

# Obama's Gitmo Failure

As President Obama approaches his final year in office, he has yet to fulfill one of his earliest promises, closing the Guantanamo Bay prison. It remains a grievance used by terror groups as a recruiting tool, but the prison has other legal and political problems, writes Marjorie Cohn at TeleSUR.

By Marjorie Cohn

President Barack Obama has yet to fulfill the promise he made in his Jan. 22, 2009 executive order to shutter Guantanamo "no later than one year from the date of this order." Any individuals remaining there at the time of closure, Obama wrote, "shall be returned to their home country, released, transferred to a third country, or transferred to another United States detention facility in a manner consistent with law and the national security and foreign policy interests of the United States."

However, after threatening to veto the final draft of the annual National Defense Authorization Act (NDAA) partly because it forbids the transfer of Guantanamo detainees to the United States and tightens barriers to sending them to other countries, Obama caved. A White House spokesperson said Obama would sign the legislation, which passed overwhelmingly in the House and Senate. Sen. Bernie Sanders, I-Vermont, was one of three senators to vote against the bill.

Nearly seven years after Obama's promise, 112 men remain at Guantanamo, half of whom have been cleared for release. Obama has released 54 prisoners and is reviewing the cases of others still being held.

In March 2011, Obama designated 46 men to remain in indefinite detention without trial, but promised periodic review of their cases. Arbitrary detention violates the International Covenant on Civil and Political Rights, a treaty the United States has ratified, making it part of U.S. law under the Supremacy Clause of the U.S. Constitution.

The periodic reviews didn't start until November 2013, spurred by hunger strikes at the prison. The reviews continue to be conducted. As a result of those reviews, 14 additional men were cleared for release and five of them have been released.

In April 2013, Obama said, "I think it is critical for us to understand that Guantanamo is not necessary to keep America safe. . . . It hurts us in terms of our international standing. . . . It is a recruitment tool for extremists. It needs to be closed." Yet it remains open.

One of the transfer restrictions required the Secretary of Defense to notify Congress 30 days before a transfer that it would be good for national security. But to avoid being personally responsible if a detainee were to become a terrorist, former Defense Secretary Chuck Hagel hesitated to allow transfers.

Obama is reportedly preparing a plan to speed up transfers of half the remaining Guantanamo prisoners to their home countries or other willing nations. The plan will also set forth new security protocols to prevent detainees from returning to terrorist activities once released.

Military experts are conducting surveys of prisons in the United States for possible transfer of detainees. They include the military prison at Ft. Leavenworth, Kansas; the Naval Consolidated Brig in Charleston, South Carolina; and the U.S. Supermax prison in Florence, Colorado.

In spite of the NDAA, Obama has the power to close Guantanamo. Former White House counsel Gregory Craig and Cliff Sloan, former special envoy for Guantanamo closure, maintain, "the president does not need Congress's authorization to act." They wrote in the Washington Post, "Under Article II of the Constitution, the president has exclusive authority to determine the facilities in which military detainees are held. . . . The determination on where to hold detainees is a tactical judgment at the very core of the president's role as commander in chief."

According to Craig and Sloan, "Congress's purported ban on funding any movement of detainees from Guantanamo Bay to the United States restricts where 'law-of-war' detainees can be held and prevents the president from discharging his constitutionally assigned function of making tactical military decisions. Accordingly, it violates the separation of powers."

Lt. Col. David Frakt, who has represented Guantanamo detainees before the military commissions and in federal habeas corpus proceedings, concurs. "When the Obama administration really wants to transfer a detainee, they are quite capable of doing so," Frakt wrote in JURIST. He said Obama should direct his Attorney General to inform the D.C. Circuit Court of Appeals that the Department of Justice no longer considers the cleared detainees to be detainable.

Col. Morris Davis, former Chief Prosecutor for the Terrorism Trials at Guantanamo, personally charged Osama bin Laden's driver Salim Hamdan, Australian David Hicks, and Canadian teen Omar Khadr. All three were convicted and have been released from Guantanamo.

"There is something fundamentally wrong with a system where not being charged with a war crime keeps you locked away indefinitely and a war crime conviction

is your ticket home," Davis wrote to Obama.

Of the 780 men held at Guantanamo since 2002, only eight were tried and convicted of war crimes. Of those, just three remain at Guantanamo.

Many of the detainees reported being assaulted, prolonged shackling, sexual abuse, and threats with dogs. Australian lawyer Richard Bourke, who has represented several Guantanamo detainees, charged they have been subjected to "good old-fashioned torture." Detainees who engage in hunger strikes are subjected to force-feeding, a practice the UN Human Rights Council has called torture or cruel, inhuman or degrading treatment. At least seven men have died at the prison camp.

The United States has illegally occupied Guantánamo since 1903, after Cuba's war of independence against Spain. Cuba was forced to include the Platt Amendment in the Cuban constitution. The amendment granted the United States the right to intervene in Cuba as a prerequisite for the withdrawal of U.S. troops from the rest of Cuba. That provision provided the basis for the 1903 Agreement on Coaling and Naval Stations, which gave the United States the right to use Guantánamo Bay "exclusively as coaling or naval stations, and for no other purpose."

President Franklin D. Roosevelt signed a new treaty with Cuba in 1934 that allows the United States to remain in Guantánamo Bay until the U.S. abandons it or until both Cuba and the United States agree to modify their arrangement. According to that treaty, "the stipulations of [the 1903] agreement with regard to the naval station of Guantánamo shall continue in effect."

That means Guantánamo Bay can be used for nothing but coaling or naval stations. Article III of the 1934 treaty also says that Cuba leases Guantánamo Bay to the United States "for coaling and naval stations." Nowhere in either treaty did Cuba give the U.S. the right to utilize Guantánamo Bay as a prison camp.

Former Cuban President Fidel Castro has long maintained that Guantanamo is part of Cuba and that the U.S. illegally occupies it. One of Cuban President Raul Castro's requirements for normalization of relations with the United States is the return of Guantanamo to Cuba.

If there is probable cause to believe a detainee committed a crime, he should be sent to the United States for trial in federal court. The remaining detainees should be returned to their countries of origin or third countries if that is not feasible. After shuttering the prison camp, Obama should return Guantanamo Bay to Cuba, its rightful owner.

Marjorie Cohn is a professor at Thomas Jefferson School of Law, former president of the National Lawyers Guild, and deputy secretary general of the International Association of Democratic Lawyers. Her most recent book is *Drones and Targeted Killing: Legal, Moral, and Geopolitical Issues*. See Marjorie's blog. [This article was originally published by teleSUR.

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## Obama's Double-Standard on Leaks

Though President Obama touts America as a nation of laws and evenhanded justice, there is a blatant double-standard regarding how people are punished for national security breaches whistleblowers are harshly punished but the well-connected get a pass, writes John Hanrahan.

By John Hanrahan

There he goes again. In recently proclaiming Hillary Clinton free of any national security breach, even as the FBI was continuing its investigation of her use of a potentially risky private email server for official business while she was Secretary of State, President Barack Obama continued his disturbing pattern of rendering his personal verdict ahead of legal proceedings in high-profile cases involving classified government information.

From Private Chelsea Manning to General David Petraeus to Edward Snowden and now to Hillary Clinton, the President has sounded off with his opinions on guilt or innocence, and on any alleged damage to national security, in advance of either a trial, or an indictment, or completion of an investigation.

Short version: whistleblowers Manning and Snowden clearly guilty; former high government officials Petraeus and Clinton, no problem.

In April 2011, two years before court martial proceedings began and almost two years before Manning acknowledged being a source for hundreds of thousands of classified documents released by Wikileaks, Obama proclaimed Manning guilty. The materials Manning provided to Wikileaks exposed diplomatic secrets and U.S. military abuses in Iraq and Afghanistan, including showing greater numbers of civilian casualties than admitted publicly by U.S. officials.

Among the most shocking was the classified "collateral murder video" that showed U.S. military personnel in an Apache helicopter in a Baghdad suburb indiscriminately firing on and killing more than a dozen people, including rescuers and two Reuters employees, and wounding others, including two children.

Likewise, exiled whistleblower Edward Snowden was excoriated in absentia by Obama in January 2014 for providing to journalist Glenn Greenwald, filmmaker Laura Poitras and others a trove of frightening National Security Agency documents. The documents showed that the Big Brother State had indeed arrived via the NSA's worldwide, dragnet surveillance and data collection programs.

Petraeus received Obama's no-harm-no-foul verdict in November 2012, while Clinton won the president's thumbs-up during a *60 Minutes* appearance by the President that was broadcast this past Oct. 11.

In his public pronouncements, a double standard has been applied by the President to powerful former governmental figures caught up in investigations regarding classified information. In Obama's eyes, neither Petraeus nor Clinton did anything wrong: Not Petraeus in providing extremely highly secretive documents to his mistress Paula Broadwell; nor Clinton, in using her personal email server to conduct official business while she was Secretary of State, a server that might have contained classified information and that critics contend could have been easily penetrated by hackers, including unfriendly foreign governments.

And in both the Petraeus and Clinton cases, Obama stated his views publicly in an early stage of an investigation, sending a message that would certainly give pause to FBI investigators and federal prosecutors trying to build a case involving either of those two powerful former government officials.

It's worth revisiting some of what Obama said about these various national security investigations, and the possible impact his statements had or might have on subsequent events in these cases:

### **Chelsea Manning**

On April 21, 2011, Obama was confronted, and recorded, at a political fundraiser by a Manning supporter who wanted to know why Manning was being prosecuted on such serious charges. Manning, said Obama, was "irresponsible, risked the lives of service members and did a lot of damage. He broke the law."

Remember, this was two years before Manning went to trial and almost two years before Manning acknowledged being the source for documents released by Wikileaks. Nothing had been proved against Manning in any legal forum.

Obama also made further comments that have a delightful irony about them, given the subsequent investigation of Petraeus, as well as the disclosure that former CIA Director Leon Panetta had provided classified information to the makers of the torture-justifying movie, "Zero Dark Thirty."

Said Obama: "If I was to release stuff, information that I'm not authorized to release, I'm breaking the law. We're a nation of laws. We don't individually make our own decisions about how the laws operate."

To those of us who attended sessions of Manning's 2013 court-martial, with the defense hamstrung by adverse national security rulings and barred by espionage law from mounting a public-interest defense, the verdict was not surprising. But the draconian 35-year sentence meted out by military judge Colonel Denise Lind was a shocker even in the context of the sham that is "military justice."

Human nature, being what it is, would suggest that when the top military boss, the commander-in-chief, publicly pronounces the defendant guilty in advance of trial, some attention is certainly paid further down the chain of command to not only winning a conviction, but imposing a stiff sentence as well.

In that context, the President's pre-trial comments amounted to exerting undue command influence, as Manning supporters and even some in the mainstream press pointed out at the time. NBC News chief Pentagon correspondent Jim Miklaszewski wrote this:

"The Uniform Code of Military Justice prohibits 'Command Influence,' in which a superior officer up the chain of command says or does something that could influence any decisions by a military judge or jury in a criminal case. As commander in chief, there's no one higher up the chain than the president."

In receiving that unconscionable 35-year prison term from Judge Lind, Manning may indeed be paying the price for Obama's pre-trial comments.

### **General Petraeus**

On Nov. 9, 2012, just three days after Obama was reelected, Petraeus resigned as CIA director as the news broke of his affair with Paula Broadwell. A mere five days after that, with the FBI's investigation still in an early phase, Obama, in his first post-election news conference, all but exonerated Petraeus, saying:

"I have no evidence, from what I have seen at this point, that classified information was exposed." He also said that he had seen nothing "that in any way would have had a negative impact on our national security."

Obama then poured it on, reminding the American public that this four-star general is a unique man who deserves being left alone because of all of his service on our behalf.

"We are safer because of the work that Dave Petraeus has done," Obama said. "And my main hope right now is, is that he and his family are able to move on and

this ends up being a single side note on what has otherwise been an extraordinary career.”

Obama may or may not have known that just the previous month (October 2012) Petraeus had lied to the FBI that he had not provided any classified information to Broadwell (who co-authored a biography of Petraeus). He had also signed a statement upon leaving the CIA that he had no classified material in his possession, another lie.

When the FBI raided Petraeus’s home in April 2013, agents confiscated from an unlocked desk drawer eight notebooks that contained what the *New York Times* described as “handwritten classified notes about official meetings, war strategy, intelligence capabilities and the names of covert officers.” Petraeus himself described material in some of the so-called “black books” as being “highly classified.”

Petraeus subsequently admitted providing the classified notebooks to Broadwell and worked out a sweetheart plea deal under which he was not charged with a felony or covering up by lying to the FBI, but instead was allowed to plead guilty to a minor misdemeanor count of unauthorized removal and retention of classified material.

For that, in marked contrast to two convicted CIA whistleblowers, John Kiriakou and Jeffrey Sterling, who received prison sentences of 30 months and 42 months, respectively, Petraeus was given no prison time. His slap-on-the-wrist “punishment”: two years probation and a \$100,000 fine.

In addition to having a compliant Justice Department to thank, Petraeus can certainly give a tip of his general’s hat to a president, who made his views clear early on: Namely, you do not send a world-famous general to jail for an offense that would likely land any less heralded soldier in federal prison for many years.

In any event, present and future high-ranking government officials should take note: There is now an apparent “mistress exception” loophole in all those laws and regulations relating to the leaking of classified materials.

### **Edward Snowden**

In a Jan. 17, 2014 speech touting what he described as his plans to reform U.S. surveillance practices, President Obama said that the “Snowden disclosures” had the effect of “revealing methods to our adversaries that could impact our operations in ways that we may not fully understand for years to come.”

“Given the fact of an open investigation, I’m not going to dwell on Mr.

Snowden's actions or his motivations," Obama said. "Our nation's defense depends in part on the fidelity of those entrusted with our nation's secrets. If any individual who objects to government policy can take it in their own hands to publicly disclose classified information, then we will not be able to keep our people safe, or conduct foreign policy."

Five days after Snowden revealed himself as the whistleblower source for the NSA documents, the Justice Department filed a criminal complaint against him, charging him with theft and, more seriously, with two espionage charges: "unauthorized communication of national defense information" and "willful communication of classified communications intelligence information to an unauthorized person."

In the event Snowden someday faces a trial, you can bet that some variation of Obama's words, that Snowden's disclosures had revealed "methods to our adversaries that could impact our operations in ways that we may not fully understand for years to come", will be part of the prosecutor's arsenal of charges. Just as was the case in the Chelsea Manning, Jeffrey Sterling and John Kiriakou prosecutions, whistleblowing equates to endangerment to us all.

### **Hillary Clinton**

In an appearance on CBS's *60 Minutes* that was broadcast on Oct. 11, 2015, Obama said that Hillary Clinton's use of a private email server is "not a situation in which America's national security was endangered." While he opined that Clinton's use of the non-governmental server was a "mistake," Obama added: "I don't think it posed a national security problem."

How can the President be so sure in the initial stages of an investigation that Manning is guilty and Petraeus and Clinton have done nothing to endanger national security? That Snowden and Manning, though, did endanger national security, but Clinton's problematic private server, there for the possible picking by friendly or unfriendly nations or terrorist factions, did not?

This gratuitous support for Clinton, coming smack in the middle of the FBI investigation, sends a message down the civilian chain of command: Move on. Nothing to see here. An FBI agent or Justice Department prosecutor might just want to think twice about whether it's a great career-enhancing move to keep pursuing the Clinton email matter when the President sends such a message out to the world.

(As if the pressure weren't already enough, knowing that the woman you're investigating could very likely be elected president next year.)

Even people who believe that Clinton did nothing wrong, who feel that this is

just another Republican-influenced vendetta to sabotage her presidential campaign, should be concerned that a president would interject himself thusly into an ongoing investigation.

Two days after the *60 Minutes* broadcast, White House press secretary Josh Earnest issued one of those statements intended for that segment of the American public that just fell off the turnip truck: The President's comment on *60 Minutes* was "based on what we publicly know" and "certainly was not an attempt, in any way, to undermine the importance or independence of the ongoing FBI investigation."

A president who taught constitutional law at the University of Chicago Law School has to know that casting such public judgments with the weight of the presidency behind them, guilty for whistleblowers who perform a true public service, exceptions for high-ranking government officials because a double standard applies, further erodes the already crumbling rule of law in this fearful post-9/11 era.

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## How Technology Kills Democracy

In shutting down whistleblowing and investigative journalism on national security issues, the U.S. government can use its technology to determine who is speaking to whom and then use that metadata as evidence of leaks, a chilling new reality that endangers democracy, writes Norman Solomon.

By Norman Solomon

Of all the excuses ladled out for the Obama administration's shredding of the Fourth Amendment while assaulting press freedom and prosecuting "national security" whistleblowers, none is more pernicious than the claim that technology is responsible.

At first glance, the explanation might seem to make sense. After all, the capacities of digital tech have become truly awesome. It's easy to finger "technology" as the driver of government policies, as if the president at the wheel has little choice but to follow the technological routes that have opened up for Big Brother.

Now comes *New York Times* reporter Charlie Savage, telling listeners and viewers of a *Democracy Now* [interview](#) that the surveillance state is largely a matter of technology: "It's just the way it is in the 21st century."

That's a great way to depoliticize a crucial subject – downplaying the major dynamics of the political economy, anti-democratic power and top-down choices – letting leaders off the hook, as if sophistication calls for understanding that government is to be regulated by high-tech forces rather than the other way around.

In effect, the message is that – if you don't like mass surveillance and draconian measures to intimidate whistleblowers as well as journalists – your beef is really with technology, and good luck with pushing back against *that*. Get it? The fault, dear citizen, is not in our political stars but in digital tech.

When Amy Goodman asked Savage about the Obama administration's record-high prosecutions of whistleblowers under the Espionage Act, he summed up this way:

"Because of technology, it's impossible to hide who's in contact with whom anymore, and cases are viable to investigate now that weren't before. That's not something Obama did or Bush did. It's just the way it is in the 21st century, and investigative journalism is still grappling with the implications of that."

A more astute and candid assessment of such matters can be found in "Through the Looking-Glass," where Lewis Carroll wrote this dialogue:

"When I use a word," Humpty Dumpty said, "it means just what I choose it to mean – neither more nor less."

"The question is," Alice replied, "whether you can make words mean so many different things."

"The question is," Humpty Dumpty responded, "which is to be master – that's all."

The surveillance state is not the default setting of digital technology. The surveillance state is a failure and suppressor of democracy. A surveillance state or a democratic system – which is to be master? [For a real-life example

of how this technological prowess was used to punish a whistleblower, see [the case of former CIA officer Jeffrey Sterling](#).]

**Norman Solomon is co-founder of [RootsAction.org](#) and executive director of the Institute for Public Accuracy. He is the author of many books including *War Made Easy: How Presidents and Pundits Keep Spinning Us to Death*.**

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## Obama's Criminal Drone War

President Obama has relied on the lethal drone program as a “low cost” way to eliminate “terrorists,” but the project has institutionalized an imprecise strategy of human slaughter that violates international law and creates more enemies, writes Marjorie Cohn at Truthdig.

By Marjorie Cohn

A new whistleblower has joined the ranks of Edward Snowden, Chelsea Manning, John Kiriakou and other courageous individuals. The unnamed person, who chose to remain anonymous because of the Obama administration's vigorous prosecution of whistleblowers, is a member of the intelligence community.

In the belief that the American public has the right to know about the “fundamentally” and “morally” flawed U.S. drone program, this source provided [The Intercept](#) with a treasure trove of secret military documents and slides that shine a critical light on the country's killer drone program. These files confirm that the Obama administration's policy and practice of assassination using armed drones and other methods violate the law.

The documents reveal the “kill chain” that decides who will be targeted. As the source said, “This outrageous explosion of watchlisting, of monitoring people and racking and stacking them on lists, assigning them numbers, assigning them ‘baseball cards,’ assigning them death sentences, without notice, on a worldwide battlefield, it was, from the very first instance, wrong.”

These secret documents demonstrate that the administration kills innumerable civilians due to its reliance on “signals intelligence” in undeclared war zones, following cell phones or computers that may or may not be carried by suspected terrorists. The documents show that more than half the intelligence used to locate potential targets in Somalia and Yemen was based on this method.

“It isn't a surefire method,” the source observed. “You're relying on the fact that you do have all these powerful machines, capable of collecting

extraordinary amounts of data and intelligence,” which can cause those involved to think they possess “godlike powers.”

“It’s stunning the number of instances when selectors are misattributed to certain people,” the source noted, characterizing a missile fired at a target in a group of people as a “leap of faith.”

The Obama administration has never provided accurate civilian casualty counts. In fact, CIA director and former counterterrorism adviser John Brennan falsely claimed in 2011 that no civilians had been killed in drone strikes in nearly a year. In actuality, many people who are not the intended targets of the strikes are killed.

“The Drone Papers” tell us the administration labels unidentified persons who are killed in a drone attack “enemies killed in action,” unless there is evidence posthumously proving them innocent. That “is insane,” the source said. “But [the intelligence community has] made ourselves comfortable with that.” The source added, “They made the numbers themselves so they can get away with writing off most of the kills as legitimate.”

The administration’s practice of minimizing the civilian casualties is “exaggerating at best, if not outright lies,” according to the source.

Since the U.S. is involved in armed conflict in Iraq and Afghanistan, international humanitarian law, namely, the Geneva Conventions, must be applied to assess the legality of targeted killing. The Geneva Conventions provide that only combatants may be targeted.

From January 2012 to February 2013, a campaign dubbed Operation Haymaker was carried out in the Afghan provinces of Kunar and Nuristan. According to “The Drone Papers,” during a five-month period almost 90 percent of the people killed in airstrikes were not the intended targets. This campaign paralleled an increase in drone attacks and civilian casualties throughout Afghanistan. What’s more, the campaign did not significantly degrade al-Qaida’s operations there.

The U.S. is violating the right to life enshrined in the International Covenant on Civil and Political Rights. Because the U.S. ratified this treaty, it constitutes binding domestic law under the Supremacy Clause of the Constitution, which states, “Treaties shall be the supreme law of the land.”

Under international humanitarian law, an “armed conflict” requires the existence of organized armed groups engaged in fighting of certain intensity. The groups must have a command structure, be governed by rules, provide military training and have organized acquisition of weapons, as well as communications infrastructure.

Legal scholars, including University of Cambridge professor Christine Gray, have concluded that “the ‘war against Al-Qaeda’ does not meet the threshold of intensity of a non-international armed conflict, and Al-Qaeda does not meet the threshold of an organized armed group.”

The U.S. is not involved in “armed conflict” in Pakistan, Yemen and Somalia. Thus, the law enforcement model must be applied to assess the legality of actions in those countries. This model limits the use of lethal force to situations where there is an imminent threat to life and nonlethal measures would be inadequate.

In 2013, as President Obama gave a speech at the National Defense University, the administration released a fact sheet that said the target must pose a “continuing, imminent threat to US persons” before lethal force may be used. But Obama has waived the imminence requirement in Pakistan.

Although a spokesperson for the National Security Council told *The Intercept* that “those guidelines remain in effect today,” “*The Drone Papers*” state that the target need only present “a threat to US interest or personnel.” This is a far cry from an imminence requirement. And once the president signs off on a target, U.S. forces have 60 days to execute the strike. A 60-day period flies in the face of the imminence mandate for the use of lethal force off the battlefield.

Philip Alston, United Nations special rapporteur on extrajudicial, summary or arbitrary executions, affirms that a targeted killing is lawful only if required to protect life and no other means, such as capture or nonlethal incapacitation, is available to protect life.

Besides being illegal, Obama’s preference for killing instead of apprehension prevents the administration from gathering crucial intelligence. Obama stated in 2013, “America does not take strikes when we have the ability to capture individual terrorists; our preference is always to detain, interrogate, and prosecute.”

But Michael Flynn, former head of the Defense Intelligence Agency, told *The Intercept*, “We don’t capture people anymore.”

Slides provided by “*The Drone Papers*” source cite a 2013 study by the Pentagon’s Intelligence, Surveillance, and Reconnaissance Task Force that said “kill operations significantly reduce the intelligence available from detainees and captured material.” The task force recommended capture and interrogation rather than killing in drone strikes.

The American public is largely unaware of the high number of civilian casualties

from drone strikes. A study conducted by American University professor Jeff Bachman concluded that both The New York Times and The Washington Post “substantially underrepresented the number of civilians killed in drone strikes in Pakistan and Yemen, failed to correct the public record when evidence emerged that their reporting was wrong and ignored the importance of international law.”

Gregory McNeal, an expert on national security and drones at Pepperdine School of Law, wrote that in Afghanistan and Iraq, “when collateral damage [civilian casualties] did occur, 70 percent of the time it was attributable to failed, that is, mistaken, identification.”

“Anyone caught in the vicinity is guilty by association,” “The Drone Papers” source notes. If “a drone attack kills more than one person, there is no guarantee that those persons deserved their fate. So it’s a phenomenal gamble.”

Drones are Obama’s weapon of choice because they don’t result in U.S. casualties.

“It is the politically advantageous thing to do, low cost, no U.S. casualties, gives the appearance of toughness,” according to former Director of National Intelligence Dennis Blair. “It plays well domestically, and it is unpopular only in other countries. Any damage it does to the national interest only shows up over the long term.”

Part of the damage, as Flynn pointed out, is that drones make the fallen into martyrs. They create “a new reason to fight us even harder,” he said.

The United Nations charter’s mandate for peaceful resolution of disputes and prohibition of military force except in self-defense is not a pipe dream. A study by the Rand Corp. concluded that between 1968 and 2006, 43 percent of incidents involving terrorist groups ended by a “peaceful political resolution with their government,” 40 percent “were penetrated and eliminated by local police and intelligence agencies,” and only 7 percent were ended by the use of military force.

Nevertheless, The Wall Street Journal reported that the military plans to increase drone flights by 50 percent by 2019.

In describing how the special operations community views the prospective targets for assassination by drone, “The Drone Papers” source said, “They have no rights. They have no dignity. They have no humanity to themselves. They’re just a ‘selector’ to an analyst. You eventually get to a point in the target’s life cycle that you are following them, you don’t even refer to them by their actual name.” This results in “dehumanizing the people before you’ve even encountered the moral question of ‘is this a legitimate kill or not?’ ”

The American Civil Liberties Union has filed three lawsuits seeking information about the government's use of lethal drones. Rep. Keith Ellison, co-chair of the Congressional Progressive Caucus, is calling for increased transparency and congressional oversight of the drone program.

"The report makes it clear," Ellison noted, that "the U.S. drone program operates on highly questionable legal ground and offends our principles of justice."

Drone pilots operate thousands of miles from their targets. But many of them suffer from post-traumatic stress disorder. Some are refusing to fly the drones. In September, the Air Force Times ran a historic ad, paid for by 54 U.S. veterans and vets' organizations, urging Air Force drone operators and other military personnel to refuse orders to fly drone surveillance and attack missions.

"The Drone Papers" source implores us to take action to stop this travesty. "We're allowing this to happen," the source said. "And by 'we,' I mean every American citizen who has access to this information now, but continues to do nothing about it."

The newly released documents are a clarion call to us all to demand that our government stop the killing. It is illegal, it is immoral, and it makes us more vulnerable to terrorism.

Marjorie Cohn is a professor at Thomas Jefferson School of Law, a former president of the National Lawyers Guild, and deputy secretary general of the International Association of Democratic Lawyers. Her most recent book is *Drones and Targeted Killing: Legal, Moral, and Geopolitical Issues*. See Marjorie's blog ([www.marjoriecohn.com](http://www.marjoriecohn.com)) This article first appeared on Truthdig [[http://www.truthdig.com/report/item/drone\\_papers\\_revelations\\_are\\_a\\_cry\\_for\\_ending\\_the\\_slaughter\\_20151105](http://www.truthdig.com/report/item/drone_papers_revelations_are_a_cry_for_ending_the_slaughter_20151105)]

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## The Death of a Charming Charlatan

**Exclusive:** The death of Ahmed Chalabi, the Iraqi exile who collaborated with U.S. neocons to bamboozle the American people into invading Iraq, merits a moment of reflection on how the ongoing chaos in the Middle East (and now Europe) got going, writes retired USAF Lt. Col. Karen Kwiatkowski.

By Karen Kwiatkowski

Ahmed Chalabi, age 71, has died of a heart attack in Baghdad. As a close observer of his unique role in provoking the Iraq War a foreign policy and strategic military disaster 12 years ago I can't help but look back on that time as an age of innocence. That may sound ironic, but I think it's true given that many Americans now see that even elections don't change much.

As painful as it was to watch the U.S. government plunge into the Iraq War based on false WMD warnings raised in part by Chalabi and his Iraqi National Congress there was still a sense of hope back then that the truth could be told and the culprits could be held accountable. That seems now to have been a naive dream.

In 2003, Chalabi was on track to become the new leader of Iraq, just as soon as Paul Wolfowitz's projected "cakewalk" was finished. Towards this end, he was using, and being used by, the neoconservative cabal of Bush/Cheney appointees in the Pentagon, the National Security Council and the State Department.

Yet, despite the fact that the "cakewalk" turned into a blood-soaked grind and has now spread disorder across the Middle East and into Europe many of the same men and a few women are still advising and influencing the Obama administration's security policies toward Eastern Europe, the Mideast, Russia and China.

Now, as then, this group of neocons and their "liberal interventionist" pals lack the good sense that God gave a chicken. They still march off without a recognizable moral compass (even as they assert their moral superiority) and still without the slightest respect for either the Constitution or the soldiers and marines they gleefully send into harms' way.

At least with Chalabi, in the early 2000s, the U.S. government had a dapper and hopeful spokesperson for what Iraq was supposed to become. Some saw Chalabi as smooth while others viewed him as oily a conman with his own checkered past but he was purported to be the kind of modern Iraqi who could make Iraq a better place.

Chalabi's optimism, his delusions of grandeur, and his faith in the conspiracy of empire led him to the hubris of the neocons, those vainglorious sorcerers wielding the bureaucratic power of the Pentagon and the White House. Together, they were a perfect match. Chalabi's fantasies for Iraq were the natural product of his fundamental criminality, but his delusions also were vital to the neocons as they spun their spell to entrance the American public.

Still, Chalabi could be understood as a character in a Edith Wharton novel, trapped in his own era, not overly complex, but certainly earnest. The same

cannot be said for the American neoconservatives who used him. Even in his guile there was a sense of guilelessness. After the U.S. invasion of Iraq failed to turn up the promised WMD or confirm Saddam Hussein's alleged links to Al Qaeda, Chalabi defended the falsehoods, calling himself "a hero in error."

There was a time when I saw Chalabi as a big part of our foreign policy conundrum, but the past decade has shown us where the real evil lies. Today, I see Chalabi more as a victim of his bad assumptions about the neoconservatives, who privately celebrate the cost, chaos, destruction and decimation of whole countries and cultures, in the name of their twisted vision.

### **Unheeded Warnings**

In 2003, the canaries in this dark coal mine were warning about the lies told by President George W. Bush, Vice President Dick Cheney and political appointees throughout Washington to justify an American satrapy in Iraq. While some of us could see a future far grimmer, far more dangerous, and far more destructive than the neocon promises of American soldiers being welcomed by children throwing flowers and candy many Americans could not. Chalabi was a useful part of why that was.

The warnings from government whistleblowers, knowledgeable observers around the world, and independent-minded journalists and historians were hushed, silenced and buried until Iraq was burning and a quarter of that country's population had been made refugees by an unwinnable war and a hated occupation.

It took years for the fraud committed by the neoconservatives, their allies in mainstream media, and the Bush administration to sink in, though many Americans still appear confused as to how they should assess what happened. The bottom line is that what occurred was a crime against the American people, the Constitution, international law, the Iraqis and their neighbors. Yet, there has been a stunning lack of accountability for the culprits who perpetrated this crime.

A dozen years after the war began, Chalabi's promised golden age for Iraq and the Middle East has turned to dross. Today, it is common knowledge that the "word" of the United States is rarely good. Today, the world understands the ambitions of the United States as reptilian rather than republican, driven by a kind of rabid hostility and covetousness that in 2003 most did not easily perceive.

Today, to seek a partnership with the Pentagon or State Department as you try to shape your own small country's history means you are more gambler than statesman, more fool than patriot.

The actions of the United States in places such as Iraq, Afghanistan, Georgia, Ukraine, Egypt, Libya and Syria alliances of greed and dependency that Washington has maintained throughout this era reveal an ugly truth. U.S. foreign policy is not about democracy and self-determination, it is not about hope. Rather, it is about crony capitalism, old-style imperialism, theft and tyranny, all wrapped up in a maelstrom of bureaucratic infighting and budget padding.

No one is trusted in the conduct of America's never-ending "wars." Today, when a Russian airliner crashes, the U.S. is as likely to be blamed as a terrorist group, and the terrorist groups themselves are differentiated by their degree of U.S. support and their use of U.S. weaponry with some Sunni jihadists in Syria now firing U.S.-supplied TOW missiles and being hailed by U.S. politicians as "our guys."

We've come a long way since 9/11 when President Bush said aiding or harboring a terrorist made one as guilty as the terrorist.

Since 2003, many Americans have discovered that their political leadership is addicted to arrogant mayhem. What worked to create public support for foreign wars in 2003 is now laughed at, or ignored, by a cynical citizenry. We have learned to distrust our government, on issues both foreign and domestic.

Chalabi, though his passing has been little noticed and less mourned, reminds us of how U.S. foreign policy with its military adventurism was formed and still is formed. The world that made him a celebrity now faces the cold reality of the widening chaos that is the result of the past dozen years.

We may not see another charlatan like Chalabi soon. One surely can hope that Americans would quickly spot a new Chalabi today and discount the optimistic messaging that he or she is selling. In a troubling way, that is a good thing. These days, the U.S. President no longer even attempts to sell new wars, invasions, occupations and assassinations to the war-exhausted public. He just conducts them in the shadows.

Chalabi's passing reminds us that we live in a post-heroic world, where the U.S. war machine rumbles along on borrowed money without a coherent strategy, vision, success or accountability and also without a soul and without heroes. That sad fact is certainly worth a moment of quiet reflection.

**Karen Kwiatkowski is a retired USAF Lt Col, who publicized what she saw in the Pentagon at her final assignment in the Office of the Secretary of Defense in the run-up to the 2003 invasion of Iraq. She farms with her family in western Virginia, and writes occasionally for [LewRockwell.com](http://LewRockwell.com), and other outlets.**

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# Obama's Abuse of 'Espionage' Act

President Obama who took office vowing "transparency" has run one of the most opaque administrations in U.S. history, hiding information that the public needs to know and destroying the lives of government officials who dare to share some secrets with the citizenry, ex-CIA officer John Kiriakou says.

By John Kiriakou

Chelsea Manning's attorneys are gearing up for a long and hard appeal of the former soldier's espionage convictions. It's not going to be easy: The Supreme Court has had several opportunities in the past to rule the Espionage Act unconstitutionally broad (which it is), but has not done so. Let's hope the Court has come to its senses. It's time for the Espionage Act to go.

The Espionage Act was written in 1917 to combat German saboteurs during World War I. And it was updated only once, in the early 1950s during the hysteria surrounding the trial of Julius and Ethel Rosenberg.

The truth of the matter is that the Espionage Act is almost never used. At least it wasn't until Barack Obama became president. You see, from 1917 until 2008, the Espionage Act was used only three times to prosecute individuals not accused of aiding a foreign country. But President Obama's Justice Department has charged nine individuals with espionage since he became president.

None of those individuals gave or sold classified information to a foreign power. None sought personal gain in any way. Instead they were charged with passing what the statute calls "national defense information" to members of the press or academia. Most of them were prosecuted for whistleblowing.

In most cases, what they did was the definition of whistleblowing: They revealed evidence of waste, fraud, abuse, or illegality. I am one of those individuals. I was charged with three counts of espionage. And for telling the press that the U.S. was torturing prisoners at black sites around the world and that torture was official U.S. government policy, I was sentenced to 30 months in prison. I served 23 months.

The Justice Department's decision to file espionage charges against Edward Snowden under the same act is another example of the Obama administration's policy of using an iron fist against human rights and civil liberties activists.

But there are other cases, too. Tom Drake, a senior executive at the National

Security Agency (NSA), blew the whistle on an illegal and wasteful program to intercept the communications of American citizens. He didn't go to the press. He went to the NSA's Inspector General, the General Counsel, the Pentagon Inspector General, and then to the Congressional Oversight Committee, just like he was supposed to. His reward was 10 espionage charges, all of which were eventually thrown out, but not until he had lost his job, his home, and his pension.

And one man, a State Department analyst named Stephen Kim, took a plea to an espionage charge after he was arrested for having a conversation with a Fox News reporter about North Korea. This was something that was a regular part of his job. And an administration official called the information that Kim was convicted of giving Fox "a nothing burger."

But that didn't stop the Justice Department from forcing Kim to take a plea to a felony that sent him to prison for a year and a half. Kim also lost his job, his home and his family. His wife left him and moved back to South Korea. And just to add insult to injury, as a part of his plea bargain, Kim had to stand before the judge and say, "I am not a whistleblower."

President Obama has used the Espionage Act to prosecute those whose whistleblowing he wants to curtail. But it's more than that. The purpose of an Espionage Act prosecution is to ruin the whistleblower personally, professionally and financially. It is meant to send a message to anybody else considering speaking truth to power: Challenge us and we will destroy you.

The effect of an Espionage Act charge on a person's life being viewed as a traitor, being shunned by family and friends, incurring massive legal bills is all a part of the plan to frighten other people from revealing governmental waste, fraud, abuse and illegality. It forces the whistleblower into personal ruin, to weaken him to the point where he will plead guilty to just about anything to make the case go away. I know. That's exactly what happened to me.

In early 2012, I was arrested and charged with three counts of espionage and one count of violating the Intelligence Identities Protection Act (IIPA). (I was only the second person in U.S. history to be charged with violating the IIPA, a law that was meant to be used against rogues like Philip Agee, who wrote a book in the 1960s that listed the names of hundreds of undercover CIA officers.)

Two of my espionage charges were the result of a conversation I had with a New York Times reporter and an ABC News reporter about torture. Specifically, the classified information I was accused of giving the reporter was this: That the CIA had a program to capture or kill members of al-Qaeda. That's right. The CIA argued in my case that the fact that we were looking for al-Qaeda fighters after the Sept. 11 attacks was Top Secret. Seriously. The CIA "declassified" the

information solely for the purpose of prosecuting me.

I gave the reporter no classified information only the business card of a former CIA colleague who had never been undercover and who was then working in the private sector. The other espionage charge was for giving the same unclassified business card to a reporter for ABC News. All three espionage charges were eventually dropped, but only after I agreed to take a plea. I agreed to 30 months in prison so as not to risk the possibility of 45 years in prison that I could have gotten had I been found guilty at trial.

That's what the Justice Department does. It heaps on charges so that the person pleads guilty to something anything to make the case go away. Believe me, very, very few people risk the 45 years. That's why the government has a conviction rate of 98.2 percent.

(As an aside, when Saddam Hussein got 98 percent of the vote in his last presidential election, we screamed to the international community that it was rigged. When the Justice Department wins 98 percent, we say they're all geniuses.)

So, why charge a whistleblower with a crime in the first place? Leaks happen all the time in Washington. But the leaks that make the government look good are never prosecuted. Former Defense Secretary and CIA Director Leon Panetta boastfully revealed the identity of the Seal Team member who killed Osama bin Laden in a speech to an audience that included uncleared individuals.

That's a violation of the Intelligence Identities Protection Act. Panetta also shared his memoir with his publisher before it was cleared by the CIA's Publications Review Board. That is exactly this administration's definition of espionage: Sharing national defense information with a person not entitled to receive it.

Former CIA director General David Petraeus gave classified information to his girlfriend, including the names of undercover officers. He then lied to the FBI about it. But he was allowed to plead guilty to a misdemeanor. There was no Espionage Act charge for him.

The Obama administration's so-called "cybersecurity czar," General James "Hoss" Cartwright, allegedly told The New York Times that the White House was behind the release of the Stuxnet virus, which attacked computers being used in the Iranian nuclear program. That, too, is the definition of espionage.

But why wasn't Cartwright prosecuted? In addition to being known in the press as President Obama's favorite general, the Cartwright leak made the White House look good, tough and active against Iran. So there were no charges.

In my case, prosecution was my punishment for blowing the whistle on the CIA's torture program and for confirming to the press, despite government protestations to the contrary, that the U.S. government was, indeed, in the business of torture.

Obama declared a war on whistleblowers virtually as soon as he assumed office. Some of the investigations began during the Bush administration, as was the case with Tom Drake, but Espionage Act cases have been prosecuted only under Obama. Indeed, former Attorney General Eric Holder said just before he left office in early 2015 that he wished he had prosecuted more leak cases.

This policy decision to target whistleblowers smacks of modern-day McCarthyism. Washington has always needed an "ism" to fight against, an idea against which it could rally its citizens like lemmings. First, it was anarchism, then socialism, then communism. Now, it's terrorism. Any whistleblower who goes public in the name of protecting human rights or civil liberties is accused of helping the terrorists.

That the whistleblower has the support of groups like Amnesty International, Human Rights Watch or the American Civil Liberties Union doesn't matter. The administration simply presses forward with wild accusations against the whistleblower: "He's aiding the enemy!" "He put our soldiers' lives in danger!" "He has blood on his hands!" Then, when it comes time for trial, the espionage charges invariably are either dropped or thrown out.

Yet another problem with the Espionage Act is that it has never been applied uniformly. Immediately after its passage in 1917, American socialist leader Eugene V. Debs was arrested and imprisoned under the Espionage Act simply for criticizing the U.S. decision to enter the First World War. He ran for president from his prison cell.

Nearly a century later, when the deputy director for national intelligence revealed the amount of the highly-classified intelligence budget in an ill-conceived speech, she was not even sent a letter of reprimand despite the fact that the Russians, Chinese and others had sought the figure for decades. When the disclosure was reported in the press, the CIA simply fluffed it off as an "accident."

When a White House scheduling secretary in 2012 released the name of the senior CIA officer in Afghanistan to an email list of hundreds of reporters, the White House called it "inadvertent" and moved on.

The Obama administration's espionage prosecutions are political actions for political reasons, and are carried out by political appointees. The only way to

end this or any administration's abuse of the Espionage Act is to rewrite the law. It is so antiquated that it doesn't even mention classified information; the classification system hadn't yet been invented. The law is still so broad and so vague that many legal scholars argue that it is unconstitutional.

The only hope of ending this travesty of justice is to scrap the Espionage Act and to enact new legislation that would protect whistleblowers while allowing the government to prosecute traitors and spies. This would require Congressional leadership, however, and that is something that is very difficult to come by.

Giants like the late Senators Daniel Patrick Moynihan and Frank Church, and the late Rep. Otis Pike, who boldly took on and reformed the intelligence community in the 1970s, are long-gone. Until someone on Capitol Hill begins to understand the concept of justice for national security whistleblowers, very little is likely to change.

The press also has a role to play, one that, so far, it has largely ignored. That role is to report on and investigate the whistleblower's revelations of illegality, not on the kind of car he drives, the brand of eyeglasses he wears, where he went to college, or what his next door neighbor has to say about his childhood.

The attacks on our civil liberties that the whistleblower reports are far too important to move off-message into trivialities. After all, the government is spying on all of us. That should be the story. If Congress can't or won't right this wrong, the Supreme Court must.

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**<http://readersupportednews.org/opinion2/277-75/33288-focus-if-congress-wont-scrapp-the-espionage-act-maybe-the-supreme-court-will>**]

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## The Dark Truth in the Movie 'Truth'

**Exclusive:** Almost four decades after starring in "All the President's Men," Robert Redford returns portraying another famous journalist in "Truth." But the world has been turned upside down. Mainstream media is no longer the hero exposing a corrupt president, but the villain protecting one, as James DiEugenio explains.

By James DiEugenio

In spring 2004, CBS news producer Mary Mapes was doing what journalists are supposed to do dig up facts that help the public understand important events and often make the powers-that-be squirm. She and Dan Rather, her colleague at the "60 Minutes" offspring "60 Minutes II," had just exposed the U.S. military's bizarre mistreatment of Iraqis at Abu Ghraib prison.

Documented with damning photos and direct testimony, the story revealed how U.S. military guards had stripped detainees naked and subjected them to sexual humiliations and severe physical abuse. The story forced President George W. Bush to claim that he was morally outraged by these practices and to demand that the implicated soldiers be court-martialed.

But the string that the Abu Ghraib case pulled eventually revealed that Bush and his senior advisers had authorized very similar treatment for detainees at CIA "black sites" and at Guantanamo Bay prison. In that sense, the Abu Ghraib prison story was one of the most important of the Iraq War in that it exposed the secret ugliness and grotesque criminality of Bush's "global war on terror."

Mapes had done other compelling stories for "60 Minutes" and its spinoff, including coverage of Karla Faye Tucker's execution. The young woman was convicted of murder, but, in prison, became a born-again Christian and asked for a commutation from then-Texas Gov. George W. Bush. But Bush was eyeing political advancement and refused to grant it, letting her execution go forward.

In another powerful human-interest story, Mapes found the child of segregationist Sen. Strom Thurmond, a child he had fathered with a black woman.

In other words, Mapes was the kind of producer who delivered hard-hitting stories that news organizations claim that they crave, the sort of reporting that not only makes for good journalism but good TV.

But Mary Mapes ran into a buzz saw of career-destroying trouble on Sept. 8, 2004, when she and her colleagues at "60 Minutes II" broadcast a segment on Bush's spotty service in the Texas Air National Guard, the route that the Bush Family scion took to avoid the Vietnam War.

The segment posed the question of whether Bush had honored his commitment or got special dispensation to avoid a large part of his duty. Within minutes of the show being aired, actually before the hour was over, the report came under attack from right-wing bloggers who accused CBS of using forged documents as part of its presentation. The key claim of these Bush defenders was that some of the documents couldn't have been typed in the early 1970s because IBM's Selectric typewriters couldn't produce superscripts (a claim that turned out to

be false, since Selectric typewriters did allow for superscripts, such as the little “th” or “st” after a number).

### **Blaming the Messenger**

Yet, caught off-guard by the ferocity of this attack and its amplification through the right-wing echo chamber and then back into the mainstream media CBS executives put Mapes on leave. Less than two weeks after the broadcast on Sept. 20, 2004 she left her office in New York, never to return.

She was told not to talk to any reporters about the segment, an order that she unwisely obeyed. She was also told by CBS News President Andrew Heyward not to do any work advancing the story. A few days later, Heyward announced the formation of a review panel. Former Attorney General Richard Thornburgh, a Bush Family apparatchik, and former Associated Press chief Lou Boccardi headed it.

In January 2005, the panel issued its report critical of some journalistic procedures that Mapes and three other producers followed in putting together the segment, but the panel could not establish definitively whether the questioned documents were indeed forgeries.

On the day Heyward read the Thornburgh-Boccardi report without letting Mapes rebut its findings he called Mapes and fired her. Three other CBS employees involved with the production producer Josh Howard, vice president of prime time news Betsy West, and executive producer Mary Murphy were asked to resign.

Dan Rather was removed from his anchor spot at *CBS Evening News* in March of 2005. His contract was not picked up in 2006. Thus his association with CBS ended after 44 years.

But Mapes did not go quietly. Later in 2005, she wrote a book about her career at CBS and primarily about the whole Bush/National Guard segment she produced. *Truth and Duty* was a spirited defense of her and her colleagues' performance on the story.

It was also a bare-knuckled reply to the workings and verdict of the Thornburgh-Boccardi panel, a report that most of the mainstream media and the unsuspecting public accepted at face value as being the last word on the whole issue.

Because Mapes had worked in Dallas for CBS News, she had heard many tales about Texas Gov. Bush's National Guard service, or lack of such. In 1968, after George W. Bush graduated from Yale and without a student deferment, he was eligible for a tour in Vietnam via the draft. Though the Bush clan supported the Vietnam War in public, they understood that it was not at all a cause worth risking one's life over. So to help Bush avoid getting shipped off to Indochina, the decision

was made for him to join the National Guard but not just any unit in the National Guard.

### **The 'Champagne' Unit**

Young Bush would join the 147<sup>th</sup> Fighter Wing of the Texas Air National Guard (or TANG). This Houston-based unit was a haven for the rich and powerful in Texas, so much so that it was nicknamed the "Champagne Unit." Bush went in as a Second Lieutenant, even though he had not met any of the requisite requirements to merit such an officer's position.

The 147<sup>th</sup> also trained Bush to be a pilot. Again, this was unusual because it was rather expensive to train a pilot from scratch. The usual route was to borrow trained pilots from regular Air Force units or to train young men who had some experience, which Bush did not have.

How did George W. Bush gain entry into the TANG? The Bush family cover story was that he had talked to Lt. Col. Walter Staudt, who told him positions were open. It later turned out that it was not at all that simple. What really happened was that Ben Barnes, state Speaker of the House, used some influence to gain entry for Bush, letting him leapfrog over many other applicants. In fact, one of the scoops that Mapes got for the "60 Minutes II" segment was that Barnes went on camera to talk about what he had done.

But getting in was just the beginning of the story. Young Bush was allowed to take "hiatuses" from active duty. For instance, Bush got a six-week leave to work on Sen. Ed Gurney's campaign in Florida. He then seemed to lose his skills as a pilot. He had difficulty landing his F-102 fighter plane. Consequently, he was pulled from flight duty, his last sortie being performed in April 1972.

Then, with many months still left on his National Guard contract, he asked permission to work on another senatorial campaign for Win Blount in Alabama. Bush requested, and was granted, a transfer to the 187<sup>th</sup> Tactical Reconnaissance unit in Montgomery at Dannelly Field. But there was no credible evidence in Alabama that Bush ever showed up.

When Blount lost in November of 1972, Bush returned to Texas, but not apparently to Ellington Air Base in Houston as he was supposed to. He went to Florida and Washington DC, and then returned to Alabama. He *then* tried to go back to Texas to report, but his superiors did not want him there. Further, there was never any paperwork returned to Ellington from Alabama about his alleged alternative service.

As many who have examined the record have concluded, it is hard not to say that young Bush went AWOL and did not fulfill the last two years of a six-year

military commitment. That should have gotten him kicked out of the TANG and made him eligible for the draft. His negligence should have meant no honorable discharge, but he got one nonetheless.

### **Finessing a Vulnerability**

Years later when Bush launched his political career, it appears that his handlers understood what a liability this whole episode was. Karl Rove and Karen Hughes tried to intimidate local Texas writers like James Moore from questioning Bush about it. But then, as Moore noted, there were reports from TANG manager Bill Burkett that some of Bush's entourage went into National Guard Headquarters to purge Bush's files. Whatever one thinks of Burkett's credibility, there were indeed several documents missing from Bush's file, which should have been there.

The first time I ever heard about the Bush/TANG story was during the presidential campaign of 2004, which tells us something about the national news media's insistence on ignoring it when Bush first ran for president in 2000. Back then, much of the mainstream press was enamored of George W. Bush, who gave out nicknames to his favorite reporters. The campaign press was also generally disdainful of Vice President Al Gore, who was deemed a boring nerd.

During that campaign, Walter Robinson of the *Boston Globe* brought the story about Bush's shirking his National Guard duty outside of Texas. Robinson interviewed several of Bush's commanders who did not recall seeing him in 1972 or 1973, either in Texas or Alabama.

But that well-documented story fell on deaf ears as far as the national press was concerned. Big-time political reporters were much more interested in making fun of Gore for supposedly saying, "I invented the Internet" although Gore never actually said that. In 2000, within the Washington press corps, there was a palpable yearning for a return of the Bush Family "adults" and the dispatch of Bill Clinton's tawdry entourage.

However, four years later, in Campaign 2004, retired Gen. Wesley Clark was running as a Democrat and documentarian Michael Moore had framed a possible Clark-Bush race as "The General vs. the Deserter." So, during an early debate, ABC's Peter Jennings asked Clark about the charge that Bush had gone AWOL in Alabama. Jennings was clearly trying to embarrass Clark or get him to repudiate Moore's comment.

As Amy Goodman later recalled this exchange on her show *Democracy Now*, it appeared to be a warning shot by the mighty MSM: We are not going to tolerate this kind of criticism of a sitting president. Mainstream journalists also were a bit touchy because they had ignored this important angle in 2000.

## Ignoring Bush's Past

In retrospect, it seems amazing that the MSM almost completely missed this story in 2000, even though they had the *Boston Globe* story in hand. As Mapes writes in her book, what could be more relevant than a man running for president who had escaped the Vietnam draft by having strings pulled to get him into the TANG and who then decided he did not need to fulfill his rather easy weekend commitment and thus reneged on the terms of his agreement? Does such an episode not speak to Bush's character, especially his honesty and sense of duty?

Further, since Bush's experience in the TANG seemed to be a fig leaf to avoid service in Vietnam, what would that say about how Bush regarded the seriousness of sending other men into combat? Not only did Bush never experience the danger, he actively avoided it.

Was this issue not even more relevant considering what Bush later did in Afghanistan and Iraq in dispatching National Guard units to repeated combat tours? But the American public never got a chance to fully debate this issue because the MSM largely hid it from public view in 2000 and then insisted on keeping it buried in 2004.

Yet, Mapes plowed ahead with her work on the Bush-National Guard story. She obtained documents from Burkett purportedly written by Bush's immediate supervisor, the deceased Jerry Killian, that seemed to corroborate much of what had been said earlier about Bush's avoidance of service. The documents were copies, not originals, so the ink and paper could not be tested though she used other means to seek to authenticate them, including pressing Burkett on where he got them.

She also interviewed another TANG officer, Bobby Hodges, who had served above Killian. Hodges backed up the complaints about Bush that appeared in the documents, namely that Bush refused to report for a physical, that his superior wanted to call for a panel before grounding him, and that there was pressure from above to not discipline Bush. But Hodges refused to appear on camera and did not want to see the Killian documents. (Mapes, p. 173, e-book edition.)

To further verify the documents, Rather and Mapes secured the services of four document examiners. Of the four, two vouched for the documents as genuine and signed by Killian. Two had reservations. Mapes put together what she called an overall "meshing document," a collection of unquestionably genuine documents, which matched the information in the documents secured by Burkett.

She wanted to make a comparison graphic to include on the show, but senior producer Josh Howard vetoed that idea in favor of more from House Speaker

Barnes. (ibid, p. 187) Josh Howard also deleted the off-camera audio interview with Bobby Hodges. Howard and news vice president Betsy West cut another interview with a military expert, Colonel David Hackworth.

In her book, Mapes wrote that after these deletions, she probably should have either delayed the story, or perhaps asked for it to be killed. (ibid, p. 188) But she did not.

### **Tipping Off the White House**

But there was one other development that should have given her pause. Producer Josh Howard allowed the White House to look at the documents and comment on the show in advance. The White House had no comment on the documents, and only a mildly dismissive reply to the thesis of the show, responding that Bush had been released from his National Guard service with an honorable discharge.

The lack of both rigor and vigor in this reply, considering it was just weeks before the election, should have signaled that something ominous was being prepared. Because the online response was so fast and ferocious, it appears that Bush's defenders were tipped off in advance, a possibility that gained more credence after Bush published his account in his 2010 memoir, *Decision Point*.

According to Bush, he was shown one of the purported memos by White House aide Dan Bartlett after stepping off Marine One late one night in September 2004.

"Dan told me CBS newsman Dan Rather was going to run a bombshell report on 60 Minutes based on the document," Bush wrote. "Bartlett asked if I remembered the memo. I told him I had no recollection of it and asked him to check it out.

"The next morning, Dan walked into the Oval Office looking relieved. He told me there were indications that the document had been forged. The typeface came from a modern computer font that didn't exist in the early 1970s."

Though Bush does not specify exactly when these conversations took place relative to the program, they suggest that the White House had a more central role in launching the right-wing blogger attacks over "forged" documents than was known at the time. [See Consortiumnews.com's "[Bush Gloats Over Dan Rather's Ouster.](#)"]

The counterattack from rightwing web sites followed the attack line laid out by Bartlett. The bloggers ignored the interviews about Bush being AWOL and focused solely on whether the documents were genuine or if a Microsoft Word program on a computer created them.

Once the first critiques were published, the attacks on CBS spread throughout

the conservative blogosphere, then conservative talk radio, and next onto Fox News, before becoming a hot topic in the MSM.

### **The IBM Selectric**

The bloggers' claim was that the IBM Selectric typewriter that Killian supposedly used to type his memos lacked technical features regarding types of fonts, superscripting and proportional spacing. But the Bush defenders were wrong. IBM's Selectric typewriters did possess those features, meaning that the documents could have been typed back then. (ibid, pgs. 194-203)

The CBS experts had anticipated this line of attack. But what shocked Mapes was that even though the critics were proved wrong, that didn't seem to matter as the MSM joined in the rush to judgment against CBS. Again, the attacks did not focus on the substance of the report the interviews indicating that the sitting president of the United States had essentially been a wartime deserter but on the trustworthiness of the Killian documents.

Rather than resist the media stampede, CBS president Andrew Heyward joined in trampling his reporting team. Heyward decided to rid CBS of the problem and satisfy CEO Leslie Moonves who never cared much for investigative reporting by appointing a blue-ribbon panel that certainly couldn't be criticized for being biased against Bush, quite rather the opposite.

Also, if the panel did its job correctly and issued a scathing critique of Mapes and her team Heyward could begin to reorganize the news department and swing the nightly news more to "infotainment," supposedly a more profitable approach to "news."

Though Rather first resisted the growing attacks seeing them as par for the course when trying to hold a powerful person accountable he soon saw the writing on the wall. He apparently hoped to salvage the situation by issuing an apology.

In her book, Mapes describes Rather's call in which he informs her about his apology and the appointment of the Thornburgh-Boccardi panel. Mapes wrote she started weeping at the news, because she understood that she was finished. (ibid, p. 230)

And she was. The Thornburgh-Boccardi panel was anything but independent. It was an appendage of Heyward and Moonves – and protective of President Bush. The panel had a job in front of it: to convict those involved with the segment, no matter what the real facts of the case were.

Boccardi, known inside the AP as a careerist bureaucrat who also was uncomfortable with investigative journalism, was mostly a front, the token

“journalist.” The other key participants in the inquiry were attorneys with Thornburgh’s law firm. Therefore, Mapes would not be judged by a panel of working journalists using journalistic standards, but by prosecuting attorneys chosen and paid for by Heyward and Moonves.

People who cared about real journalism noted the bias and flaws in the inquiry. New York Times former corporate counsel James C. Goodale, who argued landmark freedom-of-the-press cases before the U.S. Supreme Court, dissected the Thornburgh-Boccardi report in an article in *New York Review of Books*.

His article was so trenchant that Thornburgh and Boccardi made the mistake of replying to it. Goodale’s rebuttal was even more compelling. Suffice it to say that the panel never tried to determine if the Killian documents were genuine, probably because, as time went on, more and more evidence emerged that a computer or word processor could not have created the documents.

Extreme blow-ups revealed evidence of wear on certain letters of the typeface, a sign that a real typewriter, not some word-processing software, was used. (ibid, p. 329)

Mapes’s *Truth and Duty* was a strong and energetic reply to the forces that combined to torpedo her career, retire Rather from CBS, and intimidate network investigative reporting. Mapes argues that the last point was particularly effective. I wouldn’t go as far as that, since I think those forces were at work long before 2004. If they weren’t, then the whole Bush/TANG issue would have come up for serious examination in 2000.

### **Making a Movie**

Screenwriter James Vanderbilt evidently liked Mapes’s book. His credits had included movies, such as *Zodiac* and *The Amazing Spider Man*. However, when he finally got a chance to direct a film, he picked *Truth and Duty*.

Vanderbilt also resisted the Hollywood impulse to overly fictionalize real events. He kept the script very close to the book. As far as I could tell, whatever alterations were quite minor.

Vanderbilt begins the film, entitled simply “Truth,” on the eve of the November 2004 election, well after Mapes had been banished from CBS, and the Thornburgh-Boccardi panel had been appointed. We glimpse her in her attorney’s office. I thought this was a good way to start the movie, since it left the implication that Mapes’s fate would be impacted by the election and also that her story, if properly handled, could have decided that election.

We then flashback to the days after the Abu Ghraib story appeared, when Mapes

and Rather still had their careers. We see Rather getting an award and Mapes playing with her young son in her Dallas home.

After the success of the Abu Ghraib story, she's approached by new "60 Minutes II" producers who want her to pitch them a story idea. She chooses whether Bush ducked out on his National Guard duty. We then watch as the story is built, including Barnes being caught on private video camera boasting about getting Bush into the TANG.

But as the film dramatically shows, there were two reversals to the story that proved disastrous to Mapes. First, Burkett apparently misrepresented where and how he got the Killian documents. He told her that they were given to him by a National Guard higher-up named George Conn, who worked at a level above Killian.

However, after the segment aired – and the controversy was swirling – Burkett told CBS executives that his earlier account was not accurate, a deception that he said was meant to stop Mapes from pestering him about the documents' provenance.

In his revised account, he said he got the documents from a woman named Lucy Ramirez, who then asked him to burn the copies that she gave him after he had copied them.

### **Flipping the Script**

CBS New president Heyward understood how badly this revision reflected on the story. So, he asked Burkett to do an on-camera interview discussing it. Burkett agreed to do so. But, as the film shows, Heyward, through prime-time news vice president Betsy West, used this interview to demean Burkett and take some of the stigma away from CBS.

We watch as West pens note after note to give to Mapes, who gives them to Rather, each one trying to transfer blame onto Burkett until finally Mapes will not cooperate anymore and finally neither will Rather.

After the interview is over, Burkett's wife comes out of their room at the hotel and is asked how her husband is doing. We know he is not doing well because we just saw him taking oxygen for a neurological ailment that afflicts him.

The wife laces into the New York media bigwigs for taking advantage of people like her and her husband, pretending to be interested in their lives when they aren't, for using them and spitting them out at the end of the process. This sequence is probably the dramatic high point of the film, and much of its power comes from the vivid performances of Stacy Keach as Burkett and Noni Hazlehurst as his wife Nicki.

The other reversal for Mapes was when Hodges finally did look at the Killian documents and gave his opinion that they were not genuine. He added that when Mapes first described their contents to him, he thought they were handwritten.

The obvious question is whether these later interviews were influenced by the initial misguided furor over the capabilities of Selectric typewriters and whether the political significance of the controversy affected what was said later. As Mapes wrote in her book, once her blood was in the water, it quickly became a maelstrom.

### **The Mapes Portrayal**

In the movie, Mapes is portrayed by Australian actress Cate Blanchett, a versatile, technically sure actress who is always in control of what she does. Her best moment is when Mapes learns that her father, a Republican, has joined in the public pummeling of her by calling into a talk radio station. Blanchett/Mapes, in a desperate, plaintive request, begs him to stop participating in his daughter's public humiliation.

In the movie, there are two other scenes that I thought were visually arresting. When Mapes and her lawyer are ushered into the Thornburgh-Boccardi panel's office, the camera swirls quickly to show us just how large the panel is – so large that it takes up two levels of tables and chairs in front of the witness.

The second directorial flourish is when Rather played by Robert Redford calls Mapes to tell her that he is being removed as anchor of the *CBS Evening News*, a position he held for nearly a quarter of a century. He is calling her from the exterior balcony of his penthouse in New York and he gets to the point of the call circuitously. He recalls that CBS first understood that it could really make big money off the news department with the success of "60 Minutes" on Sunday evenings.

Mapes senses that something is wrong or why would he call her at night to tell her that. Then, Rather lets her in on his removal.

As the conversation ends, the camera pulls back to a panoramic shot of the New York skyline, as Redford/Rather slowly lowers his head. It's a subtle visual strophe which epitomizes a man who has lost everything that is dear to him in the world.

### **Redford's Two Roles**

There is also poignancy in the choice of Robert Redford to play Dan Rather. Earlier in his career, Redford played Bob Woodward in "All the President's Men,"

a rendition of *The Washington Post's* famous Watergate investigation that led to the resignation of President Richard Nixon. That story, set mostly in 1972, represented a different moment for the mainstream news media, a brief period when U.S. journalism sought to hold powerful officials accountable and did a much better job of informing the American people about government wrongdoing.

Late in "All the President's Men," Woodward and his colleague, Carl Bernstein, make a mistake by assuming that a witness had mentioned a name before the Watergate grand jury when he hadn't because he wasn't asked. Yet, instead of throwing the two reporters to the wolves for this error, Post executive editor Ben Bradlee decides to stand behind his reporters.

The movie, "Truth," is a counterpoint to that earlier, more heroic moment of American journalism. Instead of backing brave reporters who got the story right even if the process was imperfect and messy, the new generation of news executives simply protects the corporation, shields the powerful, and sacrifices the honest journalists.

It's also interesting that "Truth" appears almost exactly a year after Jeremy Renner's "Kill the Messenger," the account of how investigative journalist Gary Webb was destroyed by the mainstream press particularly *The New York Times*, *The Washington Post* and the *Los Angeles Times* for disclosing the impact of cocaine trafficking by President Ronald Reagan's beloved Nicaraguan Contras.

In this Contra-cocaine case, the major newspapers had largely ignored the scandal when it was first reported by AP reporters Robert Parry and Brian Barger in 1985 and even when it was the subject of a Senate investigative report by Sen. John Kerry in 1989.

When Webb revived the story in 1996 for the *San Jose Mercury News* focusing on how some Contra cocaine fed into the crack epidemic the MSM refused to reconsider its cowardly bad judgment of the 1980s and instead made Webb and some alleged shortcomings in his three-part series the issue.

The demonization of Webb continued even after the CIA's Inspector General Frederick Hitz issued two reports confirming that the Contras had been deeply involved in the drug trade and that the CIA was aware of the problem but chose to protect its clients for geopolitical reasons rather than blow the whistle on their crimes. The blacklisting of Webb from his profession led to his suicide in 2004. [See Consortiumnews.com's "[How the Washington Press Turned Bad.](#)"]

The two films have outwardly different subjects, but share a similar theme: how hard it is to tell the truth about difficult subjects in today's corporate-controlled MSM news centers.

In both films, the central characters are remarkably successful news reporters who decide to pursue a subject that is anathema to the interests of the Establishment. They fail to understand the power of the forces arrayed against them, even when the counterattacks begin to pick up steam. They end up being victims of the corporate bureaucracies that they work for.

Although both stories are sad tales – no happy, triumphant endings – the fact that the films were made is encouraging because the public now can see how difficult it is to be an honest reporter in today’s environment. The powers available to stop serious investigative journalism in America are awesome and intimidating. Mary Mapes didn’t stand a chance.

**James DiEugenio is a researcher and writer on the assassination of President John F. Kennedy and other mysteries of that era. His most recent book is [Reclaiming Parkland](#).**

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## Government-Haters for President

Republican presidential front-runners include three candidates with no government experience (Donald Trump, Ben Carson and Carly Fiorina) and one senator who wants out of his job (Marco Rubio), an odd cast seeking one of the most challenging and dangerous (for us) positions on earth, says ex-CIA analyst Paul R. Pillar.

By Paul R. Pillar

When Winston Churchill made his remark about democracy being the worst form of government except for all the others that have been tried, the positive side of what he was saying about democracy had as background the Westminster system with which he was familiar and that has served Britain fairly well.

As we contrast that system with the current U.S. presidential campaign, the latter exhibits some characteristics that might have led Churchill to conclude that some of those other forms of government could stack up fairly well.

One specific contrast is presented by the fact that the two leading contenders for the presidential nomination of one of the two major U.S. political parties, along with a third candidate who has broken into the top tier of contenders in that same party, have absolutely zero experience in public service. Such a situation would not arise in Britain, where prime ministers typically arrive at the top after a political apprenticeship that has included backbench time, responsibilities as a junior minister, and service as a senior minister or

shadow minister.

The extremely long presidential campaigns in the United States are sometimes seen as a substitute for inside-government political apprenticeship, and a gauntlet that provides ample opportunity for American voters to appraise and winnow down the field of contenders. But the winnowing process is very often one that would have made Churchill either wince or laugh.

One of the headlines coming out of the most recent "debate" among Republican presidential candidates, besides how much the event became a contest in who could complain most loudly about the questions and the media, was that Marco Rubio's comeback to Jeb Bush's raising of Rubio's dismal attendance record in the Senate was snappier than anything Bush said during the evening, and thus Rubio was assessed to be a "winner" of the debate and Bush a "loser."

No one has explained what this sort of appraising and vetting has to do with the qualities required to be a successful president.

This most recent part of the winnowing process is even faultier when one considers that the issue Bush was raising was not just a matter of comparing Rubio's attendance record with that of previous senators who also were campaigning for president. By his own description, Rubio is "frustrated" in the Senate; he just doesn't like doing the job anymore, and that's why he essentially has checked out of it even though the citizens of Florida elected him to do the job for six years.

That brings to mind a comment by an American contemporary of Churchill who rose to the top. When Harry Truman was contemplating a victory by Dwight D. Eisenhower in the 1952 presidential election, Truman said, "'He'll sit here, and he'll say, 'Do this! Do that!' And nothing will happen. Poor Ike, it won't be a bit like the Army. He'll find it very frustrating."

If Rubio were to be elected president next year and re-elected in 2020, he would still be in only his early 50s when leaving the White House. Why should we not expect that he would react to the frustrations of the presidency in some of the same ways that he has reacted to the frustrations of the Senate, while he looks forward to one of the best positions any American can hold: that of ex-president, which offers lots of prestige and financial opportunities with none of the heavy responsibilities of the president?

The U.S. presidency is a very frustrating job, even more so than in Truman's and Eisenhower's time. An apex of frustration has been reached with the current president, given the control by both houses of Congress by an opposition party determined to frustrate this president at nearly every turn and to oppose his

most important domestic and foreign initiatives because they are his most important initiatives.

Probably the current Republican contenders expect they would have a much different situation as long as Republican control of Congress continues into 2017. Perhaps, but they need to think about this further as they observe the obstreperous and fratricidal conduct of House Republicans, which already has cost one Speaker of the House his job.

A successful presidency has at least as much to do with how the president deals with obstructions and frustrations as with how he or she identifies and pursues lofty goals. A significant part of how we should evaluate Barack Obama's presidency, for example, will be how well or how poorly he has dealt with jingoist political pressures that have collided with prudent retrenchment overseas, and whether he has been able to fashion foreign and strategic policies that still make at least some strategic sense.

In the British system, the capacity to deal effectively with obstruction and frustration can be developed during the political apprenticeships of aspirants to high office. Those political careers also provide a basis for assessing who has or has not developed that capacity. A career with zero public service does not provide such a basis. Neither does a political campaign that gets scored in terms of zingers and who fulminates most loudly about tough questions.

**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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## Reviving the 'Liberal Media' Myth

**Exclusive:** The Republicans and the Right have dragged out an old favorite whipping boy the "liberal media" to distract the voters from the failure of some GOP presidential candidates to answer a few tough questions, a tried-and-untrue exercise in political diversion, writes Robert Parry.

By Robert Parry

In the wake of last week's CNBC-sponsored Republican presidential debate and its alleged "gotcha questions" the GOP and the Right are reviving their treasured myth of the "liberal media," a claim that has been politically significant but almost entirely fictitious. There is not now nor really was there ever a

“liberal media.”

Generations back, Americans understood that the major newspapers were owned by very rich men and generally represented their class interests. The wealthy owners would deploy their media properties to advance their mostly conservative and pro-business/anti-labor viewpoints.

There were always exceptions to this rule, but few Americans in the 1940s, for instance, would have considered the press “liberal,” with President Franklin Roosevelt garnering less than a quarter of newspaper endorsements in his last two races and President Harry Truman getting only about 15 percent in 1948.

The modern myth of the “liberal press” originated in the 1950s when many reporters in the national news media displayed sympathy for the idea that African-Americans deserved equal rights with white people.

Though some prominent journalists and many newspapers (especially but not solely in the South) supported racial segregation, many reporters (principally but not only from the North) wrote critically about Jim Crow laws and racist attitudes. A negative media spotlight was cast on the lynching of black men, brutality toward civil rights activists and violence by whites to keep black children out of previously all-white schools.

Northern reporters, for example, descended on Tallahatchie County, Mississippi, for the trial and acquittal of two white men for the 1955 murder of Emmett Till, a 14-year-old black youth who supposedly had flirted with a white woman. The critical coverage led the state’s whites to plaster their cars with bumper stickers reading, “Mississippi: The Most Lied About State in the Union.” [For more on the media’s coverage of the civil rights movement, see David Halberstam’s *The Fifties*. Or Taylor Branch’s *Parting the Waters*.]

In the 1960s, the U.S. mainstream media largely favored the Vietnam War, but skeptical reporting about U.S. tactics from burning down villages and saturation bombing campaigns to the use of Agent Orange defoliants, assassinations under the CIA’s Operation Phoenix and the massacre at My Lai angered war supporters who viewed such journalism as undercutting the war effort.

By the late 1960s, the white backlash against racial integration gave rise to Richard Nixon’s Southern Strategy and his Silent Majority’s resentment of critical coverage of the Vietnam War strengthened Nixon’s political hand. Nixon personally had a huge chip on his shoulder about what he regarded as hostile press coverage, so he helped infuse the Republican Party with contempt for the “liberal media.”

## The 1970s and 1980s

The landmark media events of the 1970s the publication of the Pentagon Papers secret history of the Vietnam War, investigation of Nixon's Watergate scandal, and revelations about the CIA's "Family Jewels" secrets pretty much sealed this image of a "liberal" press corps that would not reliably defend the actions of the U.S. government.

But this news coverage that so infuriated the Right and many Republicans was not "liberal"; it was accurate. It was a fleeting moment when American journalists were doing what the Founders had in mind with the First Amendment, informing the people about actions by their government so the people could have a meaningful say in controlling what the government was doing.

Nevertheless, the Right's "liberal media" myth proved to be a powerful ideological weapon, wielded against reporters who uncovered unflattering information about right-wing policies and politicians. These reporters were deemed "unpatriotic," "un-American," a "blame-America-firster," or just "liberal" for short.

I witnessed how this phenomenon played out in the 1980s. Contrary to the "liberal media" myth, the senior executives of news organizations that I dealt with were almost universally conservative or neoconservative.

At the Associated Press, its most senior executive, general manager Keith Fuller, gave a 1982 speech in Worcester, Massachusetts, hailing Reagan's election in 1980 as a worthy repudiation of the excesses of the 1960s and a necessary corrective to the nation's lost prestige of the 1970s. Fuller cited Reagan's Inauguration and the simultaneous release of 52 U.S. hostages in Iran on Jan. 20, 1981, as a national turning point in which Reagan had revived the American spirit.

"As we look back on the turbulent Sixties, we shudder with the memory of a time that seemed to tear at the very sinews of this country," Fuller said, adding that Reagan's election represented a nation "crying, 'Enough.'"

"We don't believe that the union of Adam and Bruce is really the same as Adam and Eve in the eyes of Creation. We don't believe that people should cash welfare checks and spend them on booze and narcotics. We don't really believe that a simple prayer or a pledge of allegiance is against the national interest in the classroom.

"We're sick of your social engineering. We're fed up with your tolerance of crime, drugs and pornography. But most of all, we're sick of your self-perpetuating, burdening bureaucracy weighing ever more heavily on our backs."

Fuller's sentiments were not uncommon in the executive suites of major news organizations, where Reagan's reassertion of an aggressive U.S. foreign policy was especially welcomed. At The New York Times, executive editor Abe Rosenthal, an early neocon, vowed to steer his newspaper back "to the center," by which he meant to the right.

There was also a social dimension to this journalistic retreat. For instance, The Washington Post's longtime publisher Katharine Graham found the stresses of high-stakes adversarial journalism unpleasant. Plus, it was one thing to take on the socially inept Richard Nixon; it was quite another to challenge the socially adroit Ronald and Nancy Reagan, whom Mrs. Graham personally liked.

The Graham family embraced neoconservatism, too, favoring aggressive policies against Moscow and unquestioned support for Israel. Soon, The Washington Post and Newsweek editors were reflecting those family prejudices.

I encountered that reality when I moved from AP to Newsweek in 1987 and found executive editor Maynard Parker, in particular, hostile to journalism that put Reagan's Cold War policies in a negative light. I had been involved in breaking much of the Iran-Contra scandal at the AP, but I was told at Newsweek that "we don't want another Watergate." The fear apparently was that the political stresses from another constitutional crisis around a Republican president might shatter the nation's political cohesion and would not be "good for the country."

### **Building a Right-Wing Media**

Still, the notion of a "liberal media" persisted, getting even more absurd as the years went by. Under President Reagan, the recurring complaint on the Right about the "liberal media" gave rise to an overtly right-wing media a vertically integrated structure from newspapers, magazines and book publishing to talk radio, TV networks and later the Internet.

By the 1990s, this right-wing media was arguably the most important political force in the United States, with talk-show host Rush Limbaugh working as a national precinct chairman for the GOP, rallying conservatives behind various causes and candidates. When the Republicans won control of Congress in 1994, they made Limbaugh an honorary member of the GOP caucus.

The same was true in the upper reaches of corporate media. Collaborating directly with Republican politicians since the 1980s, Rupert Murdoch built a massive media empire based on newspapers (including now the Wall Street Journal), magazines (such as The Weekly Standard), book publishing (HarperCollins) and TV (most notably Fox News).

But Murdoch was far from the only network chieftain to be an ardent Republican.

On Election Night 2000, General Electric Chairman Jack Welch revealed a favoritism for George W. Bush while visiting the election desk of GE's NBC News subsidiary. In front of the NBC staff, Welch rooted for a Bush victory, asking apparently in jest, "how much would I have to pay you to call the race for Bush?" according to witnesses.

Later, after Fox News declared Bush the winner, Welch allegedly asked the chief of the NBC election desk why NBC was not doing the same, a choice NBC did make and then retracted. Though premature, the pro-Bush calls colored the public impression of Bush's entitlement to the presidency during the month-long Florida recount battle. Welch denied pressuring NBC to call the race for Bush and defended his other behavior as a reaction to younger NBC staffers who Welch thought were favoring Vice President Al Gore.

Pro-Republican bias did not stop with Murdoch and Welch, as columnist Joe Conason has noted. "So was Larry Tisch when he owned CBS. So are Richard Parsons and Steve Case of CNN (and Time Warner AOL)," Conason wrote at Salon.com. "Michael Eisner (Disney ABC) gave to Bill Bradley and Al Gore, but he gave more to Bush and [John] McCain and he supported Rick Lazio for the Senate against Hillary Clinton."

Meanwhile, many of the publications that were denounced by the Right as "liberal" bastions (the likes of The New York Times and The Washington Post) shifted fully into neoconservatism hawkish on foreign policy though more tolerant on cultural issues such as gay marriage and more accepting of science on topics like global warming.

Both the Times and Post advanced President George W. Bush's bogus claims about Iraq's WMD as a justification for invading Iraq in 2003. Today, both newspapers toe the neocon line when it comes to aggressive U.S. policies regarding Russia and Syria. Neither makes any effort to conceal their hostility toward Russian President Vladimir Putin and other foreign leaders who are singled out for U.S. demonization.

From the news columns to the op-ed pages, the Times and Post have presented deeply biased coverage that favors more aggressive U.S. interventions abroad. On economic issues, they are generally centrist, favoring "free trade" deals and "reform" of Social Security neither position shared by most "liberals" or "progressives."

Most modern media is owned by large corporations or, in a few cases, wealthy families. So, it continues to make sense that these outlets would share the prejudices and interests of the rich, as in the old days of FDR and Truman. Indeed, CNBC, the cable network that has prompted the recent right-wing ire, is

famously pro-business and anti-government.

CNBC is dedicated to the proposition that “the market” knows all, except when there is an urgent need for the U.S. government to bail out the major investment banks after they tanked the economy in 2008 and crashed Wall Street stock values. Then, the government’s trillions of dollars were deemed essential, though the bank executives still bristled at any political criticism or suggestions that their compensation should be restrained.

### **The Tea Party Rise**

In the first month of Barack Obama’s presidency, CNBC was on the front lines of promoting this arrogance of the super rich, attacking the new president even as he was confronting the worst economic crisis since the Great Depression, with millions of Americans losing their jobs and millions more losing their homes.

Yet, while the huge Wall Street bank bail-out under President George W. Bush was popular with the CNBC crowd all the better to reverse the plunge in stock prices there was a fury against Obama’s plans to restrict executive compensation and help stanch the surge in joblessness and home foreclosures.

On Feb. 19, 2009, CNBC reporter Rick Santelli took to the trading floor of the Chicago commodities exchange and fumed about Obama’s plan to help up to nine million Americans avoid foreclosure. Santelli suggested that Obama set up a Web site to get public feedback on whether “we really want to subsidize the losers’ mortgages.”

Then, gesturing to the wealthy traders in the pit, Santelli declared, “this is America” and asked “how many of you people want to pay for your neighbor’s mortgage that has an extra bathroom and can’t pay their bills, raise their hand.” Amid a cacophony of boos aimed at Obama’s housing plan, Santelli turned back to the camera and said, “President Obama, are you listening?”

Though Santelli’s behavior in a different context say, a denunciation of George W. Bush near the start of his presidency would surely have resulted in a suspension or firing, Santelli’s anti-Obama rant was hailed as “the Chicago tea party,” made Santelli an instant hero across right-wing talk radio, and was featured proudly on NBC’s Nightly News.

Santelli’s rant against helping “losers” inspired the Tea Party movement, which tapped into the populist frustrations of many alienated whites but was largely funded by rich right-wingers, including the Koch Brothers, who viewed it as a way to advance their own anti-regulatory agenda and promote more tax cuts for the rich.

That CNBC would now be attacked as a bastion of the “liberal media” shows how far this myth has slid from reality. CNBC is now part of NBCUniversal, which is co-owned by Comcast (51 percent), a major international media conglomerate, and General Electric (49 percent), a founding member of what President Dwight Eisenhower called the Military-Industrial Complex.

So, the notion that CNBC is a hotbed of leftist journalism is delusional. But that is what the Republican Party and many of its top candidates are selling to their “base.”

### **‘Gotcha’ Complaints**

The complaints from last Wednesday’s debate have focused on alleged “gotcha” questions, such as challenges to Dr. Ben Carson, one of the GOP frontrunners, about whether his budget proposals add up and what was his relationship with a shady nutritional supplement company called Mannatech.

While such queries would seem relevant to business reporters, the questions became the target of New Jersey Gov. Chris Christie and other candidates who won the audience’s cheers for lambasting the “liberal media.”

The “liberal media” accusations prompted the Republican National Committee to suspend its relationship with NBC regarding future debates. Sen. Marco Rubio, R-Florida, even added a button at his Internet site for his supporters to “stand against the liberal left media.”

That CNBC would become the new faux standard bearer for the “liberal left media” might be considered comical, but the furor is indicative of how millions of Americans have accepted the Right’s decoupling from the real world and have surrendered their political judgment to demagogues like Rush Limbaugh and corporate masters of the universe like Rupert Murdoch.

How this happened is, of course, complicated and includes the failure of the mainstream press to defend the times when it has fought on behalf of the American people to keep them informed with important information so they can do their job as citizens in a democracy.

Instead, the mainstream media seems significantly disengaged from the public, treating Americans like a commodity to be manipulated rather than the “We the People” owners of the democratic Republic to be respected and served.

Given the arrogance and elitism of many top news personalities, there is an understandable distrust and disdain for the major media. But that populist revulsion toward the overpaid talking heads has been exploited by skillful right-wing media figures who have rallied millions of confused Americans to

become foot soldiers in an ideological army that marches to defend a wasteland of false and factually flimsy information.

The answer to this dilemma must be a recommitment among journalists to get back to the basics – providing citizens with information that they need to do their job – and to take on the powers-that-be in the name of the people.

**Investigative reporter Robert Parry broke many of the Iran-Contra stories for The Associated Press and Newsweek in the 1980s. You can buy his latest book, *America's Stolen Narrative*, either in [print here](#) or as an e-book (from [Amazon](#) and [barnesandnoble.com](#)). You also can order Robert Parry's trilogy on the Bush Family and its connections to various right-wing operatives for only \$34. The trilogy includes *America's Stolen Narrative*. For details on this offer, [click here](#).**

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## GOP and the Rise of Anti-Knowledge

Ben Carson's rise to the top of the Republican presidential field shows that many Republicans, especially Christian fundamentalists, have decoupled from the real world – and are proud of it. The more that GOP candidates embrace “anti-knowledge” the more popular they become, as Mike Lofgren explains.

By Mike Lofgren

In the realm of physics, the opposite of matter is not nothingness, but antimatter. In the realm of practical epistemology, the opposite of knowledge is not ignorance but anti-knowledge. This seldom recognized fact is one of the prime forces behind the decay of political and civic culture in America.

Some common-sense philosophers have observed this point over the years. “Genuine ignorance is . . . profitable because it is likely to be accompanied by humility, curiosity, and open mindedness; whereas ability to repeat catch-phrases, cant terms, familiar propositions, gives the conceit of learning and coats the mind with varnish waterproof to new ideas,” observed psychologist John Dewey.

Or, as humorist Josh Billings put it, “The trouble with people is not that they don't know, but that they know so much that ain't so.”

Fifty years ago, if a person did not know who the prime minister of Great Britain was, what the conflict in Vietnam was about, or the barest rudiments of how a nuclear reaction worked, he would shrug his shoulders and move on. And if

he didn't bother to know those things, he was in all likelihood politically apathetic and confined his passionate arguing to topics like sports or the attributes of the opposite sex.

There were exceptions, like the Birchers' theory that fluoridation was a monstrous communist conspiracy, but they were mostly confined to the fringes. Certainly, political candidates with national aspirations steered clear of such balderdash.

At present, however, a person can be blissfully ignorant of how to locate Kenya on a map, but know to a metaphysical certitude that Barack Obama was born there, because he learned it from Fox News. Likewise, he can be unable to differentiate a species from a phylum but be confident from viewing the 700 Club that evolution is "politically correct" hooey and that the earth is 6,000 years old.

And he may never have read the Constitution and have no clue about the Commerce Clause, but believe with an angry righteousness that the Affordable Care Act is unconstitutional.

This brings us inevitably to celebrity presidential candidate Ben Carson. The man is anti-knowledge incarnated, a walking compendium of every imbecility ever uttered during the last three decades. Obamacare is worse than chattel slavery. Women who have abortions are like slave owners. If Jews had firearms they could have stopped the Holocaust (author's note: they obtained at least some weapons during the Warsaw Ghetto rising, and no, it didn't). Victims of a mass shooting in Oregon enabled their own deaths by their behavior. And so on, ad nauseam.

It is highly revealing that, according to a *Bloomberg/Des Moines Register* poll of likely Republican caucus attendees, the stolid Iowa burghers liked Carson *all the more* for such moronic utterances. And sure enough, the *New York Times* tells us that Carson has pulled ahead of Donald Trump in a national poll of Republican voters. Apparently, Trump was just not crazy enough for their tastes.

### **Why the Ignorance?**

Journalist Michael Tomasky has attempted to answer the question as to what Ben Carson's popularity tells us about the American people after making a detour into asking a question about the man himself: why is an accomplished neurosurgeon such a nincompoop in another field? "Because usually, if a man (or woman) is a good and knowledgeable and sure-footed doctor, or lawyer or department chair or any other position that could have been attained only through repeated displays of excellence and probity, then that person will also be a pretty solid human being across the board."

Well, not necessarily. English unfortunately doesn't have a precise word for the

German "Fachidiot," a narrowly specialized person accomplished in his own field but a blithering idiot outside it. In any case, a surgeon is basically a skilled auto mechanic who is not bothered by the sight of blood and palpitating organs (and an owner of a high-dollar ride like a Porsche knows that a specialized mechanic commands labor rates roughly comparable to a doctor).

We need the surgeon's skills on pain of agonizing death, and reward him commensurately, but that does not make him a Voltaire. Still, it makes one wonder: if Carson the surgeon believes evolution is a hoax, where does he think the antibiotic-resistant bacteria that plague hospitals come from?

Tomasky expresses astonishment that Carson's jaw-dropping comments make him more popular among Republican voters, but he concludes without fully answering the question he posed. It is an important question: what has happened to the American people, or at least a significant portion of them?

Anti-knowledge is a subset of anti-intellectualism, and as Richard Hofstadter has pointed out, anti-intellectualism has been a recurrent feature in American life, generally rising and receding in synchronism with fundamentalist revivalism.

The current wave, which now threatens to swamp our political culture, began in a similar fashion with the rise to prominence in the 1970s of fundamentalists like Jerry Falwell and Pat Robertson. But to a far greater degree than previous outbreaks, fundamentalism has merged its personnel, its policies, its tactics and its fate with a major American political party, the Republicans.

### **An Infrastructure of Know-Nothing-ism**

Buttressing this merger is a vast support structure of media, foundations, pressure groups and even a thriving cottage industry of fake historians and phony scientists. From Fox News to the Discovery Institute (which exists solely to "disprove" evolution), and from the Heritage Foundation (which propagandizes that tax cuts increase revenue despite massive empirical evidence to the contrary) to bogus "historians" like David Barton (who confected a fraudulent biography of a piously devout Thomas Jefferson that had to be withdrawn by the publisher), the anti-knowledge crowd has created an immense ecosystem of political disinformation.

Thanks to publishing houses like Regnery and the conservative boutique imprints of more respectable houses like Simon & Schuster (a division of CBS), America has been flooded with cut-and-paste rants by Michelle Malkin and Mark Levin, Parson Weems-style ghosted biographies allegedly by Bill O'Reilly, and the inimitable stream of consciousness hallucinating of Glenn Beck.

Whether retail customers actually buy all these screeds, or whether foundations and rich conservative donors buy them in bulk and give them out as door prizes at right-wing clambakes, anti-knowledge infects the political bloodstream in the United States.

Thanks to these overlapping and mutually reinforcing segments of the right-wing media-entertainment-“educational” complex, it is now possible for the true believer to sail on an ocean of political, historical, and scientific disinformation without ever sighting the dry land of empirical fact. This effect is fortified by the substantial overlap between conservative Republicans and fundamentalist Christians.

The latter group begins with the core belief that truth is revealed in a subjective process involving the will to believe (“faith”) rather than discovered by objectively corroborable means. Likewise, there is a baseline opposition to the prevailing secular culture, and adherents are frequently warned by church authority figures against succumbing to the snares and temptations of “the world.” Consequently, they retreat into the echo chamber of their own counterculture: if they didn’t hear it on Fox News or from a televangelist, it never happened.

For these culture warriors, belief in demonstrably false propositions is no longer a stigma of ignorance, but a defiantly worn badge of political resistance.

We saw this mindset on display during the Republican debate in Boulder, Colorado, on Wednesday night. Even though it was moderated by Wall Street-friendly CNBC, which exists solely to talk up the stock market, the candidates were uniformly upset that the moderators would presume to ask difficult questions of people aspiring to be president. They were clearly outside their comfort zone of the Fox News studio.

The candidates drew cheers from the hard-core believers in the audience, however, by attacking the media, as if moderators Lawrence Kudlow and Rick Santelli, both notorious shills for Wall Street, were I.F. Stone and Noam Chomsky. Republican National Committee chairman Reince Priebus nearly had an aneurism over the candidates’ alleged harsh treatment.

### **State-Sponsored Stupidity**

It is when these forces of anti-knowledge seize the power of government that the real damage gets done. Under Virginia’s Attorney General Ken Cuccinelli, the Virginia government harassed with subpoenas a University of Virginia professor whose academic views contradicted Cuccinelli’s political agenda.

Numerous states like Louisiana now mandate that public schools teach the wholly imaginary “controversy” about evolution. A school textbook in Texas, whose state school board has long been infested with reactionary kooks, referred to chattel slaves as “workers” (the implication was obvious: neo-Confederate elements in the South have been trying to minimize slavery for a century and a half, to the point of insinuating it had nothing to do with the Civil War).

This brings us back to Ben Carson. He now suggests that, rather than abolishing the Department of Education, a perennial Republican goal, the department should be used to investigate professors who say something he doesn’t agree with. The mechanism to bring these heretics to the government’s attention should be denunciations from students, a technique once in vogue in the old Soviet Union.

It is not surprising that Carson, himself a Seventh Day Adventist, should receive his core support from Republicans who identify as fundamentalists. Among the rest of the GOP pack, it is noteworthy that it is precisely those seeking the fundamentalist vote, like Ted Cruz, Mike Huckabee and Rick Santorum, who are also notorious for making inflammatory and unhinged comments that sound like little more than deliberate trolling to those who haven’t drunk the Kool-Aid (Donald Trump is sui generis).

In all probability, Carson will flame out like Herman Cain, Michele Bachmann and all the other former panjandrums of a theological movement conservatism that revels in anti-knowledge. But he will have left his mark, as they did, on a Republican Party that inexorably moves further to the right, and the eventual nominee will have to tailor his campaign to a base that gets ever more intransigent as each new messiah of the month promises to lead them into a New Jerusalem unmoored to a stubborn and profane thing called facts.

**Mike Lofgren is a former congressional staff member who served on both the House and Senate budget committees. His book about Congress, *The Party is Over: How Republicans Went Crazy, Democrats Became Useless, and the Middle Class Got Shafted*, appeared in paperback in August 2013. His new book, *The Deep State: The Fall of the Constitution and the Rise of a Shadow Government*, will be published in January 2016.**

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