

Iraq war is the real “underlying crime” in the Libby indictment

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The indictment in the CIA leak investigation of Vice President Dick Cheney’s chief of staff, I. Lewis “Scooter” Libby, has deepened the political crisis of the Bush administration, while further exposing the methods of criminality and conspiracy that extend from the White House on down.

Libby was charged Friday with obstruction of justice, perjury and making false statements, felony offenses that together are punishable by up to 30 years in prison. After being told of the charges, he resigned from the government.

Justice Department Special Counsel Patrick Fitzgerald made it clear that the investigation into the deliberate leaking of the identity of CIA covert operative Valerie Plame Wilson had not concluded. President Bush’s chief political adviser, Karl Rove, remains a subject of this probe, having for the moment avoided an indictment. Rove’s lawyer said prosecutors told him they had “made no decision about whether or not to bring charges.”

The exposure of the CIA agent was part of a “dirty tricks” campaign aimed at discrediting and punishing her husband, Joseph Wilson, a former ambassador who had publicly exposed the administration for lying to the American public about the supposed threat posed by Iraqi “weapons of mass destruction.” These non-existent weapons were the principal pretext given by Washington for launching an unprovoked war against Iraq in March 2003.

The CIA had sent Joseph Wilson to Niger in 2002 to investigate claims that Iraq was attempting to buy uranium from the African country to further Saddam Hussein’s alleged efforts to obtain nuclear weapons. Wilson found that the allegations were false and reported this back to Washington. Nonetheless, Bush repeated the allegation in his 2003 State of the Union address as part of a concerted effort to terrorize the American people into accepting a war.

Following the US invasion and the failure of American forces to find a shred of evidence of Iraqi WMD, Wilson began speaking to the media about his findings and the government’s lies. In July of 2003, he wrote an opinion column in the *New York Times* publicly exposing the administration’s deceit.

Unable to answer Wilson, the administration opted for the methods of political thuggery, exposing his wife’s CIA status to the media as a form of retaliation and floating the claim that she had organized his trip to Niger, with the implication that it was somehow tainted by nepotism.

The basis of the charges against Libby is that he lied to both FBI agents and the federal grand jury empanelled in the leak investigation about how he himself learned that Valerie Wilson was a CIA operative and what he told several reporters about her status.

The vice presidential aide claimed that he had learned about her

employment at the spy agency from reporters calling him for confirmation, and that he had only told other members of the press that he had heard about the CIA status of Valerie Wilson from reporters.

The investigation, however, disclosed that Libby had first learned about Valerie Wilson’s CIA status from Cheney himself, and had subsequently discussed it with five other government officials, including CIA officers, an under-secretary of state, and White House Press Secretary Ari Fleischer. It also established that Libby had told reporters, including Judith Miller of the *New York Times* and Matthew Cooper of *Time* magazine, not that he had heard she was CIA from other journalists, but that he knew it to be true.

What the indictment against Libby makes clear is that he was merely one of the participants in a smear campaign against Wilson involving a number of officials, and which, by all indications, was directed by Cheney and the Bush White House. His lying to the grand jury was designed to protect Bush, Cheney and others involved in this conspiracy.

Much has been made, particularly by the administration’s supporters, of the fact that Libby was not charged with the so-called underlying crime, that is, violation of a 1982 federal statute that bars the deliberate exposure of covert CIA agents.

Even on this rather narrow question, the indictment and Fitzgerald’s statements explaining it make clear that prosecutors believed Libby’s lies had obscured whether or not the statute was violated, and therefore constituted just as serious a crime.

More importantly, the real “underlying crime” is not the exposure of Valerie Plame Wilson as a CIA agent. This act was carried out only to further and defend the far greater crime of dragging the American people into a war of aggression on the basis of lies.

At his press conference Friday, Fitzgerald brushed aside a question as to whether the indictment vindicated charges that the Iraq war had been launched on false premises. “This indictment is not about the war,” he said. “This indictment’s not about the propriety of the war. And people who believe fervently in the war effort, people who oppose it, people who have mixed feelings about it should not look to this indictment for any resolution...”

For the most part, the mass media has embraced this exceedingly narrow and legalistic interpretation of the crisis arising from the Libby indictment. Television commentators have focused their attention on how well the Bush administration is handling the political fallout, while speculating whether the case will ensnare others, like Rove.

What is obvious, however, is that Libby’s lies to the grand jury and the FBI were the inevitable byproduct of the far more momentous lies concocted by the Bush administration in making its case for a war

against Iraq. These included the now discredited claims about WMD, the charge that some link existed between Saddam Hussein and Al Qaeda, and the baseless suggestion that Iraq had something to do with the September 11, 2001 attacks.

The smear against the Wilsons was a continuation of a conspiracy to drag the American people into war, involving top officials within the US government—Bush, Cheney, Rumsfeld.

Libby, though not in the public eye, was a prominent member of this conspiracy. In 1992, in the first Bush administration, he was, together with Paul Wolfowitz, the author of a Defense Department document advocating the use of “preemptive” war against countries seeking to obtain weapons capabilities and those “aspiring to a larger regional or global role” in conflict with US domination. As a member of the Project for a New American Century, he was one of those advocating a war against Iraq long before the Bush administration seized upon the September 11 attacks as a pretext.

Within the administration, Libby played a pivotal role in organizing a parallel intelligence operation based in the Pentagon and the vice president’s office and tasked with manufacturing phony evidence that Iraq represented a military threat to the US.

The indictment against this prominent senior official is not, as Fitzgerald claimed Friday, an indication that the US is a “country that takes its law seriously.” If this were the case, the legally binding treaties that bar wars of aggression and torture would have brought Bush, Cheney and the entire administration into the defendant’s dock long ago.

Rather, it is a manifestation of a bitter conflict within the state itself. The tensions over intelligence that arose in the run-up to the war between the Pentagon and the White House, on the one hand, and the State Department and the CIA, on the other, have now given rise to recriminations over the political and military disaster that US imperialism is confronting in Iraq.

This has found expression in recent weeks in the statement of former State Department Chief of Staff Lawrence Wilkerson—undoubtedly reflecting the views of ex-Secretary of State Colin Powell—denouncing “a cabal between the vice president of the United States, Richard Cheney, and the secretary of defense, Donald Rumsfeld” operating outside of normal government channels and controls. Also weighing in with open criticism in the *New Yorker* magazine of the administration’s decision to go to war is Brent Scowcroft, the former national security advisor and close political confidante of Bush senior.

Within this context, the indictment and the threats to prosecute other officials, including possibly Cheney himself, could be utilized as part of an effort to bring about a certain course correction and effect personnel changes in the Bush administration. The aim would be to avoid a military, diplomatic and political disaster in Iraq, and repair what many within the political and military establishment consider to be serious damage to the long-term interests of US imperialism.

There is already widespread speculation that “outsiders” may be recruited to try and rescue Bush’s second-term administration. One year after being elected for the first time with a majority vote, the administration is visibly floundering in the wake of its catastrophic response to Hurricane Katrina and the debacle of the Harriet Miers Supreme Court nomination, and in the face of massive popular opposition to the continuing war in Iraq.

Among those mentioned as potential “new blood” are Joshua Bolten, the director of the Office of Management and Budget and former Goldman Sachs executive, as well as the current and former Republican National Committee chairmen, Ken Mehlman and Ed

Gillespie.

Meanwhile, the real “underlying crime” continues in the carnage that the US invasion and occupation have produced in Iraq. This crime—which has cost the lives of over 100,000 Iraqi civilians and more than 2,000 American soldiers—cannot be punished, much less resolved, through the work of special counsels or the prosecution of one or another of the conspirators who launched a war based upon lies.

This criminal war is itself a manifestation of the profound decay of American democracy. All of the institutions of American society are implicated in this crime. This includes the Congress, which voted for the war and has refused to seriously investigate the lies used to promote it; the Democratic Party, which has covered for the crimes of the Bush administration while backing the war; the media, which regurgitated the lies about Iraqi WMD; the courts, which have upheld Bush’s abuses of power; and the corporate elite, which has engaged in war profiteering.

The response of the Democrats to the Libby indictment was both revealing and predictable. Prominent party leaders used it once again to attack Bush from the right, seizing on the leaking of the CIA agent’s identity as evidence that the administration is weak on national security.

Typical was the comment of Senator Hillary Rodham Clinton (Democrat, New York), who said that the indictment of Libby “raises serious national security concerns.” She added, “Taking such action for political purposes is simply reprehensible and should never be tolerated.”

The Democratic National Committee issued a statement attacking Bush for “his failure to put forth a clear plan for victory in Iraq,” and warning that the administration “is clearly bogged down in a scandal that is distracting it from attending to the nation’s business.”

The crime underlying the Libby indictment and the entire CIA leak affair is the one that was prosecuted at Nuremberg nearly 60 years ago—the plotting and waging of a war of aggression. Bush, Cheney, Rumsfeld and others in the top echelons of the White House and the Pentagon should be brought to justice for this fundamental war crime, as well as the multiple crimes and horrors that have flowed from it.

This will not happen either through special counsels, the courts or Congressional impeachment. It requires the emergence of a mass independent political movement of the working class, mobilized on a socialist program and directed against the American plutocracy in whose interests this war is being waged.



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