

By Ray McGovern

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The stenographers of the Fawning Corporate Media (FCM) are missing the most obvious explanation for former Vice President Dick Cheney's widely reported "disappointment" with former President George W. Bush on the issue of pardons -- self-interest.

Barton Gellman of the *Washington Post* has now joined feature writers from *Time* in aping Cheney's hagiographer in chief, Stephen Hayes of *The Weekly Standard*

. They all choose to dote on Cheney's loyalty to his former chief of staff, Irv Lewis "Scooter" Libby, while ignoring reasons why Cheney might have hoped for a presidential pardon himself.

Gellman is a talented journalist with a tainted record. He wrote a truly shameless article for the *Post*

when it was competing with

The New York Times

for cheerleading laurels prior to the war on Iraq.

Remember those dangerous sounding "aluminum tubes" said to be procured by Iraq to develop a nuclear bomb — the ones that turned out to be for conventional artillery?

The Bush administration tasked the *Times'* Judith Miller and Michael Gordon to push the canard that the tubes' technical properties showed the intended use to be as casings for rotors in centrifuges to enrich uranium, a key step in producing a nuclear bomb. The pair rose to the occasion with flair.

The *Times* front-paged their story on Sunday, Sept. 8, 2002; and on the morning talk shows Dick Cheney, Colin Powell, Donald Rumsfeld and Condoleezza Rice all referred to the

Times
story.

First leak it; then confirm it. It worked like a charm. None of the talk show hosts thought to ask an impolite question — like who gave the information to the *Times*.

The *Post*'s Gellman was suborned into doing a similar story on chemical weapons in the fall of 2002, when the White House was fuming at recalcitrant analysts in both the Defense Intelligence Agency and the CIA.

The not-yet-corrupted intelligence analysts still there could simply not get the hang of it. They were having a hard time, *sans* evidence, in producing faith-based intelligence on “weapons of mass destruction” in Iraq.

DIA had issued a formal report saying there was no evidence of active chemical or biological weapons programs. And CIA analysts could find no credible evidence of meaningful ties between Iraq and al Qaeda, despite the extreme pressure to find some.

(The CIA ombudsman told the Senate Intelligence Committee there occurred a “hammering” of analysts more severe than any he had seen in his 32-year career in the analysis directorate.)

Gellman to the Rescue

On Dec. 12, 2002, the *Post* front-paged [a Gellman report](#) that “Islamic extremists affiliated with al Qaeda took possession of a chemical weapon in Iraq last month or in late October.” The story was attributed to “two officials with firsthand knowledge of the report and its source.”

Lest any readers miss the import, Gellman stressed that, if true, this “would be the most concrete evidence to support the charge, aired for months by President Bush and his advisers, that al Qaeda terrorists receive material assistance in Iraq.”

The next 27 paragraphs of Gellman's story were so laden with caveats and the subjunctive mood that they brought to mind Alice's plaintive cry in *Wonderland*:

"There is no use trying, said Alice; one can't believe impossible things. I dare say you haven't had much practice, said the Queen. When I was your age, I always did it for half an hour a day. Why, sometimes I've believed as many as six impossible things before breakfast."

The Dec. 12, 2002 *Post* article drew loud complaints, including from the paper's ombudsman, Michael Getler, who asked: "What, after all, is the use of this story that practically begs you not to put much credence in it? Why was it so prominently displayed, and why not wait until there was more certainty about the intelligence?"

Come on, Getler; you know why. Bush and Cheney were scraping for evidence to "justify" attacking Iraq. Gellman and your paper were happy to oblige.

Having proved his mettle, Gellman was able to acquire the kind of access to Cheney and his palace guard that would enable him to write a useful book, *Angler: The Cheney Vice Presidency*, with some stunning revelations.

For example, Gellman describes how Cheney convinced then-House Majority Leader Dick Armey, a leading Republican opponent of war with Iraq, to vote in favor of the war resolution:

"Cheney ... had ... a borrowed hideaway office in the Capitol building. ... He brings Armey in ... [and says] 'Let me explain to you what's really going on. ... Saddam is much more dangerous than we want to tell the public.'"

"He told Armey two things that he's never said in public and that are not true," Gellman continues. "He said that Saddam personally ... had direct ties with al Qaeda. And he said that Iraq was making substantial progress towards a miniature nuclear weapon" and would soon have "packages that could be moved even by ground personnel" and "a delivery system in their

relationship with organizations such as al Qaeda."

These claims, writes Gellman, "crossed so far beyond the known universe of fact that they were simply without foundation."

Good for Gellman — Then

But Gellman now seems to be angling for still more access to Cheney and his dwindling circle of supporters. In his *Post* article on Thursday, "[Cheney Uncloaks His Frustration With Bush](#)," Gellman is back to fawning for food.

Maybe he has another book in mind, confident that no one will take seriously the panegyric likely to come from the pen of Cheney's "authorized biographer," neocon Stephen Hayes.

Gellman's sugary piece gets a little sickening, but bear with me. Apparently, it is easy to focus on Cheney's imaginary redeeming qualities, if you limit your interviews to his inner circle.

From Cheney's second-term national security adviser John Hannah, and Aaron Friedberg, a foreign policy adviser, Gellman learns that Cheney "really feels he has an obligation to save the country from danger."

Another interviewee was impressed by Cheney's "continuing zeal" for the positions he took while in office. Gellman describes Cheney as "urgently focused ... on shaping events."

Gellman also stirs up some empathy for the lion-in-winter ex-Vice President. According to Gellman, Cheney takes a morning drive to Starbucks for a decaffeinated latte (no caffeine because of his heart condition, you know) and attends the soccer and softball games of his grandchildren.

The trouble for Gellman's sympathetic portrayal is that there is far too much evidence of criminal activity on the record about his subject, though you wouldn't know that from reading the *Post* article.

What Cheney is "urgently focused" on right now is staying out of prison. As he sits writing his memoir in his own Eagle's Nest over his garage in a fancy Virginia suburb, Cheney is pulling out all the stops to ensure that he does not have to face the music for war crimes.

For Cheney, there apparently will be no trips to Paris? No, that's where Rumsfeld almost got arrested two years ago. After a war-crimes complaint was lodged, he had to go out the back door of the embassy and dart to the airport for the first flight back to the U.S., before the Paris magistrate decided whether or not to detain him.

Angry at Bush, But Why?

I do think that Hayes, the pundits for *Time* and Gellman have it right when they say that Cheney is angry with George W. Bush, but they are disingenuous about the reason why. They must have figured out that when Cheney vents his anger at Bush's failure to pardon Libby, the ex-Vice President is really livid that Bush did not issue a blanket pardon for Cheney and other co-conspirators.

Cheney had every reason to expect the pardon (excusing crimes such as torture and launching an aggressive war by deceiving Congress), given that he seems to have engaged in those crimes with his boss' full knowledge and encouragement.

Can these journalists be so dense that they miss this motive for Cheney's anger? They paint a picture of a man intensely loyal to a favored subordinate; and that is no doubt true, since one's power is diminished to the extent you are not seen as able to rescue someone in your employ.

But when Cheney accuses Bush of abandoning "an innocent man" who had served the President loyally; when Cheney excoriates anyone who would "sacrifice the guy who was asked to stick his head in the meat grinder" — he appears to be talking about himself as much as

Libby.

It is such an obvious allegory, a classic example of self-pity masquerading as altruism; and the pundits don't get it — or, more likely, pretend not to.

My sense is that Cheney is feeling abandoned; that he senses the real danger of being brought to justice; and that he is waging a series of pre-emptive strikes to head that off.

Put yourself in Cheney's shoes, as uncomfortable as they might be. Daughter Liz has disclosed more than once what has her father so agitated — press reports that Attorney General Eric Holder is close to appointing a special prosecutor to investigate White House-authorized crimes, including torture — not policy differences, mind you, but capital crimes under U.S. as well as international law.

Cheney's war crimes and other felonies? Not enough room to list them all here. But suffice it to say that Cheney's fingerprints — and those of his legal counsel David Addington — are all over the torture policies. Inspector General reports from the Department of Justice and from the CIA are scheduled to be released soon and are sure to reveal more Cheney fingerprints.

Attorney General Holder reportedly found the CIA IG report nauseating with what are likely to be stomach-churning accounts of torture.

Revealing Photos

Still more photos, videos and documents are likely to surface in the months ahead revealing more evidence of torture, kidnapping and perhaps hit-team activities — even if President Barack Obama succeeds in keeping most of the photos under wraps.

Reading recently about the post-WWII Nuremberg Tribunal, I was reminded that it was the film of Nazi concentration camps that wiped the arrogant smirks off the faces of senior Nazi officials,

defendants like Hermann Goering and Rudolf Hess.

Bulldozers pushing corpses into open pits, bodies stacked like cordwood — the films of such atrocities had devastating effect. According to one witness, “Field Marshal Wilhelm Keitel sat there, bent over and broken, mopping his lined face with a soggy ball of handkerchief.” The smirks never came back.

Cheney and his associates have got to be prepared for something similar, even though they were not vanquished in war. They probably consider the chances slight that they would be brought to an international court, even though Chief U.S. prosecutor, Supreme Court Justice Robert H. Jackson, pointedly warned at Nuremberg:

“...the ultimate step in avoiding periodic wars, which are inevitable in a system of international lawlessness, is to make statesmen responsible to the law. And ... while this law is first applied against German aggressors, the law includes, and if it is to serve a useful purpose it must condemn aggression by any other nations, including those which sit here now in judgment.”

As for violations of U.S. law, the list is long. Interestingly, two of the three Articles of Impeachment against Richard Nixon approved by the House Judiciary Committee on July 27, 29 and 30, 1974, were based, in part, on misusing the CIA.

Such misuse was brought to a whole new level, as Cheney visited CIA Headquarters promoting “intelligence” on non-existent threats and took a leading role in misusing the agency to torture detainees.

There’s also the possibility that some of Cheney’s co-conspirators will renounce their abuses, either out of genuine remorse for the hubris they showed at the height of their powers or in a bid to rehabilitate their careers.

From his new job at Texas Tech in Lubbock, former Attorney General Alberto Gonzales earlier this week conceded that he erred in using the word “quaint” and “the Geneva Convention” in the same sentence in a memo he signed on its way to President Bush when Gonzales was White

House counsel.

Now that Gonzales has a job with health benefits, we can expect further steps to disassociate himself from the smoking-gun executive memorandum of Feb. 7, 2002, which ordered that the protections of the Geneva Conventions would not apply to al Qaeda or Taliban detainees.

Late last year, the Senate Armed Services Committee reported that this Feb. 7, 2002, memorandum “opened the door” to a wide range of abusive interrogations. It is also an open secret that Cheney’s chief lawyer David Addington drafted that memorandum, although Gonzales forwarded it on so Bush could sign it.

Though Addington mid-wifed a whole generation of Bush-era illegalities, he has pretty much disappeared from public view.

It seems a sure thing that the next time Addington comes to testify on the Hill, the smirks he displayed when he and John Yoo appeared before the House Judiciary will have disappeared. Addington’s view of the law is so bizarre that he might be disbarred. He is more liability than asset to Cheney at this point.

What to Expect

The bottom line for Cheney is this: Too much has gone wrong, and Cheney cannot afford to take any chances that there will not be more cracks in the wall protecting Bush-era secrets.

The good news, as far as Cheney is concerned, can be seen in the clear signs that neither Obama nor Holder have any stomach for holding Cheney to account — and still less for holding Bush accountable.

Perhaps there is something in the water here in Washington, but folks in power seem far more

interested in circumventing the law than enforcing it — political expediency wins out over solemn oaths to protect and defend the Constitution.

At times this avoidance of accountability assumes ludicrous proportions, with the Obama administration going the extra mile and more to cover up its predecessors' misconduct.

For instance, releasing the suppressed testimony of Dick Cheney before U.S. Attorney Patrick Fitzgerald in 2004 concerning the leaking of the name of CIA operations officer Valerie Plame (in order to discredit her husband, former U.S. Ambassador Joseph Wilson, who had accused the White House of “twisting” Iraq War intelligence) would certainly throw light on this sorry episode.

In the closing arguments of the trial at which Libby was found guilty of perjury and obstruction of justice, Fitzgerald declared: “There is a cloud over the Vice President...and that cloud remains because this defendant obstructed justice.”

Bush's Justice Department refused to release Cheney's testimony, even though, as Fitzgerald said, “there were no agreements, conditions and understandings” about keeping the transcript secret.

Then, instead of living up to President Obama's promise of openness, the new administration continued to oppose releasing Cheney's testimony. In addition to the many reasons adduced by the former administration for keeping the testimony secret, Obama/Holder's lawyers added a new one, dubbed by Dan Froomkin the “Daily Show Disclosure Exclusion.”

A Justice Department lawyer actually argued in federal court that there should be an exemption from the Freedom of Information Act disclosure rules for documents that might subject senior administration officials to embarrassment — as on Jon Stewart's “Daily Show” on Comedy Central.

Justice civil division lawyer Jeffrey M. Smith argued that, if Cheney's remarks were published, then a future Vice President might refuse to provide candid information during a criminal probe

out of concern “that it’s going to get on the ‘Daily Show.’”

If I were Cheney, that feckless kind of lawyering would be music to my ears. I would read it as a sign of cowardice on the part of Obama and Holder.

Obama and Holder sometimes appear so eager to prove themselves to the Washington Establishment that they protect Bush-Cheney secrets even when a disclosure would serve an important national security goal.

After all, a powerful argument for releasing Cheney’s transcript would be that it might discourage future senior government officials from leaking the identity of undercover CIA officers for craven political reasons. Also, it might give a politician pause before aiding and abetting a criminal cover-up.

It seems certain that prosecutor Fitzgerald asked Cheney to explain his handwritten note demanding that then-White House Press Secretary Scott McClellan falsely exonerate Libby in the Plame leak, like McClellan had already done for Bush’s political adviser Karl Rove.

Cheney wrote:

“not going to protect one staffer and sacrifice the guy that was asked to stick his head in the meat grinder because of incompetence of others - ”

However, instead of the words “that was,” Cheney had initially written, “this Pres” before striking through “this Pres.,” which was still legible.

You don’t have to be a crackerjack analyst to figure out why Cheney changed the active to the passive voice and struck out “this Pres.” The evidence indicates that President Bush was more directly involved in the Valerie Plame affair than is now understood.

Implicating Bush

Despite six months of resisting demands for a serious investigation of Bush-Cheney wrongdoing, Holder appears, finally, to be stepping to the plate with the intent of appointing a special prosecutor, albeit one whose authority may be tightly circumscribed.

But Cheney doesn't want to risk the chance that a special prosecutor might insist on expanding the probe beyond the possible indictment of a few low-level operatives who exceeded the Bush administration's prescriptions on how much water to use in waterboarding a prisoner.

So, Cheney appears to be pursuing a new strategy of pre-emption. His most obvious tactic is to tie his actions on torture tightly to Bush. On May 10 when Bob Schieffer asked Cheney how much Bush knew about the "enhanced interrogation techniques," the former Vice President stated clearly, if redundantly:

"I certainly, yes, have every reason to believe he knew — he knew a great deal about the program. He basically authorized it. I mean, this was a presidential-level decision. And the decision went to the President. He signed off on it."

Cheney was certainly eager to answer the question. The idea, of course, would be to juice the jitters he already perceives at senior levels of the Obama administration, and to make it clear that no one will take Cheney down alone; i.e., without Bush right beside him.

In Cheney's view, this image of a former President in the dock is sure to deter dithering lawyers and politicians at the top of the White House and Justice Department, who are more interested in sniffing the political winds than in enforcing the rule of law.

My worst fear is that Cheney may be right.

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