

# The Notable Silence of Jimmy Breslin and Pete Hamill

In a strangely old-school, Catholic, sense, they chose not to look back or question the assassinations of the 1960s, writes Edward Curtin.

**By Edward Curtin**

[edwardcurtin.com](http://edwardcurtin.com)



**G**rowing up Irish-Catholic in the Bronx in the 1960s, I was an avid reader of the powerful columns of Jimmy Breslin and Pete Hamill in the New York newspapers.

These guys were extraordinary wordsmiths. They would grab you by the collar and drag you into the places and faces of those they wrote about. Passion infused their reports. They were never boring. They made you laugh and cry as they transported you into the lives of real people. You knew they had actually gone out into the streets of the city and talked to people. All kinds of people: poor, rich, black, white, high-rollers, lowlifes, politicians, athletes, mobsters – they ran the gamut. You could sense they loved their work, that it enlivened them as it enlivened you the reader. Their words sung and crackled and breathed across the page. They left you always wanting more, wondering sometimes how true it all was, so captivating were their storytelling abilities.

They cut through abstractions to connect individuals to major events such as the Vietnam War, the assassinations of President John F. Kennedy and his brother Robert, the

Central Park jogger case, AIDS. They were spokesmen for the underdogs, the abused, the confused and the bereft. They relentlessly attacked the abuses and hypocrisies of the powerful.

They became celebrities as a result of their writing. Breslin ran for New York City Council president along with Norman Mailer for mayor with the slogan "No More Bullshit." Breslin appeared in beer and cereal commercials. Hamill dated Jacqueline Kennedy and the actress Shirley MacLaine. Coming out of poor and struggling Irish-Catholic families in Queens and Brooklyn respectively, they became acclaimed in NYC and around the country. As a result, they were befriended by the rich and powerful with whom they hobnobbed.

HBO has recently released a fascinating documentary about the pair: "Breslin and Hamill." It brings them back in all their gritty glory to the days when New York was another city, a city of newspapers and typewriters and young passion still hopeful that despite the problems and national tragedies, there were still fighters who would bang out a message of hope and defiance in the mainstream press. It was a time before money and propaganda devoured journalism and a deadly pall descended on the country as the economic elites expanded their obscene control over people's lives and the media.

### **Irish Wake**

So, it is also fitting that this documentary feels like an Irish wake with two wheelchair-bound old men musing on the past and all that has been lost and what approaching death

has in store for them and all they love. While not a word is spoken about the Catholic faith of their childhoods with its death-defying consolation, it sits between them like a skeleton. We watch and listen to two men, once big in all ways, shrink before our eyes. I was reminded of a novel Breslin wrote long ago: "World Without End, Amen," a title taken directly from a well-known Catholic prayer. Endings, the past receding, a lost world, aching hearts and the unspoken yearning for more life.

Hamill, especially, wrote columns that were beautifully elegiac, and his words in this documentary also sound that sense despite his efforts to remain hopeful. The film is a nostalgia trip. Breslin, who died in 2017, tries hard to maintain the bravado that was his hallmark, but a deep sadness and bewilderment seeps through his face, the mask of indomitability that once served him well gone in the end.

So, while young people need to know about these two old-school reporters and their great work in this age of insipidity and pseudo-objectivity, this film is probably not a good introduction. Their writing would serve this purpose better.

## **Assassination Investigations**

This documentary is appearing at an interesting time when a large group of prominent Americans, including Robert Kennedy Jr. and his sister Kathleen Kennedy Townsend, are calling for new investigations into the assassinations of the 1960s, murders that Breslin and Hamill covered and wrote about. Both men were in the pantry of the Ambassador Hotel when Bobby Kennedy was assassinated in 1968. They were

friends of the senator and it was Hamill who wrote to RFK and helped persuade him to run.

Breslin was in the Audubon Ballroom when Malcolm X was assassinated. He wrote an iconic and highly original article about the JFK assassination. Hamill wrote a hard-hitting piece about RFK's murder, describing Sirhan Sirhan quite harshly, while presuming his guilt. They covered and wrote about all the assassinations of that era. Breslin also wrote a famous piece about John Lennon's murder. They wrote these articles quickly, in the heat of the moment, on deadline.

But they did not question the official versions of these assassinations. Not then, nor in the 50-plus years since. Nor in this documentary. In fact, in the film Hamill talks about five shots being fired at RFK from the front by Sirhan Sirhan who was standing there. Breslin utters not a word. Yet it is well known that RFK was shot from the rear at point-blank range and that no bullets hit him from the front. The official autopsy confirmed this. Robert Kennedy Jr. asserts that his father was not shot by Sirhan but by a second gunman. It's as though Hamill is stuck in time and his personal memories of the event; as though he were too close to things and never stepped back and studied the evidence that has emerged. Why, only he could say.

### **Too Close to the Events**

Perhaps both men were too close to the events and the people they covered. Their words always took you to the scene and made you feel the passion of it all, the shock, the drama, the tragedy, the pain, the confusion, and all that was

irretrievably lost in murders that changed this country forever, killings that haunt the present in incalculable ways. Jimmy and Pete made us feel the deep pain and shock of being overwhelmed with grief. They were masters of this art.

But the view from the street is not that of history. Deadlines are one thing; analysis and research another. Breslin and Hamill wrote for the moment, but they have lived a half century after those moments, decades during which the evidence for these crimes has accumulated to indict powerful forces in the U.S. government. No doubt this evidence came to their attention, but they have chosen to ignore it, whatever their reasons. Why these champions of the afflicted have disregarded this evidence is perplexing. As one who greatly admires their work, I am disappointed by this failure.

Street journalism has its limitations. It needs to be placed in a larger context. Our world is indeed without end and the heat of the moment needs the coolness of time. The bird that dives to the ground to seize a crumb of bread returns to the treetop to survey the larger scene. Breslin and Hamill stuck to the ground where the bread lay.

At one point in "Breslin and Hamill," the two good friends talk about how well they were taught to write by the nuns in their Catholic grammar schools. "Subject, verb, object, that was the story of the whole thing," says Breslin. Hamill replies, "Concrete nouns, active verbs." "It was pretty good teaching," adds Breslin. And although neither went to college (probably a saving grace), they learned those lessons well and gifted us with so much gritty and

beautiful writing and reporting.

Yet like the nuns who taught them, they had their limitations, and what was written once was not revisited and updated. In a strange, very old-school Catholic sense, it was the eternal truth, rock solid, and not to be questioned. Unspeakable and anathema: the real killers of the Kennedys and the others. The attacks of Sept. 11, 2001 as well.

When my mother was very old, she published her only piece of writing. It was very Breslin and Hamill-like and was published in a Catholic magazine. She wrote how, when she was a young girl and the streets of New York were filled with horse-drawn wagons, the nuns in her grammar school chose her to leave school before lunch and go to a neighboring bakery to buy rolls for their lunch. It was considered a big honor and she was happy to get out of school for the walk to the bakery she chose a few streets away. She got the rolls and was walking back with them when some boys jostled her and all the rolls fell into the street, rolling through horse shit. She panicked, but picked up the rolls and cleaned them off. Shaking with fear, she then brought them to the convent and handed them to a nun. After lunch, she was called to the front of the room by her teacher, the nun who had chosen her to buy them. She felt like she would faint with fear. The nun sternly looked at her. "Where did buy those rolls?" she asked. In a halting voice she told her the name of the bakery. The sister said, "They were delicious. We must always shop in that bakery."

Of course, the magazine wouldn't publish the words "horse

shit.” The editor found a nice way to avoid the truth and eliminate horse shit. And the nuns were happy.

Yet bullshit seems much harder to erase, despite slogans and careful editors, or perhaps because of them. Sometimes silence is the real bullshit, and how do you eliminate that?

**Ed Curtin teaches sociology at Massachusetts College of Liberal Arts. His writing on varied topics has appeared widely over many years. He states: “I write as a public intellectual for the general public, not as a specialist for a narrow readership. I believe a noncommittal sociology is an impossibility and therefore see all my work as an effort to enhance human freedom through understanding.” His website is <http://edwardcurtin.com>.**

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## A Call to Reinvestigate American Assassinations

To mark Martin Luther King Jr. Day a group of academics, journalists, lawyers, Hollywood artists, activists, researchers and intellectuals, including two of Robert F. Kennedy’s children, are calling for reinvestigation of four assassinations of the 1960s.

On the occasion of Martin Luther King Jr. Day, a group of over 60 prominent American citizens is calling upon Congress to reopen the investigations into the assassinations of President John F. Kennedy, Malcolm X, Martin Luther King Jr., and Senator Robert F. Kennedy. Signers of the joint statement include Isaac Newton Farris Jr., nephew of

Reverend King and past president of the Southern Christian Leadership Conference; Reverend James M. Lawson Jr., a close collaborator of Reverend King; and Robert F. Kennedy Jr. and Kathleen Kennedy Townsend, children of the late senator. The declaration is also signed by numerous historians, journalists, lawyers and other experts on the four major assassinations.

Other signatories include G. Robert Blakey, the chief counsel of the House Select Committee on Assassinations, which determined in 1979 that President Kennedy was the victim of a probable conspiracy; Dr. Robert McClelland, one of the surgeons at Parkland Memorial Hospital in Dallas who tried to save President Kennedy's life and saw clear evidence he had been struck by bullets from the front and the rear; Daniel Ellsberg, the Pentagon Papers whistleblower who served as a national security advisor to the Kennedy White House; Richard Falk, professor emeritus of international law at Princeton University and a leading global authority on human rights; Hollywood artists Alec Baldwin, Martin Sheen, Rob Reiner and Oliver Stone; political satirist Mort Sahl; and musician David Crosby.

The joint statement calls for Congress to establish firm oversight on the release of all government documents related to the Kennedy presidency and assassination, as mandated by the JFK Records Collection Act of 1992. This public transparency law has been routinely defied by the CIA and other federal agencies. The Trump White House has allowed the CIA to continue its defiance of the law, even though the JFK Records Act called for the full release of relevant documents in 2017.



The group statement also calls for a public inquest into “the four major assassinations of the 1960s that together had a disastrous impact on the course of American history.” This tribunal – which would hear testimony from living witnesses, legal experts, investigative journalists, historians and family members of the victims – would be modeled on the Truth and Reconciliation hearings held in South Africa after the fall of apartheid. This American Truth and Reconciliation process is intended to encourage Congress or the Justice Department to reopen investigations into all four organized acts of political violence.

Signers of the joint statement, who call themselves the Truth and Reconciliation Committee, are also seeking to reopen the Robert F. Kennedy assassination case, stating that Sirhan Sirhan’s conviction was based on “a mockery of a trial.” The forensic evidence alone, observes the statement, demonstrates that Sirhan did not fire the fatal shot that killed Senator Kennedy – a conclusion reached by, among others, Dr. Thomas Noguchi, the Los Angeles County Coroner who performed the official autopsy on RFK.

The joint statement – which was co-written by Adam Walinsky, a speechwriter and top aide of Senator Kennedy – declares that these

“Four major political murders traumatized American life in the 1960s and cast a shadow over the country for decades thereafter. John F. Kennedy, Malcolm X, Martin Luther King Jr. and Robert F. Kennedy were each in his own unique way attempting to turn the United States away from war toward disarmament and peace, away from domestic

violence and division toward civil amity and justice. Their killings were together a savage, concerted assault on American democracy and the tragic consequences of these assassinations still haunt our nation.”

The Truth and Reconciliation Committee views its joint statement as the opening of a long campaign aimed at shining a light on dark national secrets. As the public transparency campaign proceeds, citizens across the country will be encouraged to add their names to the petition. The national effort seeks to confront the forces behind America’s democratic decline, a reign of secretive power that long precedes the recent rise of authoritarianism. “The organized killing of JFK, Malcolm, Martin, and RFK was a mortal attack on our democracy,” said historian James W. Douglass, author of *JFK and the Unspeakable: Why He Died and Why It Matters* (2010). “We’ve been walking in the valley of the dead ever since. Our campaign is all about recovering the truth embodied in the movement they led. Yes, the transforming, reconciling power of truth will indeed set us free.”

### **The Truth and Reconciliation Committee’s Calls for Action:**

\* We call upon Congress to establish continuing oversight on the release of government documents related to the presidency and assassination of President John F. Kennedy, to ensure public transparency as mandated by the JFK Records Collection Act of 1992. The House Committee on Oversight and Government Reform should hold hearings on the Trump administration’s failure to enforce the JFK Records Act.

\* We call for a major public inquest on the four major assassinations of the 1960s that together had a disastrous impact on the course of American history: the murders of John F. Kennedy, Malcolm X, Martin Luther King Jr. and Robert F. Kennedy. This public tribunal, shining a light on this dark chapter of our history, will be modeled on the Truth and Reconciliation process in post-apartheid South Africa. The inquest – which will hear testimony from living witnesses, legal experts, investigative journalists, historians and family members of the victims – is intended to show the need for Congress or the Justice Department to reopen investigations into all four assassinations.

\* On Martin Luther King Jr. Day, we call for a full investigation of Reverend King's assassination. The conviction of James Earl Ray for the crime has steadily lost credibility over the years, with a 1999 civil trial brought by Reverend King's family placing blame on government agencies and organized crime elements. Following the verdict, Coretta Scott King, the slain leader's widow, stated: "There is abundant evidence of a major, high-level conspiracy in the assassination of my husband." The jury in the Memphis trial determined that various federal, state and local agencies "were deeply involved in the assassination ... Mr. Ray was set up to take the blame." Reverend King's assassination was the culmination of years of mounting surveillance and harassment directed at the human rights leader by J. Edgar Hoover's FBI and other agencies.

\* We call for a full investigation of the Robert F. Kennedy assassination case, the prosecution of which was a mockery of a trial that has been demolished by numerous

eyewitnesses, investigators and experts – including former Los Angeles County Coroner Dr. Thomas Noguchi, who performed the official autopsy on Senator Kennedy. The forensic evidence alone establishes that the shots fired by Sirhan Sirhan from in front of Senator Kennedy did not kill him; the fatal shot that struck RFK in the head was fired at point-blank range from the rear. Consequently, the case should be reopened for a new comprehensive investigation while there are still living witnesses – as there are in all four assassination cases.

**A Joint Statement on the Kennedy, King and  
Malcolm X Assassinations and Ongoing Cover-ups:**

1. As the House Select Committee on Assassinations concluded in 1979, President John F. Kennedy was probably killed as the result of a conspiracy.
2. In the four decades since this Congressional finding, a massive amount of evidence compiled by journalists, historians and independent researchers confirms this conclusion. This growing body of evidence strongly indicates that the conspiracy to assassinate President Kennedy was organized at high levels of the U.S. power structure, and was implemented by top elements of the U.S. national security apparatus using, among others, figures in the criminal underworld to help carry out the crime and cover-up.
3. This stunning conclusion was also reached by the president's own brother, Attorney General Robert F. Kennedy, who himself was assassinated in 1968 while running for

president – after telling close aides that he intended to reopen the investigation into his brother's murder if he won the election.

4. President Kennedy's administration was badly fractured over his efforts to end the Cold War, including his back-channel peace feelers to the Soviet Union and Cuba and his plan to withdraw U.S. troops from Vietnam after the 1964 presidential election.

5. President Kennedy has long been portrayed as a Cold War hawk, but this grossly inaccurate view has been strongly challenged over the years by revisionist historians and researchers, who have demonstrated that Kennedy was frequently at odds with his own generals and espionage officials. This revisionist interpretation of the Kennedy presidency is now widely embraced, even by mainstream Kennedy biographers.

6. The official investigation into the JFK assassination immediately fell under the control of U.S. security agencies, ensuring a cover-up. The Warren Commission was dominated by former CIA director Allen Dulles and other officials with strong ties to the CIA and FBI.

7. The corporate media, with its own myriad connections to the national security establishment, aided the cover-up with its rush to embrace the Warren Report and to scorn any journalists or researchers who raised questions about the official story.

8. Despite the massive cover-up of the JFK assassination, polls have consistently shown that a majority of the American people believes Kennedy was the victim of a

conspiracy – leading to the deep erosion of confidence in the U.S. government and media.

9. The CIA continues to obstruct evidence about the JFK assassination, routinely blocking legitimate Freedom of Information requests and defying the JFK Records Collection Act of 1992, preventing the release of thousands of government documents as required by the law.

10. The JFK assassination was just one of four major political murders that traumatized American life in the 1960s and have cast a shadow over the country for decades thereafter. John F. Kennedy, Malcolm X, Martin Luther King Jr. and Robert F. Kennedy were each in his own unique way attempting to turn the United States away from war toward disarmament and peace, away from domestic violence and division toward civil amity and justice. Their killings were together a savage, concerted assault on American democracy and the tragic consequences of these assassinations still haunt our nation.

**People who have signed the statement:**

Dr. Gary L. Aguilar

Daniel Alcorn

Russ Baker

Alec Baldwin

G. Robert Blakey

Denise Faura Bohdan

Abraham Bolden

Rex Bradford

Douglas Caddy

Rodnell Collins

Debra Conway

David Crosby

Edward Curtin

Dr. Donald T. Curtis

Alan Dale

James DiEugenio

James W. Douglass

Laurie Dusek

Daniel Ellsberg

Karl Evanzz

Richard A. Falk

Isaac Newton Farris Jr.

Marie Fonzi

Libby Handros

Dan Hardway

Jacob Hornberger

Douglas Horne

Gayle Nix Jackson

Stephen Jaffe

James Jenkins

Robert F. Kennedy Jr

Bill Kelly

Andrew Kreig

John Kirby

Rev. James M. Lawson Jr.

Jim Lesar

Edwin Lopez

David Mantik

Dr. Robert McClelland

Mark Crispin Miller

Jefferson Morley

John Newman

Len Osanic

Lisa Pease

William F. Pepper

Jerry Policoff

Rob Reiner



Abby Rockefeller

Dick Russell

Mort Sahl

Vincent Salandria

Martin Sheen

Lawrence P. Schnapf

E. Martin Schotz

Paul Schrade

Peter Dale Scott

John Simkin

Bill Simpich

Oliver Stone

Dan Storper

David Talbot

Kathleen Kennedy Townsend

Adam Walinsky

Benjamin Wecht

Dr. Cyril H. Wecht

Betty Windsora

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# The King Assassination Case and the Mueller Probe

Fifty years after the King assassination, Americans still have a hazy view of the House Select Committee on Assassinations' findings, an ambiguous understanding that may end up characterizing American views on Robert Mueller's probe as well, Bob Katz explains.

By Bob Katz

What is our official conclusion about the Martin Luther King assassination? Or rather, after all this time, is there an "official" conclusion? The answer to that goes beyond mere historical curiosity. For the murky ambiguities that define this case, coupled with an evident fondness among Americans for simplified, easy-reader versions of wrenching events, could well foreshadow the ultimate outcome of another critical probe 50 years later – Special Counsel Robert Mueller's investigation into alleged collusion between Donald Trump and the Russian government to sway the outcome of Election 2016.

When it comes to the April 4, 1968 assassination of Dr. King, James Earl Ray is the name that pops up first in the minds of most Americans, as well as in Google searches and history textbooks. An oft-convicted thief, Ray managed to elude a massive international manhunt for two months before being captured in London while trying to board a plane to Brussels. Questions concerning his finances, travels, and possible collusion with others have always surrounded the case, although Ray's culpability is widely assumed.

The House Select Committee on Assassinations, the most comprehensive formal investigation into King's murder, and the only one with subpoena power, concluded in 1979 that, "there is a likelihood that James Earl Ray assassinated Dr. Martin Luther King Jr. as a result of a conspiracy."

Ray never stood trial. Soon after his arrest he pled guilty. Three days later, he attempted to withdraw the plea, a quest that consumed much of the rest of his life. The HSCA report, therefore, stands as the single most authoritative interpretation of the case, and the closest thing we have to a definitive last word. Yet relatively few Americans have heard of the HSCA or, if they have, know much at all about its findings.

On the occasion of the 50th anniversary of King's assassination, it's worth asking what's behind this erasure, this gradual airbrushing of the HSCA findings from the historical record? It could happen again, after all, the virtual

deletion from public memory of an official investigation into a crucial national mystery. (Just saying.)

### **House Select Committee on Assassinations**

The HSCA spent two years in the late 1970s investigating the King assassination as well as that of President Kennedy. Funded by Congress and headed by Robert Blakey, a Notre Dame law professor and former Justice Department official with an expertise in organized crime prosecutions, the HSCA had its own professional staff and unprecedented access to police and intelligence agency files.

On August 16, 1978, James Earl Ray was brought to the Rayburn Office Building on Capitol Hill to testify. His appearance, some ten years after the murder that traumatized the country and snuffed out one of America's leading voices for peace and justice, was intensely anticipated.

Every major news outlet, print and electronic, was present. Rev. Jesse Jackson, who had been at King's side on the balcony of the Lorraine Motel that fateful spring evening, took what probably counted as a box seat, behind Ray, as close as he could get. I too was there, in the gallery, working with a public interest group that monitored the hearings.

Flanked by seven U.S. Marshalls, Ray entered the hearing room to stone silence as spectators and media were commanded to remain seated and stationary. He calmly raised his right hand to take the oath, this unassuming figure already a peer of John Wilkes Booth and Lee Harvey Oswald in the pantheon of American villains. Seeing Ray in person was like seeing a ghost.

But this ghost was stripped of all standard trappings of creepiness. There was no eerie musical soundtrack accompanying his entrance. He wore a striped tie with a blue-green checkered sport coat that might have made a positive impression on a Missouri parole board in the 1950s. His dark hair was combed in a wave and tapered above the ears to reveal graying sideburns. With darting eyes and a tight-lipped grimace, he appeared just handsome enough to have landed an audition for the role of a petty burglar in a "Law & Order" episode.

Peppered with questions from the committee chair, Louis Stokes of Ohio, Ray nervously gave answers with varying degrees of forthrightness concerning his racial animus (he professed none and investigators also found little evidence of this); his finances while on the run (smuggling and odd jobs were his explanation – the HSCA believed Ray and one of his brothers robbed an Alton, IL bank of \$27,000 in July, 1967); and accomplices (Ray insisted that a blond Latino named "Raoul" directed much of his activity, including the purchase of a rifle and a road trip that brought him to Memphis on April 3 – investigators

believed Ray's brothers John and Jerry, both petty criminals, assisted him).

It was, alas, no ghost story. There was no "aha!" moment of reckoning, no Hollywood ending.

### **A Disappointingly Obscure Scoundrel**

Regarding its investigation of a conspiracy, the HSCA explicitly implicated a St. Louis lawyer named John Sutherland who'd been active in such segregationist groups as the St. Louis Citizens Council, the Southern States Industrial Council, and the American Independent Party of George Wallace. Within these networks, Sutherland was reported to have circulated a "serious" offer to have King killed, coupled with the promise of a \$50,000 reward.

Sutherland, who died in 1970 and was never interrogated, proved a disappointingly obscure scoundrel for story-telling purposes. And the HSCA, commendably circumspect, employed language that was hardly meant to excite headlines:

"James Earl Ray may simply have been aware of the offer and acted with a general expectation of payment after the assassination; or he may have acted, not only with an awareness of the offer, but also after reaching a specific agreement, either directly or through one or both brothers, with ... Sutherland. The legal consequences of the alternative possibilities are, of course, different. Without a specific agreement with the Sutherland group, the conspiracy that eventuated in Dr. King's death would extend only to Ray and his brother(s); with a specific agreement, the conspiracy would also encompass Sutherland and his group."

The upshot: no riveting narrative arc, no snappy logline. The HSCA findings have thus been consigned to history's dustbin, invisible to all but scholars and buffs, doomed by poor ratings. It was a classic show biz failure, a failure to recognize that its attention-deficit audience – we the people – prefers explanations that are neatly wrapped and sound-bite succinct.

Obviously the HSCA was handicapped by strict adherence to the known facts, which turned out to be convoluted and puzzling. No scriptwriter with blockbuster dreams would ever want to be so confined. "Inspired by a true story," whatever that means, is where the real action is.

Which brings us to the Mueller probe. It may yet yield high-profile trials for dastardly offenses, and wouldn't that be nice. Absent an A-list conviction, the Mueller investigation seems susceptible to the same factors that effectively sidelined the King findings. Too many confounding footnotes, too many loose threads, and an assortment of two-bit bad guys standing in, but for who?

All available box office evidence suggests that Americans crave political dramas that are sharply plotted, easy to follow and seamlessly resolved. The ambiguous kind? Not so much. The truth, in the long run, may not be an ideal vehicle for maximizing audience share.

If in the end Mueller demonstrates only that vile crimes were perpetrated with craven or treasonous intent by despicable actors plausibly though not provably affiliated with the White House, what will be the popular understanding of the Trump-Russia-election saga ten years, twenty years from now? Especially when a far less complicated account – NO COLLUSION! – gets blasted from the loudest megaphone known to humankind.

**Bob Katz was involved in monitoring the HSCA investigation and was present for James Earl Ray's testimony. He is the author of several books and his writing has appeared in the *New York Times*, *Boston Globe*, *Chicago Tribune*, as well as Consortium News. His most recent book is *The Whistleblower: Rooting for the Ref in the High-Stakes World of College Basketball* (see [BobKatz.info](http://BobKatz.info) )**

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## Did North Korea Really Hack Sony?

**Exclusive:** The Obama administration has accused North Korea of hacking Sony in retaliation for “The Interview,” a goofball comedy about assassinating the country’s real-life leader, but the case may be another politicized rush to judgment by the U.S. government, writes James DiEugenio.

By James DiEugenio

One of the major problems with modern American democracy is the fact that the U.S. government has a serious credibility problem. This is not new of course. In its contemporary strain, it goes back at least to 1964 when two events focused and magnified the problem. The first was the Gulf of Tonkin incident, which was used to launch the Vietnam War. The second was the issuance of the Warren Report, the widely doubted official account of John F. Kennedy’s assassination.

As Kevin Phillips demonstrated with polling results in his book *Arrogant Capital*, that year marked the beginning of a long decline in the public’s trust in the government’s ability to do what is right most of the time. Prior to that year, the number hovered in the mid-70 percentile. After that, the figure began to drop steeply. It bottomed out at 19 percent in 1992. (This was clearly a large factor in boosting the presidential candidacy of Ross Perot that year.) It has failed to recover in any significant way since.

Historically speaking, it's easy to name some of the causes for this headlong slide into skepticism and disbelief: the escalation in Vietnam, the assassinations of key leaders during the 1960s, Watergate, the Iran/Contra affair, the exposure of CIA drug-running during wars in Southeast Asia and Central America.

As Nicolas JS Davies has pointed out, some more recent examples would be the false reasons for the invasion of Iraq, the dubious attribution of imminent nuclear weaponry for Iran, the attempt to accuse President Bashar al-Assad of Syria of using sarin gas against civilians, and the attempt to blame Russia for the shoot-down of Malaysia Airlines Flight 17.

As the reader can see, many of these instances involve the effort of certain reactionary members of the Executive Branch in Washington and their allies in the media to use the American military abroad. One would have thought that after the disastrous results of the Tonkin Gulf Resolution, the major media would investigate more carefully what now seems to be a recurrent pattern of ersatz attribution to provoke American intervention. But, by and large, the doubts about these events have been expressed only in the alternative media.

The final incident Davies (briefly) mentioned was last year's computer hacking of Sony/Columbia studios, which the FBI blamed on North Korea. The ostensible reason for this cyber-attack was the upcoming release of the comedy film, *The Interview*, which depicted an interview by a fictional American TV personality with Kim Jong-un, the actual leader of North Korea.

This interview becomes a pretext for an assassination attempt that goes awry. But, as the movie unfolds, the interview does happen and Kim does not come off well in it. This causes him to try to kill the Americans responsible. It backfires and he is killed instead.

Perhaps no film since Oliver Stone's *JFK* generated as much pre-release controversy as *The Interview*. But unlike Stone's picture, which created a sensation over its contrary-to-the-Establishment view of President Kennedy's assassination, this particular brouhaha is largely based upon the alleged cyber-attack by North Korea.

When the FBI pointed the finger at Pyongyang, Sony/Columbia decided not to release the film, citing security concerns. Both people in the film colony and in the media met that decision with much derision. Therefore, Columbia reconsidered and did a limited theatrical run for the film, combined with a large online release. Due to the massive coverage of the controversy, the latter has been a big success. In fact, it has set records in that category.

## 'The Interview' as a Movie

The movie was co-directed by Seth Rogen and Evan Goldberg, who also had a hand in writing the story. Along with James Franco, Rogen also stars in the film. Rogen and Goldberg have been friends since childhood in Vancouver, Canada. Rogen's career took off after he moved to Los Angeles and met writer-director Judd Apatow, who produced *Anchorman: The Legend of Ron Burgundy* and directed *The 40 Year Old Virgin*.

After first using Rogen in a TV series called *Freaks and Geeks*, Rogen starred in Apatow's 2007 film *Knocked Up*. Apatow then produced two films written by Rogen and Goldberg, *Pineapple Express* and *Superbad*. Franco was also in *Freaks and Geeks*, and *Pineapple Express* with Rogen. Rogen and Goldberg then scripted *The Green Hornet* in 2011; they wrote and co-directed *This Is the End* in 2013.

Reportedly, Rogen once advised Apatow to make his work more "outrageously dirty." [*Los Angeles Times*, May 13, 2007] And Apatow once said he wanted to include a penis in each of his films. [*The Guardian*. Aug. 26, 2008]

Well, we get those kinds of jokes in *The Interview*. The premise of the film revolves around Franco as a TV personality named Dave Skylark, the host of a rather lowbrow interview show titled *Skylark Tonight*. Rogen plays the producer-director of the program and has ambitions of doing something more socially and politically significant, a la *60 Minutes*.

In one of the several unfathomable plot twists in the film, Kim likes *Skylark Tonight* so much that he wants to be a guest on the show and to arrange the guest spot through Rogen. But, in another hard to buy plot twist, Kim wants to arrange the interview in some sparsely populated rural area in China. (I think this segment was designed to generate laughs, which it does not.)

The visit to North Korea is now set up with a female military representative of Kim's. Upon Rogen's return, he and Franco celebrate and they announce the upcoming event on the air.

Now, another rather hard to believe strophe occurs. The CIA visits the two men and asks them to assassinate Kim. No specific reason is given as to why (though Kim is widely viewed in the West as a clownish and unstable dictator), or why they chose these two utter amateurs for such a daring, high-risk scheme.

The CIA wants them to kill Kim with a toxic poison attached to the palm of their hands. This strip is hidden in a pack of gum. But when they arrive in North Korea, one of their military guards takes out the pack and chews the strip. He spits it out, and in a rather unfunny follow-up, we later watch him die from the poison at a dinner.

Franco now meets Kim. The North Korean is on his best behavior and the two hit it off for a couple of days playing basketball and partying with some scantily clad girls.

### **Twisting the Plot**

But now, another rather weird plot twist occurs. Franco wanders out of the presidential palace, going to what he thought was a grocery store nearby. He goes inside and discovers that the store is really a Potemkin village. That is, things like fruit and vegetables are really painted props.

Obviously, this scene is intended to highlight the shortage of food supplies in North Korea, but why the North Koreans would plant the store so close to the palace, why they would leave it unattended, and why they could not import real goods to stock it at this crucial time, these kinds of questions make this episode another head-scratcher. But the plot device explains why Franco turns on his new friend, Kim Jong-un.

In the meantime, Rogen has fallen for the female military attaché. It turns out she secretly hates Kim and now allies herself with the Americans. She says they cannot just kill him; they must humiliate him on TV so the Korean people will see him as a pretentious buffoon and charlatan.

So, Franco/Skylark decides to structure the interview to expose Kim. But the station technicians cut the feed. Rogen and his girlfriend then pull out firearms, touching off a bloody fight in the control room also involving Korean troops. Somehow, the amateur Americans kill all the Koreans. Franco is shot at, but he survives because he had a bulletproof vest on.

The trio manages to escape in a tank (no, I won't explain how that happened) and are pursued by Kim and some soldiers in a helicopter. Kim orders preparations for a nuclear launch. But the tank fires a heat-seeking missile that takes out the chopper. Some CIA double agents then help Rogen and Franco escape the country.

At the end, we see Franco at a book reading about the whole affair as Rogen talks to his North Korean girlfriend via Skype. She stayed behind to democratize the country.

As the reader can see, the story is pretty much escapist, goofball fiction with a plot focused on murdering a real-life leader. But as bad as the script is, the direction by Rogen and Goldberg is even worse.

### **The Decline of Comedy**



In 1965, before he retired from the field, illustrious film critic Dwight MacDonald wrote an essay entitled "Whatever Happened to Hollywood Comedy?" There, he lamented how low the genre had fallen from the Alpine peaks attained by the likes of Keaton, Chaplin, Lloyd and Langdon. Or even from the hills of Preston Sturges, Billy Wilder, Ernst Lubitsch and Howard Hawks.

MacDonald outlined three rules that comic films he was reviewing broke almost systematically. First, he wrote that most of the films had no appealing comic protagonists, which he felt was necessary in the genre. Second, he said they were overproduced and too Rube Goldberg-like in their construction and depiction. (Rogen and Goldberg shoot the helicopter exploding at the end in super-slow-motion.)

Finally, according to MacDonald, the sadism inherent in comedy could not be shown realistically, i.e., if the comic actually broke his back while slipping on a banana peel, that would not be funny.

Well, in the fight in the control room in *The Interview*, we watch as not one, but two fingers get bitten off. Apparently, no one on the set said to Rogen, "Uh Seth, is that really funny?" Rogen is an even worse director than he is an actor. And the man can't act.

If MacDonald felt gloomy about the state of film comedy in 1965, one can imagine what he would have written in later years, which leads us to the first question about the hacking mystery: Unless the North Koreans are as imbecilic as the people depicted in the film, could they really have thought that such a frivolous production somehow imperiled the security or image of their country and to such an extent that they went ahead and risked retaliation by hacking into a private company's computer system?

To me, the risk simply does not equate with whatever reward was to be had. But there are other indications that the case against North Korea is not nearly as conclusive as the FBI wants us to think. President Barack Obama may have compounded the problem by announcing retaliatory sanctions on Jan. 2. Further, White House Press Secretary Josh Earnest implied there would be more of this because he called it "the U.S. government's *first* action"

### **The Facts of the Case**

The controversy actually began to take shape last June when the North Korean ambassador to the United Nations, without seeing the movie in all of its silliness, condemned the film and urged the United States to cancel its distribution. Clearly, making light of assassinating a nation's leader is problematic, whatever one may think of the leader, and the North Koreans made

their disgust clear.

Then, on Nov. 24, 2014, Columbia discovered that its computers had been hacked. Their employees were locked out and an ugly caricature of a bright red skeleton popped up on their screens that morning. A message appeared which said, "Hacked by #GOP." Later, personal information, e-mails and unreleased films were leaked online. The films included *Still Alice*, *Annie* and *To Write Love on Her Arms*.

In this context, GOP does not refer to the Republican Party but to a hacking group that calls themselves the Guardians of Peace. It's interesting to note that although North Korea denies the attack, Guardians of Peace takes credit for it. In fact, the Guardians actually called the FBI a bunch of idiots because of the stupidity of their investigation.

As Kim Zetter pointed out in *Wired*, nation-states usually don't announce themselves with images of blazing skeletons or criticize their victims for having poor cyber security, nor do they post stolen data to Pastebin, which is sort of the unofficial warehouse for heisted files on the cloud.

As Zetter writes, "These are all hallmarks of hacktivists, groups like Anonymous and LulzSec, who thrive on targeting large corporations for ideological reasons or by hackers sympathetic to a political cause" (*Wired*, Dec. 17, 2014)

Cyber-security expert Marc Rogers agreed that the operation did not look like it was from a nation-state, and he criticized the FBI's case on specific grounds, noting that because the malware was written in Korean means little, since programs exist to translate that code.

Rogers also said that whoever wrote the malware had extensive knowledge of hard-coded paths and passwords. This would suggest that whoever did the attack was somehow watching Sony/Columbia's computer architecture for a long time or was a company insider because not only did the hackers know where certain files were located but they knew the access codes on them.

Third, Rogers wrote that when a hacker simply dumps this amount of material onto a public site, that has the earmarks of a hack job from some ideologically motivated group. There was much information North Korea could have garnered from the huge access they allegedly had. And this could have served them well in their intelligence files. Why make it public? (See Roger's blog, "[Marc's Security Ramblings](#)" entry dated Dec. 18, 2014)

### **More Skepticism**

Rogers is backed up on his first point by Kurt Stammberger, senior vice-president of Norse, a company that provides computer intelligence systems and

technology to both private corporations and the government.

Stammburger has been in possession of the specific malware used in the Sony hack as far back as last July, which can be secured by interested parties on the black market. His sample of the program is totally in English, not a trace of Korean.

The executive noted that specific Sony credentials, server address and digital codes and certificates were then written into the malware. As another authority in the field noted, certain malware behaves erratically. It just dives into a system, shuffles around the computer and spirals around looking for things to link to randomly. The Sony hack was more like a cruise missile.

“This stuff was incredibly targeted. That is a very strong signal that an insider was involved,” said Stammburger. (*New York Post*, Dec. 30, 2014) Thus, he concluded that “It’s virtually impossible to get that information unless you are an insider, were an insider, or have been working with an insider. That’s why we and so many other security professionals are convinced an insider played an important role.”

Furthering this belief is the fact that, last spring, Sony issued layoff notices to hundreds of employees. A private Facebook group made up of former Sony employees voted by a large majority that the hack was an inside job. An ex-employee said what makes this even more possible is that Sony’s security was not very tight or sophisticated, a point that was echoed by Rogers. (Dana Liebelson, *Huffington Post*, Jan. 6, 2015)

In fact, Norse, Stammburger’s computer-intelligence company, went even further. They named a former employee as a suspect, along with five accomplices. They did this by going through hacked personnel files and then locating a disgruntled employee online. (*The Security Ledger* Dec. 18, 2014)

In one message, for instance, one of Stammburger’s suspects identified as “lena” wrote :“Sony doesn’t lock their doors, physically, so we worked with other staff with similar interests to get in. I’m sorry I can’t say more, safety for our team is important.” (*The Wrap*, Dec. 30, 2014)

From this and other evidence, Stammburger deduces that the conspiracy was a collaboration between an employee or employees terminated early last summer and a hacking group involved in distributing pirated movies online, a group that has been pursued by Sony.

The FBI visited Norse to hear this presentation and seemed suitably impressed. But Stammburger said the FBI didn’t reveal anything from its inquiry to Norse.

## Chronology Problems

What makes the whole operation even more puzzling is the fact that an e-mail was sent to Sony executives three days *before* the hack became public, on Nov. 21, 2014, addressed to top executives such as CEO Michael Lynton and Chairperson Amy Pascal (among others). It reads:

“Monetary compensation we want. Pay the damages, or Sony Pictures will be bombarded as a whole. You know us very well. We never wait long. You’d better behave wisely.”

Clearly, the fact that this was sent in advance indicates that whoever sent it knew what was about to happen. But the warning contains no mention, not even a hint, about censoring an about-to-be-released movie. The message appears to be pure and simple extortion, as is clearly denoted in the first sentence about money.

But what makes this piece of evidence ultimately confusing is that it was signed by “God’s Apstls,” a rubric that also was in one of the malicious files used in the cyber attack. (ibid)

As *Wired’s* Zetter points out, it was only on Dec. 8, a week after a logjam of media stories appeared linking the attack to North Korea, that the attackers made a reference to the film in one of their announcements. And after this, the hackers made oblique terrorist threats against the film’s premiere in New York on Christmas Day.

In other words, it was after the finger-waving at North Korea had begun that “the GOP” began to explicitly link the film to the crime. To top that, as Sam Biddle noted in *The Gawker* on Dec. 22, the self-declared attackers, “the GOP”, then released a message declaring that Sony/Columbia had their permission to release *The Interview* anyway, which certainly implies that whoever did the hacking was simply bluffing about any terrorist attacks if the film were shown.

## Lessons Not Learned

This points out another interesting aspect of the case, which Peter Singer, another security expert, expounded on at *Motherboard*. In an interview, he said: “This is not just now a case study in how not to react to cyber threats and a case study in how not to defend your networks; it’s now also a case study in how not to respond to terrorism threats.

“We have just communicated to any would-be attacker that we will do whatever they want. It’s mind-boggling to me, particularly when you compare it to real things that have actually happened. Someone killed 12 people and shot another 70

people at the opening night of *Batman: The Dark Knight Rises*. They kept that movie in the theater. You issue an anonymous cyber threat that you do not have the capability to carry out: We pulled a movie from 18,000 theaters.” (Sic, that number is exaggerated.)

Singer said whoever conducted the attack understood the American psyche and culture to the point of knowing that politicians like John McCain and Newt Gingrich would call it an attack of “cyber terrorism” and demand retaliation and that no one would ask: Why?

Would North Korea really commit its scarce resources and take this geopolitical risk over a witless, very bad comedy and think that a fitting retaliation would be to publicize how much money Sony executives make or that producer Scott Rudin thinks Angelina Jolie is only marginally talented?

Gauging by the U.S. overreaction, one is reminded of what Orson Welles did with a radio microphone, four actors, and some mood music in 1938 with his broadcast of H. G. Wells’ *War of the Worlds*.

Singer added that this image of Sony/Columbia as a frightened and intimidated victim benefits the company because it conceals the fact that it has been hacked before, going back to 2005, and more than once.

Yet, their whole computer architecture has been relatively unchanged, even though the previous hacks were not labeled as attacks from a nation-state. It’s fairly clear that Sony did not take the attacks seriously enough to do a major upgrade on their security system or to change passwords and pass codes every few months. Obviously, they could afford the financial outlay to do such things.

### **Obama’s Hypocrisy**

On the day the FBI announced North Korea as the culprit, President Obama criticized Sony’s initial decision to pull the film from theaters. Echoing what Singer said, the President commented: “We cannot have a society in which some dictator in some place can start imposing censorship here in the USA. If somebody can intimidate folks out of releasing a satirical comedy, imagine what they’ll do when they see a documentary or political film they don’t like.”

He continued in this vein, “That’s not what we are, that’s not what America is about. I’m sympathetic that some private company was worried about liabilities. I wish they’d spoken to me first. Do not get into a pattern in which we’re intimidated by these kinds of criminal attacks.”

Obama did not seem aware of the irony, either in regards to his own participation in actual assassinations, i.e., “targeted killings” via drone

attacks, or his administration's aggressive effort to silence U.S. government whistleblowers through criminal prosecutions, examples of real censorship.

In response to Obama's expressed disappointment that Sony had not come to him for help, Sony CEO Michael Lynton contradicted this observation the same day it was made on Dec. 19. In a statement made on CNN, the executive said, "We definitely spoke to a senior advisor in the White House about the situation. The White House was certainly aware of the situation."

Lynton added that Sony consulted with the State Department *before* the hacking to anticipate any political controversy the film could provoke. But Lynton went even further, saying Sony went to think tanks, foreign policy authorities, and the State Department "to get an understanding of whether or not there was a problem" with the film. The CEO said he was told by all that there was no problem, so they proceeded with the advertising rollout of the film.

Lynton said it really was not Sony that pulled the film from theatrical release but rather too many major exhibitors refused to show the film for fear of possible terrorist attacks. He concluded that he "had no alternative but to not proceed with the theatrical release on the 25<sup>th</sup> of December." (*Deadline*, Dec. 19, 2014)

### **Weighing the Evidence**

Of course, it is possible that these accusations against North Korea are correct. However, as of today, there is a large body of expert opinion that says the evidence so far is lacking. In fact, another expert, Robert Graham of Errata Security, was even more unimpressed than Rogers, calling the FBI's evidence "nonsense." (*New York Post*, Dec. 30, 2014)

If that is so, then the Sony hack may end up joining the long line of instances in which the U.S. government either jumped to misguided conclusions or intentionally misled the American people. Meanwhile, the real culprits escape and the real facts become harder to ascertain since the U.S. government hates to admit mistakes especially when the falsely accused have been thoroughly demonized and have few defenders.

If the truth is discovered many years down the line, the major news media usually ignores it or, in the rare case that the truth is acknowledged and accepted, it is way past the time for avoiding dangerous actions rationalized by the false allegations.

It took Professor Edwin Moise three decades to produce the definitive book on the Tonkin Gulf incident, showing that just about everything President Lyndon Johnson said about what happened there was wrong. By then, millions of

Vietnamese and 58,000 Americans were dead.

**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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## Pinochet's Mad Scientist

**From the Archive:** Much like the 9/11 attacks, the Cold War plunged the U.S. government into the "dark side," especially in Latin America where the CIA colluded with torturers and assassins, leading to grisly murders and enduring mysteries, as Samuel Blixen described in 1999.

By Samuel Blixen (First published on Jan. 13, 1999 and updated in 2006)

On Nov. 15, 1992, a terrified scientist – trapped inside a white bungalow in the Uruguayan beach town of Parque del Plata – broke a window to escape. Chubby, in his mid-40s, the man struggled through the opening. Once outside, furtively and slowly, he picked his way through the town's streets to the local police station.

"I am a Chilean citizen," the scientist told the police. He pulled a folded photostatic copy of his identification papers concealed in his right shoe. "I have been abducted by the armies of Uruguay and my country," he claimed.

The scientist, rumped with a graying beard, said he feared for his life. He insisted that his murder had been ordered by Gen. Augusto Pinochet, then the chief of Chile's army who had ruled as a dictator from 1973 to 1990.

The motive for the execution order was the man's anticipated testimony at a politically sensitive trial in Chile, a case that could have sent reverberations all the way to Washington, D.C., potentially embarrassing the man who in November 1992 still sat in the White House, President George H.W. Bush.

The scientist had worked as an accomplice in a terror campaign that included the bombing deaths of Chilean dissident Orlando Letelier and an American co-worker Ronni Moffitt as they drove to work in Washington in 1976. That terrorist attack in America's capital had occurred when George H.W. Bush was CIA director, despite prior warnings to the CIA about the plot.

### **'Unbalanced' Chilean**

The police in Parque del Plata, a beach town about 30 kilometers from Uruguay's

capital Montevideo, weren't sure what to make of the man's convoluted tale.

An Uruguayan army officer had alerted them earlier that an "unbalanced" Chilean prisoner was on the loose. The scientist, who had escaped from a house owned by a Uruguayan army officer, apparently was that man.

But the issue was quickly taken out of the hands of local authorities. A half an hour after the man's arrival, armed and uniformed Uruguayan army troops burst into the police precinct station and seized control. At their head was the district police chief, a retired army colonel named Ramon Rivas.

Rivas ordered that the Chilean scientist be turned over to the soldiers. The police were told that two Uruguayan army officers would then escort the scientist out of Uruguay to Brazil. Faced with soldiers brandishing rifles, the police relented. The scientist was led away.

From that moment, the scientist's fate became a complex kidnap-murder mystery, with improbable twists and turns, an apparent disinformation trick, raw political power, a grisly discovery and, finally, forensic science.

The disappearance of the scientist, a biochemist named Eugenio Berrios, also had relevance to later legal battles seeking to hold Pinochet accountable for thousands of human rights cases during his reign as Chile's dictator and for an international terror campaign that hunted down opponents of the dictatorships in Chile and other South American countries in the 1970s.

The case also underscored the enduring power of right-wing military officers within the fragile democracies of South America – and the difficulty of bringing Pinochet to justice in Chile.

## **Poison Gas**

The mystery of Eugenio Berrios starts in 1974 when he began doing scientific research for Chile's feared intelligence service, DINA.

Berrios worked closely with an American-born DINA agent, Michael Townley, in a clandestine unit known by the name "Quetropilla." The base of operations was a sprawling, multi-level house – registered to Townley but purchased by DINA – in Lo Currro, a wooded, middle-class neighborhood of Santiago, Chile.

One of Berrios's assignments was the development of sarin gas that could be packaged in spray cans for use in assassinations. DINA officials thought the nerve gas could create lethal symptoms that might be confused with natural causes while giving time for the assailants to escape.

The need for sophisticated murder devices grew more important for Pinochet's



intelligence teams when they turned their sights on political enemies living abroad in 1975.

In September 1975, DINA chief Manuel Contreras launched an international assassination project called Operation Condor, named after the powerful vulture that traverses the Andes mountains from Colombia to the Strait of Magellan. The theory behind Condor was that enemies of South American military dictatorships should be hunted down wherever they sought refuge, whether in the nations of participating governments or elsewhere.

In October 1975, after soliciting \$600,000 in special funds from Pinochet, Contreras chaired the organizational meeting of Operation Condor with military intelligence chiefs from Argentina, Uruguay, Paraguay and Brazil. After the meeting, the intelligence services stepped up their trans-national coordination. More than 100 Chileans were rounded up and returned to Chile for execution. Others were gunned down where they were found.

According to later testimony by DINA agent Townley, Berrios made a major contribution to the cause in April 1976 by recreating sarin, a poisonous nerve gas first invented by the Nazis during World War II.

Townley said the original plan for assassinating Orlando Letelier – who had been foreign minister under Chile's leftist elected government of Salvador Allende, who was overthrown and killed in Pinochet's 1973 coup – was to use a female operative to seduce the debonair former diplomat and then administer a liquid form of sarin concealed in a Chanel perfume bottle. But Berrios also supplied the operation with explosive devices in case the nerve gas proved unworkable.

In September 1976, Townley entered the United States on an official Chilean passport with a false name. He contacted anti-Castro Cubans and recruited their help in hunting down Letelier, a vocal critic of Pinochet. When the Cubans refused to participate unless the Chileans had a direct role in the assassination, Townley switched from poison to a car bomb.

The assassins traveled to Washington where the exiled Letelier lived and worked at a left-of-center think tank, the Institute for Policy Studies. They concealed the bomb under Letelier's car and followed Letelier as he and two American associates drove to the IPS offices on Sept. 21, 1976.

As the car proceeded past the ornate buildings of Embassy Row on Massachusetts Avenue, the assassins detonated the bomb. Letelier and one American, Ronni Moffitt, died in the blast. Moffitt's husband was wounded.

**Bush's CIA**

Despite official requests, George Bush's CIA provided little help unraveling the mystery. Only later would authorities discover that the CIA director's office received a warning about the Townley operation but failed to stop it. [For details, see Robert Parry's *Secrecy & Privilege*.]

Still, the FBI and federal prosecutors managed to uncover Operation Condor and break the Letelier case. Extradited to the United States, Townley agreed to plead guilty, serve a short prison sentence and enter a federal witness protection program.

But progress in bringing to justice the architects of the terror campaign was much slower, given Pinochet's continued hold on power through 1990. Long-term U.S. pressure, however, finally led to criminal charges in Chile against former DINA chief Contreras.

Berrios, who continued to work on assassination schemes even after Townley's arrest, emerged as a prospective witness. In October 1991, a Chilean judge called Berrios to testify. The move sent chills through the Chilean military establishment.

It became important for DINA to get Berrios beyond the reach of the Chilean court. That month, Capt. Carlos Herrera Jimenez, a former intelligence officer, escorted Berrios from Santiago on a clandestine trip through the Andes to Argentina.

To hide Berrios, the old Condor network quickly reasserted itself. From Buenos Aires, Uruguayan counterintelligence chief, Lt. Col. Thomas Casella, coordinated Berrios's move to Uruguay. There, Berrios and Herrera holed up in a Montevideo apartment rented by Casella, who frequently had trained with the Chilean military.

But complications continued to arise. In February 1992, while on a trip to Buenos Aires, Capt. Herrera was arrested on an Interpol warrant connecting him to another assassination plot. That forced other Chilean agents to take charge of Berrios in Uruguay. Berrios was becoming a burden – as well as a risk – to Chile's intelligence services.

Gen. Emilio Timmerman, a military officer at the Chilean embassy in Montevideo, assumed the Berrios duty. But Timmerman complained to an embassy cultural attaché, Emilio Rojas, that "it is costing us too much money." Timmerman, who later became second-in-command of the Chilean army, also was growing nervous. Timmerman ordered Rojas to keep his mouth shut about Berrios's whereabouts, the cultural attaché said later.

By November 1992, Berrios realized that his Chilean superiors might want him

silenced – as the safest and cheapest alternative to a long exile. He apparently overheard his captors discussing Pinochet's orders for them to eliminate the scientist.

## **A Disappearance**

So, on Nov. 15, 1992, Berrios climbed through the broken window of the white bungalow and fled to the precinct station at Parque del Plata. He begged the police to protect him, but the escape was cut short by the intervention of Uruguayan troops. Berrios disappeared.

Exactly what happened next remains a mystery. Senior Uruguayan officials only learned about the November 1992 police confrontation the next June from an anonymous caller.

The discovery of the abduction touched off a political crisis inside the Uruguayan government where the army still wielded great power. Uruguayan President Luis Alberto Lacalle was in Great Britain when the story broke. He immediately ducked out of a reception at the Uruguayan embassy in London and flew back to Montevideo.

There, Lacalle met with 14 of the 16 generals heading the armed forces. After four hours of tough negotiations and threats from 12 generals, Lacalle backed down to avoid a new military challenge to the civilian government. The president relented on his initial inclination to impose severe sanctions against the intelligence services. Lacalle did fire the police chief, Rivas, but agreed only to transfer the head of military intelligence, Mario Aguerrondo.

As for Berrios's fate, Col. Casella, who had supplied an apartment for hiding Berrios, reported that Berrios had gone to Brazil. The colonel assured the government that he had talked to Berrios by phone at the end of November 1992, weeks after his disappearance.

There were public doubts that Berrios was still alive. But another assurance about Berrios's well-being surfaced in Europe. The Uruguayan consulate in Milan received an anonymous letter supposedly signed by Berrios and a photo of him holding a recent issue of the Milan newspaper, *Il Messaggero*.

President Lacalle, seeking political peace with Uruguay's military, announced that "Berrios is not in Uruguay. He is somewhere else." That made the Berrios mystery "a Chilean matter" again, the Uruguayan president declared.

At the end of the crisis, Uruguay's foreign minister Sergio Abreu met with the Chilean ambassador and bluntly admitted that Lacalle had no choice but to "doblar el pescuezo" – "let it go." If President Lacalle pursued sanctions

against powerful figures in the military, the 12 generals had threatened another military coup, the foreign minister said. Chile's ambassador cabled that news back to Santiago, according to a cable that I later obtained.

For Uruguay, the Berrios case was closed – or so the authorities thought.

### **Grisly Discovery**

The Berrios case resurfaced, quite literally, in April 1995 when two fishermen found a man's decomposed body partially buried at a beach in El Pinar, another resort town about 25 kilometers from Montevideo. The body had broken bones suggesting torture, was wrapped in wire, and had two .45-calibre bullet holes in the back of the neck and head.

Forensic doctors used new research techniques to reconstruct the victim's face. The face looked remarkably like Berrios. DNA tests were ordered on the remains with comparisons made against genetic samples from Berrios's relatives. In early 1996, forensic specialists concluded, with near certainty, that the dead man was Berrios. They also placed the date of his death as the first half of March 1993, just four months after his abduction.

The findings contradicted the June 1993 photograph – which presumably had been composed using computer graphics to insert a current issue of the Italian newspaper into the photo. But the timing of Berrios's death added yet another side to the mystery.

In March 1993, Pinochet had made a personal visit to Uruguay accompanied by 12 bodyguards and with Col. Casella joining his entourage. In Uruguay, there were suspicions that Pinochet might have used the visit to confront Berrios one more time about his knowledge and then eliminate him.

But few observers in either Uruguay or Chile believe that those civilian governments were strong enough – or determined enough – to follow the Berrios case and others to clear answers. The nations of Operation Condor remained in the grip of the vulture's powerful claws.

**Samuel Blixen is a Uruguayan journalist and author of several books, *El Enjuague Uruguayo. Secreto bancario y tráfico de drogas; Bancotráfico. Diez años de política bancaria en democracia;* and *El Vientre del Cóndor. Del archivo del terror al caso Berríos.***

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# Amazon, the CIA and Assassinations

The entangling threads connecting technology, media and the surveillance state have snarled so completely that it's next to impossible to untie them, exemplified by Amazon, the Washington Post, and the CIA's pending assassination of a suspected American terrorist, as Norman Solomon explains.

By Norman Solomon

President Barack Obama is now considering whether to order the Central Intelligence Agency to kill a U.S. citizen in Pakistan. That's big news this week. But hidden in plain sight is the fact that Amazon would be an accessory to the assassination.

Amazon has a \$600 million contract with the CIA to provide the agency with "cloud" computing services. After final confirmation of the deal several months ago, Amazon declared: "We look forward to a successful relationship with the CIA."

The relationship means that Amazon – logoed with a smiley-face arrow from A to Z, selling products to millions of people every week – is responsible for keeping the CIA's secrets and aggregating data to help the agency do its work. Including drone strikes.

Drone attacks in Pakistan are "an entirely CIA operation," *New York Times* reporter Mark Mazzetti said Tuesday night in an [interview](#) on the PBS NewsHour. He added that "the Pakistani government will not allow the [U.S.] military to take over the mission because they want to still have the sort of veneer of secrecy that the CIA provides."

The sinister implications of Amazon's new CIA role have received scant public attention so far. As the largest Web retailer in the world, Amazon has built its business model on the secure accumulation and analysis of massive personal data. The firm's Amazon Web Services division gained the CIA contract amid fervent hopes that the collaboration will open up vast new vistas for the further melding of surveillance and warfare.

Notably, Amazon did not submit the low bid for the \$600 million contract. The firm won the deal after persuading the CIA of its superior technical capacities in digital realms. Amazon is now integral to the U.S. government's foreign policy of threatening and killing.

Any presidential decision to take the life of an American citizen is a subset of a much larger grave problem. Whatever the nationality of those who hear the

menacing buzz of a drone overhead, the hijacking of skies to threaten and kill those below is unconscionable. And, as presently implemented, unconstitutional.

On Feb. 11, the *Times* reported that the Obama administration “is debating whether to authorize a lethal strike against an American citizen living in Pakistan who some believe is actively plotting terrorist attacks.” In effect, at issue is whether the President should order a summary execution – an assassination – on his say-so.

The American way isn’t supposed to be that way. The “due process of law” required by the Fifth Amendment of the United States Constitution is not supposed to be whatever the President decides to do. (Obama, however, has compared a strike against a terrorist presenting an “imminent” threat to a SWAT team killing a sniper shooting down at a crowd.)

A free and independent press is crucial for confronting such dire trends. But structural factors of corporate power continue to undermine the potential of journalism. The *Washington Post* is a grim case in point. Six months ago, Jeff Bezos – the CEO and main stakeholder of Amazon – bought the *Post*. But the newspaper’s ongoing CIA-related coverage does not inform readers that the CIA’s big contract with Amazon is adding to the personal wealth of the *Post*’s sole owner.

This refusal to make such conflict-of-interest disclosures is much more than journalistic evasion for the sake of appearances. It’s a marker for more consolidation of corporate mega-media power with government power. The leverage from such convergence is becoming ever-less acknowledged or conspicuous as it becomes ever-more routine and dominant.

After e-mail correspondence with me about the non-disclosure issue in early January, the executive editor of the *Washington Post*, Martin Baron, declined to answer questions from media outlets on the subject. On Jan. 15 – when I delivered a RootsAction.org petition under the heading “*Washington Post*: Readers Deserve Full Disclosure in Coverage of CIA,” signed by 30,000 people, to the newspaper’s headquarters – Baron declined to meet with me or designate any employee to receive the petition. Clearly the *Post* management wants this issue to go away.

But, as I wrote to Baron last month, it’s all too convenient – and implausible – for the *Washington Post* to claim that there would be “no direct relevance of the [Amazon-CIA] cloud services contract to coverage of such matters as CIA involvement in rendition of prisoners to regimes for torture; or in targeting

for drone strikes; or in data aggregation for counterinsurgency.”

The surveillance state and the warfare state continue to converge.

The *Washington Post* does not want us to insist on journalistic disclosure.

Amazon does not want us to insist on moral accountability. President Obama does not want us to insist on basic constitutionality. It would be a shame to oblige any of them.

**Norman Solomon is co-founder of [RootsAction.org](http://RootsAction.org) and founding director of the Institute for Public Accuracy. His books include *War Made Easy: How Presidents and Pundits Keep Spinning Us to Death*. Information about the documentary based on the book is at [www.WarMadeEasyTheMovie.org](http://www.WarMadeEasyTheMovie.org).**

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## The Lost Legacy of Otis Pike

Former Rep. Otis Pike died Monday at the age of 92, stirring recollections of his courageous efforts in the 1970s to expose abuses committed by the CIA, a struggle that ultimately bogged down as defenders of state secrecy proved too strong, as ex-CIA analyst Melvin A. Goodman writes.

By Melvin A. Goodman

The death of Rep. Otis G. Pike, a nine-term New York congressman, is a sharp reminder that once upon a time this country had congressmen who were willing to conduct oversight of the secretive intelligence community, particularly the Central Intelligence Agency, and press for genuine reform.

In the wake of CIA abuses during the Vietnam War, including the pursuit of political assassination and illegal searches and seizures, Rep. Pike and Sen. Frank Church – both Democrats – established the Pike Committee and the Church Committee in order to create bipartisan congressional oversight of the intelligence community and to place the CIA under a tighter rein.

The Pike and Church committees were responsible for the creation of the Senate Select Committee on Intelligence (SSCI) in 1976 and the House Permanent Committee on Intelligence (HPSCI) in 1977. These committees took charge of congressional oversight of the intelligence community, which previously had been the responsibility of the Senate and House Armed Forces Committees, Foreign Relations Committees, and Appropriations Committees. Those committees had, in fact, been advocates for the intelligence community and had shown little interest in actual oversight. In 1980, the Carter administration created the

Intelligence Oversight Act that gave exclusive jurisdiction for oversight to the SSCI and the HPSCI.

Pike and Church deserve special praise for exposing the covert role of the CIA in trying to assassinate Third World leaders and pursuing regime change. There were assassination plots against Fidel Castro in Cuba, Patrice Lumumba in Congo, Jacobo Arbenz Guzman in Guatemala, and Ngo Dinh Diem in Vietnam. CIA efforts were particularly clumsy in the case of political assassination, and typically other groups carried out the assassinations before the CIA could get its act together.

Like the efforts to overthrow regimes in Chile and Iran, these covert actions worsened the domestic scene in all of these target countries and created major complications in relations with the United States. Some of these complications (for example, in Cuba and Iran) are still with us.

CIA actions in Congo were directly responsible for the emergence of the worst tyrant in the history of Africa, Sese Seku Mubutu. Guatemalans continue to suffer at the hands of Guatemalan security forces created with the help of the CIA. Strategic covert failures are abundant; strategic covert success is extremely rare.

The Pike Committee also recommended the creation of a statutory Inspector General for the intelligence community, but this proposal was considered too radical at the time. In the wake of the Iran-Contra disaster, the idea of a statutory IG was revived, but CIA Director William Webster was opposed because he believed that such an office would interfere with operational activities. Senate intelligence Committee Chairman David Boren, D-Oklahoma, also was opposed because he thought the office of an IG would be a rival to his committee. Fortunately, two key members of the intelligence committee, John Glenn, D-Ohio, and Arlen Specter, R-Pennsylvania, believed that a statutory IG was essential, and Boren had to give in.

The CIA's Office of the IG operated effectively until recently, when the Obama administration inexplicably moved to weaken the IGs throughout the intelligence community, particularly in the CIA. The current chairman of the congressional intelligence committees, Sen. Dianne Feinstein, D-California, and Rep. Mike Rogers, R-Michigan, apparently do not understand the importance of a fully engaged IG to their own efforts to conduct genuine oversight.

The Pike Committee understood that CIA's role in the FBI's counterintelligence programs (COINTELPRO) was particularly intolerable in a democratic society, and that the political operations conducted by the CIA were in violation of its charter, which prohibited the Agency from conducting domestic operations.



The programs that CIA Director Richard Helms had denied not only existed, but they were extensive and illegal. President Gerald Ford's senior advisers, Dick Cheney and Donald Rumsfeld, encouraged the President to established the Rockefeller Commission to examine the CIA in an attempt to derail both the Church and Pike Commissions and thus obfuscate many of the efforts to disrupt the lawful activities of Americans advocating social change from 1956 to 1971.

Unfortunately, little of the Pike Committee's work in these areas was known to the public because most of its hearings were closed and its final report was ultimately suppressed. Today, the NSA is conducting domestic surveillance in violation of its charter with no serious response from the chairmen of the intelligence committees.

Rep. Pike made a special effort to give the Government Accountability Office the authority to investigate and audit the intelligence community, particularly the CIA. But the GAO needs authorization from Congress to begin an investigation, and the oversight committees have been particularly quiet about genuine oversight since the intelligence failures that accompanied the 9/11 terrorist attacks. Rep. Pike and Sen. Church were junkyard dogs when it came to conducting oversight; the current chairmen are advocates for the intelligence community and lapdogs when it comes to monitoring the CIA.

The sad lesson in all of these matters, particularly the work of the Pike Committee, was that Congress tried to conduct serious reform in the wake of abuses during the Vietnam War as it did in the wake of the Iran-Contra scandal, but its legacy has been lost.

Today there is no real effort to monitor, let alone reform, the CIA and the NSA in the wake of abuses that include torture, secret prisons, extraordinary renditions, and massive surveillance. A senior CIA operative, Jose Rodriguez, destroyed the torture tapes with impunity and has been allowed to write a book that argues there was no torture and abuse. That is exactly the reason why we need whistleblowers as well as courageous congressmen such as Rep. Otis Pike.

**Melvin A. Goodman is a senior fellow at the Center for International Policy and adjunct professor of government at Johns Hopkins University. His most recent book is *National Insecurity: The Cost of American Militarism* (City Lights Publishers, 2013) and he is currently completing a book *The Path To Dissent: A Story of a CIA Whistleblower* (City Lights Publishers, 2014). [This story originally appeared at Counterpunch and is reprinted with the author's permission.]**

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# Making 'Lethal Drones' Routine

Seeking consistent standards for using lethal drones, the Obama administration is drafting a manual to govern when such attacks can be unleashed. But the secret guidelines carry other risks, including the acceptance of assassination as a routine part of U.S. foreign policy, says ex-CIA analyst Paul R. Pillar.

By Paul R. Pillar

In one sense the Obama administration's reported creation of a "playbook" establishing rules for killing alleged terrorists helps to meet calls from outside commentators, this one included, to clarify the criteria that are being applied to such assassinations.

Writing this kind of manual, however, has another side. It represents the institutionalization of worldwide assassinations as a regular, ongoing business of the United States government. As such it raises larger questions, which the playbook might not address at all, of how an assassination program does or does not conform with the pursuit of U.S. national interests.



Institutionalization of anything entails a bias toward its indefinite continuation, and maybe even its expansion. This tendency has often been discussed regarding other government programs, sometimes with a tie-in to what is outside government.

The military-industrial complex about which Eisenhower warned, for example, represents a bias toward big defense expenditures and military operations to justify such expenditures. Likewise, it has often been remarked that creation of a bureaucracy to run domestic program X immediately creates a vested interest in favor of continuing and even expanding program X. Why should such tendencies not be just as likely to appear with an assassination program?

The *Washington Post's* story about the manual leads with the news not only that

the manual is near completion but also that it will not be applied for a year or two to drone strikes in Pakistan. Thus what is considered short-term and exceptional is limited to what is going on now in Pakistan.

By implication and contrast, all of the other worldwide assassinations constitute something regular and long-term, and, so far as we know, limitless in both duration and geographic scope.

Lest we forget, it was not all that long ago that Americans and their presidents considered assassinations sufficiently contrary to American values that we should rule them out, as Gerald Ford, Jimmy Carter and Ronald Reagan all did by executive order.

What has changed since then to erase this determination? Oh, there's 9/11 of course, although the unraveling of the prohibition on assassinations actually began (with Osama bin Laden in particular in mind) a few years before 9/11. And even if it were all about 9/11, why should the fact that one bunch of terrorists hit a high-casualty jackpot be a reason for us to change our thinking on this subject in such an apparently fundamental way?

Regarding morality, since this was originally a matter of consistency with American values, have our values really changed that much? Regarding legality, is there no limit to which that one resolution authorizing force that Congress passed in the emotional week after 9/11 be stretched in terms of either duration or geographic scope?

It is also interesting that this soon-to-be-completed document is referred to as a "playbook." In football, a playbook is a very tactical manual that organizes the quick thinking that coaches and players have to do on each play. If you see the opponent lining up a certain way, you can draw on the playbook for a play that has a chance to work well over the next 30 seconds.

But the playbook doesn't provide any help in bigger decisions with larger and longer term consequences, such as whether to leave your injured star quarterback in the game. Similarly, having a playbook on assassinations sounds like it is apt to be a useful guide for making the quick decision whether to pull the trigger on a Hellfire missile when a suspected terrorist is in the sights of a drone.

But it probably will not, as far as we know, be of any help in weighing larger important issues such as whether such a killing is likely to generate more future anti-U.S. terrorism because of the anger over collateral casualties than it will prevent by taking a bad guy out of commission.

By routinizing and institutionalizing a case-by-case set of criteria, there is

even the hazard that officials will devote less deliberation than they otherwise would have to such larger considerations because they have the comfort and reassurance of following a manual.

Criticism about the standards for conducting the drone strikes has been not just about having clear criteria, but having criteria that are known to someone other than those in the executive branch who are carrying out the assassination program.

Sen. Ron Wyden, D-Oregon, to his credit, has led the complaining about this subject. In a recent letter to White House counterterrorism adviser (and CIA Director-nominee) John Brennan, Wyden noted that the legal justifications involved are still inaccessible not only to the public but even to the congressional intelligence committees.

So we have the worst of two different directions that administration of the assassination program could go. On one hand there is an institutionalization of the program that threatens to make it as firmly entrenched a function of the U.S. government as Social Security.

On the other hand is a continued opacity that precludes the kind of informed and meaningful debate that, because American values are involved, would be necessary to determine whether indefinite continuation of the program is something the United States really ought to do.

**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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## The Slippery Slope of Assassinations

With the assassination of Anwar al-Awlaki, a U.S. citizen and al-Qaeda associate based in Yemen, the Obama administration has stepped onto a slippery slope where loosening standards for extrajudicial killings could slide into a terrifying use of government power, the Independent Institute's Ivan Eland writes.

By Ivan Eland

The execution of a potentially innocent Troy Davis last month justifiably horrified many in the United States and around the world. Most of the non-police

eyewitnesses had recanted or contradicted their testimony that he killed an off-duty police officer; they alleged that they had been pressured or coerced by the police to implicate Davis.

The case has led to important questions about whether the state should or is competent to kill its own citizens, no matter what heinous crime they are accused of committing. Yet at least Troy Davis got due process (however flawed), as the Fifth Amendment to the Constitution requires, before being executed.

In contrast, there has been no similar outrage that Anwar al-Awlaki, also a U.S. citizen, has been put on a U.S. government assassination list with no due process.

That's because the word "terrorist" has been applied to al-Awlaki, meaning that hysteria reigns at the expense of any constitutional due process. The Fifth Amendment guarantees that a person (you don't even have to be a U.S. citizen to get this protection) cannot be "deprived of life, liberty, or property, without due process of law."

Of course, the proponents of a "war on terror" argue that in wars, the government doesn't try every enemy soldier in a court of law before it attempts to kill them. However, since no war has been declared, even against the perpetrators of 9/11, that excuse shouldn't apply.

"War on terror" advocates will then argue that that is only a technicality, because Congress did pass a resolution authorizing military action against the perpetrators of the 9/11 attacks and those who harbored them.

But although al-Awlaki may be part of the group al-Qaeda in the Arab Peninsula (a franchise of the main al-Qaeda group), has publicly called for the killing of Americans, and may even be linked to certain specific terrorist attacks in the United States, it has not been alleged by Obama administration officials that he planned, authorized, committed, or in any way assisted the 9/11 attacks or harbored those who perpetrated them.

Thus, killing him is not authorized by the congressional resolution.

His case merely highlights the fact that the administration has secret criteria for putting people, including U.S. citizens, on a hit list. Thus, al-Awlaki wouldn't even have to be informed of how he ran afoul of the U.S. government before he gets whacked.

But why should Americans care about the rights of some guy who hates America and may even be a terrorist? Because if an American president can just declare anyone anywhere, including U.S. citizens, a danger to national security and kill

him without any due process or oversight from the other branches of government, the rights of all Americans (and other persons) are in danger.

Even the District Court judge who dismissed a suit by Anwar's father, Nasser al-Awlaki, who tried to argue against the Obama administration's unconstrained authority to kill any American without due process, wondered why the administration required a judge's warrant to target a U.S. citizen overseas using electronic surveillance but not to target that same citizen for death.

The judge dismissed the suit because he said the courts weren't competent to make decisions concerning the "composition, training, equipping, and control of a military force" and that such issues should be left to the branches of government that are periodically subject to electoral accountability.

Perhaps so, but that is not the issue. The issue is whether Congress approved of a war against al-Qaeda in the Arabian Peninsula or al-Awlaki. It has not. Therefore, al-Awlaki should be treated as an alleged criminal and be given due process rights under the Constitution.

The courts clearly have a right to comment on this issue. They should prohibit the administration from having a secret kill list and require it to bring suspected terrorists to trial.

Although the death penalty at home is probably constitutional (the Fifth Amendment does speak of "capital" crimes), the fact that since the mid-1970s, 138 death row inmates were later exonerated does raise important questions about the government's ability to competently and justly impose the ultimate sanction.

Given the government's spotty record at identifying murderers, can we be confident that our president can competently identify terrorists and kill them, all the while in violation of the constitutional requirements of due process and checks and balances by other branches of government?

Since many of the prisoners at Guantanamo weren't guilty of any crime, let alone terrorism, the answer to the last question is a resounding "no." Thus, letting the president identify terrorists, using secret criteria, and whack them is dangerous to the Republic.

**Ivan Eland is Director of the Center on Peace & Liberty at The Independent Institute. Dr. Eland has spent 15 years working for Congress on national security issues, including stints as an investigator for the House Foreign Affairs Committee and Principal Defense Analyst at the Congressional Budget Office. His books include The Empire Has No Clothes: U.S. Foreign Policy Exposed, and Putting "Defense" Back into U.S. Defense Policy.**

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