On 10 March 2009 at the University of Minnesota, the investigative reporter Seymour Hersh and former US Vice President Walter Mondale addressed a public meeting on ‘America’s Constitutional Crisis’. They discussed how presidents are drawn into covert actions that exceed their constitutional powers, apparently believing that they can get results and will never be found out. At the end of one answer by Hersh about how these things happen, the Chairman asked: ‘And do they continue to happen to this day?’ Hersh replied:

‘Yes. After 9/11, I haven’t written about this yet, but the Central Intelligence Agency was very deeply involved in domestic activities against people they thought to be enemies of the state. Without any legal authority for it. They haven’t been called on it yet. That does happen.

Right now, today, there was a story in the New York Times that, if you read it carefully, mentioned something known as the Joint Special Operations Command – JSOC it’s called. It is a special wing of our special operations community that is set up independently. They do not report to anybody, except in the Bush-Cheney days, they reported directly to the Cheney office. They did not report to the chairman of the joint chiefs of staff or to Mr. [Robert] Gates, the secretary of defense. They reported directly to him … Congress has no oversight of it. It’s an executive assassination ring essentially, and it’s been going on and on and on. Just today, in the Times there was a story that its leader, a three star admiral named [William H.] McRaven, ordered a stop to it because there were so many collateral deaths. Under President Bush’s authority, they’ve been going into countries, not talking to the ambassador or the CIA station chief, and finding people on a list and executing them and leaving. That’s been going on, in the name of all of us.

It’s complicated because the guys doing it are not murderers, and yet they are committing what we would normally call murder. It’s a very complicated issue. Because they are young men that went into the Special Forces. The Delta Forces you’ve heard about. Navy Seal teams. Highly specialized. In many cases, they were the best and the brightest. Really, no exaggerations. Really
fine guys that went in to do the kind of necessary jobs that they think you need
to do to protect America. And then they find themselves torturing people.

I’ve had people say to me – five years ago, I had one say: “What do you call
it when you interrogate somebody and you leave them bleeding and they don’t
get any medical committee and two days later he dies. Is that murder? What
happens if I get before a committee?”

But they’re not going to get before a committee.’

In July 2008 in The New Yorker, Seymour Hersh wrote about the Joint
Special Operations Command. He said:

‘Under the Bush Administration’s interpretation of the law, clandestine military
activities, unlike covert CIA operations, do not need to be depicted in a
Finding*, because the President has a constitutional right to command combat
forces in the field without congressional interference.’

Other matters raised during the meeting included:
● The My Lai massacre, which Hersh first revealed publicly.
● The Pentagon Papers case, which Mondale described as the best
example of the ‘government’s potential for vast public deception’.
● Henry Kissinger’s secret dealings, mostly relating to the Vietnam War.
● The Church Committee investigation of CIA and FBI abuses, in which
Mondale played a major role.
● The Iran Contra scandal. (Hersh said the Reagan administration came to
office with a clear goal of finding a way to finance covert actions, such
as the funding of the Nicaraguan Contras, without appropriations so that
Congress wouldn’t know about them. Mondale noted that Reagan had
signed a law barring further aid to the Contras, then participated in a
scheme to keep the aid flowing. Hersh said that two key veterans of Iran-
Contra, Dick Cheney and national security official Elliot Abrams, were
reunited in the George W. Bush White House and decided that the key
lesson from Iran-Contra was that too many people in the administration
knew about it.)
● And the Bush-Cheney years. (Hersh said: ‘The contempt for Congress in
the Bush-Cheney White House was extraordinary.’ Mondale said of his
successor, Cheney, and his inner circle: ‘they ran a government within
the government’. Hersh added: ‘Eight or nine neoconservatives took
over our country’. Mondale said that the precedents of abuse of vice
presidential power by Cheney would remain ‘like a loaded pistol that
you leave on the dining room table’.)

*‘Finding’ refers to a special document that a president must issue, although not make
public, to authorise covert CIA actions.
The ‘beautiful thing about our system’ is that eventually we get new leaders, Hersh said. ‘The evil twosome, Cheney and Bush, left.’ But he also said ‘it’s really amazing to me that we manage to get such bad leadership, so consistently’. And he added that both the press and the public let down their guard in the aftermath of 9/11. ‘The major newspapers joined the [Bush] team,’ Hersh said. Top editors passed the message to investigative reporters not to ‘pick holes’ in what Bush was doing. Violations of the Bill of Rights happened in the plain sight of the public. It it was not only tolerated, but Bush was re-elected.

*With grateful acknowledgements to Eric Black and the Minnesota Post.*

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