

# The Iran-Contra Affair Thirty Years Later: A Milestone in Post-Truth Politics

By <u>Malcolm Byrne</u> Global Research, December 14, 2016 <u>National Security Archives</u> 25 November 2016 Region: <u>USA</u> Theme: <u>History</u>, <u>Intelligence</u>

Exactly thirty years ago, President Ronald Reagan announced to the nation – after weeks of denials – that members of his White House staff had engaged in a web of covert intrigue linking illicit U.S. support for a guerrilla war in Central America with an illegal and politically explosive arms-for-hostages bargain with the Islamic Republic of Iran. The revelation quickly led to a new phrase – "Iran-Contra" – which became synonymous with political hubris, government incompetence, and dishonesty in the public sphere.



President Reagan turns over the podium in the White House press room to Attorney General Edwin Meese after revealing Iran-Contra affair, November 25, 1986 (Source: Reagan Library and Museum, C38118-29)

Over the years, the National Security Archive has published major document collections, books, and web postings about Iran-Contra that expand on all of these areas of inquiry (see links in left column). Today, the Archive posts a selection of materials that spotlight the last of the elements above – deceitfulness – whose relevance has sadly become more pronounced after a bruising political season marked by examples and allegations of

widespread public contempt for facts, evidence and the truth.

Today's focus also follows *Oxford Dictionaries*' selection earlier this month of the term "posttruth" as its Word of the Year, a choice it traced indirectly to the Reagan-era scandal: "*Posttruth* seems to have been first used in this meaning in a 1992 essay by the late Serbian-American playwright Steve Tesich in *The Nation* magazine. Reflecting on the Iran-Contra scandal and the Persian Gulf War, Tesich lamented that 'we, as a free people, have freely decided that we want to live in some post-truth world.'" (See *The Nation*, January 6/13, 1992)

The historical record, including thousands of documents and hundreds of hours of testimony that are not possible to reproduce here, bears out the connection between the attitudes evident during the mid-1980s and what Americans have been witnessing in 2016.

The Iran-Contra affair inundated national news coverage starting a few weeks before the November 1986 press conference (as stories about the Contra and Iran operations leaked out) and lasting through Summer 1987. A galvanized media that had faced criticisms for its lax treatment of Reagan seemed eager to make up for it now that it finally had a story of Watergate proportions. Picking up on aspects of secret administration policy that only a few intrepid reporters had noticed before, TV and print outlets uncovered sometimes shocking new information about the lengths to which the Reagan administration had gone to press the Contra war in and around Nicaragua without authorization from Congress.

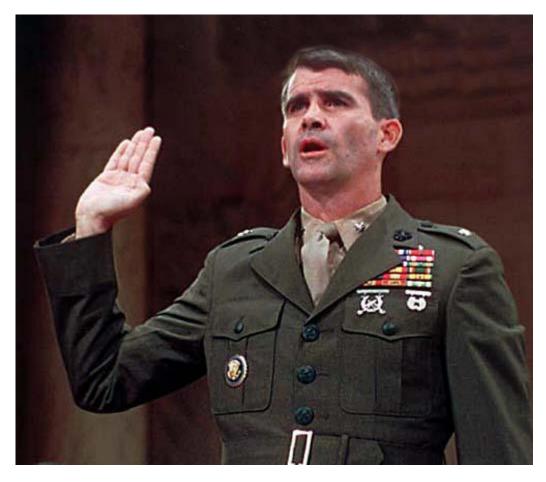
Similar disclosures came out about National Security Council staff-supervised contacts with Iranian intermediaries and Israeli counterparts, along with covert missile shipments from U.S. military stocks to Iran. Various committees in Congress hastily held hearings that produced more discoveries along the same lines.



President Reagan hosts Saudi King Fahd in Oval Office, February 11, 1985. During the visit, Fahd pledged to double secret Saudi funding for the Nicaraguan Contras to a level of \$2 million per month. Reagan's national security adviser, Robert C. McFarlane, had quietly solicited the Saudis for aid several months earlier in an attempt to get around congressional restrictions on U.S. funding for the rebels. (Source: Reagan Library and Museum, C27253-9)

Eventually, a joint congressional select committee was convened and an independent counsel appointed by the courts, both of which uncovered volumes of invaluable documentary evidence of what had transpired, including:

- After being explicitly prohibited from aiding the Contras with military or intelligence support, the president and his top advisers had agreed to solicit financial and other material backing from a slew of foreign governments (Document 01), from Saudi Arabia, to China, to the Sultanate of Brunei, to apartheid South Africa. No effort was ever intended to notify Congress, which had constitutional authority over funding for those activities
- When the approaches to foreign governments seemed not to be enough, National Security Council staffer Oliver North, the main foot soldier of the affair, with authorization from at least one of his superiors, National Security Adviser John Poindexter, diverted revenues from the illicit Iran missile sales to the Contras – the activity that garnered the most attention in the scandal
- Reagan had authorized direct talks with Iran to bargain for American hostages being held by Hezbollah in Lebanon, in direct contradiction of his own blackletter policy, and disregarding statutory requirements to justify his decision in writing and notify Congress (Document 02)
- When Reagan's senior aides told him the Iran deals were illegal, he told them flatly that he was willing to face "charges of illegality" (Document 03)
- After the covert Contra support operation was exposed with the shooting down of a U.S.-backed supply plane (in October 1986), State Department and CIA officials testified falsely to Congress about U.S. ignorance of the program. Their testimony eventually produced guilty pleas to criminal charges of misleading Congress.
- After the Iran deals were leaked to a Lebanese news magazine, the White House recognized it would be much harder to hide their role in this instance. The president, vice president and other top aides rallied around to protect the president and the covert policy by explicitly promoting a cover story that departed in significant ways from the truth (Document 08)
- Vice President George H. W. Bush was substantially aware of, and even participated in aspects of, the illicit operations even though he denied it vociferously at the time. Confirmation eventually came in the form of dictated notes which he had refused for years to turn over to the independent counsel (Document 06), as well as in the form of other documents about proscribed quid pro quo deals with the Honduran government.
- Secretary of State George P. Shultz, while standing out as one of the few officials (along with Defense Secretary Caspar W. Weinberger) to directly speak against the Iran deals to the president, also knew more than he admitted to Congress and the independent counsel – as did Weinberger. Some of the notes of his debriefings to State Department aides, handwritten by Charles Hill, are among the most explicit records available about the atmosphere of deceit – and selfdeception – within the White House and the administration (Document 07)

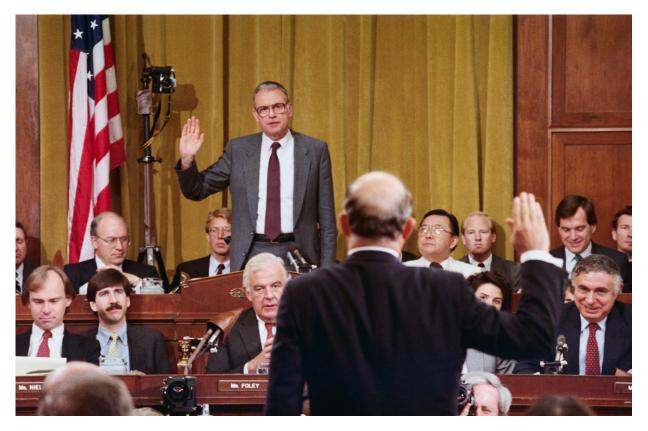


Former National Security Council staffer Oliver L. North takes the oath before testifying before the joint congressional select committees, July 7, 1987. (Source: Americanheritage1.com)

Much of this evidence did not surface for years because key participants withheld their personal papers, diaries and notes from prosecutors. The picture that finally emerged was of high-risk policies carried out in secret, not because they were legitimate national security concerns but because they ran directly counter to declared U.S. policy, presidential public statements and formal assurances to Congress. The truth needed to be withheld not because foreign powers might benefit (dozens of other governments were already in the loop about the various goings-on, often through direct contacts with U.S. officials), but because congressional funding for key presidential priorities would be jeopardized and the political repercussions of disclosure would be devastating.

President Reagan himself spoke passionately about his actions in connection with the Iran deals, but his insistence that he had not traded arms for hostages and other obvious untruths only undermined his credibility with the public. It took months before Nancy Reagan and other advisers could persuade him to acknowledge the facts (Document 09).

Each of these dubious activities, both the original policies and the subsequent cover-up, in its way laid bare assumptions by key officials about the scope of presidential power. Their views would later astonish members of Congress and members of the judicial branch by their breadth. Although Reagan rarely chose to raise the constitutional question of executive branch authority directly, there were in fact attempts by, among others, Attorney General Edwin Meese and his colleagues in the Justice Department, to press their argument, which went well beyond generally accepted interpretations (Document 05). Similar notions of presidential power were apparent in the congressional select committees' Minority Report, which was overseen by then-committee member and future Vice President Dick Cheney, and in the Justice Department's intervention – "unprecedented" according to presiding Judge Gerhard Gesell – against the independent counsel in support of dropping key charges in the Oliver North trial. (See the discussion in Byrne, *Iran-Contra*, pp. 303-304, 313.) These presumptions clearly survived in the thinking of subsequent presidential administrations, particularly that of George W. Bush.



House Iran-Contra committee chairman Lee H. Hamilton swears in former National Security Adviser John M. Poindexter, July 15, 1987. To Hamilton's right is ranking member Dick Cheney (R-WY); to Hamilton's left is Senate Iran-Contra committee chairman Daniel K. Inouye (D-HI). (Source: Byrne, Iran-Contra, Wally McNamee/CORBIS)

While much of Iran-Contra's obfuscation and maneuvering took place behind closed doors, the full force of the deceptions (and self-deceptions) perpetrated by Reagan administration officials would eventually come out in the congressional hearings of Summer 1987. Televised to the nation, the proceedings started out with broad expectations of a Watergate-style exposure of wrongdoing and Congress' dressing down of White House overreach. Instead, witness after witness took the offensive, defending their actions – even their acknowledged lies and potentially criminal acts – as morally justified, as acts of patriotism, or as selfless deeds in support of the president. For many viewers, the legal and ethical implications of the offenses Congress did expose were obliterated by the emotional appeals of the witnesses.

No-one outperformed Oliver North in the role of true-believing scapegoat. The Marine lieutenant colonel, bedecked in full uniform, unabashedly defended his record of serial lying to Congress, to his own professional colleagues, and to government investigators. He claimed not to be proud of what he had done then emotionally took credit for selfless service to the nation and the president. His testimony rocked the committees on their heels

and drew stunned reactions from around the country even as it helped build a vocal band of supporters who called themselves "Ollie's Army."

The congressional hearings were an important moment in the development of the "posttruth" society. And its ramifications were significant. The build-up of loud and aggressive support for North helped bolster the administration, which had been on the defensive for months. Members of the select committees later admitted they consciously curtailed their investigation because of the overwhelming public outcry for North and the president – an irony since the former staffer and the president's close aides were squarely at odds over who was to blame for the scandal.



Former Judge Lawrence Walsh after his appointment as independent counsel for Iran-Contra matters, December 19, 1986. (Source: Byrne, Iran-Contra, Wally McNamee/CORBIS)

The fact that much of the public accepted these self-righteous justifications by North and others reached as far as the criminal process as well. Independent Counsel Lawrence Walsh came under steady attack by the White House, supporters in Congress, and segments of the media who criticized him for hyper-partisanship and massive overspending. The wall of noise this created served to drown out many of the arguments Walsh and his supporters tried to make about the unusual nature of the investigation into potential high-level malfeasance involving sensitive intelligence operations.

Members of Walsh's staff complained about White House unresponsiveness and obstacles to their inquiry. While many thousands of pages were turned over, the charges that critical material had been left out turned out to be true when it emerged that Vice President Bush, Defense Secretary Weinberger, White House Chief of Staff Donald T. Regan, aides to George Shultz and others had failed to turn over their personal notes to the prosecution. This obstructionism clearly contributed to other sources of delay, which in turn fed charges of unreasonableness by Walsh's critics. Again, the legal implications of the criminal charges being filed and contemplated apparently counted for less in the eyes of many Americans than how they felt about the accused.

The final act of post-truthism came with then-President George H.W. Bush's decision to pardon several key participants in Iran-Contra. Among them were defendants who had not even had their day in court, thus taking Bush further than other presidents have been willing to go with the pardon power. The not-so-subtle implication of the act was to make it impossible to pursue already-developed plans to investigate Bush himself in greater detail. Walsh, already disillusioned by years of overcoming political hurdles, could no longer contain his outrage, telling *Newsweek*: "It's hard to find an adjective strong enough to characterize a president who has such contempt for honesty." (*Newsweek*, January 4, 1993)

# **<u>READ THE DOCUMENTS</u>** (click to access National Security Archive)

Unless otherwise noted, the documents below were released at different times in the course of official investigations into the Iran-Contra affair and therefor often do not have formal archival citations. Copies are available through the Digital National Security Archive (DNSA), in various National Security Archive web postings, or by visiting the offices of the National Security Archive.

# ≚Document 01

NSC, National Security Planning Group Minutes, "Subject: Central America," June 25, 1984

At a pivotal meeting of the highest officials in the Reagan Administration, the President and Vice President and their top aides discuss how to sustain the Contra war in the face of mounting Congressional opposition. The discussion focuses on asking third countries to fund and maintain the effort, circumventing Congressional power to curtail the CIA's paramilitary operations. Secretary of State George P. Shultz warns the president that White House adviser James Baker has said that "if we go out and try to get money from third countries, it is an impeachable offense." But Vice President George Bush argues the contrary: "How can anyone object to the US encouraging third parties to provide help to the anti-Sandinistas...? The only problem that might come up is if the United States were to promise to give these third parties something in return so that some people could interpret this as some kind of exchange." Later, Bush participated in arranging a guid pro guo deal with Honduras in which the U.S. did provide substantial overt and covert aid to the Honduran military in return for Honduran support of the Contra war effort. Reagan ends the meeting with a tongue-in-cheek warning to all not to talk about the issue, but it is one that nevertheless reflects the administration's determination to block information about the scandal after it broke in November 1986: "If such a story gets out, we'll all be hanging by our thumbs in front of the White House until we find out who did it."

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# Document 02

CIA, Draft Presidential Finding, "Scope: Hostage Rescue – Middle East," (with cover note from William J. Casey), November 26, 1985

Of the six covert transactions with Iran in 1985-1986, the most controversial was a shipment of 18 HAWK (Homing-All-the-Way-Killer) anti-aircraft missiles in November 1985. Not only did the delivery run afoul but it took place without the required written presidential authorization. The CIA drafted

this document only after Deputy Director John McMahon discovered that one had not been prepared prior to the shipment. It was considered so sensitive that once Reagan signed off retroactively on December 5, John Poindexter kept it in his office safe until the scandal erupted a year later — then tore it up, as he acknowledged, in order to spare the president "political embarrassment." The version presented here is a draft of the one Poindexter destroyed.

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## Document 03

Caspar Weinberger, handwritten notes of meeting in White House Family Quarters, December 7, 1985

After three separate U.S.-approved shipments of missiles via Israel to Iran in 1985, the president convened a high-level meeting in the Family Quarters of the White House to discuss continuation of the covert program. Of his top advisers, only Vice President George Bush and CIA Director William Casey were not in the room. During the discussion, Secretary of State Shultz and Secretary of Defense Weinberger objected openly to the operation, as they had in the past, arguing that it was not only bad policy but illegal since it involved sending arms to Iran, which the U.S. had declared a sponsor of international terrorism. In his notes, Weinberger captures the president's determination to move ahead regardless of the law: "President sd. he could answer charges of illegality but he couldn't answer charge that 'big strong President Reagan passed up chance to free hostages.'"

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### Document 04

NSC, Memorandum from Oliver L. North to Robert C. McFarlane, "Fallback Plan for the Nicaraguan Resistance," March 16, 1985 (original and altered versions)

After the scandal broke, Oliver North methodically went through his files and destroyed documentation that exposed illicit and otherwise sensitive administration activities. Records in the NSC's System IV Channel were governed by strict access rules requiring a unique numbered identification for each document and a sign-out procedure for anyone wishing to view materials. This meant North could not just shred those documents. Instead he rewrote a handful of them and returned the forgeries. This document is an example, with both the original and altered versions attached. North's ruse was discovered by an attentive investigator who noticed that the letterhead in the altered version, which North wrote in late 1986, was not in use in early 1985 when the original document had been created.

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Document 05

Justice Department, Stephen J. Markman, memorandum to Edwin Meese III, "Separation of Powers," April 30, 1986

**Source:** National Archives and Records Administration, Record Group 60, General Records of the Department of Justice, Box 86, Component Correspondent Files of Attorney General Edwin Meese III, Folder: OLP (April-May 1986)

This extraordinary document was the product of the Justice Department's Domestic Policy Committee. Attorney General Edwin Meese directed it to be prepared. The memo provides a detailed justification for a novel and controversial interpretation of the constitutional separation of powers, locating virtually all authority over the executive branch with the president, at the expense of Congress and the courts. One focus of interest in this regard was the independent counsel statute, which had been enacted as part of the Ethics in Government Act of 1978, after Watergate. Its aim was to curb executive abuse of power, but Meese and others asserted that the Constitution gave no such authority to the other branches. The administration backed the filing of a judicial test case which reached the Supreme Court but was defeated by a 7-1 vote that held the independent counsel law was constitutional. Still, the memo is an example of the administration's designs on expanding presidential powers well beyond accepted norms, an idea that certainly persisted in subsequent administrations.

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Document 06

George H. W. Bush, Transcription of dictated notes, November 4-5, 1986

Then-Vice President George H.W. Bush became entangled in controversy over his knowledge of Iran-Contra. Although he asserted publicly that he was "out of the loop — no operational role," he was well informed of events, particularly the Iran deals, as evidenced in part by this diary excerpt just after the Iran operation was exposed: "I'm one of the few people that know fully the details …" The problem for Bush was greatly magnified because he was preparing to run for president just as the scandal burst. He managed to escape significant blame – ultimately winning the 1988 election – but he came under fire later for repeatedly failing to disclose the existence of his diary to investigators and then for pardoning several Iran-Contra figures, including former Defense Secretary Weinberger just days before his trial was set to begin. As a result of the pardons, the independent counsel's final report pointedly noted: "The criminal investigation of Bush was regrettably incomplete."

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Document 07

Charles Hill notes (excerpt), November 9, 1986

In the frantic days following the revelation of the arms-for-hostages deals on November 3, 1986, members of the administration rushed to obscure their ties to the deeply controversial and politically damaging operation. Secretary of State Shultz – along with Defense Secretary Weinberger, one of the only senior advisers to oppose the president's wishes on the deals – seemed particularly concerned in the aftermath not to have his name associated with them. His colleagues picked up on this and pressured him intensely to join the team effort to protect Reagan – to "build[] a wall around him," as National Security Adviser John Poindexter put it later. In these scrupulous notes by Shultz's aide, Charles Hill (which total several thousand pages, the great bulk of which has never been declassified), the two State Department officials gather to discuss the secretary's talking points for an upcoming meeting at which Shultz plans to confront the president with the truth about his actions and their consequences. The notes are filled with grim assessments: "We have assaulted our own MidEast policy .... We appear to have violated our own laws .... There is a Watergate-like atmosphere around here .... "

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#### Document 08

Donald Regan, Handwritten Notes of Meeting with the President and Top Aides, November 10, 1986

On November 10, the president and his close advisers met to sort out damage control after it became clear the Iran arms deal revelations were not going to go away. White House Chief of Staff Donald Regan took detailed notes of the session. According to this record, the president insisted that "We have not dealt directly w/ terrorists, no bargaining, no ransom." John Poindexter picked up the theme with a description of the Iran program. Its objectives were to establish contacts with "more moderate elements" in Iran, "stop Iran['s] export of terrorism," and "hostage release." He asserted that U.S. officials had "stumbled on" Israel's involvement while "tracking down its shipments to Iran." He laid most of the responsibility for the operation on Israel and insisted that the U.S. had only found out about the first shipment of weapons in summer 1985 "after the fact." The problem with both the president's and Poindexter's accounts was that they were patently false. But as the independent counsel pointed out, no-one in the room disagreed, even though several were in a position to know the facts.

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Document 09

Reagan speeches, November 13, 1986 & March 4, 1987

#### Source: https://reaganlibrary.archives.gov/archives/speeches/1986/111386c.htm and

#### https://reaganlibrary.archives.gov/archives/speeches/1987/030487h.htm

One of the outcomes of the scandal was that it cast President Reagan in a surprising light – despite the overwhelming evidence, even early in the crisis, that his administration had been dealing with terrorists in hopes of getting American hostages released – he insisted that he had done nothing of the kind. This assertion appears repeatedly in the record of private meetings (see Document 08), but also in numerous public statements, such as his important address to the nation on November 13, 1986, ten days after the Iran revelations. It took almost four months for his closest aides, and his wife Nancy, to persuade him to acknowledge what had long been obvious to the world. His refusal to do so earlier cost him dearly – if largely temporarily – in terms of personal approval ratings.

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Document 10

North congressional testimony, July 1987

# Source: "Understanding the Iran-Contra Affairs," Brown University

This compilation of transcription excerpts from North's game-changing Iran-Contra testimony conveys the highlights of his week-long, nationally televised performance. The committees had struggled to come up with an agreement with North and his attorneys about the duration, content and other terms of his appearance. North's recognition of his unusually strong bargaining position, based on his huge popularity among a vocal segment of the public and the committees' belief that they needed his presence to make their case, led him to receive uncommon consideration, which set the stage for a memorable chapter in the Iran-Contra saga.

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