

9/11: A STORY OF ATTACKS, HORROR, VICTIMS, HEROES AND JINGOISTIC SHAME

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, 2001 is now 15 years in the mirror of life. Like the two Kennedy assassinations, the Moonshot and a few other events in life, it is one of those “yeah I remember where I was when...” moments. Personally, being on west coast time, I was just waking up thinking all I had was a normal morning court calendar. When my wife, who gets up far earlier than I, shouted at me to rub out the cobwebs and watch the TV because something was seriously wrong in New York City. She was right. It was a hell of a day, one of unspeakable tragedy and indescribable heroism. It was truly all there in one compact day, unlike any other, save maybe December 7, 1941.

2,996 people lost their lives, and their families and history were forever altered in the course of hours on an otherwise clear and beautiful day in Manhattan. Most were simply innocent victims, but many were the epitome of heroes who charged into a hellscape to try to salvage any life they could. There were other heroes that altered their lives in response, and either died or were forever changed as a result. One was a friend of mine from South Tempe, Pat Tillman.

No one can speak for Pat Tillman, and, save for

his family, those who claim to only prove they never met the man. All I can say is, I wish he were here today. The one thing that is certain is he would not give the prepackaged trite partisan reaches you are likely to hear today. It would be unfiltered truth. Which the US did not get from its leaders after September 11, 2001, and is still missing today.

Instead of rallying and solidifying the oneness of the American citizenry that was extant immediately after September 11, 2001, the Bush/Cheney Administration and GOP told us to go shopping and that we needed to invade Iraq, who had nothing whatsoever to do with 9/11. It was a fools, if not devil's, errand and a move that threw away an opportunity for greatness from the country and exploited it in favor of war crimes and raw political power expansion and consolidation.

Instead of gelling the United States to make ourselves better as the "Greatest Generation" did sixty years before, America was wholesale sold a bill of goods by a determined group of unreformed and craven Neo-Con war criminals left over from the Vietnam era, and we were led down the path to a war of aggression that was an unmitigated disaster we have not only not recovered from today, but are still compounding.

The 2000's will prove to be a decade of American shame when history is written decades from now. Not from the attacks, but from our craven response thereto. So, pardon me if I join Colin Kaepernick and choose not to join, every Sunday, just because the Madison Avenue revenue generating NFL of Roger Goodell cravenly exploits it, the jingoistic bullshit of rote dedication to a racist National Anthem. Also, too, shame on opportunistic and Constitutionally ignorant whiny police unions who scold free speech and threaten to abandon their jobs in the face of it.

But
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, nee the world, to a forever war on the wings
of a craven lie is universally recognized,
condemned and scorned, right?

No. The Neo-Cons are unrepentant and still
trying to advance themselves on the lie that
their once and forever war justifies more than
their prosecution and conviction in The Hague.
Here is a belligerent and unrepentant Dick
Cheney passing the torch of evil to his spawn
Liz Cheney in the august pages of the Wall
Street Journal:

We are no longer interrogating
terrorists in part because we are no
longer capturing terrorists. Since
taking office, the president has
recklessly pursued his objective of
closing the detention facility at
Guantanamo by releasing current
detainees—regardless of the likelihood
they will return to the field of battle
against us. Until recently, the head of
recruitment for ISIS in Afghanistan and
Pakistan was a former Guantanamo
detainee, as is one of al Qaeda’s most
senior leaders in the Arabian Peninsula.

As he released terrorists to return to
the field of battle, Mr. Obama was
simultaneously withdrawing American
forces from Iraq and Afghanistan. He
calls this policy “ending wars.” Most
reasonable people recognize this
approach as losing wars.

Times may change, but the bottomless pit of Cheney lies and evil do not. As Charlie Savage pointed out on Twitter, the two terrorists the Cheneys refer to were actually released back to the "field of battle" by Bush and Cheney, not Obama. Was Obama involved in the story? Yes, he would be the one who actually tracked them down and killed them.

And then there is the failure to learn the lessons of the failed torture regime Bush and Cheney instituted as the hallmark of the "War on Terror". Our friend, and former colleague, Spencer Ackerman has a must read three part series over the last three days in The Guardian (Part One, Part Two and Part Three) detailing how the CIA rolled the Obama Administration and prevented any of the necessary exposure, accountability and reform that was desperately needed in the aftermath of the torture regime and war of aggression in Iraq. It will take a while, but read all three parts. It is exasperating and maddening. It is also journalism at its finest.

And so, as we glide through the fifteenth anniversary of September 11, what are we left with from our response to the attacks? A destabilized world, an ingraining of hideous mistakes and a domestic scene more notable for jingoism and faux patriotism than dedication to the founding principles that America should stand for.

That is not what the real heroes, not only of 9/11 but the totality of American history, died to support and protect. In fact, it is an insult to their efforts and lives. If America wants to win the "War on Terror", we need to get our heads out of our asses, quit listening to the neocons, war mongers, and military industrial complex Dwight Eisenhower warned us about, and act intelligently. This requires a cessation of adherence to jingoistic and inane propaganda and thought, and a focus on the principles we are supposed to stand for.

IN ATTEMPTED HIT PIECE, NYT MAKES PUTIN HERO OF DEFEATING TPP

In an remarkable hit piece NYT spent over 5,000 words yesterday trying to prove that all of WikiLeaks' leaks are motivated from a desire to benefit Russia.

That of course took some doing. It required ignoring the evidence of the other potential source of motivation for Julian Assange – such as that Hillary participated in an aggressive, and potentially illegal, prosecution of Assange for being a publisher and Chelsea Manning for being his source – even as it repeatedly presented evidence that that was Assange's motivation.

Putin, who clashed repeatedly with Mrs. Clinton when she was secretary of state,

[snip]

In late November 2010, United States officials announced an investigation of WikiLeaks; Mrs. Clinton, whose State Department was scrambled by what became known as "Cablegate," vowed to take "aggressive" steps to hold those responsible to account.

[snip]

Another person who collaborated with WikiLeaks in the past added: "He views everything through the prism of how he's treated. America and Hillary Clinton have caused him trouble, and Russia never has."

It also required dismissing some of the most interesting counterexamples to the NYT's thesis.

Sunshine Press, the group's public relations voice, pointed out that in 2012 WikiLeaks also published an archive it called the Syria files – more than two million emails from and about the government of President Bashar al-Assad, whom Russia is supporting in Syria's civil war.

Yet at the time of the release, Mr. Assange's associate, Ms. Harrison, characterized the material as “embarrassing to Syria, but it is also embarrassing to Syria's opponents.” Since then, Mr. Assange has accused the United States of deliberately destabilizing Syria, but has not publicly criticized human rights abuses by Mr. Assad and Russian forces fighting there.

As I have noted, there is a significant likelihood that the Syria files came via Sabu and Anonymous from the FBI – that is, that it was actually an American spy operation. Even aside from how important a counterexample the Syrian files are (because they went directly contrary to Putin's interests in protecting Assad, no matter how bad they made Assad's western trade partners look), the provenance of these files and Assange's current understanding of them deserve some attention if NYT is going to spend 5,000 words on this story.

But the most remarkable stunt in this 5,000 screed is taking Wikileaks' efforts to show policies a great many people believe are counterproductive – most importantly, passing trade deals that benefit corporations while hurting real people, but also weakening other strong hands in climate change negotiations – and insinuating they might be a Putinesque plot. This bit requires editorial notes in line:

From November 2013 to May 2016, WikiLeaks published documents describing internal deliberations on two trade pacts: the Trans-Pacific Partnership, which would liberalize trade *[ed: no, it would protect IP, the opposite of liberalizing trade]* between the United States, Japan and 10 other Pacific Rim countries, and the Trade in Services Agreement, an accord between the United States, 21 other countries and the European Union.

Russia, which was excluded, has been the most vocal opponent of the pacts *[this is presented with no evidence, nor even a standard of evidence. I and all of America's TPP opponents as well as TPP opponents from around the world must redouble our very loud effort]*, with Mr. Putin portraying them as an effort to give the United States an unfair leg up in the global economy.

The drafts released by WikiLeaks stirred controversy among environmentalists, advocates of internet freedom and privacy, labor leaders and corporate governance watchdogs, among others. They also stoked populist resentment against free trade that has become an important factor in American and European politics. *[Here, rather than admitting that this broad opposition to these trade deals shows that Putin is not the most vocal opponent of these pacts – contrary to their foundational assumption in this section – they instead portray a wide spectrum of well-considered activism as unthinking response to Putinesque manipulation. And note, here, a news outlet is complaining that ordinary citizens get access to critically important news, without even blushing? Also note the NYT makes no mention of the members of Congress who were also*

begging for this information, which makes it easier to ignore the profoundly anti-democratic nature of these trade agreements.]

The material was released at critical moments, with the apparent aim of thwarting negotiations, American trade officials said. *[In a piece obscuring the unpopular and anti-democratic nature of these trade deals, the NYT gives these sources anonymity.]*

WikiLeaks highlighted the domestic and international discord on its Twitter accounts.

American negotiators assumed that the leaks had come from a party at the table seeking leverage. *[That anonymity again: NYT is protecting some bitter trade negotiators who've invented a paranoid conspiracy here. On what grounds?]*

Then in July 2015, on the day American and Japanese negotiators were working out the final details of the Trans-Pacific Partnership, came what WikiLeaks dubbed its "Target Tokyo" release.

Relying on top-secret N.S.A. documents, the release highlighted 35 American espionage targets in Japan, including cabinet members and trade negotiators, as well as companies like Mitsubishi. The trade accord was finally agreed on – though it has not been ratified by the United States Senate – but the document release threw a wrench into the talks.

"The lesson for Japan is this: Do not expect a global surveillance superpower to act with honor or respect," Mr. Assange said in a news release at the time. "There is only one rule: There are no rules." *[That the US spies on trade negotiations was of course not news by this point. But it is, nevertheless, worthy to point out.]*

Because of the files' provenance, United States intelligence officials assumed that Mr. Assange had gotten his hands on some of the N.S.A. documents copied by Mr. Snowden.

But in an interview, Glenn Greenwald, one of the two journalists entrusted with the full Snowden archive, said that Mr. Snowden had not given his documents to WikiLeaks and that the "Target Tokyo" documents were not even among those Mr. Snowden had taken.

The next paragraph goes on to note that the same NSA documents focused on climate negotiations between Germany and the UN, which seems to suggest the NYT also believes it is in petro-state leader Putin's interest for the US attempts to dominate climate change negotiations to be thwarted, even as Assange describes US actions as protection petroleum interests, which of course align with Putin's own.

In other words, as a central piece of evidence, the NYT spent 11 paragraphs repackaging opposition to shitty trade deals – a widely held very American view (not to mention a prominent one in most other countries affected) – into something directed by Russia, as if the only reasons to oppose TPP are to keep Russia on an equal shitty neoliberal trade footing as the rest of us, as if opposing the deals don't benefit a whole bunch of red-blooded Americans.

That's not only logically disastrous, especially in something billed as "news," but it is very dangerous. It makes legitimate opposition to bad (albeit widely accepted as good within beltway and I guess NYT conventional wisdom) policy something disloyal.

NYT's argument that Putin was behind WikiLeaks' NSA leaks doesn't hold together for a lot of reasons (not least that those two topics are probably not what Putin would prioritize, or even close). But it also has the bizarre effect,

in a hit piece targeting Assange and Putin, of making Putin the hero of the anti-TPP movement.

And yet, NYT's three journalists don't seem to understand how counterproductive to their "journalistic" endeavor that argument is.

Update: Oy. As Trevor Timm notes, NYT worked with WL on the TPP release.

BREAKING FROM SAUDI ARABIA!!! TWO MONTH OLD MISLEADING NEWS

This Reuters exclusive is getting a lot of careless attention. Here's what a careless reader learns:

**Exclusive:
U.S.
withdraws
staff from
Saudi Arabia
dedicated to
Yemen
planning**

From that headline, particularly the use of the present tense, you might assume that the US is in the process of withdrawing its Yemen-related staff from Saudi Arabia, perhaps in response to the Saudi war crimes earlier this week.

But here's what the story actually reports: the staff withdrawal happened in June, and was in no way a response to this week's war crimes.

The June staff withdrawal, which U.S.

officials say followed a lull in air strikes in Yemen earlier this year, reduces [sic] Washington's day-to-day involvement in advising a campaign that has come under increasing scrutiny for causing civilian casualties.

In spite of the fact that this "exclusive" – which has since been reported by other outlets with similarly misleading headlines – describes two month old news, it nevertheless obscures that fact with its editorial choices, as here where it suggests the move "reduces," in present tense, staff numbers, or the headline which hides that, in fact, the US already withdrew these staffers.

In fact, the report goes on to admit that this was not a response (which would have required a time machine in any case).

U.S. officials, speaking on condition of anonymity, said the reduced staffing was not due to the growing international outcry over civilian casualties in the 16-month civil war that has killed more than 6,500 people in Yemen, about half of them civilians.

But the Pentagon, in some of its strongest language yet, also acknowledged concerns about the conflict, which has brought Yemen close to famine and cost more than \$14 billion in damage to infrastructure and economic losses.

"Even as we assist the Saudis regarding their territorial integrity, it does not mean that we will refrain from expressing our concern about the war in Yemen and how it has been waged," Stump said.

I'd also suggest that reports about what non-uniformed US personnel are doing in Yemen's immediate neighborhood would be a better gauge

of the support we're giving Saudi Arabia beyond refueling their airstrikes, the latter of which has not stopped at all.

It's not until the last line two paragraphs of the story that we learn what this misleading news is really about:

U.S. Representative Ted Lieu, a Democrat from California and a colonel in the Air Force Reserve, said he believed such strikes could help galvanize votes for limiting arms transfers to Saudi Arabia.

"When its repeated air strikes that have now killed children, doctors, newlyweds, patients, at some point you just have to say: Either Saudi Arabia is not listening to the United States or they just don't care," Lieu said.

Not long ago, the US announced \$1.5 billion in new arms sales to Saudi Arabia. Congress has a narrow window to affirmatively veto that sale, and people like Ted Lieu and Rand Paul and Chris Murphy are trying to do just that. The arms sale was announced such that Congress has just one day after they come back in session to reject the transfer. Stories like this – suggesting the US is not as involved in this war as it really is – will make the task all the more difficult.

The reality remains that the US, even the overt uniformed operations, continues to provide key support to Saudi Arabia's war, and therefore to its war crimes. Selling it more arms in the wake of these most recent war crimes only doubles down on the complicity.

SIX YEARS LATER, THE US CONTINUES TO FACILITATE SAUDI WAR CRIMES

Over six years ago, according to a State Department cable liberated by Chelsea Manning, the US ambassador to Saudi Arabia met with Prince Khalid bin Sultan to complain about all the civilians the Saudis killed in an airstrike on a health clinic. Prince Khalid expressed regret about the dead civilians. But the Saudis “had to hit the Houthis very hard in order to ‘bring them to their knees.’”

USG CONCERNS ABOUT POSSIBLE STRIKES ON CIVILIAN TARGETS

2. (S/NF) Ambassador Smith delivered points in reftel to Prince Khaled on February 6, 2010. The Ambassador highlighted USG concerns about providing Saudi Arabia with satellite imagery of the Yemen border area absent greater certainty that Saudi Arabia was and would remain fully in compliance with the laws of armed conflict during the conduct of military operations, particularly regarding attacks on civilian targets. The Ambassador noted the USG’s specific concern about an apparent Saudi air strike on a building that the U.S. believed to be a Yemeni medical clinic. The Ambassador showed Prince Khaled a satellite image of the bomb-damaged building in question.

IF WE HAD THE PREDATOR, THIS MIGHT NOT HAVE HAPPENED

3. (S/NF) Upon seeing the photograph, Prince Khalid remarked, “This looks familiar,” and added, “if we had the

Predator, maybe we would not have this problem.” He noted that Saudi Air Force operations were necessarily being conducted without the desired degree of precision, and recalled that a clinic had been struck, based on information received from Yemen that it was being used as an operational base by the Houthis. Prince Khalid explained the Saudi approach to its fight with the Houthis, emphasizing that the Saudis had to hit the Houthis very hard in order to “bring them to their knees” and compel them to come to terms with the Yemeni government. “However,” he said, “we tried very hard not to hit civilian targets.” The Saudis had 130 deaths and the Yemenis lost as many as one thousand. “Obviously,” Prince Khaled observed, “some civilians died, though we wish that this did not happen.”

If only the Saudis had more accurate targeting, Prince Khalid explained – not just satellite imagery from the Americans, but also Predator drones – such unfortunate accidents might not happen.

Six years later, over a year into Saudi Arabia’s latest war against the Houthis, now backed by US satellite imagery and a drone base on Saudi soil, the Saudis are still having unfortunate “accidents,” attacking at least the third of four MSF facilities attacked in Yemen in the last year (Saudis deny responsibility for one of these strikes).

A hospital supported by the international medical humanitarian organization Doctors Without Borders/Médecins Sans Frontières (MSF) in northwestern Yemen was hit by an airstrike today, killing at least 11 people and injuring at least 19.

The attack on Abs Hospital, in Yemen’s Hajjah governorate, occurred at 3:45 pm

local time and immediately killed nine people, including an MSF staff member. Two more patients died while being transferred to Al Jamhuri hospital. Five patients remain hospitalized. The hospital, supported by MSF since July 2015, was partially destroyed, and all the remaining patients and staff have been evacuated. The GPS coordinates of the hospital were repeatedly shared with all parties to the conflict, including the Saudi-led coalition, and its location was well-known.

“This is the fourth attack against an MSF facility in less than 12 months,” said Teresa Sancristóval, MSF emergency program manager for Yemen. “Once again, today we witness the tragic consequences of the bombing of a hospital. Once again, a fully functional hospital full of patients and MSF national and international staff members was bombed in a war that has shown no respect for medical facilities or patients.”

“Even with a recent United Nations resolution calling for an end to attacks on medical facilities and with the high-level declarations of commitment to International Humanitarian Law, nothing seems to be done to make parties involved in the conflict in Yemen respect medical staff and patients,” Sancristóval continued. “Without action, these public gestures are meaningless for today’s victims. Either intentional or as a result of negligence, this is unacceptable.”

MSF calls on all parties, and particularly the Saudi-led coalition responsible for the attack, guarantee that such attacks do not happen again.

Congress is finally beginning to complain about these serial war crimes, with Rand Paul and

Chris Murphy attempting to block the latest \$1.5 billion arms sale to the Saudis, and Ted Lieu issuing this scathing statement in support of an effort to do the same on the House side.

I have tried numerous times to work with the Administration to stop the United States from assisting Saudi Arabia in their indiscriminate killing of civilians in Yemen. But when Saudi Arabia continues to kill civilians, and in this case children, enough is enough. Having served on active duty, one of my responsibilities was to teach the Law of War. I am also a graduate of Air War College. The indiscriminate civilian killings by Saudi Arabia look like war crimes to me. In this case, children as young as 8 were killed by Saudi Arabian air strikes. By assisting Saudi Arabia, the United States is aiding and abetting what appears to be war crimes in Yemen. The Administration must stop enabling this madness now.

Nevertheless, six years later, we're still getting this kind of lip service from the State Department.

QUESTION: All right. So just to clarify earlier what you said about Yemen in regards –

MS TRUDEAU: Yeah.

QUESTION: – to the hospital bombing this morning, you are – is it fair to say that you're not coming out and condemning the attack; you're saying we're raising concerns with the coalition?

MS TRUDEAU: No, of course we would condemn any attack that hit civilians. We're gravely concerned by any reports of civilian casualties. What we're saying is we've seen these reports. Of course we would condemn any strike

against a hospital.

QUESTION: Okay. Because, I mean, I've been hearing you all say for months now that we're raising these concerns with the Saudi-led coalition, but this is the fourth attack on an MSF medical facility in Yemen in the past year, let alone countless others on clinics and hospitals. Are you concerned that these sort of stern conversations aren't having the desired effect?

MS TRUDEAU: Well, what we would say – and we'd point you back to what we talked about earlier – is the Saudi-led coalition themselves have taken a look at these, they have done reports. One of those reports – I think one or two has been turned over to the UN. We've also called on them to make those reports public. And so there is more transparency in that accountability. We remain gravely concerned about civilian casualties anywhere in the world where they occur, and Yemen is no exception.

We've been (claiming to be) gravely concerned about Saudis bombing hospitals for six years now. Yet the only thing we do is throw more and more weapons at the Saudis to help them kill still more civilians.

HILLARY'S NATIONAL SECURITY ALLIANCE FOR QUIVERING OVER BANK PROSECUTIONS

Fresh off being caught lying about rolling her eyes in response to calls for Palestinian

rights, Neera Tanden has rolled out something called the National Security Leadership Alliance. Best as I can tell, it exists mainly on paper right now – I couldn't even find it on CAP's site yet. But it seems designed to fear-monger about what will happen if Trump becomes Commander-in-Chief.

The project, called the National Security Leadership Alliance, will be funded by C.A.P. Action. It will feature a roster of major members of the foreign policy and national security community, including two retired four-star generals; Leon E. Panetta, the former C.I.A. director; Madeleine K. Albright, the former secretary of state; Eric H. Holder Jr., the former attorney general; and Carl Levin, the former Michigan senator. All have endorsed Mrs. Clinton.

There will be an effort to highlight precisely what, in the military arsenal, Donald J. Trump would have access to as president. Mr. Trump has been criticized for his views on foreign policy, criticisms that have been central to the case that Mrs. Clinton has made against him in an effort to describe the stakes of the 2016 presidential election. The Center for American Progress is led by a top outside adviser to Mrs. Clinton, Neera Tanden, and the new project seeks to put a spotlight on what officials are calling a progressive foreign policy vision.

I'm perfectly okay with fearmongering about Trump. But let's look at this lineup. It features the woman who said letting half a million Iraqi children die was worth the price of enforcing sanctions against the country. It also includes a guy, Panetta, whose exposure of the identities of Osama bin Laden killers' to Hollywood producers serves to reinforce what a double standard on classified information Hillary (and Panetta) benefit from.

But I'm most curious by a "national security" team that includes both Eric Holder and Carl Levin, especially given the NYT focus, in announcing the venture, on Brexit.

"I think what brought us together is obviously a lot of concern about some of the division and polarization that we're seeing in the world," Mr. Panetta said in an interview. "We know we're living in a time of great change and uncertainty."

But he added, "The concern we have is we see these forces of division that are prepared to throw out the fundamental" principles of foreign policy in the United States over many decades.

"What we're learning from 'Brexit' is that there's a price to be paid in terms of letting out emotion dictate policy instead of responsible leadership," he said, referring to Britain's vote to leave the European Union. "We shouldn't throw the baby out with the bath water."

Leon Panetta, in rolling out a venture including Carl Levin – who as head of the Senate's Permanent Subcommittee on Investigations worked tirelessly for some kind of accountability on bank crime – and Eric Holder – who ignored multiple criminal referrals from Levin, including one pertaining to Goldman Sachs head Lloyd Blankfein – says the lesson from Brexit is that we can't let emotion dictate policy but instead should practice "responsible leadership" guarding the "fundamental principles of foreign policy in the United States over many decades."

Of course, as David Dayen argued convincingly, to the extent Brexit was an emotional vote, the emotions were largely inflamed by elite failures – the failures of people like Eric Holder to demand any responsibility (Dayen doesn't deal with the equally large failures of hawks like Albright whose destabilizing policies in the

Middle East have created the refugee crisis in Europe, which indirectly inflamed Brexit voters).

Again, I'm okay if Hillary wants to spend her time fearmongering about the dangers of Trump.

But to do so credibly, she needs to be a lot more cognizant of the dangers her own team have created.

NATO AND BREXIT

For the record, I think it quite likely that UK's Tories will never trigger Article 50, which would mean the two year process of leaving the EU will never start much less finish. If that happens, we will face an increasing game of chicken between the EU – primarily Germany – and the UK, because until things settle with the UK, other right wing parties will call to Exit the EU.

All that said, I want to consider what a UK exit would mean for security, particularly as regards to the balance between privacy and dragnettery in which the EU has, in recent years, played a key but largely ineffectual role.

From a spying perspective, Brexit came just hours after the US and EU finalized a draft of the Privacy Shield that will replace the Safe Harbor agreement next week. When I read it, I wondered whether the US signed it intended to do some data analysis in the UK, an option that will likely become unavailable if and when the UK actually does leave the EU. Amazingly, the UK's hawkish Home Secretary Theresa May (who in the past has called for the UK to leave the ECHR) is considered a favorite to replace David Cameron as the Tory Prime Minister, which would be like Jim Comey serving as President. The UK will still need to sign its own IP Bill, which will expand what is authorized spying in the UK.

But all that assumes the relative structure of nesting alliances will remain the same if and when the UK departs the EU. And I don't think that will happen. On the contrary, I think the US will use the UK's departure – and security concerns including both a confrontational ~~expanding~~ Russia and the threat of terrorism – to push to give NATO an enhanced role off what it has.

Consider what Obama said in his initial statement about Brexit [my emphasis in all these passages],

The people of the United Kingdom have spoken, and we respect their decision. The special relationship between the United States and the United Kingdom is enduring, and *the United Kingdom's membership in NATO remains a vital cornerstone of U.S. foreign, security, and economic policy*. So too is our relationship with the European Union, which has done so much to promote stability, stimulate economic growth, and foster the spread of democratic values and ideals across the continent and beyond. The United Kingdom and the European Union will remain indispensable partners of the United States even as they begin negotiating their ongoing relationship to ensure continued stability, security, and prosperity for Europe, Great Britain and Northern Ireland, and the world.

To Cameron,

President Obama spoke by phone today with Prime Minister David Cameron of the United Kingdom to discuss the outcome of yesterday's referendum on membership in the European Union, in which a majority of British voters expressed their desire to leave the EU. The President assured Prime Minister Cameron that, *in spite of the outcome, the special relationship*

between the United States and the United Kingdom, along with the United Kingdom's membership in NATO, remain vital cornerstones of U.S. foreign, security, and economic policy. The President also expressed his regret at the Prime Minister's decision to step aside following a leadership transition and noted that the Prime Minister has been a trusted partner and friend, whose counsel and shared dedication to democratic values, the special relationship, and the Transatlantic community are highly valued. The President also observed that the EU, which has done so much to promote stability, stimulate economic growth, and foster the spread of democratic values and ideals across the continent and beyond, will remain an indispensable partner of the United States. The President and Prime Minister concurred that they are confident that the United Kingdom and the EU will negotiate a productive way forward to ensure financial stability, continued trade and investment, and the mutual prosperity they bring.

And to Merkel,

The President spoke today by phone with Chancellor Angela Merkel of Germany regarding the British people's decision to leave the European Union. Both said they regretted the decision but respected the will of the British people. The two leaders agreed that the economic and financial teams of the G-7 partners will coordinate closely to ensure all are focused on financial stability and economic growth. The President and the Chancellor affirmed that Germany and the EU will remain indispensable partners of the United States. *The leaders also noted that they*

looked forward to the opportunity to underscore the strength and enduring bond of transatlantic ties at the NATO Summit in Warsaw, Poland, July 8-9.

NATO, NATO, NATO.

John Kerry and NATO Secretary General Jens Stoltenberg seem to echo that viewpoint, with Stoltenberg arguing NATO will become more important.

“We have high expectations of a very strong NATO meeting and important deliverables,” Kerry said of the summit planned for Warsaw on July 8-9. “That will not change one iota as a consequence of the vote that has taken place.”

Kerry, who is on a lightning tour of Brussels and London intended to reassure U.S. allies following the British vote, noted that 22 EU nations, including Britain, are part of NATO.

In Brussels Kerry met NATO Secretary General Jens Stoltenberg and EU foreign policy chief Federica Mogherini.

“After the UK decided to leave the European Union I think that NATO has become even more important as a platform for cooperation between Europe and North America but also defence and security cooperation between European NATO allies,” said Stoltenberg, whose own country Norway is in NATO but not the EU.

Retired Admiral Stavridis provides a list of four reasons why Brexit will strengthen NATO.

1. Putin’s adventurism: “NATO has provided the most resolute military balance against [Russia], and thus

its stock can be expected to rise with publics in Europe.”

2. UK manpower will be freed up from EU tasks: UK “will have additional ships, troops, and aircraft to deploy on NATO missions because they will not have to support EU military efforts such as the counter-piracy operations off the coast of East Africa or EU missions in the Balkans.”
3. By losing the UK’s military power, the EU will become even more of a soft power entity ceding real military activities to NATO. “And, given that European military efforts will be greatly diminished by the loss of British military muscle, the EU can be expected to defer to NATO more frequently.”
4. The UK will have to prove itself in NATO to retain its “special relationship.” UK “will have to look for new ways to demonstrate value in its partnership with the United States if it hopes to maintain anything like the “special relationship” it has become accustomed to (and dependent on).”

It's actually the third* bullet that I think will be key – and it will be carried over into spying. Without the UK, the EU doesn't have the capability to defend itself, so it will be more dependent on NATO than it had been. Similarly, without GCHQ, the EU doesn't have heightened SIGINT power to surveil its own population. And so – I fear – whereas prior to Brexit the EU (and Germany specifically) would at least make a show of pushing back against US demands in exchange for protection, particularly given the heightened security concerns, everyone will be less willing to push back.

It's unclear whether Brexit (if it happens) will hurt the UK or EU more. It probably won't hurt the US as much as any entity in Europe. It might provide the trigger for the dismantling of the EU generally.

I think it very likely it will shift Trans-Atlantic relationships, among all parties, to a much more militaristic footing. That's dangerous – especially as things heat up with Russia. And the countervailing human rights influence of the EU will be weakened.

But I think the US will gain power, relatively, out it.

Update: I originally said “fourth” bullet but meant third. Also, I originally said an “expanding” Russia, which I changed because with the coup in Ukraine I think the “west” started the expansionary push.

Update: This piece games out a number of possibilities on data protection.

WHEN DOES A RANDOM

TAXI DRIVER BECOME A LAWFUL COMBATANT?



📷 Mohammad Azam, the taxi driver killed in US drone strike on Mullah Mansoor. Photograph: Jon Boone for the Guardian

Mohammad Azam, in a photo at the linked Guardian article.

A couple of weeks ago, I wrote a post questioning the Obama Administration's logic in killing the leader of the Afghan Taliban in a drone strike in Pakistan. It turns out that the Defense Department also employed some very suspect reasoning surrounding the drone strike.

On June 1 (apologies for the delay, but as most of you know, our site was hacked and has migrated to a new host) Brigadier General Charles H. Cleveland, who heads the US effort in Afghanistan, took part in a press conference in which he was patched into Washington via a video link from Kabul. At the end of the transcript, we have a very telling exchange:

Q: General, Lucas Tomlinson, from Fox News. Just a quick follow-up to Louis' question. Were you or General Nicholson concerned that Mullah Mansur was in Iran? And are you concerned about Iran

sheltering Taliban officials? Thank you.

BRIG. GEN. CLEVELAND: Yes, Lucas. Thank you very much.

You know, our – our real focus on it, again, continue to be Afghanistan and I know it sounds like I'm dodging your question and I don't mean to, but again, you know, the location of Mullah Mansur and where he was either before or during the strike, et cetera, are really questions that probably the team back in Washington, D.C., has got a better answer for you.

Our real role, again, as I think you're well aware – Mullah Mansur was a threat to U.S. forces, he was an obstacle to peace. An opportunity presented, the president made a decision and he was targeted and he was killed. And so really, the rest of the aspect of that really is better to answer – better answered back in Washington, D.C.

Q: And lastly, was the taxi cab driver – was he part of the Taliban, too? Did he – did he have that same threat to U.S. forces?

BRIG. GEN. CLEVELAND: So bottom line is we are confident, Lucas, in our targeting and we are confident that he was a lawful combatant.

General Cleveland's response to Tomlinson here would have us think that Mohammad Azam, the taxi driver who was killed along with Mansour, was a member of the Taliban who posed a direct threat to the US. That would seem to make him an appropriate target for killing.

It seems that a suitable reference on which to rely for DoD's thinking on combatants is to go back to William Haynes' memo dated December 12, 2002 and titled "Lawful Combatants". This memo comes from Haynes as General Counsel to DoD and

is addressed to a Roundtable assembled by the Council on Foreign Relations. It appears that this exercise was geared toward providing legal cover for the Bush Administration's "new" reading of international law and especially its attempts to shield prisoners from the Geneva Conventions.

In the memo, Haynes says this with regard to combatants:

An "enemy combatant" is an individual who, under the laws and customs of war, may be detained for the duration of an armed conflict. In the current conflict with al Qaida and the Taliban, the term includes a member, agent, or associate of al Qaida or the Taliban. In applying this definition, the United States government has acted consistently with the observation of the Supreme Court of the United States in *Ex parte Quirin*, 317 U.S. 1, 37-38 (1942): "Citizens who associate themselves with the military arm of the enemy government, and with its aid, guidance and direction enter this country bent on hostile acts are enemy belligerents within the meaning of the Hague Convention and the law of war."

"Enemy combatant" is a general category that subsumes two sub-categories: lawful and unlawful combatants. See *Quirin*, 317 U.S. at 37-38. Lawful combatants receive prisoner of war (POW) status and the protections of the Third Geneva Convention. Unlawful combatants do not receive POW status and do not receive the full protections of the Third Geneva Convention. (The treatment accorded to unlawful combatants is discussed below).

The President has determined that al Qaida members are unlawful combatants because (among other reasons) they are members of a non-state actor terrorist group that does not receive the

protections of the Third Geneva Convention. He additionally determined that the Taliban detainees are unlawful combatants because they do not satisfy the criteria for POW status set out in Article 4 of the Third Geneva Convention. Although the President's determination on this issue is final, courts have concurred with his determination.

So according to the 2002 DoD interpretation of a "determination" by President George W. Bush, members of the Taliban are enemy combatants. But they also are unlawful combatants instead of lawful combatants, so that is one bit of misleading information from Cleveland.

A much bigger problem, though, is that from all appearances, Mohammad Azam was not a driver affiliated with the Taliban and certainly not Mansour's personal driver. The Guardian looked carefully into the circumstances of how Azam came to be driving Mansour and it appears that Azam was randomly assigned to drive Mansour:

It was a series of chance occurrences that led to Azam finding one of the US's most wanted men sitting in his white Toyota Corolla.

Azam got much of his work through a small local transport company owned by Habib Saoli, which has its office near the exit of the Iranian-Pakistani border facility that straddles the border.

Mansoor emerged from that building shortly after 9am on 21 May, returning to Pakistan after a long visit to Iran which, it has been reported, was for both medical attention and to visit members of his family.

/snip/

He immediately began looking for a ride for the 600km journey to the city of

Quetta.

Said Ahmed Jan, an employee of a bus company, was trying to fill up the final seats of his Quetta-bound minibus but Mansoor wasn't interested.

"He said, 'I want to go in a car', so I called Habib and asked him to provide a car," said Jan. "Habib took a little commission and gave the job to Azam."

It's very hard to see how a taxi driver randomly assigned to transport a legitimate target of the Defense Department suddenly becomes transformed into a lawful combatant himself. Despite Cleveland's assurance to the contrary, I seriously doubt that DoD considered Azam a lawful combatant at the time they authorized the strike. The most logical assumption is that DoD came to the decision that Azam's life was acceptable collateral damage for taking out Mansour. Cleveland simply lacked the honesty to deliver that sad truth.

There also may be legal reason for this lie, however, since Azam's family has started the paperwork within Pakistan to sue the US over his death. It will be interesting to see whether the case proceeds, especially in light of the previous ruling in the Peshawar High Court that US drone strikes in Pakistan are war crimes.

Postscript: I suppose that one might argue that Cleveland was referring to Mansour rather than Azam when he was making his assurance that "he was a lawful combatant", but then that says Cleveland completely ignored the question about the status of Azam.

MULLAH MANSOUR DRONE STRIKE: IMPORTANT MILESTONE OR RADICALIZING EVENT?

How much more ironic could it be? More than 43 years after the last Americans evacuated Vietnam, ending our disastrous occupation there, the dateline reads Hanoi on President Barack Obama's statement today on the US drone strike that killed Mullah Akhtar Muhammad Mansour. Mansour was the head of Afghanistan's Taliban but was in Pakistan at the time the US killed him with a drone, striking a similarity to the US "secret" bombing of Cambodia during the Vietnam war.

From today's New York Times, we have parts of Obama's statement:

Calling the death "an important milestone," President Obama said in a statement, released just as he was meeting with top officials in Vietnam, that the United States had "removed the leader of an organization that has continued to plot against and unleash attacks on American and coalition forces."

"Mansour rejected efforts by the Afghan government to seriously engage in peace talks and end the violence that has taken the lives of countless innocent Afghan men, women and children," Mr. Obama continued in the statement. "The Taliban should seize the opportunity to pursue the only real path for ending this long conflict – joining the Afghan government in a reconciliation process that leads to lasting peace and stability."

So Obama is saying that the Taliban should respond to our extrajudicial killing of their leader by reconciling with the Afghan government (chosen in large part by John Kerry) and working toward peace. What are the odds of that happening? Max Abrahms has some very important points to make on that topic:

Dr Max Abrahms, from Northeastern University in Boston, said the US Government does not look carefully enough at the strategic implications of its strikes on extremist leaders.

He said he had done a number of studies on leadership decapitation of a militant group and he had not found a statistically significant reduction in the amount of violence perpetrated by the group after a leader was removed.

“In fact these decapitation strikes can actually be counter-productive, because one of the assumptions of the targeted killing campaigns is that the replacement of the leader that you killed will be more moderate,” Dr Abrahms said.

“And yet I find just the opposite to be true. The replacement is even more extreme.

“So for that reason, in the immediate aftermath of a successful targeted killing, like over this weekend, the group’s violence tends to become even more extreme, in the sense that it’s even more likely to attack civilian targets.”

And so our circle of irony is complete. Obama’s statement on the killing of Mansour, released from Vietnam, shows that US military misadventures still rely on faulty logic when major moves are made. A strike made to make the Taliban more peaceful seems virtually certain to result in more indiscriminate killing of

civilians.

Because I know how much Marcy enjoys miraculous “left behind” documents, I couldn’t resist following up on a Twitter reference I saw flit by yesterday about how a passport for Mansour somehow survived the conflagration in the taxi in which Mansour met his death by drone. By following it, though, I found even more deep irony in the drone strike. This article by ToloNews carries a photograph of a pristine-looking passport. Compare that with the photo in the New York Times article linked above with the burned out wreckage of the vehicle Mansour was said to have been in when hit. How could the passport have survived?

But wait, there’s more! ToloNews tells us that the passport has Mansour’s name and carries a valid Iranian visa. Furthermore:

Meanwhile, a number of analysts said the Taliban in recent months tried to extend relationships with Iran and Russia to fight Daesh and that there is a possibility that Mansour traveled to Iran to escape ISI and talk with Iranian officials.

“Iran is afraid of Daesh presence in Afghanistan, because Daesh is an enemy to Iranian clerics; therefore, Iran wants to eliminate Daesh with the help of the Taliban. Previously, Taliban had strong affiliation to Saudi Arabia, but now there is a rift between Iran and Saudi Arabia and Iran wants to expand its influence on the group [Taliban],” political analyst Shafiq Hamdam said.

So while Mansour and his group have continued to reject peace talks with the Afghan government, at least some observers believe that he was in the process of trying to join the fight against Islamic State. And it may well be that he died because of that effort. Here’s a map of the region, showing that the site of the drone

attack, Ahmad Wal, lies about 100 miles away from Quetta (where the Afghan Taliban has long been believed to be headquartered) along the highway that is the most direct route to Iran from Quetta.



Google map of the region surrounding Ahmed Wal, where Mullah Monsour was killed.

SNICKERS BARS AND FUDGED ISIS INTELLIGENCE

Yesterday, Shane Harris and Nancy Youssef informed us that there is now a second allegation of manipulation of intelligence on ISIS:

U.S. military analysts told the nation's top intelligence official that their reports on ISIS were skewed and manipulated by their bosses, The Daily Beast has learned. The result: an overly optimistic account of the campaign against the terror group.

The complaints, lodged by analysts at U.S. Central Command in 2015, are separate from allegations that analysts made to the Defense Department inspector general, who is now investigating

“whether there was any falsification, distortion, delay, suppression, or improper modification of intelligence information” by the senior officials that run CENTCOM’s intelligence group.

This second set of accusations, which have not been previously reported, were made to the Office of the Director of National Intelligence (ODNI). They show that the officials charged with overseeing all U.S. intelligence activities were aware, through their own channels, of potential problems with the integrity of information on ISIS, some of which made its way to President Obama.

Once again, it is senior officials at CENTCOM who are accused of manipulating the reports from analysts to make it look as though the US is making more progress against ISIS than is actually happening.

I had never gotten around to posting on this issue when the first accusations came out, but it is my belief that neither investigation will find these senior people at CENTCOM to be guilty of any transgressions. Instead, it seems very likely to me that these officers will claim that they were taking part in an Information Operation aimed at making the fighters within ISIS think that the situation is deteriorating more than is the actual case. I wrote about operations of this sort, termed MILDEC (for Military Deception) back in 2010.

One tidbit I had found back then related to the functions of MILDEC:

Causing ambiguity, confusion, or misunderstanding in adversary perceptions of friendly critical information, which may include: unit identities, locations, movements, dispositions, weaknesses, capabilities, strengths, supply status, and

intentions.

Simply by stating that this is what they were doing, these senior officers seem likely to avoid any negative consequences for what they have done. But Harris and Youssef seem to think that the fudging of data was done to fit the intelligence to the Obama administration's previous comments:

The analysts have said that they believe their reports were altered for political reasons, namely to adhere to Obama administration officials' public statements that the U.S.-led campaign against ISIS is making progress and has put a dent in the group's financing and operations.

While that does seem like a distinct possibility, it feels backwards to me. Although the Pentagon is not allowed to aim any of its propaganda toward a US audience (unlike recent loosening of this regulation for propaganda from the State Department), I would think that the real target for these senior officers would be the President and Congress. Even though they have the cover of saying they are spinning yarns to fool ISIS, keeping the bosses who control the purse strings happy would fit quite well with what is going on. [Over at Moon of Alabama, b has an alternate theory about various forces at work relating to ISIS, especially in Syria.]

What a coincidence for me, though, that as I was thinking about MILDEC relating to capability estimates of ISIS, this hilarious AP story came out less than 24 hours later:

Faced with a cash shortage in its so-called caliphate, the Islamic State group has slashed salaries across the region, asked Raqqa residents to pay utility bills in black market American dollars, and is now releasing detainees for a price of \$500 a person.

The extremists who once bragged about minting their own currency are having a hard time meeting expenses, thanks to coalition airstrikes and other measures that have eroded millions from their finances since last fall. Having built up loyalty among militants with good salaries and honeymoon and baby bonuses, the group has stopped providing even the smaller perks: free energy drinks and Snickers bars.

Interestingly, the story goes back over most of the information in those two opening paragraphs and makes attributions (although some look pretty flimsy) for the sources of the information. The Snickers part, however, is credited to no sources.

At a time when senior officers at CENTCOM are fudging data on ISIS supplies and capabilities, perhaps as part of an Information Operation, why shouldn't they throw in a gratuitous Snickers jab?

But then again, if ISIS really isn't getting their Snickers bars, we could be in big trouble:

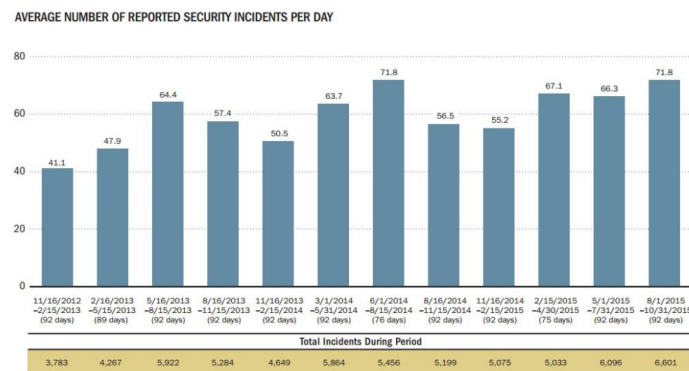
AFGHANISTAN QUAGMIRE UPDATE: NOW WITH EVEN MORE FAILURE

Just before the election this fall, the US war in Afghanistan will pass its fifteenth birthday, making it old enough to obtain a driving learner's permit in most states. Despite the fact that the Taliban government fell after only eight days of the war, the US has inexplicably

stayed in the country, ostensibly maintaining peace, eliminating a small force of al Qaeda and “training” Afghan defense forces to take over. During that time the US has expended an ungodly amount of money, lost thousands of US troops and been present for much larger losses of life throughout a country that also has seen unacceptable numbers of internally displaced people. All of this has taken place while Afghanistan has continuously been found at or near the top of the list of the most corrupt nations on the globe.

Now, nearly fifteen years into the misadventure, we see that conditions in Afghanistan are deteriorating at an ever increasing rate. The Special Inspector General for Afghanistan Reconstruction today issued its 30th in its series of quarterly reports to Congress (pdf). Nothing in the report provides any hope that Afghanistan will emerge from the US war nightmare as a functional country any time soon.

Violence levels in Afghanistan are at an all-time high. SIGAR relied on UN data to provide this illustration of violence levels over time:



Source: UN, reports of the Secretary-General, The situation in Afghanistan and its implications for international peace and security, 12/10/2015, p. 5; 9/1/2015, p. 4; 6/10/2015, p. 4; 2/27/2015, p. 4; 12/9/2014, p. 5; 9/9/2014, p. 6; 6/18/2014, p. 5; 3/7/2014, p. 5; 12/6/2013, p. 6; 9/6/2013, p. 6; 6/13/2013, p. 5; and 3/5/2013, p. 5.

UN data on Afghanistan security events as presented in the SIGAR quarterly report, January 2016.

Although sources and methods of reporting on violence levels in Afghanistan have changed over the years, consultation with posts here and here shows that since the days when troops were diverted from the misadventure in Afghanistan to

the even bigger misadventure in Iraq, violence has trended only upward.

Another key feature of the US “activities” in Afghanistan has been the “training” of Afghan forces to step up and take over primary responsibility for defense of the the country. The US has disbursed over \$56 billion in this training and equipping effort. After years of SIGAR reports carefully documenting the numbers of Afghan troops trained and the capabilities of those forces, we suddenly encountered a wall of classification of Afghan troop capabilities last year as the US effort in Afghanistan was “ending”.

Today’s report states that Afghanistan reports a fighting force of 322,638 out of a target size of 360,004. However, SIGAR notes that AP has seen through the ruse that Afghanistan uses in its self-reporting of troop numbers:

However, a January Associated Press report alleged that the actual number of ANDSF security forces is far less because the rolls are filled with nonexistent “ghost” soldiers and police officers. In that report, a provincial council member estimated 40% of the security forces in Helmand do not exist, while a former provincial deputy police chief said the actual number was “nowhere near” the 31,000 police on the registers, and an Afghan official estimated the total ANDSF number at around 120,000—less than half the reported 322,638. The success of military operations is at risk, because as one Afghan soldier in Helmand said, they do not have enough men to protect themselves. Additionally, an Afghan lawmaker claimed the government is not responding to the crisis because a number of allegedly corrupt parliamentarians are benefiting from the “ghost” security forces salaries.

SIGAR points out that they have long questioned the reliability of ANSF size and capability reporting, so the AP report should be of no surprise to anyone. Given these issues of the real fighting force size for Afghanistan, it also should come as no surprise that the Pentagon has cut back on how much information it releases. In today's report, that is marked by this statement:

This quarter, details of ANDSF force strength at corps level and below remained classified. SIGAR will report on them in a classified annex to this report.

A key aspect of what remains classified is most of the information on Afghan troop capabilities. However, the abject failure of these troops can be seen in the assessment of how much of the country has fallen back into Taliban hands:

USFOR-A reports that approximately 71.7% of the country's districts are under Afghan government control or influence as of November 27, 2015. Of the 407 districts within the 34 provinces, 292 districts are under government control or influence, 27 districts (6.6%) within 11 provinces are under insurgent control or influence, and 88 districts (21.6%) are at risk. In a report issued in December, DOD stated that the security situation in Afghanistan has deteriorated. There are more effective insurgent attacks and more ANDSF and Taliban casualties.

And yet, the mass delusion within the Pentagon persists, as that bleak paragraph above ends with this unbelievable sentence:

However, DOD remains optimistic that the ANDSF continues to improve its overall capability as the capabilities of the insurgent elements remain static.

This completely unfounded and contrary to all available data assessment by DOD of the situation in Afghanistan says everything we need to know about how these geniuses have failed at every step of the way in a mission that has mired the US in a quagmire that anyone could have predicted before the first bomb fell.