WHAT’S AT STAKE: The United States as an origin and locale of massive lawlessness is seldom observed by the citizenry because it is not taught in our public schools or given much attention in mainstream media. Why? The sciolism, myth of US exceptionalism, nationalism, bipartisan flag patriotism, reluctance in our educational system to look at the worst in our history, blind us. Here I will cite a few of the many important books that cry out to the citizens: study US history; don’t be resigned to lawlessness; demand the truth about the US economic system and empire.

Contents of US Lawlessness Newsletter #1: Books

9 Books


Domestic

These four books discuss the assault on democracy by elite immunity from crimes.

Glenn Greenwald. *With Liberty and Justice for Some: How Law is Used to Destroy Equality and Protect the Powerful*

Summary and Excerpt


   David Swanson, Review (11 Principles)
   Dick, Principle #6: Deregulation, Repealing Glass-Steagall, Lobbying, Revolving Door


Selected related OMNI newsletters: Capitalism, Climate Change, Corporations, Inequality, Mainstream Media, Nuclear Weapons, Wall Street

**International** (listed in chronological order of each book’s subject)


Bacevich, *America’s War for the Greater Middle East* (1980 to present)

   Glass, Rev. “Andrew Bacevich and America’s Long Misguided War to Control the Greater Middle East”

   Dick, Summary of Chapter One on Jimmy Carter


Davies, Nicholas. *Blood on Our Hands: The American Invasion and Destruction of Iraq.*

   Rev. by David Swanson

*No Place to Hide* by Glenn Greenwald (Snowden’s revelations of massive spying by NSA)

   Review by Michiko Kakutani in the *NYT*

Selected related OMNI newsletters: Anti-War, Bullying, Exceptionalism, Imperialism, Militarism, Torture, Violence, War and Environment, War Crimes, Vietnam War
DOMESTIC US LAWLESSNESS


From "the most important voice to have entered the political discourse in years" (Bill Moyers) and the journalist who broke the story on NSA spying programs comes a scathing critique of the two-tiered system of justice that has emerged in America.

From the nation’s beginnings, the law was to be the great equalizer in American life, the guarantor of a common set of rules for all. But over the past four decades, the principle of equality before the law has been effectively abolished. Instead, a two-tiered system of justice ensures that the country’s political and financial class is virtually immune from prosecution, licensed to act without restraint, while the politically powerless are imprisoned with greater ease and in greater numbers than in any other country in the world.

Starting with Watergate, continuing on through the Iran-Contra scandal, and culminating with Obama’s shielding of Bush-era officials from prosecution, Glenn Greenwald lays bare the mechanisms that have come to shield the elite from accountability. He shows how the media, both political parties, and the courts have abetted a process that has produced torture, war crimes, domestic spying by the NSA, and financial fraud.

Cogent, sharp, and urgent, this is a no-holds-barred indictment of a profoundly un-American system that sanctions immunity at the top and mercilessness for everyone else.

The following excerpt from Glenn Greenwald’s new book is from the section examining how the Ford pardon of Nixon entrenched the corrupt precepts of modern elite immunity:

As multiple episodes demonstrate, a belief that **elite immunity** is both necessary and justified became the prevailing ethos in the nation’s most influential circles. In countless instances over recent years, prominent political and media figures have insisted that serious crimes by the most powerful should be overlooked—either in the name of the common good, or in the name of a warped conception of fairness according to which those with the greatest power are the most entitled to deference and understanding.

This is what makes the contemporary form of **American lawlessness** new and unprecedented. It is now perfectly common, and perfectly acceptable, to openly advocate
elite immunity. And this advocacy has had its intended effect: the United States has become a nation that does not apply the rule of law to its elite class, which is another way of saying that the United States does not apply the rule of law. . . .

If the threat of real punishment for criminality is removed, for many rational people there will be little incentive to abide by the law and much incentive to break it. Alexander Hamilton, in Federalist 15, explained why.

It is essential to the idea of a law, that it be attended with a sanction; or, in other words, a penalty or punishment for disobedience. If there be no penalty annexed to disobedience, the resolutions or commands which pretend to be laws will, in fact, amount to nothing more than advice or recommendation.

For the nation’s most powerful elites, the law has indeed been whittled down to “nothing more than advice or recommendation.” Although there have been episodes of unpunished elite malfeasance throughout American history, the explicit, systematic embrace of the notion that such malfeasance should be shielded from legal consequences begins with the Watergate scandal— one of the clearest cases of widespread, deliberate criminality at the highest level of the U.S. government.

By the scandal’s conclusion, few contested that not only Nixon’s top aides but Nixon himself had committed serious felonies— either in authorizing the break-in and related illegalities, or in obstructing the ensuing investigation. Nonetheless, Nixon was ultimately shielded from all legal consequences thanks to the pardon granted by his handpicked vice president, Gerald Ford— who, it was widely believed, secured his appointment by agreeing to protect Nixon from prosecution.

Ford first explained his decision to pardon Nixon in a speech to the nation on September 8, 1974. The new president began by paying lip service to the rule of law: “I deeply believe in equal justice for all Americans, what ever their station or former station. The law, whether human or divine, is no respecter of persons; but”— and here he tacked on a newly concocted amendment designed to gut that phrase’s meaning—“the law is a respecter of reality.” Ford then proceeded to recite what have by now become the standard clichés our political class uses to justify immunity. Watergate, he intoned, is an American tragedy in which we all have played a part. It could go on and on and on, or someone must write the end to it. I have concluded that only I can do that, and if I can, I must. . . .

The facts, as I see them, are that a former President of the United States, instead of enjoying equal treatment with any other citizen accused of violating the law, would be cruelly and excessively penalized either in preserving the presumption of his innocence or in obtaining a speedy determination of his guilt in order to repay a legal debt to society.
During this long period of delay and potential litigation, ugly passions would again be aroused. And our people would again be polarized in their opinions. And the credibility of our free institutions of government would again be challenged at home and abroad. . . .

My conscience tells me clearly and certainly that I cannot prolong the bad dreams that continue to reopen a chapter that is closed. My conscience tells me that only I, as President, have the constitutional power to firmly shut and seal this book. My conscience tells me it is my duty, not merely to proclaim domestic tranquility but to use every means that I have to insure it.

Remarkably, Ford explicitly pointed to Nixon’s lofty status as a reason to exempt him from the accountability applied to ordinary Americans—a complete reversal and rejection of the central covenant of the American founding. Ford’s signature line—“Our long national nightmare is over”—put a heroic spin on the betrayal of the rule of law: we end the “nightmare” of high-level criminality by sweeping it under the rug, protecting the wrongdoers, and pretending their crimes never happened.

Upon Ford’s death in December 2006, prominent figures rushed forth to consecrate his pardon of Nixon as an act of great nobility, magnanimity, and self-sacrifice, and thus to glorify its underlying premises. Leading the charge, not surprisingly, was Dick Cheney, Ford’s former chief of staff and the then-vice president. By 2006, Cheney himself had been accused of involvement in a wide variety of illegal acts, from establishing a worldwide torture regime and spying on Americans without warrants to outing a covert CIA agent and obstructing the resulting investigation.

Cheney’s own interests were thus clearly served by exploiting Ford’s death to bolster the propagandistic notion that elite immunity is dispensed not for the benefit of the powerful but rather in patriotic service of the common good. At Ford’s funeral, Cheney eulogized his former boss by heralding the pardon as an act of national salvation. . . .

In fairness to Dick Cheney, we heard the same message from others, almost note for note. The Washington Post’s David Broder—the so-called dean of the Washington press corps—spoke for many journalists, past and present, when asked what would have happened had Nixon not been immunized.

My guess is that there would have been strong public pressure for prosecution of Richard Nixon, since several of his White House associates were already facing criminal charges. A lengthy trial would have been a difficult ordeal for the country, something President Ford wanted to spare Americans.

The actual beneficiary of the pardon, of course, was not “Americans” but Richard Nixon. Thanks to Ford’s act, Nixon himself was shielded from the kind of punishment that, as a “law-and-order” Republican, he had devoted his career to imposing on ordinary Americans when they broke the law, no matter how petty the offense. Yet this grant of immunity to the nation’s most powerful figure was endlessly cast as a generous gift to the American public, which—we
were repeatedly told—had been spared the agony, acrimony, and shame of seeing their leader held accountable for his crimes as any other citizen would be.

The Nixon pardon, and the way it was sold to the country, became the template for justifying elite immunity. Nowadays, with only rare exceptions, each time top members of the nation’s political class are caught committing a crime, the same reasons are hauled out to get them off the hook. Prosecuting public officials mires us in a “divisive” past when we should be looking forward. It is wrong to “criminalize policy disputes”—meaning crimes committed with the use of political power. Political elites who commit crimes in carrying out their duties are “well-intentioned” and so do not deserve to be treated as if they were common criminals; moreover, politicians who are forced out of office and have their reputations damaged already “suffer enough.” To prosecute them would only engender a cycle of retribution. Political harmony thus trumps the need to enforce the rule of law.

Of course, all criminal prosecutions are, by definition, exercises in looking to the past rather than the future. All prosecutions impose substantial burdens on the accused, cost enormous amounts of time and money to resolve, and are plagued by numerous imperfections. The nation always faces pressing challenges and urgent problems from which headline-grabbing prosecutions will distract attention. All individuals accused of serious crimes suffer in multiple ways long before—and completely independent of—any actual punishment. And while it is true that criminal proceedings involving politicians who commit crimes in office inevitably engender partisan divisions and undermine political harmony, citing these circumstances as just cause for legal immunity is, by definition, creating a license to break the law.

That dynamic expresses the underlying motive of the political and media classes’ general defense of elite immunity: by protecting the lawbreaking license for other powerful individuals, they strengthen a custom of which they might avail themselves if they too break the law and get caught. It is class-based, self-interested advocacy. That is why belief in this prerogative and the devotion to protecting it transcend political ideology, partisan affiliation, the supposed wall between political and media figures, and every other pretense of division within elite classes. It is in the interest of every member of the privileged political and financial class, regardless of role or position, to maintain the vitality of this immunity. And what we have seen over the last decade is the inevitable by-product of elite immunity: pervasive, limitless elite corruption and criminality. . . .

For more on the book, see here. Continue Reading

The Case for the Corporate Death Penalty: Restoring Law and Order on Wall Street by Mary Kreiner Ramirez and Steven A. Ramirez. NYU P, 2017.
A critical examination of the wrongdoing underlying the 2008 financial crisis.

An unprecedented breakdown in the rule of law occurred in the United States after the 2008 financial collapse. Bank of America, JPMorgan, Citigroup, Goldman Sachs, and other large banks settled securities fraud claims with the Securities and Exchange Commission for failing to disclose the risks of subprime mortgages they sold to the investing public. But a corporation cannot commit fraud except through human beings working at and managing the firm. Rather than breaking up these powerful megabanks, essentially imposing a corporate death penalty, the government simply accepted fines that essentially punished innocent shareholders instead of senior leaders at the megabanks. It allowed the real wrongdoers to walk away from criminal responsibility.

In *The Case for the Corporate Death Penalty*, Mary Kreiner Ramirez and
Steven A. Ramirez examine the best available evidence about the wrongdoing underlying the financial crisis. They reveal that the government failed to use its most powerful law enforcement tools despite overwhelming proof of wide-ranging and large-scale fraud on Wall Street before, during, and after the crisis.

The pattern of criminal indulgences exposes the onset of a new degree of crony capitalism in which the most economically and political powerful can commit financial crimes of vast scale with criminal and regulatory immunity. A new economic royalty has seized the commanding heights of our economy through their control of trillions in corporate and individual wealth and their ability to dispense patronage. The Case for the Corporate Death Penalty shows that this new lawlessness poses a profound threat that urgently demands political action and proposes attainable measures to restore the rule of law in the financial sector.

REVIEWS

• "It's abundantly clear that law enforcement on Wall Street is woefully broken. In the wake of the financial crisis, not one senior bank executive has been held accountable for the pervasive wrongdoing that brought our economy to its knees, undermining confidence in the fairness of our legal system as well as deterrence against future misconduct. The authors confront this troubling reality head on and in stark detail, leading readers into a fulsome debate about what is to be done to restore the rule of law to our financial markets."

  —Phil Angelides, Chairman, Financial Crisis Inquiry Commission (2009-2011)

• "This is an informative and at its heart very angry book, and is fascinating...reading for everyone who’s still smarting from the crash."  —Publishers Weekly

• "The Ramirezes have unleashed a powerful condemnation of government’s weak-kneed response to corporate crime in their impressive new study The Case for the Corporate Death Penalty...[This]book helps us not only understand the scale of criminality among America’s financial elites, but also the dynamics which propel elites like Trump into office. If action is not taken to rein in the lawlessness which the Ramirezes so thoroughly reveal, the economic and social implications for America are terrifying."  —Popmatters.com
“In detailing the cases of Countrywide Financial, AIG Financial Products Group, JP Morgan Chase, and Goldman, Sachs, among others, Ramirez and Ramirez find ample evidence to proceed with criminal indictments.” —Choice

“The Case for the Corporate Death Penalty provides an inspired and thoughtful roadmap for knowing the new lawlessness, reviving the old rule of law, and reclaiming our democratic nation in the process.” —Criminal Law and Criminal Justice Books

“The authors were among the regulators and prosecutors with the spine to stop and jail financial frauds of the 1980s. Wall Street’s criminal elites so feared the crackdown that they unleashed their political allies to turn the regulatory leaders into invertebrates. The authors show how to regrow our spines, restore the rule of law on Wall Street, and reclaim our Nation.” —William K. Black, Associate Professor of Economics and Law, University of Missouri-Kansas City

“Exciting, well written, and potentially explosive... an extremely timely topic and one that may well prove to be controversial and garner national and international attention. The topic is critically important, as I have not before seen this subject dealt with as forthrightly or marshalled as effectively as here. To truly understand that, unlike the Enron-era scandals or the Savings & Loans scandals, the government has failed to bring criminal charges against any of the individuals responsible for the financial market crisis of 2007-09 defies logic and comprehension.” —André Douglas Pond Cummings, Professor of Law, Indiana Tech Law School

“The incontrovertible value of this book lies in the fact that while it informs average Americans about the details of potentially criminal conduct, it also provides policy discussions that include specific proposals for reformers. Mary Kreiner Ramirez and Steven A. Ramirez are excellent storytellers who expertly use salient narratives to support their theses.” —Cheryl Wade, Harold McNiece Professor of Law, St. John's University School of Law


FILM
Requiem for the American Dream
Noam Chomsky (Actor), Peter D. Hutchison (Director, Producer, Writer), Kelly Nyks (Director, Producer, Writer). Format: DVD

REVIEW BY DAVID SWANSON
Chomsky Wants You to Wake Up from the American Dream
If you've just seen Michael Moore's movie and are wondering how in the world the United States got diverted into the slow lane to hell, go watch Noam Chomsky's movie. If you've just seen Noam Chomsky's movie and are wondering whether the human species is really worth saving, go see Michael Moore's movie. If you haven't seen either of these movies, please tell me that you haven't been watching presidential debates. As either of these movies would be glad to point out to you, that's NOT HOW YOU CHANGE ANYTHING.

"Filmed over four years, these are his last long-form documentary interviews," Chomsky's film, Requiem for the American Dream, says of him at the start, rather offensively. Why? He seems perfectly able to give interviews and apparently gave those in this film for four years. And of course he acquired the insights he conveys over many more years than that. They are not new insights to activists, but they would be like revelations from another world to a typical U.S. resident.

Chomsky explains how concentrated wealth creates concentrated power, which legislates further concentration of wealth, which then concentrates more power in a vicious cycle. He lists and elaborates on ten principles of the concentration of wealth and power -- principles that the wealthy of the United States have acted intensely on for 40 years or more.

1. **Reduce Democracy.** Chomsky finds this acted on by the very "founding fathers" of the United States, in the creation of the U.S. Senate, and in James Madison's statement during debate over the U.S. Constitution that the new government would need to protect the wealthy from too much democracy. Chomsky finds the same theme in Aristotle but with Aristotle proposing to reduce inequality, while Madison proposed to reduce democracy. The burst of activism and democracy in the United States in the 1960s scared the protectors of wealth and privilege, and Chomsky admits that he did not anticipate the strength of the backlash through which we have been suffering since.

2. **Shape Ideology.** The Powell Memo from the corporate right, and the Trilateral Commission's first ever report, called "The Crisis of Democracy," are cited by Chomsky as roadmaps for the backlash. That report referred to an "excess of democracy," the over engagement of young people with civic life, and the view that young people were just not receiving proper "indoctrination." Well, there's a problem that's been fixed, huh?
3. **Redesign the Economy.** Since the 1970s the United States has been moved toward an ever larger role for financial institutions. By 2007 they "earned" 40% of corporate profits. Deregulation has produced wealth concentration and economic crashes, followed by anti-capitalist bailouts making for more wealth concentration. Offshore production has reduced workers' pay. Alan Greenspan testified to Congress about the benefits of promoting "job insecurity" -- something those Europeans in Michael Moore's film don't know about and might find it hard to appreciate.

4. **Shift the Burden.** The American Dream in the 1950s and 60s was partly real. Both the rich and the poor got richer. Since then, we've seen the steady advance of what Chomsky calls the plutonomy and the precariat, that is the wealthy few who run the show and get all the new wealth, and the precarious proletariat. Back then, taxes were quite high on corporations, dividends, and wealth. Not anymore.

5. **Attack Solidarity.** To go after Social Security and public education, Chomsky says, you have to drive the normal emotion of caring about others out of people's heads. The U.S. of the 1950s was able to make college essentially free with the G.I. Bill and other public funding. Now a much wealthier United States is full of "serious" experts who claim that such a thing is impossible (and who must strictly avoid watching Michael Moore).

6. **Run the Regulators.** The 1970s saw enormous growth in lobbying. It is now routine for the interests being regulated to control the regulators, which makes things much easier on the regulated.

7. **Engineer Elections.** Thus we've seen the creation of corporate personhood, the equation of money with speech, and the lifting of all limits under *Citizens United*.

8. **Keep the Rabble in Line.** Here Chomsky focuses on attacks on organized labor, including the Taft Hartley Act, but one could imagine further expansions on the theme.

9. **Manufacture Consent.** Obsessive consumers are not born, they're molded by advertising. The goal of directing people to superficial consumption as a means of keeping people in their place was explicit and has been reached. In a market economy, Chomsky says, informative advertisements would result in rational decisions. But actual advertisements provide no information and promote irrational choices. Here Chomsky is talking about, not just ads for automobiles and soap, but also election campaigns for candidates.
10. Marginalize the Population. This seems as much a result as a tactic, but it certainly has been achieved. What the public wants does not typically impact what the U.S. government does.

Unless the trends described above are reversed, Chomsky says, things are going to get very ugly.

Then the film shows us a clip of Chomsky saying the same thing decades earlier when he was still shown on U.S. television. He's been marginalized along with the rest of us.

I imagine every friendly critic of this film has a #11 to add, and that they are all different. In fact, I can think of lots of things to add, but I insist on mentioning one of them. It's the same one missing from Bernie Sanders' home movie starring Iowa and New Hampshire. Its the thing missing from all U.S. discourse but showing up in Michael Moore's movie as a great difference between the United States and Europe.

11. Dump Massive Funding into Militarism. Why should this be included? Well, militarism is the biggest public program in the United States. It's over half of federal discretionary spending. If you're going to claim that lobbyists are concentrating wealth through their influence on the government, why not notice the single budget item that eats up over half the budget? It does indeed concentrate wealth and also power. It's a vast pot of unaccountable funding for cronies. And it generates public interest in fighting foreign enemies rather than enemies hanging out on Wall Street. It does militarize the police for free, however, just in case Wall Street generates any disgruntled customers.

Chomsky does, of course, oppose militarism. As far as I know he's consistently opposed it for many years. We see B-roll of him in the movie with anti-war books in his office. And discussion of point #1 above mentions the peace movement of the 1960s. How the single biggest thing that the wealthy and powerful do in their effort to expand their power over the whole globe didn't make the top-10 list I don't know.

The film concludes with a call to build mass movements for change. The United States still has a very free society, Chomsky advises. A lot can be done, he tells us, if people will only choose to do it.
Dick on Principle #6: Run the Regulators. Recounts the repeal of the Glass-Steagall Act by Democrats and Republicans in 1999, the dramatic increase of revolving door and lobbying, of deregulation and financial crashes, of banks “too big to fail” and bankers “too big to jail,” trillion dollar bailouts by the public, and the ascendancy of “neoliberalism.”

RELATED FILMS

Margin Call. Kevin Spacey. DVD
Too Big to Fail. Paul Giamatti. DVD
The Big Short. Christian Bale. DVD
Inequality For All. Robert Reich. DVD
The Best Democracy Money Can Buy. Rosario Dawson, DVD.

FILM, Charles Ferguson, INSIDE JOB, the first film to expose the shocking truth behind the economic crisis of 2008.

From Academy Award®-nominated filmmaker, Charles Ferguson (NO END IN SIGHT), comes INSIDE JOB, the first film to expose the shocking truth behind the economic crisis of 2008. The global financial meltdown, at a cost of over $20 trillion, resulted in millions of people losing their homes and jobs. Through extensive research and interviews with major financial insiders, politicians and journalists, INSIDE JOB traces the rise of a rogue industry and unveils the corrosive relationships which have corrupted politics, regulation and academia.

As he did with the occupation of Iraq in No End in Sight, Charles Ferguson shines a light on the global financial crisis in Inside Job. Accompanied by narration from Matt Damon, Ferguson begins and ends in Iceland, a flourishing country that gave American-style banking a try--and paid the price. Then he looks at the spectacular rise and cataclysmic fall of deregulation in the United States. Unlike Alex Gibney’s fiscal films, Enron: The Smartest Guys in the Room and Casino Jack, Ferguson builds his narrative around dozens of players, interviewing authors, bank managers, government ministers, and even a psychotherapist, who speaks to a culture that encourages Gordon Gekko-like behavior, but the number of those who declined to comment, like Alan Greenspan, is even larger. Though the director isn't as combative as Michael Moore, he asks tough questions and elicits
squirms from several participants, notably former Treasury secretary David McCormick and Columbia dean Glenn Hubbard, George W. Bush's economic adviser. Their reactions are understandable, since the borders between Wall Street, Washington, and the Ivy League dissolved years ago; it’s hard to know who to trust when conflicts of interest run rampant. If Ferguson takes Reagan and Bush to task for tax cuts that benefit the wealthy, he criticizes Clinton for encouraging derivatives and Obama for failing to deliver on the promise of reform. And in the category of unlikely heroes: former governor Eliot Spitzer, who fought against fraud as New York's attorney general (he’s the subject of Gibney's documentary *Client 9*). --Kathleen C. Fennessy


**INTERNATIONAL US LAWLESSNESS**

*Empire’s Workshop: Latin America, the United States, and the Rise of the New Imperialism* **By Greg Grandin.** Henry Holt, 05/01/2007. (Publisher’s description follows.)
"Grandin has always been a brilliant historian; now he uses his detective skills in a book that is absolutely crucial to understanding our present."—Naomi Klein, author of No Logo

The British and Roman empires are often invoked as precedents to the Bush administration’s aggressive foreign policy. But America’s imperial identity was actually shaped much closer to home. In a brilliant excavation of long-obscured history, Empire’s Workshop shows how Latin America has functioned as a proving ground for American strategies and tactics overseas. Historian Greg Grandin follows the United States’ imperial operations from Jefferson’s aspirations for an "empire of liberty" in Cuba and Spanish Florida to Reagan's support for brutally oppressive but U.S.-friendly regimes in Central America. He traces the origins of Bush’s current policies back to Latin America, where many of the administration's leading lights first embraced the deployment of military power to advance free market economics and enlisted the evangelical movement in support of their ventures.

With much of Latin America now in open rebellion against U.S. domination, Grandin asks: If Washington failed to bring prosperity and democracy to Latin America—its own backyard "workshop"—what are the chances it will do so for the world?

- Greg Grandin
- Author Web Site

Praise for Empire's Workshop

“The Americans who engineered countless military coups, death squads and massacres in Latin America never paid for their crimes -- instead they got promoted and they're now running the 'War on Terror.' Grandin had always been a brilliant historian, now he uses those detective skills in a book that is absolutely crucial to understanding our present.” —Naomi Klein, author of No Logo

“Greg Grandin knows the history of modern Guatemala better than anybody else in the world outside of that country-and therefore understands the nature of U.S. attitudes and action toward Latin America at their most disturbing. This grants him keen insight into the manic ferocity behind U.S. imperialism across the globe today, which he describes in fine, rich, vivid, bitter detail. Grandin also shrewdly observes that the outrages possible in little U.S. neo-colonies are not so easy to accomplish on a grand scale. His admirable book deserves many, many serious readers.” —John Womack, Robert Woods Bliss Professor of Latin American History and Economics, Harvard University and author of Zapata

**ANDREW BACEVICH AND AMERICA’S LONG MISGUIDED WAR TO CONTROL THE GREATER MIDDLE EAST**

Review by Charles Glass. *The Intercept*, April 23 2016,

**THE CONVICTION** that invasion, bombing, and special forces benefit large swaths of the globe, while remaining consonant with a Platonic ideal of the national interest, runs deep in the American psyche. Like the poet Stevie Smith’s *cat*, the United States “likes to gallop about doing good.” The cat attacks and misses, sometimes injuring itself, but does not give up. It asks, as the U.S. should,

What’s the good
Of galloping about doing good
When angels stand in the path
And do not do as they should

Nothing undermines the American belief in military force. No matter how often its galloping about results in resentment and mayhem, the U.S. gets up again to do good elsewhere. Failure to improve life in Vietnam, Lebanon, Somalia, Iraq, Afghanistan, and Libya stiffens the resolve to get it right next time. This notion prevails among politicized elements of the officer corps; much of the media, whether nominally liberal or conservative; the foreign policy elite recycled quadrennially between corporation-endowed think tanks and government; and most politicians on the national stage. For them and the public they influence, the question is less whether to deploy force than when, where, and how.

Since 1979, when the Iranians overthrew the Shah and the Soviets invaded Afghanistan, the U.S. has concentrated its firepower in what former U.S. Army colonel Andrew Bacevich calls the “Greater Middle East.” The region comprises most of what America’s imperial predecessors, the British, called the Near and Middle East, a vast zone from Pakistan west to Morocco. In his new book, *America’s War for the Greater Middle East*, Bacevich writes, “From the end of World War II until 1980, virtually no American soldiers were killed in action while serving in that region. Within a decade, a great shift occurred. Since 1990, virtually no American soldiers have been killed anywhere except the Greater Middle East.” That observation alone might prompt a less propagandized electorate to rebel against leaders who perpetuate policies that, while killing and maiming American soldiers, devastate the societies they touch.

Bacevich describes a loyal cadre of intellectuals and pundits favoring war after war, laying the moral ground for invasions and excusing them when they go wrong. He notes that in 1975, when American imperium was collapsing in Indochina, the guardians of American
exceptionalism renewed their case for preserving the U.S. as the exception to international law. An article by Robert Tucker in *Commentary* that year set the ball rolling with the proposition that “to insist that before using force one must exhaust all other remedies is little more than the functional equivalent of accepting chaos.” Another evangelist for military action, Miles Ignotus, wrote in *Harper’s* two months later that the U.S. with Israel’s help must prepare to seize Saudi Arabia’s oilfields. Miles Ignotus, Latin for “unknown soldier,” turned out to be the known civilian and Pentagon consultant Edward Luttwak. Luttwak urged a “revolution” in warfare doctrine toward “fast, light forces to penetrate the enemy’s vital centers” with Saudi Arabia a test case. The practical test would come, with results familiar to most of the world, 27 years later in Iraq. MORE


Review of Chapter One by Dick Bennett.

President Jimmy Carter provides the beginning of this comprehensive narrative of US lawlessness in the Middle East. “However unwittingly, Carter…inaugurated America’s War for the Greater Middle East, compounding rather than reversing the errors he had inherited. With no end in sight and little prospect of achieving success, that war continues to the present day” (xxii).

Chapter One, “War of Choice,” tells the story. Until the 1970s, not the Pentagon, the White House, or Congress planned to militarize US ME policy. The Cold War and Vietnam War had preoccupied those leaders. The US had looked to ME proxy nations to ensure the flow of oil westward.

All that changed when Jimmy Carter became president. Carter campaigned for freedom, peace, and human rights. But OPEC’s increasing power was shifting alignments. A group of hawks led by Robert W. Tucker and Edward Luttwak had been urging US “armed intervention in the Arab World” to take “our” oil (6-8). And the Iranian revolution in 1979 overthrew the Shah, whom the US had imposed on that country after the CIA had arranged the overthrow of its elected leader.

New advocates of making the Persian Gulf a high U.S. military priority (Paul Wolfowitz, Albert Wohlstetter) were becoming influential (16-17). Carter’s national security adviser, Zbigniew Brzezinski, supported intervention. Carter resisted, questioning whether the nation’s fate was bound to OPEC, including his 7-15-79 malaise speech arguing for peace and spiritual renewal, but he was not persuasive. Wolfowitz’ argument that the US should use soldiers rather than diplomats to secure its interests prevailed; the nation chose access to oil; Iranian students captured the US embassy in Tehran and students burned embassies in Pakistan and Libya; and Carter “took his country to war.”

“So in January 1980, [the nation] embarked upon a war for oil, which was in its way a war to preserve the American way of life” (32). The Truman Doctrine became the Carter Doctrine, encompassing all threats large and small and “generically referred to as ‘terrorists.’”
No subject is more hotly debated than the extreme measures that our government has taken after 9/11 in the name of national security. Torture, extraordinary rendition, drone assassinations, secret detention centers (or “black sites”), massive surveillance of citizens. But while the press occasionally exposes the dark side of the war on terror and congressional investigators sometimes raise alarms about the abuses committed by U.S. intelligence agencies and armed forces, no high U.S. official has been prosecuted for these violations – which many legal observers around the world consider war crimes.

The United States helped establish the international principles guiding the prosecution of war crimes – starting with the Nuremberg tribunal following World War II, when Nazi officials were held accountable for their crimes against humanity. But the American government and legal system have consistently refused to apply these same principles to our own officials. Now Rebecca Gordon takes on the explosive task of “indicting” the officials who – in a just society – should be put on trial for war crimes. Some might dismiss this as a symbolic exercise. But what is at stake here is the very soul of the nation.


Review By David Swanson in his blog Let’s Try Democracy

The most massive and brutal crime committed on this planet during the past decade has been the invasion and occupation of Iraq. And we’re seeking to wash the blood off our hands
without so much as an "Out, damn spot!" Nowadays "looking forward, not backward" is supposed to take care of everything, even as the crimes continue. What that takes care of is the leading perpetrators who begin to sense that the coast is clear and creep out of their holes to declare, as did Karl Rove this week, that their biggest mistake was not more aggressively attacking those who pointed out their crimes.

If there's anyone who knows where that path leads, it's probably Benjamin Ferencz, who served as Chief Prosecutor for the Einsatzgruppen Trial at Nuremberg in 1947 and who has just published the forward to a new book by Nicolas Davies called "Blood on Our Hands: The American Invasion and Destruction of Iraq." It's a useful moment in which to be handed this masterful account of what we've done, not just because the liars have been ceded the floor, but also because the crime is ongoing and we will require the proper frame of mind as each deadline for withdrawal from Iraq is violated, and because the Washington Press Corpse has begun to notice the utter irresponsibility of the people we pay to tell us what is happening in the world (not to mention to spy on us, overthrow governments, kidnap, imprison, torture, and assassinate), and because we will not end the endless war in Afghanistan, Pakistan, Iraq, and other places unless there is accountability.

This is also the moment in which the International Criminal Court has done something Ferencz had long worked for, and determined that it will prosecute the crime of aggressive war. Even if the ICC cannot go back now and prosecute the most serious such crime of recent years, it can prosecute numerous US war crimes committed during the past decade, and we can address the invasion and occupation of Iraq through courts and legislatures in such a manner as to make its repetition elsewhere more likely to result in criminal charges.

Ferencz has the highest praise for Davies' book, as do I. Davies lays it all out: the planning and commission of the criminal war on Iraq from its earliest stages through to the current phase. If the Iraq occupation lasts another 50 years, it's doubtful a better account of it will be produced than this one. Davies puts the invasion and occupation of Iraq into a framework not only of history but also of law. "Blood on Our Hands" is packed with critical information that never made it into the so-called first draft of history, the U.S. media. This is a thoroughly documented account of the motivations, launching, and the conduct through several stages of the Iraq War, a war that any one of these periods shows to have been, above all else, a massive crime.

One of the few journalists whose reporting on Iraq I trust entirely is Dahr Jamail, who says "'Blood on Our Hands' is a must read. For anyone wanting a full review of U.S. involvement in Iraq from the early 20th century to the present, this book is mandatory. From U.S.-backing of
a 22-year-old Saddam Hussein, to the more recent role the U.S. government played in orchestrating death squads in Iraq, Davies nails it."

Think Dahr and I are exaggerating? Here's 27-year CIA veteran Ray McGovern: "Nicolas Davies' well-documented yet fast-moving and highly readable book packages the pieces into the best account so far of the Iraq War -- how it happened and why."

Ray doesn't tend to overstate things, but just in case you have doubts, listen to Staff Sergeant Camilo Mejia, the author of "Road from Ar Ramadi": "Davies has dissected the invasion and occupation of Iraq with such precision that even the most knowledgeable reader will be amazed. This book should be read and kept in every Congressional office, in every public library, in every school and in every household. It's an absolute must-read."

I could go on with the enthusiastic statements from people who know, but I think I've made the point. "Blood on Our Hands" is the best documented, most powerful, most legally actionable account in existence of the worst crime currently being committed in our names, which makes its title fitting indeed. Davies wrote to me about his appreciation for Ferencz's assistance with the book, writing that Ferencz "completely ignored my lack of formal credentials and took my work on its merits from the moment he read my first article about Iraq. When I think about Ben, I only hope that he can feel some peace and satisfaction for all that he has accomplished in a lifetime of total commitment to peace and justice. He still seems more concerned with fighting this fight to his very last breath, and my reason for dedicating the book to him was partly to try and let him know that there are new generations taking up the torch he carried so heroically."

Brothers and sisters, take up that torch.

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**No Place to Hide**, by Glenn Greenwald

**MAY 12, 2014**

Books of The Times  By MICHIKO KAKUTANI

[From the several reviews I read, I chose this one published by the *New York Times* because of the criticism it and other mainstream media receive in the last chapter of Greenwald's book. Read that chapter and then read the *Times’* review again. --Dick]
The title of the journalist Glenn Greenwald’s impassioned new book, “No Place to Hide,” comes from a chilling observation made in 1975 by Senator Frank Church, then chairman of a select committee on intelligence. The United States government, he said, had perfected “a technological capability that enables us to monitor the messages that go through the air.” That capability, he added, could at any time “be turned around on the American people, and no American would have any privacy left, such is the capability to monitor everything: telephone conversations, telegrams, it doesn’t matter. There would be no place to hide.”

That was nearly 40 years ago, and as the documents leaked last year by the former National Security Agency contractor Edward Snowden revealed, the N.S.A.’s ability to spy on our daily lives has grown exponentially to Orwellian proportions. The documents provided by Mr. Snowden revealed that the agency has an ability to monitor or collect information from hundreds of millions of people around the globe, that it has broken into the communications links of major data centers across the world, that it has circumvented or cracked much of the encryption that protects sensitive data on the Internet, and that, according to its own records, it has broken privacy laws or exceeded its authority thousands of times a year. The first journalist Mr. Snowden approached by email was Glenn Greenwald, a columnist for The Guardian and former constitutional lawyer who had frequently written about civil liberties, the dangers of enhanced executive power, and surveillance abuses in post-Sept. 11 America. (Mr. Greenwald has since left The Guardian to work with Pierre Omidyar, the founder of eBay, on building a new media venture, which includes the news site The Intercept, of which Mr. Greenwald, Laura Poitras and Jeremy Scahill are founding editors.)

In “No Place to Hide,” Mr. Greenwald recounts the story of how he and Ms. Poitras, a documentary filmmaker, traveled to Hong Kong to meet with Mr. Snowden and the race to publish articles based on the documents he provided, all the while fearful of authorities’ closing in. The outlines of this story will be familiar to readers who followed it in real time last year, and to readers of the recent book “The Snowden Files” (by the Guardian reporter Luke Harding), just as much of the material here about the N.S.A. will be familiar to readers of articles that have appeared in The Guardian (many with Mr. Greenwald’s byline), The Washington Post and The New York Times.

“No Place to Hide” is enlivened by reproductions of dozens of fascinating documents from the Snowden archive that help illustrate the N.S.A.’s methodology and that showcase its strange corporate like boosterism (complete with sometimes corny graphics). And Mr. Greenwald fleshes out his portrait of Mr. Snowden with fresh observations from their exchanges. He amplifies our understanding of the N.S.A.’s sweeping ambitions, methods and global reach, and provides detailed insights into what he calls the agency’s “corporate partnerships,” which “extend beyond intelligence and defense contractors to include the world’s largest and most important Internet corporations and telecoms.”
For instance, the agency’s Stormbrew program, Mr. Greenwald writes, “gives the N.S.A. access to Internet and telephone traffic that enters the United States at various ‘choke points’ on U.S. soil. It exploits the fact that the vast majority of the world’s Internet traffic at some point flows through the U.S. communications infrastructure — a residual by-product of the central role that the United States had played in developing the network.” According to the N.S.A., he says, Stormbrew “is currently comprised of very sensitive relationships with two U.S. telecom providers (cover terms ARTIFICE and WOLFPOINT);” the identity of such corporate partners, he adds, “is one of the most closely guarded secrets in the N.S.A.”

Mr. Greenwald portrays Mr. Snowden — regarded by some as a heroic whistle-blower, by others as a traitor — as a courageous idealist who felt he needed to act on his beliefs. That outlook, Mr. Greenwald suggests, was partly shaped by books Mr. Snowden read growing up — Greek mythology and “The Hero With a Thousand Faces” by Joseph Campbell, which convinced Mr. Snowden that, in his own words, “it is we who infuse life with meaning through our actions and the stories we create with them.”

. . . .  https://www.nytimes.com/2014/05/13/books/no-place-to-hide-by-glenn-greenwald.html?_r=0

The most gripping sections of “No Place to Hide” recount Mr. Greenwald and Ms. Poitras’s 10-day trip to Hong Kong, where they and The Guardian’s veteran correspondent Ewen MacAskill met with Mr. Snowden in his hotel room. Mr. Greenwald describes the tradecraft they employed (removing batteries from their cellphones, or placing the phones in the minibar refrigerator) to avoid detection; his initial five-hour, litigatorlike grilling of Mr. Snowden; and the “giddy gallows humor” that later crept into their conversations (“I call the bottom bunk at Gitmo,” Mr. Snowden reportedly joked).

Mr. Greenwald writes that Mr. Snowden said one turning point in his decision to become a leaker came in 2010, when he was working as an N.S.A. contractor in Japan. “The stuff I saw really began to disturb me,” Mr. Snowden recalled. “I could watch drones in real time as they surveilled the people they might kill.” He added: “I watched N.S.A. tracking people’s Internet activities as they typed. I became aware of just how invasive U.S. surveillance capabilities had become. I realized the true breadth of this system. And almost nobody knew it was happening”

Substantial sections of this book deal not with Mr. Greenwald’s relationship with Mr. Snowden and the N.S.A., but with his combative view of “the establishment media,” which he has denounced for “glaring subservience to political power” and to which he condescends as inferior to his more activist kind of journalism.

. . . . (Kakutani criticizes Greenwald’s self-dramatization and a false generalization about US media --D)
When Mr. Greenwald turns his fervor to the issue of surveillance and its implications for ordinary citizens’ civil liberties, he is far more credible. Sometimes eloquent. He places the N.S.A.’s current activities in historical perspective with the F.B.I.’s [Cointelpro](https://en.wikipedia.org/wiki/Cointelpro) program to target political groups and individuals, begun in 1956 and ended in 1971. And he delivers a fierce argument in defense of the right of privacy, quoting the Supreme Court Justice Louis Brandeis’s [famous dissent](https://en.wikipedia.org/wiki/Olmstead_v._United_States) in the 1928 case Olmstead v. United States, of the founding fathers’ efforts “to protect Americans in their beliefs, their thoughts, their emotions and their sensations.” The makers of our Constitution, Brandeis argued, conferred “the right to be let alone.”


It began with a tantalizing, anonymous email: “I am a senior member of the intelligence community.”

What followed was the most spectacular intelligence breach ever, brought about by one extraordinary man. Edward Snowden was a 29-year-old computer genius working for the National Security Agency when he shocked the world by exposing the near-universal mass surveillance programs of the United States government. His [whistleblowing](https://en.wikipedia.org/wiki/Whistleblowing) has shaken the leaders of nations worldwide, and generated a passionate public debate on the dangers of global monitoring and the threat to individual privacy.

In a [tour de force of investigative journalism](https://en.wikipedia.org/wiki/Investigative_journalism) that reads like a spy novel, award-winning [Guardian](https://www.theguardian.com) reporter Luke Harding tells Snowden’s astonishing story—from the day he left his glamorous girlfriend in Honolulu carrying a hard drive full of secrets, to the weeks of his secret-spilling in Hong Kong, to his battle for asylum and his exile in Moscow. For the first time, Harding brings together the many sources and strands of the story—touching on everything from concerns about domestic spying to the complicity of the tech sector—while also placing us in the room with Edward Snowden himself. The result is a gripping insider narrative—and a necessary and timely account of **what is at stake for all of us in the new digital age.** [It is not accurate to call it an “insider narrative,” since he was not there. Only Greenwald’s account is truly insider. But Harding, *The Guardian*’s foreign correspondent, had access at *The Guardian* to Greenwald’s reports and those of *The Guardian*’s Washington correspondent, Ewen MacAskill, who accompanied Greenwald and Poitras to Hong Kong. --Dick]

More Lawlessness of US Empire

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Dick Bennett


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