

Libby perjury trial puts spotlight on US Vice President Cheney

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Testimony in the opening week of the perjury trial of former top White House official I. Lewis Libby has focused attention on the central role played by Vice President Dick Cheney in the Bush administration's efforts to suppress political opposition to the war in Iraq.

Cheney himself will take the stand later in the trial, the first time that a sitting vice president has testified under oath in a criminal proceeding. Despite the best efforts of special prosecutor Patrick Fitzgerald and Judge Reggie Walton to narrow its focus, the trial has already begun to shed light on the gangster-like methods of the Bush administration.

The opening statement by the defense has already raised the claim that Libby is being used as a scapegoat to protect more politically powerful members of the administration, particularly Bush's chief political aide, Karl Rove. Attorney Theodore Wells, Jr. read an excerpt from a note handwritten by Cheney, declaring that he was "not going to protect one staffer" [i.e., Rove] and "sacrifice the guy [i.e., Libby] that was asked to stick his neck in the meat grinder because of the incompetence of others." And the first few witnesses have painted a picture of Cheney as the directing force in the administration's efforts to use the media to smear and discredit critics of the war.

The mounting political pressure on the administration, and on Cheney in particular, has been expressed in a series of increasingly intemperate outbursts from the vice president, particularly his interview with Wolf Blitzer of CNN last week. Cheney declared that the US intervention in Iraq had produced "enormous successes," while dismissing as "hogwash" any suggestion that the administration had lost credibility because of its false claims about weapons of mass destruction and its constantly shifting rationale for the war.

Libby was Cheney's long-time chief of staff until he resigned in late 2005 after being indicted on charges of perjury and obstruction of justice. He was one of the most powerful behind-the-scenes figures in official Washington, serving as Cheney's enforcer on foreign policy matters, the area of greatest interest to the vice president, who plays an outsized role within the Bush administration.

The motive of the alleged perjury was to conceal the role of the White House, and Cheney in particular, in an effort to punish public opposition to the war. Federal prosecutor Patrick Fitzgerald charged that Libby repeatedly lied to a federal grand jury investigating the leak of the identity of a covert CIA operative,

Valerie Wilson, whose husband, former ambassador Joseph A. Wilson, became a vocal critic of the Bush administration's war propaganda.

Wilson wrote an op-ed column published by *New York Times* on July 6, 2003, revealing that the White House had incorporated lies about Iraqi efforts to obtain uranium in Africa into Bush's January 2003 State of the Union speech. Wilson had been dispatched by the CIA to Niger to investigate these allegations the previous year and had found no evidence to support them. His findings were subsequently ignored by the administration in manufacturing its case for war with Iraq.

Eight days after Wilson's opinion piece, right-wing pundit Robert Novak published a column revealing that Wilson's wife was employed by the CIA, and giving her maiden name, Valerie Plame, which she still used as a covert operative in the field of weapons proliferation. Novak's column claimed that Plame's role at the CIA made Wilson's selection for the Niger trip a case of nepotism.

The suggestion that a week-long visit to the Sahara amounted to a junket or political perk was preposterous. Landlocked and largely desert, Niger is one of the poorest countries in the world. It was the scene of mass starvation in 2005, hit by a combination of drought and crop failure. The clear purpose of the Novak column was to punish Wilson by blowing his wife's cover and putting an end to her CIA career. This was its effect in practice, as Plame left the agency within months.

The Wilson/Plame affair was significant, both for what it revealed about the tensions within the Washington elite—all the various political and media figures involved are pillars of the bourgeois political establishment—and the viciousness of the Bush administration. If this was how the White House was prepared to treat its critics within official circles, what will its reaction be to mounting opposition to the war from masses of working people?

The exposure of Plame's CIA role touched off inter-agency warfare in Washington. CIA officials demanded an investigation into who leaked the information to Novak. An initial probe by the Department of Justice was turned over to Fitzgerald, the US Attorney in Chicago, acting as a special prosecutor, because of the possibility that top Bush administration figures could be targeted.

Court documents filed by Fitzgerald indicate that the two sources of the Novak column were Richard Armitage, deputy secretary of state in the first term of the Bush administration, and Karl Rove, Bush's top political aide, who was for several years the main

focus of media speculation about the case.

Fitzgerald did not charge either man with violating the Intelligence Identities Protection Act, the reactionary legislation passed in the 1980s and directed against the activities of former CIA agent Philip Agee and others who sought to forestall CIA subversion overseas by publicly unmasking covert CIA operatives. Press reports suggested that Fitzgerald could not prove that either Armitage or Rove was aware that Plame had covert status at the agency, one of the requirements of the law.

Instead, the prosecutor brought charges against Libby for lying to the grand jury and thus obstructing the investigation. Libby was not the source for Novak's report, but he had leaked the same information to other journalists and then tried to cover it up. He testified under oath that he learned about Plame's CIA status from the NBC newsman Tim Russert, and that he had only passed on this information to other journalists.

Libby's account was contradicted by numerous witnesses, including Russert, who said he never discussed the Wilson affair with Libby, by the journalists to whom Libby leaked the information (Judith Miller, then of the *New York Times*, and Matt Cooper of *Time*), and several current and former Bush administration and intelligence officials who have said they had discussed Plame's CIA role with Libby well before he claims to have learned of it from Russert.

Fitzgerald has sought to focus the case exclusively on the obvious conflict between Libby's account and the testimony of every other witness to the events, while excluding any broader consideration of the lies used to justify the invasion of Iraq or the smear campaign waged by the Bush administration against its critics. Judge Walton has largely backed this approach.

With little to argue on the facts of the case, Libby's attorneys have sought to change the subject, claiming that Libby was so deeply involved in high-level foreign policy issues that he simply misremembered the details of the Wilson/Plame affair when he testified before the grand jury three months after it erupted.

The defense of "forgetfulness" is both desperate and implausible, given the testimony of the initial witnesses that the Wilson affair had preoccupied Cheney—and his chief of staff Libby—during the months of May, June and July 2003. One witness, former Cheney press aide Cathie Martin, described several conversations in which Cheney or Libby raged against the press coverage of Wilson's criticism and discussed ways to respond.

Cheney dictated detailed "talking points" for Libby to use, as well as authorizing him to leak a classified document on the administration's Iraq war strategy. The discussion included suggestions about the use of favored media outlets, including a Cheney appearance on Russert's "Meet the Press" program, or selective leaks to journalists like David Sanger of the *New York Times* and Walter Pincus of the *Washington Post*, frequent conduits for administration disinformation.

Former White House press spokesman Ari Fleischer dealt a severe blow to the defense with testimony about his conversations with Libby, in which Libby volunteered information about Valerie Plame Wilson at least a week before he claims to have found out her CIA identity in the conversation with Tim Russert. Two days

after that conversation, Fleischer himself relayed the information on Ms. Wilson to two reporters, David Gregory of NBC and John Dickerson of *Time* magazine.

These witnesses confirm both the cynical skullduggery of the Bush administration and the complacent collaboration of the major media outlets. This is a government which threatens prosecution of those who leak classified information about the crimes being committed at Guantánamo Bay and secret CIA prisons, while simultaneously engaging in its own leaks of classified information to the media to serve its own political purposes.

As Tim Ruten, media columnist of the *Los Angeles Times*, wrote January 27, "The lesson to take away from this week's unintended seminar in contemporary journalism is that the vice president and his staff, acting on behalf of the Bush administration, believe that truth is a malleable adjunct to their ambitions and that they have a well-founded confidence that some members of the Washington press corps will cynically accommodate that belief for the sake of their careers."

Despite the apparent conviction on the part of the White House and its media apologists that intimidation of critics, "message discipline" and "spin" can sustain a bankrupt and reactionary policy indefinitely, the Libby trial itself has shown that these methods have definite limits. The process of jury selection revealed the deep and widespread popular hostility to this government and the war in Iraq.

Dozens of prospective jurors declared that they could not be impartial, had nothing but distrust or contempt for the Bush administration and Cheney in particular, and strongly opposed the war in Iraq. Nearly every juror who expressed a hostile attitude to the Bush administration or its policies was excluded from the panel, resulting in the selection of jury, consisting of 12 members and four alternates, which is three-quarters white, although the city's population is majority black.

Meanwhile, the ultra-right press has found it difficult to determine an effective axis for attack, as all the main players in the Libby case are Bush-Cheney loyalists, now divided by the prospect of felony conviction and jail terms. The *Wall Street Journal* suggested that no one in the Libby case had actually been charged with leaking Valerie Plame's name in violation of the Intelligence Identities Protection Act. "In the most important sense, this is a case without a crime," the *Journal* editorial board argued, while conceding, "Yes, Mr. Libby is charged with perjury and obstruction of justice, which are serious offenses."

It was, of course, the *Journal* that was most vehement in demanding the prosecution of President Bill Clinton for perjury and obstruction of justice before a grand jury, dismissing the argument—perfectly legitimate in Clinton's case—that the Lewinsky affair did not involve any underlying crime, and that Clinton private sexual relations had been leveraged by special prosecutor Kenneth Starr to manufacture a pretext for impeachment.



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