

# **DID DECLAN WALSH GET EXPELLED FROM PAKISTAN BECAUSE HE PROVIDED DRONE COVER FOR BRENNAN'S CONFIRMATION?**

Three things have recently gotten me thinking about the legitimacy of US counterterrorism in Pakistan in terms of the partners we choose:

- UN Special Rapporteur on Human Rights and Counterterrorism, Ben Emmerson, using the opposition to US drone strikes of Pakistan's political classes as the basis for claiming the drones are illegitimate, in spite of the silence of Pakistan's national security class.
- General Joseph Dunford's recent suggestion that the solution to US difficulties with Pakistan is to increase military-to-military ties; never mind that Admiral Mike Mullen had put a lot of faith in just such a plan as Chairman of the Joint Chiefs of Staff, only to be disappointed by Pakistan's support for the insurgency

in Afghanistan.

- The recent Pakistani court ruling declaring drones illegal (note, some international law experts have told me the decision is problematic on those terms, but nevertheless, it represents Pakistani courts censoring the policy supported by the national security establishment).

After all, everyone marginally attentive to drones in Pakistan knows the game: the US and the ISI and Pakistan's military make agreements permitting the US to launch drone strikes in Pakistan – at both US and Pakistani targets – while the political and judicial classes in Pakistan increasingly voice their opposition.

To sustain its claim that its drone strikes in Pakistan operate with the sanction of the government, it seems, the Obama Administration must treat the consent of the military as more legitimate than that of the political classes. Our necessary disdain for what Pakistan's fragile democracy has to say is precisely the kind of thing I meant when I talked about how drones undermine the nation-state.

Mind you, I think the US is giving unelected national security figures an increasingly large role in legitimizing its counterterrorism and counternarcotic programs in a lot of places (a topic I suspect I'll return to). It's one natural outcome of waging diplomacy primarily by military training.

Anyway, with all that in mind, I wanted to point to this explanation for why NYT's reporter Declan Walsh was thrown out of Pakistan just before the elections (note: someone on Twitter pointed this out – though I've lost track of who said it).

Declan Walsh was thrown out for apparently annoying the military back in February with a story about conflict between the CIA and the ISI over the use of drone missiles.

These two stories – in which the CIA and ISI squabbled over who conducted two drone strikes in Waziristan in early February (significantly, the day before and the day after John Brennan's February 7 confirmation hearing; the CIA had appeared to hold off on strikes during his confirmation because of sensitivity about drones) – appear like they may be the ones in question.

The first article, published March 4, the night before the Senate Intelligence Committee voted on Brennan's nomination, cited 3 "American officials" denying the strikes were ours, and adding that the CIA had not engaged in such activities since January (that is, since Brennan's nomination).

Yet there was one problem, according to three American officials with knowledge of the program: The United States did not carry out those attacks.

"They were not ours," said one of the officials, speaking on the condition of anonymity because of the drone program's secrecy. "We haven't had any kinetic activity since January."

What exactly took place in those remote tribal villages, far from outside scrutiny, is unclear. But the Americans' best guess is that one or possibly both of the strikes were carried out by the Pakistani military and falsely attributed to the C.I.A. to avoid criticism from the Pakistani public.

[snip]

Two senior United States officials said there had been no American involvement

in the attacks. A third official said the C.I.A. had not paid the reports much attention because no American forces had been involved. But that official said American intelligence pointed to the Pakistan Air Force as having conducted the first strike, probably as part of a military operation against Pakistani Taliban militants in the neighboring Orakzai tribal agency.

The second attack was more mysterious. "It could have been the Pakistani military," the official said. "It could have been the Taliban fighting among themselves. Or it could have been simply bad reporting."

Walsh cites the tensions about drones in relation to Brennan's confirmation process several times in the article (and also gives reporting credit to Eric Schmitt and Scott Shane).

Walsh's second article – published the day between the SSCI vote and the Rand Paul drone filibuster – reports on Pakistani military denials that, he notes, had already been published widely in Pakistan by the time he reported it.

The Pakistani military did not respond officially to requests for comment before the Times article was published. But afterward, it issued a statement criticizing the American claims as "a distortion of the facts" that "seems to be aimed at diluting Pakistan's stance on drone strikes."

In the statement, which was widely reported in the Pakistani media, the military spokesman denied that Pakistani security forces had carried out "any operation, including airstrikes, in the area on dates mentioned in the news report."

The strident denial creates an unusual situation in which officials from both countries are effectively accusing the other of carrying out the same attack, albeit with different weaponry.

For the moment, I don't know what to make of all this: the claim these stories are what got Walsh expelled (and the possibility I've got the wrong stories), the timing of the stories themselves, and the timing of Walsh's expulsion just before Pakistan's election would bring a drone skeptic, Nawaz Sharif, to power (all of which was made more interesting by Pervez Musharraf's acknowledgment he had approved drone strikes in the interim). Even if (as appears to be one possibility) the Pakistani security establishment expelled Walsh because he forced them to deny the drones just as the legal landscape made their approval for them more dicey, why now?

Was it because the court ruling, issued on May 9, made it much more dangerous to have someone who'd inject such accusations into Pakistani public debates, leading to his expulsion on May 10? Does Pakistan's military establishment believe such stories might put them at legal risk for approving of our illegal strikes?

It's funny, though. The possibility that Walsh got expelled because he provided coverage of potentially false claims made to help John Brennan get confirmed to head the drone program in Pakistan (and elsewhere) makes me wonder whose democracy is more dysfunctional at this point, which country is lying more to its people.