

New York Times on Guantánamo: A willing conduit for the military-intelligence apparatus

By Bill Van Auken
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After more than two weeks of controversy, the *New York Times* has been forced to publicly backpedal on its May 21 story, headlined “1 in 7 Detainees Rejoined Jihad, Pentagon Finds.”

This began last Friday with a terse three-paragraph “Editor’s Note” published in the corrections column and was followed in the Sunday edition with a column by the paper’s public editor, Clark Hoyt, entitled “What Happened to Skepticism?”

The original story, written by the *Times* Pentagon correspondent Elisabeth Bumiller, was based on a leaked (and subsequently released) Pentagon report, which claimed that 14 percent of the 534 detainees transferred out of the US prison camp in Guantánamo Bay, Cuba had, in Bumiller’s words, “returned to terrorism or militant activity.”

The report names only 30 of the 74 who allegedly “reengaged in terrorist activity” (one more than Bumiller reported seeing in the leaked document). Out of the total, 27 were described as “confirmed,” while 47 were only “suspected” of terrorist activity.

The editor’s note that appeared last Friday blandly acknowledged the substance of the widespread criticisms—without referring to them—provoked by Bumiller’s article. It noted that the “premise” of the Pentagon report was that “all the former prisoners had been engaged in terrorism before their detention,” which the note described as something that “remains unproved.” It also admits that the article “conflated two categories of former prisoners”—those that had been “confirmed as engaging in terrorism” and those who were “suspected of doing so.”

In reality, the entire premise of the Pentagon report and Bumiller’s piece had been thoroughly debunked before they ever appeared in print.

A December 2007 study prepared by Seton Hall University School of Law had demolished the credibility of an earlier Pentagon report making similar allegations about somewhat fewer ex-detainees returning to “terrorist activity.”

At the time, the Pentagon claimed that nearly 30 had “returned to the battlefield,” but described only 15 of these cases and named only seven.

The study found that eight of the 15 described as resuming terrorism were accused of nothing more than condemning their

treatment at Guantánamo, an act that the Pentagon portrayed as terrorist propaganda. Some of them—including the so-called Tipton Three (British residents who since their release have remained in Britain)—were included among those returning to terrorism for having appeared in the commercial film, *The Road to Guantánamo*, where they described the abuse to which they had been subjected.

Also included were five Uighurs—ethnic Chinese Muslims—who were released in 2006 after three years in Guantánamo and sent to a refugee camp in Albania. The Pentagon itself acknowledged that they had been improperly classified as “enemy combatants” and there is no evidence whatsoever that they engaged in terrorist activity either before or after their incarceration at Guantánamo. The reason they were included among those accused of carrying out “anti-coalition militant activity” is that one of them wrote an opinion piece for the *New York Times* urging the US Congress to protect habeas corpus.

In other words, unless one wants to be classified by the Defense Department as a “terrorist,” he had better keep his mouth shut about being tortured, make no complaints about being held prisoner for years without cause, and say nothing about democratic rights.

Out of the five that the Defense Department named as having been recaptured or killed, three were never listed among detainees at Guantánamo and one was shot to death by Russian security forces in an apartment complex after being pursued for unknown reasons. Some of the same names debunked in this study reappear in the report released to Bumiller.

Moreover, as the study points out, “Implicit in the allegation that one has *returned* to the battlefield is that one has been on a battlefield previously.” Based on a review of 516 summaries prepared by the Defense Department’s Combat Status Review Tribunal, the study found that only 21 were even alleged to have ever been on anything that could be called a “battlefield,” and only 24 were actually captured by US forces. The overwhelming majority—86 percent—were sold to the US for bounty. The sole detainee to have been captured on a battlefield by US forces was a 15-year-old Canadian citizen, Omar Khadr.

It would appear that Bumiller either did not bother to review the Seton Hall study before writing her piece, or decided to

deliberately ignore it in order to better promote the sensationalist charges of the Pentagon.

The follow-up column by the *Times* public affairs editor pointed to the rationale behind the timing of Bumiller's story. "When Vice President Dick Cheney assailed President Obama's plan to close the prison at Guantánamo last month, he used ammunition plucked right from that morning's *Times*."

Indeed, Bumiller's piece was published the same day that Obama and Cheney gave their extraordinary opposing speeches, pointing to the deepening crisis within the US state apparatus. And, given its appearance in the supposed "newspaper of record," it was picked up and echoed as fact by broadcast news outlets around the country.

Cheney directly invoked the *Times* story as key evidence in a speech that all but charged that the Obama administration's release of the Justice Department torture memos and its proposal to close down Guantánamo amounted to a treasonous aiding and abetting of terrorism.

Referring to the Guantánamo detainees, Cheney stated: "Keep in mind that these are hardened terrorists picked up overseas since 9/11. The ones that were considered low-risk were released a long time ago. And among those, we learned yesterday, many were treated too leniently, because 1 in 7 cut a straight path back to their prior line of work and have conducted murderous attacks in the Middle East."

The *Times* public editor lamented that the article that Cheney was citing was "seriously flawed" and "greatly overplayed," adding that it was mistake to base an article on material leaked from the government without seeking to "push back skeptically," given the highly charged political context.

The public editor then makes a telling, but unexplained reference: "The lapse is especially unfortunate at the *Times*, given its history in covering the run-up to the Iraq war."

What he was referring to is the now infamous record of the newspaper and its then-senior correspondent, Judith Miller, in acting as a direct accomplice of the Bush administration in attempting to terrorize the American public into accepting a preemptive war against Iraq.

While working as a reporter, Miller was granted a classified security clearance by the Pentagon, in return for which she committed herself to keep state secrets from the newspaper's readership. The reasons for this extraordinary relationship are clear. Miller had in the course of her career established close relations with US and Israeli intelligence as well as ideological affinity with the right-wing think tanks that were leading the campaign for a war against Iraq.

In selecting Miller to cover the run-up to the Iraq war, the *Times* could have had no illusions about the results. Miller drafted a series of articles promoting and embellishing upon the administration's fraudulent claims about supposed "weapons of mass destruction" in Iraq. In a classic government-media echo chamber, Bush, Cheney and others would then cite the articles in the "liberal *New York Times*" as substantiation for

their phony case for an unprovoked war against Iraq.

After it became manifestly clear that the Bush administration had dragged the country into war based on lies and disinformation that were disseminated most prominently by the *Times*, the newspaper's then-public editor was forced to write a similar piece acknowledging its "mistakes."

Bumiller played her own role during this period. Having previously covered City Hall in New York, from 2001 to 2007, she was elevated to the position of *Times* White House correspondent, covering the Bush presidency during the entire period leading up to the Iraq war. Asked by the *Baltimore Sun* about the failure of the entire White House press corps, of which she was a member, to pose any probing questions about the administration's manufactured pretense for invading Iraq, Bumiller responded:

"I think we were very deferential... Think about it, you're standing up on prime time live TV asking the president of the United States a question when the country's about to go to war. There was a very serious, somber tone that evening, and no one wanted to get into an argument with the president at this very serious time."

Nothing could more clearly express the debasement and cowardice of what passes for a "free press" in America. This attitude on the eve of the Iraq war, like the willing regurgitation of Pentagon propaganda today, expresses the growing incorporation of the US mass media into the state apparatus and its self-subordination to the demands and needs of the ruling oligarchy. This process is both an expression of and contributing factor in the advanced decay of democratic processes in the United States.

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