

Obama smoothes passage of war spending bill by pledging to suppress torture photos

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Negotiators in the US House and Senate on Friday reached a tentative agreement on a \$105.9 billion “emergency” war-funding bill for US military operations in Iraq, Afghanistan, and Pakistan through September. The Obama administration paved the way for the agreement by promising Senate Democrats that it would continue to suppress dozens of photographs of US military and intelligence personnel torturing Iraqi prisoners. Full approval should come this week, bringing the total Congressional allocation for the wars to more than \$900 billion since 2001.

Democratic Senators had earlier joined their Republican colleagues in adding a measure to the war bill, on Obama’s request, that would have outlawed the release of the torture photos. This rider had delayed the bill’s passage. The House Democratic leadership warned it would no longer have enough support to pass the bill, with House Republicans having already promised to vote no in protest to a separate rider that will guarantee \$100 billion in loans to the International Monetary Fund (IMF).

In response, White House chief of staff Rahm Emanuel ‘rushed’ to Capitol Hill and prevailed upon Senate Democrats to remove the torture photo measure in exchange for an explicit White House promise that it would use all means at its disposal to block the photos’ release. Obama also issued a letter to Congress assuring it he would support separate legislation to suppress the photos, if necessary, and imploring it to speed passage of the war-spending bill. The rider would “unnecessarily complicate the essential objective of supporting the troops,” Obama wrote.

The administration’s position was strengthened Thursday by the US Court of Appeals in New York, which granted Obama a stay on the court’s earlier

order to release the torture photos so that the White House can appeal to the US Supreme Court. Should the US Supreme Court rule in Obama’s favor, the photos may never be made public.

The episode demonstrates the Democrats’ leading role in carrying forward the wars in Iraq, Afghanistan and Pakistan, and their complicity in covering up the criminality of these operations. Obama’s intervention in removing the rider that would have suppressed the torture photos—in exchange for his promise to do so himself—was specifically aimed at providing political cover to allow 51 “anti-war” members of the Democrats’ House delegation to support the war funding bill. “Many of them are leadership loyalists who can be counted on to switch” their vote, the Associated Press notes.

Stripped from the war funding was an appropriation for the closure of the Guantánamo prison camp. A separate amendment would allow the transfer of Guantánamo Bay detainees to the US to face trial, but would ban them from being imprisoned in the US. Earlier, on May 20, the Senate voted 90-6 to block funds that could be used to transfer Guantánamo prisoners to the US. In the face of opposition from top Republicans and within the military-intelligence apparatus against his announced intention to close the Guantánamo prison camp, Obama has indicated he will resume military tribunal trials at Guantánamo and perhaps establish a special “national security court” in the US. Both courts would be allowed to review hearsay evidence, a practice forbidden in legitimate courts.

The vast majority of the supplemental spending bill—about \$80 billion—has been allocated for the wars in Iraq, Afghanistan, and Pakistan. For the first time, the cost of military operations in the “Af-Pak” theater

are expected to exceed those in Iraq, with Obama planning to send 20,000 more soldiers to Afghanistan in the coming months.

Billions more will be used for separate military purchases and foreign aid, including \$1.4 billion for Pakistan, half of which will go to its ongoing military operations against the Taliban. The measure allocates \$2.2 billion for eight Boeing C-17 military transport aircraft, in spite of the fact that the Pentagon has announced its intention to terminate purchases of the C-17.

In addition, the bill lays out \$7.7 billion to prepare for an influenza pandemic, and \$1 billion in incentives for motorists to exchange their old cars for newer, more fuel-efficient models, the so-called “Cash for Clunkers” measure. It also includes \$108 billion in loan guarantees to the International Monetary Fund (IMF), whose reserves have been depleted by the global economic crisis. Republicans have threatened to vote against the war-funding bill over the IMF measure, which they claim could deliver taxpayer money to “enemy” states. The government outlay for the IMF is expected to cost \$5 billion, but the Treasury Department would have to borrow the full price of the loan, \$108 billion.

Separately, the Obama administration on Friday petitioned a federal appeals court to hear new arguments that it cannot reveal information about Central Intelligence Agency (CIA) “black site” prisons in the case of *Mohamed et al. v Jeppesen Dataplan, Inc.* The American Civil Liberties Union (ACLU) filed a federal lawsuit against the air carrier Jeppesen DataPlan, a Boeing subsidiary, on behalf of five men who had been abducted on its flights as part of the “extraordinary rendition” program. The men were sent to secret CIA prisons where they were tortured. The Bush administration intervened in the case, asking it be dismissed under the “state secrets” privilege. The Obama administration has carried on this defense since assuming office, but in April, a three-judge panel for the Court of Appeals for the Ninth Circuit ruled that the government can only invoke state secrets in regard to specific evidence in a case; that it cannot be used to toss out a case *tout court*. The ruling allowed the five men’s case to go forward.

In its new filing, the Justice Departments requests that the full Court of Appeals for the Ninth Circuit

reconsider the case as one of “exceptional importance” for national security. The filing, which came from the “highest levels of the Justice Department,” claims that “allowing this suit to proceed would pose an unacceptable risk to national security and that the reasoning employed by the panel would dramatically restructure government operations by permitting any district judge to override the executive branch’s judgments in this highly sensitive realm.”

Civil liberties groups expressed dismay at the new filing. “This is a watershed moment,” said Ben Wizner, a legal representative of the ACLU’s National Security Project. “There’s no mistake any longer. The Obama administration has now fully embraced the Bush administration’s shameful effort to immunize torturers and their enablers from any legal consequences for their actions.”

In his campaign for the presidency, Barack Obama made much of his opposition to torture and President Bush’s invocation of the state secrets privilege. Obama’s continuation of the imperialist wars in the Middle East and Central Asia, however, require that he embrace all the criminal and anti-democratic measures that inexorably arise from them.



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