

The Bush Family Gets Away with Crimes That Would Land Anyone Else in Jail

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In the history of the American Republic, perhaps no political family has been more protected from scandal than the Bushes.

When the Bushes are involved in dirty deals or even criminal activity, standards of evidence change. Instead of proof “beyond a reasonable doubt” that would lock up an average citizen, the evidence must be perfect.

If there’s any doubt at all, the Bushes must be presumed innocent. Even when their guilt is obvious to anyone with an ounce of common sense, it’s their accusers and those who dare investigate who get the worst of it. Their motives are challenged and their own shortcomings are cast in the harshest possible light.

For decades — arguably going back generations — the Bushes have been protected by their unique position straddling two centers of national power, the family’s blueblood Eastern Establishment ties and the Texas oil crowd with strong links to the Republican Right. [For details on this family phenomenon, see Robert Parry’s [Secrecy & Privilege](#).]

This reality was underscored again by how major news outlets and the right-wing press reacted to a new piece of evidence implicating George W. Bush in a criminal cover-up in the “Plame-gate” scandal.

Though the evidence is now overwhelming that President Bush was part of a White House cabal that leaked Valerie Plame Wilson’s identity as a covert CIA officer and then covered up the facts, major newspapers, such as the *New York Times* and the *Washington Post*, continue to pooh-pooh this extraordinary scandal.

The latest piece of evidence was the statement from former White House press secretary Scott McClellan that Bush was one of five senior officials who had him clear Karl Rove and I. Lewis Libby in the leak when, in fact, they were two of the leakers.

“The most powerful leader in the world had called upon me to speak on his behalf and help restore the credibility he lost amid the failure to find weapons of mass destruction in Iraq,” McClellan said in a snippet released by the publisher of his upcoming memoir.

“So I stood at the White House briefing room podium in front of the glare of the klieg lights for the better part of two weeks and publicly exonerated two of the senior-most aides in the White House: Karl Rove and Scooter Libby,” McClellan said. “There was one problem. It was not true.”

After McClellan's statement touched off a brief furor on the Internet and cable TV shows, his publisher Peter Osnos tried to soften the blow. Osnos told Bloomberg News that McClellan didn't mean that Bush deliberately ordered his press secretary to lie.

"He told him something that wasn't true, but the President didn't know it wasn't true," Osnos said.

What Bush Knew

But neither McClennan nor Osnos knows what Bush really knew.

The revelatory point in McClellan's statement was that Bush was a direct participant in the campaign to protect Rove and Libby as they lied about their roles in the leak. Previously that was an inference one could draw from the facts, but it had not been confirmed by a White House official.

Indeed, looking at the available evidence, it would defy credulity that Bush wasn't implicated in the Plame-gate leak and the subsequent cover-up, which led to Libby's conviction earlier this year on four counts of perjury and obstruction of justice.

For Bush not to have been involved would have required him to be oblivious to the inner workings of the White House and the actions of his closest advisers on an issue of great importance to him.

From the evidence at Libby's trial, it was already clear that Bush had a direct hand in the effort to discredit Plame's husband, former U.S. Ambassador Joseph Wilson, after he had gone public in July 2003 with his role in a CIA investigation of what turned out to be bogus claims that Iraq had sought yellowcake uranium from Niger.

Bush, who had cited those bogus claims in his 2003 State of the Union Address in making his case for invading Iraq, was worried about his credibility when U.S. forces failed to find WMD evidence and when Wilson became the first Washington insider to start questioning Bush's case for war.

So, Bush collaborated with Vice President Dick Cheney in mounting a counter-attack against Wilson. Bush decided to selectively declassify portions of a National Intelligence Estimate in order to undercut Wilson's credibility and agreed to have that information leaked to friendly reporters.

It was in that context that Libby, Rove and other administration officials went forth to brief reporters, contacts that ended up disclosing that Wilson's CIA wife, Plame, played a role in arranging his work on the CIA investigation. The suggestion was that Wilson's unpaid fact-finding trip to Niger was a case of nepotism or a junket.

Following these press contacts, Plame's identity surfaced in a July 14, 2003, article by right-wing columnist Robert Novak, who had gotten his information from two sources, Deputy Secretary of State Richard Armitage and his friend, the president's chief political adviser Karl Rove.

But Rove's work on the Plame leak didn't stop with Novak's article; he continued to peddle the information to other journalists, such as MSNBC's Chris Matthews, who told Wilson a

week after Novak's column, "I just got off the phone with Karl Rove. He says and I quote, 'Wilson's wife is fair game.'"

Rove has since disputed the precise "fair game" quote, but he doesn't deny talking to Matthews about Plame's identity. So, we know that a week after the original leaks had blown Plame's undercover status, Bush had not called off the dogs. His closest political adviser still was using the information to undermine Wilson.

Hardball Politics

This pattern of hardball politics, of course, fits with how George W. Bush and others in his family play the game.

His father, George H.W. Bush, would talk about how rough he could be when in "campaign mode." The younger George Bush just extended that pugnacious approach to full-time, aided and abetted by a powerful right-wing media that has carried water for him consistently over the past eight years.

Even American citizens who get in Bush's way feel the lash. Just ask the likes of former weapons inspector Scott Ritter, who challenged Bush's pre-Iraq War claims about WMD, or the Dixie Chicks, who dared to diss the Commander in Chief at one of their concerts.

So, the treatment of Wilson/Plame was part of the standard fare for what happened to Americans who dissented on Bush's war policies. However, this one was a little different because the leak destroyed the career of a covert CIA officer and endangered her network of foreign agents who had been supplying information about WMD in the Middle East.

In September 2003, upset about this collateral damage, the CIA forwarded a criminal complaint to the Justice Department seeking an investigation into the outing of Plame. As far as the CIA was concerned, her classified identity was covered by [a 1982 law](#) barring willful exposure of CIA officers who had "served" abroad in the preceding five years.

But Bush and his inner circle could still breathe easily since the probe was under the control of Attorney General John Ashcroft, considered to be a right-wing Bush ally. The White House responded to press inquiries disingenuously, claiming Bush took the leak very seriously and would punish anyone involved.

"The President has set high standards, the highest of standards, for people in his administration," McClellan said on Sept. 29, 2003. "If anyone in this administration was involved in it, they would no longer be in this administration."

Bush personally announced his determination to get to the bottom of the matter.

"If there is a leak out of my administration, I want to know who it is," Bush said on Sept. 30, 2003. "I want to know the truth. If anybody has got any information inside our administration or outside our administration, it would be helpful if they came forward with the information so we can find out whether or not these allegations are true."

Yet, even as Bush was professing his curiosity and calling for anyone with information to step forward, he was withholding the fact that he had authorized the declassification of some secrets about the Niger uranium issue and had ordered Cheney to arrange for those

secrets to be given to reporters.

In other words, though Bush knew a great deal about how the anti-Wilson scheme got started — since he was involved in starting it — he uttered misleading public statements to conceal the White House role.

Spreading Lies

Also, since the other conspirators knew that Bush already was in the know, they would have read his comments as a signal to lie, which is what they did. In early October, press secretary McClellan said he could report that political adviser Karl Rove and National Security Council aide Elliott Abrams were not involved in the Plame leak.

That comment riled Libby, who feared that he was being hung out to dry. Libby went to his boss, Dick Cheney, and complained that “they’re trying to set me up; they want me to be the sacrificial lamb,” Libby’s lawyer Theodore Wells later said.

Cheney scribbled down his feelings in a note to press secretary McClellan: “Not going to protect one staffer + sacrifice the guy the Pres that was asked to stick his head in the meat grinder because of incompetence of others.”

Cheney initially ascribed Libby’s role in going after Wilson to Bush’s orders, but the Vice President apparently thought better of it, crossing out “the Pres” and putting the clause in a passive tense.

Cheney has never explained publicly the meaning of his note, but it suggests that it was Bush who sent Libby out on the get-Wilson mission to limit damage from Wilson’s criticism of Bush’s false Niger-yellowcake claim in the State of the Union Address.

Cheney’s reference to the “incompetence of others” may refer to those who cleared the false Niger claim in the first place.

Bush’s subsequent behavior in the latter half of 2003 adds to the evidence of his guilt.

Assuming Bush was sincere in his desire to get to the bottom of who leaked Plame’s identity — or just wanted to make sure there was no security risk in his inner circle — he presumably would have ordered an internal White House security probe. But he didn’t.

James Knodell, director of the White House security office, conceded before a congressional committee in March 2007 that no internal security investigation was performed; no security clearances were suspended or revoked; no punishment of any kind was meted out to White House political adviser Rove, even after his role in leaking Plame’s classified identity was determined.

Knodell, whose job included assessing Executive Branch security breaches, said that what he knew about the Plame case was “through the press.” A logical inference from Knodell’s inaction was that Bush already knew who had leaked Plame’s identity because he was involved in the leak.

In fall 2003, with no White House security review underway and the criminal probe presumably bottled up in the Justice Department, the cover-up broadened. On Oct. 4, 2003,

McClellan added Libby to the list of officials who have “assured me that they were not involved in this.”

So, Libby had a motive to lie to the FBI when he was first interviewed about the case. He had gone to the mat with his boss to get his name cleared in the press, meaning it would make little sense to then admit involvement to FBI investigators, especially when it looked as if the cover-up would hold.

“The White House had staked its credibility on there being no White House involvement in the leaking of information about Ms. Wilson,” a federal court filing later noted. For his part, Libby began claiming that he had first learned about Plame’s CIA identity from NBC’s Washington bureau chief Tim Russert after Wilson had gone public.

Reversal of Fortune

This White House cover-up might have worked, except in late 2003, Ashcroft decided he wouldn’t be the loyal foot soldier and recused himself because of a conflict of interest. Deputy Attorney General James Comey then picked Patrick Fitzgerald — the U.S. Attorney in Chicago — to serve as special prosecutor.

Fitzgerald pursued the investigation far more aggressively. Bush’s White House countered with a combination of public stonewalling and a continued PR campaign to further discredit Wilson.

Bush’s political and media allies dissected every nuance of the Wilson/Plame case to highlight supposed inconsistencies and contradictions.

The Republican National Committee put out nasty anti-Wilson talking points; senior Republicans on the Senate Intelligence Committee called Wilson a liar; the right-wing media — aided and abetted by the Washington Post’s neoconservative editorial page — amplified these ugly attacks to the public.

Right-wing lawyer Victoria Toensing received widespread media coverage when she claimed that Plame was not a “covert” officer under the definition of the 1982 law protecting the identities of intelligence agents because it only applied to CIA personnel who had “resided” or were “stationed” abroad in the previous five years.

Toensing argued that since Plame, the mother of young twins, was stationed at CIA headquarters in Langley, Virginia, and resided in the Washington area, she wasn’t “covert” even if that was her official CIA status. But Toensing was misrepresenting the law that she said she had helped draft while a congressional staffer in the early 1980s.

The actual wording of the law as it pertained to CIA and other clandestine officers was “served” abroad, which is not synonymous with “stationed” or “resided,” the words that Toensing had substituted.

One can be stationed or reside inside the United States and still “serve” abroad by undertaking secret missions overseas, which Plame had done.

But many in the right-wing news media and even at prestige newspapers like the Washington Post adopted Toensing’s word games as reality. It became an article of faith in some political circles that Plame was not a “covert” officer and that therefore there was “no

underlying crime” in the leaking of her identity.

Bush’s Guilt?

But what does this ongoing pattern of deception and character assassination against Wilson and Plame suggest about Bush’s innocence or guilt?

If Bush were the innocent party that we are supposed to believe, wouldn’t he have acted differently? Wouldn’t he have called for an end to these attacks on two American citizens who had served their country?

But Bush never tried to halt these cruel diversionary tactics. The White House goal, it appears, was to stir up enough confusion so that the public wouldn’t focus on the logical conclusion that Bush was responsible for damaging a CIA operation intended to protect national security.

In October 2005, Fitzgerald indicted Libby on five counts of lying to federal investigators and obstructing justice. Libby was convicted on four of five counts in March 2007 and sentenced to 30 months in jail.

But Bush’s role in the cover-up wasn’t finished. On July 2, 2007, Bush commuted Libby’s sentence to spare him any jail time. The President also left open the possibility that Libby might receive a full pardon before Bush left the White House.

The combination of taking away the stick of jail time and dangling the carrot of a full pardon eliminated any incentive for Libby to turn state’s evidence against Bush, Cheney and other senior officials.

In a different era, one might expect major newspapers, like the *New York Times* and the *Washington Post*, to erupt in fury over such an obvious case of presidential wrongdoing. One also might have anticipated serious hearings by a Democratic-controlled Congress to get to the bottom of this sorry affair.

But not in this era. Even when former press secretary McClellan became the first White House insider to acknowledge that senior officials, including Bush and Cheney, put him up to spreading lies about the Plame-gate scandal (whatever they knew at the time), there was almost no reaction, except on the Internet and some cable TV shows.

The Post and Times essentially ignored McClellan’s statement, apparently buying into the later spin that Bush might not have known then that Libby and Rove were lying. Bush’s right-wing apologists already are back on the attack, claiming that McClellan’s back-tracking supports Bush’s innocence.

The Democrats also don’t seem to have the stomach to hold Bush accountable. One presidential hopeful, Sen. Christopher Dodd, D-Connecticut, called for *the Justice Department* to investigate whether Bush had intentionally misled the public.

But the Democrats control both houses of Congress and presumably could compel testimony from many of the principals. They might even be able to force an explanation from special prosecutor Fitzgerald about why he didn’t pursue a broader case and what Bush and Cheney told him during their interviews about the Plame leak.

Instead the Democrats appear frightened of the counter-attack that the right-wing media could unleash, especially when major mainstream publications like the Times show little interest in the story and others like the Post actually are helping Bush in his cover-up.

But the broader picture appears to be that George W. Bush is just the latest member of the Bush family who can skate away from nearly any wrongdoing without paying a price.

Robert Parry's new book is [Secrecy & Privilege: Rise of the Bush Dynasty from Watergate to Iraq.](#)

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