

Senate hearing on John Brennan whitewashes US assassination program

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The hearing conducted Thursday afternoon by the Senate Intelligence Committee on the nomination of President Barack Obama's counterterrorism advisor John Brennan as director of the Central Intelligence Agency served to whitewash Washington's drone assassination program.

In their questioning of Brennan, both Democratic and Republican senators declared their support and admiration for the CIA and their backing for the "war on terrorism," while ignoring or skirting the deep-going ramifications of the Obama administration's arrogation to itself of the authority to order the extra-judicial killing of US citizens.

Not a single member of the committee subjected Brennan to criticism or even harsh questioning, and there was no indication that any of them would vote against his confirmation. In that sense, the hearing provided a vivid measure of the sharp shift to the right by the entire political establishment, and the Democratic Party in particular, after four years of the Obama presidency.

In 2008, Brennan was Obama's first choice for CIA director. He had to withdraw his name from consideration in the face of opposition over his role as a top CIA official under the Bush administration, as well as his public statements supporting extraordinary rendition and so-called "enhanced interrogation techniques," i.e., torture. Now, not only are these past crimes forgiven, but his role in organizing a secretive state killing program out of the White House is treated as no impediment to his confirmation.

The hearing was repeatedly interrupted at its outset by protesters speaking over Brennan's testimony and denouncing the drone killing campaign of which he has served as both architect and director. The committee's chairwoman, Senator Dianne Feinstein (Democrat, California), ordered the room cleared and members of the protest group Code Pink barred from reentering.

Feinstein, the fifth-richest member of the US Senate with a fortune estimated at over \$45 million, has supported the criminal operations of the US intelligence apparatus under both Bush and Obama. In her role as the committee's chair, she sought to shepherd Brennan's nomination to approval

and to provide defenses for the drone assassination program.

She began her questioning, however, with a protest over the administration's handling of the demand that she and other senators had made for the release of documents from the Justice Department's Office of Legal Counsel spelling out the legal justifications for authorizing the US president to order the assassination of American citizens.

On the eve of the hearing, the administration ordered the release of one such legal memo. It did so only after the leaking to NBC News of a white paper summarizing the pseudo-legal pretexts used to justify the operation. The document had been provided to the Senate and House intelligence committees, including Feinstein, last year.

Feinstein made it clear that the administration has continued to keep the drone program shrouded in secrecy, releasing only one of the eight individual documents requested by the senators and then banning lawyers for the two intelligence committees from viewing the single memo.

Brennan defended the procedure, insisting that the distribution had to be "kept limited" because of the "extraordinary nature of the issue."

What is "extraordinary" is the claim that the president can override the most fundamental constitutional and democratic principles, upending the 5th Amendment's guarantee that no person shall be "deprived of life ... without due process of law." That arguments to the contrary must be shielded by extreme secrecy only demonstrates how far the US government has progressed toward the methods of a dictatorship.

Feinstein provided essentially friendly questions on the drone killing program, lamenting that the administration kept secret the number of civilians killed in missile attacks carried out in Pakistan, Yemen, Somalia and elsewhere. She claimed that the annual toll in civilian lives was only in the "single digits," suggesting that if this information was released it would solidify popular support for drone strikes.

This is a patent lie. Pakistani Interior Minister Rehman Malik reported last year that there had been 336 drone attacks on Pakistan alone over the previous eight years,

claiming 2,300 victims. Some 80 percent of those killed, he said, were innocent civilians.

In a second round of questioning, Feinstein declared that Anwar al-Awlaki, a New Mexico-born Islamist cleric who was killed along with another American in a drone strike in Yemen in 2011, and whose 16-year-old son was similarly murdered just weeks later, was “not an upstanding American citizen” and was “a real problem.”

The ostensibly most liberal member of the committee, Senator Ron Wyden of Oregon, merely argued for more public discussion of the drone program so that the American people could become familiar with “what rules the government is going to observe when it conducts targeted killings.”

“Every American has the right to know when their government believes it’s allowed to kill them,” declared Wyden, enunciating a rather truncated vision of basic constitutional rights.

Wyden said that questions remained about the program, including how much evidence was needed to justify a drone strike assassination of an American citizen, and whether such an assassination could be ordered within the US itself.

Remarkably, Brennan dodged both of these questions, taking no exception to the suggestion that the president could order an American executed by a Hellfire missile on US soil. Instead, he provided a cryptic answer about the need to “optimize transparency and at the same time optimize secrecy and national security.”

Similarly, Angus King (Independent, Maine) asked Brennan whether some kind of secret court, like the FISA court that rubber stamps warrants for domestic spying, could be set up to give a legal veneer to the state assassination program in cases where American citizens are the targets.

Brennan voiced skepticism that such a court would be feasible, stressing that courts were designed to judge crimes that have already taken place, while the drone program was designed “to prevent future actions and protect American lives.”

The committee’s Republican vice chairman, Saxby Chambliss, came the closest of any of the panel’s members to openly criticizing the Obama administration’s drone killing program, but only from the standpoint of defending the system of abductions, extraordinary rendition and CIA black sites where detainees were interrogated under extreme torture under the Bush administration.

Chambliss suggested that the vast increase in drone strikes under the Obama administration was a function of its formal repudiation of the previous torture regime in favor of a policy of killing rather than capturing those targeted by the CIA.

The Republican senator demanded to know “how many

high-value targets” had been captured by US operatives under the Obama administration. When Brennan declined to give a number, Chambliss replied that there had been only one.

Chambliss also made sure to get Brennan on the record that despite his claims that he had privately voiced reservations about the CIA interrogation program, he had made no objections to any of his superiors at the agency and had taken no steps to halt the use of torture, instead expressing the opinion in 2007 that its use had “saved lives.”

In a second round of questioning, Chambliss contradicted Brennan’s earlier testimony expressing approval of the Senate Intelligence panel’s still classified 6,000 page-report on the CIA torture program, which the Republican co-chairman had opposed. He recalled that Brennan had told him in a private interview that the report “was not objective” and read like a “prosecutor’s brief.”

In questioning by Senator Carl Levin (Democrat, Michigan), Brennan refused to state whether he believed waterboarding constituted torture, declaring that he was “not a lawyer” and that the term held “a lot of legal and political implications.”

Moreover, Brennan’s testimony strongly suggested that the essential elements of the criminal practice of abductions, detentions without trial and interrogation under torture were still in place, albeit under slightly altered procedures. He insisted that the CIA “shouldn’t be in the business of detentions,” and so had contracted this practice out to Washington’s “international partners, where most interrogations are taking place.” He also noted that detainees could be “put on a naval vessel and interrogated for extended periods of time.”

Senator Susan Collins (Republican, Maine) questioned Brennan on the impact of the drone killing program on popular consciousness in the countries that have been targeted. She cited statements by the former chief US commander in Afghanistan, General Stanley McChrystal, that drone strikes are “hated on a visceral level” and are seen as a symbol of “American arrogance.”

Brennan replied that while it was necessary to be “very mindful” of the popular perception of the strikes, the populations in targeted areas “welcomed the work that the US government has done.”

The committee has scheduled a closed-door hearing in which Brennan will provide secret testimony next Tuesday.



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