

HUMAN RIGHTS GROUPS TO OBAMA: DON'T LET JOHN BRENNAN COVER UP THE TORTURE HE CONDONED

Eight human rights organizations just sent a letter to President Obama urging him to appoint a high level White House official to coordinate the Senate Intelligence Committee torture report out of the White House. Like the letter Mark Udall already sent, this one implies releasing the report is crucial to delivering on Obama's 2009 promise to end torture.

As one of your very first acts as President, you signed an Executive Order that closed the CIA's "black sites" and restricted the agency to the techniques in the Army Field Manual.

[snip]

We believe the public release of the Senate Select Committee on Intelligence study is critical to upholding your 2009 Executive Order. Safeguarding your Executive Order from being overturned by a future administration or Congress will help ensure that the United States does not return to policies of torture and cruelty again.

But here's the key paragraph.

Most importantly, your administration has a responsibility to ensure that the Executive Branch response to the study is **not driven by individuals who might be implicated in the CIA's use of torture**. While it is appropriate for individuals who have direct knowledge of the program to provide input, others

with knowledge of the program should also be consulted. We urge you to ensure that a consolidated response representing the considered view of all parts of the Executive Branch is submitted to the Committee for review. [my emphasis]

Let's name names, shall we?

The person currently driving the Torture Report declassification process is a guy by the name of John Brennan (indeed, as Goldman and Apuzzo note in their coverage of the Clandestine Service decision, few other high ranking torturers are left).

At the time the torture program was instituted, he was CIA's Deputy Executive Director, in charge of things like logistics and personnel. He was, at a minimum, read into the torture techniques as they were being approved. Few people around at the time remember him expressing any opposition to them – aside from wanting the politicians who approved torture to be held responsible for it. Brennan also admits to knowing the torture was taped, and his forgetfulness about whether he sought information on CIA lawyer John McPherson's review of the torture tape leads me to suspect he learned, at the time, that the torturers were destroying the record of them exceeding torture guidelines. Brennan also – after he had moved on to the Terrorist Threat Integration Center – relied on information derived from torture in sworn declarations submitted to the FISA court.

I'd say all that qualifies Brennan as an "individual who might be implicated in the CIA's use of torture." (It should also have disqualified him for the job, but you fight torture with the Senate you have, not the one that might be a functioning oversight body.)

That is, these human rights groups, though far more polite than I am, are basically saying that John Brennan shouldn't be entrusted with this

declassification decision because he'd be covering up his own role in it (he is mentioned, though not badly implicated, in the report).

But that same line is also where the logic of this letter fails.

After all, as I have pointed out, torture was not CIA's baby. It was the White House's. And while Obama personally had no role in authorizing torture (except insofar as the government relies on Appendix M to use techniques that amount to torture, and outsources it to countries like Somalia), the President – President Bush – did. So while, unlike Brennan, Obama isn't personally implicated in what the report shows, his office – one whose authority he has jealously guarded – is. Every appeal to the White House to declassify this report should be clear about that fact.

Particularly given the one objection Brennan is reported to have expressed back in the early days of torture:

He expressed concern, according to these officials, that if details of the program became public, it would be CIA officers who would face criticism, rather than the politicians and lawyers who approved them.

The one objection Brennan had to torture, it seems, is that the CIA – not the White House – would be blamed for it.

I would imagine the White House knows that well.