

Hail, Hail the Gang's All Here

by Ray McGovern

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The nomination of John Negroponte to the new post of director of National Intelligence (DNI) caps a remarkable parade of Bush Administration senior nominees. Among the most recent:

- Alberto Gonzales, confirmed as Attorney General: the lawyer who advised the president he could ignore the U.S. War Crimes Act and the Geneva Conventions on torture and create a “reasonable basis in law . . . which would provide a solid defense to any future prosecution.”

- Michael Chertoff, confirmed as Secretary of Homeland Security: the lawyer who looked the other way when 762 innocent immigrants (mostly of Arab and South Asian descent) were swept up in a post-9/11 dragnet and held as “terrorism suspects” for several months. The dictates of PR trumped habeas corpus; the detentions fostered an image of quick progress in the “war on terrorism.”

- John Negroponte: the congenial, consummate diplomat now welcomed back into the brotherhood. Presently our ambassador in Baghdad, Negroponte is best known to many of us as the ambassador to Honduras with the uncanny ability to ignore human rights abuses so as not to endanger congressional support for the attempt to overthrow the duly elected government of Nicaragua in the '80s. Negroponte's job was to hold up the Central American end of the Reagan Administration's support for the Contra counterrevolutionaries, keeping Congress in the dark, as necessary.

Introducing . . . Elliott's Protégé

Stateside, Negroponte's opposite number was Elliott Abrams, then Assistant Secretary of State for Inter-American Affairs, whose influence has recently grown by leaps and bounds in the George W. Bush Administration. Convicted in October 1991 for lying to Congress about illegal support for the Contras, Abrams escaped prison when he was pardoned, along with former Defense Secretary Caspar Weinberger (also charged with lying to Congress), former National Security Adviser Robert McFarlane and three CIA operatives. Indeed, their pardons came *cum laude*, with President George

H.W. Bush stressing that “the common denominator of their motivation . . . was patriotism.” Such “patriotism” has reached a new art form in his son's administration, as a supine Congress no longer seems to care very much about being misled.

President George W. Bush completed Elliott Abrams' rehabilitation in December 2002 by bringing him back to be his senior advisor for the Middle East, a position for which the self-described neo-conservative would not have to be confirmed by Congress. Immediately, his influence with the President was strongly felt in the shaping and implementation of policy in the Middle East, especially on the Israel-Palestine issue and Iraq. Last month the President promoted him to deputy national security advisor, where he can be counted on to overshadow—and outmaneuver—his boss, the more mild-mannered Stephen Hadley.

It is a safe bet that Abrams had a lot to do with the selection of his close former associate to be director of National Intelligence, and there is little doubt that he passed Negroponte's name around among neo-con colleagues to secure their approval. . . .

Civil Liberties at Stake

The liberties that Gonzales, Chertoff and Negroponte have taken with human rights are warning signs enough. The increased power that will be Negroponte's under the recent intelligence reform legislation makes the situation still more worrisome.

How many times have we heard the plaintive plea for better information sharing among the various intelligence agencies? It is important to understand that the culprit there is a failure of leadership, not a structural fault. . . .

Lost in all the hand-wringing about lack of intelligence sharing is the fact that the CIA and the FBI have been kept separate and distinct entities for very good reason—first and foremost, to protect civil liberties. But now, under the intelligence reform legislation, the DNI will have under his aegis not only the entire CIA, whose operatives are skilled at breaking (foreign) law, but also a major part of the FBI, whose agents are carefully trained not to violate constitutional protections or otherwise go beyond the law. (That is why the FBI agents at Guantanamo judged it necessary to report the abuses they saw.) . . . Aware of these dangers and eager to prevent the creation of the president's own Gestapo, both the 9/11 Commission and Congress proposed creation of an oversight board to safeguard civil liberties. Nice idea. But by the time the legislation passed last December, the powers and independence of the “Privacy and Civil Liberties Oversight Board” had been so watered down as to be a laughingstock. . . .

“What the hell do we care; what the hell do we care” is the familiar second line of “Hail, Hail, the Gang's All Here.” With Chertoff, Abrams, and now Negroponte back in town, those concerned to protect civil liberties here at home and to advance them abroad need to care a whole lot. . . .