

# THE WEEK

## Meet Senator Richard Burr, the pro-waterboarding conservative who wants to give Obama more power

By Ryan Cooper  
March 13, 2014

In elementary civics class, everyone learns about James Madison's vaunted "[separation of powers](#)." The idea is that if you don't want a tyranny to develop in your society, you need to empower separate institutions who will, hopefully, jealously guard their own prerogatives from encroachment by other parts of the state. "Ambition must be made to counteract ambition," he wrote.

That idea might have been [taken a bit too far in American constitutional design](#), but one thing Madison definitely didn't anticipate is that members of institutions might be complicit in gutting their own power. Power-seeking is one of the most reliable motivators in history, especially for the political class.

But with the case of Richard Burr (R-N.C.), we see a senator who would be complicit in his own institutional disenfranchisement.

[As I wrote this morning](#), the CIA is fighting desperately to prevent the release of a Senate Intelligence Committee torture report which will, almost certainly, expose the torture program as the monstrous and illegal farce it in fact was. Senator Mark Udall (D-Colo.) has been one of the most prominent critics of the security apparatus, and he's been near the center of the CIA-Senate fight.

The security apparatus has thus been looking for an opportunity to discredit or get rid of him. Up steps [Senator Burr](#), all but accusing Udall of trying to murder the American people in [an interview with Politico](#): "Members can do whatever they want to. My concern is that the release of information could potentially causes the losses of life to Americans."

This is obvious misdirection, of course. This fight has nothing whatsoever to do with protecting the American people or intelligence at all. This is a bunch of torturers trying to avoid accountability for committing war crimes. Marcy Wheeler is [appropriately cutting](#): "Right. Knowing the truth about CIA's torture will kill us all."

On one level this is merely typically monstrous Republican partisanship. Accusing Democrats of basically supporting the terrorists is [standard GOP practice](#). And there's an individual motive, too: Burr is the number two Republican on the Senate Intelligence Committee, and since number one Saxby Chambliss is retiring, should Republicans retake the Senate in 2014 Burr stands to gain the committee gavel.

But consider the deeper implications: Should he succeed in his attempt to undermine Senator Udall to save the CIA torturers, he will have won the chair of a rump Intelligence Committee with no power or influence. Having lost a straight oversight fight with the CIA, everyone will know they might as well not even bother to meet. The strangest thing is that Senator Burr doesn't seem to be much disturbed by this. Indeed, he seems [positively eager](#) to stop this whole fight and give the security apparatus whatever they want.

The threat to democratic governance in this country almost goes without saying. As [Julian Sanchez at the Cato Institute pointed out this morning](#):

...the conceit at the center of all of these surveillance programs — of almost the entire idea of a secret intelligence community in a democracy — is that you have elected representatives of the people who are allowed to know what they're doing and keep checks on it, even if these things have to be kept secret from the general public. It's only under these circumstances that you can plausibly think that level of secrecy is compatible with a democratic system. [[Cato](#)]

But Senator Burr's brand of reactionary conservatism assumes that the security apparatus is always right, apparently. It ranks above personal political or institutional ambition, and *even partisanship*. Remember, this is President Kenyan Muslim Socialist's executive branch agencies we're talking about. But even the frenzied Republican hatred of Obama doesn't stack up against protecting the CIA's ability to commit torture with impunity.