

# افغانستان آزاد – آزاد افغانستان

AA-AA

چو کشور نیاشد تن من مباد بدین بوم ویر زنده یک تن مباد  
همه سر به سر تن به کشتن دهیم از آن به که کشور به دشمن دهیم

[www.afgazad.com](http://www.afgazad.com)

[afgazad@gmail.com](mailto:afgazad@gmail.com)

European Languages

زبان های اروپایی

<http://www.fff.org/comment/com1112z.asp>

## Secret Wars and the Rule of Law

by Tim Kelly  
December 21, 2011

The president of the United States now wages secret wars virtually independent of Congress and in direct violation of the United States Constitution.

Earlier this month, the White House issued several findings authorizing U.S. intelligence services to carry out covert actions against Iran and Syria. A presidential finding is a directive similar to an executive order; it instructs a government agency, usually the Central Intelligence Agency, to carry out clandestine operations against a foreign government or foreign entity.

The current use of presidential findings is based on the [1974 amendment](#) to the Foreign Assistance Act, which prohibited the use of appropriated funds by the CIA for intelligence activities “unless and until the President finds that each such operation is important to the national security of the United States and reports, in a timely fashion, a description and scope of such operation to the appropriate committees of Congress.”

Supposedly, the intent of the amendment was to curb abuses by making sure the president and Congress were made aware of all clandestine activities. But the reins were loosened in the [Intelligence Authorization Act](#) of 1991, which relaxed reporting requirements; and although Congress is supposedly still notified of all clandestine activities (eventually), their oversight has proven to be nominal at best.

There is certainly no mention of presidential findings in the Constitution, nor has Congress passed any specific legislation authorizing them. Having evolved through the course of

government and having no foundation in law, such “findings” are just another accretion of executive power that has inevitably occurred along with the growth of the national security state.

As in so many other matters regarding foreign policy, President Obama is following in his predecessor’s footsteps in issuing his own findings.

In 2003 and 2006, the Bush administration issued findings approving covert actions against the Iranian Revolutionary Guard in border regions in retaliation for their alleged “interference” in Afghanistan and Iraq.

In 2007, President Bush signed a separate finding on Iran’s alleged nuclear-weapons program, authorizing covert attacks on facilities as well as the assassination of Iranian nuclear scientists. These killings were carried out by members of the Iranian [Mujahedin e-Khalq](#) (MEK), the separatist [Jundallah](#), and the Kurdish [PJAK](#), all acting on instructions from the CIA and the Israeli intelligence agency, the Mossad. The finding also reportedly directed U.S. intelligence agencies to work with the Israelis to develop a computer virus to disrupt Iran’s UN-approved civilian nuclear program.

The most recent presidential finding on Iran authorizes the CIA to support various ethnic insurgent groups in the country’s border regions. The insurgencies will be supplied with money, training, communications equipment, and weapons. The purpose of the covert action is to aggravate ethnic tensions within Iran in the hopes of fragmenting the country and destabilizing the regime.

In Syria, the United States is providing communications equipment and intelligence information to rebel groups seeking the overthrow of President Bashar al-Assad. These groups are also the beneficiaries of a clandestine network of support established by Turkey and several Western European countries. There are reports that surplus weapons from the Libyan conflict along with hundreds of fighters have been transported to Syria via NATO aircraft. British and French special forces are also reported to have boots on the ground.

The U.S. government is clearly attempting to provoke civil wars in Iran and Syria by stirring up ethnic and sectarian conflict. There is no telling what the outcome will be. What is certain though is that many innocent people will die in the ensuing mayhem, and the region will become even more volatile. Perhaps that is the objective, and the United States is applying the time-tested imperial strategy of *divide et impera*.

Whatever is the case, the Obama administration’s clandestine wars are disturbingly reminiscent of those waged by previous administrations against weak and small countries that had the misfortune of being declared important to “national security.” Charles P. Pierce writes about this blood-drenched and sordid history in a remarkable piece for [Esquire](#):

Secret wars are still wars. There will be atrocities. And, because this is the nature of all governments in all wars, these atrocities will be covered up and lied about. But the problem with secret wars is not that they are secret from the people on whom they are waged, or the people who simply live in the country where they are waged. As Doonesbury once memorably pointed

out, the “secret bombing” of Cambodia wasn’t any secret to the Cambodians. But secret wars, waged by the Executive branch beyond the reach of congressional oversight, inevitably lead to a deep and abiding corruption in the government of this country. It is unavoidable now. It was unavoidable in the 1980’s, when Reagan and his band of geopolitical fantasists were running amok in Central America....

Secret war is anathema to free government. Period ... [Y]ou cannot make the argument that secret wars conducted by the Executive are consonant with constitutional government, because they are not, and they never will be.

On this point, Pierce is spot on. How are the American people expected to properly assess their government’s foreign policy if they are kept in the dark? The short answer is they’re not supposed to make a *proper* assessment. The political elite want people ignorant, or at least misinformed, and hopefully blissful.

This way, the elite can continue to plunder at home and abroad and not have to worry about being called to account for their transgressions. This explains the government’s growing obsession with secrecy. As Noam Chomsky said, “one of the major reasons for government secrecy is to protect the government from its own population.”

Since 1941, the American people have been subjected to one scare after another, all of them being largely contrived or exaggerated for the benefit of the warfare state and its corporate beneficiaries. This perpetual state of war has also led to the creation of national-security bureaucracies that have undermined civil liberties and created a cult of secrecy that makes it virtually impossible for the public to hold government officials accountable.

So with these presidential findings we have the Obama administration’s vague admission that they are unleashing death and destruction in foreign countries on which there is no declared state of war. To the extent that these secret wars are discussed at all, it is usually done nonchalantly and with the presumption that they are a routine exercise of government power, like mail delivery or road maintenance.

The apparent comfort the mainstream media and the public have with these wars is a disturbing revelation of the country’s degraded political culture. Americans no longer seem to value limited government, nor do they demand the transparency which is so essential in minimizing government corruption and warding off tyranny.

It is difficult to see how these secret wars serve the long-term interests of the country, for they only add to the reputation of the United States as a rogue nation and work to further destabilize an international community already plagued by instability. Let us consider the words of the British historian Arnold Toynbee, as quoted in the *New York Times* of May 7, 1970:

To most Europeans, I guess, America now looks like the most dangerous country in the world. Since America is unquestionably the most powerful country, the transformation of America’s image within the last thirty years is very frightening for Europeans. It is probably still more frightening for the great majority of the human race who are neither Europeans nor North

Americans, but are Latin Americans, Asians and Africans. They, I imagine, feel even more insecure than we feel. They feel that, at any moment, America may intervene in their internal affairs with the same appalling consequences as have followed from American intervention in Southeast Asia.

For the world as a whole, the CIA has now become the bogey that Communism has been for America. Wherever there is trouble, violence, suffering, tragedy, the rest of us are now quick to suspect the CIA had a hand in it. Our phobia about the CIA is, no doubt, as fantastically excessive as America's phobia about world Communism; but in this case, too, there is just enough convincing evidence to make the phobia genuine. In fact, the roles of America and Russia have been reversed in the world's eyes. Today America has become the world's nightmare.