

# The CIA torture report and the crisis of legitimacy in the United States

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Conflicts over the release of a long-delayed US Senate investigation report into the Central Intelligence Agency's torture program have produced a deepening crisis for the Obama administration. Under conditions where the expanding repressive apparatus of the American state—from the CIA and the NSA down to local police departments—is increasingly viewed as illegitimate, there are growing concerns in ruling circles about the international and domestic consequences of the public release of a report exposing systematic criminality at the highest levels.

It emerged on Friday that Secretary of State John Kerry took the unprecedented step of contacting Democratic Senator Dianne Feinstein directly to urge her to “consider” further delaying the release of the report. Feinstein, a Democrat from California, chairs the Senate Intelligence Committee, which was responsible for producing the report. According to State Department spokeswoman Jen Psaki, Kerry made the call “because a lot is going on in the world, and he wanted to make sure that foreign policy implications were being appropriately factored into timing.”

The implications for American imperialist foreign policy are obvious. The government of the United States asserts the power to invade, bomb and carry out “humanitarian intervention” and “regime change” anywhere in the world in the name of protecting “human rights.” Meanwhile, top military, civilian and intelligence officials of that same country are implicated in the gravest violations of human rights, as well as in conspiracies to cover up those crimes—and nobody has been held accountable.

Just as concerning for the ruling class, however, are the report's domestic consequences—further exposing a state apparatus that is already deeply unpopular in the eyes of the vast majority of the population.

The record of CIA torture and the subsequent investigations into it are a story of crime topped upon

crime. The CIA torture program, which was launched in 2002 with the direct involvement of top officials in the Bush administration, was apparently more brutal even than has been publicly acknowledged so far. “This was real torture,” a confidential source told the *Telegraph* earlier this year, calling the methods “medieval.” It goes without saying that torture is an illegal act, violating both international law as well as the US Constitution.

However, the Senate report is not limited to the torture itself. It also documents the CIA's systematic and criminal campaign over subsequent years to cover up the program. For example, in November 2005, the CIA destroyed tapes that it had made of torture at a secret “black site” in Thailand. (The Obama administration, under its doctrine of “looking forward not backward,” refused to prosecute the CIA officials involved in destroying this key evidence.)

The Senate Intelligence Committee investigation began in 2009, and the report was completed in December 2012. Kerry's phone call is only the latest in a long series of efforts by the Obama administration and the CIA to obstruct the report's release. Earlier this year, Feinstein revealed that the CIA had broken into the computers of staff working for the Senate Intelligence Committee and had attempted to erase evidence of CIA crimes. Subsequently, the CIA wiped additional files in order to conceal evidence of the electronic break-in from a congressional sergeant-at-arms investigation.

One possibility is that the Obama administration hopes to delay the release of the report until control of Congress changes into the hands of the Republican Party, after which it will be easier to justify burying it altogether. Even so, the Senate Intelligence Committee does not intend to release the full 6,200-page report to the public. Instead, only a roughly 500-page “executive summary” will ever see the light of day. The CIA has been permitted to make redactions, which according to media reports account for roughly 15 percent of the text.

While Feinstein has postured as a critic of the CIA torture program, she and the rest of the congressional Democrats are just as complicit in the program as the Republicans. In an opinion piece in the *Washington Post* on Friday, Jose A. Rodriguez Jr.—the CIA official who was responsible for the destruction of the torture videos in 2005—pointed out that “leaders of the Senate and House Intelligence Committees and of both parties in Congress were briefed on the program more than 40 times between 2002 and 2009.” Rodriguez added, “Rep. Nancy Pelosi (D-Calif.) tried to deny that she was told in 2002 that detainees had been waterboarded. That is simply not true. I was among those who briefed her.”

Whatever tactical differences exist among the various factions of the ruling class, the bitterness of the mutual recriminations—and Kerry’s extraordinary phone call—point to a mood of panic behind closed doors. Internationally as well as domestically, the lies and pretenses of the American state are being discredited in the eyes of millions.

There is a profound connection between criminality abroad and criminality at home. The so-called “war on terror” and military aggression abroad are linked to repression within the United States. As the WSWS has warned, the drive by the American ruling class to build up the infrastructure of a police state is in preparation for the inevitable confrontation with the working class. This is what lies behind the unprecedented levels of domestic spying, the assault on basic democratic rights, the CIA’s trampling on legality and the Constitution, the militarization of law enforcement and the ongoing police rampage against working-class youth.

The ongoing behind-the-scenes conflict over the CIA torture report comes as the American political establishment has been rattled in recent weeks by nationwide protests over multiple separate incidents where police officers were not held accountable for serious crimes, including the killings of Eric Garner in New York and Michael Brown in Ferguson, Missouri. In the working class, conclusions are being drawn. Just as there are no consequences for top government officials who authorize torture and assassination abroad, there are no consequences for police officers who commit murder at home. Nor are there any consequences, for that matter, for financial aristocrats whose illegal and speculative investments crashed the economy in 2008. Instead, war criminals continue to occupy top posts in the government, killer cops are placed on paid administrative leave or allowed a comfortable retirement and billionaire financial

criminals are rewarded with free cash in the form of bailouts from the public treasury.

A picture is emerging of a political and social system that is essentially a criminal conspiracy to intimidate, deceive and rob the population, involving Democrats, Republicans and all the auxiliary political agents of the ruling class. Under these conditions, “restoring legitimacy” is a top priority in ruling circles. On Thursday, Obama—employing a hefty dose of identity politics aimed at obscuring the basic class issues—spoke of “strengthening relationships” between “law enforcement” and minority “communities,” and of “restoring a sense of common purpose.”

“I am absolutely committed,” he added, “as president of the United States, to making sure that we have a country in which everyone *believes* [Obama emphasized this word] in the core principle that we are equal under the law.” He stressed that the police could only “do their jobs effectively” if “everyone has confidence in the system.” On the contrary, workers in the United States and internationally must draw exactly those conclusions that frighten Obama and the rest of the political establishment the most: that the system is precisely the problem.

No confidence can be placed in efforts to “reform” this or that criminal practice under conditions where the entire social system is closing ranks for an assault against the interests of the vast majority of the population. To fight back, the working class must orient itself towards socialism—that is, towards the overthrow and replacement of the outmoded world capitalist system, which is the essential cause of social inequality, war, violence and the disintegration of democratic forms of rule.

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