Judith Miller and the New York Times—accomplices in a war based on lies

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The long-awaited "explanations"—one from the *New York Times* and another from the newspaper's senior correspondent Judith Miller—about what led her to go to jail rather than testify before a federal grand jury, and then testify 85 days later, have raised more questions than answers.

The *Times*' page one news story and Miller's "personal account" published Sunday portray behavior that has far more in common with government plots and dirty tricks than with the defense of journalistic principles, the confidentiality of sources, or freedom of the press.

At the heart of the Miller case—and whatever fallout is to come in terms of potential indictments against Bush administration officials—is not simply a government plot to smear a critic of the war, but a criminal conspiracy by the Bush administration, aided and abetted by both Congress and the media, to drag the American people into a war based upon lies.

Both the *Times*' and Miller's account deal with three discussions the reporter held with Vice President Dick Cheney's chief of staff, I. Lewis "Scooter" Libby, in June and July of 2003, concerning former ambassador Joseph Wilson and Wilson's wife, covert CIA officer Valerie Plame.

Wilson had conducted a CIA-organized trip to Niger in 2002 to investigate reports that the African country was selling weapons-grade uranium to the Saddam Hussein regime. On the basis of his trip, he reported that there were no grounds for such claims. Nonetheless, the administration made the alleged uranium purchases a key element in its attempt to terrorize the American people into supporting an unprovoked war of aggression against Iraq.

Bush included the claim—the notorious "16 words"—in his January 2003 State of the Union speech, prompting Wilson to begin speaking out on what he viewed to be the falsification of intelligence to create a pretext for war. He became an unnamed source for a number of commentaries by *Times* columnist Nicholas Kristof and, on July 6, 2003, the *Times* published an opinion piece under his byline charging that the intelligence had been "twisted to exaggerate the Iraqi threat."

The first of Miller's discussions with Libby took place in the Old Executive Office Building on June 23, two weeks before Wilson's article was published. She met him again at Washington's St. Regis Hotel on July 8, two days after the piece appeared. The third discussion took place July 12, two days before right-wing columnist Robert Novak, citing "two senior administration officials," published a column identifying Wilson's wife as a CIA operative and claiming it was her idea to send him to Niger.

The column touched off a political firestorm, with the CIA demanding that the Justice Department investigate. The intentional identification of a covert agent is a federal crime under the 1982 Intelligence Identities Protection Act, a statute enacted with the aim of silencing those trying to expose US intelligence operations abroad.

There has been widespread speculation that the two unnamed officials cited by Novak are Libby and White House chief advisor Karl Rove, who has been called four times to testify before the grand jury convened by the special counsel appointed to investigate the case, Patrick J. Fitzgerald.

Times claim that Miller the reporter and decision the last mo reverse her previous stand and testify before Fitzgerald's panel, and thereby obtain her release from prison, was based on personal assurances given by Libby in September that he had voluntarily released her from her pledge to keep his name confidential. Libby's lawyer, however, insists that Libby had already made such a waiver of confidentiality a year before.

The account given by Miller of her discussions with Libby and her decision first to go to jail, and then to testify, is riddled with inconsistencies. Her "personal account" reads like a series of evasions and half-truths crafted with her lawyer—establishment powerbroker Robert Bennett—to provide her with deniability.

Thus she writes, "My notes do not show that Mr. Libby identified Mr. Wilson's wife by name. Nor do they show that he described Valerie Wilson as a covert agent..." This kind of legalese leaves up in the air the issue of whether or not Libby actually identified Valerie Wilson by name, or divulged to Miller her covert status.

Miller is obliged to acknowledge that on one page of her notes from June 23—weeks before Wilson had gone into print or Novak had written his exposé—she had written "Valerie Flame." Miller writes that she told Fitzgerald that she did not believe the misspelled name came from Libby, and adds, "I simply could not recall where that came from..."

Given the explosive character of the issues involved in leaking the name, not to mention the uproar that followed Novak's publication of the information, such a memory lapse is simply not credible.

Other elements of Miller's account spell out her intimate political collaboration with the Bush administration. She was asked by Fitzgerald about the words "Former Hill staffer" in her notes of the July 8 meeting with Libby. Miller writes: "Mr. Libby wanted to modify our prior understanding that I would attribute information from him to a 'senior administration official.' When the subject turned to Mr. Wilson, Mr. Libby requested that he be identified only as a 'former Hill staffer.' I agreed to the new ground rules because I knew that Mr. Libby had once worked on Capitol Hill."

This subterfuge has nothing to do with protecting a source and everything to do with aiding the administration in deceiving the American people. Quoting Libby off the record as a former Hill staffer has only one purpose—to wipe the administration's fingerprints off what they both knew to be a conspiracy aimed at suppressing opposition to the US war in Iraq.

Miller also recounts that the special counsel asked her "whether I had discussed my security status with Mr. Libby. During the Iraq war, the Pentagon had given me clearance to see secret information as part of my assignment 'embedded' with a special military unit hunting for unconventional weapons.

"Mr. Fitzgerald asked if I had discussed classified information with Mr. Libby. I said I believed so..." She continued, recalling that she had "expressed frustration to Mr. Libby that I was not permitted to discuss

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with editors some of the more sensitive information about Iraq."

Here one comes to the crux of the case of Judith Miller. While working as a reporter, she obtained a classified security clearance from the US Defense Department, which allowed her to review secret documents while at the same time committing her under oath to keep those secrets from her editors, not to mention the readers of the *New York Times*.

Whether Miller ever revealed to the *Times* management that she had entered into such a confidential relationship with the Pentagon is unclear. What is certain, however, is that this information was never shared with the readership as the *Times* continued to pass Miller's articles off as objective reporting.

Miller continues to conceal. As the *Times* news account puts it, the reporter "generally would not discuss her interactions with editors, elaborate on the written account of her grand jury testimony or allow reporters to review her notes." In other words, after the newspaper promised for weeks that it would provide a full accounting of the Miller affair, Miller told those assigned to this task to get stuffed.

The seething anger toward Miller and the *Times* management among many members of the newspaper's news staff was evident from the account. Asked what she regretted about the way the Miller case was handled, managing editor Jill Abramson replied, "The entire thing."

As the *Times*' own account acknowledges, reporters in the newspaper's Washington bureau were blocked from publishing stories on Libby and the leak investigation as the *Times* management sought to shield Miller and her contacts in the Bush administration. Veteran *Times* Washington correspondent Todd Purdum is quoted in the news account as saying that many news staff members were "troubled and puzzled by Judy's seeming ability to operate outside of conventional reporting channels and managerial controls."

What was the product of these "unconventional methods?" In May of last year, the newspaper's public editor drafted an extraordinary notice to the readers informing them that the newspaper had erred in prominently featuring stories making "dire claims about Iraq" and weapons of mass destruction that subsequently proved false. He cited six stories published between October 2001 and April 2003, five of them written by Miller.

The public editor never named Miller in the notice and cautioned against those casting "blame on individual reporters." Editors at various levels, he insisted, were also at fault.

No doubt this was true. Miller was assigned to cover the administration's case for war against Iraq by editors who were well aware of her views and connections. In writing on weapons of mass destruction and the Middle East, she had forged close ties to US and Israeli intelligence, as well as ideological agreement with the network of Republican think tanks that had promoted a war against Iraq for over a decade.

Miller's political agenda was well known within the *Times* news staff well before she wrote her articles promoting the administration's claims about Iraqi weapons of mass destruction in the run-up to and aftermath of the US invasion of March 2003.

The *Washington Post* Monday cited the case of former *Times* writer Craig Pyes, who in 2000 asked that his name be taken off the byline of a story that he had co-written with Miller on Al Qaeda. In a memo to the *Times* editorial board, Pyes, who now works for the *Los Angeles Times*, wrote:

"I'm not willing to work further on this project with Judy Miller... I do not trust her work, her judgment, or her conduct. She is an advocate, and her actions threaten the integrity of the enterprise, and of everyone who works with her... She has turned in a draft of a story of a collective enterprise that is little more than dictation from government sources over several days, filled with unproven assertions and factual inaccuracies," and "tried to stampede it into the paper."

This is exactly what was reproduced in her articles on Iraq. She served as a conduit for propaganda from those in the administration who launched the war on false pretexts.

In a column published Sunday, Frank Rich of the *New York Times* made the correct point that Fitzgerald's probe has provided "illumination of a conspiracy that was not at all petty: the one that took us on false premises into a reckless and wasteful war in Iraq. That conspiracy was instigated by Mr. Rove's boss, George W. Bush, and Mr. Libby's boss, Dick Cheney."

The column focused on the activities of the White House Iraq Group, set up in August 2002 with the task of promoting the war to the American public. This effort began in earnest a month later.

Rich writes: "Mr. Cheney, who had already started the nuclear doomsday drumbeat in three August speeches, described Saddam as 'actively and aggressively seeking to acquire nuclear weapons.' The vice president cited as evidence a front-page article, later debunked, about supposedly nefarious aluminum tubes co-written by Judy Miller in that morning's *Times*. The national security journalist James Bamford, in 'A Pretext for War,' writes that the article was all too perfectly timed to facilitate 'exactly the sort of propaganda coup that the White House Iraq Group had been set up to stage-manage.'"

This is correct as far as it goes. But what Rich leaves untouched is the role of the *New York Times* and the media generally as partners in this "propaganda coup." They acted as willing collaborators in a concerted campaign of disinformation designed to justify a criminal war of aggression.

Sunday's account by the *Times* of the role of the newspaper's ownership and top management in the Miller-Libby affair is no less dubious and riddled with absurdities than Miller's own account. The article notes that shortly after he became executive editor on July 30, 2003, Bill Keller told Miller that she could no longer "cover Iraq and weapons issues." The article goes on to say that "criticism of Ms. Miller's Iraq coverage mounted..."

Yet, according to the *Times* account: "... Mr. Sulzberger [the publisher] and the paper's executive editor, Bill Keller knew few details about Ms. Miller's conversations with her confidential source other than his name. They did not review Ms. Miller's notes... Interviews show that the paper's leaders, in taking what they considered to be a principled stand, ultimately left the major decisions in the case up to Ms. Miller, an intrepid reporter whom editors found hard to control.

"'This car had her hand on the wheel because she was the one at risk,' Mr. Sulzberger said."

How credible is the claim that the top management and ownership gave a carte blanche in a matter of such momentous import to the newspaper to an individual whom they had been obliged to remove from her beat because her reporting had been so unreliable, incompetent and biased that it had badly damaged the newspaper's credibility, and who was reviled by much of the reporting staff?

If, in fact, Sulzberger and Keller remained so oblivious, it stands to reason they did so in order to maintain their own deniability.

Three years after the invasion, the result is an estimated 100,000 Iraqis dead, a US military death toll fast approaching 2,000, and spiraling chaos and violence in Iraq. For this, those who run the *Times* share political responsibility.

Miller's role in this process is part of the overall corruption of the American media and its integration into the state. This debasement of what calls itself a "free press" is bound up with the collapse of liberalism and the decomposition democratic processes in the United States.

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