

# What to Do with G.W. Bush?

**Exclusive:** A major bipartisan study confirms that George W. Bush's administration tortured detainees behind of a facade of legal excuses. The report recommends truth-telling and reforms. But the failure to hold Bush and his advisers accountable invites a replay of their criminal acts, writes Robert Parry.

By Robert Parry

Now that a bipartisan blue-ribbon panel has reached the conclusion that President George W. Bush and his top advisers bear "ultimate responsibility" for authorizing torture in violation of domestic and international law, the question becomes what should the American people and their government do.

The logical answer would seem to be: prosecute Bush and his cronies (or turn them over to an international tribunal if the U.S. legal system can't do the job). After all, everyone, including President Barack Obama and possibly even Bush himself, would agree with the principle that "no man is above the law."

At least that is what they profess in public, but they then apply this principle selectively, proving that they don't really mean it at all. The real-world standard seems to be: you are above the law if you have the political or economic clout to make prosecution difficult or painful. Then, more flexible rules apply.

For instance, we're told that Pvt. Bradley Manning may have had good intentions in exposing U.S. government wrongdoing to WikiLeaks, but he still must be punished for taking the law into his own hands. The only question seems to be whether he should be imprisoned for 20 years or life.

Even the U.S. soldiers at Iraq's Abu Ghraib prison who imitated the abusive techniques that Bush and his advisers authorized in more limited situations had to face justice. Eleven were convicted at court martial, and two enlisted personnel Charles Graner and Lynndie England were sentenced to ten and three years in prison, respectively. A few higher-level officers had their military careers derailed.

But the buck pretty much stopped there. It surely didn't extend up to Defense Secretary Donald Rumsfeld, National Security Advisor Condoleezza Rice, White House counsel Alberto Gonzales, Vice President Dick Cheney and President Bush. They simply engaged in a game of circular excuse-making, claiming that they had relied on Justice Department legal guidance and thus their own criminal actions

really weren't criminal at all.

Yet, along with its judgments about torture, the 577-page report from the Constitution Project obliterated that line of defense by detailing how the Bush administration's lawyers offered up "acrobatic" legal opinions to justify the brutal interrogations, which included waterboarding, sleep deprivation, stress position, forced nudity and other acts constituting torture.

Lawyers from the Justice Department's Office of Legal Counsel, particularly John Yoo and Jay Bybee, collaborated closely with senior administration officials in choreographing these legal gymnastics. Then, when other government lawyers later challenged the Yoo-Bybee rationalizations, those lawyers faced career reprisals from the White House. They were essentially forced out of government, the report found.

In other words, Bush's team had arranged its own legal opinions that empowered the President do whatever he wanted. Indeed, the Yoo-Bybee legal opinions gave the President *carte blanche* by citing his supposed "plenary powers," meaning that he could do literally anything he wished during "wartime," even a war as nebulously defined as the "war on terror."

### **Establishment Blessing**

While the new torture report mostly covers old ground about how the Bush administration moved into the "dark side," the report's primary significance is that its 11-member panel represents a bipartisan mix of Establishment figures.

The task force was headed by two former members of Congress who have worked in the Executive Branch James R. Jones, D-Oklahoma, an ex-ambassador to Mexico, and Asa Hutchinson, R-Arkansas, who served as an under-secretary of Homeland Security during the Bush administration. Other members were prominent Americans from the fields of military, academia, law, ethics and diplomacy including former FBI Director William Sessions and longtime senior diplomat Thomas Pickering.

The report didn't mince words in its principal conclusions: "Perhaps the most important or notable finding of this panel is that it is indisputable that the United States engaged in the practice of torture. This finding, offered without reservation, is not based on any impressionistic approach to the issue.

"Instead, this conclusion is grounded in a thorough and detailed examination of what constitutes torture in many contexts, notably historical and legal [including] instances in which the United States has leveled the charge of torture against other governments. The United States may not declare a nation guilty of engaging in torture and then exempt itself from being so labeled for

similar if not identical conduct.”

The report also noted that the behavior of the Bush administration deviated from the most honorable traditions of U.S. history, dating back to the Revolutionary War and General George Washington’s instructions to his troops not to respond to British cruelty in kind but to treat prisoners of war humanely.

In contrast to those traditions, after the 9/11 attacks, the Bush administration approved specific techniques of torture while formulating legal rationalizations for these violations of law. Never before, the report found, had there been “the kind of considered and detailed discussions that occurred after 9/11 directly involving a president and his top advisers on the wisdom, propriety and legality of inflicting pain and torment on some detainees in our custody.”

Beyond the illegality and immorality of torture, the report found “no firm or persuasive evidence” that the harsh interrogations extracted information that could not have been obtained by legal means. The report also challenged the legality of “enforced disappearances,” renditions and secret detentions.

### **No Accountability**

Yet, the panel demanded no meaningful accountability from Bush and his top aides, as former Ambassador Pickering made clear in a Washington Post op-ed on Friday.

In underscoring the report’s findings, Pickering lamented how the Bush administration’s use of torture had imperiled efforts to persuade other countries not to resort to cruel and inhuman treatment of prisoners. “Democracy and torture cannot peacefully coexist in the same body politic,” Pickering wrote.

He proposed several steps “to mitigate the damage and set this country on a better course.” This list included finally confronting the harsh truth about torture; releasing relevant evidence that the Obama administration is still keeping secret; enacting new legislation to close “loopholes” that were exploited to justify torture; and insisting on verifiable protections of prisoners transferred to other countries (rather than relying on “diplomatic assurances”).

However, neither the report nor Pickering’s op-ed addressed the significant point that laws against torture and mistreatment of prisoners already existed and that Bush and his team simply had ignored or evaded them. If Bush and Yoo could concoct an excuse giving the President the “plenary” power to do whatever he wants in wartime, why couldn’t some future President and legal adviser do the same?

What good does it do to tighten “loopholes” if a President and his aides can flout the law and escape accountability? The only rational (and legal) response to Bush’s use of torture is to arrest him and his key advisers and put them on trial.

Yet, in this case, the rational and legal remedy is considered unthinkable. If President Obama’s Justice Department were to move against Bush and other ex-officials, the Washington Establishment from the Republican Party to the mainstream news media to much of the Democratic Party would react in apoplexy and outrage.

There would be fears about Washington’s intense partisanship growing even worse. There would be warnings about the terrible precedent being set that could mean that each time the White House changes hands the new administration would then “go after” the former occupants. There would howls about the United States taking on the appearance of a “banana republic.”

However, there also are profound dangers for a democratic Republic when it doesn’t hold public officials accountable for serious crimes, like torture and aggressive war. Indeed, one could argue that such a country is no longer a democratic Republic, if one person can operate with complete impunity amid declarations of “plenary powers” which is what the Bush administration claimed in its memos justifying torture.

The report from the Constitution Project can declare that torture is incompatible with democracy, but it is equally true that if the President can torture anyone he chooses and then walk away free to attend baseball games, celebrate his presidential library and pose for the cover of “Parade” magazine then you are not living in a real democracy.

**Investigative reporter Robert Parry broke many of the Iran-Contra stories for The Associated Press and Newsweek in the 1980s. You can buy his new book, *America’s Stolen Narrative*, either in [print here](#) or as an e-book (from [Amazon](#) and [barnesandnoble.com](#)).**

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## Chechen Terrorists and the Neocons

The revelation that the family of the two suspects in the Boston Marathon bombings was from Chechnya prompted new speculation about the attack as Islamic terrorism. Less discussed was the history of U.S. neocons supporting Chechen terrorists as a strategy to weaken Russia, as ex-FBI agent Coleen Rowley

recalls.

By Coleen Rowley

I almost choked on my coffee listening to neoconservative Rudy Giuliani pompously claim on national TV that he was surprised about any Chechens being responsible for the Boston Marathon bombings because he's never seen any indication that Chechen extremists harbored animosity toward the U.S.; Giuliani thought they were only focused on Russia.

Giuliani knows full well how the Chechen "terrorists" proved useful to the U.S. in keeping pressure on the Russians, much as the Afghan mujahedeen were used in the anti-Soviet war in Afghanistan from 1980 to 1989. In fact, many neocons signed up as Chechnya's "friends," including former CIA Director James Woolsey.

For instance, see this 2004 article in the UK Guardian, entitled, "The Chechens' American friends: The Washington neocons' commitment to the war on terror evaporates in Chechnya, whose cause they have made their own."

Author John Laughland wrote: "the leading group which pleads the Chechen cause is the American Committee for Peace in Chechnya (ACPC). The list of the self-styled 'distinguished Americans' who are its members is a roll call of the most prominent neoconservatives who so enthusiastically support the 'war on terror.'

"They include Richard Perle, the notorious Pentagon adviser; Elliott Abrams of Iran-Contra fame; Kenneth Adelman, the former US ambassador to the UN who egged on the invasion of Iraq by predicting it would be 'a cakewalk'; Midge Decter, biographer of Donald Rumsfeld and a director of the rightwing Heritage Foundation; Frank Gaffney of the militarist Centre for Security Policy; Bruce Jackson, former US military intelligence officer and one-time vice-president of Lockheed Martin, now president of the US Committee on Nato; Michael Ledeen of the American Enterprise Institute, a former admirer of Italian fascism and now a leading proponent of regime change in Iran; and R. James Woolsey, the former CIA director who is one of the leading cheerleaders behind George Bush's plans to re-model the Muslim world along pro-US lines."

The ACPC later sanitized "Chechnya" to "Caucasus" so it's rebranded itself as the "American Committee for Peace in the Caucasus."

Of course, Giuliani also just happens to be one of several neocons and corrupt politicians who took hundreds of thousands of dollars from MEK sources when that Iranian group was listed by the U.S. State Department as a Foreign Terrorist Organization (FTO). The money paid for these American politicians to lobby (illegally under the Patriot Act) U.S. officials to get MEK *off* the FTO list.

## Down the Rabbit Hole

Alice in Wonderland is an understatement if you understand the full reality of what's going on. But if you can handle going down the rabbit hole even further, check out prominent former New York Times journalist (and author of *The Commission* book) Phil Shenon's discovery of the incredible "Terrible Missed Chance" a couple of years ago.

Shenon's discovery involved key information that the FBI and the entire "intelligence" community mishandled and covered up, not only before 9/11 but for a decade afterward. And it also related to the exact point of my 2002 "whistleblower memo" that led to the post 9/11 DOJ-Inspector General investigation about FBI failures and also partially helped launch the 9/11 Commission investigation.

But still the full truth did not come out, even after Shenon's blockbuster discovery in 2011 of the April 2001 memo linking the main Chechen leader Ibn al Khattab to Osama bin Laden. The buried April 2001 memo had been addressed to FBI Director Louis Freeh (another illegal recipient of MEK money, by the way!) and also to eight of the FBI's top counter-terrorism officials.

Similar memos must have been widely shared with all U.S. intelligence in April 2001. Within days of terrorist suspect Zaccarias Moussaoui's arrest in Minnesota on Aug. 16, 2001, French intelligence confirmed that Moussaoui had been fighting under and recruiting for Ibn al-Khattab, raising concerns about Moussaoui's flight training.

Yet FBI Headquarters officials balked at allowing a search of his laptop and other property, still refusing to recognize that: 1) the Chechen separatists were themselves a "terrorist group" for purposes of the Foreign Intelligence Surveillance Act's (FISA) legal requirement of acting "on behalf of a foreign power" and 2) that Moussaoui's link to Ibn al Khattab inherently then linked him to bin Laden's well-recognized Al Qaeda group for purposes of FISA (the point in my memo).

This all occurred during the same time that CIA Director George Tenet and other counter-terrorism officials, and don't forget that Tenet was apprised of the information about Moussaoui's arrest around Aug. 24, 2001, told us their "hair was on fire" over the prospect of a major terrorist attack and "the system was blinking red."

The post 9/11 investigations launched as a result of my 2002 "whistleblower memo" did conclude that a major mistake, which could have prevented or reduced 9/11, was the lack of recognition of al Khattab's Chechen fighters as a

“terrorist group” for purposes of FISA.

As far as I know, the several top FBI officials, who were the named recipients of the April 2001 intelligence memo entitled “Bin Laden/Ibn Khattab Threat Reporting” establishing how the two leaders were “heavily entwined,” brushed it off by mostly denying they had read the April 2001 memo (which explains why the memo had to be covered up as they attempted to cover up other embarrassing info).

There are other theories, of course, as to why U.S. officials could not understand or grasp this “terrorist link.” These involve the U.S.’s constant operating of “friendly terrorists,” perhaps even al Khattab himself (and/or those around him), on and off, opportunistically, for periods of time to go against “enemy” nations, i.e., the Soviet Union, and regimes we don’t like.

### **Shifting Lines**

But officials can get confused when their former covert “assets” turn into enemies themselves. That’s what has happened with al-Qaeda-linked jihadists in Libya and Syria, fighters who the U.S. government favored in their efforts to topple the Qaddafi and Assad regimes, respectively. These extremists are prone to turn against their American arms suppliers and handlers once the common enemy is defeated.

The same MO exists with the U.S. and Israel currently collaborating with the Iranian MEK terrorists who have committed assassinations inside Iran. The U.S. government has recently shifted the MEK terrorists from the ranks of “bad” to “good” terrorists as part of a broader campaign to undermine the Iranian government. For details, see [“Our \(New\) Terrorists, the MEK: Have We Seen This Movie Before?”](#)

Giuliani and his ilk engage, behind the scenes, in all these insidious operations but then blithely turn to the cameras to spew their hypocritical propaganda fueling the counterproductive “war on terror” for public consumption, when that serves their interests. Maybe this explains Giuliani’s amazement (or feigned ignorance) on Friday morning after the discovery that the family of the alleged Boston Marathon bombers was from Chechnya.

My observations are not meant to be a direct comment about the motivations of the two Boston bombing suspects whose thinking remains unclear. It’s still very premature and counterproductive to speculate on their motives.

But the lies and disinformation that go into the confusing and ever-morphing notion of “terrorism” result from the U.S. Military Industrial Complex (and its little brother, the “National Security Surveillance Complex”) and their need to

control the mainstream media's framing of the story.

So, a simplistic narrative/myth is put forth to sustain U.S. wars. From time to time, those details need to be reworked and some of the facts "forgotten" to maintain the storyline about bad terrorists "who hate the U.S." when, in reality, the U.S. Government may have nurtured the same forces as "freedom fighters" against various "enemies."

The bottom line is to never forget that "a poor man's war is terrorism while a rich man's terrorism is war" and sometimes those lines cross for the purposes of big-power politics. War and terrorism seem to work in sync that way.

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## A 'Green Light' to War on Iran?

Congress seems poised again to ratchet up tensions with Iran by acting on a resolution that, in effect, gives a green light for Israel to attack Iran with promises of U.S. military support. This "back-door-to-war" resolution shows how the Israel lobby can dominate U.S. policymaking, notes ex-CIA analyst Paul R. Pillar.

By Paul R. Pillar

Members of Congress, as we all know, are fond of making political gestures to play to whatever audience they are trying to play to. In private conversation members can be quite candid about this and will exhibit a bifurcated approach to their jobs in which the world of gesture-making is divorced from the world of sound policy-making.

Seeing their political careers dependent on playing to audiences, members tend to be quick to brush aside any costs or hazards entailed in the gestures. This is particularly true of sense-of-the-Congress resolutions, which, as proponents of any such resolution can always point out, do not entail any changes carrying the force of law.

The trouble with this casual attitude toward gesture-making statements is that there often is someone else with an agenda who knows how to exploit the statements to advance the agenda. Even something as legally soft as a sense-of-



the-Congress resolution will subsequently be cited as policy and precedent.

Anyone who supported or even acquiesced in the gesture will forever be counted as backing the policy it implies, thereby making it seem that the policy is not the project of a determined minority even if it really is. Any qualifications or caveats that are incorporated in the statement get forgotten or are left unmentioned in later agitation by the determined minority to implement their favored policy.

All of these hazards are inherent in a draft joint resolution that the Senate Foreign Relations Committee approved this week. The resolution, one of the endless series of Congressional love letters to Israel, "urges" in its final operative paragraph:

"that, if the Government of Israel is compelled to take military action in legitimate self-defense against Iran's nuclear weapons program, the United States Government should stand with Israel and provide, in accordance with United States law and the constitutional responsibility of Congress to authorize the use of military force, diplomatic, military, and economic support to the Government of Israel in its defense of its territory, people, and existence."

Forces of reason worked hard to modify this paragraph to make it slightly less bad than it was in the original version, which was co-authored by Senators Lindsey Graham, R-South Carolina, and Robert Menendez, D-New Jersey, and those forces deserve commendation for their efforts.

Changes included insertion of the word "legitimate," limiting of the subject to a nuclear weapons program, and referring to Congress's constitutional responsibilities. But proponents of a war will take "legitimate" to be a declarative statement rather than a condition, reference to an Iranian nuclear weapons program perpetuates a falsehood that this is the kind of program Iran has now, and mention of Congress's responsibility will be taken as an invitation for Congress to pass a later war resolution.

The fact that the modifications hardly eviscerated the message of the paragraph is reflected in the fact that the resolution's main outside proponent, AIPAC, crowed about the committee's approval. The resolution is an open invitation to Israel to start a war with Iran and to drag the United States into that war. The resolution may accurately be referred to as either the "Backdoor-to-War Resolution" or the "Green Light Resolution."

Once passed by both houses of Congress, which, if Congress stays true to form, it surely will be, the resolution will repeatedly be cited by proponents of a war as policy and as a commitment. It will be exploited the way such statements

have been exploited in the past.

Neocon defenders of the Iraq War repeatedly cite the Iraq Liberation Act of 1998, which Bill Clinton had no use for but signed when he was mired in the Lewinsky scandal and on the eve of getting impeached, as indicating that overthrowing the Iraqi regime had broad bipartisan support and was not just a neocon project. The resolution will be described as a "commitment" alongside Barack Obama's boxing-himself-in declarations that an Iranian nuclear weapon would be unacceptable.

In a somewhat heated debate I got involved in at a private dinner earlier this week, a prominent neoconservative commentator argued that the United States must never back down from Obama's "commitment" because to do so would severely damage U.S. credibility. I pointed out, without getting a response, that exactly the same argument about protecting U.S. credibility was the main reason for the U.S. decision to go in big in Vietnam in the 1960s (when the argument wasn't any more valid than it is now).

I will not take this space to review all the reasons a war with Iran, either initiated by the United States or getting dragged into it by Israel, would be folly from the standpoint of U.S. interests. Those reasons range from the counter-productivity of an action that would lead Iran to take the very decision (i.e., to make a nuclear weapon), that it has not taken thus far, to the poisoning of relations with generations of Iranians to come, regardless of what kind of regime is in power in Tehran in the future.

Since we are dealing with a Congressional gesture, let us stay in gesture-land for the moment and just make a few observations about issues of right and wrong and thus what the United States should or should not declare itself to be in favor of.

The postulated Israeli taking of military action would be an act of aggression. It would be aggression committed against a state that does not have any nuclear weapon, has not decided to build a nuclear weapon, and has foresworn any intention to build such a weapon. It is a state that is a party to the Nuclear Nonproliferation Treaty and subjects all of its nuclear activities to regular international inspection.

Even if Iran were to junk all of those commitments and build a weapon, it would be joining a club that already has nine other members. The would-be aggressor, Israel, is one of those nine. Unlike Iran, it has never subjected any of its nuclear activities to any international law, control regime, or inspection. It has a large arsenal of nuclear weapons but has never admitted to having any.

If Israel initiates a war, it would be acting on a long series of threats that it has been making to do just that. Iran, in contrast, has never threatened to attack Israel, notwithstanding the rhetorical bombast and anti-Israeli invective that many in Israel and the United States have tried to confuse with declarations of operational policy.

Actions are more important than words, of course. Israel has a long (and recent) history of repeatedly throwing its weight around by using military force and attacking neighboring states and populations. That history has included the war of conquest in 1967, the long-term military occupation of part of Lebanon, and highly destructive attacks against Palestinians in Gaza followed by a suffocating blockade.

The Islamic Republic of Iran, by contrast, has never launched a war against anyone (although the Iranians fought like tigers when Saddam Hussein committed aggression against them by initiating the Iran-Iraq War).

Israeli initiation of a war with Iran would be, even under the most charitable interpretation of Israeli motives, for the purpose of maintaining Israel's regional nuclear weapons monopoly. It also would serve the Israeli government's purpose of spoiling any chance for the foreseeable future of rapprochement between Washington and Tehran, thereby helping to sustain Israel's claim that it warrants special treatment as the only reliable American partner in the Middle East.

And, of course, such a war would serve the further Israeli government purpose of killing for the time being any movement toward doing something about the continued Israeli occupation of Palestinian territory.

In short, the postulated Israeli attack would be thoroughly unjustified and even unconscionable. It would be nothing that the United States should condone, let alone invite or support.

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## The Power of False Narratives

**Exclusive:** The defeat of a modest gun-safety bill in the Senate is further vindication of Orwell's cynical observation that "who controls the past controls

the future” since the American Right has persuaded millions of Americans that a false narrative about the Second Amendment is true, says Robert Parry.

By Robert Parry

Over the past several decades, the American Right has invested heavily in media outlets and think tanks with the goal of imposing right-wing historical narratives on the nation. That investment has now paved the way for defeat of modest gun-control legislation in the U.S. Senate.

Because of this well-financed right-wing propaganda, millions of Americans have been convinced that the Framers of the U.S. Constitution wanted individual Americans armed to the teeth so they could kill policemen, soldiers and other government representatives. Thus any restriction on gun ownership, no matter how sensible, is deemed as going against the nation’s Founding Fathers.

The fact that the key Framers, such as James Madison and George Washington, actually believed that the people would be protected against tyranny through a representative Republic operating within the rule of law and the checks and balances of a Constitution has been lost amid the Right’s propaganda and paranoia.

Madison only grudgingly agreed to incorporate a Bill of Rights at all as a deal to secure the necessary votes for the Constitution’s ratification, with the Second Amendment essentially a concession to the states which wanted to protect their right to maintain citizen militias.

At the time, the right to bear arms within the context of “a well-regulated Militia” was not understood as a “libertarian” right to have an unregulated arsenal in your basement or the right to stride into public gatherings with a semi-automatic assault rifle with a 100-bullet magazine over your shoulder. In 1789, when Congress approved the Second Amendment, muskets were single-shot devices requiring time-consuming reloading.

And, as the Second Amendment explains, its purpose was to maintain “the security of a free State,” not to undermine that security with mass killings of civilians or insurrections against the elected government representing “We the People of the United States.” Under the Constitution, such insurrections were defined as “treason.”

But the Right has successfully abridged the Second Amendment as it is now understood by many ill-informed Americans. The 12-word preamble explaining the point of the amendment gets lopped off and only the last 14 words are left as the unofficially revised amendment.

So, when Tea Party favorite Sen. Ted Cruz lectures fellow senators on the Second Amendment, he doesn't include the preamble, "A well-regulated Militia being necessary to the security of a free State." He only reads the rest: "the right of the people to keep and bear Arms shall not be infringed." Nor do the Tea Partiers note that to Madison and the Framers the term "bear Arms" meant to participate in a militia, not to have as many guns as you want.

The real history has gotten lost in a swamp of false narrative, the sort of ideological deceptions that have come to dominate the current American political scene and have given us an Orwellian present in which he "who controls the past" really does "control the future."

### **Obama's Bow**

Now, even intelligent politicians like President Barack Obama genuflect before the mythology of the Second Amendment as he did on Wednesday when he stood with parents of children massacred in Newtown, Connecticut, and repeatedly argued that a defeated compromise on background checks for gun buyers in no way impinged on anyone's Second Amendment rights.

No one, it seems, wants to get into the reeds on this issue and take on the Right's false narrative, apparently hoping that those distortions can be simply overridden by public outrage against the thousands upon thousands of Americans who are killed by gun violence every year. But the failure to contest false narratives, especially ones as powerful as the nation's founding myth, effectively dooms rational policy discussions.

If the Right can rile up a lot of people with neo-Confederate appeals against the "tyranny" of the federal government, the United States cannot face its future challenges, whether stopping school massacres or effectively regulating Wall Street or reducing income inequality or addressing the existential threat of global warming. All such efforts will simply be dismissed as federal assaults on "liberty."

Most perniciously, the Right through its propaganda has equated the federal government with the British Crown, treating any national effort to deal with domestic problems as the same as British troops marching on Lexington and Concord. That's the message in the Tea Party's hijacking of Revolutionary War imagery.

Yet, that would mean that Revolutionary War heroes like George Washington and Alexander Hamilton as well as the Constitution's chief architect James Madison are stand-ins for King George III, since they were the ones who organized the Constitutional Convention in 1787.

The Constitution dramatically strengthened the central government from its status as a “league of friendship” dominated by “independent” and “sovereign” states under the Articles of Confederation. The power grab in Philadelphia was what gave rise to the first claims about a powerful central government imposing federal “tyranny.”

Anti-Federalists rose to oppose the Constitution, in part, by claiming that federal authorities might destroy the system of state militias and then crush the individual states. Madison ridiculed that argument in Federalist Paper 46, which ironically is one that the gun-rights advocates often cite in arguing in favor of a fully armed population.

But Madison’s key point in Federalist Paper 46 was that when critics cite the Constitution’s potential for a tyrannical central government, they miss the point that it would consist of representatives from the states and the people.

“The adversaries of the Constitution seem to have lost sight of the people altogether in their reasonings on this subject,” Madison wrote. “These gentlemen [the Anti-Federalists] must here be reminded of their error. They must be told that the ultimate authority, wherever the derivative may be found, resides in the people alone.

“If the people should in future become more partial to the federal than to the State governments, the change can only result, from such manifest and irresistible proofs of a better administration. And in that case, the people ought not to be precluded from giving most of their confidence where they may discover it to be most due.”

### **Mocking the Paranoia**

In Federalist Paper 46, Madison then went on to offer a series of reasons why the Anti-Federalists’ fear of the strengthened federal government was absurd, especially since Congress would consist of representatives from the states and those representatives would assert the interests of their states.

Madison also rejected comparisons between the imagined tyranny by the federal government over the states and the violent imposition of authority by the British Crown over the American colonies. He wrote:

“But what would be the contest in the case we are supposing [between the federal government and the states]? Who would be the parties? A few representatives of the people, would be opposed to the people themselves; or rather one set of [federal] representatives would be contending against thirteen sets of representatives [of the states], with the whole body of their common constituents on the side of the latter.

“The only refuge left for those who prophecy the downfall of the State Governments, is the visionary supposition that the Federal Government may previously accumulate a military force for the projects of ambition.

“That the people and the States should for a sufficient period of time elect an uninterrupted succession of men ready to betray both; that the traitors should throughout the period, uniformly and systematically pursue some fixed plan for the extension of the military establishment; that the governments and the people of the States should silently and patiently behold the gathering storm, and continue to supply the materials, until it should be prepared to burst on their own heads, must appear to every one more like the incoherent dreams of a delirious jealousy, or the misjudged exaggerations of a counterfeit zeal, than like the sober apprehension of genuine patriotism.”

In other words, Madison judged this alleged danger of the federal government tyrannizing the states as nuts.

It is true that he continues in Federalist Paper 46 to play out what to him was the absurd notion of federal tyranny, noting that this imaginary federal army of oppression also would have to contend with state militias consisting of armed citizenry which is the point frequently cited by gun-rights advocates but the context of those quotes is that Madison had already dismissed the possibility of such an event as crazy.

### **The Civil War**

Granted, one could argue that Madison failed to fully see into the future as he argued for the ratification of the Constitution, which he had worked so hard to create. For instance, as slavery became a contentious issue in the mid-1800s, Southern states rebelled in defense of the rights of whites to own blacks and then violently resisted President Abraham Lincoln's efforts to bring the Confederate states back into the Union.

To this day, some white Southerners call the Civil War the War of Northern Aggression. In the 1950s and 1960s, the pattern played out again, albeit much less violently, when many white Southerners resisted the federal government's outlawing of racial segregation. To some white Southerners that was another example of federal “tyranny.”

You could also say that Madison missed the emergence of the post-World War II Military-Industrial Complex in which military contractors accumulated so much political and economic power both within states and inside the federal government that the American people did “silently and patiently behold the gathering storm, and continue to supply the materials, until it should be

prepared to burst on their own heads.”

However, it is a gross distortion of history to cite Madison as someone who favored a “libertarian” right for citizens to operate on their own in the killing of police, soldiers and other representatives of the Republic. Rather, his proposal of the Second Amendment was a concession to what he regarded as paranoia among states’-rights advocates within the Anti-Federalist circles.

Indeed, one could argue that the Second Amendment has never been used to protect individual liberty, unless you’re talking about the “liberty” of white Southerners to own African-Americans as slaves.

Beyond the language in the amendment’s preamble about “a well-regulated Militia” and state “security,” that is exactly how the Second Amendment was used. After being approved by the first Congress and ratified by the states, the amendment was given real meaning when the second Congress passed the Militia Acts, which mandated that all military-age white males obtain a musket and supplies for militia service.

President Washington then federalized several state militias and led them on an expedition into western Pennsylvania in 1794 to crush an anti-tax revolt known as the Whiskey Rebellion. The uprising was treated as an act of treason as defined by the U.S. Constitution, although Washington used his pardon power to spare rebel leaders from execution by hanging.

Over the ensuing years in the South, state militias were called up to put down slave revolts, with the rebellious slaves not as lucky as the white Whiskey rebels. For instance, in 1800, Virginia Gov. James Monroe called out the militia to stop an incipient slave uprising known as Gabriel’s Rebellion. Twenty-six alleged conspirators were hanged.

Southern militias also were instrumental in the secession by the Confederate states after Lincoln’s election in 1860. Again, the central concern of the Confederacy was the maintenance and protection of slavery.

### **Jefferson’s Words**

Yes, I know some on the Right have cherry-picked incendiary comments by other Founders, such as Thomas Jefferson and his remark that “The tree of liberty must be refreshed from time to time with the blood of patriots and tyrants” (although the context was Jefferson’s boasting that the new United States had seen little violence since its founding, with the exception of Shays Rebellion in Massachusetts in 1786-87). Jefferson also had very little involvement in writing the Constitution and the Bill of Rights since he was serving as the U.S. representative in Paris.



Many other right-wing citations of Founders favoring armed insurrection against the elected U.S. government have been taken out of context or were simply fabricated. [See [a summary](#) of dubious quotes compiled by Steven Krulick.]

But the key point about the Second Amendment is that it was never about an individual's right to possess guns without restrictions. It was framed mostly out of concern that a standing federal army could become excessively powerful and that the states should maintain their own citizen militias. [See Krulick's [detailed explanation](#).]

Only in modern times, with the emergence of an American Right angry over the idea of racial equality, has the Second Amendment been reframed as a "libertarian" right to kill representatives of the elected government. That attitude flared up after Bill Clinton's victory in 1992 and the rise of the "militia movement," which found a voice in the angry white radio talk show hosts who popularized the supposed linkage between the Framers and modern-day insurrectionists.

After President George W. Bush claimed the White House and added two more right-wing justices to the U.S. Supreme Court, a slim five-to-four majority formed giving the Right's reinterpretation of the Second Amendment some official sanction in 2008. The five justices overturned longstanding precedents recognizing only a collective right to bear arms and endorsed a limited individual right to own a gun.

Then, with the election of the first African-American president and the demographic change that Obama's victory represented, the frenzy surrounding the Right's false founding narrative heated up, with anti-government extremists naming themselves after the Boston Tea Party, an anti-British protest in 1773, and waving "Don't Tread on Me" Revolutionary War banners.

This symbolism merging the American Republic with the British Empire was profoundly wrong especially since many Revolutionary War leaders including General Washington and his aide-de-camp Alexander Hamilton were central to expanding federal powers in the Constitution. But the Right's use of the Founding symbols was powerful nonetheless.

Essentially, however, the Tea Party operatives were not harkening back to the Constitution as much as they were to the Articles of Confederation, which the Constitution replaced, and to the Southern Confederacy, which sought to withdraw from the Constitution in the early 1860s. Today's Tea Partiers are advocating a restoration of a system of states' "sovereignty" that Washington, Madison and Hamilton overturned in 1787 and which Lincoln defeated in 1865.

But the modern Right has figured out a new way to circumvent the real Constitution, which granted broad powers to the central government and which as amended guaranteed equal rights for all citizens. The Right has simply invested billions of dollars in a propaganda system that has revised American history.

The absence of any determined or well-funded effort to counter the Right's false narratives has allowed this fabricated history to become real for millions of Americans. And, on Wednesday, it meant that even modest attempts to impose some sanity on the national gun madness, including the slaughter of children, was stopped in the U.S. Senate.

**Investigative reporter Robert Parry broke many of the Iran-Contra stories for The Associated Press and Newsweek in the 1980s. You can buy his new book, *America's Stolen Narrative*, either in [print here](#) or as an e-book (from [Amazon](#) and [barnesandnoble.com](#)).**

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## Over-Analyzing Terror Incidents

Just when it seemed the U.S. news media had learned some lessons from earlier "terrorism" misreporting, CNN rushed out and then retracted a report about the arrest of a "dark-skinned" suspect. But a related problem is the compulsion to draw broad conclusions about a rare event, says ex-CIA analyst Paul R. Pillar.

By Paul R. Pillar

Reactions to the bombs at the Boston Marathon have quickly fallen into a familiar pattern. It is as if there were a manual that politicians, journalists and others involved in the reacting pull off the shelf after any terrorist attack to help them script their comments and their questions.

There are, first of all, ritual denunciations that use a well-worn vocabulary. Every terrorist attack is labeled as "cowardly," as President Barack Obama labeled this one, even though that is one of the less appropriate of a plethora of negative adjectives that could be applied to terrorist attacks. Different terrorist operations require different degrees of moxie or courage, but with most of them cowardice on the part of the perpetrators is not a dominant characteristic, or even a characteristic at all.

Also in the early hours after a terrorist incident there are aggressive efforts in the media to offer explanations that ought to await a thorough investigation, even though the real investigation is barely getting under way. Of course,

journalists gotta do what they gotta do on any story with high public salience.

And there is some informative analysis that is offered despite the paucity of early hard information, especially comments about how, in general, investigations of terrorist incidents tend to proceed. Much of the quickly generated commentary in the media, however, consists of speculation that outruns the available facts. It is over-analysis, which is not helpful to public understanding.

Some of the over-analysis concerns the presumed significance of the particular target. Some perplexity has been expressed about Monday's attack by those who cannot figure out why the Boston Marathon in particular would be a target of terrorists. Such musing overlooks how many terrorist targets are targets of opportunity, with little if any symbolic significance attached to the chosen target.

For terrorists whose objective is to harm as many people as possible of a particular nationality (which may or may not be true of the perpetrators of the Boston bombing), any well-populated gathering will do.

Similar over-emphasis is placed on the date of an attack and on what it might be the anniversary of. This also overlooks the opportunism involved in most terrorist operations, in terms of when, as well as where, it might be most feasible to mount an attack. In general, western analysts and commentators on terrorism devote more attention to anniversary dates than terrorists do.

The particular method of operation used, including the design of a bomb, is often seized upon in the early hours for much public speculation about who the perpetrators might be. A frequent comment is that such-and-such method of attack or bomb design is a "hallmark" of a particular group. Such observations fail to take account of how one group may copy the methods of another, or of how variation in methods can have advantages for a terrorist group.

There is a strong appetite for inferring patterns. One incident does not make a pattern, but with at least two incidents in close succession the urge to draw patterns is irresistible. The revelation on Tuesday of a letter tainted with ricin poison that was sent to Senator Roger Wicker of Mississippi is sure to stimulate the pattern-drawers, even though senators were told there is no apparent connection between the letter and the bombs in Boston.

Also early in the process there is usually a focus on the domestic political implications of an incident. We have had a bit of that already in connection with this week's incident, with people taking special note of how the White House pinned the "terrorism" label on the event. The subtext for such

observations was the folderol last year over the incident in Benghazi, Libya, in which some people tried to place great importance on whether and when the White House called something "terrorism."

Expect also that there will be the usual recriminations about how government agencies failed to prevent the attack. We haven't heard much of that yet, but we will. We can expect that, also as usual, the recriminations will be based on hindsight and will pay little heed to what is or is not realistically preventable.

After a perpetrator is identified, the over-analysis takes a new turn. Major implications are extracted from that identity, even though it may say little about the shape and severity of any underlying threat. Terrorist attacks are rare public events, interrupting extended times without attacks, that are not necessarily representative of any continuing hidden reality.

Imagine that the perpetrator of the bombing on Monday turns out to be a lone individual with personal, nonpolitical and even trivial motivations, such as a runner disgruntled about not getting into the race. The public reaction likely would be one of relief, with the incident then being seen as a one-off involving a bizarrely motivated individual and not indicative of a larger threat. But this development actually would not say anything one way or another about any larger threats that *do* exist.

The converse of this is represented by the habitual emphasis on whether or not there are "links," especially to the now-vaguely-defined radical Sunni phenomenon to which we append the label "al-Qaeda." The tendency is to get alarmed if there is such a "link," and to be more relaxed if there is not. But actually the presence or absence of such links tells us little about the chance of another bomb going off in an American city next week, next month or next year.

Instead of trying to extract more lessons and implications than are genuinely extractable from a single incident, such an event would be better used as an occasion for thinking about broader issues involving terrorism. To the extent threats from abroad are involved, the thinking should be about how developments overseas and especially U.S. policies abroad may affect the number of those disposed to resort to terrorism.

The thinking also should fit anti-U.S. terrorism into a context in which it can be compared and contrasted with other forms of material harm to U.S. interests and with the physical harm that America's own actions may cause or exacerbate elsewhere.

**Paul R. Pillar, in his 28 years at the Central Intelligence Agency, rose to be one of the agency's top analysts. He is now a visiting professor at Georgetown University for security studies. (This article first appeared as a blog post at The National Interest's Web site. Reprinted with author's permission.)**

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## A Civil Rights Battle over a Streetcar

Even after the Emancipation Proclamation freed African-American slaves in the Confederacy on Jan. 1, 1863, racial bias was common even far from the rebellious South. Later that year, blacks fought to get access to horse-drawn streetcars in San Francisco, writes William Loren Katz.

By William Loren Katz

April 17 is the 150<sup>th</sup> anniversary of a civil Rights milestone. During the Civil War, just months after San Francisco's horse-powered street-car companies dispatched their street cars with orders to accept only white passengers African-American citizens began to directly challenge this discrimination.

On April 17, 1863, Charlotte Brown, a young African-American woman from a prominent family, boarded a street car and was forced off. Determined to assert her rights, Ms. Brown boarded street cars twice more during 1863 and twice more was ejected. Each time she began a legal suit against the company.

In May 1863, William Bowen, another African-American, was stopped from boarding a street car. He brought a civil suit and a criminal assault suit.

Their legal actions came after the African-American community's successful campaign to remove the state's ban on court testimony by African-Americans. Lifting this ban opened the legal system to challenges by African-American men and women in the state.

After several years of more direct efforts and legal challenges by the African-American women and men of the city, the campaign against street-car segregation was also successful.

**William Loren Katz is the author of Black Women of the Old West and 40 other history books. His website is: [williamlkatz.com](http://williamlkatz.com)**

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## In Case You Missed...

Some of our special stories in March focused on dark questions about the new Pope, the tenth anniversary of the Iraq War, fresh insights into Watergate and Iran-Contra, and the Right's gross distortion of the Second Amendment.

["The Catholic Church's Lost Hope"](#) by Father Paul Surlis, recalling the Vatican's failure to undertake serious reform. March 3, 2013.

["Perverting the Constitution for Power"](#) by Robert Parry, assessing how Republican partisans on the Supreme Court help rig elections. March 3, 2013.

["An Unheeded Warning on the Iraq War"](#) by Coleen Rowley, noting how the FBI hierarchy ignored consequences from the Iraq War. March 4, 2013.

["The NRA's War on America"](#) by Beverly Bandler, recounting how the gun lobby has put the United States in danger. March 4, 2013.

["What Has US Militarism Wrought"](#) by Robert Parry, reviewing a new book by ex-CIA analyst Melvin A. Goodman. March 4, 2013.

["Talking Points for Hagel on Iran"](#) by Ray McGovern, suggesting to the new Defense Secretary how to resist Israeli pressure on Iran. March 5, 2013.

["Dangerous 'State Sovereignty' Myth"](#) by Robert Parry, putting local authority in a Constitutional pecking order. March 6, 2013.

["Can Christians Turn Away from War"](#) by Rev. Howard Bess, pondering why a religion founded on peace has been so warlike. March 7, 2013.

["October Surprise and Argo"](#) by Robert Parry, looking at new revelations from ex-Iranian President Bani-Sadr about a GOP dirty trick. March 7, 2013.

["Neocons Escape Accountability"](#) by Paul R. Pillar, observing how the Iraq War didn't discredit some of its top promoters. March 8, 2013.

["Rethinking Watergate/Iran-Contra"](#) by Robert Parry, showing how new evidence puts these epochal scandals in a different light. March 9, 2013.

["John Brennan's Heavy Baggage"](#) by Ray McGovern, noting how the new CIA director is already discredited by his role in torture. March 11, 2013.

["Saving the Church/State Wall"](#) by Rev. Howard Bess, defending the principle of a secular state. March 12, 2013.

"Dirty War Questions for Pope Francis" by Robert Parry, asking where was the new pope when Argentina was experiencing a "dirty war." March 12, 2013.

"The GOP Knows Power" by Robert Parry, reflecting on how the modern Republican Party has overridden the public will to achieve its goals. March 14, 2013.

"Pope Francis, CIA and Death Squads" by Robert Parry, reviewing the evidence of Vatican complicity in Latin America's human rights crimes. March 16, 2013.

"What Happened to the US Press Corps" by Robert Parry, reflecting on the decline of the U.S. news media. March 18, 2013.

"Why WPost's Hiatt Should Be Fired" by Robert Parry, singling out one key Iraq War promoter who has escaped accountability. March 19, 2013.

"The Undying Shame of the Iraq War" by Kathy Kelly, observing that the main people punished for the Iraq War were those who spoke the truth. March 20, 2013.

"The Mysterious Why of the Iraq War" by Robert Parry, who dissects the reasons for going to war a decade ago. March 20, 2013.

"Bowling to Second Amendment Myths" by Beverly Bandler, explaining how a false history of "gun rights" is getting innocents killed. March 21, 2013.

"Newtown's Hidden Crime-Scene Photos" by Robert Parry, suggesting the American people needed to see the photos of the massacre's aftermath. March 21, 2013.

"The WPost's Unbridled Arrogance" by Robert Parry, reporting on the newspaper's refusal to admit its guilt in the Iraq War disaster. March 23, 2013.

"Throwing the First Cyber-stone" by Arjen Kamphuis, warning of the risks of attacking Iran's nuclear program with viruses. March 25, 2013.

"The Tragic Saga of Gary Webb" by H. "Corky" Johnson, hoping that Hollywood does justice to the downfall of a brave journalist. March 26, 2013.

"Obama's Nuke Double Standards" by Nat Parry, analyzing how the U.S. is hypocritical in its attitude toward nuclear weapons. March 27, 2013.

"The Two Views of Jesus's Murder" by Rev. Howard Bess, describing the two distinct paths from the two contradictory interpretations. March 29, 2013.

"DiEugenio on Parry's New Book" by Jim DiEugenio, exploring the journalism of *America's Stolen Narrative*. March 30, 2013.

"Crazy Gun-Toting Insurrectionists" by Robert Parry, tracing the troubling "logic" behind Second Amendment extremism. March 31, 2013.

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## Help Support Honest Journalism!

**From Editor Robert Parry:** For nearly 18 years, Consortiumnews has been something of a David compared to the Goliaths of the mainstream U.S. news media. These Goliaths have often behaved timidly in the face of power when our David has taken on very tough stories.

We also have done so by applying high standards of journalism, unearthing hard evidence through diligent examination of documents and tapping the knowledge of honest insiders. After we've compiled the evidence, we've shown no hesitancy in taking on Official Washington's conventional wisdom.

Because we carefully examine the facts and don't bow to "what everybody is saying" we have been right again and again, while many of the major media outlets have been wrong repeatedly, often with catastrophic results.

And we have done all this on a shoestring budget. Or perhaps the metaphor should be with a simple slingshot, while the Goliaths encase themselves in expensive armor and buy themselves costly, though ineffective, armaments.

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Thanks for your support.

Robert Parry

**Robert Parry broke many of the Iran-Contra stories in the 1980s for the Associated Press and Newsweek. He founded Consortiumnews.com in 1995 as the Internet's first investigative magazine. He saw it as a way to combine modern technology and old-fashioned journalism to counter the increasing triviality and timidity of the mainstream U.S. news media.**

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## Tales of Reagan's Guatemala Genocide

**Exclusive:** Guatemala is finally putting ex-dictator Efraín Ríos Montt on trial for genocide in the extermination of hundreds of Mayan villages in the 1980s, but Ronald Reagan remains an American icon despite new evidence of his complicity in this historic crime, reports Robert Parry.

By Robert Parry

The first month of the genocide trial of former Guatemalan dictator Efraín Ríos Montt has elicited chilling testimony from Mayan survivors who as children watched their families slaughtered by a right-wing military that was supported and supplied by U.S. President Ronald Reagan.

As the New York Times reported on Monday, "In the tortured logic of military planning documents conceived under Mr. Ríos Montt's 17-month rule during 1982 and 1983, the entire Mayan Ixil population was a military target, children included. Officers wrote that the leftist guerrillas fighting the government had succeeded in indoctrinating the impoverished Ixils and reached '100 percent support.'"

So, everyone was targeted in these scorched-earth campaigns that eradicated more than 600 Indian villages in the Guatemalan highlands. But this genocide was not simply the result of a twisted anticommunist ideology that dominated the Guatemalan military and political elites. This genocide also was endorsed by the Reagan administration.

A document that I discovered recently in the archives of the Reagan Library in Simi Valley, California, revealed that Reagan and his national security team in 1981 agreed to supply military aid to the brutal right-wing regime in Guatemala to pursue the goal of exterminating not only "Marxist guerrillas" but people

associated with their “civilian support mechanisms.”

This supportive attitude toward the Guatemalan regime’s brutality took shape in spring 1981 as President Reagan sought to ease human-rights restrictions on military aid to Guatemala that had been imposed by President Jimmy Carter and the Democratic-controlled Congress in the late 1970s.

As part of that relaxation effort, Reagan’s State Department “advised our Central American embassies that it has been studying ways to restore a closer, cooperative relationship with Guatemala,” according to a White House “Situation Room Checklist” dated April 8, 1981. The document added:

“State believes a number of changes have occurred which could make Guatemalan leaders more receptive to a new U.S. initiative: the Guatemalans view the new administration as more sympathetic to their problems [and] they are less suspect of the U.S. role in El Salvador,” where the Reagan administration was expanding support for another right-wing regime infamous for slaughtering its political opponents, including Catholic clergy.

“State has concluded that any attempt to reestablish a dialogue [with Guatemala] would require some initial, condition-free demonstration of our goodwill. However, this could not include military sales which would provoke serious U.S. public and congressional criticism. State will undertake a series of confidence building measures, free of preconditions, which minimize potential conflict with existing legislation.”

The “checklist” added that the State Department “has also decided that the administration should engage the Guatemalan government at the highest level in a dialogue on our bilateral relations and the initiatives we can take together to improve them. Secretary [of State Alexander] Haig has designated [retired] General Vernon Walters as his personal emissary to initiate this process with President [Fernando Romeo] Lucas [Garcia].

“If Lucas is prepared to give assurances that he will take steps to halt government involvement in the indiscriminate killing of political opponents and to foster a climate conducive to a viable electoral process, the U.S. will be prepared to approve some military sales immediately.”

But the operative word in that paragraph was “indiscriminate.” The Reagan administration expressed no problem with killing civilians if they were considered supporters of the guerrillas who had been fighting against the country’s ruling oligarchs and generals since the 1950s when the CIA organized the overthrow of Guatemala’s reformist President Jacobo Arbenz.

## **Sympathy for the Generals**

The distinction was spelled out in "Talking Points" for Walters to deliver in a face-to-face meeting with General Lucas. As edited inside the White House in April 1981, the "Talking Points" read: "The President and Secretary Haig have designated me [Walters] as [their] personal emissary to discuss bilateral relations on an urgent basis.

"Both the President and the Secretary recognize that your country is engaged in a war with Marxist guerrillas. We are deeply concerned about externally supported Marxist subversion in Guatemala and other countries in the region. As you are aware, we have already taken steps to assist Honduras and El Salvador resist this aggression.

"The Secretary has sent me here to see if we can work out a way to provide material assistance to your government. We have minimized negative public statements by US officials on the situation in Guatemala. We have arranged for the Commerce Department to take steps that will permit the sale of \$3 million worth of military trucks and Jeeps to the Guatemalan army.

"With your concurrence, we propose to provide you and any officers you might designate an intelligence briefing on regional developments from our perspective. Our desire, however, is to go substantially beyond the steps I have just outlined. We wish to reestablish our traditional military supply and training relationship as soon as possible.

"As we are both aware, this has not yet been feasible because of our internal political and legal constraints relating to the use by some elements of your security forces of deliberate and indiscriminate killing of persons not involved with the guerrilla forces or their civilian support mechanisms. I am not referring here to the regrettable but inevitable death of innocents though error in combat situations, but to what appears to us a calculated use of terror to immobilize non politicized people or potential opponents.

"If you could give me your assurance that you will take steps to halt official involvement in the killing of persons not involved with the guerrilla forces or their civilian support mechanism we would be in a much stronger position to defend successfully with the Congress a decision to begin to resume our military supply relationship with your government."

In other words, though the "talking points" were framed as an appeal to reduce the "indiscriminate" slaughter of "non politicized people," they amounted to an acceptance of scorched-earth tactics against people involved with the guerrillas and "their civilian support mechanisms." The way that played out in Guatemala as in nearby El Salvador was the massacring of peasants in regions considered sympathetic to leftist insurgents.

The newly discovered documents and other records declassified in the late 1990s make clear that Reagan and his administration were well aware of the butchery underway in Guatemala and elsewhere in Central America.

According to one "secret" cable also from April 1981, and declassified in the 1990s, the CIA was confirming Guatemalan government massacres even as Reagan was moving to loosen the military aid ban. On April 17, 1981, a CIA cable described an army massacre at Cocob, near Nebaj in the Ixil Indian territory, because the population was believed to support leftist guerrillas.

A CIA source reported that "the social population appeared to fully support the guerrillas" and "the soldiers were forced to fire at anything that moved." The CIA cable added that "the Guatemalan authorities admitted that 'many civilians' were killed in Cocob, many of whom undoubtedly were non-combatants." [Many of the Guatemalan documents declassified in the 1990s can be found at the [National Security Archive's](#) Web site.]

### **Dispatching Walters**

In May 1981, despite the ongoing atrocities, Reagan dispatched Walters to tell the Guatemalan leaders that the new U.S. administration wanted to lift the human rights embargoes on military equipment that Carter and Congress had imposed.

The "Talking Points" also put the Reagan administration in line with the fiercely anticommunist regimes elsewhere in Latin America, where right-wing "death squads" operated with impunity liquidating not only armed guerrillas but civilians who were judged sympathetic to left-wing causes like demanding greater economic equality and social justice.

Despite his aw shucks style, Reagan found virtually every anticommunist action justified, no matter how brutal. From his eight years in the White House, there is no historical indication that he was morally troubled by the bloodbath and even genocide that occurred in Central America while he was shipping hundreds of millions of dollars in military aid to the implicated forces.

The death toll was staggering, an estimated 70,000 or more political killings in El Salvador, possibly 20,000 slain from the Contra war in Nicaragua, about 200 political "disappearances" in Honduras and some 100,000 people eliminated during a resurgence of political violence in Guatemala. The one consistent element in these slaughters was the overarching Cold War rationalization, emanating in large part from Ronald Reagan's White House.

Despite their claims to the contrary, the evidence is now overwhelming that Reagan and his advisers knew the extraordinary brutality going on in Guatemala and elsewhere, based on their own internal documents.

According to a State Department cable on Oct. 5, 1981, when Guatemalan leaders met again with Walters, they left no doubt about their plans. The cable said Gen. Lucas "made clear that his government will continue as before, that the repression will continue. He reiterated his belief that the repression is working and that the guerrilla threat will be successfully routed."

Human rights groups saw the same picture. The Inter-American Human Rights Commission released a report on Oct. 15, 1981, blaming the Guatemalan government for "thousands of illegal executions." [Washington Post, Oct. 16, 1981]

But the Reagan administration was set on whitewashing the ugly scene. A State Department "white paper," released in December 1981, blamed the violence on leftist "extremist groups" and their "terrorist methods" prompted and supported by Cuba's Fidel Castro.

What the documents from the Reagan Library make clear is that the administration was not simply struggling ineffectively to rein in these massacres as the U.S. press corps typically reported but was fully onboard with the slaughter of people who were part of the guerrillas' "civilian support mechanisms."

U.S. intelligence agencies continued to pick up evidence of these government-sponsored massacres. One CIA report in February 1982 described an army sweep through the so-called Ixil Triangle in central El Quiche province.

"The commanding officers of the units involved have been instructed to destroy all towns and villages which are cooperating with the Guerrilla Army of the Poor [the EGP] and eliminate all sources of resistance," the report said. "Since the operation began, several villages have been burned to the ground, and a large number of guerrillas and collaborators have been killed."

The CIA report explained the army's modus operandi: "When an army patrol meets resistance and takes fire from a town or village, it is assumed that the entire town is hostile and it is subsequently destroyed." When the army encountered an empty village, it was "assumed to have been supporting the EGP, and it is destroyed. There are hundreds, possibly thousands of refugees in the hills with no homes to return to.

"The army high command is highly pleased with the initial results of the sweep operation, and believes that it will be successful in destroying the major EGP support area and will be able to drive the EGP out of the Ixil Triangle. The well documented belief by the army that the entire Ixil Indian population is pro-EGP has created a situation in which the army can be expected to give no quarter to combatants and non-combatants alike."

On Feb. 2, 1982, Richard Childress, one of Reagan's national security aides,

wrote a "secret" memo to his colleagues summing up this reality on the ground:

"As we move ahead on our approach to Latin America, we need to consciously address the unique problems posed by Guatemala. Possessed of some of the worst human rights records in the region, it presents a policy dilemma for us. The abysmal human rights record makes it, in its present form, unworthy of USG [U.S. government] support.

"Beset by a continuous insurgency for at least 15 years, the current leadership is completely committed to a ruthless and unyielding program of suppression. Hardly a soldier could be found that has not killed a 'guerrilla.'"

### **The Rise of Rios Montt**

However, Reagan remained committed to supplying military hardware to Guatemala's brutal regime. So, the administration welcomed Gen. Efraim Rios Montt's March 1982 overthrow of the thoroughly bloodstained Gen. Lucas.

An avowed fundamentalist Christian, Rios Montt impressed Official Washington where the Reagan administration immediately revved up its propaganda machinery to hype the new dictator's "born-again" status as proof of his deep respect for human life. Reagan hailed Rios Montt as "a man of great personal integrity."

By July 1982, however, Rios Montt had begun a new scorched-earth campaign called his "rifles and beans" policy. The slogan meant that pacified Indians would get "beans," while all others could expect to be the target of army "rifles." In October, Rios Montt secretly gave carte blanche to the feared "Archivos" intelligence unit to expand "death squad" operations in the cities. Based at the Presidential Palace, the "Archivos" masterminded many of Guatemala's most notorious assassinations.

The U.S. embassy was soon hearing more accounts of the army conducting Indian massacres, but ideologically driven U.S. diplomats fed the Reagan administration the propaganda spin that would be best for their careers. On Oct. 22, 1982, embassy staff dismissed the massacre reports as communist-inspired "disinformation campaign," concluding that "that a concerted disinformation campaign is being waged in the U.S. against the Guatemalan government by groups supporting the communist insurgency in Guatemala."

Reagan personally joined this P.R. campaign seeking to discredit human rights investigators and others who were reporting accurately about massacres that the administration knew, all too well, were true.

On Dec. 4, 1982, after meeting with Rios Montt, Reagan hailed the general as "totally dedicated to democracy" and added that Rios Montt's government had been

“getting a bum rap” on human rights. Reagan discounted the mounting reports of hundreds of Maya villages being eradicated.

In February 1983, however, a secret CIA cable noted a rise in “suspect right-wing violence” with kidnappings of students and teachers. Bodies of victims were appearing in ditches and gullies. CIA sources traced these political murders to Rios Montt’s order to the “Archivos” in October to “apprehend, hold, interrogate and dispose of suspected guerrillas as they saw fit.”

Despite these grisly facts on the ground, the annual State Department human rights survey praised the supposedly improved human rights situation in Guatemala. “The overall conduct of the armed forces had improved by late in the year” 1982, the report stated.

A different picture, far closer to the secret information held by the U.S. government, was coming from independent human rights investigators. On March 17, 1983, Americas Watch condemned the Guatemalan army for human rights atrocities against the Indian population.

New York attorney Stephen L. Kass said these findings included proof that the government carried out “virtually indiscriminate murder of men, women and children of any farm regarded by the army as possibly supportive of guerrilla insurgents.”

Rural women suspected of guerrilla sympathies were raped before execution, Kass said, adding that children were “thrown into burning homes. They are thrown in the air and speared with bayonets. We heard many, many stories of children being picked up by the ankles and swung against poles so their heads are destroyed.” [AP, March 17, 1983]

### **Putting on a Happy Face**

Publicly, senior Reagan officials continued to put on a happy face. In June 1983, special envoy Richard B. Stone praised “positive changes” in Rios Montt’s government, and Rios Montt pressed the United States for 10 UH-1H helicopters and six naval patrol boats, all the better to hunt guerrillas and their sympathizers.

Since Guatemala lacked the U.S. Foreign Military Sales credits or the cash to buy the helicopters, Reagan’s national security team looked for unconventional ways to arrange the delivery of the equipment that would give the Guatemalan army greater access to mountainous areas where guerrillas and their civilian supporters were hiding.

On Aug. 1, 1983, National Security Council aides Oliver North and Alfonso Sapia-

Bosch reported to National Security Advisor William P. Clark that his deputy Robert "Bud" McFarlane was planning to exploit his Israeli channels to secure the helicopters for Guatemala. [For more on McFarlane's Israeli channels, see Consortiumnews.com's "How Neocons Messed Up the Mideast."]

"With regard to the loan of ten helicopters, it is [our] understanding that Bud will take this up with the Israelis," wrote North and Sapia-Bosch. "There are expectations that they would be forthcoming. Another possibility is to have an exercise with the Guatemalans. We would then use US mechanics and Guatemalan parts to bring their helicopters up to snuff."

However, more political changes were afoot in Guatemala. Rios Montt's vengeful Christian fundamentalism had hurtled so out of control, even by Guatemalan standards, that Gen. Oscar Mejia Victores seized power in another coup on Aug. 8, 1983.

Despite the power shift, Guatemalan security forces continued to murder with impunity, finally going so far that even the U.S. Embassy objected. When three Guatemalans working for the U.S. Agency for International Development were slain in November 1983, U.S. Ambassador Frederic Chapin suspected that "Archivos" hit squads were sending a message to the United States to back off even mild pressure for human rights.

In late November, in a brief show of displeasure, the administration postponed the sale of \$2 million in helicopter spare parts. The next month, however, Reagan sent the spare parts anyway. In 1984, Reagan succeeded, too, in pressuring Congress to approve \$300,000 in military training for the Guatemalan army.

By mid-1984, Chapin, who had grown bitter about the army's stubborn brutality, was gone, replaced by a far-right political appointee named Alberto Piedra, who favored increased military assistance to Guatemala. In January 1985, Americas Watch issued a report observing that Reagan's State Department "is apparently more concerned with improving Guatemala's image than in improving its human rights."

It was not until 1999, a decade after Ronald Reagan left office, that the shocking scope of the atrocities in Guatemala was publicly revealed by a truth commission that drew heavily on U.S. government documents that President Bill Clinton had ordered declassified.

On Feb. 25, 1999, the Historical Clarification Commission estimated that the 34-year civil war had claimed the lives of some 200,000 people with the most savage bloodletting occurring in the 1980s. The panel estimated that the army was



responsible for 93 percent of the killings and leftist guerrillas for three percent. Four percent were listed as unresolved.

The report documented that in the 1980s, the army committed 626 massacres against Mayan villages. "The massacres that eliminated entire Mayan villages are neither perfidious allegations nor figments of the imagination, but an authentic chapter in Guatemala's history," the commission concluded.

The army "completely exterminated Mayan communities, destroyed their livestock and crops," the report said. In the northern highlands, the report termed the slaughter "genocide." [Washington Post, Feb. 26, 1999]

Besides carrying out murder and "disappearances," the army routinely engaged in torture and rape. "The rape of women, during torture or before being murdered, was a common practice" by the military and paramilitary forces, the report found.

The report added that the "government of the United States, through various agencies including the CIA, provided direct and indirect support for some [of these] state operations." The report concluded that the U.S. government also gave money and training to a Guatemalan military that committed "acts of genocide" against the Mayans. [NYT, Feb. 26, 1999]

During a visit to Central America, on March 10, 1999, President Clinton apologized for the past U.S. support of right-wing regimes in Guatemala dating back to 1954. "For the United States, it is important that I state clearly that support for military forces and intelligence units which engaged in violence and widespread repression was wrong, and the United States must not repeat that mistake," Clinton said. [Washington Post, March 11, 1999]

### **Impunity for Reagan's Team**

However, back in Washington, there was no interest in holding anyone accountable for aiding and abetting genocide. The story of the Guatemalan butchery and the Reagan administration's complicity quickly disappeared into the great American memory hole.

For human rights crimes in the Balkans and in Africa, the United States has demanded international tribunals to arrest and to try violators and their political patrons for war crimes. In Iraq, President George W. Bush celebrated the trial and execution of Iraqi dictator Saddam Hussein for politically motivated killings.

Even Rios Montt, now 86, after years of evading justice under various amnesties, was finally indicted in Guatemala in 2012 for genocide and crimes against

humanity. The first month of his trial has added eyewitness testimony to the atrocities that the Guatemalan military inflicted and that Ronald Reagan assisted and covered up.

On Monday, the New York Times reported on some of this painful testimony, but as is almost always the case the Times did not mention the role of Reagan and his administration. However, what the Times did include was chilling, including accounts from witnesses who as children fled to mountain forests to escape the massacres:

“Pedro ChÃavez Brito told the court that he was only six or seven years old when soldiers killed his mother. He hid in the chicken coop with his older sister, her newborn and his younger brother, but soldiers found them and dragged them out, forcing them back into their house and setting it on fire.

“Mr. ChÃavez says he was the only one to escape. ‘I got under a tree trunk and I was like an animal,’ Mr. ChÃavez told the court. ‘After eight days I went to live in the mountains. In the mountain we ate only roots and grass.’”

Lawyers for Rios Montt and his co-defendant, former intelligence chief JosÃ© Mauricio RodrÃguez SÃnchez, have maintained that the pair did not order the killings, which they instead blamed on over-zealous field commanders.

However, the Times reported that “prosecution witnesses said the military considered Ixil civilians, including children, as legitimate targets. ‘The army’s objective with the children was to eliminate the seed for future guerrillas,’ Marco Tulio Alvarez, the former director of Guatemala’s Peace Archives, testified last week. ‘They used them to get information and to draw their parents to military centers where they arrested them.’

“In a study of 420 bodies exhumed from the Ixil region and presumed to date from the RÃos Montt period, experts found that almost 36 percent of those who were killed were under 18 years old, including some newborns.

“Jacinto Lupamac GÃmez said he was eight when soldiers killed his parents and older siblings and hustled him and his two younger brothers into a helicopter. Like some of the children whose lives were spared, they were adopted by Spanish-speaking families and forgot how to speak Ixil.”

Though some belated justice may still be possible in Guatemala, there is no talk in the United States about seeking any accountability from the Reagan administration officials who arranged military assistance to this modern genocide or who helped conceal the atrocities while they were underway.

There has been no attention given by the mainstream U.S. news media to the new

documents revealing how the Reagan administration gave a green light to the slaughter of Guatemalans who were considered part of the “civilian support mechanisms” for the Mayan guerrillas resisting the right-wing repression.

Ronald Reagan, the U.S. official most culpable for aiding and abetting the Guatemalan genocide, remains a hero to much of America with his name attached to Washington’s National Airport and scores of other government facilities. U.S. officials and many Americans apparently don’t want to disrupt their happy memories of the Gipper.

**Investigative reporter Robert Parry broke many of the Iran-Contra stories for The Associated Press and Newsweek in the 1980s. You can buy his new book, *America’s Stolen Narrative*, either in [print here](#) or as an e-book (from [Amazon](#) and [barnesandnoble.com](#)).**

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## Assessing the Iran Sanctions

With a reasonable compromise within reach on Iran’s nuclear program, the Obama administration pulled back, apparently fearing domestic political fallout. The result means a likely painful stalemate for the foreseeable future, as Flynt and Hillary Mann Leverett describe.

By Flynt Leverett and Hillary Mann Leverett

The Obama administration and other sanctions advocates claim that U.S.-instigated sanctions against the Islamic Republic are meant to achieve a range of objectives (changing Iran’s “nuclear calculus,” getting Iran “back to the negotiating table” and making it “negotiate in good faith,” strengthening the “credibility and leverage” of “pro-engagement camps” inside Iran, preventing military action by the United States and Israel, “political signaling” at home and abroad, and maintaining “unity” within the P5+1).

Appearing on *HuffPost Live* earlier this month, Flynt [pointed out](#) that, in fact, U.S.-instigated sanctions against Iran are achieving virtually none of the objectives sanctions proponents claim they are intended to achieve: “Other than, possibly, sanctions as a stand-in for military action by the United States or Israel, other than that I don’t think the sanctions are working to achieve any of the objectives.”

More pointedly, Flynt took on the analytic conclusions and policy recommendations regarding U.S. sanctions policy advanced by National Iranian

American Council (NIAC) president Trita Parsi, who also appeared on the *HuffPost Live* segment with Flynt, and a recent [NIAC study](#) on sanctions.

We have long criticized NIAC's position on sanctions, favoring "targeted sanctions" against the Iranian government while claiming to oppose broad-based sanctions that impact ordinary Iranians, as an intellectually incoherent and politically hypocritical posture that enables the Obama administration's illegal, morally offensive, and strategically counter-productive sanctions policy.

Now Parsi and NIAC are trying to help the administration figure out how to make this illegal, morally offensive, and strategically counter-productive policy more "effective."

More specifically, Flynt pushed back against Parsi's argument that, while sanctions have put "a tremendous amount of pressure on [the Iranian] economy," they have not "changed the calculus of the Tehran regime" on the nuclear issue, because Supreme Leader Ayatollah Seyed Ali Khamenei has a "strong and dominant narrative" that "depicts the West as being invariably against Iran's development, that this is actually not about the nuclear program, it's about the West trying to subdue Iran, making it dependent."

For sanctions to alter Tehran's nuclear calculus, Parsi holds, the Obama administration needs to shape "a countervailing narrative to this."

Responding to this argument, Flynt notes, "Trita has framed it in terms of the Supreme Leader having a 'narrative' about what sanctions say about U.S. intentions toward Iran and that there needs to be some sort of countervailing narrative. In fact, there's not a countervailing narrative because, in many ways, the Supreme Leader's narrative about the nuclear issue and about America's ultimate intentions toward the Islamic Republic [is] not wrong.

"The Supreme Leader has said, just within the last couple of weeks, if the United States wants a diplomatic solution to the nuclear issue, it's very easy: recognize Iran's right to safeguarded enrichment, stop trying to get them to suspend, stop trying to get them to go to zero enrichment and we can have a nuclear deal.

"But the Obama administration, even though it's had multiple opportunities to make clear that that's where it wants to go, refuses to do that. Its stated position is it still wants to get Iran to a full suspension, stop enriching uranium. And as long as that's the case, there is no countervailing narrative that can be had; the Supreme Leader's narrative is actually validated."

Flynt goes on to underscore that "the way the sanctions have been drawn up, and

the fact that whereas even just a few years ago, most of them were imposed by executive orders (which are more or less at the discretion of the White House), but now most of the sanctions have been written into law," belies the proposition that sanctions are somehow intended to promote a diplomatic solution:

"If you actually look at the language in the bills, that these are the conditions Iran would have to meet in order for the President to be able to say 'we've satisfied these conditions and I'm therefore lifting sanctions', the Islamic Republic could allow the U.S. government to come in, dismantle every centrifuge in Iran, cart them back to [the U.S. nuclear laboratory at] Oak Ridge (like Qadhafi in Libya did), and there would still not be a legal basis for lifting the sanctions.

"[The Iranians would also] have to stop talking to, dealing with groups like Hizballah and HAMAS, that we want to call terrorist groups, and they basically have to turn themselves into a secular liberal democracy in order to meet our standards on 'human rights.' The President can't lift them, even if the Iranians surrender to him on the nuclear issue. So the idea that this is somehow meant to encourage a diplomatic outcome that's just not real."

With regard to the impact of sanctions, another *HuffPost Live* panelist, Sune Engel Rasmussen, a Danish journalist who has reported from Tehran, points out that, "in living standards, Iran is not a developing country, and it's a lot more affluent than many of the neighboring countries.

"If you were in Tehran for a week, for example, except when you changed your money you might not get a sense of this insane inflation. Because you still have big billboards advertising clothes stores, you still have a lot of cars in the streets, people are still shopping, you still have people drinking three- or four-dollar cappuccinos in north Tehran. That doesn't mean the average Iranian is not suffering

"But then when you talk about whether that leads to civil unrest, for example, then we also have to remember that many Iranians still remember an eight-year war with Iraq, when they were living on food stamps. So they've seen a lot more suffering than they're seeing now."

Picking up on Sune's observations, Flynt elaborated on the impact of sanctions, including their indirect contribution to Iranian economic reform: "Anyone who has been in Tehran recently, you can talk to people and definitely get a sense of how sanctions are making daily life harder for more and more people. But the idea that the economy is collapsing is just not borne out by on-the-ground reality.

“It’s also worth pointing out, and I’ve had any number of Iranians, official and otherwise, say this to me, that sanctions, in some ways, actually help Iran, in that they give the government a kind of political cover to take some steps toward what you might call economic reform, that would be politically difficult otherwise.

“Iran has done more to expand non-oil exports, it is less dependent on oil revenues for both its government budget and to cover its imports, than any other major oil-exporting country in the Middle East. It has done far more in that kind of diversification than Saudi Arabia or any of the states on the other side of the Persian Gulf

“[Take] the issue of the devaluation of the currency: the Iranian *riyal* has been overvalued for at least a decade, but no Iranian government has been able or willing actually to let the *riyal* come back to something like its natural value. Now, because of sanctions, this has happened. And as a result, Iran’s non-oil exports have become much more competitive, and are growing. In percentage terms, they can now cover 50-60 percent of their imports with non-oil exports.”

Finally, on the question of whether sanctions amount to economic war against Iran, Flynt says, “We’re at war, and it’s not just an economic war. We’re engaged in cyber-attacks against high-value Iranian targets, we’re sponsoring covert operations by groups inside Iran that, in any other country in the world, we would call terrorist operations. We are definitely waging war against the Islamic Republic.”

**Flynt Leverett served as a Middle East expert on George W. Bush’s National Security Council staff until the Iraq War and worked previously at the State Department and at the Central Intelligence Agency. Hillary Mann Leverett was the NSC expert on Iran and from 2001 to 2003 was one of only a few U.S. diplomats authorized to negotiate with the Iranians over Afghanistan, al-Qaeda and Iraq. They are authors of the new book, *Going to Tehran*. Direct link: <http://goingtotehran.com/the-strategic-and-moral-bankruptcy-of-u-s-sanctions-policy-toward-iran-flynt-leverett-and-trita-parsi-on-huffpost-live>**

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