

# Obama's Offenses Are Worse Than Nixon's in Watergate

by Nancy Spannaus

May 21—The significance of the concatenation of well-deserved attacks on the Obama Administration this week does not actually lie in the scandals themselves. In many respects, the Administration's lying coverup about Benghazi, violation of First Amendment rights on the pretext of national security (AP and Fox News record-seizure scandals), and political targeting of Obama's "enemies" through the IRS, are old news. What has changed is the willingness of a section of leading institutions in the United States to go after a President who is bringing the world closer and closer to disaster. The 'I' word, impeachment, is beginning to be heard.

It has been a long time coming. The Obama Administration has literally been getting away with murder for years—specifically with the illegal undeclared war in Libya, as well as the killing of American citizens with predator drones, without a hint of due process. Impeachment articles have been drafted, but left sitting on the shelf, untouched, and unheralded.

Not that it's inevitable that sufficient powerful forces in the U.S. Establishment are prepared to go now for impeachment (or resignation) of Obama. Partisan political charges are still clouding some of the basic issues—such as the Administration's policy decision to ally with British-Saudi jihadi forces for regime change in Libya, which decision is irrefutably responsible for the death of U.S. Ambassador Chris Stevens and three other Americans. *But there is no question, to the honest*

*analyst, that Barack Obama has committed offenses against the U.S. Constitution equal to, and in some cases greater than, those of Richard Nixon, who was forced to resign in order to avoid impeachment in the Watergate scandal of 1972-74.*

## The Watergate Precedent

In discussing the Watergate precedent, it's appropriate to start with the still-active veteran of that era, journalist Bob Woodward, himself an institutional player. While denying any direct parallel to Watergate, Woodward accused the Administration of lying ("This is a business where you have to tell the truth, and that did not happen here.") on the Benghazi story, when he appeared on Meet the Press May 19. "Some people in the Administration have acted as if they want to be Nixonian, and that's a very big problem, I think," he said.

On MSNBC's Morning Joe May 14, Woodward was even more explicit, saying the Administration's "scrubbing" of the talking points on Benghazi was reminiscent of Watergate. "I have to go back 40 years to Watergate, when Nixon put out his edited transcripts of the conversations and he personally went through them and said, 'let's not tell this, let's not show this,'" Woodward said. "I would not dismiss Benghazi. It's a very serious issue. As people keep saying, four people were killed."

The general Democratic rejoinder has been that President Obama, unlike Nixon, was not personally involved in making the decisions that have led to the



White House/Pete Souza

*"Is this a dagger which I see before me?..."* Unlike Macbeth, who has yet to commit murder at the moment this line is spoken, Obama already has blood on his hands. Yes, worse than Nixon.

scandals. Like the White House, they claim that it was the CIA, not Obama, who decided to suppress the evidence of al-Qaeda's involvement in the killing of Stevens, et al. Like the White House, they say there's no evidence Obama was personally involved in the IRS's political targeting, or the intimidation of journalists.

But Obama is the President who set the policies. Just because he apparently didn't tape his conversations in the Oval Office, as Nixon did, doesn't mean that evidence of his personal responsibility for these violations of law does not exist. In the case of Benghazi, for example, the stonewalling by the Administration already rivals that of the Nixon Administration, on a matter much more serious than the burglary of a doctor's office.

And indeed, serious investigations are just beginning.

## A Look Back at Watergate

A look at the Articles of Impeachment against Nixon which were adopted by the House Judiciary Committee, is both instructive and evocative. These were brought forward after more than a full year of hearings to dig out the details of the President's personal in-

volvement in the Watergate crimes and coverup.

The Articles begin with the solemn charge that: "In his conduct of the office of President of the United States, Richard M. Nixon, in violation of his constitutional oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed..." Specifications follow.

Article One can be summarized as Obstruction of Justice, charging that, in the case of the Watergate burglary, "Richard M. Nixon, using the powers of his high office, engaged personally and through his close subordinates and agents, in a course of conduct or plan designed to delay, impede, and obstruct the investigation of such illegal

entry; to cover up, conceal and protect those responsible; and to conceal the existence and scope of other unlawful cover activities." There follows a listing of a course of conduct by the President which included lying, stonewalling, misusing government agencies, and many other actions.

Article Two charged that Nixon had "repeatedly engaged in conduct violating the constitutional rights of citizens, impairing the due and proper administration of justice and the conduct of lawful inquiries, or contravening the laws governing agencies of the executive branch and the purposed of these agencies." The first instance of this conduct then cited read as follows:

"1. He has, acting personally and through his subordinates and agents, endeavoured to obtain from the Internal Revenue Service, in violation of the constitutional rights of citizens, confidential information contained in income tax returns for purposes not authorized by law, and to cause, in violation of the constitutional rights of citizens, income tax audits or other income tax investigations to be initiated or conducted in a discriminatory manner."

Article Three charged the President with refusing to respond to materials subpoenaed by Congress, thus "assuming to himself functions and judgments necessary

to the exercise of the sole power of impeachment vested by the Constitution in the House of Representatives.”

Six Republicans joined the Democrats on the House Judiciary Committee to vote up the first two items, while three joined on the third. Convinced by senior political figures that he didn’t stand a chance of acquittal on the impeachment charges in a Senate trial, Nixon agreed to resign.

## Obama’s Lists

Granted, President Nixon was not impeached for his greatest crimes. One of them, the illegal, bloody war in Cambodia, was actually drafted as an impeachment count, but never filed. But Nixon’s arrogance of power, and use of police-state methods against his political enemies, shocked the nation—resulting in not only his resignation, but an exposure of misdeeds by the FBI, CIA, and others, and an overhaul of the rules by which they were supposed to function in the future.

Obama’s greatest crimes, too, are out in the open, starting with the undeclared war against Libya. Despite action by Rep. Walter Jones (R-N.C.), who has introduced a resolution in this Congress (HCR 3), as he did in the previous one, which would make any Presidential war-fighting (except in self-defense) without the authorization of Congress an automatically impeachable offense, Congress has refused to hold Obama to account for this blatant Constitutional violation.

Equally bold has been the Administration’s virtual advertisement of Obama’s “kill list,” which White House sources leaked to the *New York Times* in June of 2012. There, it was asserted (and has never been denied) that the President personally reviews, every Tuesday morning, a list of those to be killed by drones. Subsequently, it became clear that some on those lists have been American citizens (cf. the Awlakis, father and son, and Samir Khan), to whom the American Constitution grants the right to due process of law. All three were killed by drones, on Obama’s orders.

Is it reasonable to think that a President who takes “personal responsibility” for reviewing and executing a kill list, would not deploy his Administration against a political enemies’ list, including through the IRS?

## The IRS Investigation Begins

Let’s take the IRS case as an example.

The process of investigation into the IRS abuses reported by the Treasury Inspector General, in his May 14 report, has only just begun, but it has already raised a

great deal of damning evidence on politically motivated discrimination by that body. Among the matters found in that evidence, is the creation of openly political criteria for delaying grants of tax-exempt status, and collateral charges that IRS officials lied to Congress about the investigation, and disclosed confidential tax information to the Administration’s political allies, for use against its “enemies.”

In the opening hearing, held by the Ways and Means Committee May 17, Inspector General Russell George reviewed the IRS abuses in some detail, showing how the agency targeted specific groups applying for tax-exempt status, delayed processing of their applications, and requested unnecessary information from them. The IRS created a “Be on the Lookout List,” which included the following broad characterizations:

- If “Tea Party,” “Patriots,” or “9/12 Project” were referenced in the name or description of the group;
- Whether the group’s issues included government spending, government debt, or taxes;
- Whether the phrase “make America a better place to live,” was part of the group’s politics, or if the group criticized the government, or wanted to educate people about the Constitution.

Obama officials have been at pains to say that these abuses were devised by the bureaucrats on the scene, with no evidence of White House or campaign involvement (the pattern of activity goes from 2009 to 2012, and involves hundreds of cases). Such a claim defies credulity. Bureaucrats do not take risks which they don’t believe their bosses want them to take. And it was totally clear that the Tea Party and associated groups were on Obama’s “enemies list.” Not only did he make public statements labeling such groups as “a threat to democracy,” but he was engaged in hot political combat with them during the fight over Obamacare starting in 2009.

True, Obama says he knew nothing, and is appalled. IRS officials in the IRS office in Cincinnati say they were directed from Washington to do what they did, and the Washington IRS office is documented to have been involved early on. Who has the power? Whom would you believe?

The investigation could go on for months, as with Nixon, or Congress and relevant sections of the political establishment could take the best course for the safety of the nation: Start impeachment proceedings on Obama’s already blatant crimes. Get him out of there now!