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Taking Tea with Torturers

Craig Scott

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Taking Tea with Torturers
From the Shah of Iran to Egypt's Mubarak to Sri Lanka’s Foreign Minister, cozy relationships in US foreign policy need to be questioned

Craig Scott*

For just over a decade now, an abiding image occasionally rises to my memory’s surface. I see in my mind’s eye the genteel spectacle of Chile’s former President, Augusto Pinochet, taking tea with former British Prime Minister Margaret Thatcher. This was apparently a ritual for the two leaders after their respective retirements as heads of government, whenever the General would visit London. But the image specifically dates to the Thatcher-Pinochet tea tryst only days before Pinochet’s arrest in London in 1999 on an extradition warrant from Spain for his role in various brutalities in Chile, including overseeing its torture system.¹

That image popped up again twice in the last year, as I observe Hillary Rodham Clinton careening about in response to events in Sri Lanka and now Egypt – bouncing from (realpolitik) wall to (humanitarian) wall to (pragmatism) wall, in a kind of foreign policy funhouse of mirrors.

On the Egypt front, Luke Johnson in the American Independent reminded us of Secretary of State Clinton’s interview with Al Arabiya TV in Egypt in March 2009.² Clinton engaged in downplaying to the point of virtual dismissal the relevance of the annual Department of State’s country report on the human rights situation in Egypt.³ That 2008 report (published in early 2009) discusses in

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¹ This piece was written on January 29, 2011, as events in Egypt were unfolding, and finalized on Monday, January 31, 2011, when it was published by OpenDemocracy.net, which is the official, published version*: cite as Craig Scott, “Taking Tea with Torturers”, (January 31, 2011) OpenDemocracy.net, available for download at http://www.opendemocracy.net/craig-scott/taking-tea-with-torturers. It may be republished with attribution for non-commercial purposes following the Creative Commons guidelines. The present SSRN PDF working-paper version will retain its usefulness with respect to ease of reference to the footnotes that correspond to the hyperlinks in the online published article, text as well as including the same additional footnotes as in the published article

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considerable detail the extensive and systemic use of torture by the police and security services in Egypt. That apparatus has been instrumental to sustaining Mubarak in power for the past 30 years (not to mention to the US’ outsourcing of torture-for-intelligence). In response to a journalist’s question, Clinton commented, “We issue these reports on every country. We consider Egypt to be a friend and we engage in very forthright conversations with our friends. And so we hope that it will be taken in the spirit in which it is offered, that we all have room for improvement.”

It has long been the case that the DOS reports tend increasingly to be treated as pro forma events, and as such only mild irritants, by both the US and the countries criticized in the reports. The fact that states invariably no longer get in a flap after the issuance of these reports is a telling indication of the way the signals game is played by the US. It is very likely the case that American diplomats the world over use various formulas to assure their host countries that these reports are a Congressionally-imposed requirement that both the US Administration of the day and foreign regimes have to live with – but don’t worry, it’s best just to treat the report as a non-event. Nudge nudge, wink wink.

But Clinton in the March 2009 press conference in Egypt went a step further. Said she, for all the world and all Egyptians to know, “It is an annual report. It is not in any way connected [to an invitation to Mubarak to visit the US]. We look forward to President Mubarak coming as soon as his schedule would permit. I had a wonderful time with him this morning. I really consider President and Mrs. Mubarak to be friends of my family. So I hope to see him often here in Egypt and in the United States.”

The image of Lady Thatcher and the General-President demurely sipping their Earl Grey dissolves into an image of the Clintons and the Mubaraks knocking back a latte or two in the Clintons’ Washington digs, for old times’ sake.

Fast forward a little more than a year, not only a year on from the Secretary of State’s Egypt press conference but a year on from the horrors of the Sri Lankan army’s onslaught against civilian-packed areas – its method of ending, in the winter/spring of 2009, the long war with the Tamil Tigers. By spring 2010, Sri Lanka is under sustained pressure from global civil society, the EU, and some states on a range of fronts, from its post-war internment and detention practices to its climate of repression to its government’s transparent maneuvers to avoid any kind of war-crimes investigations or accountability. G L Peiris, the former Dean of Law at the University of Colombo turned politician, has just been promoted in Cabinet to become, on April 23, 2010, Foreign Minister of Sri Lanka. Scarcely a month later, in May 2010, he visits Washington.

Why Peiris, why then?


4 Al Arabiya Interview (note 2).

5 Ibid.
Peiris’ personal relationships almost certainly entered into the calculus of the elected-but-autocratic Sri Lankan President, Mahinder Rajapaksa, when he decided to insert Peiris as the lead on Sri Lankan foreign policy. When Foreign Minister Peiris arrived in Washington last spring, we learned that he has, like Mubarak, a family connection to US foreign policy.

In a May 27, 2010, interview with Politico.com, Laura Rozen asks at the end of her short interview of Peiris, “And finally, you weren’t by any chance with Bill Clinton at Oxford, were you?” Peiris responds, “We were Rhodes Scholars together from 1968 to 1971. I met him recently five months ago in Hong Kong at a meeting for the Clinton Global Initiative. On that occasion he was talking about the Oxford days and so on, but he also recalled with a lot of feeling his visit to Sri Lanka in the aftermath of the tsunami…”.6

Peiris met with Hillary Clinton the day after the Politico interview, and their joint press conference on May 28, 2010, is a combination of anodyne diplospeak and a show of support by Clinton for Sri Lanka, both generally and as embodied by Peiris.7

Clinton opens the press conference as follows, “I am delighted to welcome Dr. Peiris here to the State Department. I first met him 15 years ago when I was in Colombo, Sri Lanka.”8 This would have been during Bill Clinton’s Administration (1993-2001). Peiris is then generously situated by Clinton as “a capable, experienced public servant whose leadership is helping to move Sri Lanka toward renewal and reconciliation and, we hope, to greater peace, prosperity, and security for the future.”9

As Clinton’s lengthy remarks progress, there is not a single word of criticism or even diplomatically expressed concern about the policies and practices of the Sri Lankan government. On the small matter of Sri Lanka’s repressive government and the deepening authoritarianism of the formal democracy in Sri Lanka, Clinton is silent.10 Instead, she hands legitimacy on a silver platter to the Rajapaksa regime by remarking, “The United States has long been a friend of Sri Lanka. Our countries share a history of democratic institutions…”11

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8 Ibid.

9 Ibid.

10 An overview of the situation (including extensive citations to a variety of NGO and intergovernmental reports) can be found in James Yap and Craig Scott, “The Breakdown of the Rule of Law in Sri Lanka: An Overview” (September 22, 2010). Available at SSRN: http://ssrn.com/abstract=1682133.

11 Clinton, Remarks with Peiris (note 7).
In terms of challenges for democracy, the only mention is of post-war bringing of democracy to the previously LTTE-ruled north of Sri Lanka, “After decades of LTTE rule in the north, the Sri Lankan Government is committed to re-establishing democracy. I was very pleased by the briefing I received from the minister about the many steps that are being taken to return to democratic order.”

There is not a word on the militarization of governance in the north of Sri Lanka. Not a word about the Ministry of Defence assuming control of the government’s NGO Secretariat that regulates NGO activity throughout the country – with special implications for (highly restricted and monitored) NGO access to the north. Not a word on the large increases in the defence budget, despite the war having ended and no military threat having survived.

A question is then asked by a journalist about the criticisms by international NGOs like Human Rights Watch of the Sri Lankan government’s Lessons Learned and Reconciliation Commission (LLRC) established just before the Peiris visit, and about the associated call for an independent international investigation into war crimes at the end of the war in Sri Lanka. Clinton, in the course of a four-paragraph answer, spends the entire first three paragraphs saying, in various ways, that the US supports the LLRC process. In the final paragraph, a single sentence appears: “The minister and I talked about the continuing role of the United Nations, which intends to have an independent oversight role.”

Not even close to an endorsement of such an “oversight” role (whatever that might mean, or not mean) let alone embracing the need for an independent international investigation of war crimes allegations. Not a word about the Office of War Crimes Issues of Clinton’s own Department of State having issued a report six months earlier, in October 2009, in which the Office of War Crimes lists over 300 incidents of possible war crimes that needed investigating. Not a hint that Sri Lanka scrambled to create the LLRC as a direct outcome of that report – as a way to be able to point to some domestic process to deflect pressure for a UN-launched war crimes process. Not a hint that the practice in Sri Lanka for decades has been to strike commissions as nothing but smokescreens – what Amnesty International dubbed “twenty years of make believe” in a 2009 report on these commissions. Instead, Secretary of State Clinton simply obliges Foreign

12 Ibid.

13 Ibid.


Minister Peiris and Sri Lanka, effectively endorsing a whitewash response to her own department’s report.

Coziness practically oozes from the pours of this Peiris-Clinton press conference.

Returning to Egypt, there is perhaps not much new for US foreign policy about Hillary Clinton’s implicit but clear downplaying of her own department’s formal human rights reports and her emphasis on cozy friendships with an election-rigger and a repressor-in-chief like Mubarak. But the ‘same old, same old’ nature of the situation does not make any less troubling the consistent pattern of the United States seriously criticizing enemies for human rights abuses while avoiding – or merely mouthing – criticisms of friends.

Such contradictions may well have reached their apogee during the Administration of Jimmy Carter who purported to make human rights a foreign policy pillar for the US while simultaneously treating the Shah of Iran – whose SAVAK secret police ran one of the most brutal torture and murder systems known to history – as an urbane and charming friend of the US who was just doing his best to keep Iran out of the Communist orbit and its oil in the US orbit. And what was the legacy at the time of the Iranian Revolution of decades of US support for the Shah and his brutal regime, made worse by uncritical friendships of Presidents with the Shah himself? Deep and widespread popular anger at and distrust of the US, and a complete lack of credibility when the US sought to send signals that it would work with the post-Shah provisional regime that preceded Ayatollah Khomeini’s takeover of the system.

The parallels with 30 years of US support for a torture-endorsing, election-manipulating Hosni Mubarak are palpable. As events in Egypt were reaching hyper-crisis point, Simon Tisdell ends a January 29 Guardian article, entitled ‘White House wobbles on Egyptian tightrope’, with the following analysis: “[I]n the final analysis, the US needs a friendly government in Cairo more than it needs a democratic one. Whether the issue is Israel-Palestine, Hamas and Gaza, Lebanon, Iran, security for Gulf oil supplies, Sudan, or the spread of Islamist fundamentalist ideas, Washington wants Egypt, the Arab world’s most populous and influential country, in its corner. That’s the political and geostrategic bottom line. In this sense, Egypt’s demonstrators are not just fighting the regime. They are fighting Washington, too.” Tisdell’s is a perceptive analysis of what Washington perceives to be the geostrategic imperatives of the situation, even as, at a normative level, it is not entirely clear if Tisdell is also implicitly saying that acting on such imperatives is

16 See the insightful analysis of Carter’s approach (partly inherited from the Nixon/Ford years but mostly his own) in Robert Wright, Our Man in Tehran: Ken Taylor, the CIA, and the Iran Hostage Crisis (Toronto: HarperCollins, 2010) 28-33, 100-102, esp at 32-33.

inevitable – and thus that the situation in which the US finds itself is more tragic than to be condemned.

Well it may be that there are geopolitical reasons for the kind of double standards that the US applies to cases like the Shah’s Iran, Rajapaksa’s Sri Lanka, or Mubarak’s Egypt, but the key is that any tragedy is in a significant part of the US’ own making. In the end, coziness with repressive regimes leads to well-founded perceptions of hypocrisy and, when all is said and done, tokenistic integration of fundamental human rights into official US behavior in the world.

It thus comes as no surprise when Haaretz newspaper’s correspondent from Cairo reports on January 31 that “the foreign country that sustained the most criticism was the United States, for its support of Mubarak and the mixed messages of the Obama administration” and that, “[o]n a large sign near Tahrir Square that was put up to promote an American company's development project, a scrawled message in large letters called on the United States to keep playing games with dictators while Egyptians achieve democracy through will alone.”18

The Guardian’s Editorial in the Sunday, January 30, edition of The Observer goes to the heart of the matter when it concludes: “Courage and vision are required in Washington as well as Cairo. The US, Britain and other western governments that have wrongly valued stability above freedom should take inspiration from the brave people of Egypt. They have shown the way. In five days of rage, they overcame their fears, broke with the old ways and made a glorious, chaotic yet purposeful lunge for a future full of hope for all. They made a reality of democracy.”19

The situation of “valu[ing] stability over freedom” is only worsened when personal relationships deepen the coziness. It is not just that a layer of complexity is added, but that a different ethical dimension enters into play. Secretary of State Clinton’s family ties – including her inclusion of the Mubaraks as “friends of my family” and including whatever special access her husband’s nostalgia for his Rhodes years may provide Sri Lanka’s Peiris – become part of her political accountability. As such, Clinton – and by extension President Obama – need to find a way to create critical distance between her friends and the foreign policy of the United States.
