

Harvard's Cowardice on Chelsea Manning

Exclusive: In an abject display of intellectual cowardice, Harvard's Kennedy School withdrew a fellowship from Chelsea Manning after hearing protests from accomplices in the war crimes she exposed, reports Robert Parry.

By Robert Parry

Harvard University's John F. Kennedy School of Government has shown that it is no profile in courage by withdrawing a visiting fellowship that had been awarded to Chelsea Manning, who served seven years in prison for revealing U.S. war crimes committed in Iraq and Afghanistan.

The Kennedy School caved in to pressure from people who shared in responsibility for those and other crimes, including former CIA Deputy Director Michael Morell, who resigned his own fellowship in protest and denounced Manning as "a convicted felon and leaker of classified information."

Of course, it is also true that Martin Luther King Jr. was jailed for criminal violations pertaining to his protests against "legal" injustices – as was South Africa's Nelson Mandela. Manning represented perhaps America's quintessential prisoner of conscience of this decade, someone who was severely punished for exposing wrongdoing.

After serving in Iraq as an Army intelligence analyst and witnessing the often-cavalier attitude toward killing Afghans and Iraqis, Manning decided to release thousands of classified documents, including what WikiLeaks labeled the "[Collateral Murder](#)" video of a U.S. helicopter gunship mowing down Iraqis and two Reuters journalists on a Baghdad street. Manning's decision was an act of moral courage at a time when American Officialdom was violating a host of international laws with impunity.

Indeed, what was almost as troubling as the war crimes themselves was that virtually no one from the presidencies of George W. Bush and Barack Obama was punished for their criminal actions, especially for committing what the Nuremberg Tribunals deemed the "supreme international crime," the crime of "aggressive war."

Bush was allowed to retire to a quiet life as an artist; many of his senior national security officials have gone on to comfy jobs in the corporate and academic worlds; and Obama has already begun to hit the lucrative lecture circuit. But Manning served seven hard years in prison and has now been further humiliated by Harvard's cowardice.

In the explanation of the hasty late-night decision to withdraw Manning's fellowship, the school's dean Douglas Elmendorf wrote, "I see more clearly now that many people view a visiting fellow title as an honorific, so we should weigh that consideration when offering invitations."

Dubious Honorees

So, it's fine to honor the likes of Michael Morell (or for that matter other luminaries such as former Fox News host Bill O'Reilly, the current MSNBC duo of Joe Scarborough and Mika Brzezinski, and President Trump's laughingstock express secretary Sean Spicer) but not a person who demonstrated true moral courage and suffered greatly to expose grave crimes of state.

By the way, Morell was regarded by many of his ex-CIA compatriots as a classic example of a bureaucratic climber with no moral balance.

Former CIA analyst Ray McGovern wrote in 2011 that "Like many senior CIA officials in recent years, Morell's record is checkered, at best. He held key jobs in intelligence analysis over the past decade as the CIA often served as a handmaiden to the war propagandists.

"As for Michael Morell, as with many other successful CIA careerists, his strongest suit seemed to be pleasing his boss and not antagonizing the White House. ... Forgive me if my thinking about loyalty to the facts seems 'obsolete' or 'quaint' or if it seems unfair to expect CIA analysts to put their careers on the line when politicians and ideologues are misleading the nation to war but those were the principles that analysts of my generation tried to uphold."

And, last year after leaving government, Morell put on a display of tough-guy-ism that presumably was meant to win him his coveted job of CIA director under the expected presidency of Hillary Clinton.

On the Charlie Rose show, Morell continued his disdain for international law by calling for the murder of Iranians and Russians inside Syria.

In an interview on Aug. 8, 2016, Morell said he wanted to "make the Iranians pay a price in Syria. ... make the Russians pay a price in Syria."

Rose: "We make them pay the price by killing Russians?"

Morell: "Yeah."

Rose: "And killing Iranians?"

Morell: "Yes ... You don't tell the world about it. ... But you make sure they know it in Moscow and Tehran."

Morell also advocated U.S. military bombing of Syrian government targets as part of achieving “regime change” in Syria.

The fact that everything that Morell was proposing violated international law didn't seem to faze Harvard's Kennedy School of Government. The idea of killing Russians and Iranians inside Syria could be construed as terrorism but even that doesn't raise eyebrows these days, although if some senior Russian or Iranian went on TV to propose killing Americans in, say, Iraq or Afghanistan, to send Washington a message, that would surely draw righteous condemnation.

The notion that the United States has the right to attack the sovereign nation of Syria with the goal of overthrowing its government has been at the heart of the kinds of war crimes that Chelsea Manning helped expose.

Morell, however, appears to have simply inculcated the lawless attitude that prevailed in both the Bush and Obama administrations, in which the U.S. government was a law unto itself, deciding when and where its forces would bomb and kill.

By “honoring” the likes of Morell and “dishonoring” the likes of Manning, Harvard's Kennedy School has sent a clear message regarding how it sees the role of the U.S. government in the world. The school is signaling that it embraces the moral hypocrisy at the core of this attitude and is demonstrating that it can be trusted to train future U.S. government leaders in how to operate outside the norms of civilized behavior.

[For more on Manning's contributions to civilization, see Consortiumnews.com's [“Did Manning Help Avert War in Iran?”](#)]

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

The Trump/Obama ‘Leak War’

“Leaks” can be whistleblowers exposing government wrongdoing, but many actually are government agencies manipulating the public or punishing enemies, as is playing out in today's Trump/Obama “leak war,” says Rick Sterling.

By Rick Sterling

“Hacking” and “leaking” can be either good or bad depending on the motives behind the disclosures and your political perspective. Generally speaking, democracy benefits from transparency and from having a more fully informed citizenry.

But “leaks” can also be used to punish dissidents or to enflame public passions in favor of war or against some vulnerable minority group. Indeed, “leaks” can paradoxically be used to advance cover-ups by punishing people who tried to expose the truth.

An example of that sort of “leak” occurred during George W. Bush’s presidency when his subordinates “leaked” derogatory information about former U.S. Ambassador Joe Wilson, who had offended the White House by exposing a key falsehood used to justify the Iraq War, that Iraq had been seeking yellowcake uranium from Niger.

To discredit and punish Wilson, Bush’s aides disclosed through “leaks” that Wilson’s wife, Valerie Plame, was a CIA officer as a way to suggest that Wilson’s investigation was a junket, not a serious inquiry.

In other words, to discredit an attempt to honestly inform the American people about a false pretext for war, the Bush administration released classified information that was intended to undercut Wilson’s reputation and which destroyed his wife’s CIA career. The so-called Plamegate Affair sent a warning to other government officials who might be inclined to challenge the case for war in Iraq that – if you dare do so – you will pay a price. That “leak” was really part of a cover-up.

Still, as commonly understood, public-spirited “leaks” seek to expose the lies and the propaganda that are often used to justify war. Perhaps the most famous “leak” occurred during the Vietnam War when former senior Pentagon official Daniel Ellsberg photocopied a top secret historical analysis known as the Pentagon Papers and, in 1971, began distributing copies to major news organizations.

Thus, Ellsberg exposed decades of lies that the U.S. government had used to pull the American people into the conflict. The Pentagon Papers led more Americans to oppose the war and hastened its end although President Nixon and other war supporters denounced Ellsberg as a traitor and unsuccessfully sought to prosecute him.

Some “leaks” have been even more controversial. In 1975, former CIA agent Philip Agee published *Inside the Company: CIA Diary* that exposed covert CIA operations in Latin America. Patrick Breslin of the Washington Post described the book this

way: "Agee has provided the most complete description yet of what the CIA does abroad. In entry after numbing entry, U.S. foreign policy in Latin America is pictured as a web of deceit, hypocrisy and corruption."

Agee identified corrupt politicians plus American and foreign CIA operatives throughout Latin America, thus reducing the CIA's powers to manipulate America's neighbors to the south.

In 1984, John Stockwell, former CIA director of the Angola Task Force, published *In Search of Enemies*, documenting how the CIA trained, armed and otherwise funded a "rebel" group to wage war in Angola ultimately leading to hundreds of thousands of deaths. Stockwell described how the CIA spread disinformation as part of an "information war."

For example, when Cuban soldiers came to assist the Angolans against a South African invasion, Stockwell's team invented a false report that Cuban soldiers were raping Angolan women. Stockwell described how the false story was planted in a small foreign newspaper before being republished all over the West. By detailing that sort of dirty trick, Stockwell's exposé made it more difficult for the CIA to run such "black propaganda" for a while.

Manning's Disclosures

In 2010, Pvt. Chelsea (then Bradley) Manning leaked files revealing war crimes and government deceptions related to the wars in Afghanistan and Iraq. Manning copied war logs, including videos, and passed the files to WikiLeaks. One of the videos, entitled "Collateral Murder," showed U.S. soldiers in an Apache helicopter attacking and killing two Reuters journalists along with other civilians on the streets of Baghdad. Other of Manning's "leaked" documents revealed manipulations and schemes carried out by the U.S. State Department around the world.

For his selfless efforts, Manning was convicted in a court martial and imprisoned. (Manning is scheduled for release in May.) No known punishments were meted out to the soldiers and other U.S. officials whose misconduct was exposed.

Former National Security Agency contractor Edward Snowden is perhaps the best known modern "leaker." He copied files from the NSA computer system onto flash drives and then made the information public through the news media. The files confirmed that NSA was spying on foreign leaders including allies such as German Chancellor Angela Merkel and belied claims from Obama administration officials that the NSA was not collecting bulk data about Americans.

Instead, Snowden's "leak" revealed that the NSA was collecting data on the computer and phone communications of nearly all American citizens in violation

of the U.S. Constitution and exposed Director of National Intelligence James Clapper's lie to Congress denying the bulk collection. For Snowden's public service, he was indicted by the Obama administration and ended up stranded in Russia which granted him political asylum.

By and large, the Ellsberg, Agee, Stockwell, Manning and Snowden "leaks" were praised by liberals and progressives because the revelations lifted curtains of lies and deceptions that had prevented the American people from understanding what a secretive government was doing in their names. While some libertarian conservatives also hailed this challenge to government secrecy, many other conservatives denounced these "leaks" as endangering "national security."

The 'Leaks' of Election 2016

But the "leaks" (or "hacks") that are now center stage in U.S. politics are more complicated because they have been caught up in the politics surrounding Donald Trump's election which many liberals and progressives abhor. Also the ongoing hysteria over Russia's alleged "meddling" in the U.S. election has further muddied the waters.

The key "leaks" during Campaign 2016 occurred when WikiLeaks published two batches of emails – one from the Democratic National Committee and one from Hillary Clinton's campaign chairman John Podesta. The DNC "leak" revealed that the DNC abused its powers by favoring Clinton over Sen. Bernie Sanders during the primaries. The Podesta "leak" exposed the contents of paid speeches that Clinton had given to Wall Street banks (but wanted to hide from the voters) and revealed pay-to-play features of the Clinton Foundation.

These "leaks" caused some embarrassment for the Clinton campaign but had only a marginal impact as the election seemed to be turning on disclosures about Donald Trump's crude remarks in which he boasted of grabbing women's genitals – comments that were caught on a "hot mic" and made public.

But then the campaign turned again when FBI Director James Comey briefly reopened the investigation into Clinton's use of an unsecure private server for her emails when she was Secretary of State. After losing the close election to Trump on Nov. 8, Clinton blamed Comey's decision for her defeat.

However, in the four-plus months since the election, claims by President Obama's outgoing intelligence chiefs – "assessing" that the DNC/Podesta "hacks" were carried out by Russian intelligence to tip the election to Trump – have sparked a political firestorm.

Though WikiLeaks has denied receiving the two batches of emails from Russians – instead suggesting that they came from two different American insiders – the

intelligence assessments have been embraced by Democratic Party leaders, influential neoconservatives and many “never-Trump” activists as grounds for blocking Trump’s planned détente with Russia and possibly even justifying his impeachment.

So, the political backlash against those “leaks” have become instrumental in escalating the New Cold War with Russia and further explaining away Clinton’s defeat.

But there is another concern about the “leaks” that have been used to counter the DNC-Podesta “leaks.” Many of these later “leaks” appear to be coming from U.S. intelligence agencies with the goal of thwarting President Trump’s foreign policy.

For instance, a Dec. 29 phone call between incoming National Security Adviser Michael Flynn (who was on vacation in the Dominican Republic at the time) and Russian Ambassador Sergey Kislyak (based in Washington) was revealed although not its precise contents.

Though there is nothing wrong or unusual about incoming officials talking with foreign emissaries during a presidential transition, Obama holdovers in the Justice Department cited the archaic and never-prosecuted Logan Act of 1799 (barring private citizens from conducting foreign policy) to justify Flynn’s interrogation by FBI agents who had access to the NSA transcript and thus caught Flynn on his failure to recall some details of the conversation.

Vice President Mike Pence’s anger over Flynn’s similar failure to provide him a full and accurate account of the call then led a panicked President Trump to fire his National Security Adviser and thus remove a key advocate for reduced tensions with Russia.

After Flynn’s firing, a concern among some anti-war progressives was that the back story of the Flynn case was an attempt by U.S. intelligence agencies to sabotage a possible détente with Russia.

Former Rep. Dennis Kucinich, D-Ohio, commented: “General Flynn has admitted misleading the Vice President but I think we need to look at this a little bit deeper. A phone call from the incoming national security director was intercepted and the contents given to the media ... at the core of this is an effort by some in the intelligence community to upend a positive relationship between the U.S. and Russia... There are people trying to separate the U.S. and Russia so that the military industrial and intelligence axis can cash in... The American people need to know that there’s a game going on inside the intelligence community there are those who ...want to reignite the cold war.

That's what's at the bottom of all this ...Wake Up America!"

However, for many liberals and progressives, Trump's policies on education, health care, environmental protection, immigration and law enforcement are horrible. Some on the Left are so alarmed by these policies that they are willing to ally themselves with neoconservatives and the national-security state to somehow "stop Trump."

The "bash Russia" club is considered a handy way of doing that. But that means siding with war hawks who are determined to derail Trump's campaign pledges to work with Russia in combatting terrorism and his potential cooperation with President Putin on resolving international conflicts in Syria, Ukraine, Libya and elsewhere.

Such prospects for peace are anathema to neoconservatives and elements of the intelligence community which are fighting back with their own campaign of "leaks." But – for Americans who are tired of "perpetual war" – these "leaks" are not for the public good.

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The Injustices of Manning's Ordeal

Exclusive: For exposing war crimes in Iraq and Afghanistan, Pvt. Chelsea Manning suffered nearly seven years in prison, an ordeal President Obama finally is ending but without acting on the crimes she revealed, says Marjorie Cohn.

By Marjorie Cohn

After overseeing the aggressive prosecution and near-seven-year incarceration of Army whistleblower Chelsea Manning, President Obama – in one of his last acts in office – commuted all but four months of her remaining sentence but ignored the fact that he had taken no action on the war crimes that Manning revealed.

At his final news conference, Obama explained his reasons for commuting Manning's record-setting 35-year sentence for leaking classified information to the public. Manning is scheduled to be released on May 17.

"Chelsea Manning has served a tough prison sentence," Obama said. "It has been my view that given she went to trial; that due process was carried out; that she took responsibility for her crime; that the sentence that she received was very

disproportionate relative to what other leakers had received; and that she had served a significant amount of time; that it made sense to commute and not pardon her sentence. ... I feel very comfortable that justice has been served.”

But there has been no justice for the Iraqis and Afghans whose unjustified deaths and mistreatment were exposed by the then-22-year-old Army private, known at the time as Bradley Manning. An Army intelligence analyst in Iraq, Manning sent hundreds of thousands of classified files, documents and videos, including the “Collateral Murder” video, the “Iraq War Logs,” the “Afghan War Logs” and State Department cables, to WikiLeaks. Many of the items that she transmitted contained evidence of war crimes.

In an online chat attributed to Manning, she wrote, “If you had free reign over classified networks... and you saw incredible things, awful things... things that belonged in the public domain, and not on some server stored in a dark room in Washington DC... what would you do?”

Manning went on to say, “God knows what happens now. Hopefully worldwide discussion, debates, and reforms... I want people to see the truth... because without information, you cannot make informed decisions as a public.”

Callous Killings

The Collateral Murder video depicts a U.S. Apache attack helicopter killing 12 people, including two Reuters journalists, and a passerby who stopped his van to rescue the wounded. Also wounded were two children in the van. Finally, a U.S. tank drove over one of the bodies, cutting the man in half. These acts constitute three separate war crimes under the Geneva Conventions and the U.S. Army Field Manual.

Manning fulfilled her legal duty to report war crimes. She complied with her duty to obey lawful orders but also her duty to disobey unlawful orders. Enshrined in the U.S. Army Subject Schedule No. 27-1 is “the obligation to report all violations of the law of war.”

Manning went to her chain of command and asked them to investigate the Collateral Murder video and other “war porn,” but her superiors refused. “I was disturbed by the response to injured children,” Manning stated. She was also bothered by the soldiers depicted in the video who “seemed to not value human life by referring to [their targets] as ‘dead bastards.’”

The Uniform Code of Military Justice sets forth the duty of a service member to obey lawful orders. But that duty includes the concomitant duty to disobey unlawful orders. An order not to reveal evidence of war crimes would be an unlawful order. Manning had a legal duty to expose the commission of war crimes.

Manning's revelations actually saved lives. After WikiLeaks published her documentation of Iraqi torture centers established by the United States, the Iraqi government refused Obama's request to extend immunity to U.S. soldiers who commit criminal and civil offenses there. As a result, Obama had to withdraw U.S. troops from Iraq.

Although Manning pled guilty to 10 offenses that carried 20 years in prison, military prosecutors insisted on pursuing charges of aiding the enemy and violation of the Espionage Act, that carry life in prison. Manning was not allowed to present evidence that she had been acting in the public interest.

When she entered her plea, Manning stated, "I believed if the public, particularly the American public, could see this it could spark a debate on the military and our foreign policy in general as it applied to Iraq and Afghanistan." She added, "It might cause society to reconsider the need to engage in counter terrorism while ignoring the situation of the people we engaged with every day."

Col. Denise Lind, the presiding judge, found Manning not guilty of the most serious charge – aiding the enemy – because the evidence failed to establish that Manning knew information she provided to WikiLeaks would reach Al Qaeda. A conviction of aiding the enemy would have sent a chilling message to the media and to whistleblowers that leaked classified information could lead to sentences of life in prison. That would deprive the public of crucial information.

Although that draconian possibility was averted, Manning still was convicted of 20 crimes, including Espionage Act offenses, itself an ominous warning that could deter future whistleblowers from exposing government wrongdoing. Traditionally, the act has been used only against spies and traitors, not whistleblowers. Yet Obama used the Espionage Act to prosecute more whistleblowers than all prior administrations combined.

Judge Lind, who sentenced Manning to 35 years in prison, reduced her sentence by 112 days because of the mistreatment she suffered in custody.

Harsh Treatment

For the first 11 months, Manning was held in solitary confinement and subjected to humiliating forced nudity during inspection. In fact, Juan Mendez, United Nations Special Rapporteur on Torture, characterized her treatment as cruel, inhuman and degrading. He said, "I conclude that the 11 months under conditions of solitary confinement (regardless of the name given to [her] regime by the prison authorities) constitutes at a minimum cruel, inhuman and degrading treatment in violation of article 16 of the Convention against Torture. If the

effects in regards to pain and suffering inflicted on Manning were more severe, they could constitute torture.”

Mendez could not conclusively say Manning’s treatment amounted to torture because he was denied permission to visit her under acceptable circumstances. Mendez also concluded that, “imposing seriously punitive conditions of detention on someone who has not been found guilty of any crime is a violation of [her] right to physical and psychological integrity as well as of [her] presumption of innocence.”

Manning, who began her gender transition following her sentencing, has been denied critical and appropriate treatment related to her gender identity at various points during her imprisonment. Her long sentence and harsh incarceration also drew protests from other human rights advocates.

“Chelsea Manning exposed serious abuses, and as a result her own human rights have been violated by the U.S. government for years,” said Margaret Huang, executive director of Amnesty International USA. “President Obama was right to commute her sentence, but it is long overdue. It is unconscionable that she languished in prison for years while those allegedly implicated by the information she revealed still haven’t been brought to justice.”

“Instead of punishing the messenger, the U.S. government can send a strong signal to the world that it is serious about investigating the human rights violations exposed by the leaks and bringing all those suspected of criminal responsible to justice in fair trials,” said Erika Guevara-Rosas, Americas Director at Amnesty International.

The commutation was the culmination of efforts by the Chelsea Manning Support Network, her legal team, and hundreds of thousands of people who signed petitions demanding her release.

Indeed, Kathleen Gilberd, executive director of the Military Law Task Force of the National Lawyers Guild, stated, “While Chelsea’s freedom is long-overdue, we are gratified that she has been afforded some measure of delayed justice. There is no doubt that the tremendous outpouring of public support and organizing for commuting the sentence contributed to this outcome. Still,” she added, “we remain critical of a government that seems more intent on prosecuting those who expose war crimes than those who commit them.”

(An earlier version of this story incorrectly put Manning’s scheduled release at March 17, instead of May 17.)

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Did Manning Help Avert War in Iran?

From the Archive: Though President Obama commuted Chelsea Manning's prison sentence, he showed no appreciation for her brave disclosures, including one that undercut war plans with Iran, Robert Parry reported in 2013.

By Robert Parry (Originally published on Aug. 19, 2013)

From U.S. embassy cables leaked by Pvt. Bradley Manning, you can easily imagine how the propaganda game might have played out, how Americans could have been panicked into supporting another unnecessary war in the Middle East, this time against Iran. Except that Manning's release of the documents spoiled the trick.

The gambit might have gone this way: One morning, a story would have led the front page of, say, the Washington Post citing how the widely respected International Atomic Energy Agency and its honest-broker Director-General Yukiya Amano had found startling "evidence" that Iran was nearing a nuclear bomb despite a longstanding U.S. intelligence estimate to the contrary and despite Iranian denials.

Next, the neocon-dominated opinion pages would ridicule anyone who still doubted these "facts." After all, these articles would say, "even" the IAEA, which had challenged President George W. Bush's claims about Iraq in 2002, and "even" Amano, who had initially believed Iran's denials, were now convinced.

Neocon think tanks would rush to join the chorus of alarm, dispatching WMD "experts" to TV talk shows bracing the American people on the need for military action. From Fox News to CNN to MSNBC, there would be a drumbeat about Iran's perfidy. Then, as hawkish Republicans and Democrats ratcheted up their rhetoric – and as Israeli leaders chortled "we told you so" – the war-with-Iran bandwagon might have begun rolling with such velocity that it would be unstoppable.

Perhaps, only years later after grave human costs and severe economic repercussions would the American people learn the truth: that the IAEA under Amano wasn't the objective source that they had been led to believe, that Amano was something of a U.S.-Israeli puppet who had feigned a pro-Iranian position

early on to burnish his credentials for pushing an anti-Iranian line subsequently, that after he was installed, he had even solicited U.S. officials for money and had held secret meetings with Israelis (to coordinate opposition to Iran's nuclear program while maintaining a polite silence about Israel's rogue nuclear arsenal).

However, because of the actions of Bradley Manning, the rug was pulled out from under this possible ruse. The U.S. embassy cables revealing the truth about Amano were published by the U.K. Guardian in 2011 (although ignored by The New York Times, The Washington Post and other mainstream U.S. news outlets). The cables also drew attention from Web sites, such as Consortiumnews.com.

So, the gambit could not work. If it had been tried, enough people would have known the truth. They wouldn't be fooled again and they would have alerted their fellow citizens. Bradley Manning had armed them with the facts.

And this scenario, while admittedly hypothetical, is not at all far-fetched. When the cables were leaked about a year after Amano's appointment, his IAEA was busy feeding the hysteria over Iran's nuclear program with reports trumpeted by think tanks, such as the Institute for Science and International Security, and by The Washington Post and other U.S. news media.

Revealing Cables

According to those leaked U.S. embassy cables from Vienna, Austria, the site of IAEA's headquarters, American diplomats in 2009 were cheering the prospect that Amano would advance U.S. interests in ways that outgoing IAEA Director General Mohamed ElBaradei wouldn't; Amano credited his election to U.S. government support; Amano signaled he would side with the United States in its confrontation with Iran; and he stuck out his hand for more U.S. money.

In a July 9, 2009, cable, American chargé Geoffrey Pyatt said Amano was thankful for U.S. support of his election. "Amano attributed his election to support from the U.S., Australia and France, and cited U.S. intervention with Argentina as particularly decisive," the cable said.

The appreciative Amano informed Pyatt that as IAEA director general, he would take a different "approach on Iran from that of ElBaradei" and he "saw his primary role as implementing safeguards and UNSC [United Nations Security Council] Board resolutions," i.e. U.S.-driven sanctions and demands against Iran.

Amano also discussed how to restructure the senior ranks of the IAEA, including elimination of one top official and the retention of another. "We wholly agree with Amano's assessment of these two advisors and see these decisions as

positive first signs," Pyatt commented.

In return, Pyatt made clear that Amano could expect strong U.S. financial support, stating that "the United States would do everything possible to support his successful tenure as Director General and, to that end, anticipated that continued U.S. voluntary contributions to the IAEA would be forthcoming. Amano offered that a 'reasonable increase' in the regular budget would be helpful."

Pyatt learned, too, that Amano had consulted with Israeli Ambassador Israel Michaeli "immediately after his appointment" and that Michaeli "was fully confident of the priority Amano accords verification issues." Michaeli added that he discounted some of Amano's public remarks about there being "no evidence of Iran pursuing a nuclear weapons capability" as just words that Amano felt he had to say "to persuade those who did not support him about his 'impartiality.'"

In private, Amano agreed to "consultations" with the head of the Israeli Atomic Energy Commission, Pyatt reported. (It is ironic indeed that Amano would have secret contacts with Israeli officials about Iran's alleged nuclear weapons program, which has yet to yield a single bomb, when Israel possesses a large and undeclared nuclear arsenal.)

In a subsequent cable dated Oct. 16, 2009, the U.S. mission in Vienna said Amano "took pains to emphasize his support for U.S. strategic objectives for the Agency. Amano reminded ambassador [Glyn Davies] on several occasions that he was solidly in the U.S. court on every key strategic decision, from high-level personnel appointments to the handling of Iran's alleged nuclear weapons program.

"More candidly, Amano noted the importance of maintaining a certain 'constructive ambiguity' about his plans, at least until he took over for DG ElBaradei in December" 2009.

In other words, Amano was a bureaucrat eager to bend in directions favored by the United States and Israel regarding Iran's nuclear program. Amano's behavior surely contrasted with how the more independent-minded ElBaradei resisted some of Bush's key claims about Iraq's supposed nuclear weapons program, correctly denouncing some documents as forgeries.

Update: It also is significant that Geoffrey Pyatt was rewarded for his work lining up the IAEA behind the anti-Iranian propaganda campaign by being made U.S. ambassador to Ukraine where he helped engineer the Feb. 22, 2014 coup that overthrew elected President Viktor Yanukovich. Pyatt was on the infamous "fuck the E.U." call with Assistant Secretary of State for European Affairs Victoria Nuland weeks before the coup as Nuland handpicked Ukraine's new leaders and

Pyatt pondered how "to midwife this thing."

Salvaging Some Hype

Though Manning's release of the U.S. embassy cables from Vienna apparently scotched any large-scale deployment of the Amano ploy, some elements of the gambit did go forward nonetheless, albeit with less oomph than they might have had.

In February 2013, the front page of The Washington Post offered a taste of what the propaganda campaign might have looked like when investigative reporter Joby Warrick hyped an account about Iran's nuclear program pushed by David Albright, director of the Institute for Science and International Security who had given support to Bush's invasion of Iraq a decade ago.

The Albright/Warrick alarm cited Iran's alleged effort to place an Internet order for 100,000 ring-shaped magnets that would work in some of the country's older centrifuges.

"Iran recently sought to acquire tens of thousands of highly specialized magnets used in centrifuge machines, according to experts and diplomats, a sign that the country may be planning a major expansion of its nuclear program that could shorten the path to an atomic weapons capability," Warrick wrote in his lede paragraph.

You had to read to the end of the long story to hear a less strident voice, saying that Iran had previously informed IAEA inspectors that it planned to build more of its old and clunkier centrifuges, which use this sort of magnet, and that the enrichment was for civilian energy, not a nuclear bomb.

"Olli Heinonen, who led IAEA nuclear inspections inside Iran before his retirement in 2010, said the type of magnet sought by Iran was highly specific to the IR-1 centrifuge and could not, for example, be used in the advanced IR-2M centrifuges that Iran has recently tested," according to the final paragraphs of Warrick's article.

"The numbers in the order make sense, because Iran originally told us it wanted to build more than 50,000 of the IR-1s,' Heinonen said. 'The failure rate on these machines is 10 percent a year, so you need a surplus.'"

At the bottom of Warrick's story, you'd also learn that "Iran has avoided what many experts consider Israel's new 'red line': a stockpile of medium-enriched uranium greater than 530 pounds, roughly the amount needed to build a weapon if further purified."

So there was nothing urgent or particularly provocative about this alleged purchase, though the structure and placement of the Post story suggested otherwise. Many readers likely were expected to simply jump to the conclusion that Iran was on the verge of building an atomic bomb and that it was time for President Barack Obama to join Israeli Prime Minister Benjamin Netanyahu in another Middle East war.

The pressure from the Post and other neocon-leaning news outlets on the Obama administration to fall in line with Netanyahu's belligerence toward Iran has been building for years, often with Warrick channeling anti-Iranian propaganda from Albright and his ISIS, which, in turn, seems to be a pipeline for hardliners at the IAEA.

A decade ago, Albright and his ISIS [not to be confused with the head-chopping terrorist outfit] were key figures in stoking the hysteria for invading Iraq around the false allegations of its WMD program. In recent years, Albright and his institute have adopted a similar role regarding Iran and its purported pursuit of a nuclear weapon, even though U.S. intelligence agencies say Iran terminated that weapons project in 2003.

Nevertheless, Albright has transformed his organization into a sparkplug for a new confrontation with Iran. Though Albright insists that he is an objective professional, ISIS has published hundreds of articles about Iran, which has not produced a single nuclear bomb, while barely mentioning Israel's rogue nuclear arsenal.

An examination of the ISIS Web site reveals only a few technical articles relating to Israel's nukes while ISIS has expanded its coverage of Iran's nuclear program so much that it's been moved onto a separate Web site. The articles not only hype developments in Iran but also attack U.S. media critics who question the fear-mongering about Iran.

Despite this evidence of bias, the Post and other mainstream U.S. news outlets typically present Albright as a neutral analyst. They also ignore his checkered past, for instance, his prominent role in promoting President Bush's pre-invasion case that Iraq possessed stockpiles of WMD.

Stoking a War

At the end of summer 2002, as Bush was beginning his advertising roll-out for the Iraq invasion and dispatching his top aides to the Sunday talk shows to warn about "smoking guns" and "mushroom clouds," Albright co-authored a Sept. 10, 2002, article entitled "Is the Activity at Al Qaim Related to Nuclear Efforts?" which declared:

“High-resolution commercial satellite imagery shows an apparently operational facility at the site of Iraq’s al Qaim phosphate plant and uranium extraction facility. This site was where Iraq extracted uranium for its nuclear weapons program in the 1980s. This image raises questions about whether Iraq has rebuilt a uranium extraction facility at the site, possibly even underground. The uranium could be used in a clandestine nuclear weapons effort.”

Albright’s alarming allegations fit neatly with Bush’s propaganda barrage, although as the months wore on with Bush’s warnings about aluminum tubes and yellowcake from Africa growing more outlandish Albright did display more skepticism about the existence of a revived Iraqi nuclear program.

Still, he remained a “go-to” expert on other Iraqi purported WMD, such as chemical and biological weapons. In a typical quote on Oct. 5, 2002, Albright told CNN: “In terms of the chemical and biological weapons, Iraq has those now.”

After Bush launched the Iraq invasion in March 2003 and Iraq’s secret WMD caches didn’t materialize, Albright admitted that he had been conned, explaining to the Los Angeles Times: “If there are no weapons of mass destruction, I’ll be mad as hell. I certainly accepted the administration claims on chemical and biological weapons. I figured they were telling the truth. If there is no [unconventional weapons program], I will feel taken, because they asserted these things with such assurance.” [See FAIR’s [“The Great WMD Hunt,”](#)]

Given the horrendous costs in blood and treasure resulting from the Iraq fiasco, an objective journalist might feel compelled to mention Albright’s track record of bias and error. But the Post’s Warrick didn’t, even though Albright and his ISIS were at the core of the February story, receiving credit for obtaining copies of the magnet purchase order.

So, while we’ll never know if the Amano ploy would have been tried – since Manning’s disclosures made it unfeasible – it surely would not have been unprecedented. The American people experienced similar deceptions during the run-up to war with Iraq when the Bush-43 administration assembled every scrap of suspicion about Iraq’s alleged WMD and fashioned a bogus case for war.

Eventually, Manning was pulled into that war as a young intelligence analyst. He confronted so much evidence of brutality and dishonesty that he felt compelled to do something about it. What he did in leaking hundreds of thousands of documents to WikiLeaks and, thus, to other news outlets was to supply “ground truth” about war crimes committed in Iraq and Afghanistan.

His disclosure of diplomatic cables also gave the American people and the world a glimpse behind the curtain of secrecy that often conceals the dirty dealings

of statecraft. Perhaps most significantly, those revelations helped sparked the Arab Spring, giving people of the Middle East a chance to finally take some political control over their own lives.

And, by letting Americans in on the truth about Amano's IAEA, Bradley Manning may have helped prevent a war with Iran.

[**Update:** In August 2013, Bradley (now Chelsea) Manning was sentenced to 35 years in prison for leaking classified documents. Although President Obama supported her prosecution, he did – in one of his final acts in office – commute Manning's sentence to her nearly seven years already served in prison. She is scheduled for release on March 17.]

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

The Ugly Specter of Torture and Lies

Exclusive: President Obama refused to hold “war on terror” torturers to account but punished truth-tellers severely, a bleak legacy not erased by Chelsea Manning's belated commutation, as Jonathan Marshall explains.

By Jonathan Marshall

January 17 was an unusually good day for truth and human rights on both sides of the Atlantic. Even before President Obama commuted whistleblower Chelsea Manning's long prison sentence, the British Supreme Court [ruled](#) unanimously that government ministers cannot claim “state immunity” or other specious grounds to avoid legal accountability in cases of abduction ([rendition](#)) and torture. The decision was heralded by Amnesty International, the International Commission of Jurists, and other human rights groups.

The lawsuit against Britain's former foreign secretary, Jack Straw, and a former senior intelligence officer was brought by Libyan dissident Abdel Hakim Belhaj, a [militant opponent of Muammar Gaddafi](#). He was kidnapped with his pregnant wife from Bangkok in March 2004 based on a tip from MI6, the British intelligence service.

[Taken to a secret CIA prison in Thailand](#), they were blindfolded, hooded, hung

from hooks on the cell wall, beaten, and blasted with loud music. A few days later the CIA flew them to Tripoli, where Belhaj was jailed and tortured by the Libyan regime for six years. He says he was also interrogated by British intelligence officers.

Owing to an edict by President Obama, Bush administration officials have never been tried for their complicity in more than 60 renditions of CIA prisoners, but Britain's senior officials may face justice thanks to their Supreme Court ruling, which cited legal authorities ranging from the Magna Carta of 1215 to the United Nations Convention Against Torture.

Evidence of official British complicity in the kidnapping of Belhaj was discovered by Human Rights Watch in Gaddafi's intelligence files after the Libyan dictator was overthrown in 2011. A 2004 fax by the chief of counterterrorism at MI6 to his Libyan counterpart said of Belhaj's capture, "This was the least we could do for you and for Libya to demonstrate the remarkable relationship we have built in recent years."

Seeking Favors from Gaddafi

At the time, Prime Minister Tony Blair's government was cozying up to Gaddafi, not only to fight Islamist extremists but to exploit lucrative business opportunities in the sectors of oil and finance. (Blair continued to visit Gaddafi even after Blair left office to pursue banking deals for JP Morgan, according to a senior executive with the \$70 billion Libyan Investment Authority.)

A 2012 story in the *Guardian* on the Belhaj case reported:

"Two weeks after the couple were rendered to Libya, Tony Blair paid his first visit to the country, embracing Gaddafi and declaring that Libya had recognized 'a common cause, with us, in the fight against al-Qaida extremism and terrorism.' At the same time, in London, the Anglo-Dutch oil giant Shell announced that it had signed a £110m deal for gas exploration rights off the Libyan coast.

"Three days after that, a second leading [anti-Gaddafi activist], Abu Munthir al-Saadi, was bundled aboard a plane in Hong Kong and taken to Tripoli in a joint British-Libyan rendition operation. Saadi's wife and four children were also kidnapped and taken to Libya. The youngest was a girl aged six. The family was incarcerated . . . for more than two months before being released. Saadi and Belhaj were held for more than six years, however, and say they were subjected to torture throughout this time."

In 2005, responding to revelations of such abuses in the U.S.-led "war on

terror,” Foreign Secretary Straw insisted that the United Kingdom had not rendered suspects to other countries:

“Unless we all start to believe in conspiracy theories and that the officials are lying, that I am lying, that behind this there is some kind of secret state which is in league with some dark forces in the United States, . . . there simply is no truth in the claims that the United Kingdom has been involved in rendition full stop, because we have not been.” (The contrary evidence surfaced six years later, in 2011.)

In 2012, Saadi reached a £2.2 million settlement with the British government, which did not admit guilt. But Belhaj, who has asked for just £3 in damages, demands something money can’t buy: an official apology. Straw continues to deny responsibility for any unlawful renditions.

Andrew Tyrie, a Conservative MP and chairman of the All-Party Parliamentary Group on Extraordinary Rendition, praised the latest ruling for bringing the public “a step closer to the truth about Britain’s role in extraordinary rendition – the program of kidnap and torture developed during the Bush administration, and facilitated by the UK government.”

He added, “The risk now is that the new laws on secret hearings – in the Justice and Security Act – could nonetheless thwart efforts to get to the truth, and undermine the ability of the courts to demonstrate that justice is being done. It would be bad for British justice if most of this case ends up buried in closed material proceedings.”

Obama’s Failure

The British government, which has spent more than £600,000 to fight the Belhaj case, claims that a full airing of the facts would seriously damage relations with the United States. President Obama could have knocked that assertion down at any time and welcomed the truth. Instead, he consistently refused throughout his two terms in office to convene a truth commission or hold anyone accountable for illegal rendition and torture (short of death). He even invoked the “state secrets” doctrine to block private lawsuits against government officials for torture.

Kenneth Roth, executive director of Human Rights Watch, wrote in 2011, “Obama’s deliberate suppression of this shameful past is wrong. It reflects bad policy, a dereliction of presidential responsibilities and a continuing disregard for international law. It treats torture as a policy option – one that can be turned on or off at presidential will.”

With a noted supporter of torture now moving into the White House, the folly of

Obama's approach is clearer than ever. That's why a spokesman for the human rights legal defense organization Reprieve declared, "this case isn't just about history. . . In 72 hours, a would-be torturer will take the reins of Earth's most powerful security state. We enter the Trump era with not a soul held to account for Britain's past role in rendition. . . Our intelligence agencies may well be pressured to help America torture again."

To discourage that from happening, he urged Prime Minister Theresa May to "apologize to this family, draw a line in the sand against torture, and restore British honor once and for all."

Jonathan Marshall is author of many recent articles on arms issues, including "How World War III Could Start," "NATO's Provocative Anti-Russian Moves," "Escalations in a New Cold War," "Ticking Closer to Midnight," and "Turkey's Nukes: A Sum of All Fears."

The West's Shift Toward Repression

The West's "liberal democracies" are undergoing a shift toward repression with new initiatives to spy on citizens and punish whistleblowers who expose government abuses, observes ex-British intelligence officer Annie Machon.

By Annie Machon

Forgive my "infamously fluent French" but the phrase "*pour encourager les autres*" – a reference to executing one powerful person to send a message to others – seems to have lost its famously ironic quality. It seems that the U.S. government is globally paying big bucks to people to encourage them to expose the crimes of their employers, but only if they're working for banks and other financial institutions – as opposed to say working for the government and its intelligence agencies.

I have been aware for a few years that the U.S. government instituted a law in 2010 called the Dodd-Frank Act that is designed to encourage people employed in the international finance community to report malfeasance to the Securities and Exchange Commission (SEC), in return for a substantial percentage of any monies recouped.

This law seems to have produced a booming business for such high-minded "whistleblowers" – if that could be the accurate term for such actions. They are celebrated and can receive multi-million dollar paydays, the most recent

(unnamed) source receiving \$20 million.

Nor is this U.S. initiative just potentially benefiting U.S. citizens – it you look at the small print at the bottom of this page, disclosures are being sent in from all over the world. Which is all to the public good no doubt, especially in the wake of the 2008 global financial crash and the ensuing fall-out that hit us all. We need more clarity about arcane casino banking practices that have bankrupted whole countries, and we need justice.

But U.S. government does send out a number of contradictory messages to those in other areas of work who might also have concerns about the legality of actions by their organizations which may have equal or even graver impacts on the lives of their fellow human beings.

Contrasting Legal Duties

If you work in finance anywhere in the world and you see irregularities, it is apparently your legal duty to report them through appropriate channels and then count the dollars as they flow in as reward. Such is the power of globalization, or at least the U.S. self-appointed role as the global hegemon.

However, if you happen to work inside the U.S. government, its intelligence agencies or its military, under the terms of the U.S. Constitution, it would appear that you also have a solemn duty under oath to report illegalities that violate the Constitution by going through the officially designated channels and hoping that reform is the result.

But, from all recent examples, it would appear that you get damn few thanks for such patriotic actions. Take the case of Thomas Drake, a former senior National Security Agency executive who in 2007 went public about waste and wanton expenditure within the agency, as I wrote way back in 2011. Before doing so, Drake had gone through all the prescribed routes for such disclosures, up to and including a congressional committee.

Despite all this, Drake was abruptly snatched by the FBI in a violent dawn raid and threatened with 35 years in prison. He (under the terrifying American plea bargain system) accepted a misdemeanor conviction to escape the horrors of federal charges, the resulting loss of all his civic rights and a potential 35 years in prison. He still, of course, lost his job, his impeccable professional reputation, and his whole way of life.

He was part of a NSA group that also included William Binney, the NSA's former Technical Director, and his fellow whistleblowers Kirk Wiebe, Ed Loumis and Diane Roark. These brave people had developed an electronic mass-surveillance program called Thin Thread that could zero in on those people who were genuinely

of security interest and worth targeting, a program which would have been relatively cheap, costing only \$1.4 million and would have been consistent with the terms of the Constitution. According to Binney, it could potentially have stopped 9/11 and all the attendant horrors..

Instead, it appears that bureaucratic backs were scratched and political favors called in by the incoming neoconservative government of George W Bush in 2000, and another program called Trail Blazer was developed, to the tune of \$1.2 billion – and which spied on everyone across America (as well as the rest of the world) and thereby broke, at the very least, the terms of the Constitution.

Yet Bill Binney was still subjected to an FBI SWAT team raid – he was dragged out of the shower early one morning at gunpoint. All this is well documented in an excellent film “A Good American” and I recommend watching it.

If the treatment of financial whistleblowers were in place for national security whistleblowers, Binney would have received a payout of millions of dollars for protecting the rights of his fellow citizens and for saving the American taxpayers more than \$1 billion. But, of course, Binney’s whistleblowing was not in the long-term business interests of the now-global surveillance of the National Security State.

Eisenhower’s Warning

President Dwight Eisenhower, in his valedictory speech in 1961, warned of the subversive interests of the “military-industrial” complex. That seems so quaint now as we face a steroid-pumped, globalized military surveillance industry that will do anything to protect its interests. So, rather than holding the powerful and well-connected accountable for fleecing and spying on the American people, it is the principled whistleblowers who are crushed – *“pour encourager les autres.”*

There are the even-more-egregious cases of Chelsea (formerly Bradley) Manning and Edward Snowden. The former, as you may remember, is the former U.S. Army private currently serving 35 years in a military prison for exposing U.S. war crimes. She is the most obvious victim of outgoing-President Obama’s war on whistleblowers and surely deserving of his supposed outgoing clemency.

The latter, currently stranded in Russia *en route* from Hong Kong to political asylum in Ecuador is, in my view and as I have said before, the most significant whistleblower in modern history. But he gets few thanks – indeed incoming Trump administration appointees have in the past called for imposing the death penalty on Snowden.

So all this is a “wonderfully outstanding encouragement” to those in public

service in the U.S. – not. Work for a bank and anonymously snitch –ka-ching!
Work for the government and blow the whistle – 30-plus years in prison or worse.
Hmmm.

If President-elect Donald Trump is serious about “draining the swamp” then perhaps he could put some serious and meaningful public service whistleblower protection measures in place, rather than prosecuting such patriots.

After all, such measures would be a win-win situation, as I have said many times before – a proper and truly accountable channel for potential whistleblowers to go to, in the expectation that their concerns will be properly heard and investigated.

That way the intelligence agencies can become truly accountable, sharpen their game, avoid financial scandals and better protect the public; and the whistleblowers do not need to ruin their lives, lose their jobs, face imprisonment, or worse.

After all, where are the most heinous crimes witnessed? Sure, bank crimes impact the economy and ruin the lives of working people; but out-of-control intelligence agencies that kidnap, torture and assassinate people around the world, operating in secret, actually *end* lives.

Western Repression

All that said, other Western liberal democracies are surely less draconian than the U.S., no? Well, unfortunately not. Take the U.K., a country still in thrall to the glamorous myth of James Bond, and where there have been multiple intelligence whistleblowers from the agencies over the last few decades – yet all of them have automatically faced prison.

In fact, the U.K. suppression of intelligence, diplomatic and military whistleblowers seems to have acted as an exemplar to other countries in how you stifle ethical dissent from within.

Sure, the prison sentences for such whistleblowing are not as draconian under the U.K.’s Official Secrets Act (1989) as the anachronistic U.S. Espionage Act (1917). But the clear bright line against ANY disclosure is just as stifling.

In the U.K., a country where the intelligence agencies have for the last 17 years been illegally prostituting themselves to advance the interests of a foreign country (the U.S.), this is simply unacceptable. Especially as the U.K. has just made into law the Investigatory Powers Act (2016), which legalizes all this previously illegal activity and indeed expands the hacking powers of the state. (This law was enacted over expert advice.)

More worryingly, the ultra-liberal Norway, which blazed a calm and humanist trail in its response to the murderous white-supremacist terrorist attacks of Anders Breivik five years ago, has now proposed a draconian surveillance law.

And Germany – a country horrified by revelations made by Snowden in 2013 which stirred memories of the surveillance powers of the Gestapo and the Stasi last century – has also just expanded the surveillance authority of its intelligence agencies.

In the face of all this, it appears there has never been a greater need of intelligence whistleblowers across the Western world. Yet it appears that, once again, there is one standard for financial whistleblowing, complete with generous financial rewards.

But for whistleblowers in the intelligence world, for those Poor Bloody Whistleblowers, it's prosecution and persecution as usual, despite the fact that they may indeed be serving the most profound of public interests – freedom, privacy and the ability to thereby have a functioning democracy.

As always – *plus ça change, plus c'est la même chose*. So back to my fluent French, referenced at the start: we are, it seems, all still mired in the *merde*.

Annie Machon is a former intelligence officer in the UK's MI5 Security Service (the U.S. counterpart is the FBI).

Hillary Clinton's Damning Emails

Exclusive: Before the Democrats lock in their choice for President, they might want to know if Hillary Clinton broke the law with her unsecure emails and may be indicted, a question that ex-CIA analyst Ray McGovern addresses.

By Ray McGovern

A few weeks after leaving office, former Secretary of State Hillary Clinton may have breathed a sigh of relief and reassurance when Director of National Intelligence James Clapper denied reports of the National Security Agency eavesdropping on Americans. After all, Clinton had been handling official business at the State Department like many Americans do with their personal business, on an unsecured server.

In sworn testimony before the Senate Intelligence Committee on March 12, 2013, Clapper said the NSA was **not** collecting, wittingly, “any type of data at all on

millions or hundreds of millions of Americans,” which presumably would have covered Clinton’s unsecured emails.

But NSA contractor Edward Snowden’s revelations – starting on June 5, 2013 – gave the lie to Clapper’s testimony, which Clapper then retracted on June 21 – coincidentally, Snowden’s 30th birthday – when Clapper sent a letter to the Senators to whom he had, well, lied. Clapper admitted his “response was clearly erroneous – for which I apologize.” (On the chance you are wondering what became of Clapper, he is still DNI.)

I would guess that Clapper’s confession may have come as a shock to then ex-Secretary Clinton, as she became aware that her own emails might be among the trillions of communications that NSA was vacuuming up. Nevertheless, she found Snowden’s truth-telling a safer target for her fury than Clapper’s dishonesty and NSA’s dragnet.

In April 2014, Clinton suggested that Snowden had helped terrorists by giving “all kinds of information, not only to big countries, but to networks and terrorist groups and the like.” Clinton was particularly hard on Snowden for going to China (Hong Kong) and Russia to escape a vengeful prosecution by the U.S. government.

Clinton even explained what extraordinary lengths she and her people went to in safeguarding government secrets: “When I would go to China or would go to Russia, we would leave all my electronic equipment on the plane with the batteries out, because ... **they’re trying to find out not just about what we do in our government, they’re ... going after the personal emails of people who worked in the State Department.**” Yes, she said that. (emphasis added)

Hoisted on Her Own Petard

Alas, nearly a year later, in March 2015, it became known that during her tenure as Secretary of State she had not been as diligent as she led the American people to believe. She had used a private server for official communications, rather than the usual official State Department email accounts maintained on federal servers. Thousands of those emails would retroactively be marked classified – some at the TOP SECRET/Codeword level – by the department.

During an interview last September, Snowden was asked to respond to the revelations about highly classified material showing up on Clinton’s personal server: “When the unclassified systems of the United States government, which has a full-time information security staff, regularly gets hacked, the idea that someone keeping a private server in the renovated bathroom of a server farm in Colorado is more secure is completely ridiculous.”

Asked if Clinton “intentionally endangered US international security by being so careless with her email,” Snowden said it was not his place to say. Nor, it would seem, is it President Barack Obama’s place to say, especially considering that the FBI is actively investigating Clinton’s security breach. But Obama has said it anyway.

“She would never intentionally put America in any kind of jeopardy,” the President said on April 10. In the same interview, Obama told Chris Wallace, “I guarantee that there is no political influence in any investigation conducted by the Justice Department, or the FBI – not just in this case, but in any case. Full stop. Period.”

But, although a former professor of Constitutional law, the President sports a checkered history when it comes to prejudicing investigations and even trials, conducted by those ultimately reporting to him. For example, more than two years before Bradley (Chelsea) Manning was brought to trial, the President stated publicly: “We are a nation of laws. We don’t let individuals make decisions about how the law operates. He [Bradley Manning] broke the law!”

Not surprisingly, the ensuing court martial found Manning guilty, just as the Commander in Chief had predicted. Though Manning’s purpose in disclosing mostly low-level classified information was to alert the American public about war crimes and other abuses by the U.S. government, Manning was sentenced to 35 years in prison.

On March 9, when presidential candidate Clinton was asked, impertinently during a debate, whether she would withdraw from the race if she were indicted for her cavalier handling of government secrets, she offered her own certain prediction: “Oh, for goodness sake! It’s not going to happen. I’m not even answering that question.”

Prosecutorial Double Standards

Merited or not, there is, sadly, some precedent for Clinton’s supreme confidence. Retired General and ex-CIA Director David Petraeus, after all, lied to the FBI (a felony for “lesser” folks) about giving his mistress/biographer highly classified information and got off with a slap on the wrist, a misdemeanor fine and probation, no jail time – a deal that Obama’s first Attorney General Eric Holder did on his way out the door.

We are likely to learn shortly whether Attorney General Loretta Lynch is as malleable as Holder or whether she will allow FBI Director James Comey, who held his nose in letting Petraeus cop a plea, to conduct an unfettered investigation this time – or simply whether Comey will be compelled to enforce Clinton’s

assurance that “it’s not going to happen.”

Last week, Fox News TV legal commentator Andrew Napolitano said the FBI is in the final stages of its investigation into Clinton and her private email server. His sources tell him that “the evidence of her guilt is overwhelming,” and that the FBI has enough evidence to indict and convict.

Whether Napolitano has it right or not, it seems likely that Clinton is reading President Obama correctly – no profile in courage is he. Nor is Obama likely to kill the political fortunes of the now presumptive Democratic presidential nominee. Yet, if he orders Lynch and Comey not to hold Hillary Clinton accountable for what – in my opinion and that of most other veteran intelligence officials whom I’ve consulted – amounts to at least criminal negligence, another noxious precedent will be set.

Knowing Too Much

This time, however, the equities and interests of the powerful, secretive NSA, as well as the FBI and Justice, are deeply involved. And by now all of them know “where the bodies are buried,” as the smart folks inside the Beltway like to say. So the question becomes would a future President Hillary Clinton have total freedom of maneuver if she were beholden to those all well aware of her past infractions and the harm they have done to this country.

One very important, though as yet unmentioned, question is whether security lapses involving Clinton and her emails contributed to what Clinton has deemed her worst moment as Secretary of State, the killing of Ambassador Christopher Stevens and three other U.S. personnel at the lightly guarded U.S. “mission” (a very small, idiosyncratic, consulate-type complex not performing any consular affairs) in Benghazi, Libya, on Sept. 11, 2012.

Somehow the terrorists who mounted the assault were aware of the absence of meaningful security at the facility, though obviously there were other means for them to have made that determination, including the State Department’s reliance on unreliable local militias who might well have shared that inside information with the attackers.

However, if there is any indication that Clinton’s belatedly classified emails contained information about internal State Department discussions regarding the consulate’s security shortcomings, questions may be raised about whether that information was somehow compromised by a foreign intelligence agency and shared with the attackers.

We know that State Department bureaucrats under Secretary Clinton overruled repeated requests for additional security in Benghazi. We also know that Clinton

disregarded NSA's repeated warnings against the use of unencrypted communications. One of NSA's core missions, after all, is to create and maintain secure communications for military, diplomatic, and other government users.

Clinton's flouting of the rules, in NSA's face, would have created additional incentive for NSA to keep an especially close watch on her emails and telephone calls. The NSA also might know whether some intelligence service successfully hacked into Clinton's server, but there's no reason to think that the NSA would share that sort of information with the FBI, given the NSA's history of not sharing its data with other federal agencies even when doing so makes sense.

The NSA arrogates to itself the prerogative of deciding what information to keep within NSA walls and what to share with the other intelligence and law enforcement agencies like the FBI. (One bitter consequence of this jealously guarded parochialism was the NSA's failure to share very precise information that could have thwarted the attacks of 9/11, as former NSA insiders have revealed.)

It is altogether likely that Gen. Keith Alexander, head of NSA from 2005 to 2014, neglected to tell the Secretary of State of NSA's "collect it all" dragnet collection that included the emails and telephone calls of Americans – including Clinton's. This need not have been simply the result of Alexander's pique at her disdain for communications security requirements, but rather mostly a consequence of NSA's modus operandi.

With the mindset at NSA, one could readily argue that the Secretary of State – and perhaps the President himself – had no "need-to-know." And, needless to say, the fewer briefed on the NSA's flagrant disregard for Fourth Amendment protections against unreasonable searches and seizures the better.

So, if there is something incriminating – or at least politically damaging – in Clinton's emails, it's a safe bet that at least the NSA and maybe the FBI, as well, knows. And that could make life difficult for a Clinton-45 presidency. Inside the Beltway, we don't say the word "blackmail," but the potential will be there. The whole thing needs to be cleaned up now before the choices for the next President are locked in.

Ray McGovern works with Tell the Word, a publishing arm of the ecumenical Church of the Saviour in inner-city Washington. He served as a CIA analyst for 27 years, during which he prepared and briefed the morning *President's Daily Brief* for Presidents Nixon, Ford, and Reagan.

Is Hillary Clinton Above the Law?

Exclusive: Secretary of State Clinton was harsh on subordinates who were careless with classified information, but those rules apparently weren't for her, a troubling double standard, says ex-CIA analyst Ray McGovern.

By Ray McGovern

"Enough of the emails," said Sen. Bernie Sanders in Brooklyn-ese, while turning to Secretary Hillary Clinton during their first debate on Oct. 13, 2015. Sanders won loud applause for what seemed a gentlemanly gesture in withholding criticism for her use of a private email server for classified information.

But when Sanders said "The American people are sick and tired of hearing about your damn emails," I had a flashback to a House hearing three decades ago on large liberties taken with the law during the Iran-Contra affair under President Ronald Reagan. Beginning his testimony, then-Secretary of State George Shultz made the mistake of saying, in effect, who cares about laws being violated: "The American people are tired of hearing about Iran-Contra."

Rep. David Obey, D-Wisconsin, was quick to respond: "Mr. Secretary, I did not take an oath to uphold and defend the Constitution of the United States until I got tired."

Well, we intelligence professionals also took an oath to support and defend the Constitution of the United States against all enemies foreign and domestic. There was no "until we got tired" – or even "until we retired" in that oath. It has no expiration date. Congressman Obey's persistence and tenacity offer a model for patriots.

It has been six months since Sanders's magnanimous gesture let Clinton off the hook for playing fast and loose with laws passed to protect classified information. During subsequent debates, everything but the kitchen sink has been hurled at the candidates, but there has been little appetite for asking Secretary Clinton what she thought she was doing, and why she decided to ignore security safeguards. (The reason often given – because she liked her Blackberry so much – does not withstand close scrutiny.)

While "mainstream" media have largely avoided the issue, it did get mentioned during the March 9 debate in Miami. Longtime news anchor for *Noticiero Univision*, Jorge Ramos, asked Secretary Clinton whether she would quit the presidential race if she were indicted for putting classified information on her private email server. She replied: "Oh, for goodness sake, it's not going to

happen. I'm not even answering that question."

But this is too important an issue to sweep under the rug. It is not only we veteran intelligence professionals who are alarmed at what appears, at best, to be Clinton's carelessness and, at worst, her deliberate attempt to conduct her affairs in complete secrecy, avoiding the strictures of, for example, the Freedom of Information Act, which can give the people and historians access to public records in the future so they can understand how government decisions were made. So researchers who care about democracy care.

It is also the FBI that cares, and the National Security Agency, which is responsible for ensuring secure communications, cares. And so do all who may have sent a sensitive piece of intelligence to her that she, in turn, might have put on her unclassified system. If Americans at large were briefed on the potential national security implications, they too would care.

One of the distinct advantages of the collegial way we operate in Veteran Intelligence Professionals for Sanity (VIPS) is that when, as now, one of us needs input from tried and trusted specialists, it is immediately at hand. So, I consulted several of my colleagues with special knowledge of these matters.

A Severe Compromise

For technical commentary on this issue, I turned to a specialist VIPS colleague named William Binney, who worked for NSA for 36 years. Binney co-founded NSA's SIGINT (Signals Intelligence) Automation Research Center, and retired from NSA as Technical Director. He said he shares my very strong feelings on the issue. He told me the following:

"The email issue with Secretary Clinton is one of the most severe compromises of security I have ever known. After all, if the Chinese, Russians and other hackers can penetrate the Office of Personnel Management (OPM) servers and take the records of over 21 million U.S. citizens that over the years have applied for security clearances, then penetrating Hillary Clinton's private server would be a piece of cake. Such penetration would yield insight into decision making at the highest level of the U.S. government, including what might be revealed in emails with the President.

"This is worse than the compromise of predominantly lower-level data by Bradley (now Chelsea) Manning and gives insight into planning at the highest levels in Washington – something that even all the torrent of data exposed by Edward Snowden could not provide. Reports that Clinton instructed subordinates to delete the security classification line on sensitive reports and email them to her, suggests a total disregard for the need to protect classified information

and arrogance in deeming herself above lawful regulations governing the handling such data.

“We might as well have had an in-place mole at the highest level of our government. The FBI/Department of Justice would have already indicted lesser officials for less. Certainly, Clinton is receiving special treatment. It is a safe guess that FBI investigators are seething over their inability, so far, to pursue the case against Hillary with the vigor it merits.

“The case of Gen. David Petraeus comes immediately to mind. There was mucho seething at the FBI, when Petraeus gave his mistress classified documents of extreme sensitivity, lied about it to FBI investigators, and was let off with a slap on the wrist.” [See Consortiumnews.com’s [“Gen. Petraeus: Too Big to Jail.”](#)]

Operational Perspective

With the aim of getting expert commentary from an operational perspective, I turned to Scott Ritter, who served on Gen. Norman Schwarzkopf’s staff during the first Gulf war, before he became chief U.N. weapons inspector for Iraq. Here’s what Ritter had to say:

“I can say that NSA/JSOC (and even U.N. teams such as the one I was running in Iraq) would LOVE for a foreign official at the secretary-of-state level to use a private server for official communications. One need simply to mimic a cell tower (the Stingray technology in vogue today would suffice) and you instantly have access to everything such an official does/says/types on a cell phone. That senior official would no longer have the unique identifiers and encryption that an official server would provide.

“By the way, it is no longer a secret that we targeted the unencrypted communications that Saddam Hussein and his closest advisers sent out, not just the encrypted ones. Any communications traffic analyst will tell you that simply reading the unclassified traffic provides a plethora of actionable intelligence – particularly since the communications intercepted are in real time.”

In the Field

So what can happen in the field – in combat areas and in places like Kabul – when regulations governing the handling of classified information are disregarded? For perspective on this, I turned to Matthew Hoh, Marine Captain in Iraq and later a senior State Department official in Afghanistan. He answered:

“Ordinary Americans need to know how serious this is. Just last week we witnessed one example of what could have happened when Secretary of State John Kerry was visiting Kabul and the Taliban tried to attack him with rockets.

Whenever the President, Vice President, Secretary of State or Defense, Joint Chiefs Chairman, or a congressional delegation visits Iraq, Afghanistan, Pakistan or Iraq, the planning and arrangements are secret. But this is the type of information that could be sent over Clinton's personal email, hacked, and gotten a senior American official killed.

"Another example would be Clinton discussing information relating to intercepts of foreign leaders. It's possible in her correspondence she could mention something regarding Putin, Cameron, Modi, et al. that we capture via SIGINT. That would not only be an embarrassment; it would blow that capability for such access (and squander the millions of dollars spent in creating it). Fortunately for the other world leaders, they don't seem to have been as arrogant or dumb (or both of the above) in insisting on using non-secure communications.

"Was it not amazing that Clinton protégé, Assistant Secretary of State for European Affairs Victoria Nuland, plotted the Feb. 22 coup in Ukraine with the U.S. Ambassador in Kiev on an insecure telephone! Wonder where Nuland got the idea that was all right.

"Only transmitting and sharing classified information via email through the secure email and internet system used by the U.S. government also prevents accidental transmission of secret information to people who should not receive secret information. It's a closed system. Only those with the approved clearance and an authorized email account can receive the email. So you can't accidentally type in the wrong name of a contact who is not trusted, is not a U.S. citizen, does not have a security clearance, etc. and send them an email with classified information.

"We've all done that with our email, type in the wrong name and send someone an email by accident. Or we've forwarded an email string with a chain of information somewhere down the body of the message that you didn't want the recipient to see. By transmitting classified information via her personal email account Hilary Clinton could have very easily sent classified information to someone by accident. Of course, as everyone who uses email knows, once you send a message you have no control over where that message gets sent after you hit send. So, once she forwarded an email with classified information that information could be sent to anyone, anywhere in the world whether on purpose or on accident. That's why you don't transmit classified information outside the secure system.

"Another question: What information regarding her dealings outside of her official capacities may have been targeted? What I mean is besides U.S. government secrets that she possibly exposed were Clinton's own secrets – perhaps a quid pro quo or two regarding foreign donations to the Clinton

Foundation. Such information could be used against her as political blackmail. What information could have been captured by a foreign power that could be used if/when Hillary Clinton came to office as President to gain leverage over her?

“Undoubtedly, if she wins election, her first priority will be re-election. So, my concern is not just for information that she could have compromised as Secretary of State that would have harmed the U.S. from 2009-2013, but what information has been compromised that could be used against her as blackmail if she is in the Oval Office?”

Clinton's Judgment

So whether Sen. Sanders is right or not – that “the American people are sick and tired of hearing about your damn emails” – Hillary Clinton's carelessness and entitlement in brushing aside the lawful security rules that apply to other government officials is an issue that bears on whether she has the character and judgment to be President.

In December 2011, when then-Secretary of State Clinton was busy denouncing Pvt. Bradley (now Chelsea) Manning for leaking evidence of U.S. government wrongdoing, Clinton declared: “I think that in an age where so much information is flying through cyberspace, we all have to be aware of the fact that some information which is sensitive, which does affect the security of individuals and relationships, deserves to be protected and we will continue to take necessary steps to do so.”

For leaking mostly low-level classified information to the public so the people could know about illegal or questionable acts by the government – none of the data top secret, the level that some Clinton emails have now been stamped – Manning was sentenced to 35 years in prison.

But it seems that the applicable legal standard – or double standard – is that the more sensitive the security breach and the higher the status of the offender the lighter the punishment. For instance, Gen. David Petraeus divulged top-secret/code-word information to his biographer/mistress and lied to the FBI about it, but received only a misdemeanor citation (a fine and probation but no jail time) for mishandling classified material.

If that pattern is followed – and since Secretary of State Clinton outranked Gen. Petraeus – she might well expect even more lenient treatment, but her behavior might be something that the American voters would want to consider before giving her a promotion to U.S. President.

Ray McGovern works with Tell the Word, a publishing arm of the ecumenical Church of the Saviour in inner-city Washington. He is co-founder of Veteran

Intelligence Professionals for Sanity (VIPS). He was an Army infantry/intelligence officer and then a CIA analyst for a total of 30 years.

America's Debt to Bradley Manning

From the Archive: The U.S. mainstream media is again embracing a U.N. report critical of Iran's alleged past work on a nuclear bomb, but leaks from Pvt. Bradley (now Chelsea) Manning exposed Yukiya Amano, the key U.N. official, as a front for U.S. and Israeli interests, as Robert Parry reported in 2011.

By Robert Parry (Originally published Dec. 24, 2011)

One criticism about the value of the information that Pvt. Bradley Manning gave to WikiLeaks is that most of it was known in some form and thus didn't justify the risks to sources who might be identified from the diplomatic and military cables. However, that complaint misses the importance of detailed "ground truth" in assessing issues of war and peace.

For instance, the prospects of war with Iran escalated in November 2011 because of a toughly worded report by the United Nations' International Atomic Energy Agency, which compiled some old and new evidence to argue that Iran continues to make progress toward a nuclear bomb. Immediately, the U.S. news media accepted the IAEA's report as the unquestioned truth and as further repudiation of the 2007 U.S. intelligence estimate that Iran had ceased work on a nuclear weapon in 2003.

One might note the irony in this flip on Iran. In the run-up to war with Iraq, the U.S. media embraced CIA reports of secret Iraqi WMD programs while mocking the IAEA's doubts. Regarding Iran, the CIA and IAEA have traded places, with U.S. intelligence analysts chagrined over swallowing the bogus Iraq-WMD evidence being more skeptical of the Iran-nuke allegations, while the IAEA has taken the role as chief WMD exaggerator.

So, it was useful to examine the WikiLeaks documents regarding the election of the new IAEA leader in 2009 to understand why this flip may have occurred. What those classified State Department cables show is that the IAEA's new director general, Japanese diplomat Yukiya Amano, credited his victory largely to U.S. government support and promptly stuck his hand out for U.S. money.

Further, Amano left little doubt that he would side with the United States in its confrontation with Iran and that he would even meet secretly with Israeli

officials regarding their purported evidence on Iran's nuclear program, despite the fact that Israel is arguably the world's preeminent rogue nuclear state and rejects IAEA inspections of its own nuclear sites.

According to U.S. embassy cables from Vienna, Austria, the site of IAEA's headquarters, American diplomats in 2009 were cheering the prospect that Amano would advance U.S. interests in ways that outgoing IAEA Director General Mohamed ElBaradei wouldn't.

Cable Revelations

In a July 9, 2009, cable, American chargé Geoffrey Pyatt said Amano was thankful for U.S. support of his election. "Amano attributed his election to support from the U.S., Australia and France, and cited U.S. intervention with Argentina as particularly decisive," the cable said.

The appreciative Amano informed Pyatt that as IAEA director general, he would take a different "approach on Iran from that of ElBaradei" and he "saw his primary role as implementing safeguards and UNSC [United Nations Security Council]/Board resolutions," i.e. U.S.-driven sanctions and demands against Iran.

Amano also discussed how to restructure the senior ranks of the IAEA, including elimination of one top official and the retention of another. "We wholly agree with Amano's assessment of these two advisors and see these decisions as positive first signs," Pyatt commented.

In return, Pyatt made clear that Amano could expect strong U.S. financial support, stating that "the United States would do everything possible to support his successful tenure as Director General and, to that end, anticipated that continued U.S. voluntary contributions to the IAEA would be forthcoming. Amano offered that a 'reasonable increase' in the regular budget would be helpful."

Pyatt learned, too, that Amano had consulted with Israeli Ambassador Israel Michaeli "immediately after his appointment" and that Michaeli "was fully confident of the priority Amano accords verification issues."

Michaeli added that he discounted some of Amano's public remarks about there being "no evidence of Iran pursuing a nuclear weapons capability" as just words that Amano felt he had to say "to persuade those who did not support him about his 'impartiality.'"

In private, Amano agreed to "consultations" with the head of the Israeli Atomic Energy Commission, Pyatt reported. It is ironic indeed that Amano would have secret contacts with Israeli officials about Iran's alleged nuclear weapons

program, which has yet to yield a single bomb, when Israel possesses a large and undeclared nuclear arsenal. (Yes, it is the same Geoffrey Pyatt who was later promoted to Ambassador to Ukraine where he helped orchestrate the putsch that ousted elected President Viktor Yanukovich.)

In a subsequent cable dated Oct. 16, 2009, the U.S. mission in Vienna said Amano “took pains to emphasize his support for U.S. strategic objectives for the Agency. Amano reminded ambassador [Glyn Davies] on several occasions that he was solidly in the U.S. court on every key strategic decision, from high-level personnel appointments to the handling of Iran’s alleged nuclear weapons program.

“More candidly, Amano noted the importance of maintaining a certain ‘constructive ambiguity’ about his plans, at least until he took over for DG ElBaradei in December” 2009.

In other words, the emerging picture of Amano is of a bureaucrat eager to bend in directions favored by the United States and Israel, especially regarding Iran’s nuclear program. Amano’s behavior surely contrasts with how the more independent-minded ElBaradei resisted some of Bush’s key claims about Iraq’s supposed nuclear weapons program, denouncing some documents as forgeries.

Today, with some Republican presidential contenders falling over themselves to bond with Israel over its desire to attack Iran, this sort of detail puts the IAEA report into a fuller context that can help American voters judge whether another war is necessary or whether they’re being misled again by hyped allegations.

These cables, which Manning allegedly gave to WikiLeaks, were first spotlighted by the Guardian newspaper in the U.K. in 2010. However, because the full cables were posted on the Internet, I could dig through them to find additional details, such as Amano asking for more U.S. money.

Without this level of “ground truth,” Americans would be at the mercy of the major U.S. news media, which seems as much on board for a war with Iran as it was for war with Iraq. [For more on this topic, see Consortiumnews.com’s “DÃ©jÃ
vu Over Iran Nuke Charges” and “Big Media’s Double Standards on Iran.”]

Slaughtering Iraqis

Another example of how the material allegedly leaked by Manning helped educate the American people was the infamous gun-barrel video of U.S. attack helicopters mowing down seemingly defenseless Iraqi men, including two Reuters journalists, as they walked down a Baghdad street.

Not only did a U.S. military helicopter gunship slaughter the men amid macho jokes and chuckling apparently after mistaking a couple of cameras for weapons but the American attackers then blew away several Iraqis who arrived in a van and tried to take one of the wounded newsmen to a hospital. Two children in the van were badly wounded.

“Well, it’s their fault for bringing their kids into a battle,” one American remarked.

The videotaped incident entitled “Collateral Murder” by Wikileaks occurred on July 12, 2007, in the midst of President George W. Bush’s much-heralded troop “surge,” which the U.S. news media has widely credited for reducing violence in Iraq and bringing something close to victory for the United States.

But the U.S. press corps rarely mentions that the “surge” represented one of the bloodiest periods of the war. Beyond the horrific and untallied death toll of Iraqis, about 1,000 U.S. soldiers died during Bush’s “surge” of an additional 30,000 troops into Iraq.

It’s also unclear that the “surge” deserves much if any credit for the gradual decline in Iraqi violence, which had already reached turning points in 2006 before the “surge” with the death of al-Qaeda leader Musab al-Zarqawi, the U.S.-funded Sunni Awakening against al-Qaeda in Iraq, and the de facto ethnic cleansing of Iraqi cities with Sunnis and Shiites moving into separate neighborhoods.

Further putting the sectarian killing on a downward path was the Iran-brokered agreement with militant Shiite leader Moktada al-Sadr to have his militia stand down in exchange for an Iraqi government commitment to insist on a firm timetable for total U.S. military withdrawal, a process that has just been completed.

However, the U.S. news media continues to repeat the conventional wisdom about how U.S. troops protected Iraqis from violence through the “successful surge.” The “Collateral Murder” video puts the lie to that smug consensus, showing the “ground truth” of how the “surge” and indeed the entire Iraq War truly operated.

Many Americans may want to put the unpleasant memories of the Iraq War behind them from “shock and awe” and the illegal invasion, to the leveling of Fallujah and the Abu Ghraib atrocities, to the incompetent U.S. occupation, the Haditha murders and the sectarian slaughters but a failure to face the reality honestly will only encourage future war crimes of similar or even greater magnitude.

Already, Republicans such as Newt Gingrich, Rick Perry, Michele Bachmann and Mitt Romney are speaking as casually about going to war with Iran as George W.

Bush and Dick Cheney did about war with Iraq.

As Bradley Manning wrote as he struggled over his decision to leak evidence of war crimes and other machinations by the U.S. government, “God knows what happens now. Hopefully worldwide discussion, debates, and reforms. I want people to see the truth because without information, you cannot make informed decisions as a public.”

(In 2013, Manning was court-martialed and sentenced to 35 years in prison for disclosing this classified information to the public.) But his gift to America may be that he provided the nation the “ground truth” that could give meaning to debates about past and possibly future wars.

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

Obama’s Double-Standard on Leaks

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

By John Hanrahan

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

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

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

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

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

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

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

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

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

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

Chelsea Manning

On April 21, 2011, Obama was confronted, and recorded, at a political fundraiser by a Manning supporter who wanted to know why Manning was being prosecuted on

such serious charges. Manning, said Obama, was “irresponsible, risked the lives of service members and did a lot of damage. He broke the law.”

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

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

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

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

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

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

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

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

General Petraeus

On Nov. 9, 2012, just three days after Obama was reelected, Petraeus resigned as CIA director as the news broke of his affair with Paula Broadwell. A mere five days after that, with the FBI’s investigation still in an early phase, Obama, in

his first post-election news conference, all but exonerated Petraeus, saying:

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

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

“We are safer because of the work that Dave Petraeus has done,” Obama said. “And my main hope right now is, is that he and his family are able to move on and this ends up being a single side note on what has otherwise been an extraordinary career.”

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

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

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

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

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

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

Edward Snowden

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

“Given the fact of an open investigation, I’m not going to dwell on Mr. Snowden’s actions or his motivations,” Obama said. “Our nation’s defense depends in part on the fidelity of those entrusted with our nation’s secrets. If any individual who objects to government policy can take it in their own hands to publicly disclose classified information, then we will not be able to keep our people safe, or conduct foreign policy.”

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

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

Hillary Clinton

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

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

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

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

Even people who believe that Clinton did nothing wrong, who feel that this is just another Republican-influenced vendetta to sabotage her presidential campaign, should be concerned that a president would interject himself thusly into an ongoing investigation.

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

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

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