

JEREMY SCAHILL: TWO DEGREES OF SEPARATION FROM THE DIRTY WARS DRAGNET

Congratulations to Jeremy Scahill and the entire team that worked on Dirty Wars for being nominated for the Best Documentary Oscar.

This post may appear to be shamelessly opportunistic – exploiting the attention Dirty Wars will get in the days ahead to make a political point before the President endorses the dragnet on Friday – but I’ve been intending to write it since November, when I wrote this post.

Jeremy Scahill (and the entire Dirty Wars team) is the kind of person whose contacts and sources are exposed to the government in its dragnet.

To write his book (and therefore research the movie, though not all of this shows up in the movie) Scahill spoke with Anwar al-Awlaki’s father (one degree of separation from a terrorist target), a number of people with shifting loyalties in Somalia (who may or may not be targeted), and Afghans we identified as hostile in Afghanistan. All of these people might be targets of our dragnet analysis (and remember – there is a far looser dragnet of metadata collected under EO 12333, with fewer protections). Which puts Scahill, probably via multiple channels, easily within 3 degrees of separation of targets that might get him exposed to further network analysis. (Again, if these contacts show up in 12333 collection Scahill would be immediately exposed to that kind of datamining; if it shows up in the Section 215 dragnet, it would happen if his calls got dumped into the Corporate Store.) If Scahill got swept up in the dragnet on a first or second hop, it means all his other sources, including those within government (like the person depicted in

the trailer above) describing problems with the war they've been asked to fight, might be identified too.

Scahill might avoid some of this with diligent operational security – a concerted effort to prevent the government from tracking him along with terrorists (though remember two things: one purpose of the dragnet is to discover burner phones, and his computer got hacked while he was working on this book). But the government's intent is to sweep up records of any conversations that get as close to those hostile to American efforts as Scahill does.

One of my favorite figures in Scahill's book was the Heineken and Johnny Walker swilling Mullah Zabara, a Yemeni tribal leader from Shabwa who expressed the ambivalence Yemenis might feel towards the US.

Several souther leaders angrily told me stories of US and Yemeni attacks in their areas that killed civilians and livestock and destroyed or damaged scores of homes. If anything, the US air strikes and support for Saleh-family-run counterterrorism units had increased tribal sympathy for al Qaeda. "Why should we fight them? Why?" asked Ali Abdullah Abdulsalam, a southern tribal sheikh from Shabwah who adopted the nom de guerre Mullah Zabara, out of admiration, he told me, for Taliban leader Mullah Mohammed Omar. If my government built schools, hospitals and roads and met basic needs, I would be loyal to my government and protect it. So far, we don't have basic services such as electricity, water pumps. Why should we fight al Qaeda?" He told me that AQAP controlled large swaths of Shabwah, conceding that the group did "provide security and prevent looting. If your car is stolen, they will get it back for you." In areas "controlled by the government, there is looting and

robbery. You can see the difference.”
Zabara added, “If we don’t pay more attention, al Qaeda could seize and control more areas.”

Zabara was quick to clarify that he believed AQAP was a terrorist group bent on attacking the United States, but that was hardly his central concern. “The US sees al Qaeda as terrorism, and we consider the drones terrorism,” he said. “The drones are flying day and night, frightening women and children, disturbing sleeping people. This is terrorism.”

[snip]

“I don’t know this American,” he said to my Yemeni colleague. “So if anything happens to me as a result of this meeting—if I get kidnapped—we’ll just kill you later.”

[snip]

“I am not afraid of al Qaeda. I go to their sites and meet them. We are all known tribesmen, and they have to meet us to solve their disputes.” Plus, he added, “I have 30,000 fighters in my own tribe. Al Qaeda can’t attack me.”

Zabara served as a fascinating source for Scahill. He described seeing Umar Farouk Abdulmutallab while he was staying at Fahd al-Quso’s farm.

Zabara [] later told me he had seen the young Nigerian at the farm of Fahd al Quso, the alleged USS Cole bombing conspirator. “He was watering trees,” Zabara told me. “When I saw [Abdulmutallab], I asked Fahd, ‘Who is he?’” Quso told Zabara the young man was from a different part of Yemen, which Zabara knew was a lie. “When I saw him on TV, then Fahd told me the truth.”

[2nd bracket original]

This story does not entirely back the narrative the US told about Abdulmutallab and Awlaki at the former's sentencing; it strongly suggests Quso played a role in Abdulmutallab's plotting the government suppressed in public documents and claims, instead attributing that role to Awlaki as part of the case to kill him. While we can't be sure he told the truth, it does seem that Zabara provided necessary nuance to the story our government has told us about executing an American citizen with a drone strike.

Scahill goes onto reveal,

In January 2013, Zabara was assassinated in Abyan. It is unknown who killed him.

It could, of course, be anyone, quite likely AQAP (who had let Zabara get away with drinking in the past) or the Yemeni government or some other rival.

Jeremy Scahill's reporting – as well as the reporting of scores of journalists who speak to people who might not be terrorists, but might express well-considered ambivalence toward American presence in the countries where we fight – is utterly crucial to our understanding of whether our “war on terror” will achieve its desired end. In the same way that Peter Bergen's reporting (whose conversation with Osama bin Laden would put him one hop away from the lead terrorist) taught us things about our adversary we might not otherwise know, Scahill's reporting helps us understand what our Dirty War looks like on the ground. Just as importantly, this reporting provides details that challenge the government's closely managed narrative about what it is doing in our name.

The Academy apparently thinks Scahill's work has artistic and documentary merit. Our government thinks such work should receive no protection in its dragnet.