

Secret Prisons and “Black Sites”, Rendition: Torture and the Myth of Never Again. The Persecution of John Kiriakou

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Region: [USA](#)

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The United States sanctioned [acts of torture](#) by the Central Intelligence Agency and others. The acts took place in secret prisons (“[black sites](#)”) against persons detained indefinitely without trial. They were [described in detail](#) and explicitly authorized in a series of secret torture memos drafted by John Yoo, Jay Bybee, and Steven Bradbury, senior lawyers in the DOJ’s Office of Legal Counsel. (Office of Legal Counsel attorneys technically answer directly to the DOJ, which is supposed to be independent from the White House, but obviously was not in this case.) Not one of those men, or their Justice Department bosses, has been [held accountable](#) for their actions.

Some tortured prisoners were killed by the CIA. Attorney General Eric Holder [announced recently](#) that no one would be held accountable for those murders either. “Based on the fully developed factual record concerning the two deaths,” he said, “the Department has declined prosecution because the admissible evidence would not be sufficient to obtain and sustain a conviction beyond a reasonable doubt.”

Jose Rodriguez, a senior CIA official, admitted destroying videotapes of potentially admissible evidence, showing the torture of captives by operatives of the US government at a secret prison thought to be located at a Vietnam-War-era airbase in Thailand. He was [not held accountable](#) for deep-sixing this evidence, nor for his role in the torture of human beings.

John Kiriakou Alone

The one man in the whole [archipelago](#) of America’s secret horrors who went to jail is former CIA officer John Kiriakou. Of the untold numbers of men and women involved in the whole nightmare show of those years, only one.

And of course, he didn’t torture anyone.

The charges against Kiriakou alleged that in answering questions from reporters about suspicions that the CIA tortured detainees in its custody, he violated the [Espionage Act](#), once an obscure World War I-era law that aimed at punishing Americans who gave aid to the enemy. It was passed in 1917 and has been the subject of much judicial and Congressional [doubt](#) ever since. Kiriakou is one of six government whistleblowers who have been [charged](#) under the Act by the Obama administration. From 1917 until Obama came into office, only three people had ever been charged in this way.

The Obama Justice Department [claimed](#) the former CIA officer “disclosed classified information to journalists, including the name of a covert CIA officer and information revealing the role of another CIA employee in classified activities.”

The charges resulted from a [CIA investigation](#). That investigation was triggered by a filing in January 2009 on behalf of detainees at Guantanamo that contained classified information the defense had not been given through government channels, and by the discovery in the spring of 2009 of photographs of alleged CIA employees among the legal materials of some detainees at Guantanamo. According to one [description](#), Kiriakou gave several interviews about the CIA in 2008. Court documents [charge](#) that he provided names of covert Agency officials to a journalist, who allegedly in turn passed them on to a Guantanamo legal team. The team sought to have detainees identify specific CIA officials who participated in their renditions and torture. Kiriakou was [accused of](#) providing the identities of CIA officers that may have allowed names to be linked to photographs.

The real “offense” in the eyes of the Obama administration was quite different. In 2007, Kiriakou became a whistleblower. He went [on record](#) as the first (albeit by then, former) CIA official to confirm the use of waterboarding of al-Qaeda prisoners as an interrogation technique, and then to condemn it as torture. He specifically mentioned the [waterboarding](#) of [Abu Zubaydah](#) in that secret prison in Thailand. Kiriakou also ran afoul of the CIA over efforts to clear for publication a [book](#) he had written about the Agency’s counterterrorism work.

If Kiriakou had actually tortured someone himself, even to death, there is no possibility that he would be in trouble. In the national security state that rules the roost in Washington, talking out of turn about a crime has become the only possible crime.

Facing decades away from his family and young children, Kiriakou agreed to a plea bargain and is still in prison serving a [30-month sentence](#).

Never Again

For years it was the policy of the United States of America to [torture and abuse its enemies](#) or, in some cases, simply suspected enemies. It has remained a US policy, even under the Obama administration, to [employ](#) “extraordinary rendition” — that is, the sending of captured terror suspects to the jails of countries that are known for torture and abuse, an outsourcing of what we no longer want to do.

Techniques that the US hanged men for at [Nuremburg](#) and in [post-war Japan](#) were employed and declared lawful. To embark on such a program with the oversight of the Bush administration, learned men and women had to have long discussions, with staffers running in and out of rooms with snippets of research to buttress the justifications being so laboriously developed. The CIA undoubtedly used some cumbersome bureaucratic process to hire contractors for its torture staff. The old [manuals](#) needed to be [updated, psychiatrists consulted](#), military survival experts interviewed, training classes set up.

Videotapes were made of the torture sessions and no doubt DVDs full of real horror were reviewed back at headquarters.

Torture techniques were even reportedly [demonstrated](#) to top officials inside the White House. Individual torturers who were considered particularly effective were no doubt

identified, probably rewarded, and sent on to new secret sites to harm more people.

America just didn't wake up one day and start slapping around some Islamic punk. These were not the torture equivalents of rogue cops. A system, a mechanism, was created. That we now can only speculate about many of the details involved and the extent of all this is a tribute to the thousands who continue to remain silent about what they did, saw, heard about, or were associated with. Many of them work now at the same organizations, remaining a part of the same contracting firms, the CIA, and the military. Our torturers.

What is it that allows all those people to remain silent? How many are simply scared, watched what happening to John Kiriakou and thought: not me, I'm not sticking my neck out to see it get chopped off. They're almost pathetically forgivable, even if they are placing their own self-interest above that of their country.

But what about the others, the ones who remain silent about what they did or saw or aided and abetted in some fashion because they still think it was the right thing to do? The ones who will do it again when another frightened president asks them to? Or even the ones who enjoyed doing it?

The same Department of Justice that hunted down the one man who spoke against torture from the inside still maintains a [special unit](#), 60 years after the end of WWII, dedicated to hunting down the last few at-large Nazis. They do that under the rubric of "never again." The truth is that same team needs to be turned loose on our national security state. Otherwise, until we have a full accounting of what was done in our names by our government, the pieces are all in place for it to happen again. There, if you want to know, is the real horror.

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