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## “Pragmatism over Ideology”: Obama’s Failure to Close Guantánamo, and His Love of Drones

by Andy Worthington  
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On May 29, a major article in the New York Times painted a grim portrait of how Barack Obama has taken over from George W. Bush as the “commander in chief” of a “war on terror” that seems to have no end, and that not only appears to be counterproductive but also, at heart, illegal.

Understandably, critics have been alarmed by the article’s revelations about a president who holds regular meetings to decide who should be on a “kill list” for drone strikes — in Pakistan, Yemen, and Somalia — and who insists on approving the targets of drone raids, which is his primary method of dealing with the perceived terrorist threat, by “poring over terrorist suspects’ biographies on what one official calls the macabre ‘baseball cards’ of an unconventional war.”

As well as claiming the authority to kill people (including U.S. citizens) in drone attacks that seem very clearly to do away with notions of national sovereignty — and that therefore play into Bush’s dreadful notion of the entire world as an endless battlefield — the Times article noted that Obama has “embraced a disputed method for counting civilian casualties” that “in effect counts all military-age males in a strike zone as combatants ... unless there is explicit intelligence posthumously proving them innocent.”

Although both the drone attacks and the massaged figures can clearly be regarded as illegal, the only voices raised in protest in the Times article were those of Dennis C. Blair, the director of

National Intelligence (until he was fired in May 2010), Cameron P. Munter, the U.S. ambassador to Pakistan, and, to a lesser degree, Hillary Clinton.

Dennis Blair complained that “discussions inside the White House of long-term strategy against Al-Qaeda were sidelined by the intense focus on strikes,” and told the Times, “The steady refrain in the White House was, ‘This is the only game in town’ — reminded me of body counts in Vietnam.” A colleague of Cameron Munter said that the ambassador “has complained to colleagues that the CIA’s strikes drive American policy there, saying ‘he didn’t realize his main job was to kill people.’” Hillary Clinton apparently “strongly supported the strikes” but “complained to colleagues about the drones-only approach at Situation Room meetings, in which discussion would focus exclusively on the pros, cons and timing of particular strikes.” She also told the president at their weekly lunch meetings that “there should be more attention paid to the root causes of radicalization,” to which the president apparently agreed, although he has done little to show it.

I noticed that although much was made in the article that the failed attack by the would-be underwear bomber Umar Farouk Abdulmutallab, on a plane bound for Detroit on Christmas Day 2009, had marked a turning point for Obama — so that Michael E. Leiter, who was then the director of the National Counterterrorism Center, said, “After that, as president, it seemed like he felt in his gut the threat to the United States” — Obama had actually undertaken his first drone strike in Yemen on December 17, 2009, eight days before Abdulmutallab’s failed bombing. That strike, as the Times noted, “killed not only its intended target, but also two neighboring families, and left behind a trail of cluster bombs that subsequently killed more innocents.” Afterwards, “Videos of children’s bodies and angry tribesmen holding up American missile parts flooded YouTube, fueling a ferocious backlash that Yemeni officials said bolstered Al-Qaeda.”

That, it seems to me, demonstrates without a shadow of a doubt that the conflict between the United States and al-Qaeda in the Arabian Peninsula began not with the Abdulmutallab attack, but with Obama’s own disastrous attack on Yemen the week before.

As the article also revealed, however, even before he became president, Obama had already opened up a gap between the rhetoric that he offered to would-be voters and his own beliefs. According to the Times, as early as March 2008, the national security team on his campaign had advised “Pragmatism over ideology” in a memo, and that was described as advice that “only reinforced the president’s instincts.”

When it came to Guantánamo, the gulf was pronounced from the very beginning, according to the Times article. It noted that, before his inauguration, Obama’s advisors “had warned him against taking a categorical position on what would be done with Guantánamo detainees.” Conflict behind the scenes has previously been acknowledged regarding the decision to issue executive orders promising to close Guantánamo within a year, banning torture, and closing all CIA “black sites,” which Obama issued on his second day on office. However, the Times article suggested that from the beginning, the president had been playing with the Guantánamo issue — or, as it was described in the Times, “[the] deft insertion of some wobble words in the president’s order showed that the advice [against taking a categorical position on the disposition of the Guantánamo prisoners] was followed.”

In an analysis of the “wobble words,” the Times noted that, although the executive order relating to Guantánamo stated that some of the prisoners “would be transferred to prisons in other countries, or released,” another statement, that some “would be prosecuted — if ‘feasible’ — in criminal courts,” did not specifically mention the military-commission trial system. That system, therefore, was “not ruled out,” even though Obama had criticized the military commissions for many years.

Also troubling was the mention of prisoners “who could not be transferred or tried but were judged too dangerous for release.” As the Times noted, the executive order stated that their “disposition” would be handled by “lawful means, consistent with the national security and foreign policy interests of the United States and the interests of justice,” but did not explicitly mention that that was actually an endorsement of indefinite detention.

Also still on board was “extraordinary rendition” — “disappearing” suspects to other countries, as had happened early in Bush’s “war on terror,” before the CIA became mired in its own messy business of running its own secret prisons. As the Times explained, the day before the executive orders were issued, John A. Rizzo, the CIA’s acting general counsel, “called the White House in a panic” because the order prohibiting the use of “black sites” would take the CIA “out of the rendition business.” Rizzo told White House Counsel Greg Craig that the CIA “sometimes held such suspects for a day or two while awaiting a flight,” and that the order “appeared to outlaw that.”

Craig is reported to have assured him “that the new president had no intention of ending rendition — only its abuse, which could lead to American complicity in torture abroad.” As a result, “a new definition of ‘detention facility’ was inserted” into the executive order, “excluding places used to hold people ‘on a short-term, transitory basis.’”

The Times concluded, echoing the administration’s way of thinking, “Problem solved — and no messy public explanation damped Mr. Obama’s celebration.” A similar tone — one that suggested that the administration had outsmarted its critics — permeated the claim that, although “[a] few sharp-eyed observers inside and outside the government understood what the public did not,” the president had somehow won some sort of significant victory, even though what he had done was to make his promise to close Guantánamo unfulfillable. It had also cleared the way for the reintroduction of military commissions and endorsed the continued use of “extraordinary rendition” and indefinite detention at Guantánamo. The latter course of action was eventually codified in another executive order issued in March 2011, authorizing the indefinite detention of 48 of the remaining prisoners at Guantánamo.

As the Times article put it, “Without showing his hand, Mr. Obama had preserved three major policies — rendition, military commissions and indefinite detention — that have been targets of human rights groups since the 2001 terrorist attacks.”

That phrasing was insulting to those “human rights groups” and other concerned parties who have been campaigning against indefinite detention, “extraordinary rendition,” and military commissions not for soft reasons, but because domestic and international laws and treaties —

including the Great Writ of habeas corpus, the Geneva Conventions, and the UN Convention Against Torture — are not options to be cast aside, but rules and laws designed to prevent barbarism and tyranny, whether presided over by Bush or Obama.

The inclusion of the “wobble words” in the executive orders appears to provide a previously unknown explanation for why Obama failed to close Guantánamo, but in fact it does not tell the whole story, which involves incompetence and cowardice as much as cynicism.

As the Times article also explained, in May 2009, in a major speech about national security at the National Archives, Obama “mentioned Guantánamo 28 times, repeating his campaign pledge to close the prison.” However, the article claimed that “it was too late, and his defensive tone suggested that Mr. Obama knew it.” Although Bush had ended up supporting the closure of Guantánamo, as had John McCain when he was the Republican candidate for president, “Republicans in Congress had reversed course and discovered they could use the issue to portray Mr. Obama as soft on terrorism.”

According to the Times, while he was leaving the National Archives, Obama turned to his national security adviser, Gen. James L. Jones, and “admitted that he had never devised a plan to persuade Congress to shut down the prison,” adding, “We’re never going to make that mistake again.” That demonstrates incompetence rather than cynicism, reinforced in General Jones’s comments that the president and his team had “assumed that closing the prison was ‘a no-brainer — the United States will look good around the world,’” although “nobody asked, ‘OK, let’s assume it’s a good idea, how are you going to do this?’”

Another administration official, who had “watched him closely,” complained that the president gave the impression of having “a sense that if he sketches a vision, it will happen — without his really having thought through the mechanism by which it will happen,” an observation that takes incompetence to a mystical level.

Obama also demonstrated cowardice — what the Times called a “distaste for legislative backslapping and arm-twisting.” As an example, it noted that, although both Hillary Clinton and Eric Holder “had warned that the plan to close the Guantánamo prison was in peril” and had “volunteered to fight for it on Capitol Hill,” officials confirmed that “with Mr. Obama’s backing, his chief of staff, Rahm Emanuel, blocked them, saying health care reform had to go first.” Moreover, Greg Craig was close to finalizing a plan to bring two cleared prisoners who could not be repatriated to live in the United States (the Uighurs, oppressed Muslims from China), but Obama dropped the plan when Republicans led by Rep. Frank R. Wolf found out about it and started complaining.

The administration official who was the most critical of Obama delivered an especially savage denunciation of the president’s failures when he said that this particular show of weakness “doomed the effort to close Guantánamo,” adding, “Lyndon Johnson would have steamrolled the guy.”

In conclusion, I remain as shocked as many other commentators that the Times article revealed so explicitly Obama’s willingness to discuss his passion for extrajudicial drone assassinations,

but I also believe that the revelations about his cynicism, incompetence, and weakness when it comes to Guantánamo deserve further scrutiny and outrage.