

Why was George Bush never impeached?

by Edward Spannaus

During at least three investigations—the Congressional Iran-Contra investigation of 1986-87, a Senate Foreign Relations subcommittee investigation of drugs and foreign policy (the “Kerry Committee”) of 1986-88, and the independent counsel investigation of Iran-Contra, 1986-93—a substantial body of evidence was accumulated showing that George Bush, as Vice-President and then as President, was implicated in crimes far more serious than anything of which President Clinton has been accused.

While Clinton has been relentlessly hounded, and every movement and utterance minutely investigated by independent counsel Kenneth Starr, George Bush successfully thwarted and obstructed the independent counsel’s investigation until he, Bush, was about to leave office.

Additionally, independent counsel Lawrence Walsh displayed a certain respect for the institution of the Presidency, something which is totally lacking in the conduct of Kenneth Starr. After Bush had pardoned former Secretary of Defense Caspar Weinberger and others of Bush’s associates, and Bush had belatedly claimed that “the proper target is the President, not his subordinates,” Walsh stated that “the President of the United States is entitled to an area of tolerance. . . . The problems that he has are greater in scale, immensely greater, than any other government official. . . . A prosecutor should be very slow before he picks at a President. . . .”

Bush’s offenses went to the heart of what the Framers of the Constitution meant by “high crimes and misdemeanors”—that is, offenses against the state and the constitutional order. It is clear, and it is conclusively demonstrated by the handling of Alexander Hamilton’s admitted efforts to conceal an adulterous relationship in the Maria Reynolds affair, that private, personal conduct was not encompassed in the Constitution’s specification of impeachable offenses.

Let us look at the crimes of George Bush, as are known from the public record.

Subverting the Constitution

As soon as he became Vice President, Bush began to create a “secret government” apparatus, a parallel government-within-the-government, usurping the power of the President of the United States, in whom the Constitution vests the power of Chief Executive and Commander-in-Chief of the Armed Forces.

From his position as de facto head of this secret, parallel government, Bush launched covert military operations abroad, and undermined constitutional rights at home.

- In direct violation of stated Congressional policy, Bush continued and escalated the covert war in Central America. This was carried out through Bush’s direct subordinates, including his national security adviser Don Gregg, Gregg’s longtime associate from the CIA, Felix Rodriguez, and National Security Council staffer Oliver North.

- Bush’s subordinates, operating under his direction and with his knowledge, ran the unlawful arms-for-hostages deals with Iran.

- As President, Bush launched the invasion of Panama for the purpose of abducting a foreign head of state, Gen. Manuel Noriega, in violation of U.S. and international law.

- As President, and at the instigation of a foreign power (Great Britain and its Prime Minister Margaret Thatcher), Bush waged a genocidal war against Iraq and its people, in violation of international law and international human rights covenants.

- Domestically, Bush controlled various interagency units used to harass and intimidate U.S. citizens and Bush’s political enemies; one of these was the Operations Sub-Group of the Terrorist Incident Working Group (TIWG). These units assigned the FBI and private contractors to illegally target and gather information on U.S. citizens. (This was documented, for example, in the Congressional Report on Iran-Contra.)

Drug trafficking

As *EIR* documented in a special report issued in 1996¹, George Bush was fully chargeable as the “kingpin” of a vast drug-trafficking conspiracy operating in the 1980s, one responsible for bringing massive amounts of drugs from Central America into the United States. *EIR* produced a draft indictment of George Bush, Donald Gregg, Felix Rodriguez, Oliver North, and others, which was modelled on standard drug conspiracy indictments as used by Federal prosecutors every day in this country. The evidence and the overt acts of the conspiracy were taken from either the 1988 “Kerry Report,” or from the Final Report of the Independent Counsel for Iran-Contra.

The evidence presented in those reports, when properly laid out, paints a very clear picture of a conspiracy—in fact, far stronger than most conspiracy cases for which defendants are serving long prison sentences—running from the drug-smugglers in Central America, right up to the office of Vice President George Bush. There are meetings between drug-smugglers and those running the Contra resupply operation, such as North, Richard Secord, and Rodriguez. Rodriguez is a frequent link between the lower- and mid-level operatives, and Donald Gregg and George Bush at the top levels of the conspiracy. The Walsh Report documents that Bush and Gregg facilitated Rodriguez’s being set up to operate at Ilopango military air base in El Salvador—which was otherwise known as a notorious arms-and-drugs transshipment point. The report also documents three face-to-face meetings in

1. “Would a President Bob Dole Prosecute Drug Super-Kingpin George Bush?” *EIR Special Report*, September 1996.

1985-86 between Rodriguez and Bush.

Perhaps even more serious is the implication of the personnel involved in Bush's Contra resupply operation in the murder of a United States Drug Enforcement Administration agent, Enrique Camarena, in Mexico in 1985. In July 1990, Juan Ramón Matta Ballesteros was convicted by a Federal court jury in Los Angeles of conspiring to kidnap, torture, and kill DEA agent Camarena. Yet, in the Kerry Report, it is documented that one of the companies contracted by the U.S. government in 1986 for shipping supplies to the Contras was "SETCO air, a company established by Honduran drug trafficker Ramón Matta Ballesteros." The Kerry Report documents SETCO as "the principal company used by the Contras in Honduras to transport supplies and personnel" from 1983 to 1985.

The drug-trafficking allegations were never investigated by Lawrence Walsh. In an interview with *EIR* in 1994, he explained that he believed that this was the type of thing that could be probed by a regular Federal prosecutor, and did not require the focus of an independent counsel. *EIR* was also told by sources familiar with Walsh's investigation, that he was under tremendous pressure from Congressional Republicans and the news media to wrap up his investigation, and his office believed it would come under tremendous criticism if it branched out into other areas.²

Other offenses in Iran-Contra

The Final Report of the Iran-Contra Independent Counsel describes numerous offenses committed by Bush; although Bush was never able to be charged, his offenses are seen to involve abuses of power related to the conduct of foreign policy and offenses against Congress, of an altogether different order than that of which Bill Clinton is accused.

A major reason why a case was never presented against Bush, was that Bush withheld information from the independent counsel, and then Bush pardoned many of his associates in December 1992, including former Defense Secretary Caspar Weinberger³—thus preventing trials in which evi-

2. Walsh was under sustained attack from many of the same quarters which constitute Kenneth Starr's loudest cheering section today. To take just one example: In August 1992, the *Washington Times* magazine *Insight* published a long article called "The Most Expensive Special Counsel," which described Walsh as a "Captain Ahab" who had already spent well over \$35 million, who was "perverting the law" with his obsessive and vindictive pursuit of top Reagan administration officials. The article charged that Walsh and his deputy Craig Gillen had improperly claimed travel and other expenses.

That *Insight* article was authored by Daniel Wattenberg, then an assistant to one of the convicted Iran-Contra figures who was later pardoned by Bush—Elliott Abrams. Of more interest, is that Wattenberg is today a close associate of Jonah Goldberg, the son of dirty trickster Lucianne Goldberg, who orchestrated the laundering of Linda Tripp's Monica Lewinsky saga into Starr's office. Jonah Goldberg, an employee of Daniel's father Ben Wattenberg, appears frequently on television as an outspoken defender of the current "Captain Ahab," Kenneth Starr.

3. Shortly after the granting of the pardons, syndicated columnists Rowland Evans and Robert Novak praised the pardons as "a courageous decision,"

dence against Bush would have come out.

Walsh's Final Report states bluntly: "The criminal investigation of Bush was regrettably incomplete." The report gives a number of reasons for this, including the press of other prosecutions, and the fact that significant evidence was not available until the end of 1992, when Walsh was completing his investigation. But, at the end of 1992, Walsh's prosecutions were brought to an abrupt halt by the 1992 Christmas Eve pardons issued by Bush—which in effect amounted to Bush pardoning himself.

In his report, Walsh states flatly: "Contrary to his public pronouncements, he was fully aware of the Iran arms sales. Bush was regularly briefed, along with the President, on the Iran arms sales, and he participated in discussions to obtain third-country support for the Contras."

In the report and also in his 1997 book *Firewall*, Walsh cites statements by Bush and others which directly conflict with Bush's claims that he was "out of the loop" on the Iran missile shipments, and with his denials that he was aware of the diversion of proceeds of arms sales to assist the Contras. For example, Bush wrote in his diary on Nov. 5, 1986, the day that the arms sales to Iran were first exposed: "I'm one of the few people that fully know the details."

That diary was withheld from Walsh until December 1992, despite requests by Walsh's office to Bush to produce any such documents in 1987 and again in 1992. The existence of the diary was "discovered" by an aide to Bush in September 1992; the diary was turned over to Bush's counsel, C. Boyden Gray, who, according to Walsh's report, "decided to delay notifying the Independent Counsel of the existence of the diaries." It was not until after the November Presidential elections, in fact until Dec. 11, 1992, that Walsh's office even learned of the existence of the Bush diaries.

Not only did Bush withhold evidence, but he himself stonewalled and refused requests by Walsh to interview him, even though, as Walsh states: "In light of his access to information, Bush would have been an important witness."

Walsh's Final Report states: "While President Bush made numerous public statements extolling his cooperation with the Independent Counsel's investigation, that, in fact, had not been the case: Inside the White House it appears he had little intention of cooperating with Independent Counsel."

The Walsh Report cites a number of areas that would have been covered in the requested interview with Bush, including:

and they reported the following: "President Bush's decision to pardon the Iran-Contra Six came under the threat that if he did, he would be the next prosecutorial target. . . . The Iran-Contra prosecutors and Lawrence Walsh have become demons in his mind. He reached the point of no return when he was told that Walsh's investigators were digging into Caspar Weinberger's personal life in a vain effort to find romantic entanglements. . . . What really galvanized Bush was information that James J. Brosnahan, Walsh's new lead lawyer, was deposing witnesses to track down malicious gossip that Weinberger had a clandestine lover in London. . . . Once he obtained Weinberger's now famous notes, every social engagement or personal meeting recorded was scrutinized, even though it had no conceivable connection with Iran-contra."

- “The 1985 arms sales to Iran through the Israelis . . .”;
- “Bush’s meeting with Israeli official Amiram Nir in July 1986,” and Richard Secord’s statements that after Bush reported on the Nir meeting, President Reagan resumed arms sales to Iran;
- “Bush’s knowledge of or involvement in any quid-pro-quo arrangements with Central American or other countries in exchange for their support of the contras”; and
- Bush’s contacts with Oliver North, particularly at the time when Donald Gregg says he learned of Felix Rodriguez’s role in the Contra resupply operation.

Furthermore, Bush orchestrated the refusal of his aides to provide evidence to the independent counsel. Bush’s counsel, C. Boyden Gray, and Gray’s deputy John P. Schmitz, also refused to be interviewed, citing, among other things, attorney-client privilege and attorney work-product privilege. (Five years later, when Bush’s Solicitor General Kenneth Starr had become independent counsel, Starr aggressively sought to override those privileges, and Starr labelled the use of such privileges “an obstacle to the search for truth.”)

Even after Walsh made a number of concessions to Gray and Schmitz, including a non-waiver agreement with respect to the attorney privileges and the privilege against self-incrimination, they still refused to be interviewed. Walsh’s report notes: “This was not OIC’s first encounter with non-cooperation on the part of Gray. In a May 23, 1991 interview

regarding Donald Gregg, Gray asserted on behalf of President Bush attorney-client privilege. . . .”

Completing the cover-up

After Bush granted the Christmas Eve pardons to Weinberger and five others, including CIA officials and former National Security Adviser Robert McFarlane, Walsh declared: “The Iran-Contra cover-up, which has continued for more than six years, has now been completed with the pardon of Caspar Weinberger.”

Walsh was particularly concerned, he said, because Weinberger’s contemporaneous notes, which had been concealed, seriously affected the official investigations “and possibly forestalled timely impeachment proceedings against President Reagan and other officials.” Walsh said that the Weinberger notes evidenced “a conspiracy among the highest-ranking Reagan administration officials to lie to Congress and the American public. . . . Weinberger’s concealment of notes was a part of a disturbing pattern of deception and obstruction that permeated the highest levels of the Reagan and Bush administrations.”

In his statement following the pardons, Walsh also disclosed that Bush had withheld his own “highly-relevant contemporaneous notes.” And Walsh stated: “In the light of President Bush’s own misconduct, we are gravely concerned by his decision to pardon others who lied to Congress and obstructed official investigations.”

Debate on McDade-Murtha Bill:



Rep. John Murtha

A Revolution in American Politics



Rep. Joe McDade

An EIR-LaRouche Connection Video

We call this the Citizens Protection Act because . . . what we are trying to do for the ordinary citizen is absolutely important to their individual protection.

—Rep. John Murtha

\$25 *postpaid*
Order number EIE 98-007

Highlights of the historic Aug. 5 debate in the House of Representatives over the bill that would crack down on abuses by the Justice Department.

EIR News Service P.O. Box 17390 Washington, D.C. 20041-0390
To order, call **1-888-EIR-3258** (toll-free) We accept Visa or MasterCard