

What's the Next Step to Stop Torture?

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The grim details about the CIA's torture techniques – from waterboarding to “rectal rehydration” – have overwhelmed the final defenses of the torture apologists. Now the question is what to do with this evidence and how to make sure this behavior doesn't happen again, says ex-CIA analyst Ray McGovern.

“I want you to listen to me,” [said](#) George Tenet lunging forward from his chair, his index finger outstretched and pointed menacingly at CBS' Scott Pelley, “We don't torture people; we don't torture people; we don't torture people; we don't torture people; we don't torture people!”

Appearing on “60 Minutes” on April 29, 2007, to hawk his memoir *At the Center of the Storm*, former CIA Director Tenet was imperiously definitive on the issue of CIA and torture. Could he have thought that repeating his denial five times, with the appropriate theatrics, would compel credulity? Is this the kind of assertion over reality that worked at CIA Headquarters during his disastrous tenure?

The frequently pliant Pelley seemed unmoved this time – since the basic facts about the CIA's waterboarding and other torture of “war on terror” detainees were well known by then. You would have had to be deaf and dumb to be unaware that Tenet had eagerly embraced the role of overseer in the Bush/Cheney “dark side” torture centers after 9/11.

In the memoir – a kind of apologia *sans* apology – Tenet was less self-confident and pugnacious than on “60 Minutes.” While emphasizing the importance of detaining and interrogating al-Qaeda operatives around the world, he betrayed some worry that the chickens might some day come home to roost. Enter the feathered fowl this week with the release of the Senate report on CIA torture and all the mind-numbing details about lengthy sleep deprivations, painful stress positions, waterboarding and “rectal rehydration.”

One remaining question now is whether egg on Tenet's face will be allowed to suffice as his only punishment, or whether he and his deputy-in-crime John McLaughlin will end up in prison where they, George W. Bush, Dick Cheney and several other senior officials properly belong.

The usual suspects are already crying foul over an extraordinarily professional investigation by Senate Intelligence Committee staffers and committee chair, Dianne Feinstein, who refused to chicken out and abandon her investigators despite political pressure to do so.

Possibly dreading this day, Tenet wrote in his memoir: “We raised the importance of being able to detain unilaterally al-Qa'ida operatives around the world. ... We were going to pursue al-Qa'ida terrorists in ninety-two countries. ... With the right authorities, policy

determination, and great officers, we were confident we could get it done. ...

“Sure, it was a risky proposition when you looked at it from a policy maker’s point of view. We were asking for and we would be given as many authorities as CIA ever had. Things could blow up. People, me among them, could end up spending some of the worst days of our lives justifying before congressional overseers our new freedom to act.” (*At the Center of the Storm*, p. 177-178.)

Note, however, that Tenet didn’t anticipate “spending some of the worst days of our lives” in a federal prison.

Now Squirring

Former CIA leaders are now squirming. And while they still enjoy the dubious services of a gruff and aging PR specialist named Dick Cheney, cries are again mounting that the lot of them, together with other former senior officials, be finally held to account in some palpable way.

Many will recall that Cheney – champion of the “dark side” techniques – was the first senior official to express public approval for waterboarding. On Oct. 24, 2006, he was asked by a friendly interviewer, “Would you agree a dunk in water is a no-brainer if it can save lives?”

“It’s a no brainer for me,” [answered](#) Cheney, “but for a while there I was criticized as being the Vice President for Torture. We don’t torture. That’s not what we’re involved in.”

Cheney followed up in January 2009, telling AP that he had no qualms about the reliability of intelligence obtained through waterboarding: “It’s been used with great discrimination by people who know what they’re doing and has produced a lot of valuable information and intelligence,” he [said](#).

Thus, it was very much in character for Cheney, on Monday, to [protest](#) press reports about torture being a “rogue operation” by the CIA, calling that “all a bunch of hooey” and saying: “The program was authorized. The agency did not want to proceed without authorization, and it was also reviewed legally by the Justice Department before they undertook the program.”

Yet, the trouble with Cheney’s defense is that one can no more “authorize” torture than rape or slavery. Torture inhabits that same moral category, which ethicists label intrinsic evil, always wrong – whether it “works” or not.

In other words, torture is not wrong because there are U.S. laws and a UN Convention prohibiting it. It’s the other way around. The legal prohibitions were put in place because it is – or used to be, at least – widely recognized that humans simply must not do such things to other humans. For instance, after World War II, Japanese commanders were tried for war crimes because they used waterboarding on captured U.S. soldiers.

Sadly though, virtually all of the public discussion on torture focuses on its possible efficacy, even though all but the most sadistic of people have long recognized that torture would be wrong even if it “works” – and it often doesn’t “work” because it induces those being tortured to fabricate answers that they think the torturers want to hear.

The Senate report is simply the latest study showing torture does not produce reliable information. It is, after all, common sense. One need only be aware that almost anyone will say anything – true or false – to stop being tortured.

It would, I think, be difficult to come up with anyone more authoritative on this issue than Gen. John Kimmons, the head of Army intelligence in 2006, whose long career dealt largely with interrogation. After the cat was out of the bag on CIA torture – and the Bush administration’s wordsmiths were working on innocent-sounding euphemisms such as an “alternative set of procedures” or “enhanced interrogation techniques” – Kimmons seized the “bull” by the horns by arranging his own press conference.

Sounding the death knell for utilitarian arguments, Kimmons warned: “No good intelligence is going to come from abusive practices. I think history tells us that. I think the empirical evidence of the last five years, hard years, tells us that.”

Then Why Torture?

Kimmons stated definitively that abusive techniques do not yield “good intelligence.” But if it’s bad intelligence you’re after, torture works like a charm. If, for example, you wish to “prove,” post 9/11, that “evil dictator” Saddam Hussein was in league with al-Qaeda and might arm the terrorists with WMD, bring on the torturers.

It is a highly cynical and extremely sad story, but many Bush administration policymakers wanted to invade Iraq before 9/11 and thus were determined to connect Saddam Hussein to those attacks. The PR push began in September 2002 – or as Bush’s chief of staff Andrew Card put it, “From a marketing point of view, you don’t introduce new products in August.”

By March 2003 – after months of relentless “marketing” – almost 70 percent of Americans had been persuaded that Saddam Hussein was involved in some way with the attacks of 9/11.

The case of Ibn al-Sheikh al-Libi, a low-level al-Qaeda operative, is illustrative of how this process worked. Born in Libya in 1963, al-Libi ran an al-Qaeda training camp in Afghanistan from 1995 to 2000. He was detained in Pakistan on Nov. 11, 2001, and then sent to a U.S. detention facility in Kandahar, Afghanistan. He was deemed a prize catch, since it was thought he would know of any Iraqi training of al-Qaeda.

The CIA successfully fought off the FBI for first rights to interrogate al-Libi. FBI’s Dan Coleman, who “lost” al-Libi to the CIA (at whose orders, I wonder?), said, “Administration officials were always pushing us to come up with links” between Iraq and al-Qaeda.

CIA interrogators elicited some “cooperation” from al-Libi through a combination of rough treatment and threats that he would be turned over to Egyptian intelligence with even greater experience in the torture business.

By June 2002, al-Libi had told the CIA that Iraq had “provided” unspecified chemical and biological weapons training for two al-Qaeda operatives, an allegation that soon found its way into other U.S. intelligence reports. Al-Libi’s treatment improved as he expanded on his tales about collaboration between al-Qaeda and Iraq, adding that three al-Qaeda operatives had gone to Iraq “to learn about nuclear weapons.”

Al-Libi’s claim was well received at the White House even though the Defense Intelligence

Agency was suspicious.

“He lacks specific details” about the supposed training, the DIA observed. “It is possible he does not know any further details; it is more likely this individual is intentionally misleading the debriefers. Ibn al-Shaykh has been undergoing debriefs for several weeks and may be describing scenarios to the debriefers that he knows will retain their interest.”

Meanwhile, at the Guantanamo Bay prison in Cuba, Maj. Paul Burney, a psychiatrist sent there in summer 2002, told the Senate, “A large part of the time we were focused on trying to establish a link between al-Qaeda and Iraq and we were not successful. The more frustrated people got in not being able to establish that link ... there was more and more pressure to resort to measures that might produce more immediate results.”

Just What the Doctor Ordered

President Bush relied on al-Libi’s false Iraq allegation for a major speech in Cincinnati on Oct. 7, 2002, just a few days before Congress voted on the Iraq War resolution. Bush declared, “We’ve learned that Iraq has trained al-Qaeda members in bomb making and poisons and deadly gases.”

And Colin Powell relied on it for his famous speech to the United Nations on Feb. 5, 2003, declaring: “I can trace the story of a senior terrorist operative telling how Iraq provided training in these [chemical and biological] weapons to al-Qaeda. Fortunately, this operative is now detained, and he has told his story.”

Al-Libi’s “evidence” helped Powell as he sought support for what he ended up calling a “sinister nexus” between Iraq and al-Qaeda, in the general effort to justify invading Iraq.

For a while, al-Libi was practically the poster boy for the success of the Cheney/Bush torture regime; that is, until he publicly recanted and explained that he only told his interrogators what he thought would stop the torture.

You see, despite his cooperation, al-Libi was still shipped to Egypt where he underwent more abuse, according to a declassified CIA cable from early 2004 when al-Libi recanted his earlier statements. The cable reported that al-Libi said Egyptian interrogators wanted information about al-Qaeda’s connections with Iraq, a subject “about which [al-Libi] said he knew nothing and had difficulty even coming up with a story.”

According to the CIA cable, al-Libi said his interrogators did not like his responses and “placed him in a small box” for about 17 hours. After he was let out of the box, al-Libi was given a last chance to “tell the truth.” When his answers still did not satisfy, al-Libi says he “was knocked over with an arm thrust across his chest and fell on his back” and then was “punched for 15 minutes.”

After Al-Libi recanted, the CIA recalled all intelligence reports based on his statements, a fact recorded in a footnote to the report issued by the 9/11 Commission. By then, however, the Bush administration had gotten its way regarding the invasion of Iraq and the disastrous U.S. occupation was well underway.

In *At the Center of the Storm*, Tenet sought to defend the CIA’s use of al-Libi’s claims in the run-up to the Iraq war, suggesting that al-Libi’s later recantation may not have been genuine.

“He clearly lied,” Tenet writes in his book. “We just don’t know when. Did he lie when he first said that Al Qaeda members received training in Iraq or did he lie when he said they did not? In my mind, either case might still be true.”

Really, that’s what Tenet writes despite the fact that intensive investigations into these allegations – after the U.S. military had conquered Iraq – failed to turn up any credible evidence to corroborate these allegations. What we do know is that Saddam Hussein and Osama bin Laden were bitter enemies, with al-Qaeda considering the secular Hussein an apostate to Islam.

Al-Libi, who ended up in prison in Libya, reportedly committed suicide shortly after he was discovered there by a human rights organization. Thus, the world never got to hear his own account of the torture that he experienced and the story that he presented and then recanted.

Hafed al-Ghwell, a Libyan-American and a prominent critic of Muammar Gaddafi’s regime at the time of al-Libi’s death, explained to Newsweek, “This idea of committing suicide in your prison cell is an old story in Libya.”

He added that, throughout Gaddafi’s 40-year rule, there had been several instances in which political prisoners were reported to have committed suicide, but that “then the families get the bodies back and discover the prisoners had been shot in the back or tortured to death.”

As Sen. Lindsey Graham, R-South Carolina, once put it during a Senate hearing on torture — with an apparently unintentional hat-tip to the Inquisition — “One of the reasons these techniques have been used for about 500 years is that they work.” Well, they work if what you want is a false confirmation of your false assumption.

The question now is what does the United States do next.

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