

Obama exonerates CIA torturers

By Patrick Martin
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President Barack Obama announced Thursday that CIA agents who engaged in torture of prisoners over the past seven years will not be prosecuted or punished. As the Justice Department released memos documenting in grisly detail the interrogation guidelines set down by the Bush administration, the White House made it clear that neither those who ordered the torture nor those who carried it out would face justice.

The four memos released Thursday were written by the Office of Legal Counsel, an arm of the US Department of Justice, in 2002 and 2005. Their release was compelled by a court-established deadline in a Freedom of Information Act lawsuit filed by the American Civil Liberties Union (ACLU).

The ACLU denounced the Obama White House statement barring any prosecution of torturers. ACLU Executive Director Anthony Romero said the memos “provide yet more incontrovertible evidence that Bush administration officials at the highest level of government authorized and gave legal blessings to acts of torture that violate domestic and international law.”

The memos document in detail the methods employed against as many as 30 prisoners—a much larger number than previously admitted—including waterboarding, beating and kicking, slamming a prisoner’s head into the wall, slapping, forced standing, forced nakedness, prolonged shackling, sleep deprivation, deprivation of food and threats against a detainee’s family members.

Attorney General Eric Holder, chief US law enforcement officer, defended the decision not to enforce the laws against torture, saying, “At a time of great challenges and disturbing disunity, nothing will be gained by spending our time and energy laying blame for the past.”

CIA Director Leon Panetta, a former Democratic congressman and former White House chief of staff in the Clinton administration, sent a message to CIA employees which declared that the CIA under the Bush administration had “repeatedly sought and repeatedly received written assurances from the Department of

Justice that its practices were fully consistent with the laws and legal obligations of the United States. Those operations were also approved by the president and the National Security Council principals, and were briefed to the congressional leadership.”

Panetta’s statement underscores one of the principal considerations of the Obama White House. Any serious effort to prosecute torture at the CIA “black sites”—the secret prisons established as part of the Bush administration’s “war on terror”—would inevitably expose leading congressional Democrats, including House Speaker Nancy Pelosi and Senate Majority Leader Harry Reid, to criminal sanctions, because they knew of and approved the brutal methods ordered by Bush and Cheney.

Not only will the Obama administration refuse to prosecute CIA officers, Panetta said, but the Department of Justice will provide free legal counsel to anyone “subject to investigations relating to these operations.” This means that the US government will represent and defend CIA torturers if they face congressional investigation, civil lawsuits by their victims, or prosecution under international law, such as the International Convention on Torture, to which the United States is a signatory. The US government will also pay any judgment against CIA agents if they lose a suit for damages.

Obama himself sent a letter to all CIA employees explaining his decision to release the torture memos, an action that was opposed by Panetta and former CIA Director Michael Hayden. He wrote, “the release of these memos is required by our commitment to the rule of law.” This commitment extends only to producing pieces of paper—released with names and other incriminating details redacted—but not to any actual sanctions against those who committed horrific crimes.

The text of the statement Obama issued from the White House is typical of the mix of hypocrisy, demagoguery and lying that characterizes the major pronouncements of the new president. Obama never uses the word torture,

substituting a series of euphemisms that were then parroted in media coverage, where the word “torture” appears only in quotations from critics of the White House decision.

Obama claims that “In one of my very first acts as president, I prohibited the use of these interrogation techniques by the United States because they undermine our moral authority and do not make us safer.” In fact, this prohibition is not absolute and is essentially a cosmetic gesture, aimed at restoring the “moral authority” of an imperialist power which has carried out massive war crimes.

Profusely apologizing to the CIA for releasing the documents, Obama hastens to reassure the intelligence agencies that he still supports them, declaring, “in a dangerous world, the United States must sometimes carry out intelligence operations and protect information that is classified for purposes of national security. I have already fought for that principle in court and will do so again in the future.”

Obama describes the CIA torturers as people “who carried out their duties relying in good faith upon legal advice from the Department of Justice that they will not be subject to prosecution.” This echoes the “just-following-orders” defense that was rejected by the Nuremberg Tribunal when Nazi war criminals sought to use it.

No one needed a memo to tell them that the methods employed in the CIA “black sites” were brutal, repugnant and criminal. That is why the CIA and its protectors have stonewalled the courts, long after the details have become public through leaks to the press based on the accounts of those who survived the interrogations, as well as the findings of the International Committee of the Red Cross.

The bulk of the Obama statement is devoted to glorifying the “intelligence community,” in language that would be echoed word for word by Bush and Cheney: “The men and women of our intelligence community serve courageously on the front lines of a dangerous world. Their accomplishments are unsung and their names unknown, but because of their sacrifices, every single American is safer. We must protect their identities as vigilantly as they protect our security, and we must provide them with the confidence that they can do their jobs.”

The truth is that US intelligence agencies carry out assassinations, torture, subversion and provocation in the interests, not of the American people, but of the American corporate-financial ruling elite. The CIA is reviled all

over the world as the American “Murder Inc.,” which has overthrown governments targeted by Washington, instigated civil wars and established military dictatorships in country after country.

Obama’s statement combines abject cowardice, as he bows before the power of the military/intelligence apparatus, and an embrace of its history of violence and counterrevolution, as he pledges in the statement, “I will always do whatever is necessary to protect the national security of the United States.”

In closing, the US president declares, “This is a time for reflection, not retribution ... nothing will be gained by spending our time and energy laying blame for the past. Our national greatness is embedded in America's ability to right its course in concert with our core values, and to move forward with confidence. That is why we must resist the forces that divide us, and instead come together on behalf of our common future.”

What cynical rubbish! As if torture can be stopped by exonerating the torturers and concealing their crimes from the public!

The message is clear: anyone who demands accountability for the crimes committed under the Bush administration (and continued under the Obama administration) is acting to “divide” the nation.

By declaring an amnesty for those who carried out actions that—even according to the Obama administration—constituted torture and were illegal, the White House is sanctioning criminal activity by the state. This amounts to a carte blanche to the military and intelligence apparatus to utilize whatever illegal methods they choose to employ.

Obama’s kowtowing to the most reactionary forces within the state underscores the vast and ever-growing power that this “state within a state” exerts over all aspects of government policy. It is one more demonstration of the terminal decay of American democracy.

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