



AMERICA, WE'VE LOST WHO WE WERE

Nat Hentoff February 12, 2013

For all the Senate Intelligence Committee's recent grilling of the overseer of these targeted CIA drone assassinations, John Brennan, it appears that he may well be confirmed as Barack Obama's new director of the CIA.

And dig this: The Wall Street Journal concludes, at the end of its editorial blasting drones, after a few remedies, that "drone warfare is legal and necessary to protect America."

Then why doesn't Obama clearly explain to us where in the Constitution it authorizes these Hellfire missiles and their corollary civilian corpses, including those of children?

Significantly, the president's press secretary, Jay Carney, always loyally approving everything Obama does outside the Constitution's separation of powers, offers this crucial prophecy without apparently realizing its dangerous effect on our future and those of our descendants:

"Obviously, these are questions that will be with us long after he is president and long after the people who are in the seats that they're in now have left the scene" ("Congress to Get Classified Memo on Drone Strike," Michael D. Shear and Scott Shane, New York Times, Feb. 7).

Also looking ahead shallowly is the chair of the Senate Intelligence Committee, Democratic Sen. Dianne Feinstein of California, who, according to the Times, "said she would review proposals to create a court to oversee targeted killings (most notably by pilotless drones)" ("Senators Press Choice for CIA on Use of Drones," Mark Mazzetti and Scott Shane, New York Times, Feb. 8).

Feinstein gave indication to the Times that "such a court would be analogous to the Foreign Intelligence Surveillance Court (created in 1978 through the Foreign Intelligence Surveillance Act), which oversees eavesdropping on American soil."

According to the Times, the drones' organizer, Brennan, said "that lethal operations are generally the sole responsibility of the executive branch." (Where does it say that in the Constitution?)

"But he said the administration had 'wrestled with' the concept of such a court and called the idea 'certainly worthy of discussion.'"

I'm not surprised that Brennan, Obama's current chief counterterrorism adviser, is open to this FISA-style court overseeing drone assassinations: The FISA court's proceedings are classified, and only the government appears before it. The CIA drones' human targets would not be seen by these remote judges, and the court's sessions would be closed to the public. (I can see the transparent Obama smiling.)

The New York Times editorial page, so valuably critical of George W. Bush and Dick Cheney's "dark side" of violating individual civil liberties and human rights, as well as Obama's grave deficiencies in those areas, calls the Brennan hearing "a long overdue discussion," but says "the nominee's answers were frequently unsatisfying" ("A Long Overdue Discussion," Feb. 8).

The Times' editorial was on target until this: "It was heartening to hear Sen. Dianne Feinstein ... say she intended to give consideration to a proposal for a new court to oversee the targeted killings, modeled perhaps on the (FISA) court that provides approval for electronic eavesdropping."

"Heartening"? The proposed drone court would still remain secret, with its hidden "due process" for Americans and other targets.

While the editorial did say much of Brennan's testimony before the Senate Intelligence Committee was "disheartening," it still, most disappointingly, goes on to say:

"The Senate should confirm him to the new post (of CIA director) in which we hope he does not forget that the heightened danger does not free the executive branch from oversight or the normal system of checks and balances."

Just what the proposed drone court also doesn't do.

If there were an award for those of our leaders who are most ignorant of the separation of powers, competing for first place would be George W. Bush, Dick Cheney, Barack Obama and – as chief counterterrorism adviser and during his years in the CIA – John Brennan.

Should Brennan be confirmed, he earnestly told us at his hearing what to expect from him during his regime:

“What we need to do is optimize transparency on these issues, but at the same time, optimize secrecy and the protection of our national security” (Mazzetti and Shane, New York Times, Feb. 8).

Huh?

As a reporter for 65 years, I became mindful of James Madison’s emphasis on the press’ importance in keeping the citizenry aware of what was really going on in the presidency, the Congress and the courts. But he turned out to be overly optimistic then and would be stunned now by how partisan and uninvestigative so much of our media now are – especially when covering the unconstitutional killings of Americans.

To be continued – to probe how we lost who we were as Americans, and what we can do about it.

In the few times the president has been directly challenged on where he is taking us, he smiles and says, “We won.”

When will the Constitution win? What are the odds in 2016?

Read more at <http://www.wnd.com/2013/02/america-weve-lost-who-we-were/#gWC90qQ4T4rFmqBc.99>