, and informed the lawyer that she had tapes of her conversations with the woman. (The existence of the November 21, 1997 tape was reported last October 11 by the *Los Angeles Times*, which said the tape was mentioned in transcripts from Starr's investigation.)

Starr was obviously taken aback by the question and replied with a series of evasions. The reason for his discomfort would be obvious to anyone familiar with his investigation. In his referral to Congress and his sworn statement to the Judiciary Committee on November 19, Starr said his office first learned of Tripp's tapes revealing Clinton's relationship with Lewinsky in early January of this year. If he knew of such tapes earlier, he would be guilty of lying under oath to the committee.

Such knowledge would, moreover, demonstrate collusion between Starr's office and the Paula Jones camp. The Office of Independent Counsel could only have learned of the November

21, 1997 tape from Jones's lawyers, Tripp or Lucianne Goldberg, Tripp's mentor and one-time Nixon dirty trickster. Goldberg has acknowledged having been in regular contact with Richard Porter, a partner in Starr's former law firm who collaborated with the Jones legal team.

In the November 19 hearing Lofgren pressed Starr to answer her question, forcing Republican Rep. James Sensenbrenner, at that point the acting chairman, to order Starr to respond. The following exchange ensued:

Starr: 'I do not have a recollection of that, but I am happy to now search my recollection and to go back, in light of the specificity of your question, and to provide the committee with information.'

Lofgren: 'So you would agree to answer that, under penalty of perjury, if we followed up in a written request, after you've had time to reflect upon it?'

Starr: 'Well, I'm happy to consider any question, and if it is viewed as germane to what is before you.'

Sensenbrenner went on to stipulate that questions from committee members were to be submitted to Starr's office within a week of the hearing, and Starr's answers would be due the following week.

On November 24 Lofgren sent a letter to Starr reiterating her question concerning the November 1997 tape. The following day Conyers sent a list of 19 questions, which focused on collusion between Starr's office and the Paula Jones camp, illegal leaks to the media of grand jury testimony, abuse of witnesses and violations of due process, and Starr's connections to the right-wing billionaire publisher Richard Mellon Scaife.

Among Conyers' questions were several that directly challenged the veracity of Starr's testimony before the Judiciary Committee. He asked Starr whether he had ever discussed the Paula Jones case with his then-law partner Porter. (During the November 19 hearing Starr sought to dodge this question by saying he had 'no recollection' of any such discussions.) Against Starr's assertions that his office did not ask Lewinsky to secretly record conversations with Vernon Jordan, Betty Currie or Clinton, Conyers cited Lewinsky's grand jury testimony to the contrary.

He challenged Starr's assertions that his office did not collude with Paula Jones's lawyers to set up the president, raising an anomaly that Starr has never clarified: namely, that he knew the contents of Lewinsky's affidavit when his prosecutors grilled her on January 16, even though Lewinsky's lawyer did not send off the document until the end of the day and the judge did not receive it until January 20.

The December 3 letter from Starr's office is a transparent attempt to avoid submitting statements under oath that, if truthful, would expose elements of a political conspiracy against the White House and point to previous false testimony, or, if false, constitute new acts of perjury.

It is remarkable, but not surprising, that Starr's reversal of his public assurances to members of the Judiciary Committee and his defiance of their requests for information have gone virtually unreported in the media. It is consistent with the role that the media has played since the beginning of the Monica Lewinsky affair, promoting the Starr investigation and covering up the reactionary and deeply antidemocratic forces behind it.

At the same time the press and TV have echoed the line of the pro-impeachment lobby in the Republican Party, which has raised a hue and cry over Clinton's answers to Henry Hyde's 81 questions. With a straight face, news anchors and political analysts in the establishment press are faulting the White House for supposedly outraging so-called Republican moderates in the House of Representatives and pushing them toward a vote for impeachment by failing to admit to perjury and other crimes.

The silence of the media over Starr's stonewalling and evident perjury is matched by that of the congressional Democrats and Clinton himself. They have failed to even raise the issue of Starr's defiance of Judiciary Committee Democrats. Both Lofgren and Conyers appeared on news interview programs on Sunday, and neither mentioned the December 3 letter from Starr's office.

Such cowardice and temporizing have characterized the actions of the Democrats throughout the nearly year-long political assault led by Starr's office. Their abjectness, despite the overwhelming public opposition to Starr and the impeachment drive, has encouraged the most right-wing forces in the Republican Party to press ahead with their efforts to destabilize the Clinton administration.

As Clinton's lawyers prepare to present their defense of the White House before the Judiciary Committee, it is clear they have decided against any exposure of the political conspiracy underlying Starr's investigation or its systematic violations of civil liberties and democratic rights. They have, for example, dropped earlier plans for a panel of legal and constitutional experts to discuss prosecutorial abuse.

Their immediate rationale is to avoid alienating Republican 'moderates' who might be cajoled into voting against impeachment when the matter comes to the floor of the House next week. But this tactic of appeasement is itself an expression of more profound questions.

Clinton and the Democrats are neither willing nor able to expose the threat to democratic rights embodied in the Starr investigation, because to do so would mean to lay bare before the American people the social interests driving the political assault on the White House. It would require an exposure of the political agenda of these forces, and the direct links between the most reactionary elements in American society and the Republican leadership, the highest echelons of the judiciary and the media. The Democrats base themselves ultimately on the same social forces, and have adapted themselves to their reactionary agenda, abandoning any policy of bourgeois social reform.

To tell the truth about the political coup fronted by Starr is to expose the internal decay of the entire political system in the United States, its remoteness from any genuine connection to democratic principles, and the vast and growing social inequality which it promotes and defends.

It means, in other words, to expose the class relations of American capitalism, something which the Democratic Party, a capitalist party, cannot do. The prostration of this party and its inability to defend democratic rights underscore the necessity for the working class to build its own mass party, on the basis of a socialist program.

See Also:

The US Impeachment Hearing

Testimony exposes elements of a political conspiracy

[24 November 1998]

The House Judiciary Committee:

a portrait of the American political establishment

[24 November 1998]

What a socialist would have said

[24 November 1998]



To contact the WSWS and the Socialist Equality Party visit:

wsws.org/contact