

# Whitewater hearings fall flat

by Edward Spannaus

The four weeks of Whitewater hearings in the U.S. Congress, which concluded on Aug. 10, utterly failed to meet the expectations of the "Get Clinton" crowd, other than keeping the issue in the headlines. No new evidence was produced by congressional Republicans to link President or Mrs. Clinton to any wrongdoing, in either the House or the Senate hearings. There was much sound and fury from blowhards such as Senators Richard Shelby (R-Ala.) and Lauch Faircloth (R-N.C.), but little of substance.

Even some of the most hardline Clinton-baiters, such as the *Washington Times*, were forced to concede that the Whitewater hearings were of little interest outside the Washington Beltway. Whitewater might be a big story in Washington, it noted, but it "is dishwater everywhere else."

The Clinton-bashers are getting desperate, with many of them relying on the hope that the Whitewater special prosecutor will come up with something dramatic to nail the President. Some would like to smear President Clinton with the allegations about drug-running out of Mena, Arkansas. *EIR* has noted repeatedly that any such effort would more likely end up nailing George Bush, Oliver North, and their secret government operations from the 1980s. This was echoed by the *New York Post's* John Crudele in his Aug. 14 column, who wrote: "The Republicans must be feeling very lucky. They are about to pick up a bomb that could just as easily blow up in their own faces as well as President Clinton's. The bomb is called Mena. . . ."

During the House hearings, which concerned events around Madison Guaranty Savings and Loan and the Whitewater Development Corp. in Arkansas, the best that the House Banking Committee Republicans could produce was rehashed "revelations" of alleged efforts to obstruct investigation of Whitewater in 1992-93. The problem was, that much of this took place during the Bush administration, and indeed, it was a Bush-appointed U.S. Attorney in Little Rock who, in 1992, declined to open a grand jury investigation, on the grounds of lack of evidence.

The Senate hearings spent four weeks on the earth-shaking issue of the handling of files in the office of White House deputy counsel Vincent Foster after Foster's death in July 1993. All that these hearings disclosed were some discrepancies in recollections of the events of two years ago, and further evidence that then-White House Counsel Bernard Nussbaum was a zealous advocate on behalf of his client—

the President of the United States. It became overwhelmingly clear that Nussbaum had only done what any lawyer is obligated to do, when he refused to throw open the confidential files of the White House legal office.

There was no evidence presented that anyone in the White House had obstructed the investigation of Vincent Foster's death in order to somehow protect Whitewater documents; indeed, the key protagonists on both sides of the issue testified that Whitewater was not even on their minds at the time.

## Department of Justice cynicism

The most relevant feature of the Senate hearings was something completely ignored by the major news media. Inadvertently, the Senate hearings did abundantly confirm the venality and treachery of the Justice Department permanent bureaucracy—something which a reader of *EIR's* June 30 *Special Report* would readily understand. This began with the testimony of former Deputy Attorney General Philip Heymann—a man who has been in and out of the department since 1961. It was Heymann who insisted that the White House can only maintain its "credibility" by deferring to Justice Department career professionals (see *EIR*, Aug. 11, p. 67).

Heymann's solution was to send in two long-term careerists, David Margolis and Roger Adams, to the White House to rummage through Foster's office. When Margolis took the stand on Aug. 10, as the last witness in this round of the Senate hearings, he made the preposterous statement that dealing with the Clinton White House gave him a sense of *déjà vu*, comparing it to his previous efforts to pry information out of the secretive CIA. In his testimony, Margolis—a long-time, close associate of Heymann's—literally described dealing with the White House as a battle. After his argument with Nussbaum over the examination of Foster's files, Margolis had said to Heymann: "We lost the war."

Nussbaum roundly attacked Heymann's arrogant assertion that only Justice Department lawyers, (not even other lawyers), can be trusted. "Phil Heymann's view," said Nussbaum, that "the public will only trust and accept the word of a Justice Department lawyer, and not a White House counsel or a private lawyer, is not only disappointing, it is destructive, for it feeds the very cynicism, it creates the very distrust, that he claims to be combatting."

Heymann and Margolis know something about feeding such cynicism toward the nation's elected leaders. Both played pivotal roles in the dirty Abscam operations of the late 1970s and early '80s, which set congressman and other officials up for contrived "political corruption" allegations (see *Investigation*, p. 66). It was Abscam which, in large part, is responsible for the spinelessness of the Congress today, and its unwillingness to take on the corruption of the Justice Department's permanent bureaucracy. It is therefore fitting that Heymann and Margolis should use the forum provided by these hearings to put their arrogance and perfidy on display.