Clinton goes on attack against coup attempt

by Edward Spannaus

Between President Clinton's Jan. 19 State of the Union address, and the aggressive defense waged by his team in the Senate impeachment trial, the President's assailants lost significant momentum as the first phase of the Senate trial moved toward its conclusion. The fact that the President has refused to crawl and beg in front of his enemies has clearly inspired a significant portion of the U.S. population to rally around him, and to become even more angry and enraged at those who are trying to drive him out of office with a parliamentary coup d'état.

Nevertheless, despite the widely noted "swing of the pendulum" over the past week, there can be no complacency about the outcome. As *EIR* has said from the beginning, this is a foreign-conducted operation against the institution of the Presidency, and those attempting to carry out this coup d'état are not swayed by public opinion polls, and they will stop at nothing.

'100 years from tonight . . .'

The importance of the President's State of the Union address lay not in any of the particulars—many if not most of which the editors of *EIR* would disagree with—but first, in the fact of his insistence in delivering the speech in the face of many demands, including from his own party, that he cancel or postpone it. And more significantly, not only did the President aggressively give the speech, but he spoke confidently to both the nation's past, and to its posterity.

"Tonight, as I deliver the last State of the Union address of the 20th century," he continued, "no one anywhere in the world can doubt the enduring resolve and boundless capacity of the American people to work toward that 'more perfect union' of our founders' dreams." He noted the accomplishments of previous generations, and "the magnificent achievements of our forebears in this century."

After referencing "the daily press of events," and "the clash of controversy," the President confidently predicted: "A hundred years from tonight, an American President will stand in this place to report on the State of the Union. He or she will look back on a 21st century shaped in so many ways by the decisions we make here and now. So let it be said of us then that we were thinking not only of our time, but of their time; that we reached as high as our ideals; that we put aside our divisions and found a new hour of healing and hopefulness; that we joined together to serve and strengthen the land we love."

The President's theme was echoed in the closing argument presented on his behalf by former Senator Dale Bumpers of Arkansas, who served 24 years in the U.S. Senate. Bumpers said that he and President Clinton are longtime friends, but that Clinton is not the issue.

"But it is the weight of history on all of us," Bumpers said, explaining why he was back in the Senate to warn against removing the President. "These proceedings go right to the heart of our Constitution."

"Colleagues, this is easily the most important vote you will ever cast," Bumpers declared. "If you have difficulty because of an intense dislike of the President, and that's understandable, rise above it. He is not the issue. He will be gone. You won't. So don't leave a precedent from which we may never recover, and almost surely will regret."

On Jan. 19, the first day of the presentation of the President's case, White House counsel Charles Ruff differentiated the method of impeachment spelled out in the U.S. Constitution from the British parliamentary method. This was a point made strongly in the President's trial memorandum a week earlier (see *EIR*, Jan. 22, p. 60).

"When the Framers took from English practice the parliamentary weapon of impeachment, they recognized that the

form of the government they had created, with its finely tuned balance among the branches, was inconsistent with the parliamentary dominance inherent in the English model," Ruff stated. He said that the Framers had therefore chosen "to build a quasi-judicial impeachment process, one that had admittedly political overtones, but that carried with it the basic principles of due process embodied in the Constitution they had written." Ruff specifically cited the Sixth Amendment's guarantee of one's right to be informed of the nature and cause of the accusation against him—which the House has ignored in presenting the Articles of Impeachment. "There's not a court anywhere, from highest to lowest, that would hesitate, if they were confronted with an indictment written like these articles, to throw it out," Ruff declared.

Starr front and center

A preview of the White House's strategy regarding the issue of witnesses was given by Sen. Robert Torricelli (D-N.J.), during an appearance on CBS's "Face the Nation" on Sunday, Jan. 17. Torricelli put House and Senate Republicans on notice of what will happen if they insist on calling witnesses. "I can assure you, if I'm any reader of the tea leaves in this situation, front and center is going to be Kenneth Starr, and we will go through prosecutorial abuse, how he came by information, who he talked to, and we are going to put the system of justice on trial."

Indeed, as soon as Charles Ruff opened his presentation two days later, he took up the issue of Starr's intervention into the Paula Jones civil lawsuit. Ruff described how Jones's lawyers devoted most of their efforts to prying into the personal life of the President, not pursuing the merits of their case, and leaking information in violation of court orders for the purpose of embarrassing the President.

Ruff also described how Starr had met with Linda Tripp and given her immunity from Federal prosecution, and had promised to assist her in securing immunity from state prosecution for her illegal taping of telephone calls with Monica Lewinsky, and then how Tripp had then set up Lewinsky to be confronted by the FBI on Jan. 16, 1998, and then how Starr had permitted Tripp to meet with Paula Jones's lawyers the night before they took the President's deposition in the Paula Jones case.

On the second day of the President's presentations, Jan. 20, deputy White House counsel Cheryl Mills also took on the issue of the Paula Jones case, telling the Senate that the "publicly announced goal" of those running the suit was "to politically damage" President Clinton.

Mills also presented a devastating exposure of the hypocrisy of the House Managers in putting themselves forward as the champion of Paula Jones's "civil rights." Mills told the rapt Senate: "I do want to take a moment to address a theme that the House Managers sounded throughout their presentation last week: civil rights. They suggested that by not removing the President from office, the entire house of civil rights might well fall. While acknowledging that the President is a good advocate for civil rights, they suggested that they had grave concerns because of the President's conduct in the Paula Jones case."

After describing some of Clinton's own background, Mills continued:

"I'm not worried about the future of civil rights. I'm not worried because Ms. Jones had her day in court, and Judge Wright determined that all of the matters we are discussing here today were not material to her case, and ultimately decided that Ms. Jones, based on the facts and the law in that case, did not have a case against the President.

"I'm not worried because we've had imperfect leaders in the past and we'll have imperfect leaders in the future. But their imperfections did not roll back nor did they stop the march for civil rights and equal opportunity for all of our citizens. . . .

"I'm not worried about civil rights because this President's record on civil rights, on women's rights, on all of our rights is unimpeachable.

"I can assure you that your decision to follow the facts and the law and the Constitution, and acquit this President will not shake the foundation of the house of civil rights," Mills continued. "And with all due respect, the foundation of the house of civil rights was never at the core of the Jones case, it was never at the heart of the Jones case."

In his closing arguments on Jan. 21, former Senator Bumpers asked the question, "How did we come to be here?"

"We are here because of a five-year relentless, unending investigation of the President; $50 million, hundreds of FBI agents fanning across the nation examining in detail the microscopic lives of people," Bumpers said. "Maybe the most intense investigation, not only of a President, but of anybody, ever.

"I feel strongly about this because of my state and what we have endured. So you'll have to excuse me. But that investigation has also shown that the judicial system in this country can and does get out of kilter unless it's controlled, because there are innocent people, innocent people who have been financially and mentally bankrupt.

"I doubt that there are few people, maybe nobody in this body, who could withstand such scrutiny," Bumpers continued. "And in this case, those summoned were terrified, not because of their guilt, but because they felt guilt or innocence was not really relevant.

"But after all of those years and $50 million—of Whitewater, Travelgate, Filegate—you name it—nothing. Nothing! The President was found guilty of nothing, official or personal."

By the end of the week, House and Senate Republicans were struggling to regroup and to stem any defections from their camp. The next, desperate step of the die-hard impeachers is likely to be to attempt to introduce inflammatory, unverified statements and testimony from the Paula Jones case "Jane Does"—to attempt to hold back the tide which is now turning against them.